



**City of Wilmington - 1165 South Water Street - Wilmington, IL 60481**

**Agenda – Planning & Zoning Commission  
Wilmington City Hall Council Chamber  
October 6, 2022 at 5:00 p.m.  
In-Person & Via Zoom**

join by video at:

<https://us02web.zoom.us/j/88650180411?pwd=SFJ0M1F4dGR4NlYvdzUwWTNEy9iQT09>

join by phone at:

1-312-626- 6799

Meeting ID: 886 5018 0411 / Passcode: 363071

IN ACCORDANCE WITH PUBLIC ACT 101-0640, 5 ILCS 120/7(e), THIS MEETING WILL BE HELD IN-PERSON AND REMOTELY BASED ON THE GUBERNATORIAL DISASTER DECLARATION AND THE MAYOR OF THE CITY OF WILMINGTON DETERMINING THAT A FULL IN-PERSON MEETING IS NOT PRACTICAL OR PRUDENT. MEMBERS OF THE GENERAL PUBLIC WILL BE ABLE TO VIEW AND PARTICIPATE IN THE MEETINGS REMOTELY AS WELL.

1. Call Meeting to Order
2. Roll Call by Clerk
  - Larry Clennon
  - John Tryner
  - Bryan Humphries
  - Ivana Longest
  - Chris Smith
  - Jayson Walinski
  - Mark Duffy
3. Approve the Previous Meeting Minutes
4. Continued Public Hearing to Consider a text amendment to chapter 150 – a zoning ordinance of the City of Wilmington code of ordinances to include procedures that allow for the City of Wilmington to designate official historic landmarks within the City of Wilmington on public and private property and to provide for regulations of such historic landmarks, including the prohibition to construct, move, alter, change, make an addition to, make any improvement to, add structures or buildings on a lot or tract with a designated historical landmark, demolish or remove the exterior or any aspect of the exterior of any designated historic landmark
  - a. Introduction to Petition
  - b. Open Continued Public Hearing
  - c. Verification of Notice & Publication
  - d. City Staff Summary
  - e. Commissioner Clarification
  - f. Public Comment
  - g. Close Public Hearing
  - h. Motion to take action
5. Public Comment (*State your full name clearly; limit 3 minutes each per Ordinance 19-06-18-01*)
6. Review and Approve the 2023 Planning & Zoning Meeting Dates
7. Other Pertinent Information
8. Adjournment

*Posting Date:  
9/30/2022 12:02 PM jz*

**Minutes to the City of Wilmington**  
**Planning and Zoning Commission Meeting**  
**Wilmington City Hall**  
**1165 South Water Street**  
**Thursday, September 12, 2022, at 5:00 PM**

**Call to Order**

The September 12, 2022 meeting of the Wilmington Planning & Zoning Commission was called to order at 5:00 p.m. by Chairman Bryan Humphries

**Roll Call**

Upon Roll Call by the Clerk the following members answered "Here" or "Present":

**Commissioners Present** Humphries, Clennon, Smith, Duffy, Longest, Walinski, Tryner

**Quorum**

There being a sufficient number of members of the corporate authorities in attendance to constitute a quorum, the meeting was declared in order.

**Other Officials in Attendance**

Also, in attendance were City Administrator Jeannine Smith, City Attorney Bryan Wellner, and Deputy City Clerk Joie Ziller

**Approve the Previous Meeting Minutes**

Commissioner Smith made a motion and Commissioner Duffy seconded to approve the June 2, 2022 meeting minutes and have them placed on file.

Upon roll call, the vote was:

**AYES:**        7 Smith, Duffy, Longest, Walinski, Clennon, Tryner, Humphries

**NAYS:**        0

Motion passed.

