

**MINUTES
CITY OF ST. CHARLES, IL
PLAN COMMISSION
TUESDAY, JANUARY 17, 2017**

Members Present: Chairman Todd Wallace
Vice Chairman Tim Kessler
Brian Doyle
James Holderfield
Tom Pretz
Laura Macklin-Purdy (7:21 p.m.)
Dan Frio

Members Absent: Tom Schuetz
Michelle Spruth

Also Present: Russell Colby, Planning Division Manager
Rita Tungare, Director of Community & Economic Dev.
Chris Bong, Development Engineering Manager
Ellen Johnson, Planner
Court Reporter

1. Call to order

Chairman Wallace called the meeting to order at 7:00 p.m.

2. Roll Call

Vice Chairman Kessler called the roll. A quorum was present.

3. Presentation of minutes of the January 10, 2017 meeting of the Plan Commission.

Motion was made by Vice Chairman Kessler, seconded by Mr. Pretz, and unanimously passed by voice vote to approve the minutes of the January 10, 2017 Plan Commission meeting.

4. Prairie Center (former St. Charles Mall site) (Shodeen Group, LLC)

Application for Special Use for Planned Unit Development
Application for PUD Preliminary Plan

The attached transcript prepared by Planet Depos Court Reporting is by reference hereby made a part of these minutes.

Motion was made by Mr. Doyle and seconded by Mr. Frio to recommend approval of the Applications for Special Use for Planned Unit Development and PUD Preliminary Plan for Prairie Center (former St. Charles Mall site) (Shodeen Group, LLC), with amendments to Findings of Fact as discussed in this public hearing and recorded by Chairman Wallace, contingent upon resolution of all outstanding staff comments prior to City Council action, and the following conditions:

Minutes – St. Charles Plan Commission

Tuesday, January 17, 2017

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- 1) **The Applicant endeavor to develop a majority of the main north/south connection route from Route 38 to Prairie Street at the outset of construction to the extent that construction logistics allow.**
- 2) **The Applicant minimize apparent massing and monotony of the buildings through variating design features, articulation, building heights, materials, and/or roof types. Particular attention should be paid to the use of the variation methods in the event of combining or connecting buildings within the development.**

Roll Call Vote:

Ayes: Macklin-Purdy, Frio, Doyle, Pretz, Holderfield, Wallace, Kessler

Nays: None

Absent: Schuetz, Spruth

Motion carried: 7-0

5. Additional Business from Plan Commission Members or Staff

The attached transcript prepared by Planet Depos Court Reporting is by reference hereby made a part of these minutes.

Motion was made by Chairman Wallace and seconded by Vice Chairman Kessler to recommend that the City Council review comments made by the City and Plan Commission through the duration of the public hearing, specifically based on evidence gathered by the Plan Commission during the public hearing. The issues related to road and sewer deficiencies would be present and exacerbated by development and use of the property as currently zoned or as developed. It is suggested that the City Council focus on remedying the currently existing infrastructural deficiencies in order to appropriately handle existing usage as well as the compounding effects of this application or any other future development application to be proposed.

Roll Call Vote:

Ayes: Macklin-Purdy, Frio, Doyle, Pretz, Holderfield, Wallace, Kessler

Nays: None

Absent: Schuetz, Spruth

Motion carried: 7-0

6. Weekly Development Report

7. Meeting Announcements

- a. Plan Commission
 - Tuesday, February 7, 2017 at 7:00pm Council Chambers
 - Tuesday, February 21, 2017 at 7:00pm Century Station Training Room
 - Tuesday, March 7, 2017 at 7:00pm Council Chambers
- b. Planning & Development Committee
 - Monday, February 13, 2017 at 7:00pm Council Chambers

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Monday, March 13, 2017 at 7:00pm Council Chambers

- 8. Public Comment**
- 9. Adjournment at 8:45 p.m.**



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Transcript of Hearing: Prairie Centre - Volume 4

Date: January 17, 2017

Case: St. Charles Plan Commission

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BEFORE THE PLAN COMMISSION
OF THE CITY OF ST. CHARLES

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In Re: :
Prairie Centre (former :
St. Charles Mall Site), :
Shodeen Group, LLC, :
Application for Special :
Use for Planned Unit :
Development and PUD :
Preliminary Plan. :
-----x

HEARING, Volume IV
St. Charles, Illinois 60174
Tuesday, January 17, 2017
7:00 p.m.

Job No.: 97807
Pages: 296 - 390
Reported by: Joanne E. Ely, CSR, RPR

1 HEARING, held at the location of:

2

3 CENTURY STATION

4 112 Riverside Avenue

5 St. Charles, Illinois 60174

6 (630) 377-4400

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13 Before Joanne E. Ely, a Certified Shorthand

14 Reporter, and a Notary Public in and for the State

15 of Illinois.

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PRESENT:

TODD WALLACE, Chairman

TIM KESSLER, Vice Chairman

BRIAN DOYLE, Member

DAN FRIO, Member

JIM HOLDERFIELD, Member

TOM PRETZ, Member

LAURA MACKLIN-PURDY, Member

ALSO PRESENT:

RUSSELL COLBY, Planning Division Manager

ELLEN JOHNSON, Planner

RITA TUNGARE, Community and Economic

Development Director

CHRIS BONG, Development Engineering Division

Manager

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P R O C E E D I N G S

CHAIRMAN WALLACE: The meeting of the
St. Charles Plan Commission will come to order.

Tim.

VICE CHAIRMAN KESSLER: Frio.

MEMBER FRIO: Here.

VICE CHAIRMAN KESSLER: Doyle.

MEMBER DOYLE: Here.

VICE CHAIRMAN KESSLER: Pretz.

MEMBER PRETZ: Here.

VICE CHAIRMAN KESSLER: Holderfield.

MEMBER HOLDERFIELD: Here.

VICE CHAIRMAN KESSLER: Wallace.

CHAIRMAN WALLACE: Here.

VICE CHAIRMAN KESSLER: Kessler, here.

CHAIRMAN WALLACE: All right. Item 3,
presentation of the minutes of the January 10th,
2017 meeting.

Is there a motion to approve?

VICE CHAIRMAN KESSLER: So moved.

MEMBER PRETZ: Second.

CHAIRMAN WALLACE: All in favor?

(Ayes heard.)

CHAIRMAN WALLACE: Opposed?

1 (No response.)

2 CHAIRMAN WALLACE: Motion passes.

3 Item 4 on the agenda, Prairie Centre, former
4 St. Charles mall site, Shodeen Group, LLC. We have
5 an application for special use for planned unit
6 development and an application for PUD preliminary
7 plan.

8 At this time since we've already had the
9 public hearing on this and we feel that we have
10 received enough evidence to make a recommendation to
11 the City Council either for or against the
12 application, I would entertain either a motion,
13 which we can then discuss and vote on; or if there
14 are any questions for the Applicant regarding
15 anything, not regarding any new evidence, but any of
16 the evidence that we've already received during the
17 public hearing, then that would be in order at this
18 time as well.

19 VICE CHAIRMAN KESSLER: Can I ask for five
20 minutes from staff?

21 CHAIRMAN WALLACE: Yeah.

22 VICE CHAIRMAN KESSLER: I think I would like
23 to have Russ walk through the applications and just
24 talk about what they are, what our purview is, and

1 what the next steps are.

2 MR. COLBY: So the Plan Commission conducted
3 three public hearings on the applications for the
4 Prairie Centre project, and those transcripts are
5 included within the meeting packet.

6 There's two different applications that
7 constitute the proposal, and there's an explanation
8 of each of those on the executive summary that's
9 provided in the packet, the first being the special
10 use for a PUD.

11 When a PUD is being established, there's
12 specific zoning standards and zoning deviations that
13 are being granted to the project; and those were
14 summarized during the public hearing and are also
15 summarized in the packet information that's been
16 provided both in the staff memo and also the draft
17 PUD ordinance, which has been prepared by both the
18 Applicant and the developer.

19 So the public hearing was required as a part
20 of the process to determine whether the PUD is in
21 the public interest. So the specific finding that
22 the Plan Commission needs to make is whether or not
23 the proposed PUD is in the public interest.

24 So there's criteria that are provided in the

1 zoning ordinance that lists the type of information
2 that is to be considered in reaching that
3 conclusion, and a copy of the criteria that has been
4 submitted by the Applicant has been passed out to
5 each of the Plan Commission members on paper for you
6 to refer to or to take notes on if needed.

7 So responses to those criteria do not
8 individually need to be in the affirmative for the
9 Plan Commission to make a recommendation for
10 approval. The recommendation would need to be based
11 on whether or not the Plan Commission has found that
12 the PUD is in the public interest.

13 So there could be conditions or restrictions
14 placed on your recommendation regarding the PUD; and
15 specifically, the zoning ordinance says those
16 restrictions could be placed upon the location,
17 design, layout, height, density, construction,
18 maintenance, aesthetics, operation, or other
19 elements of the PUD as deemed necessary to secure
20 compliance with the standards specified in the
21 zoning ordinance.

22 So any conditions that you might place on a
23 PUD recommendation will need to be tied back to
24 compliance with the zoning ordinance or meeting some

1 element of the criteria that are used for making a
2 finding that the project is in the public interest.
3 That is the special use for PUD application.

4 The other application that's been submitted
5 is a PUD preliminary plan, and this is a request for
6 approval of the development plans for the site, and
7 that includes the engineering plans, the landscape
8 plans, and the architectural plans that have been
9 submitted.

10 So your recommendation on these plans is
11 based on conformance with the zoning ordinance
12 requirements subject to any deviations that have
13 been requested through the PUD.

14 The City's PUD process requires that a
15 preliminary plan be submitted at the time the PUD is
16 being established so that information has been
17 provided to demonstrate how the project will meet
18 the findings that apply to PUDs.

19 The information that's being presented will
20 be approved as a part of this PUD approval. So in
21 the event the project advances for approval, the
22 plans you're seeing will have the final level of
23 review that the Plan Commission would typically
24 conduct for building architecture, landscaping, and

1 engineering, subject to the elements that are
2 included on the plans.

3 So, for example, the retail commercial
4 buildings along Route 38, we have not received
5 preliminary drawings for those buildings yet, so
6 those will need to come back later to the Plan
7 Commission.

8 But any final plans that are prepared for
9 construction, those would be reviewed
10 administratively by staff; and as long as they're in
11 conformance with the preliminary plans that have
12 been presented thus far, then the City is able to
13 issue building permits for those.

14 So, essentially, everything you're seeing
15 now in terms of preliminary drawings could be
16 constructed, and then certain elements that are not
17 being -- buildings that haven't been -- drawings
18 that haven't been provided, those would come later.
19 But the plans you are seeing are the plans that
20 could proceed to construction if the project were
21 approved.

22 In terms of process, the Plan Commission is
23 a recommending body for these applications. As part
24 of your process of conducting the public hearing,

1 you're gathering information to make findings that
2 would be forwarded to the City Council Planning and
3 Development Committee next for review. So this is
4 really the first review stage.

5 The next stage would be for the applications
6 and the Plan Commission recommendations together to
7 be presented to the Planning and Development
8 Committee for their consideration, and they will
9 conduct a similar review of the information as the
10 Plan Commission has.

11 Ultimately, the final action would be voting
12 on the ordinance by City Council which would come
13 later. So that's the basic summary of the
14 application.

15 I can take any questions on that information
16 if you have any.

17 MEMBER DOYLE: In the application submitted
18 by the Applicant, on pages 65 and up of the document
19 that we have, it's number -- it's actually the
20 criteria for planned unit development PUDs, and
21 there are a number of draft findings.

22 MR. COLBY: Yes.

23 MEMBER DOYLE: I have a couple of questions
24 about that.

1 First of all, the Plan Commission, I
2 believe, is required to consider these questions and
3 to render findings of fact, although they don't all
4 need to be in the affirmative to -- we're rendering
5 a single finding with our recommendation.

