

**MINUTES  
CITY OF ST. CHARLES, IL  
PLANNING AND DEVELOPMENT COMMITTEE  
MONDAY, OCTOBER 8, 2018 7:00 P.M.**

**Members Present:** Silkaitis, Payleitner, Lemke, Turner, Bancroft, Gaugel, Bessner, Lewis

**Members Absent:** Stellato, Vitek

**Others Present:** Mayor Rogina; Mark Koenen, City Administrator; Rita Tungare, Director of Community & Economic Development; Russell Colby, Community Development Division Manager; Ellen Johnson, City Planner; Rachel Hitzemann, City Planner; Bob Vann, Building & Code Enforcement Division Manager; Fire Chief Schelstreet, Asst. Chief Christensen

**1. CALL TO ORDER**

The meeting was convened by Chairman Bessner at 7:00 P.M.

**2. ROLL CALLED**

Roll was called:

Present: Silkaitis, Payleitner, Lemke, Turner, Bancroft, Gaugel, Bessner, Lewis

Absent: Stellato, Vitek

**3. OMNIBUS VOTE**

\*a. Plan Commission recommendation to approve a Minor Subdivision Final Plat for Burger King Addition.

\*b. Recommendation to approve a Plat of Easement for Hillcroft, 1147 Geneva Rd.

**Aldr. Turner made a motion to approve the omnibus items on the Agenda. Seconded by Aldr. Bancroft. Approved unanimously by voice vote. Motion carried 7-0.**

**4. COMMUNITY & ECONOMIC DEVELOPMENT**

c. Plan Commission recommendation to approve an Amendment to Special Use for Planned Unit Development for Saddlebrook Executive Offices, St. Charles Commercial Center PUD.

Ms. Johnson said Justin Heinz of Shodeen Group, representing owners Vanderbilt Professional Center, LLC, has filed an application for Special Use requesting an amendment to the St. Charles commercial Center PUD to add "Personal Services" as a permitted use on the subject property. No modifications to the site plan or building exterior are proposed. Plan Commission held a public hearing on 10/2/18 and recommended approval by a vote of 7-0.

Aldr. Lewis asked if massage therapy establishments would be allowed. Ms. Johnson stated that they would be, but that they were before the proposed change as well.

**Aldr. Turner made a motion to approve an Amendment to Special Use for Planned Unit Development for Saddlebrook Executive Offices, St. Charles Commercial Center PUD. Seconded by Aldr. Bancroft.**

**Roll was called:**

**Ayes: Silkaitis, Payleitner, Lemke, Turner, Bancroft, Gaugel, Lewis**

**Absent: Stellato, Vitek**

**Recused:**

**Nays:**

**Motion carried 7-0**

- d. Historic Preservation Commission recommendation to approve Landmark Designation for 516 N. 3rd Ave.

Mr. Colby said this home was constructed circa 1926 in the English Cottage style; Architect Franklin E. Curtis designed and built the home. This home was sold to George E. Thompson in 1941, who was the superintendent of schools for St. Charles from 1919 until retirement in 1958; Thompson Middle school is named in his honor. Judith Loof has nominated her property for landmark status; in accordance with the zoning ordinance, the Historic Preservation Commission held a public hearing and recommended approval of the nomination by a 5-0 vote, based on the criteria listed in the resolution.

**Aldr. Bancroft made a motion to approve Landmark Designation for 516 N. 3rd Ave. Seconded by Aldr. Gaugel. Approved unanimously by voice vote. Motion carried 7-0.**

- e. Historic Preservation Commission recommendation to approve Landmark Designation for 203 N. 3rd Ave.

Mr. Colby said this home was constructed circa 1855 in the Italianate style; Peter Burchell designed and built the home. Over the years work has been done to repair or renovate many of the original exterior features to bring the home back into the original style. John and Donna Stockman have nominated their property for landmark status; in accordance with the zoning ordinance, the Historic Preservation Commission held a public hearing and recommended approval of the nomination by a 6-0 vote, based on criteria listed in the resolution.

Aldr. Gaugel commended the owners on all the tremendous work they have done.