**Public Hearing (#1)**

Commissioner Smith made a motion and Commissioner Clennon seconded to open the Public Hearing at 5:04 PM to Consider the request by Petitioner 85 Wilmington LLC, 2500 S. Highland Ave., Suite 103, Lombard IL 60148 and contract purchaser, Walrus CC LLC, 5275 Mount Vernon Way, Dunwoody, GA 30338 for a Planned Unit Development and Plat of Subdivision per Wilmington's Code of Ordinances Chapter 150, Article 6 be designated for the development of approximately 85 acres as described below. Further under the proposed PUD, the purchaser, Walrus CC LLC on Phase 1, approximately thirty (30) acres of property located on the southeast corner of E Kankakee River Drive and HWY 53 in the City of Wilmington, and as described below shall be allowed to depart from section 150.64(D)(5) and will be allowed to construct a building on Phase 1 of the site at a building height of 100 feet, shall be allowed to depart from section 150.81(D) of which its 30 acres shall not have official ROW frontage, and shall be allowed to depart from section 152.102 allowing utilities serving the site not to be run through existing ROWs

Upon roll call, the vote was:

**AYES:**        7 Smith, Duffy, Longest, Walinski, Clennon, Tryner, Humphries

**NAYS:**        0

Motion passed.

Deputy City Clerk Ziller confirmed that the public notice was published in the August 24, 2022 edition of the Free Press Advocate along with a sign posted on the property.

City Administrator Smith deferred to the staff report as prepared by City Engineer Casey McCollom.

Commissioner Smith asked for clarification on Phase II of the project. Attorney Wellner stated that tonight's

meeting is regarding Phase I of the project, Walrus CC LLC. Phase II would be reviewed upon developer interest.

Deputy City Clerk Ziller issued the oath to Lawrence Freedman, John Ripple, Mike Dahm, Stewart Mills.

Lawrence Freedman, Attorney for the petitioner, thanked the Commissioner for accommodating a meeting this evening. Attorney Freedman stated that his client is the owner of the 85 acres and he has a contract to sell the Walrus CC LLC 30 acres. At this time, there is no known buyer nor do they know the use for the remaining acres of the property. Phase 1, if recommended by the Commission and approved by Council, Walrus CC LLC would purchase the property, would develop the cooling tower at a maximum height of 100 feet. On the remaining 50 acres, because we are Planned Unit Development, we could not do anything on the site, even though it is zoned, without coming back to Planning & Zoning.

John Ripple, representing Agile Cold Storage stated that they are a third-party cold storage operator bringing in our client's products, holding them in the freezer, and then shipping those items out on behalf of clients. People working in the building are Agile Cold Storage employees, we own the building. We are proposing to build in two phases, Phase 1 will be approximately 321,827 square feet. The Agile Cold Storage building will provide approximately 150 quality jobs with 50 people per shift, working two 10-hour shifts per day and on Saturdays and Sundays, it is day shift only. Trucks would be approximately 4 to 6 trucks per hour coming and going to the building.

Lawrence Freedman added that the applicant commissioned a traffic impact study for the purpose of demonstrating that for the initial phase that the access is sufficient.

Mike Dahm from Ruettiger, Tonelli & Associates clarified that the two reliefs for the hundred feet and frontage are only on Agile's property on Phase I.

Commissioner Tryner stated for clarification that he noticed the application noted preliminary plat approval, are we (Commissioner) expecting to have a final site plan approval before the building permit is issued? Mr. Freeman confirmed that the final plan would be brought back to the Commission for review and recommendation.

Commissioner Clennon made a motion and Commissioner Duffy seconded to close the public hearing at 5:33 PM.

Upon roll call, the vote was:

**AYES:**         7   Smith, Duffy, Longest, Walinski, Clennon, Tryner, Humphries

**NAYS:**         0

Motion passed.

There being no further discussion, Commissioner Tryner made a motion and Commissioner Clennon seconded to recommend Granting Conditional Uses for a Planned Unit Development, Approving a Preliminary Plat of Planned Unit Development and Approving a Preliminary Site Plan for Phase 1 and Other Related Requests By 85 Wilmington LLC and Agile Cold Storage to the City Council of the City of Wilmington

Upon roll call, the vote was:

**AYES:**         6   Smith, Duffy, Longest, Clennon, Tryner, Humphries

**NAYS:**         1   Walinski

Motion passed.

