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Title:	Conduct the public hearing to consider a request to designate the property located at 34 South Washington Street (Kroehler YMCA) as a landmark in accordance with Section 6-11-3 (Designation of Landmarks) of the Naperville Municipal Code - HPC 21-4482		
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Attachments:	1. Landmark Application, 2. Section 6-11-6 through 6-11-11 (COA Requirements), 3. Section 6-11-3 (Designation of Landmarks), 4. Property Owner Response to Landmark Application, 5. Excerpt of Johnson Laskey Windshield Survey, 6. Downtown Architectural Survey, 7. Federal Historic District Map, 8. Excerpt of 2012 Update to the Federal Historic District, 9. Local Historic District Map, 10. Public Comment		

Date	Ver.	Action By	Action	Result
1/27/2022	1	Historic Preservation Commission		

HISTORIC PRESERVATION COMMISSION AGENDA ITEM

ACTION REQUESTED:

Conduct the public hearing to consider a request to designate the property located at 34 South Washington Street (Kroehler YMCA) as a landmark in accordance with Section 6-11-3 (Designation of Landmarks) of the Naperville Municipal Code - HPC 21-4482

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: Kathleen Russell, AICP

BOARD/COMMISSION REVIEW:

Official notice for the public hearing for HPC 21-4482 was published in the Daily Herald on January 10, 2022.

BACKGROUND:

The Petitioner, Naperville Preservation, Inc., has submitted an application to designate a portion of the building located at 34 S. Washington Street as a local historic landmark (see Attachment 1). The property is generally located on the east side of Washington Street south of the intersection of Benton Avenue and Washington Street and is zoned B4 (Downtown Core District). It is approximately 0.54 acres and was previously utilized as the Kroehler YMCA, an institutional use, hereinafter referred to as the "**Kroehler YMCA.**"

If approved by City Council, the landmark designation would provide local historic preservation protections to the property and would require issuance of a Certificate of Appropriateness (hereinafter

“**COA**”) prior to certain exterior building modifications or demolition from occurring (see Attachment 2). It should be emphasized that the landmark designation only provides protection for the exterior façade as visible from the right-of-way.

The original building, built in 1910, (denoted by Naperville Preservation, Inc. on Attachment 1) is the only portion of the current structure included in the landmark designation petition submitted by Naperville Preservation, Inc. Their petition specifically excludes the two north additions with the pool and racquetball courts from the landmark request. If the application is approved, demolition of the additions will not require Historic Preservation Commission (hereinafter “**HPC**”) approval; however, submittal and review of a demolition permit will still be required. If a structure is proposed to replace the additions, that portion of the structure which will be visible from the public right-of-way will be required to be reviewed through the COA process prior to building permit issuance.

Application

On September 24, 2021, the Petitioner submitted an application to the City to designate a portion of the building located at 34 S. Washington Street as a local landmark. In accordance with the Naperville Municipal Code (hereinafter “**Code**”) (see Attachment 3), the following steps were completed during the processing of the landmark application:

- September 30, 2021: The City deemed Naperville Preservation, Inc.’s application seeking to designate a portion of the Kroehler YMCA located at 34 S. Washington Street as a local landmark complete.
- October 4, 2021: Notice and copy of the landmark application was sent to the property owner of record (YMCA of Metropolitan Chicago). The City also notified the owner that, per Code, during the review of the pending landmark application, any alterations of exterior features that would be subject to a Certificate of Appropriateness (i.e. features visible from the public right-of-way) are prohibited until the City Council has taken final action to grant or deny the application (interior modifications are permitted and fall outside the City’s purview related to Landmark status).
 - Given that the property owner is not the applicant, the owner was provided until December 3, 2021, to submit a written response to the landmark application, as well as any evidence in support of or in opposition to the proposed landmark designation. Such evidence may consist of, but is not limited to, reports prepared by experts or specialists in one or more areas of expertise, inspection reports, photographs, and bids for repair or restoration.
- November 30, 2021: In accordance with Section 6-11-3:1.4.1 of the Naperville Municipal Code, the property owner submitted a request to extend the response period. The extension was approved, thereby resulting in a January 3, 2022, deadline for the property owner response. The HPC and Naperville Preservation were advised of the extension on November 30th.
- January 3, 2022: The property owner’s response was received by the City (see Attachment 4).
- January 4, 2022: The completed application (landmark nomination and property owner response) was transmitted to the HPC. Per Code, the HPC is required to hold a public hearing regarding the application within 30 days after the completed application has been transmitted to the HPC; in accordance with this Section, the HPC meeting was scheduled for January 27, 2022.