**Aldr. Gaugel made a motion to approve Landmark Designation 203 N. 3rd Ave. Seconded by Aldr. Bancroft. Motion carried 7-0**

- f. Historic Preservation Commission recommendation to approve Landmark Designation for 515 Walnut St.

Mr. Colby said this home was constructed circa 1853 in the Greek Revival style; Elisha Freeman, prominent St. Charles business owner had this home built and it remained in his family until 1875. Brian and Karen Graf have nominated their property for landmark status; in accordance with the zoning ordinance, the Historic Preservation Commission held a public hearing and recommended approval of the nomination by a 6-0 vote, based on criteria listed in the resolution.

**Aldr. Lemke made a motion to approve Landmark Designation for 515 Walnut St. Seconded by Aldr. Silkaitis. Approved unanimously by voice vote. Approved unanimously by voice vote. Motion carried 7-0.**

- g. Recommendation to approve a proposal for consulting services from HVS Convention, Sports & Entertainment for an Economic Impact and Cost-Benefit Analysis of the Fox River Corridor Master Plan.

Ms. Tungare said the city received 3 responses to the RFQ and through an interviewing process and joint effort with the park district, it was agreed that HVS consulting's methodology and approach was the most comprehensive and we recommend that we engage them to conduct the study. The funding for the study has already been budgeted as part of the capital improvements budgeted for the preliminary engineering for this study. The cost for the study would be \$72,000 plus some out of pocket expenses in the amount of \$5,500; with an estimated time-line of 12-14 weeks to possibly be completed Jan.-Feb., 2019. Once the findings of the study are received the Council can then make a decision as to whether they'd like to engage in conducting any preliminary engineering for the Active River project.

Tom Hazinski-Managing Director at HVS convention, Sports & Entertainment Facilities consulting; Chicago. Gave a brief history of his and Cathy Sarrett (Project Manager) backgrounds and previous projects (examples posted in the packet materials).

Cathy Sarrett-Project Manager-said this project has been divided into 2 sections; an 8 week section and a 4 week section, which will have an interim workshop after the first 8 weeks. The scope of services will be:

- Market analysis by not only looking at St. Charles but also the potential visitors and where they come from and what their demographics are.
- Interviews; one with the CVB, as well as others responsible for promoting tourism and economic development to understand tourism status and what being built that might help these attractions.
- Participation trends is a fairly comprehensive analysis; there's a lot of data sources to be looked at; SFA, National Park Service, etc. to see how who is doing the activities, how much they're spending and the general positive and negative trends and participation are.
- Competitive and Comparable Venue analysis is looking at some comparable attractions which will be across the country to see where other riverfront developments are, what they're doing, what their best practices are, how their attendance is and how they're operating.

Once all of those things are looked at we can then make some program recommendations to get a bit more specific to bring in the most amount of visitors. From there we will look at demand, which will take several layers. There's the local residents, visitors, as well as the impact it will have on current activities happening in the city; such as festivals and other major events, as well as the potential to create some new events, either by the city or by a private promoter. We'll also look at how many room nights are generated and how many day trips are coming in and out, once that we have all that information and a recommendation we will have a workshop before we dig into the financials, to be sure we're on the right path.

The next step would be financial projections for the attractions themselves; some may not have any revenue, some may just be expenses, maintenance, security, etc.; all of those will be evaluated

which will lead us to our economic impact projections and the cost benefit ranking; the bang for the buck on attractions. She said we take a lot of the new demand and the people coming into the community, whether they are day-trippers or overnight visitors. We have quite a bit of spending data; we use some 3<sup>rd</sup> party spending surveys throughout the country on different types of activities to know how much is spent by each person, which we then put into an input/output model to give us our net direct, indirect and induced (the multiplier effect) to model the specific economics of St. Charles, as well as the number of jobs that would be created, and the taxes that would be collected.

Mr. Hazinski said our goal is not to tell the city what to do, but to provide the best possible information to aid in decisions and give the most objective analysis possible; whether its good news or bad news, we'll do our best to deliver that news. This is a very interactive thing and we'll need to work with the planning group and intend to build a good relationship and have a free flowing exchange of information; after meeting staff we're excited and are very optimistic.