### **Public Hearing (#2)**

Commissioner Duffy made a motion and Commissioner Smith seconded to open the Public Hearing at 5:37 PM to Consider a text amendment to chapter 150 – a zoning ordinance of the City of Wilmington code of ordinances to include procedures that allow for the City of Wilmington to designate official historic landmarks within the City of Wilmington on public and private property and to provide for regulations of such historic

landmarks, including the prohibition to construct, move, alter, change, make an addition to, make any improvement to, add structures or buildings on a lot or tract with a designated historical landmark, demolish or remove the exterior or any aspect of the exterior of any designated historic landmark

Upon roll call, the vote was:

**AYES:**            7    Smith, Duffy, Longest, Walinski, Clennon, Tryner, Humphries

**NAYS:**            0

Motion passed.

Administrator Smith explained that during a recent City Council meeting there was a discussion regarding several historical landmarks within the city which are privately owned. As they are not currently registered as historic landmarks, the City Council was concerned for the maintenance and preservation of these structures and placed, and directed staff to present a solution. Attached is the proposed ordinance for review and discussion.

Deputy City Clerk Ziller confirmed that the public notice was published in the August 24, 2022 edition of the Free Press Advocate along with a sign posted on the property.

Administrator Smith stated that currently, we do not have any ordinances in Wilmington where we could local landmarking of buildings, structures, or places. We are trying to preserve these special places within the City of Wilmington. The proposed ordinance includes language on how to designate historic landmarks.

Commissioner Clennon requested clarification if anyone could request the designation, not just the property owner. Administrator Smith stated, yes, anyone could come forward with the designation and ask the City to landmark it. We would have to follow the procedure which includes making notice to the private property owner and they would have a right to come forward to make a statement.

Attorney Wellner stated that any person can request that something be designated as a landmark. The property owner is provided an opportunity to be heard but it is ultimately up to the City Council under this ordinance to designate and impose some sort of regulation considering what the property owner has to say.

Commissioner Smith questioned (B)(3) of the draft ordinance where it states that "Planning & Zoning shall determine" and suggested that it be changed to "recommend".

Attorney Wellner stated that as the ordinance is drafted, the City Council is the board that determines the designation and regulation.

Commissioner Longest is concerned about who would set the tone once the designation is approved and suggested that a Historical Preservation Committee be formed.

Administrator Smith stated that if the City became a certified city it could potentially mean the property owner could be eligible for grant funding in order for them to preserve the structure.

Commissioner Tryner expressed his concerns that we are going to make the City of Wilmington a partner with everyone we might choose to designate as a historical site and say we are going to make the final decision whether you can do what you want to do with your personal property.

Commissioner Humphries suggests language be added on how to remove a previously approved historical designation.

The consensus of the Committee would prefer language added stating that a designation must have the property owner's consent.

The Committee agreed that revisions to the proposed ordinance be made and to continue the public hearing for further discussion and review.

There being no further discussion, Commissioner Longest made a motion and Commissioner Tryner seconded to continue the public hearing to consider a text amendment to chapter 150 – a zoning ordinance of the City of Wilmington code of ordinances to include procedures that allow for the City of Wilmington to designate official historic landmarks within the City of Wilmington on public and private property and to provide for regulations of such historic landmarks, including the prohibition to construct, move, alter, change, make an addition to, make any improvement to, add structures or buildings on a lot or tract with a designated historical landmark, demolish or remove the exterior or any aspect of the exterior of any designated historic landmark until October 6, 2022 at 5:00 PM at the Planning & Zoning Commission meeting held at 1165 S. Water Street, Wilmington, IL.

Upon roll call, the vote was:

**AYES:**         7   Smith, Duffy, Longest, Walinski, Clennon, Tryner, Humphries

**NAYS:**         0

Motion passed.

**Public Comment**

No public comment was made.

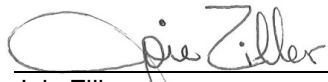
**Other Pertinent Information**

No other information was discussed.

