



**CITY OF NAPERVILLE
HISTORIC PRESERVATION COMMISSION
COUNCIL CHAMBERS – MUNICIPAL CENTER**

**MEETING MINUTES
August 22, 2017**

DRAFT -Unofficial prior to HPC approval.

CALL TO ORDER:

The HPC meeting was called to order at 7:00 p.m.

A. ROLL CALL:

Present: Garrison, Martinez, Urda, Noel, Doyle, Jacks, Anderson, Grinnell

Absent: Mayor

Recuse: Peterson, Ory

Student Members: None

Staff Members: Allison Laff, Gabrielle Mattingly, Patricia Lord, Michael DiSanto

B. PUBLIC HEARINGS:

1. PZC Case # 17-3045 Landmark Application

Petitioner: Charlie Wilkins and Barbara Hower

Subject Property: 110 S. Washington

Request: Conduct the public hearing to consider a request to designate the property located at 110 S. Washington Street (Old Nichols Library) as a landmark in accordance with Section 6-11-3 (Designation of Landmarks) of the Naperville Municipal Code – HPC 17-3045.

Charlie Wilkins and Barbara Hower spoke as the petitioner.

- The HPC inquired about the Supreme Court ruling in 1978 that was stated in presentation.

Paul Mitchell, Mike Elliot, and Dwight Avram, Jim Ma all representing the owner, Great Central Properties III, LLC, spoke.

- The HPC clarified that there was no tax bill on the property and inquired about the timeline presented in regards to the knowledge of the covenant, the proposed cost of the renovations, the contractor being a residential builder and experience of the contractor with historical homes, and the building being occupied when it is not up to code. Inquiries were made about the exchange of the 5 million purchased in order to move the church and the property at 110 S. Washington, and questioned if the

plan was made before any knowledge of the steps going forward.

Public Testimony:

- Donna Sack -Naperville Settlement Staff member. Speaking as a resident today. Believes the Old Nichols Library is very significant and unique.
- Bob Graham- Very few landmarks for how large our City is in comparison to surrounding Cities. Believes Old Nichols is a fundamental structure.
- Anne Swanson- Important to preserve the historic buildings we have today.
- Richard Uebele-Believes this part of Washington should be maintained.
- Tim Messer-Speaking as a resident today. Concern that if this building was redeveloped, others would follow suit.
- James Haselhorst- Value of the building adds to the community. In support of landmarking.
- George Howard- tearing down a building such as this would be a shame. Landmarking would provide City Council a new opportunity to preserve the property.
- Gail Diedrichsen- speaking on behalf of the Nichols family. Presented a video from Sally and Dolly Nichols. Sally and Dolly stated their desire to preserve the building and James Nichols will to keep the building as a library to be used by the public. The Nichols family (James L Nichols the 4th and the 5th) wrote a letter stating their wish to preserve the building and to have it landmarked. Gail also spoke on her own behalf for her support of landmarking.
- Tom Higgins- Raised concerns on the cost of repairs provided by the developer. Has had similar issues with his basement in historical home and was able to make small changes to repair home.

HPC inquired about waterproofing the basement and how it can be done.

- Mike Elliot, representative of owner spoke this matter- Difficult to compare a residential structure to this property. Looking for a long term solution with the repairs proposed in development.
- Bill Simon- Naperville resident. Spoke with a consultant who focuses on asbestos. Stated that the asbestos costs would be the same if the building was torn down or repaired so the landmarking status would not cost the developer anything.

- Becky Simon- Developer was aware of covenant. Shared petition of 1,000 signatures of people who have asked to make Old Nichols a landmark. In support of landmarking.
- Jim Hill- Spoke about future possibilities of the Old Nichols if it was landmarked and that it might never be repaired if the developer is not able to redevelop the site. Wants the developers to work with the City to come up with a compromise. Does not want it to be landmarked. Landmarking the property makes it harder to preserve.

HPC inquired if the primary concern is owner rights and clarified that this meeting tonight is part of the process.