Aldr. Lewis asked how long trends last. Mr. Hazinski said everything is forward looking, that's where the risk is in the project, but we like to look at is at least a 10 year set of historical data, which tells us how different activities change as the underlying economy changes. When we do forward looking projections we take that history into account and we take long term averages and apply them to the future; we don't expect our projections to be met every year, there could be decline during an economic downturn where there's less disposable income to spend. We want to give projections that weather well in the long term, that's where trends are really useful in telling us what's realistic going forward.

Aldr. Lewis asked how HVS measures their success. Mr. Hazinski said very often we have the opportunity to go back and look at our work to see how it's played out; sometimes out of their own curiosity, but other times it's looking at projections to refinance. He said they are on the conservative side with their projections; when they see risk in the future the pull back on the projections. He noted that projections for 2007-2008, they didn't predict the financial collapse that was experienced; there are times where our projections aren't materialized, but that's usually due to some extraordinary event. There will be complete disclosure of all the assumptions being made in our analysis.

Aldr. Payleitner said she understands how the city will be able to use the final reports and she hopes it will also be a tool that can be used for potential developers or investors. Mr. Hazinski said yes, we plan to do a fully documented report which have full disclosure of all work done, assumptions, all sources relied on and this will all be laid out in the report. We work for the public sector primarily so our reports need to be understood more generally, not using jargon, so all can understand.

Aldr. Turner said in terms of projecting long term costs; this all revolves around either a full or partial removal of the dam, and a whitewater situation, which in itself is capital cost, but there will be maintenance and liability on that; and that has to be in the report. Mr. Hazinski said on the cost side; we are not engineers or cost estimators, we cannot tell you how much it would cost to remove the dam; we have to go to other 3<sup>rd</sup> party sources and city staff to get those estimates. Once we have those we will be able to make some general assumptions, although we're not financial advisors, of what it would cost to finance that and raise that capital.

Aldr. Turner asked if they would be talking to the Park dist., because they're supposed to be equal partners in this. Mr. Hazinski said absolutely. Aldr. Turner said he want to know if they will

actually do this because he sees no indication that they will give us even a dime on this. Mr. Hazinski said he certainly will engage with them. Aldr. Turner said he doesn't even like that we're paying this out of our own money, we had to pay the last study pretty much, and now were paying this one totally, the Park dist. isn't even budgeting for this; we don't have a partner and again we're putting the cart before the horse. We've already thrown away a bunch of money on the last study and still don't know what's going to happen there, and to him this is another \$75,000 that's going to make a piece of paper that will sit on the shelf. We don't know what the railroad will say, the riparian rights; this is going to be a city project, and until we know if we really have a partner in this, I'll be a no vote. Mr. Hazinski mentioned a project he worked on where the Park dist. was involved but the city wasn't, and our study gave them a sense of what the real costs were and what the real benefits were to provide a foundation for the beginnings of those discussions and interactions. We can't make the Park dist. do anything they don't want to do, but we can provide the facts and analytics that the city needs to support any efforts you want.

Aldr. Turner said you're not telling us what the cost will be, you're just telling us what you project revenue to be if we were to put whitewater in there. Mr. Hazinski said we will do our best to get the best possible estimates of those costs as part of our scope of service; but we are not the engineers and builders that would make those estimates, we would go to them for that information.

Aldr. Bancroft asked about the scope of services for the engagement with St. Charles versus what they did for Ottawa. Mr. Hazinski said for Ottawa we were a part of a master planning team, which is a bit of a different effort. We served as sub consultants to them with the role being to do interviews, a market assessment, looked at comparable developments, make recommendations on different building programs, made demand projections; the planning group then took that information and gave it a physical expression and through charrettes we developed priorities for redevelopment, as well as the new economic impact it would have.

Aldr. Lewis asked how far the scope of the river is that would be studied. Ms. Tungare said the railroad trestle bridge to the Prairie street bridge, 3<sup>rd</sup> Ave. to 4<sup>th</sup> St.