**Adjournment**

A motion to adjourn the meeting was made by Commissioner Smith and seconded by Commissioner Clennon. Upon voice vote, the motion was carried. The Wilmington Planning & Zoning meeting held on September 12, 2022, adjourned at 6:25 p.m.

Respectfully submitted,

  
\_\_\_\_\_  
Joie Ziller  
Deputy City Clerk

CERTIFICATE OF PUBLICATION

STATE OF ILLINOIS .} Ss.  
County of Will,

Certificate of the Publisher

**Free Press Newspapers** certifies that it is the publisher of the **The Free Press Advocate**

**The Free Press Advocate** is a secular newspaper, has been continuously published weekly for more than fifty (50) weeks prior to the first publication of the attached notice, is published in the city of Wilmington, State of Illinois, is of general circulation throughout that county and surrounding area, and is a newspaper as defined by 715 ILCS 5/5. A notice, relating to the matter of:

**City of Wilmington hearing would allow city to establish historic landmarks**

a true copy of which is attached, was published one times in **The Free Press Advocate**, namely one time per week for one successive weeks. The first publication of the notice was made in the newspaper, dated and published on August 24, 2022, and the last publication of the notice was made in the newspaper dated and published on August 24, 2022. This notice was also placed on a statewide public notice website as required by 715 ILCS 5/2.1. In witness, the Free Press Advocate has signed this certificate by **Eric D Fisher**, its publisher, at Wilmington, Illinois, on August 24, 2022.

**Free Press Newspapers**

By Eric D. Fisher Publisher  
Eric D. Fisher

Printer's Fee \$ 86.40

Given under my hand on August 24, 2022.

Janet M. Fisher  
Janet M. Fisher, Notary Public



City of Wilmington hearing would allow city to establish historic landmarks

**PUBLIC NOTICE**  
**NOTICE OF PUBLIC HEARING**

A PUBLIC HEARING WILL BE HELD AT THE CITY OF WILMINGTON PLANNING & ZONING MEETING ON MONDAY, SEPTEMBER 12, 2022 AT 5:00 P.M. AT CITY HALL OF WILMINGTON, 1165 SOUTH WATER STREET, WILMINGTON, IL 60481 TO CONSIDER THE FOLLOWING:

A TEXT AMENDMENT TO CHAPTER 150 – ZONING ORDINANCE OF THE CITY OF WILMINGTON CODE OF ORDINANCES TO INCLUDE PROCEDURES THAT ALLOW FOR THE CITY OF WILMINGTON TO DESIGNATE OFFICIAL HISTORIC LANDMARKS WITHIN THE CITY OF WILMINGTON ON PUBLIC AND PRIVATE PROPERTY AND TO PROVIDE FOR REGULATIONS OF SUCH HISTORIC LANDMARKS, INCLUDING THE PROHIBITION TO CONSTRUCT, MOVE, ALTER, CHANGE, MAKE ADDITION TO, MAKE ANY IMPROVEMENT TO, ADD STRUCTURES OR BUILDINGS ON A LOT OR TRACT WITH A DESIGNATED HISTORICAL LANDMARK, DEMOLISH OR REMOVE THE EXTERIOR OR ANY ASPECT OF THE EXTERIOR OF ANY DESIGNATED HISTORIC LANDMARK.

ALL PERSONS INTERESTED IN ATTENDING ARE INVITED TO DO SO AND WILL BE GIVEN AN OPPORTUNITY TO BE HEARD. PURSUANT TO SECTION 7(E) OF THE ILLINOIS OPEN MEETINGS ACT, 5 ILCS 120/7(E), AND GUIDANCE PROVIDED BY LEGAL COUNSEL, THE CITY OF WILMINGTON MAY CONDUCT ALL OR PORTIONS OF THIS MEETING BY USE OF TELEPHONIC OR ELECTRONIC MEANS WITHOUT A PHYSICAL QUORUM PRESENT IN THE BOARDROOM. PUBLIC ACCESS TO THIS MEETING IS AVAILABLE AS FOLLOWS:

JOIN ZOOM MEETING BY VIDEO:  
<https://us02web.zoom.us/j/86737492480?pwd=VmtfYQ1FYcVJlUWJNRRnJpc3FmRDBMU009>

JOIN ZOOM MEETING BY PHONE: 1 312 626 6799 US (Chicago)  
MEETING ID: 867 3749 2480  
PASSCODE: 396642

ALL PERSONS INTERESTED IN ATTENDING ARE INVITED TO DO SO AND WILL BE GIVEN AN OPPORTUNITY TO BE HEARD. ADDITIONAL INFORMATION ON SUCH A REQUEST CAN BE OBTAINED FROM THE CITY OF WILMINGTON AT 1165 S. WATER STREET, WILMINGTON, IL 1-815-476-2175.

JOIE ZILLER  
DEPUTY CITY CLERK  
CITY OF WILMINGTON

Published in the Free Press Advocate on Wednesday, Aug. 24, 2022.

# City of Wilmington

## Planning and Zoning

### Staff Report

**SUBJECT:** Text Amendment to the City of Wilmington Zoning Code to Provide for a Procedure to Designate Historic Landmarks and Related Regulations

**AGENDA ITEM:** 6

**MEETING DATE:** September 8, 2022

**TO:** Honorable Members of the City of Wilmington Planning and Zoning Commission

**FROM:** Jeannine Smith, City Administrator



**ACTION REQUESTED:**

Recommendation to the Wilmington City Council to adopt an ordinance amending Chapter 150 to add Article 10 – Historic Preservation

**BACKGROUND:**

The City of Wilmington has a rich history dating back to the early 1800's when Thomas Cox acquired 400 acres from the government to build a sawmill, corn cracker, gristmill, and carding machine. Farmers all over the region would bring their grains to Cox's mills to be ground. In 1836, Mr. Cox laid out the lots to create a town called Winchester which would eventually be named Wilmington. In 1865, Wilmington was incorporated as an Illinois municipality. The City served the transportation industry of the day along the Illinois & Michigan Canal and as a way-station on the Underground Railroad. Many historic structures still stand and are named in the National Registry of Historic Places as well as the Will County Registry of Historic Places.

Today, Wilmington is known for its beautiful open spaces, the Kankakee National Water Trail, quaint antique shops in its historic downtown district and Route 66 which brings travelers from all over the world to enjoy the now famous historic landmarks along its path as it meanders from Chicago to L.A.

**PETITIONER'S NARRATIVE:**

During a recent City Council meeting there was discussion regarding several historical landmarks within the City which are privately owned. As they are not currently registered as historic landmarks, the City Council was concerned for the maintenance and preservation of these structures and places, and directed staff to present a solution. The attached ordinance provides for a procedure to that end.

**DISCUSSION AND FINDINGS OF FACT:**

Section 150.13 of the City of Wilmington Zoning Code provides that the city council may from time to time amend the regulations imposed and the districts created by Chapter 150 after a public hearing before the Planning and Zoning Commission as follows:

(A) At least 15 days but not more than 30 days prior to the public hearing, notice of the time and place of the hearing shall be published in a paper of general circulation in the city.

(B) The city planner shall prepare and submit a report to the PZC outlining the intent and purpose of the text amendment and make recommendation to the PZC.

(C) The PZC shall hold a public hearing and shall consider the proposed text amendment and relevant facts presented by the applicant, the public or city staff. Once the PZC is satisfied that they have heard all of the relevant facts, they shall recommend to the city council approval or denial of the proposed text amendment or the approval of a modified version of the proposed text amendment.

(D) After recommendation by the PZC, the city council may, by ordinance, approve, deny or approve with modification, the proposed text amendment.

Staff has submitted to the City's Deputy Clerk, the notice of publication in the Free Press Newspaper that identified the time, place and location of this hearing. Staff maintains that the Ordinance before you for consideration is in the City of Wilmington's best interest as it serves to preserve Wilmington's historical structures and places not already registered at the County or National level. Finally, once adopted, this Ordinance will provide the vehicle by which the City may become a certified city with the State of Illinois Historic Preservation Agency. This designation will open the door for future grant funding needed to maintain and preserve Wilmington's historic landmarks.