6 But do the findings as drafted or as
7 amended, are they attached to our recommendation to
8 the Planning and Development Committee?

9 MR. COLBY: They are.

10 MEMBER DOYLE: They are.

11 MR. COLBY: So the information that's shown
12 on this criteria for planned unit development sheet
13 has been prepared by the Applicant for the Plan
14 Commission's consideration; as part of your
15 deliberating on making a recommendation, you can
16 suggest additions or deletions or modifications to
17 that information for the purpose of the Plan
18 Commission recommendation.

19 That information will be forwarded along
20 with the Plan Commission resolution outlining the
21 recommendation for those findings as supporting
22 information attached to that resolution.

23 MEMBER DOYLE: Okay. So, Mr. Chairman, I
24 would like to discuss potential amendments to the

1 draft findings. Would you like to do that as a part
2 of the discussion of a recommendation -- of a motion
3 to recommend, or would you like to do that before we
4 make a motion to recommend?

5 CHAIRMAN WALLACE: I'm thinking probably the
6 former would be more productive.

7 MEMBER DOYLE: Okay.

8 CHAIRMAN WALLACE: You had said to discuss
9 it first and then make a motion; correct?

10 MEMBER DOYLE: Yes.

11 CHAIRMAN WALLACE: Yeah.

12 VICE CHAIRMAN KESSLER: Can we clarify?
13 You're referring to these draft findings?

14 MEMBER DOYLE: Correct.

15 CHAIRMAN WALLACE: Yeah. I think that if we
16 can outline the issues, then we may be more
17 effective in coming up with a motion.

18 MEMBER DOYLE: Right.

19 CHAIRMAN WALLACE: Would you like to start
20 the discussion?

21 MEMBER DOYLE: I would. So I'm going to
22 start -- so starting with these are the draft
23 findings dated August 3rd, 2016.

24 No. 1, the proposed PUD advances one or more

1 of the purposes of the planned unit development
2 procedure. I am comfortable with the language
3 proposed by the Applicant.

4 No. 2, proposed PUD and PUD preliminary
5 plans conform to the requirements of the underlying
6 zoning district or districts.

7 I'm comfortable with the language proposed
8 by the Applicant.

9 No. 3, parts A and B, the proposed PUD
10 conforms with the standards applicable to special
11 uses. Part A, public convenience, the special use
12 will serve the public convenience of the proposed
13 location; and part B, sufficient infrastructure.

14 So, first of all, I'd like to -- regarding
15 part A, it reads as follows right now: The proposed
16 special use for PUD will provide much needed
17 high-quality rental housing in St. Charles, and the
18 additional residents will serve to support the
19 City's business district.

20 I don't disagree with that language. I
21 think, however, my feeling regarding public
22 convenience is that it's important that we emphasize
23 that it's providing much needed high-quality
24 mixed-use housing and commercial; and the fact is

1 that we're approving a mixed-use development.

2 And when I think about some of the public
3 testimony we received at the last public hearing and
4 as well as an article I just read in the New York
5 times, I support the application because it's mixed
6 use; and so I think that I wouldn't want this
7 finding of fact and the language in it to imply that
8 this is primarily a rental-housing development. It
9 is a mixed-use development.

10 CHAIRMAN WALLACE: Are you saying it would
11 exclude that use by omission basically or exclude
12 that --

13 MEMBER DOYLE: I'm saying that I think this
14 is a half truth.

15 CHAIRMAN WALLACE: Okay.

16 MEMBER DOYLE: My rationale -- you know, the
17 reason why I believe it serves the public
18 convenience is because it provides much needed
19 mixed-use development and that includes rental
20 housing.

21 VICE CHAIRMAN KESSLER: Would you leave the
22 end of that in there then, the additional residents
23 will serve to support the City's business district?

24 MEMBER DOYLE: Yes. So the language -- I

1 guess what I would propose that we do there is to
2 edit the language to say -- and there's some
3 language up above that we could use here from part
4 1 -- high-quality and mixed-use residential, and
5 commercial development, in place of high-quality
6 rental housing.

7 MR. PATZELT: Brian, could you repeat that?

8 MEMBER DOYLE: Yes. Let me read it in full.
9 The proposed special use for PUD will provide much
10 needed high-quality, mixed-use residential and
11 commercial development in St. Charles, and the
12 additional residents will serve to support the
13 City's business district.

14 So I would move to make that amendment to
15 that language.

16 CHAIRMAN WALLACE: Should we also say "and
17 commercial uses within the development" at the end?

18 VICE CHAIRMAN KESSLER: Residential and
19 commercial.

20 MEMBER DOYLE: So the residents are
21 supporting the City's business district, so I --

22 CHAIRMAN WALLACE: Or business districts.

23 MEMBER DOYLE: Plural. Sure.

24 CHAIRMAN WALLACE: Yeah. Okay. I would say

1 let's take notes on it and then come up with a
2 motion.

3 VICE CHAIRMAN KESSLER: I agree. Keep
4 going.

5 MEMBER DOYLE: No. 2, I'd like to hand out,
6 and I have extra copies here for the Applicant if
7 you'd like. I'll give you two copies, and I'm going
8 to pass these down.

9 This I prepared for the last meeting in the
10 hopes of expediting this part because I disagree
11 with the language as stated here, and I have some
12 language that I propose in place of it.

13 So the current language is that there are
14 adequate utilities, roads, and other infrastructure
15 to serve the proposed PUD.

16 The language I propose is as follows -- and
17 I'm sorry. It's long, but it tries to address some
18 complex issues.

19 A traffic study conducted by Hampton,
20 Lenzini and Renwick, Incorporated, revealed existing
21 concerns within the study area, particularly along
22 Randall Road and along the east end of Prairie
23 Street. While the Prairie Center development
24 related traffic is expected to contribute to these

1 concerns, the analyses show that these problems will
2 not be avoided by preventing the development.

3 Modeling of the proposed sewer routing
4 showed that at pre-development, three of the pipe
5 segments are currently over capacity during a
6 10-year storm design event. The proposed Prairie
7 Centre sewer flows will cause an additional two pipe
8 segments to be over capacity during that same event.
9 These pipes are not drastically over capacity but
10 will require upsizing at some point in the future.

11 The Plan Commission concludes that there are
12 infrastructure deficiencies pertaining to roads and
13 sanitary sewers. However, the proposed development
14 does not have a greater impact on said
15 infrastructure than alternative development concepts
16 that assume full development of the site with land
17 uses that conform to existing zoning. Furthermore,
18 the proposed development does not alter or intensify
19 the mitigation requirements for said infrastructure
20 deficiencies.

21 So I think that there is inadequate
22 infrastructure; but in conversations that I had
23 between our December public hearing and this one,
24 what I've come to appreciate is that the Applicant

1 has a right to develop the land, and the City has an
2 obligation to ensure that the infrastructure
3 supports the development of the property according
4 to the underlying zoning.

5 So while I'm concluding that there's
6 insufficient infrastructure, it doesn't abrogate the
7 right of the developer to develop the property
8 according to the underlying zoning. Since the
9 application for a PUD doesn't intensify the use on
10 the infrastructure, then full build-out at the
11 business regional would.

12 I think it's important that we state for the
13 City and make it clear for the City that there's an
14 infrastructure problem and not gloss it over. I'm
15 not comfortable with saying that there's an adequate
16 infrastructure when there's not.

17 There's a preexisting condition, and the
18 Applicant shouldn't be punished for a preexisting
19 condition; but the City needs to take note that
20 there's an infrastructure problem, and I think the
21 finding here is important to convey to P&D and to
22 the City Council because the City's going to have to
23 grapple with how we are going to deal with this and
24 ensure that other developments in the future can

1 proceed and that the infrastructure is there to
2 support them.

3 So that's my rationale for the rewriting.

4 VICE CHAIRMAN KESSLER: Well, I couldn't
5 agree more. Especially, with the traffic and the
6 sewer routing because I think I've been trying to
7 make that point every time it comes up, and this is
8 exactly the condition that we grappled with the last
9 time a development on this property came before us,
10 particularly regarding traffic.

11 The report that was submitted 10 years
12 ago -- was it 10 years ago that the last -- that it
13 came up last?

14 MR. COLBY: It was last discussed in 2010.

15 VICE CHAIRMAN KESSLER: It seems like 10.
16 Anyway at that time, this same discussion came up in
17 the report and stated that by 2015 that Prairie
18 Street would reach capacity, and the report that
19 we've just gotten says Prairie Street -- so this is
20 not a new discussion.

21 MEMBER DOYLE: Uh-huh.

22 VICE CHAIRMAN KESSLER: I do believe that we
23 have some responsibility as a City to maintain our
24 infrastructure regardless. As I said, those people

1 who are victims of the 10-year storm event, and they
2 are even without this development, should want
3 something done about this. But I don't think that
4 the onus is on this particular developer or
5 development to provide that for us.

6 MR. BAZOS: Mr. Wallace, do you want us to
7 be quiet while you're talking about this or can we
8 add anything?

9 CHAIRMAN WALLACE: Do you have something to
10 add?

11 MR. BAZOS: I do.

12 CHAIRMAN WALLACE: Go ahead.

13 MR. BAZOS: I want to compliment this. When
14 we wrote these responses, of course, we hadn't seen
15 the traffic studies, et cetera, either.

16 I think you really hit it on the head,
17 Mr. Doyle, especially the point that the traffic
18 consultant made last time, that if the site were
19 developed as BR rather than mixed-use residential,
20 that the traffic load would be worse than the
21 proposed project; and so you make that point that --
22 you make that point in your final paragraph, and I
23 think it carries through. Thank you.

24 MEMBER DOYLE: We heard that back in 2010,

1 so that's always stuck with me.

2 MEMBER PRETZ: I support the language that
3 you've presented also, and I believe that the onus
4 is on the City for the existing problem and not on
5 the Petitioner. So I agree.

6 MEMBER HOLDERFIELD: I agree with all that's
7 been said about the amendment too, but could you go
8 back to the first amendment and just put that in the
9 context of -- just give me an example of what you're
10 talking about.

11 MEMBER DOYLE: You mean for public
12 convenience --

13 MEMBER HOLDERFIELD: Yes.

14 MEMBER DOYLE: -- the first one?

15 MEMBER HOLDERFIELD: What's your vision for
16 this or your thinking?

17 MEMBER DOYLE: Well, in terms of why I think
18 we should emphasize mixed use over residential
19 housing?

20 MEMBER HOLDERFIELD: Yes.

21 MEMBER DOYLE: So at the last public
22 hearing, we heard Larry Norgaard give public
23 testimony about these storefronts. There's a --
24 I'll get the headline here off my phone. There was

1 an article published two days ago in the New York
2 Times about Amazon and Amazon adding, I think,
3 100,000 jobs in Baltimore. The headline reads
4 "Amazon to Add 100,000 jobs as Bricks-and-Mortar
5 Retail Crumbles." That's the headline in the New
6 York Times from January 12th.

7 And what the article goes on to describe is
8 the way that automation and online retail is
9 destroying, you know, bricks-and-mortar retail jobs;
10 and so that aligns with what we heard from
11 Mr. Norgaard that there are all these storefronts
12 that are vacate.

13 I don't think it -- now, the article also
14 says it's not completely. There are bright spots.
15 It doesn't mean that retail is going away
16 completely, but it's certainly challenged.

17 We have heard from residents, and I think if
18 we look at our comprehensive plan, the comprehensive
19 plan does not contemplate 100 percent residential on
20 this parcel. It's not any one of the three concepts
21 in the comp plan, and I would not support
22 100 percent residential.

23 I also believe that there's a reason why it
24 has sat vacant for 15 years, and that's because

1 big-box retail is dying, and a mixed-use development
2 that emphasizes people shopping in their own
3 neighborhood, being able to walk to stores I think
4 is the best chance -- I think it's -- I don't know
5 if it's the best chance, but it offers a good chance
6 for us to sustain commercial retail with supporting
7 residential in the surrounding neighborhood and with
8 new consumers in the surrounding neighborhood.