Aldr. Lemke asked what the plan is for Prairie St., he thought it was a case of our dam failing some day; he hasn't heard from the DNR as far as dam replacement, because we know we can't drain the river. That would be the area around the bike bath, but it's beyond him how this affects the flow of the river down by Prairie St. Ms. Tungare said it doesn't necessarily include Prairie St. bridge, it's just being used as a border; a boundary for the study area. Aldr. Payleitner added that its potential development beyond the river that will complement the project, beyond the dam removal.

Aldr. Lewis asked if it would conflict with the Comprehensive Plan. Ms. Tungare said no, in fact the timing for the study is crucial, and she anticipates using the information from this study to some extent to guide some of the policy decisions and discussions that will relate to the Comprehensive Plan amendment. Aldr. Lewis said she thinks we're looking for an awful lot from one study.

Aldr. Lemke said in terms of cost benefits what part of this would be shared by the park dist., what would be their share up front, as well as continuing expenses. Ms. Tungare said the park dist. was engaged in establishing the scope of this analysis, as well as participation in the selection process of the consultant. At this time discussions with the park dist. have been that the city will fund this study because we have an interest in understanding the economic impact of this study. Subsequent to the findings of this study, it is the Council's discretion to decide how we will proceed, in terms of

any cost splits with the park dist.; if this project is to materialize and be executed or not, that's at Council's discretion.

Aldr. Lemke said for him this is contingent on park dist. participation and how DNR feels about the dam replacement.

Aldr. Silkaitis said he too has concerns about the park dist. participation, but at this time he will support the study because he wants to see what the projections are, but after the study is done he will seriously consider our partnership with the park dist. and it will be time for a serious discussion with the park dist.

Aldr. Bessner asked if they have had past experiences where they were able to convince another governing body along further. Mr. Hazninski mentioned an instance where a city owned a convention center but the financing was dependent on the county and the approach to financing involved city and county resources which resulted in an intergovernmental agreement that was successful. That convention center is a tremendous success and a really important catalyst in their downtown redevelopment. Aldr. Bessner asked if other governing bodies usually come in right away, or is it usually later, as the projects develop. Mr. Hazninski said if people understand and agree on the benefits a project generates it may change their view about what kind of resources they want to devote to the project. He said he is unfamiliar with this dynamic and he thinks he'll learn a lot about it as we go, but having an understanding of the benefits and the cost, at least sets a frame work for discussion to figure out how to equitably share the burden and benefits.

Aldr. Payleitner said she is encouraged that the park dist. is partnering with the study to get answers, whether their paying for it or not.

Aldr. Lewis thanked Mr. Hazninski for his presentation, but stated she is not prepared to give a yes vote tonight, but that is not a reflection of the company or the job they would do; maybe in a few months down the road.

**Aldr. Gaugel made a motion to approve a proposal for consulting services from HVS Convention, Sports & Entertainment for an Economic Impact and Cost-Benefit Analysis of the Fox River Corridor Master Plan. Seconded by Aldr. Payleitner.**

**Roll was called:**

**Ayes: Silkaitis, Payleitner, Bancroft, Gaugel,**

**Nays: Lemke, Turner, Lewis**

**Absent: Stellato, Vitek**

**Recused:**

**Motion carried 4-3**

- h. Historic Preservation Commission recommendation to deny a Certificate of Appropriateness for the construction of a building at 207 Walnut Ave.

Mr. Colby said this property is zoned CBD-2 mixed-use business dist. and the plans that were submitted for a 2-1/2 story, 2-unit residential building, comply with the zoning standards for that district. However, a COA is required from the Historic Commission prior to the issuance of a building permit for the lot. The Historic Commission has reviewed the proposal and made a finding

in a 4-2 vote that the plans submitted do not comply with the COA review criteria that are contained in the city code. The commission's findings with respect to each of the review criteria are contained in the recommendation resolution; the resolution primarily cites the building's height and scale relative to the neighboring structures as the basis of the denial recommendation, as well as the requested streetscape view drawing not being provided, which made assessing the relative height and scale difficult. Mr. Derrico has stated that based on the surrounding uses and the zoning designation of CBD-2, the block is ultimately intended for transitional development of the type he is proposing.