- Jean Anderson- Old Nichols contains many memories. In support of landmarking.
- Bryan Ogg- In support of landmarking.
- Joni Blackman- Adaptive reuse of buildings occurs all the time. In support of landmarking.
- Rena Tamayo Calabrese- President/CEO of Naper Settlement. Stated that the Naperville Heritage Society executive board requests that the covenant be honored. In support of the landmarking.
- Donna Sack- spoke on behalf of the Naperville Heritage Society board. Provided information regarding the federal historic district, local historic district and defined landmark designation. Stated that the Old Nichols meets the criteria for landmark designation.

HPC inquired why the Naperville Heritage Society board and Naperville Settlement did not support the landmark designation and only supported the covenant.

- Rena Tamayo Calabrese- stated that the Naperville Heritage Society board has still not had the opportunity to discuss the landmark application. The executive committee has met to discuss and is requesting the covenant be honored at the very least.
- James Watt-The building was built before the City was even incorporated. In support of the landmarking.
- Doris Wood- former president of Library Board. In support of the landmarking.
- Tom Ryan- architect in Naperville with experience in historical homes and stated that the basement could be fixed easily with permaseal. In support of the landmarking.

Mike Elliot, representative of owner spoke on this matter, clarified that permaseal was utilized as a resource.

- Dennis Cremin-In support of the landmarking and believes it is a civic responsibility to preserve the building.

HPC agreed with the civic responsibility and stated that the people here tonight are making that happen.

- Nancy Dvojack- In support of the landmarking.
- Michael Hanson- Spoke about the assessed valuation of the property. In support of the landmarking.
- Gail Diedrichsen - Stated that if the property was landmarked, this does not mean that the property will not make any money.
- Mary Wehrli- In support of the landmarking.
- Bill Johnson- Doesn't believe the developer should be penalized for not making the property a landmark in the past. Time has passed to landmark the property and more restrictions should not be made. Not in support of the landmarking.
- Bob Graham -Stated that the support for landmarking would have been provided in the past. In support of the landmarking.

Owner provided closing remarks.

- HPC inquired about when the purchasing of the property occurred and when the amendments to the Naperville ordinance occurred.

Petitioner provided closing remarks.

HPC closed the public hearing. A motion was made by Garrison and seconded by Doyle.

The Historic Preservation Commission discussion:
Findings of Fact in response to Code Section 6-11-3:1.10

1. Findings of fact related to the criteria set forth in Section 6-11-2:2.

- Criteria For Designation Of Landmarks: An application for landmark designation may be granted based on the findings that the improvement proposed to be designated as a landmark meets the following criteria:
 - That it is over fifty (50) years old, in whole or in part; and
 - *Commission concurs unanimously.*
 - That one or more of the following conditions exist:

- That it was owned or occupied by a person of historic significance in national, State or local history;
 - Noel: Disagree. Owned by the City and they are not historically significant.
 - Jacks: Agree with prior commissioner– never resided in by Mr. Nichols.
 - Garrison: Agreed with prior commissioner. Interpreted the same way.
 - Doyle: Agreed with prior commissioner.
 - Urda: Disagree with prior commissioner. Given history of family and relationship to property, feels that it is pertinent.
 - Martinez: Concurs with Chair. Land was owned by Nichols and money contributed for library.
 - Anderson: significance of James Nichols to Naperville.
 - Grinnell: owner occupied really relates to association with James Nichols, even though he didn't live there. His financial contribution associates him with the library.
 - 3 believes it applies; 3 believes it does not.
- That it has a direct connection to an important event in national, State or local history;
 - *Unanimous concurrence.*
- That it embodies the distinguishing characteristics of an architectural period, style, method of construction, or use of indigenous materials;
 - *Unanimous concurrence.*

- That it represents the notable work of a builder, designer or architect whose individual work has substantially influenced the development of the community; or
 - *Unanimous concurrence.*
- That it is included in the National Register of Historic Places.

National Register of Historic Places. It is not individually listed, but it is within the district.

 - *Unanimous concurrence.*

2. A statement indicating whether the owner of the proposed landmark has responded to the application and the nature of the response pursuant to Section 6-11-3:3.

- Owner's Consent: The input, and preferably the consent, of the owner shall be considered by the Commission and the City Council in reaching a determination as to whether an improvement should be designated as a landmark. However, the owner's consent shall not be required as a condition to such designation.