9 So I very much think that mixed-use
10 development is appropriate and responsive to
11 economic trends, and I think that that's what we
12 should be supporting. I think that Mr. Norgaard's
13 testimony, while he is against the plan, actually
14 speaks to the reasons why mixed-use development
15 should be supported.

16 So that's my thinking. That's why I want to
17 emphasize that we are not recommending approval of
18 the residential development proposal. We're
19 recommending for approval of the mixed-use
20 development proposal.

21 MEMBER HOLDERFIELD: Okay.

22 MEMBER DOYLE: And I think that's consistent
23 with what you were recommending, and I think that
24 the language of that particular draft is just a half

1 truth.

2 MR. PATZELT: I think we agree with that.

3 MR. BAZOS: We do.

4 CHAIRMAN WALLACE: I'm wondering, Brian, if
5 I could suggest a supplement to your finding for 3B.

6 MEMBER PRETZ: This one? 3B?

7 CHAIRMAN WALLACE: Yeah. First of all, I
8 think we just need to reference the date of that
9 study because I know that there was a previous
10 study.

11 MEMBER DOYLE: Okay.

12 CHAIRMAN WALLACE: But then after your third
13 paragraph, I jotted down some additional verbiage,
14 and I just want to get your reaction to it.

15 MEMBER DOYLE: Okay.

16 CHAIRMAN WALLACE: Based on evidence
17 gathered by the Plan Commission during the public
18 hearing, the issues relating to road and sewer
19 deficiencies would be present and exacerbated by
20 development and use of the property as currently
21 zoned.

22 It is suggested that the City Council focus
23 on remedying the currently existing infrastructural
24 deficiencies in order to appropriately handle

1 existing usage as well as the compounding effects of
2 this application or any other future application --
3 or development application to be proposed.

4 VICE CHAIRMAN KESSLER: I think that is
5 appropriate language, but I'm not sure that it's
6 appropriate for a finding of fact for this
7 particular application. I think that might be other
8 business.

9 MEMBER DOYLE: I was thinking that we would
10 make a nonbinding recommendation to P&D that would
11 contain that language.

12 VICE CHAIRMAN KESSLER: But outside of this.
13 I don't think --

14 MEMBER DOYLE: Outside. So we're
15 recommending whatever we end up recommending
16 regarding the application, and then we make a
17 separate recommendation to P&D, and we reference
18 this finding of fact.

19 VICE CHAIRMAN KESSLER: Under other
20 business, not part of this application.

21 MEMBER DOYLE: Yes. I would agree with
22 that.

23 VICE CHAIRMAN KESSLER: I think you're --

24 MEMBER DOYLE: It's not a condition. It's

1 not a condition for --

2 VICE CHAIRMAN KESSLER: But I think your
3 language, your original language spells out that
4 it's not the responsibility of this Applicant or
5 application for a development.

6 CHAIRMAN WALLACE: Yeah.

7 VICE CHAIRMAN KESSLER: So we need to make
8 sure that we agree with that.

9 CHAIRMAN WALLACE: I want to make clear that
10 its our opinion that this is an issue regardless. I
11 mean, this is something that has come up in our
12 gathering of the evidence, that this is an issue
13 that the City needs to address.

14 Because we had many neighbors come in, and
15 I'm familiar with it as well. This is a need that
16 is not being addressed that we've gained knowledge
17 on the record of through the Applicant.

18 MEMBER DOYLE: Yeah. You know, I would
19 defer to the opinion of the Commission as to whether
20 or not it should go with this finding or separately
21 or both.

22 My thought was I drafted language in a way
23 so that it was just an analysis without any
24 commentary.

1 CHAIRMAN WALLACE: Sure.

2 MEMBER DOYLE: Any additional commentary
3 would come as a separate motion.

4 CHAIRMAN WALLACE: I agree.

5 VICE CHAIRMAN KESSLER: And I would like to
6 see that as a separate motion.

7 CHAIRMAN WALLACE: Tom, what were you going
8 to say?

9 MEMBER PRETZ: I would say as a separate
10 motion.

11 CHAIRMAN WALLACE: Okay. Do we know the
12 date on the traffic study?

13 MR. BONG: The original was August 17th, and
14 the newer one is January 3rd.

15 MEMBER HOLDERFIELD: 2017.

16 MR. BONG: Yes.

17 CHAIRMAN WALLACE: Yeah, Laura, did you have
18 a question?

19 MEMBER MACKLIN-PURDY: I'm just trying to
20 find the sheet which you were reading off of.

21 VICE CHAIRMAN KESSLER: It's right in front
22 you.

23 CHAIRMAN WALLACE: Right in front of you.

24 MEMBER MACKLIN-PURDY: This or that?

1 VICE CHAIRMAN KESSLER: Do you have a copy?

2 CHAIRMAN WALLACE: Are there extras down
3 there?

4 MEMBER MACKLIN-PURDY: No.

5 MEMBER HOLDERFIELD: Yeah, there is.

6 MEMBER MACKLIN-PURDY: No, I don't have a
7 copy of that.

8 CHAIRMAN WALLACE: Okay. Go head, Brian.

9 MEMBER DOYLE: So those are all my comments
10 regarding the draft language. Everything else that
11 follows I'm comfortable accepting as is, but I think
12 those two things are important to frame our
13 conversation about the application for special use
14 for PUD.

15 CHAIRMAN WALLACE: Okay. Further
16 discussion?

17 VICE CHAIRMAN KESSLER: Well, yes, I think
18 we need -- I think there are a couple elephants in
19 the room that I want to make sure we continue to
20 discuss, and it may or may not have any bearing.

21 MEMBER PRETZ: Are you talking about this,
22 or are you just going on to other?

23 VICE CHAIRMAN KESSLER: Well, it's all
24 related to this. It has to be related to this.

1 MEMBER DOYLE: In addition to the change to
2 the language of the --

3 VICE CHAIRMAN KESSLER: No. It's related to
4 phasing and it's related to --

5 MEMBER PRETZ: Okay.

6 VICE CHAIRMAN KESSLER: -- and I think it's
7 related to -- I think, Laura, you and I talked about
8 the senior housing component.

9 MEMBER MACKLIN-PURDY: And then also the
10 size of the buildings.

11 VICE CHAIRMAN KESSLER: The size of the
12 buildings.

13 CHAIRMAN WALLACE: So we're talking about
14 conditions.

15 VICE CHAIRMAN KESSLER: We're talking about
16 conditions, and I want to make sure that this all
17 gets out and we discuss it before we make a final
18 recommendation so that we have some basis for it.

19 And I'm going to just lay out the three
20 things that I think came up, and then we can discuss
21 it. And one is there's some discussion about
22 connecting the buildings and the massing of the
23 buildings and the ability that at some point -- you
24 have the ability to connect the buildings if

1 necessary. I think there's some opposition to that
2 because of massing, huge building, you know, walls
3 of windows and not a highly developed -- you know, a
4 big development.

5 The second was the housing, the senior
6 housing. I know you mentioned at our last meeting
7 that there was somebody that might be interested in
8 it; and we were wondering would that be in one
9 building, or would it be mixed throughout the
10 project, or has there been any thought about how a
11 senior component might fit in the project.

12 And then thirdly, phasing, and we talked
13 about it. I think from a phasing standpoint, I
14 think the biggest concern is not -- it may take some
15 time, and it is going to be market driven to a
16 certain extent. We understand that.

17 But I'm wondering if for -- you know, and
18 I'll zero in while we're having this discussion and
19 we're involved in these findings, but how the
20 project is developed. You mentioned something that
21 comes to me, and that was you would say you start
22 with your entrance, and you start with the front
23 door, and so, you know, develop from 38 through that
24 boulevard all the way through out to Dean Street.

1 We want to know that there is -- for me, my
2 biggest concern is that we start this project, and
3 you build a building and it's very nice and you
4 landscape it and you do everything you need to do
5 around that building, while the rest of the project,
6 the rest of the site is still broken concrete and
7 potholes and weeds.

8 It seems to me that it would spur the
9 development of the project and be an advantage to
10 the neighborhood if you were to start the
11 development with that boulevard, get that road in,
12 you know, do the pond, do the park area, get those
13 things while you're working on the first building so
14 that in the event -- in the unlikely but event that
15 something fell apart, that it would be a laid-out
16 development already instead of just a building here
17 and nothing else.

18 I think that's what I was trying to go to
19 when I was talking about it, and I know that we've
20 had other discussions about it. So that's what I
21 want to say. So anybody else want to discuss that?

22 MEMBER DOYLE: So can we compare that to,
23 say, Corporate Reserves which does -- I think does
24 exactly what you're describing. You've got the

1 retaining pond with the water feature. You've got a
2 road structure in there. It was a PUD for a
3 corporate park which looks like it's not going to
4 materialize and hasn't materialized in how many
5 years has it been? Almost 10 years that that PUD
6 was approved? But not as a corporate --

7 VICE CHAIRMAN KESSLER: Right, not
8 residential.

9 MEMBER DOYLE: Not as residential; right.

10 VICE CHAIRMAN KESSLER: Yeah. Which could
11 happen.

12 MEMBER DOYLE: So are you suggesting that
13 doing those things itself has a catalytic effect on
14 development?

15 VICE CHAIRMAN KESSLER: Yes.

16 MEMBER DOYLE: Because I don't see it at
17 Corporate Reserves. I see that those things were
18 done, and the parcel is still lying fallow.

19 CHAIRMAN WALLACE: I think the difference is
20 that that is really a standalone project both in
21 location and use because it's surrounded by
22 residential uses on both sides, and just the
23 location access and all that is for traffic that
24 specifically is going there.

1 Whereas this is different in both aspects.
2 I mean it's central. There is a lot of traffic.
3 There is a lot of --

4 VICE CHAIRMAN KESSLER: A lot of visibility.

5 CHAIRMAN WALLACE: Yeah.

6 VICE CHAIRMAN KESSLER: Way more visibility.

7 CHAIRMAN WALLACE: A lot of visibility and
8 it merges with the uses.

9 MR. PATZELT: Could I give you another
10 example?

11 VICE CHAIRMAN KESSLER: Yeah. Sure.

12 MR. PATZELT: Just something to think about,
13 and I don't know how many of you -- it's another
14 community, but not too far from here, Dodson Place
15 development, downtown Geneva, Third Street, eight
16 buildings.

17 Those eight buildings, plus single-family
18 homes, plus a townhome development, plus a municipal
19 parking garage, each one of those streets are about
20 300 to 350 feet long. So if you take 350 feet and
21 you start to look at the grid of this land use plan,
22 you really start to see two or three square city
23 blocks in each direction.

24 Dodson Place did not all of a sudden just

1 one shot, all eight buildings, townhomes, and
2 single-family buildings all get built. It came up
3 over time. Different buildings arose from, you
4 know, the dust, and care had to be taken so that
5 those buildings could stand by themselves in the
6 event that something didn't come later on.

7 I use that as -- this is very similar. The
8 same thing that has to happen. Different buildings
9 would get built, but care around those and perhaps
10 the roadway structure is in but still allows you to
11 build the buildings and close off or block off
12 portions of streets to build those buildings.

13 So if we build one building and we have
14 people move in whether they're residential, office,
15 or retail, we know that those are our tenants, and
16 they have to be able to survive, their businesses,
17 or want to live there during construction.

18 So I guess my point is that we know that
19 there has to be care taken in the development of
20 this, and it's going to come in pieces; and we know
21 that as we do that, we have to be responsible to
22 those businesses that go in there.

23 Maybe it's not -- maybe another comparison
24 is First Street. I'm not as involved in First

1 Street, but you saw the parking garage go in, you
2 saw some of the retail, you see another building
3 going in. At the same time those businesses are
4 trying to survive, there's construction going on
5 across the street.

6 Some orderly progress has to be applied
7 here, and it will be. So I don't know if those
8 examples help you think about how this goes
9 together.