Survey Information Regarding the Kroehler YMCA

Johnson Laskey Windshield Survey (2007)

In 2007, the City, in cooperation with Naper Settlement/Naperville Heritage Society, hired Johnson Laskey Architects to conduct a reconnaissance survey of the downtown businesses and certain residential areas; this survey is often referred to as a “Windshield Survey.” The purpose of the Johnson Laskey Windshield Survey was to obtain objective information on the City’s historic and architectural resources to serve as a guide for City planning needs and create a foundation upon which reviews for future development proposals in this sector of the City may be assessed.

The Johnson Laskey Windshield Survey report noted the following with respect to the Kroehler YMCA (see survey excerpt in Attachment 5):

- “The east side of Washington between Jefferson and Washington is lined with historic institutional buildings (the old public library and YMCA). The presence of these, in particular the old library, must be maintained and celebrated. The old library forms a direct link to Central Park, behind it.”
- The original YMCA structure is shown as “contributing” on the Downtown 1920s map.

Downtown Survey (2010)

In October 2010, the City hired Granacki Historic Consultants, to survey 53 buildings in the City’s Downtown commercial area in accordance with recommendations made in the *Naperville Downtown2030* plan and the 2007 Windshield Survey. The buildings surveyed were selected with assistance from the Naperville Heritage Society.

The Downtown Survey noted the following with respect to the Kroehler YMCA:

- The building was constructed in 1910 and is classified as Classic Revival style (see Attachment 6). The building has three stories and the following significant features: original 3-story brick structure, with historic wood double hung windows; slightly projecting center entry bay with square piers; 3-part first story window openings with stone detailing on front façade; projecting metal cornice just below simple brick parapet wall; decorative brick diaper panels between 3rd story windows.

Federal Historic District (1977; updated 2012)

The Kroehler YMCA is included within the boundaries of a federal historic district as designated by the National Register of Historic Places in 1977 (see Attachment 7).

Because the National Register generally requires buildings to be at least 50 years old to be listed as historically significant, when the Naperville federal district was established in 1977, only those buildings constructed on or before 1927 were included. In 2012, Naperville’s National Register district was updated to (1) identify additional contributing properties which became eligible to be added into the existing National Register district (i.e., those buildings constructed on or before 1962); and (2) exclude properties that had lost historic integrity or had been demolished. The federal district includes approximately 492 contributing buildings and 86 non-contributing structures.

The 2012 National Register update, as prepared by Johnson Laskey, notes the following with respect to the Kroehler YMCA (excerpt of report included as Attachment 8):

- 34 S. Washington Street*: non-contributing
- 36 S. Washington Street*: contributing

**It is important to note that the City's mapping systems list the current address of the Kroehler YMCA as "34 S. Washington Street"; "36 S. Washington Street" is not a valid address in the City's systems. However, internet searches for "36 S. Washington Street" bring up the Kroehler YMCA. Staff believes that "36 S. Washington Street" was the address historically assigned to the original YMCA structure, with "34 S. Washington Street" being assigned to the pool and addition.*

For reference, the HPC does not have jurisdiction over properties included within the federal historic district unless they are located within the City's Historic District or have been designated as a local landmark per City ordinance. (Note: The Kroehler YMCA is NOT currently located in the City's Historic District; nor has it been designated as a local landmark).

Per the National Register's webpage, "Under Federal Law, the listing of a property in the National Register places no restrictions on what a non-federal owner may do with their property up to and including destruction, unless the property is involved in a project that receives Federal assistance, usually funding or licensing/permitting."

DISCUSSION:

At the January 27th meeting, the HPC will conduct a public hearing to consider a request to designate the property located at 34 S. Washington Street (Kroehler YMCA) as a local landmark. Following public testimony, the HPC should discuss the merits of the landmark nomination based upon the landmark criteria provided in Section 6-11-3:2 of the Naperville Municipal Code, as follows:

- **Criteria For Designation Of Landmarks:** Section 6-11-3:2 of the Code provides that an application for landmark designation may be granted based on findings that the improvement proposed to be designated as a landmark meets the following criteria (hereinafter "**Landmark Criteria**"):
 - 2.1. That it is over fifty (50) years old, in whole or in part; and
 - 2.2. That one or more of the following conditions exist:
 - 2.2.1. That it was owned or occupied by a person of historic significance in national, State or local history;
 - 2.2.2. That it has a direct connection to an important event in national, State or local history;
 - 2.2.3. That it embodies the distinguishing characteristics of an architectural period, style, method of construction, or use of indigenous materials;
 - 2.2.4. That it represents the notable work of a builder, designer or architect whose individual work has substantially influenced the development of the community; or
 - 2.2.5. That it is included in the National Register of Historic Places.
- **Note:** Even if the criteria for designation of a landmark have been met, Section 6-11-3:1.10 of the Code provides, in part, that: "It shall be within the discretion of the Commission to recommend denial of an application even if the Criteria for Designation of Landmarks have been met."

