



Legislation Details (With Text)

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File created: 4/26/2021 **In control:** City Council
On agenda: 5/4/2021 **Final action:**
Title: Consider the property owner's request to extend the deadline for the fire suppression installation agreement for 1111 S. Washington St. and direct staff to prepare an ordinance for approval

Sponsors:

Indexes:

Code sections:

Attachments: 1. Owner Request Letter, 2. 1111 S Washington Location Map, 3. Fire Suppression Agreement

Date	Ver.	Action By	Action	Result
5/4/2021	1	City Council	considered	Fail

CITY COUNCIL AGENDA ITEM

ACTION REQUESTED:

Consider the property owner's request to extend the deadline for the fire suppression installation agreement for 1111 S. Washington St. and direct staff to prepare an ordinance for approval

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: Peter Zibble, Operations Manager

BOARD/COMMISSION REVIEW:

The Building Review Board (BRB) considered the owner's request for a seven-year extension at their meeting on April 21, 2021. It rejected the request and instead voted 6-0 to recommend a three-year extension to the existing agreement. The BRB also noted that if the interior of the building is modified prior to the deadline such that a building permit is required, the fire suppression system would need to be installed at the time of the modifications.

BACKGROUND:

In 2008, the previous owner of 1111 S. Washington Street obtained a building permit for interior improvements. At that time, the owner entered into an agreement with the City to install a fire suppression system (i.e. sprinklers) within ten years. Such an agreement is permitted under Section 901.1.1 of 5-1A-3 of the Naperville Municipal Code. Per the terms of the agreement, the fire suppression system was to be installed by April 14, 2018. During the economic recession in 2010, the City Council approved a three-year extension for all open fire suppression agreements. The installation deadline was subsequently extended to April 14, 2021.

Janor Properties LLC, the current owner of the property located at 1111 S. Washington Street, has submitted a request for a seven-year extension to the term of the fire suppression agreement based on the "hardships presented by the recent pandemic resulting in ongoing retail/commercial vacancies

in Naperville.”

If approved, the new deadline for installation would be extended to April 14, 2028.

DISCUSSION:

City staff has reviewed the owner’s request to extend the term of the agreement and does not support the seven-year extension. Staff acknowledges the impacts of the pandemic and recommends a two-year extension to allow the owner additional time to complete the work. This will result in a total agreement period of 15 years.

Staff also recommends that, if during that two-year period, the owner or tenant seeks to modify the interior of the building such that a building permit is required or if there is a change in use, the sprinkler system would be installed at that time.

FISCAL IMPACT:

N/A