10 And, yes, I think we need a front door and
11 perhaps a portion of the boulevard put in to kind of
12 set the tone or the stage much like the courtyard
13 was put in, you know, at Dodson. Half of the
14 courtyard was put in. So you kind of got the idea
15 or the taste or the flair of what these buildings
16 were going to be, and people move in, and then all
17 of a sudden the next building goes in, and you
18 complete the courtyard, and the pieces come
19 together.

20 So that's one. The other thing I'd like to
21 draw your attention to is think about First Street
22 and Dodson, and although a building may be
23 connected, I call them tunnels or pass-throughs,
24 that if you're in Dodson, there is the walkway,

1 that's not for vehicles, but the walkway that goes
2 right through the building, and I don't think as
3 you're walking through there -- your mind doesn't
4 look at that and say two buildings, but literally,
5 that was two buildings that were connected. They're
6 connected on the upper floor but you -- at street
7 level, it's broken up, you know, the size of the
8 building because of that pass-through or that
9 walk-through.

10 And I think it's very similar at First
11 Street where you can drive through. From Route 31,
12 you can drive through to First Street. You can
13 drive or walk through that portion of the building,
14 but yet the building is one piece above you. And
15 that's some of the -- what we are wanting to allow
16 for in this plan.

17 MR. BAZOS: I want to add too that, you
18 know, while Dave and his architects presented this
19 to you because they really believe this is the best
20 likelihood of what the market will absorb, it's
21 still, you know, a bit of a hope. You know, the
22 more that you build upfront, I guess the more you
23 risk losing flexibility or else losing a lot of
24 money having to tear things out.

1 I mean, it's entirely possible that the
2 front part of this would get built; and as we're
3 thinking it's going to march through, along comes,
4 and don't laugh, but, please, a hotel, or along
5 comes a theater that wants to put a symphony-type
6 facility in your town, and all of a sudden we have
7 all this structure based on this, and then it
8 doesn't fit anymore.

9 So I think your point has a balancing, it
10 seems to me, between just building something and
11 plopping it in the middle of asphalt but then over
12 building and losing flexibility as well.

13 VICE CHAIRMAN KESSLER: I understand what
14 you're saying. I would point out a couple things,
15 though. On all of those projects you mentioned, the
16 roadway structure, the roadway system was in place,
17 and that's a big difference. Again, I go back to
18 the open field.

19 And I do agree you can't be, you know --
20 perhaps you're not building the interior roadway
21 system, but I think a major part of this development
22 is that connection between Route 38 and Prairie, and
23 I really don't see any reason why you wouldn't
24 develop that. I can't think of a reason why we

1 would approve this if that wasn't there and why that
2 would change. Anything else around it might, but
3 having that front door coming in off of 38 and then
4 exiting out a really nice back porch onto Prairie
5 to me is really important.

6 I think it would mitigate the condition
7 that's there. It's no good. That's one of the
8 reasons I'm a proponent of this. We've got to get
9 rid of that site. We've got to make that site
10 something that's useable in the neighborhood, and
11 it's far more visible than, you know, any site out
12 west like the one that Brian refers to. So that's
13 my feeling on it.

14 MR. PATZELT: If I can, a little bit more on
15 the connections and wrapping in with the senior
16 housing. So yes, we do have a contract in hand for
17 an affordable senior housing provider. That's not
18 something that we do, but it is an affordable senior
19 housing provider.

20 They are interested in buildings -- the
21 residential buildings B2 and C3, these two that are
22 immediately north of the pond. Those two buildings
23 as drawn are I think it's 39 -- they're 39-unit
24 buildings. So 39 and 39 gives you 78. It turns out

1 that this user wants to be in the range of 70 to
2 75 units. As senior housing, they need -- they have
3 one common entry for security. One common, you
4 know, area for meeting and gathering rooms. So in
5 that case, that building would need to be connected.

6 MEMBER DOYLE: And so I just want to -- I'm
7 sorry to interrupt. But the issue of connecting
8 buildings, I wanted to make sure that I understand
9 what -- where that issue is. Is this what we're
10 talking about?

11 MR. PATZELT: Well, Tim, you had raised the
12 question about connection of buildings, and what we
13 were asking for and the architect is is on this site
14 plan we've indicated dotted lines where buildings
15 could potentially be connected, and hearing the
16 concern that, well, you connect some of these
17 buildings, maybe they're too large. And maybe I
18 didn't hear the --

19 VICE CHAIRMAN KESSLER: The massing.

20 MR. PATZELT: The massing could be too
21 large. So I want to tell you why we want to connect
22 them. One is here's a perfect example of somebody
23 comes along and needs 75, and they don't want two
24 separate buildings where the seniors have to walk

1 outside to get to a meeting room in the next-door
2 building.

3 But at the same time, I'm trying to give to
4 you a good example as to where buildings can get
5 connected, and you may think that it's a large mass,
6 but then all of a sudden it's broken up. Like in
7 the Dodson building where I'm saying the buildings
8 are connected, but yet there's a pass-through
9 through those buildings.

10 I can take you into Dodson, and we can start
11 at one end and walk almost a city block one
12 direction, a city block the other direction, and
13 back up the city block the other direction and not
14 leave the building. So it is literally you could
15 look at the Dodson building where the Egg Harbor or
16 the former Dodson house is, those are all connected.
17 There's corridors that go through all of those
18 buildings, but when you look at them, I don't think
19 you see that as -- you don't perceive that as one
20 building.

21 CHAIRMAN WALLACE: Well, I think the key to
22 that development is that you have differences in
23 architectural style between the buildings that are
24 connected.

1 MR. PATZELT: Sure.

2 CHAIRMAN WALLACE: Differences in
3 articulation.

4 MR. PATZELT: Yes.

5 CHAIRMAN WALLACE: It doesn't make it seem
6 as massive when you have those differences, and I
7 think that that's -- you know, maybe that's what the
8 focus needs to be on is to --

9 VICE CHAIRMAN KESSLER: Perhaps you're
10 right, the design instead of the mass.

11 CHAIRMAN WALLACE: Yeah.

12 MEMBER DOYLE: You know --

13 MR. PATZELT: Are you -- not to cut you off,
14 Brian.

15 So are you suggesting that allow the
16 connections as long as and if your condition is that
17 the architectural style of the building allows for
18 or somewhat breaks up the mass, the overall mass of
19 the building? Is that --

20 CHAIRMAN WALLACE: Use of design to minimize
21 massing.

22 MR. PATZELT: Yeah. There you go.

23 MEMBER HOLDERFIELD: I have to add one point
24 here. I think it all depends on how wide that

1 opening is because of the length of those buildings.
2 It looked like it was pretty narrow, you know, so
3 I'm thinking -- we haven't seen an elevational view
4 of the two buildings connected. That's a little,
5 you know, shot in the dark.

6 VICE CHAIRMAN KESSLER: I'm struggling with
7 it, and, Laura, help me out here because I know that
8 this was a concern of yours too.

9 MEMBER MACKLIN-PURDY: You had talked about
10 residential E and C1 being connected when we talked,
11 and I understand the senior housing, C3 and B2. I
12 get what you're saying about -- because that makes
13 sense if it's all kind of one unit and one entry;
14 but to have something like residential E and C1
15 where those dotted lines are, to me it would be like
16 a very long building and not aesthetically pleasing.

17 MR. PATZELT: So if that was done and we had
18 language in there that said through architecture, we
19 had to break up that mass -- I don't want a long
20 building.

21 MEMBER MACKLIN-PURDY: From somebody looking
22 at that from 38 or from Prairie, it would seem
23 way --

24 MR. PATZELT: It would look like a barracks.

1 MEMBER MACKLIN-PURDY: Like a barracks. I
2 didn't want to use that word, but yes, exactly.

3 MR. PATZELT: We're not interested in doing
4 that, but allowing me to connect it -- let's say,
5 for example, the underground parking garage is all
6 connected, and there's a tunnel like there is at
7 Dodson, there's a parking garage under the tunnel,
8 and that breaks up or almost looks like two
9 buildings built side-by-side. Another way maybe to
10 talk about it, two different buildings that happen
11 to touch, you know, but yet -- and there it's a
12 pass-through, but yet on the basement they're
13 connected.

14 We're just trying to --

15 MEMBER MACKLIN-PURDY: Right.

16 MR. PATZELT: -- have that flexibility, and
17 I'm fine with this language that, you know, care has
18 to be taken to --

19 MEMBER MACKLIN-PURDY: I mean, you brought
20 up First Street, and I don't think it's a fair
21 comparison because the way that that was constructed
22 and architecturally it's completely broken up. It's
23 not like one big long building. Through the way
24 that the architect designed it --

1 MR. PATZELT: Yes.

2 MEMBER MACKLIN-PURDY: -- they have
3 different faces on the building so that they look
4 broken up.

5 MR. PATZELT: Another building I'll throw
6 out that we did was downtown Mill Creek. Again, by
7 the use of the tunnel and the change of the
8 architecture, it's a very long building, but when
9 you look at it, your eye looks at it as two separate
10 buildings.

11 MEMBER DOYLE: So I'm not certain where
12 we're going with this in terms of possible
13 conditions or actions, but I'd like to contrast
14 three different things in this discussion: density,
15 massing, and monotony. It's important, I think, to
16 talk about these to understand what potentially is
17 driving this option to connect the buildings.

18 The fourth thing would also be building
19 height. At the last public hearing, Jim, you talked
20 about wanting to see the mixed-use buildings
21 possibly lowered to two-story.

22 MEMBER HOLDERFIELD: Yes.

23 MEMBER DOYLE: And I don't have the same
24 architectural eye that you have or that other

1 members of the public do, so I don't feel qualified
2 to dictate what should or should not be done.

3 What I'd like to say is that I'm comfortable
4 with the density that's being proposed, provided
5 that it doesn't go any higher. I am comfortable
6 with the taller buildings as a way to break up
7 monotony.

8 So if Jim felt strongly that the mixed-use
9 building should be two-story; and to add some
10 architectural interest, that meant that maybe
11 residential D1 and D2 go to four-story buildings,
12 you know, so that there's some sort of just tiers.
13 I don't know if that's something that is common from
14 architecture.

15 You know, I would be comfortable with making
16 those sort of tradeoffs because I think what I
17 mostly -- what sort of worries me is the idea of
18 Lego sort of like buildings that just all look the
19 same, plopped down on a piece of land, look like
20 they could be plopped anywhere in any subdivision,
21 and they really don't have, you know, much character
22 or much difference between them.

23 So I think at some of the prior public
24 hearings, some of the things that you heard both

1 from us as well from members of the public were we
2 like the boulevards, we like the, you know, green
3 space. These are things that make us feel like this
4 is an inviting development, and I wouldn't want to
5 get too hung up on this question except if it deals
6 with -- like if we can somehow substantiate that
7 this actually presents some sort of aesthetic
8 problem that would detract from the value of the
9 development.

10 So I guess what I'm saying is I'm not
11 certain how to frame any sort of conditions because
12 I just -- I don't know how to -- I don't know
13 whether I'm qualified to dictate those things to the
14 Applicant, you know, in terms of my own knowledge of
15 what makes for a good development.

16 What I want is something that -- I want to
17 provide flexibility, and I don't want to be
18 monotonous, and I want to give you the room to be
19 creative while maintaining -- being certain it's a
20 high-quality development.

21 MR. PATZELT: I guess I would -- a couple
22 things that -- one of the comments that Jim had in
23 the sketches he had prepared was taking the flat
24 roof in the mixed-use buildings and putting pitched

1 roofs on them. I know he played with the levels,
2 the numbers of floors. I'm open to that.

3 My concern or our concern was early on on
4 the height is that when we went through the Towne
5 Centre, although it was approved by the Plan
6 Commission, when we got to City Council, there
7 supposedly was this concern about height. Bring it
8 down.