HPC Discussion: Agree that the developer made a presentation. The owner submitted a clear and unequivocal objection to the petition.

3. A description of evidence submitted by the property owner to the Commission regarding the proposed landmark which evidence may consist of reports prepared by experts or specialists in one or more areas of expertise, inspection reports, photographs, and bids for repair or restoration. Section 6-11-3:1.4.

- If the owner is opposed to the designation due to the physical condition of the improvement, the owner may submit evidence to show that the improvement has deteriorated and/or is subject to one or more adverse conditions such that the cost to restore or repair the improvement to a condition

that complies with the standards for issuance of an occupancy permit under the provision of Title 5 would meet or exceed the assessed valuation of the property and improvement as shown on the most recent tax bill multiplied by one hundred fifty percent (150%). Section 6-11-3:1.4.1

HPC Discussion: The Commission acknowledged that the two cost estimates are significantly different and they do not feel that they have a strong basis to determine which is accurate. They do acknowledge that there is a cost burden to the property owner; however, the true amount is unknown. Commission concurred with this point unanimously.

- *Grinnell noted that even upon landmark status being granted, the petitioner can seek changes to the building through the COA process (significant alteration, minor alteration, complete demolition). Grinnell also noted that the façade covenant often offers the greater level of protection on the façade due to its language.*

4. Any other facts that the Commission finds relevant.

HPC Discussion:

- *Urda – clear community support (written statements, public testimony) in support of landmarking.*
- *Noel – does not feel that the entire community does support landmarking. His generation does not have the emotional tie to the building/prior library. While 1700 signed the petition in favor of landmarking, that is not representative of the overall population of Naperville.*
- *Jacks – likely that a lot of people are not engaged in this issue, but he believes that if more were poll, most would support the designation.*
- *Garrison – broad support, but has concern that the landmark status is not the vehicle to achieve desired outcome. Believes that the*

covenants are the stronger protection, especially since they were in place at the time that the property was purchased.

- *Doyle – covenant speaks to the building being retained as is. The application does meet all points of landmarking criteria.*
- *Lord provided clarification on covenants and noted that they can be amended by the City Council.*
- *Urda – clear that criteria is met. However, acknowledges that that should be balanced against owner rights. The HPC recommendation is not final, but a recommendation to the City Council for final determination. Landmark status helps to gain additional time for consideration of alternatives for the property.*
- *Martinez – all gave excellent testimony. Naperville is an eclectic blend of old and new. Proposed landmark meets all criteria for landmark status.*
- *Anderson – all sides presented very well. She has seen more response on this issue than any that she has worked on since being on City Council. She believes that the changes in 2011 are based on community opinion – and the people have spoken in favor of this application.*
- *Grinnell – supports.*

A motion was made by Doyle and seconded by Jacks to adopt the findings of fact as presented by the petitioner and approve PZC 17-3045, designate the property located at 110 S. Washington Street (Old Nichols Library) as a landmark in accordance with Section 6-11-3 (Designation of Landmarks) of the Naperville Municipal Code.

Ayes: Garrison, Martinez, Urda, Doyle, Jacks

Nays: Noel

Non-voting: Anderson, Grinnell

Absent: Mayor, Peterson, Ory

Motion approved (5-1).

C. REPORTS AND RECOMMENDATIONS:

1. A motion was made by Martinez and seconded by Doyle to approve the regular meeting minutes of May 25, 2017. Motion was approved (vote 6-0)

D. PUBLIC FORUM:

E. OLD BUSINESS:

F. CORRESPONDENCE:

G. NEW BUSINESS:

- A request was made by Anderson for the HPC to consider other Landmark Applications. Martinez agreed.

H. ADJOURNMENT: 11:14 p.m.

Any individual with a disability requesting a reasonable accommodation in order to participate in a public meeting should contact the Communications Department at least 48 hours in advance of the scheduled meeting. The Communications Department can be reached in person at 400 S. Eagle Street, Naperville, IL., via telephone at 630-420-6707 or 630-305-5205 (TDD) or via e-mail at info@naperville.il.us. Every effort will be made to allow for meeting participation.