- **Owner's Consent:** Section 6-11-3:3 of the Code provides that: “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.”
 - Section 6-11-3:1.4.1 of the Naperville Municipal Code additionally provides the following: “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 https://library.municode.com/il/naperville/codes/code_of_ordinances? 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%). *In the event that the property has been exempt from taxation [as is the case for the Kroehler YMCA], such that the foregoing calculation cannot be applied, the owner may submit evidence to demonstrate 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 https://library.municode.com/il/naperville/codes/code_of_ordinances? would meet or exceed fifty percent (50%) of the replacement cost of such building or structure.*”

YMCA Landmark Petition

Naperville Preservation, Inc. prepared and submitted a Petition to designate the Kroehler YMCA as a local landmark. The table below lists the Landmark Criteria (as provided in the Naperville Municipal Code), as well as Naperville Preservation, Inc.'s contention as to which criteria are met in order to warrant designation of the Kroehler YMCA as a local landmark. In addition to the Landmark Criteria below, the landmark must also be over 50 years old. This requirement is met as the original building is over 50 years old.

Landmark Criteria	Naperville Preservation, Inc. Petition
2.2.1. That it was owned or occupied by a person of historic significance in national, State or local history;	“2.2.1. Kroehler YMCA was associated with notable Naperville resident Peter Kroehler and notable YMCA architects Shattuck and Hussey”
2.2.2. That it has a direct connection to an important event in national, State or local history;	2.2.2 The Petition did not include this criterion as one of the basis for landmark designation of the Kroehler YMCA.
2.2.3. That it embodies the distinguishing characteristics of an architectural period, style, method of construction, or use of indigenous materials;	“2.2.3 Kroehler YMCA embodies the distinguishing characteristics of YMCA buildings across America in architecture, period, style, and method of construction”
2.2.4. That it represents the notable work of a builder, designer or architect whose individual work has substantially influenced the development of the community	“2.2.4. Kroehler YMCA represents the notable architects Walter F. Shattuck and Harry Hussey whose work has substantially influenced the development of America”

2.2.5. That it is included in the National Register of Historic Places.

"2.2.5. Kroehler YMCA is included in the Naperville National Register Historic District."

Staff provides the following technical comments regarding Naperville Preservation, Inc.'s Petition:

- The Petition states that "the architectural style most closely associated with the building is Italianate"; however, Criteria 2.2.3 requires that the structure *embody* the distinguishing characteristics of an architectural style.
- The Petition states that the Kroehler YMCA architects have "substantially influenced the development of America"; however, Criteria 2.2.4 requires that the proposed landmark should "represent(s) the notable work of a builder, designer or architect whose individual work has *substantially influenced the development of the community.*" The Petition does not provide any information as to how the Kroehler YMCA architects have influenced development within Naperville.

Owner Response

Attorney Scott Day submitted written opposition to the Kroehler YMCA landmark application on behalf of the owner (YMCA); the Owner's response is included as Attachment 4.

Staff provides the following technical comments regarding the response submitted:

- Although the landmark application submitted for the Kroehler YMCA seeks local landmark status only for the original portion of the building, Mr. Day confirmed to staff that the cost estimate submitted in the Owner's response (Exhibit 1, page 19) includes costs applicable to the **"entire building and all operations."**
 - Note: the original structure sought to be landmarked comprises approximately 17,929 sq.ft. of the total 41,205 sq.ft of the current YMCA building.
- Further, the code stipulates that the "owner may submit evidence to demonstrate 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 50% of the replacement cost of such building or structure." The Owner has submitted a cost estimate; however, (1) the Owner has not articulated the basis for its stated cost estimate of thirteen million, one hundred and sixty-eight thousand, one hundred and twenty-five dollars (\$13,168,125.00) and if this cost estimate is limited to the Code standard of issuance of an occupancy permit (and not more substantial renovations); and (2) has not demonstrated whether the costs would meet or exceed 50% of the replacement cost of the building to be landmarked as required by Code. Further, as noted above, the cost estimate provided by the Owner includes not just the portion of the building sought to be landmarked, but the "entire building and all operations."
- Page 11 of the Owner's response notes that:

"However, since 1982 and continuing over the past four decades, while a compulsory landmark designation over the objection of a property owner has been **permitted** under the Naperville City code, **it has almost never been undertaken.** In this regard, the YMCA truly confronts and opposes a very rare application. Naperville Preservation is asking the City to impose an involuntary landmark designation outside of the Naperville Historic District in downtown. This is new ground. The Naperville Historic District is

administered and planned by the Historic Commission. Downtown Naperville is planned by the Plan Commission and City Council. YMCA is located in downtown Naperville, and not within the Naperville Historic District.”

