

**PINs:**  
**08-18-309-002**  
**08-18-422-001**

**ADDRESSES:**  
**126, 140 AND 148 N. WRIGHT STREET**  
**619 E. FRANKLIN AVENUE**  
**147 N. COLUMBIA STREET**  
**NAPERVILLE, IL 60540**

**PREPARED BY:**  
**CITY OF NAPERVILLE**  
**LEGAL DEPARTMENT**  
**630/420-4170**

**RETURN TO:**  
**CITY OF NAPERVILLE**  
**CITY CLERK'S OFFICE**  
  
**400 SOUTH EAGLE STREET**  
**NAPERVILLE, IL 60540**

**ORDINANCE NO. 20- \_\_\_\_**

**AN ORDINANCE  
OF THE CITY OF NAPERVILLE  
APPROVING CERTIFICATE OF APPROPRIATENESS #20-2321**

**RECITALS**

1. **WHEREAS**, the City of Naperville, DuPage and Will Counties, of the State of Illinois is an Illinois municipal corporation and home rule unit of local government under the laws and Constitution of the State of Illinois (the "**City**"); and
2. **WHEREAS**, Little Friends, Inc., 140 N. Wright Street, Naperville, IL 60540 ("**Property Owner**") owns the 3.79-acre Property located at 126, 140, 148 N. Wright Street, 147 N. Columbia Street, and 619 E. Franklin Avenue ("**Subject Property**"). The Subject Property is comprised of two parcels which are zoned R2 under the Naperville Municipal Code. The Administration Building (built in 1956) is located on Parcel 1. The Kroehler Mansion (built in 1908), the Krejci Academy and the Gymnasium (both built in 1948) are located on Parcel 2; and

3. **WHEREAS**, the Subject Property is located within the Historic District of the City of Naperville and property owners who seek to alter, construct, demolish, or make a material change to structures located within the City's Historic District are required to obtain a Certificate of Appropriateness ("**COA**") as set forth in the Naperville Municipal Code, as amended from time to time; and
4. **WHEREAS**, on November 19, 2019 the City Council approved COA #19-2840 requested by the Property Owner by which demolition of the following structures on the Subject Property was approved: Krejci Academy, the Gymnasium, the Administration Building, and the Kroehler Mansion; and
5. **WHEREAS**, the petitioner, **RAM WEST CAPITAL LLC**, 127 Aurora Avenue, Naperville, IL 60540 ("**Petitioner**"), as authorized by the Property Owner, has submitted a development request for the Subject Property by which the Kroehler Mansion will be preserved and converted into two residential units while demolition of the remaining structures on the Subject Property will occur to be replaced by eleven (11) buildings with thirty-nine (39) single family attached dwelling units for a total of 41 dwelling units ("**Heritage Place**"); and
6. **WHEREAS**, as set forth in a separate ordinance approving a conditional use for single-family attached units in the R2 Zoning District and variances for height and setback for the Heritage Place development, and as set forth in an Owner's Acknowledgement and Acceptance Agreement which is an exhibit to and component of the ordinance approving a preliminary plat of subdivision for the Subject Property, (hereinafter the "**Heritage Place Ordinances**"), the Heritage Place development will include a variety of amenities including a public park located west of the Kroehler Mansion, a public park located between lots 27 and 28, a private rose garden located north of the Kroehler Mansion, and a public

pedestrian pathway; and

7. **WHEREAS**, Petitioner has requested that the City delay recordation of this Ordinance and the Heritage Place Ordinances with the DuPage County Recorder until no later than October 21, 2021 in order to allow Petitioner to finalize the purchase and sale agreement for the Subject Property and to transfer ownership of the Subject Property to the Petitioner; and
8. **WHEREAS**, in order to proceed with the Heritage Place development, Petitioner sought approval of Certificate of Appropriateness #20-2321, which included Petitioner's response to the factors for consideration of a COA, in support of Petitioner's request for proposed exterior façade changes to the Kroehler Mansion and a request for approval of the proposed exterior facades of the eleven (11) new townhome buildings to be constructed; and
9. **WHEREAS**, the City's Historic Preservation Commission reviewed the requests set forth in Certificate of Appropriateness #20-2321 on August 27, 2020, and after consideration of Petitioner's presentation, staff's report, and public testimony, denied the request. The meeting minutes of said meeting are attached hereto as **Exhibit A** and the Historic Preservation Commission's response to the Factors for Consideration of a COA are attached hereto as **Exhibit B**; and
10. **WHEREAS**, on September 8, 2020 Petitioner timely submitted a request to appeal the Historic Preservation Commission's denial of COA #20-2321 to the City Council, which appeal is attached hereto as **Exhibit C**; and
11. **WHEREAS**, on October 13, 2020, the Petitioner submitted revised plans for the Heritage Place development reducing the number of units to 41 in total; and
12. **WHEREAS**, on October 20, 2020, the City Council concluded that it did not concur with the HPC's findings of fact as to factors for consideration of a COA, but did

concur with Petitioner's findings of fact as set forth in Petitioner's application for the COA as set forth in **Exhibit D**. The City Council determined that Certificate of Appropriateness #20-2321 should be granted subject to administrative approval of revised elevations for Heritage Place reflecting the reduced unit count described above. The City Council's determination is based on the finding that the Heritage Place development provides: (i) for the preservation and adaptive re-use of the Kroehler Mansion; (ii) an exterior townhome design which is complementary to the Kroehler Mansion; and (iii) for construction of two public parks, a private garden, and a public pedestrian pathway, all of which will contribute to a setting which highlights the Kroehler Mansion as a critical component of the development.

**NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NAPERVILLE, COUNTIES OF DUPAGE AND WILL, ILLINOIS, in exercise of its home rule authority, as follows:**

**SECTION 1:** The foregoing Recitals are incorporated as though fully set forth in this Section 1.

**SECTION 2:** Subject to approval of the Heritage Place Ordinances and the simultaneous recordation of this Ordinance and the Heritage Place Ordinances with the DuPage County Recorder in an order approved by the City Attorney, Certificate of Appropriateness #20-2321 is approved as set forth herein.

**SECTION 3:** If any section, paragraph, or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, or provision, shall not affect any of the remaining provisions of this Ordinance or any other City ordinance, resolution, or provision of the Naperville Municipal Code.

**SECTION 4:** This Ordinance shall be in full force and effect upon its recordation with the DuPage County Recorder as provided herein.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_ day of \_\_\_\_\_, 2020.

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Steve Chirico  
Mayor

ATTEST:

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Pam Gallahue, Ph.D.  
City Clerk