9 MEMBER DOYLE: I know. I'm an outlier, so
10 don't run with my pass.

11 MR. PATZELT: So I guess my suggestion would
12 be I don't have a problem with you making a
13 recommendation that you would encourage -- and
14 talking about out loud here, you would encourage
15 perhaps in some of the mixed-use buildings adding
16 pitched roofs, and you would also encourage, you
17 know, adding a floor and taking a floor off some
18 buildings, at the same time not changing the
19 density.

20 But don't require it of me because my
21 concern is I get to the next level at the City
22 Council and somebody says, we appreciate the
23 recommendation they gave us from Plan Commission,
24 but that's not what we want.

1 MEMBER DOYLE: Right. So to bring this
2 back, Tim, to what you brought up, you know, the
3 three concerns about phasing, about massing, and
4 then about the condition of the parcel. So I'm
5 wondering if we can just sort of operationalize
6 those things and decide what is it -- what, if
7 anything, are we considering as conditions or
8 considering as recommendations, or do we just want
9 to have it on the public record as things that
10 concern us.

11 MEMBER PRETZ: Can I just ask before you go
12 down the road because one of the things you threw
13 out as far as the condition of the parcel is talking
14 about the boulevard from the front door to the back
15 porch.

16 With the contract that they have for the
17 senior housing for C3 and B2 residential, which is
18 going towards the back porch, with a boulevard going
19 through, would you have difficulty accepting that
20 you would put a boulevard in to help with the
21 condition of the entire parcel? The look, the feel,
22 the pass-through getting through between Prairie
23 and 38.

24 Because if you're going to be putting C3 and

1 B2 in and you're going to be doing your front door
2 by the mixed uses, would you not want that immediate
3 connectivity without hindering the rest of the
4 build-out and any potential additional interested
5 parties?

6 MR. PATZELT: My concern with that is from
7 construction. What I don't want to do is build that
8 boulevard all the way through and then coming in and
9 trying to construct C3 and B2. With all of my
10 equipment and trucks, you know, men, et cetera, all
11 around that boulevard, I now start to destroy that
12 good work, and that's where in our last discussion I
13 was suggesting that maybe we go up to the
14 roundabout, you know, and we stop at that point
15 until some buildings are built around there, the
16 work gets done, and then you finish off the road.

17 It's just clearly -- it's just a guess, you
18 know, on my part. I'd hate to build all of my
19 roads, landscape them, they all look beautiful, and
20 now here comes the semi-loads of all the
21 construction materials and the cranes and everything
22 coming through there tearing up the great road that
23 we just put in.

24 MEMBER PRETZ: I think you're referring to

1 all of your roads, and I'm not talking about all of
2 the roads. I'm just talking about the main road
3 going through.

4 MR. PATZELT: You're simply saying get the
5 main road through.

6 MEMBER PRETZ: Yes.

7 MR. PATZELT: Yeah. And my only hesitation
8 is the roundabout or traffic circle north in that
9 area; but if that's your recommendation, you know,
10 I'll go along with it.

11 VICE CHAIRMAN KESSLER: You have to have
12 access to it anyway.

13 MR. PATZELT: I agree.

14 VICE CHAIRMAN KESSLER: I mean if you build
15 in there, you've going to have a road in anyway.

16 MEMBER MACKLIN-PURDY: You have access from
17 Prairie.

18 MR. PATZELT: No.

19 VICE CHAIRMAN KESSLER: That's what I mean.
20 You're going to have to have access.

21 MR. PATZELT: I guess that's what I was
22 envisioning my construction access is coming in off
23 of Prairie, and I don't have the common public going
24 through the construction zone, you know, where

1 they'd end up stopping at, say, at the roundabout or
2 they go around the roundabout and have to come back
3 out versus while we're working up north.

4 MEMBER PRETZ: I was just thinking about
5 those senior citizens.

6 VICE CHAIRMAN KESSLER: You know, it may be
7 there's a -- I'm not even talking so much about
8 having public access through there as much as having
9 it laid out and look -- I mean maybe it's not a road
10 that's being used yet. Maybe it's laid out, and,
11 you know, the damn is down, and it's not final
12 coated in terms -- just so that it looks like the
13 project is being built.

14 MR. PATZELT: Yeah.

15 VICE CHAIRMAN KESSLER: That's where I'm
16 going with this. It's awful over there. It's just
17 awful. And maybe that's a way to keep people out of
18 it too is to get the thing started.

19 CHAIRMAN WALLACE: I think what Dave is
20 saying is that the market is going to drive that.

21 VICE CHAIRMAN KESSLER: I don't think the
22 market is going to drive that road though. The road
23 is going to go in. That's a huge component of this
24 project. The road is going in.

1 CHAIRMAN WALLACE: To the extent that --
2 yes, I agree, but I am sensitive to his statement --

3 VICE CHAIRMAN KESSLER: I am too.

4 CHAIRMAN WALLACE: -- he's going to build a
5 nice road and then destroy it with construction
6 equipment and have to rebuild it.

7 MEMBER PRETZ: Yeah. But what Tim is saying
8 is he's not going to finish it.

9 VICE CHAIRMAN KESSLER: He's going to have
10 it all finished into the --

11 MR. PATZELT: Tim, I think, you're going to
12 find that is just going to happen naturally. Such
13 as I have to put the water main in, right. When I
14 put the water main in, I'm going to put the water
15 main where it lays out for the whole -- all the road
16 construction. If I have to put a fire hydrant or a
17 valve, et cetera, it's going be engineered where I'm
18 not going to put that --

19 VICE CHAIRMAN KESSLER: You can't put it in
20 until -- you can't stop it until it's got something
21 there.

22 MR. PATZELT: Exactly.

23 VICE CHAIRMAN KESSLER: I understand, and
24 here's where I'm go to leave it. I'm going to leave

1 it like this. I'm sensitive to the conditions
2 because I don't want the same thing to happen. I
3 don't want him to walk in and then, Well, we have
4 all these conditions. But at the same time, I'm
5 very sensitive to the neighborhood. I live there.
6 I want that fixed, and I don't want it sitting like
7 that for the next five years.

8 If this does get approved, which I'm hopeful
9 that it does, that we have -- we as residents in
10 that neighborhood have something to show. Look, we
11 have approved this. We've got a great project
12 coming in and look at what they've done. It's not
13 an eyesore.

14 Yeah, it's under construction, but that's
15 where I'm headed with this. And perhaps you're
16 right, maybe it will occur naturally in a shorter
17 period of time than we expect.

18 So I would just leave that to the
19 Commission. That's a discussion we can have if the
20 rest of the Commission is interested in making that
21 a condition, but I think I've made myself clear --

22 MR. PATZELT: Yes.

23 VICE CHAIRMAN KESSLER: -- what I'm
24 thinking.

1 CHAIRMAN WALLACE: I wanted to articulate,
2 kind of summarize what we've discussed so far as it
3 relates to the conditions. I've written -- and I'm
4 welcoming changes.

5 Condition 1 is that the Applicant endeavor
6 to develop a majority of the main north/south
7 connection route from Route 38 to Prairie Street at
8 the outset of construction to the extent the
9 construction logistics allow.

10 MEMBER DOYLE: That's the condition, that
11 the Applicant endeavor to do so? Is that binding?

12 VICE CHAIRMAN KESSLER: Not when you say
13 endeavor.

14 CHAIRMAN WALLACE: I think that it makes it
15 clear what our expectations are. I mean I don't
16 even know if it's necessary to add it as a condition
17 if that's what they're going to do, but it puts the
18 focus on that's our primary concern as far as that
19 route goes.

20 MS. TUNGARE: Mr. Chairman, if I may add, I
21 mean, at the end of the day, the Plan Commission is
22 a recommending body. So any conditions that the
23 Plan Commission is imposing is part of a
24 recommendation that is then advancing to City

1 Council. Right.

2 CHAIRMAN WALLACE: Well, if the City Council
3 sees it fit to make that a binding condition, then
4 they can amend it.

5 VICE CHAIRMAN KESSLER: Is that what you're
6 trying to say?

7 MS. TUNGARE: It will be at the City
8 Council's discretion if they wish to impose that
9 condition to the final approval or not. They can
10 take it into consideration or not, but I think the
11 Plan Commission --

12 VICE CHAIRMAN KESSLER: It's a
13 recommendation.

14 MS. TUNGARE: -- advancing those conditions
15 at least gives the Council a sense of what is
16 important to the Plan Commission.

17 MR. BAZOS: I would just say, you know, I've
18 sat here with you for five meetings, I think, and
19 you're all very deliberative. My only comment to
20 you is I can't imagine, unless the City Council
21 wants to spend five meetings with us, that they'll
22 ever have as deep a sense of this project as you do.

23 So, you know, be careful what you put on
24 there. And I know you are. You're being careful.

1 I can hear you being careful. I appreciate it. But
2 they won't have the depth of understanding, I can't
3 imagine, that you do. That's a compliment -- to be
4 a compliment to you, not a dig to them.

5 CHAIRMAN WALLACE: The second condition and
6 this may need to be reworded, but that the Applicant
7 utilize design features, articulation, and marked
8 variation in architectural styles as well as a
9 variation of building heights and roof types in
10 order to minimize monotony and massing while
11 preserving the density required for the suggested
12 mix of uses. I mean I think that that kind of
13 encapsulates what we talked about unless you want to
14 go into more specifics.

15 MEMBER DOYLE: I just have a question for
16 staff. Is there already any language for
17 requirements in the City's building codes or in our
18 zoning ordinance regarding building form, regarding
19 architectural details that might render that
20 language redundant?

21 MR. COLBY: Well, there's language in the
22 code that addresses architectural details. So
23 there's standards, certain elements that need to be
24 provided on an architectural facade, like rules

1 about materials --

2 MEMBER DOYLE: How much you can --

3 MR. COLBY: Yes. That type of information,
4 but there's nothing in the code that addresses
5 monotony. There's nothing in the code that
6 addresses variation or architectural style.

7 So what's been submitted by the Applicant
8 are drawings proposed for the buildings. So if the
9 Plan Commission is suggesting that there would be an
10 alternate style, architectural style to some of the
11 buildings, then that would require, if the City
12 Council agrees with that condition, that the
13 Applicant provide either now or later revised
14 architectural drawings for some of the buildings to
15 show how that variation is being accomplished.
16 Unless there is something more specific that the
17 Plan Commission can provide.

18 I think the question would be are you
19 looking to vary between the buildings, or is your
20 concern still the building connection points and how
21 those are treated architecturally so that there's a
22 variation in the mass.

23 I think there's two different issues,
24 varying the mass versus the architecture. Because

1 we can address varying the mass through a condition,
2 and it sounds like the Applicant may be agreeable to
3 that. If you're talking about requiring changes in
4 the architecture, that's a significant change to the
5 plans that have been presented.

6 VICE CHAIRMAN KESSLER: And I think the
7 language that I'm hearing is that you're suggesting
8 changing the architecture to control the mass.

9 CHAIRMAN WALLACE: And I'm thinking maybe
10 that should be two separate conditions. To speak
11 about the variations in architectural styles on one
12 hand --

13 VICE CHAIRMAN KESSLER: I don't think I
14 would even consider that as a condition.

15 CHAIRMAN WALLACE: Why?

16 VICE CHAIRMAN KESSLER: Because I think that
17 we have enough -- in our designs we have enough
18 variation. I mean, we have architectural styles
19 that have been described to us and drawn for us that
20 we've agreed that, as a Commission, they are
21 acceptable.

22 CHAIRMAN WALLACE: Yeah. But I think that
23 the issue to me is differences not just within the
24 same style of architecture but actual variation of

1 styles.

2 MEMBER DOYLE: So a couple of comments here.
3 One is that in terms of monotony, one of the ways to
4 address monotony would be something like building
5 height. They properly pointed out that this is
6 something that the City has already looked at, the
7 City has already said it's not in favor of, and so
8 it's not part of the plan; and I would concur with
9 him that it's sort of a nonstarter that we would ask
10 him to go down that road when he's already received
11 very clear feedback that it's not something the City
12 is supportive of.