Contrary to the Owner’s assertion above, an application for involuntary landmarking in the downtown and outside of the Naperville Historic District is not “new ground.” In 2017 the Old Nichols Library, located at 110 S. Washington Street (directly **south** of the Kroehler YMCA), was designated as a local landmark without the consent of the property owner. Further, it should be noted that the building directly to the **north** of the Kroehler YMCA (the Naperville Women’s Club located at 14 S. Washington Street) is also landmarked under the City Code (though, in contrast to the Old Nichols Library, the YMCA Women’s Club was landmarked with the consent of the owner).

- The Owner’s response indicated that the 2012 Update to the Federal Historic District (as prepared by Johnson Lasky Architects) identified the Kroehler YMCA building as “non-contributing.” However, as noted in the section above captioned “*Survey Information Regarding the Kroehler YMCA*”, the building located at 36 S. Washington Street (believed to be the original Kroehler YMCA structure) was classified as “contributing.”
- Page 14 of the Owner’s response notes that the Kroehler YMCA is listed as an opportunity site in the *Naperville Downtown2030* plan. Staff confirms that this is accurate, but further notes the following excerpt from the Plan which indicates that demolition/new construction is not a requirement of an opportunity site: “It is important to understand that opportunity site designation does not require or prompt redevelopment by the city. However, should redevelopment be requested by a private property owner, opportunity sites will be subject to a higher level of building design, site amenity consideration, and site plan review to respect their potential impact on the downtown.”
- Finally, page 16 of the Owner’s response describes the south edifice of the Kroehler YMCA as “relatively non-descript, devoid of any articulation and presents an unremarkable, but more importantly uninteresting, architectural wall that renders this walkway less desirable.” The Owner’s response concludes that the south façade therefore fails to meet the goals for a terminated vista as described in *Naperville Downtown2030*, as well as the *Central Park Master Plan*. However, if the Kroehler YMCA is designated as a local landmark, the south façade will not be subject to review and approval through the COA process since it does not front a public right-of-way.

Accordingly, even if a portion of the Kroehler YMCA structure is landmarked, the south façade of the building could be modified in the future to meet the goals described in *Naperville Downtown2030* and the *Central Park Master Plan* so long as the proposed modifications are in accordance with the adopted Downtown Design Guidelines which are applicable to any new construction project in the downtown.

Hearing Procedures

Once the HPC is ready to render a recommendation on the landmark nomination, they will close the public hearing. After the public hearing has been closed, no further testimony can be taken from the public, the landmark applicant, or the property owner.

Note: per the Code, the HPC is required to conclude the public hearing on the landmark application

and issue findings of fact (see below) and make a recommendation to the City Council to grant or deny the application within 60-days after the completed application has been submitted to the HPC (in this case not later than March 5, 2022).

Findings of Fact

Section 6-11-3:1.10 of the Code provides for the HPC to make findings of fact as follows:

- 1.10.1. Findings of fact related to the criteria set forth in Section 6-11-3:2 (Criteria for Designation of Landmarks);
- 1.10.2. 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;
- 1.10.3. A description of evidence received by the Commission relative to the proposed landmark designation pursuant to Section 6-11-3:1:4; and
- 1.10.4. Any other facts that the Commission finds relevant.

As noted above, even if the HPC determines that criteria for designation of a landmark have been met, Section 6-11-3:1.10 of the Code provides that the Commission has the discretion to recommend denial of a landmark application.

Next Steps

The HPC's recommendation and findings of fact will be submitted to the City Council within 30-days of their issuance by the HPC.

- The City Council shall grant or deny the application for landmark designation using the criteria set forth in Section 6-11-3:2 or on such other bases as it deems appropriate.
- The City Council shall grant or deny the landmark application within 150 days of the transmission of the application to the HPC (no later than June 3, 2022) unless this timeframe is extended by City Council for 30 days. Any application which is not granted or denied within the 150-day timeframe shall automatically lapse and become null and void without any further action by the City. [Note: Pursuant to 6-11-3:1.5 of the Code, the applicant may request a 60-day extension to the 150-day timeframe; however, the property owner must consent to the extension].
- If the landmark application is approved by City Council, a copy of the ordinance approving the landmark designation shall be recorded with the DuPage County Recorder.
- If the landmark application is denied by City Council, no application for landmarking may be made on the subject property for a period of one-year from the date of final action, unless the owner consents to the application.

ATTACHMENTS:

1. Landmark Application
2. Section 6-11-6 through 6-11-11 (COA Requirements)
3. Section 6-11-3 (Designation of Landmarks)
4. Property Owner Response to Landmark Application
5. Excerpt of Johnson Lasky Windshield Survey
6. Downtown Architectural Survey
7. Federal Historic District Map

- 8. Excerpt of 2012 Update to the Federal Historic District
- 9. Local Historic District Map
- 10. Public Comment