**SUGGESTED RECOMMENDATION:**

**Staff respectfully requests a recommendation in the affirmative to adopt Ordinance No. 22-09-20-01, a Text Amendment to the City of Wilmington Zoning Code to Provide for a Procedure to Designate Historic Landmarks and Related Regulations**



**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE APPROVING A TEXT AMENDMENT TO THE CITY OF WILMINGTON ZONING CODE TO PROVIDE FOR A PROCEDURE TO DESIGNATE HISTORIC LANDMARKS AND RELATED REGULATIONS**

**WHEREAS**, the City of Wilmington is an Illinois municipal corporation; and

**WHEREAS**, Section 11-48.2-2 of the Illinois Municipal Code (65 ILCS 5/11-48.2-2) states the following:

“The corporate authorities in all municipalities shall have the power to provide for the official landmark designation by ordinance of areas, places, buildings, structures, works of art and other objects having a special historical, community, or aesthetic interest or value; and in connection with such areas, places, buildings, structures, works of art or other objects so designated by ordinance, whether owned or controlled privately or by any public body, to provide special conditions, to impose regulations governing construction, alteration, demolition and use, and to adopt other additional measures appropriate for their preservation, protection, enhancement, rehabilitation, reconstruction, perpetuation, or use...”;

and;

**WHEREAS**, Section 11-48.2-4 of the Illinois Municipal Code (65 ILCS 5/11-48.2-4) states the following:

“No action taken by the municipality under this section directing a private owner to do or refrain from doing any specific thing, or refusing to permit a private owner to do some specific thing he desires to do, in connection with property designated by ordinance hereunder, shall be taken by the municipality except after due notice to such owner and opportunity for him to be heard at a public hearing...”

and;

**WHEREAS**, members of City Council made a request to the City Administrator to adopt procedures to designate official historic landmarks; and

**WHEREAS**, after notice being provided to the public, the Planning and Zoning Commission held a public hearing to consider a text amendment to include procedures to designate official historic landmarks, and after such public hearing, the Planning and Zoning Commission made a recommendation to City Council to adopt procedures consistent with the Illinois Municipal Code regarding the designation of historic landmarks.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WILMINGTON, WILL COUNTY, ILLINOIS, AS FOLLOWS:

**SECTION 1: HISTORIC LANDMARK PROCEDURES**

That Chapter 150 Zoning Ordinance of the City of Wilmington Code of Ordinances be hereby amended to include the following:

## **TITLE XV – LAND USAGE**

### **CHAPTER 150 – ZONING ORDINANCE**

#### **ARTICLE 10 – HISTORIC PRESERVATION**

##### **§ 150.120 DESIGNATION OF HISTORIC LANDMARKS.**

(A) Designation of Historic Landmarks:

(1) Procedures For Designation:

- (a) Any person, group, group of persons, association, the commission, or the city council may institute a request for a historic landmark designation for any structure or site in the City which may have historic significance. All designations of landmarks in the city are subject to review by City Council.
- (b) Notification for such public hearings before the Planning and Zoning Commission shall provide due notice to the owner(s) of the property, and an opportunity to be heard at the public hearing.
- (b) Planning and Zoning Commission shall recommend to City Council to approve or deny the designation of a historic landmark based upon criteria in subsection (A)(2) of this section.
- (c) City Council shall make a determination on the designation based upon criteria in subsection (A)(2) of this section. Designation of a historic landmark shall not be made if the designation is opposed by the property owner(s).