13 In terms of this issue, I think it's
14 important for us at this point in our deliberations
15 to keep it limited to the question of the option as
16 stated on the architectural drawing to connect
17 buildings at upper or lower floors where the dotted
18 lines are shown, and specifically, the point about
19 it looking like a barracks, right, the length of the
20 buildings.

21 So the question is if -- I would say that
22 we've already provided feedback on the architectural
23 style through the drawings that Jim made, and we're
24 already on public record saying we all concur with

1 that. I think it would be sort of pulling on a very
2 loose thread if we reopen that, and it would really
3 confuse matters for the Applicant. I think massing
4 and density, that's just sort of a slippery slope.

5 So if we stick to this question of the
6 architectural impact of connecting the buildings
7 this way, the question then becomes if that's done,
8 what can be done to mitigate the aesthetic impact of
9 having this long building that you said might look
10 like a barracks.

11 And I want the language to simply say
12 that -- you know, that if the Applicant exercises
13 this option, that it is -- it should be on the
14 condition that some architectural remedy or device
15 is devised in consultation with staff to prevent
16 that aesthetic effect that we were talking about.

17 MR. PATZELT: In Todd's language, I was
18 hearing that.

19 MEMBER DOYLE: Yeah. I just don't want it
20 to be interpreted in a larger way.

21 MR. PATZELT: Okay.

22 MEMBER DOYLE: To say that, you know,
23 prairie style here and colonial style --

24 MR. PATZELT: And connect the two and now

1 they look different.

2 MEMBER DOYLE: Or, you know, any number of
3 things, you know, you start to -- it could really
4 just unravel the whole concept in terms of what
5 we've talked about, and I think what we've agreed
6 to, and I don't want to get on that slope.

7 MR. PATZELT: Okay. Do you have an
8 objection to the -- Jim had asked about doing
9 potentially -- on some of the mixed use putting in a
10 pitched roof. Pitched versus flat, you know,
11 with a --

12 VICE CHAIRMAN KESSLER: I don't object to
13 it, but I think I pointed out at our last meeting
14 that what I want to be sure of is that -- Jim has
15 done a lot of homework and presented a lot of
16 evidence and drawings on, you know, the vision that
17 we've all kind of bought into, that we don't have
18 14 Frank Lloyd Wright buildings, that we have a
19 prairie-style development with those types of
20 buildings in it.

21 We're not looking for, I don't believe
22 that -- I think this is where we're headed with
23 this. We don't want every building to look exactly
24 the same.

1 MR. PATZELT: Right. All the same color,
2 all the same --

3 VICE CHAIRMAN KESSLER: Right. I think
4 we're agreeable to the concept that Jim has brought
5 to us, but it can be a style. It doesn't have to be
6 the design of everything.

7 And I'm careful about -- you know, I agree
8 with Todd -- or with Brian. I don't want to go down
9 that road where we start rethinking what we've --
10 we've been down this road already, and I think we're
11 agreeable to the types of designs that are
12 presented, you know, and we like them.

13 But Russ pointed something out, that it's
14 important to -- there's a difference between massing
15 and style, and we need to address the massing issue
16 more than we need to address the architectural style
17 issue.

18 CHAIRMAN WALLACE: Okay.

19 MEMBER MACKLIN-PURDY: I have a question.
20 You're talking -- Todd is talking about
21 recommendations versus conditions.

22 CHAIRMAN WALLACE: Yeah. This is a
23 condition. This would be a condition.

24 VICE CHAIRMAN KESSLER: That seems like a

1 condition.

2 MEMBER MACKLIN-PURDY: Okay.

3 CHAIRMAN WALLACE: So a condition of
4 approval.

5 MEMBER MACKLIN-PURDY: But to think that
6 we're asking can be interpreted differently and
7 maybe a little vague, so.

8 MEMBER DOYLE: I think that's the point I'm
9 raising, and so I think before we make our -- I
10 would like all of these conditions once they are --
11 once we have the language to be voted on
12 individually.

13 VICE CHAIRMAN KESSLER: I'd like to welcome
14 the City Council. Thanks for coming.

15 MEMBER HOLDERFIELD: I would just like to
16 point out it seems like we're slipping back a bit
17 here, like you were saying, Brian. I mean we've got
18 an agreement on the prairie style.

19 But in a development like this, you just
20 can't have -- you know, first of all, you can't have
21 glass and wooden buildings over here and prairie
22 style over here and colonial. That won't work. So
23 we've got to go with one particular style. Based on
24 the footprint of the buildings, we don't have a lot

1 of latitude to change all those number of buildings.
2 It's pretty defined.

3 One thing you did bring up that we could do
4 a little bit with in changing the variety here is
5 building height. Maybe a long building here that's
6 three stories, lop off one side here, and raise the
7 one over here. But the total -- the building is
8 100 feet long, three stories. So we take off one
9 story here and add it over here. Then you can get
10 variety in roof heights.

11 That's going to be one of the things that
12 you might be able to do but we're still -- we're
13 getting up to higher buildings now, and that's
14 already been a problem too that I've heard because I
15 wasn't on the first go-around with this.

16 MEMBER DOYLE: Well, I think it depends on
17 how high you go. I mean, the first time we were
18 down this road, we were talking eight-story
19 buildings, right.

20 MR. PATZELT: Right.

21 MEMBER DOYLE: And now, we're at four-story
22 buildings. So to me --

23 MEMBER HOLDERFIELD: I'm saying you're going
24 to have a five and a four with the same footprint.

1 MEMBER DOYLE: Right. My point is that if
2 you're -- if we went back to your comment about
3 you'd like to see those mixed-use buildings in front
4 be two story, right, because you think that --

5 MEMBER HOLDERFIELD: On 38.

6 MEMBER DOYLE: -- you're going to get a wall
7 of buildings --

8 MEMBER HOLDERFIELD: Yes, a barrier.

9 MEMBER DOYLE: -- from the street, and you'd
10 rather tier it up. You know, I'm glad the City
11 Council is here to hear this part of the discussion
12 because what we talked about before you came in is
13 the fact that we're looking at the various ways that
14 we can ensure that the development is as high
15 quality and has as high of aesthetics as possible in
16 terms of being a nice-looking development and the
17 different ways that that can be achieved, and
18 variation verse monotony is one of the things that
19 we're talking about.

20 Variations in building height could be a
21 tool for a developer to use; however, the developer
22 has been conservative in this concept plan and
23 maintained a lower building height that is
24 consistent with what the preferences of the

1 community and what's been voiced in the public
2 hearings is.

3 So, unfortunately, it boxes us in a little
4 bit, right, in terms of how we resolve some of these
5 things. If you wanted to connect these long
6 buildings, how you would do that without having this
7 long barrack-style looking building.

8 So I would like to come back to the language
9 of what we're getting at and try to say that in
10 terms of this big question about massing and so
11 forth, that we focus our attention on the issue of
12 the option to connect buildings; and we simply state
13 our desire and recommendation that if that be done,
14 that the Applicant work with City staff and elected
15 officials to devise some mutually agreeable means to
16 mitigate the aesthetic impact that that will have to
17 avoid monotony and make certain that it remains a
18 high-quality development.

19 VICE CHAIRMAN KESSLER: Go ahead.

20 MEMBER PRETZ: I just want to -- it's 2017,
21 and I realize that the Applicant may be a little gun
22 shy as it relates to this height request.
23 Style-wise I agree with Jim; but the height
24 variation, I fully agree that it is a way of

1 mitigating any of those problems, and I think it
2 should be contained within our -- as a condition in
3 order to solve any type of monotony problem.

4 MR. PATZELT: Tom, don't get me wrong. I'm
5 not afraid of the height. And if you make it as a
6 recommendation, I'm just suggesting that you add
7 flexibility so that when it gets to City Council,
8 that they can either take it with or without that
9 flexibility --

10 MEMBER HOLDERFIELD: It could be an option.

11 MR. PATZELT: An option.

12 VICE CHAIRMAN KESSLER: Just to bring this
13 full circle, there are two things that we're
14 discussing here. One is the massing of the
15 buildings, and the other is the roadway. And I
16 think that there are ways to put language here in
17 our recommendation that is going to be
18 understandable and even more understandable to the
19 City Council than had they not been here tonight.
20 So it's going to make it a little easier for us to
21 get our point across.

22 And I think, Todd, you had some language
23 there.

24 CHAIRMAN WALLACE: Yeah. I did a little bit

1 of work on this proposed condition, that the
2 Applicant minimize apparent massing and monotony of
3 the buildings through varying design features,
4 articulation, building heights, materials, and roof
5 types. Particular attention should be paid to the
6 use of variation methods in the event of combining
7 or connecting buildings within the development.

8 VICE CHAIRMAN KESSLER: I agree with that
9 language because I think what it does is emphasize
10 the point that we're making about, you know, the
11 building massing, the connectivity. We're not
12 objecting to that happening, but care needs to be
13 taken when and if it does to avoid that.

14 MEMBER HOLDERFIELD: I think that connection
15 between the two buildings -- I know the architects
16 can handle that pretty easily. It could be an
17 arched way between that picks up the entryway to the
18 buildings. That would be important.

19 It's not like it's a building in Minnesota
20 where you had a causeway to get from one building to
21 the other, but put a little style in it, and you'll
22 pick that up, and it could be an enhancement really.

23 MR. PATZELT: I agree, and we have no
24 objection to that language, and it's in our own best

1 interest in order for people to want to be in that
2 building and to look at the building to make it also
3 attractive.

4 MR. BAZOS: This all started by worrying
5 about a barracks where we were simply going to put
6 two buildings together end to end, and I think we're
7 all clearly understanding each other that's not
8 what's going to -- the intent.

9 CHAIRMAN WALLACE: Okay. So we've discussed
10 really two conditions -- one relating to roadways to
11 be constructed initially. The other one regarding
12 the massing and monotony.

13 Are there any other conditions?

14 VICE CHAIRMAN KESSLER: I think we've
15 discussed the project at length, and we've gotten
16 some agreement among ourselves of what's been
17 presented, and the Applicant has made changes
18 throughout our meetings, you know, to accommodate
19 what they could, and I think we've come down to
20 these two items.

21 MEMBER DOYLE: I'd like to make a motion,
22 and bear with me while I get to the staff materials
23 what the language is for the -- or is it the agenda
24 actually, what I'm looking for.

1 I'd like to make a motion to recommend for
2 approval of the application for special use for
3 planned unit development submitted by -- for Prairie
4 Centre submitted by Shodeen Group, LLC, with
5 amendments to findings of fact as discussed in this
6 public hearing and recorded by Chairman Wallace.

7 CHAIRMAN WALLACE: Okay. Do you want to
8 incorporate conditions on to that?

9 MEMBER DOYLE: Not yet. I'd like that to be
10 the main motion.

11 CHAIRMAN WALLACE: All right. So we have
12 the motion to recommend approval with the amendments
13 to the findings of fact as discussed.

14 Is there a second?

15 MEMBER FRIO: Second.

16 CHAIRMAN WALLACE: Okay. It's been moved
17 and seconded. Discussion?

18 VICE CHAIRMAN KESSLER: Well, I think we
19 should discuss the conditions that we've talked
20 about before we plan to vote.

21 Let me take them one by one. Would you
22 object to adding the condition for the roadway as --
23 can you read that language over again?

24 CHAIRMAN WALLACE: That the Applicant

1 endeavor to develop a majority of the main
2 north/south connection route from Route 38 to
3 Prairie Street at the outset of construction to the
4 extent the construction logistics allow.

5 MEMBER DOYLE: I would not accept that as an
6 amendment, but if you would like to move to amend.

7 CHAIRMAN WALLACE: I'd like to know what
8 your thoughts are.

9 MEMBER DOYLE: On that one particular one --
10 so I think about, like, Lexington Club development
11 which was a brown field. It was an environmentally
12 contaminated parcel, and it was very clear that the
13 public interest was served and there was a need for
14 it to be remediated.