Aldr. Turner clarified that it meets the zoning and that it is a transitional area. Mr. Colby said it does comply and is a CBD-2 mixed-use business dist. which is the dist. that surrounds the core of downtown; it includes most of the blocks that are on the periphery of the downtown, and there is a mixed-use already present in this area, based on the zoning designation as well as commercial uses adjacent to this site. Aldr. Turner said "let the guy build".

Aldr. Gaugel said him and Mr. Derrico had a good conversation regarding the plan and the new zoning that was put in place in 2006 for cohesiveness to that street, and Mr. Derrico said he recalls that the street was going to be a potential commercial/mixed use corridor with retail; hence the zoning. In speaking with staff regarding this, and the response was that we had a mix of zoning uses and we wanted to get more consistent with that. There are 2 things at play here; Mr. Derrico is in compliance with the zoning per his proposal, and the Historic Preservation COA, which they found did not fit. The building Mr. Derrico is proposing would provide for the future use should it be turned into a retail corridor, the garage in front could easily be converted into a retail store-front, should that become a walking district. The mixed-uses currently in the neighborhood; Mr. Derrico has his office 1-block to the east, which is a perfect example of what the street currently is, and could potentially be long term. I like his plan and I think it fits well in the neighborhood, and his vision is somewhat admirable and something that I hadn't heard before. In my time on the Council and Plan Commission I don't recall a time where Mr. Derrico came before us asking for a variance on any of his properties, and we've seen other developers consistently looking for that, and Mr. Derrico has worked extensively with staff to be sure that when he submits plans, he submits them per what our zoning calls for; and that's admirable and something we should all consider when reviewing this.

Aldr. Lewis asked if the problem is that it's too tall. Mr. Colby said yes, the findings make reference to the height and scale of the structure relative to the surrounding building. Aldr. Lewis said how much too tall, in her experience if it looks too tall on paper, when it's on the street it's tall, really big.

Kim Malay-526 S. 16<sup>th</sup> St.-Historic Pres. Commission, said our big concern is the height, especially with the slope of that street, it is next to a 1-story home at this point, so it will overpower that, though she noted that the homeowner did come in and state that he was okay with the idea, but again it is the appearance of the streetscape. We did request that a street view be provided to compare the look to the surrounding properties, and we were not given that; Mr. Derrico made the comment that "in the end the commission would still find the same", so he didn't feel the money should be spent on that. We were unable to judge a true idea of how it would look, but the concern is, especially with garages underneath, that it gives the appearance of being very tall, and we didn't feel it met the hist. pres. guidelines.

Aldr. Payleitner asked what that height is, and if it's just visual. Ms. Malay said we look at massing to be sure it fits in the neighborhood, which is a little different than the zoning ordinance. Aldr. Payleitner said she drove by and there's a parking garage across the street and a couple doors down is a raised ranch. Ms. Malay said the parking garage is about 25 ft., this would be about 40 ft. Aldr. Payleitner noted that there is a mix there though. Ms. Malay said there is definitely a mix, and his property a block down is only 3 ft. shorter, but because of the slope it fits, and the garage is not below it, so there nothing raising the house frontage; it's more of a visual thing, rather than zoning, and we acknowledge that, but we didn't receive documentation we needed to make a better determination.

Aldr. Silkaitis said he's disappointed we don't have a streetscape drawing, but in his opinion it's too big and no one knows what will be there in the future, but basing on what's currently there, he agrees with hist. pres. decision on this.

Aldr. Gaugel said there were 2 no votes from hist. pres., he asked for an explanation. Tom Pretz-Hist. Pres. member, said Mr. Derrico stated that the building to the east is 21 ft. and to the west is proposed at 26 ft., which was why we asked for the streetscape to see the elevations, with the response being to not provide and to use the information that we have. The streetscape would have helped. My note vote was because I would have preferred to continue in asking Mr. Derrico one more time to provide the streetscape with laying out the fact that we proceed with denial and we table this, or is there some other action that could take place. Unfortunately there were several interruptions during the course of the meeting and we reached the point of no progress, but my no vote was not in support of the project, but that he felt we were premature in raising the denial.