(2) Designation Criteria: In making its findings for designation of a landmark structure and/or site, the City Council shall consider the following criteria concerning such structure and/or site:

- (a) Its character, interest or value as part of the development, heritage or cultural characteristics of the city, county, state, or the United States;
- (b) Its location as a site of a significant historic event;
- (c) Its identification with a person or persons who significantly contributed to the culture or development of the city, county, state or the United States;
- (d) Its exemplification of the cultural, economic, social or historic heritage of the city, county, state or the United States;
- (e) Its portrayal of the environment of a group in an era of history characterized by the distinctive architectural style;
- (f) Its embodiment of distinguishing characteristics of an architectural type;
- (g) Its identification as the work of an architect or master builder whose individual work has influenced the development of the city, county, state or the United States;
- (h) Its embodiment of elements of architectural design, detail, materials, or craftsmanship which represent a significant architectural innovation;
- (i) Its relationship to other distinctive areas which are eligible for preservation according to a plan based on a historic, cultural or architectural motif;

- (j) Its unique location or singular physical characteristic representing an established or familiar visual feature of a neighborhood, community or the city or county;
  - (k) Its archaeological significance to the community, city, county, state and the United States;
  - (l) Its vernacular culture (utilitarian purpose without consideration of aesthetic value); or
  - (m) Its economic and functional potential.
- (B) Regulation of Construction, Rehabilitation, Demolition, and Removal; Historic Landmarks:
- (1) It shall be unlawful for any person to construct, move, alter, change, make addition to, make any improvement to, add structures or buildings on a lot or tract with a designated historical landmark, demolish or remove the exterior or any aspect of the exterior of any designated historic landmark, unless the city has previously authorized such work. Prior approval shall not be required for ordinary repair and maintenance, in which there is no exterior change in appearance or materials, or changes in color. It shall be unlawful to change the color of the exterior of a designated historic landmark.
  - (2) Plans for the alteration of the exterior of a designated historic landmark or new construction to a designated historic landmark on a lot with a designated historic landmark shall be processed in the same manner as subsection 150.12 of the zoning code.
    - (a) In addition to the findings of fact set forth in Section 150.12, in reviewing the proposed plans, the Planning and Zoning Board shall provide findings of fact in making its recommendation to City Council as follows:
      - (i) Whether the proposed work will highlight or positively enhance any exterior architectural feature of the improvement upon which said work is to be done.
      - (ii) Whether the proposed work will detract from those characteristics and qualities which deem the structure or site a landmark.
      - (iii) Whether the proposed work will have a positive effect on the use of the landmark.
      - (iv) Whether the proposed work is consistent with the Secretary of the Interior's standards for rehabilitation.
  - (4) Nothing in this section shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature of a historic landmark which does not involve a change in design, material, color or the outward appearance thereof; nor to prevent any alteration or demolition which the City Administrator, or its designee, shall certify is required for the public safety due to an unsafe or dangerous condition.

## **SECTION 2: SEVERABILITY**

If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

## **SECTION 3: REPEALER**

All ordinances or parts of ordinances conflicting with any provisions of this ordinance are hereby repealed.

## **SECTION 4: EFFECTIVE DATE**

This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

PASSED this \_\_\_\_ day of \_\_\_\_\_, 2022 with \_\_\_\_ members voting aye, \_\_\_\_ members voting nay, the Mayor voting \_\_\_\_\_, with \_\_\_\_ members abstaining or passing and said vote being:

Kevin Kirwin	_____	Ryan Jeffries	_____
Dennis Vice	_____	Ryan Knight	_____
Leslie Allred	_____	Jonathan Mietzner	_____
Todd Holmes	_____	Thomas Smith	_____

Approved this \_\_\_\_ day of \_\_\_\_\_, 2022

\_\_\_\_\_  
Ben Dietz, Mayor

Attest:

\_\_\_\_\_  
Deputy City Clerk

## **City of Wilmington Planning and Zoning Commission Meetings 2023**

The City of Wilmington City Council has set the first Thursday of each month unless otherwise noted for the 2023 Planning and Zoning Commission meeting dates. All meetings begin at 5:00 p.m. and are held in the Council Chambers of City Hall, 1165 South Water Street, Wilmington, Illinois:

January 5

February 2

March 2

April 13

(moved per Commission due to Good Friday holiday)

May 4

June 1

July 13

(moved per Commission due to Independence Day holiday)

August 3

September 7

October 5

November 2

December 7

These times and dates are subject to change. If any changes are made, the new date and time will be posted. The public is invited to attend any and all meetings.