15 So in that case I think there was a
16 substantial injury and neighborhood effect of that
17 parcel remaining as it was a contaminated parcel.
18 So it couldn't just remain that way indefinitely.

19 In this case, I would agree that the site as
20 it is today is an eyesore, but I don't see any
21 concrete evidence that it's actually injuring the
22 surrounding neighborhood.

23 MEMBER MACKLIN-PURDY: That it's actually
24 injuring the what?

1 MEMBER DOYLE: Injuring the surrounding
2 neighborhood.

3 We have businesses nearby that are thriving
4 like Binny's and Jewel and fast food restaurants on
5 38. There are -- I don't see vagrants. There's no
6 environmental contamination.

7 I think it's in the Applicant's interest to
8 develop the site out to its full and best capacity
9 as soon as possible, and we don't need to
10 incentivize the Applicant to do that any more than
11 his own business interests are going to do that.

12 And given the fact that building the road
13 all the way through, say, from 38 to Prairie would
14 be an expense, and then that investment could get
15 damaged, you know, through construction, or it would
16 maybe impair flexibility in terms of modifying the
17 plan if a new opportunity were to present itself.

18 I just want to -- I'm always interested in
19 substantiating like why is this -- why does this
20 condition or why does this constraint that we're
21 going to impose on a property owner, what interest
22 does it serve and why is it necessary. And in this
23 case I don't see it rises to the same bar as, say,
24 Lexington Club.

1 VICE CHAIRMAN KESSLER: I guess my argument
2 would be that it's not anything like Lexington Club.

3 MEMBER HOLDERFIELD: I can't hear you.

4 VICE CHAIRMAN KESSLER: It's not anything
5 like Lexington Club. Lexington Club is tucked away
6 in a neighborhood that's not visible except to those
7 immediately surrounding it.

8 This is a high traffic area. There are
9 difficulties with businesses all around there. The
10 whole -- I call it the old Dominick's site, the
11 whole strip center over by Jewel, that whole strip
12 center up on -- I mean, that whole area could use
13 redevelopment.

14 I'm not suggesting, and I think we've made
15 clear that while I'm not -- I'm sensitive to the
16 fact that you don't want to build a roadway all the
17 way through because you may damage it through
18 construction, but that at least you lay it out so
19 that it appears there is some structure.

20 Because I think that the City -- this is a
21 PUD, and we have some right to ask for things that
22 you wouldn't normally ask for in a conventional
23 development that would enhance, you know, the
24 enjoyment of not just the surrounding neighborhood

1 but the entire city that uses Prairie Street, Route
2 38, Randall Road.

3 So I think that -- you know, and perhaps
4 that language -- I think the language is acceptable
5 simply because it says "to endeavor." We're not
6 requiring building it. We're not saying you have to
7 build that roadway right now but it also -- for me
8 it answers the question of how this is going to be
9 phased.

10 We're not going to have one corner -- and
11 believe me, it could happen naturally. It easily
12 could happen naturally. It's important for us as a
13 Plan Commission, we have an application for a PUD in
14 front of us, to suggest things that are important to
15 the City and the surrounding neighborhoods and that
16 would enhance the site immediately.

17 MEMBER DOYLE: So --

18 MEMBER MACKLIN-PURDY: I feel like it would
19 provide and it would incentivize the project for
20 people who are driving by on 38. It would provide
21 an entryway for what we've all approved for
22 businesses to want to move there.

23 I mean, you're in agreement. You sounded
24 like you were in agreement at least to the circle.

1 MR. PATZELT: Yes. At least to the traffic
2 circle.

3 MEMBER MACKLIN-PURDY: It would provide an
4 open gate to what is being planned.

5 MR. PATZELT: And I thought Todd's
6 language -- and maybe you need to reread it, but I
7 thought it had some flexibility where, you know, we
8 could or depending on construction. I thought --

9 VICE CHAIRMAN KESSLER: To the extent that
10 construction allows.

11 MR. PATZELT: Exactly.

12 VICE CHAIRMAN KESSLER: Endeavor to do it to
13 the extent the construction allows.

14 MR. BAZOS: And there was discussion about a
15 binder course so as not to ruin the finished course
16 while construction was going on.

17 VICE CHAIRMAN KESSLER: So part of it while
18 you're under construction on the back half, there's
19 this binder. You're going to have to lay out some
20 of these underground utilities anyway as you get the
21 project started.

22 MEMBER HOLDERFIELD: We're talking about a
23 planned unit development, unit development, and we
24 talked about the front door; but if that road, the

1 boulevard doesn't go to Prairie, it's a front door
2 to nowhere is what I'm thinking.

3 You had kind of answered the question early
4 on when you talked about you have the possibility of
5 the senior development on those two units that are
6 on Prairie. To put those in without connectivity
7 from one to the other, it's going to look like two
8 units going in, and then we don't have a planned
9 unit development here. So I think that boulevard is
10 the artery of our whole heart beat here.

11 MR. PATZELT: Jim, I just want to make sure,
12 and I hear it in the language, flexibility. So
13 let's assume that the affordable senior units are
14 built at a different time than when the boulevard is
15 going in, I would want to finish the boulevard.
16 Now, certainly, if I have the senior in, then it
17 makes all the sense in the world to complete the
18 boulevard to get people through there.

19 MEMBER HOLDERFIELD: I guess I kind of got
20 the impression that there is a good possibility that
21 the senior units would go in maybe along with those
22 on 38, and there would be this big gap. I see what
23 you're saying.

24 MR. PATZELT: Yeah. The word to use

1 there -- a good word was "maybe."

2 MEMBER HOLDERFIELD: Okay.

3 MR. PATZELT: If it doesn't come in at the
4 same time, I don't want to build the road out.

5 MEMBER HOLDERFIELD: But the boulevard is so
6 important. You know that.

7 MR. PATZELT: Yeah.

8 MEMBER DOYLE: So just as a suggestion, so
9 when you say the "circle," you mean the --

10 MEMBER HOLDERFIELD: Roundabout.

11 MEMBER MACKLIN-PURDY: Roundabout.

12 MEMBER DOYLE: Back by where the retention
13 is?

14 MR. PATZELT: Yes. So technically, it's not
15 a roundabout. Because of the size and the traffic,
16 it's called a traffic circle, so.

17 MEMBER DOYLE: So you actually would go all
18 the way back to that.

19 MR. PATZELT: I'm using that as a
20 demarcation point for somebody to be able to turn
21 around and come back out of there without going all
22 the way through is my thought.

23 MEMBER DOYLE: Okay.

24 MR. PATZELT: But, again, it all has to do

1 with the construction of those buildings in the back
2 and tearing up -- the last thing I want is a large
3 crane coming in, and he's trying to traverse going
4 through that traffic circle to go work on the
5 building in the back when he should be coming in off
6 of Prairie Street, and he decides that he's going to
7 drive right through the circle versus trying to make
8 his way around the circle.

9 MEMBER DOYLE: Yeah.

10 MR. PATZELT: And now I've just torn up the
11 circle.

12 VICE CHAIRMAN KESSLER: Brian, can I --

13 MEMBER DOYLE: Yes.

14 VICE CHAIRMAN KESSLER: I'm sorry. I didn't
15 mean to cut you off.

16 MR. PATZELT: Go ahead.

17 VICE CHAIRMAN KESSLER: Could I suggest that
18 I don't think the Applicant has objections to that
19 first language.

20 MEMBER DOYLE: Yes, I agree. So do you want
21 to move to amend?

22 VICE CHAIRMAN KESSLER: I would like to move
23 to amend the motion to include that first condition.

24 MEMBER DOYLE: Okay.

1 VICE CHAIRMAN KESSLER: And would you read
2 it one more time?

3 CHAIRMAN WALLACE: That the Applicant
4 endeavor to develop the majority of the main
5 north/south connection route from Route 38 to
6 Prairie Street at the outset of construction to the
7 extent the construction logistics allow.

8 MR. BAZOS: I'm sorry. To the extent what?

9 CHAIRMAN WALLACE: That construction
10 logistics allow.

11 MR. BAZOS: Okay.

12 CHAIRMAN WALLACE: Okay.

13 VICE CHAIRMAN KESSLER: I move to amend.

14 MEMBER DOYLE: All right.

15 CHAIRMAN WALLACE: All right. Do you accept
16 that as a condition to --

17 MEMBER DOYLE: Yes, I do.

18 CHAIRMAN WALLACE: Do you agree?

19 MEMBER FRIO: Yes.

20 CHAIRMAN WALLACE: That is now amended.

21 And regarding the second condition.

22 MEMBER DOYLE: Could you read that again?

23 CHAIRMAN WALLACE: Sure. That the Applicant
24 minimize apparent massing and monotony of the

1 buildings through varying design features,
2 articulation, building heights, materials, and roof
3 types. Particular attention should be paid to the
4 use of the variation methods in the event of
5 combining or connecting buildings within the
6 development.

7 MEMBER PRETZ: I have a question for Jim.

8 Are you comfortable with that language,
9 design versus stressing style?

10 MEMBER HOLDERFIELD: There's not a clear
11 boundary there when you're talking about -- prairie
12 style, which we've accepted, puts limitations on it.
13 Even if we would call it a craftsman style, they're
14 all going to look pretty much the same.

15 So I think the only variation you're going
16 to be able to attain to any degree if you're going
17 to see something significant is building height.
18 You're going to be able to alternate, like I said,
19 on the building and pop one up and lower one down.
20 You would get a little, you know, variation but go
21 ahead.

22 MEMBER PRETZ: But what I was asking,
23 though, are you comfortable -- forget the height and
24 all that kind of stuff. Are you okay -- does his

1 language hinder -- since we've also basically agreed
2 on that prairie style, does his language go outside
3 those bounds into other --

4 MEMBER HOLDERFIELD: It could.

5 MEMBER PRETZ: And that's where my question
6 is coming to you. Are you comfortable with that
7 language, at least keep it contained within the
8 style that they want?

9 MEMBER HOLDERFIELD: Perhaps maybe prairie
10 style should be mentioned in the amendment.

11 VICE CHAIRMAN KESSLER: I wouldn't be
12 comfortable with that. I think that's too specific.

13 MEMBER HOLDERFIELD: Well, we've already
14 kind of committed to that.

15 MEMBER PRETZ: Based on their plans.

16 VICE CHAIRMAN KESSLER: Right. So we don't
17 need to say it.

18 MEMBER DOYLE: So could you reread?

19 CHAIRMAN WALLACE: That the Applicant
20 minimize apparent massing and monotony of the
21 buildings through varying design features,
22 articulation, building heights, materials, and roof
23 types. Particular attention should be paid to the
24 use of the variation methods in the event of

1 combining or connecting buildings within the
2 development.

3 VICE CHAIRMAN KESSLER: And nowhere in there
4 are we talking about style or design. We're just
5 talking about --

6 MEMBER HOLDERFIELD: Right. You're not.

7 MEMBER PRETZ: Okay.

8 VICE CHAIRMAN KESSLER: And we don't want to
9 because if we start talking about that, then we're
10 doing -- as Brian pointed out, pulling out that
11 loose thread. We've already been down this road.

12 MEMBER DOYLE: I would suggest we change
13 "and" to "or." These are all options.

14 VICE CHAIRMAN KESSLER: Or.

15 MEMBER DOYLE: You don't have to do all of
16 them.

17 MEMBER HOLDERFIELD: So these would be
18 options how you would treat the prairie style.

19 MEMBER DOYLE: Yes.

20 MEMBER HOLDERFIELD: But we're not saying
21 that. Okay.

22 MEMBER DOYLE: I think that the intent of
23 what we're saying here is clear based on the
24 conversation, based on what's in the public record;

1 and we're not asking for the architectural concept
2 to be uprooted. We're asking for something to make
3 certain that we don't have --

4 MEMBER HOLDERFIELD: I do have some concern
5 about that, but yes.

6 MS. TUNGARE: If I may, Mr. Chairman, if I
7 can also add some clarification. The way I would
8 approach this is to see this as layers. The first
9 layer that's being approved is the building
10 architecture that the Applicant has presented,
11 right, which is reflective of some prairie-style
12 designs at this point.

13 So you have that base architecture that is
14 being approved for those buildings, and then you're
15 layering it with this condition, belt-and-supporters
16 approach.

17 VICE CHAIRMAN KESSLER: Our original
18 recommendation to approve includes the styles that
19 we've already seen. That's already been -- that's
20 part of our initial recommendation.

21 MEMBER PRETZ: I'm okay.

22 MEMBER HOLDERFIELD: Okay.

23 MEMBER DOYLE: I accept that as an
24 amendment.

1 CHAIRMAN WALLACE: Dan?

2 MEMBER FRIO: Yes.

3 CHAIRMAN WALLACE: All right. Are there any
4 other suggestions for amendments to the main motion?
5 And I'll attempt to restate the main motion so that
6 we're clear.

7 The motion is to recommend approval of
8 Prairie Centre, the application for special use for
9 PUD and application for PUD preliminary plan with
10 the amendments to the findings of fact as contained
11 in the record and incorporating the following
12 conditions: No. 1, that the Applicant endeavor to
13 develop a majority of the main north/south
14 connection route from Route 38 to Prairie Street at
15 the outset of construction to the extent that
16 construction logistics allow.

17 And No. 2, that the Applicant minimize
18 apparent massing and monotony of the buildings
19 through varying design features, articulation,
20 building heights, materials, and/or roof types.
21 Particular attention should be paid to the use of
22 the variation methods in the event of combining or
23 connecting buildings within the development.

24 All right. Any discussion?

1 MEMBER PRETZ: We're going to have a comment
2 section; right?

3 CHAIRMAN WALLACE: Right.

4 MEMBER DOYLE: No. This is it.

5 VICE CHAIRMAN KESSLER: This is it.

6 MEMBER DOYLE: This is discussion.

7 CHAIRMAN WALLACE: Okay.

8 MEMBER PRETZ: I have a comment. I just
9 wanted to take a moment to thank the Applicant for
10 bringing this opportunity to the City. I personally
11 think it's in the best interest of the City's public
12 interest.

13 I also would like to make a comment that
14 your business team, your architect, as well as your
15 legal were skilled and were -- are skilled in
16 listening and their responses and that as the
17 dialogue went through all these public meetings and
18 even for today was exceptional, and I think you
19 should give yourself credit for that.

20 And then finally, my last comment as we're
21 going through here, I'm supportive of your
22 application as it's coming forth, and the reason for
23 that is I'm going to go back to your 66 pages of
24 response as related to why this project that you're

1 presenting is in the public interest and meets the
2 desires of our comprehensive plan, and I just have
3 to say I have to give you credit for that. Again,
4 the time, the effort, the cost that is involved with
5 that and then the thoroughness and the thinking in
6 that was well done, and that's my final comment.

7 MR. PATZELT: Thank you for your comments.
8 Thank you.

9 CHAIRMAN WALLACE: All right. Any further
10 discussion on the motion?

11 (No response.)

12 CHAIRMAN WALLACE: Staff, do you have
13 anything else before we vote?

14 MR. COLBY: I would just add that the
15 preliminary plans are still under review and there
16 are some outstanding comments, but there are no
17 elements that can't be addressed. Any remaining
18 items will not significantly change the site plans.

19 So we're comfortable with the Plan
20 Commission making a recommendation for approval with
21 the condition that the outstanding staff comments be
22 addressed prior to City Council.

23 CHAIRMAN WALLACE: Agree? Okay. All right.
24 Anything else from the Applicant before we

1 vote?

2 MR. BAZOS: No. Thank you so much for all
3 your time.

4 CHAIRMAN WALLACE: Thank you. All right.
5 Tim.

6 VICE CHAIRMAN KESSLER: Purdy.

7 MEMBER MACKLIN-PURDY: Yes.

8 VICE CHAIRMAN KESSLER: Frio.

9 MEMBER FRIO: Yes.

10 VICE CHAIRMAN KESSLER: Doyle.

11 MEMBER DOYLE: Yes.

12 VICE CHAIRMAN KESSLER: Pretz.

13 MEMBER PRETZ: Yes.

14 VICE CHAIRMAN KESSLER: Holderfield.

15 MEMBER HOLDERFIELD: Yes.

16 VICE CHAIRMAN KESSLER: Wallace.

17 CHAIRMAN WALLACE: Yes.

18 VICE CHAIRMAN KESSLER: Kessler, yes.

19 CHAIRMAN WALLACE: It passes unanimously,
20 and that concludes item 4 on the agenda.

21 MR. PATZELT: Thank you very much.

22 MR. BAZOS: Thank you very much.

23 CHAIRMAN WALLACE: Any additional business
24 from Plan Commission members or staff?

1 VICE CHAIRMAN KESSLER: I think we should
2 bring up that item regarding the traffic and --

3 CHAIRMAN WALLACE: Yes.

4 VICE CHAIRMAN KESSLER: -- sewers, storm
5 sewers.

6 CHAIRMAN WALLACE: Just to inform the City
7 Council of some discussion that we had before you
8 came, based on the evidence that we gathered during
9 the public hearings, both through the traffic study
10 and through the sewer study, we felt strongly
11 that -- and we didn't want to incorporate it as a
12 condition in this application, but we do have a
13 strong feeling regarding the existing
14 infrastructure, deficiencies in the existing
15 infrastructure, and I don't know if it would be
16 appropriate to vote on a resolution tonight or to
17 put it on the agenda for a future meeting.

18 VICE CHAIRMAN KESSLER: I'd be happy to vote
19 on an amendment -- or a recommendation tonight. And
20 I think that your language, and I would like to
21 suggest that we include Brian's language as it
22 relates to this application as a basis for our
23 recommendation.

24 CHAIRMAN WALLACE: Okay.

1 VICE CHAIRMAN KESSLER: Because I think it's
2 pretty self-explanatory. Basically, we feel that
3 there's some traffic issues and some storm sewer
4 issues that need to be addressed off site of this
5 property that exist regardless of this development,
6 and they have to do with traffic on Prairie. They
7 have to do with the storm system from Horne Street
8 down to the river.

9 Those conditions exist now, and we don't --
10 we haven't heard of any kind of plans to correct any
11 of that, but we want to make the City aware.

12 CHAIRMAN WALLACE: And from our perspective,
13 it came up in comments through your constituents,
14 you know, about these problems. It was because of
15 this application -- this application was a conduit
16 for those comments to reach us, and we feel that
17 it's our responsibility to pass those along to the
18 City Council.

19 And the language -- I guess I could make a
20 motion to recommend that the City Council review
21 comments made by the City and Plan Commission
22 through the duration of the public hearing,
23 specifically based on evidence gathered by the Plan
24 Commission during the public hearing. The issues

1 related to road and sewer deficiencies would be
2 present and exacerbated by development and use of
3 the property as currently zoned or as developed.

4 It is suggested that the City Council focus
5 on remedying the currently existing infrastructural
6 deficiencies in order to appropriately handle
7 existing usage as well as the compounding effects of
8 this application or any other future development
9 application to be proposed.

10 That's my motion.

11 VICE CHAIRMAN KESSLER: I'll second that.

12 CHAIRMAN WALLACE: Any discussion on that?

13 VICE CHAIRMAN KESSLER: Yeah. Brian, I want
14 to make sure that we point out the language -- that
15 we add the language as an addendum to that motion
16 that Brian pointed out, and that we feel that the
17 City has a responsibility to maintain the
18 infrastructure for the zoning that is already
19 allowed on that property and in the surrounding
20 neighborhood. So regardless of what goes in there,
21 this would have to be addressed, and it appears to
22 be a problem.

23 So can we include --

24 CHAIRMAN WALLACE: Yes.

1 MR. COLBY: -- Brian's language?

2 CHAIRMAN WALLACE: Yes.

3 MEMBER DOYLE: I do have one comment with
4 regard to that.

5 CHAIRMAN WALLACE: Uh-huh.

6 MEMBER DOYLE: So for the City Council we
7 have -- in our recent joint meeting, we talked about
8 how to process advisory recommendations, and I would
9 say that while I'm inclined to support and agree
10 with this recommendation, I would add that I also
11 believe that this is something that probably needs
12 to be discussed in the joint meeting as we recently
13 discussed.

14 My interest here was to ensure that the
15 findings of fact are accurate and that the question
16 of adequacy of infrastructure was accurately
17 represented in how we answered, and so that's done
18 in terms of the findings of fact for the application
19 we just recommended to approve.

20 The wrinkle here is that we're finding that
21 there is some serious infrastructure deficiencies,
22 and yet we find that the application serves the
23 public interest, and that's the conundrum that needs
24 to be sort of considered in why we think this rises

1 to the level of needing an advisory recommendation.
2 But we know that it is your prerogative to take that
3 and consider that at the time that is appropriate.

4 CHAIRMAN WALLACE: All right. Any further
5 discussion on the motion?

6 (No response.)

7 VICE CHAIRMAN KESSLER: Purdy.

8 MEMBER MACKLIN-PURDY: Yes.

9 VICE CHAIRMAN KESSLER: Frio.

10 MEMBER FRIO: Yes.

11 VICE CHAIRMAN KESSLER: Doyle.

12 MEMBER DOYLE: Yes.

13 VICE CHAIRMAN KESSLER: Pretz.

14 MEMBER PRETZ: Yes.

15 VICE CHAIRMAN KESSLER: Holderfield.

16 MEMBER HOLDERFIELD: Yes.

17 VICE CHAIRMAN KESSLER: Wallace.

18 CHAIRMAN WALLACE: Yes.

19 MEMBER KESSLER: Kessler, yes.

20 CHAIRMAN WALLACE: All right. That passes
21 unanimously as well.

22 Anything else from Plan Commissioners?
23 Staff?

24 MEMBER PRETZ: This will be on P&D when?

1 February 13th or later?

2 MS. TUNGARE: What's the date?

3 CHAIRMAN WALLACE: Yes, that's the next
4 meeting. February 13th?

5 MR. COLBY: Yes.

6 CHAIRMAN WALLACE: All right. We all have
7 received the weekly development report. The meeting
8 announcements are contained here.

9 Do we have agenda items for February 7th?

10 MR. COLBY: We do not at this time.

11 CHAIRMAN WALLACE: Okay. If we don't have
12 that meeting, the February 21st meeting would be in
13 this room again.

14 Any public comment?

15 (No response.)

16 CHAIRMAN WALLACE: Is there a motion to
17 adjourn?

18 VICE CHAIRMAN KESSLER: So moved.

19 MEMBER PRETZ: Second.

20 CHAIRMAN WALLACE: It's been moved and
21 seconded. All in favor?

22 (Ayes heard.)

23 CHAIRMAN WALLACE: Opposed?

24 (No response.)

1 CHAIRMAN WALLACE: The meeting of the
2 St. Charles Plan Commission is adjourned at
3 8:45 p.m.

4 (Off the record at 8:45 p.m.)
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CERTIFICATE OF SHORTHAND REPORTER

I, Joanne E. Ely, Certified Shorthand Reporter No. 84-4169, CSR, RPR, and a Notary Public in and for the County of Kane, State of Illinois, the officer before whom the foregoing proceedings were taken, do certify that the foregoing transcript is a true and correct record of the proceedings, that said proceedings were taken by me stenographically and thereafter reduced to typewriting under my supervision, and that I am neither counsel for, related to, nor employed by any of the parties to this case and have no interest, financial or otherwise, in its outcome.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal this 22nd day of January, 2017.

My commission expires: May 16, 2020

Joanne E. Ely

Notary Public in and for the
State of Illinois