Aldr. Turner said we just had a discussion on economic dev. for downtown but those boundaries are in this area that is already being talked about for renewal, and its zoned right for the eventual action that will happen down there, so to say that's in the hist. dist. and it's not going to be touched, he thinks the study and the Comprehensive Plan call for transition; he doesn't see that what's on either side of the building will necessarily stay there. It's correct to designate this a transition zone, its 2 blocks off the river, eventually this will be a different type of residential or business and holding everything in place, he doesn't see it happening; every study we have says it will change.

Aldr. Lewis asked what the difference in height is, in what we're asking Mr. Derrico to do; how far apart are we. Mr. Derrico passed out some photos of the surrounding structures, including some of his own, which shows very diversified structures and an extreme mix of architecture, heights, structure and mass; he feels what he's proposing is no different from the high to low mix currently there. He noted that the property from 5<sup>th</sup> Ave. to the river probably drops 25-30ft. in elevation from 1<sup>st</sup> Ave. to 5<sup>th</sup> Ave., so it diminishes and modifies the impact as its seen visually coming down that street, couple that with the other masses you see in the photos passed out, it goes from the extreme of the rear elevation of the Arcada to the massive block long parking structure; there's a lot of variation. On average all of the buildings allowable heights in town are an average of 35ft., if we take the Historic Pres. commission out of the picture, this proposed structure is only 5ft. in excess of the average for any place a home can be built; it's not extreme by any measure, except the 21ft. ranch house directly to the east, and that happens to be the house occupied by a person who is in support of his proposal, and that ranch is the lowest height property on the street, and at the historic pres. meeting that 21 ft. ranch was the constant comparison; he noted that his proposal is allowed per the ordinance and that the parking structure is a 200ft. mass with large car port entries.



Aldr. Lewis asked if the houses were side-by-side or is one set back farther. Mr. Derrico said the house is back 20ft. from the property line, the requirement is 5ft. as far as setbacks, I'm over 300% beyond the requirement; in relation to the other 2 houses, his proposed house is approximately the same distance back, perhaps even a few feet more. He noted that in a photograph that the roof would be lost, you might see the gutter and 2ft. of the roof, that's all the human eye would see from the street; you wouldn't see 40ft.

Aldr. Lemke said he can see that this could generally become a teardown street, but to not be completely open about this is upsetting to him, and until he sees some type of rendering for how the elevation will work on this site; we have a right to ask of it and expect it in the interest of full disclosure. Aldr. Bancroft clarified that this is only for issuance of a COA. Aldr. Lemke said in looking at the mass and number of building he wouldn't anticipate that the smallest building on the house should be the standard, but he thinks it's fair to know why we are saying it is or isn't appropriate. Ms. Malay said we are being asked for a COA, which is part of the building permit process; we are not at that level of the plan to start with, but we do need some type of street view to really judge, and because it's on a slope the house will sit lower and maybe that height will be okay. She added that the Historic commission is not at all implying that we don't want anything built there; we are more than willing to have something constructed there, as long as it fits appropriately into the neighborhood, because we cannot guarantee that area will transition; it's our mission to look at what is there and what the setting is to date. Aldr. Turner noted that this is just for a COA, when the actual plans come forward the Council has the authority to say "no, we don't like it". Mr. Colby clarified that a building permit has not been applied for yet, only the COA has been requested, along with architectural elevations showing the structure that's proposed. We don't have details on the actual engineered site plan to know the exact top of foundation, but are going off of assumptions that they're working with the existing grade on the lot, which is how we're measuring the building height. If the COA is approved, at the time the building permit plans are submitted, we'd review those for conformance with the COA, but we do not have the specific information regarding the elevation, other than we assume it's based on the existing average grade of the lot as it exists today.

Aldr. Turner said why would he spend the money if he doesn't have the go ahead to do this. Mr. Derrico said he wouldn't spend the money, and of course that height wouldn't be determined until we had some kind of a nod, that it's worth finishing the engineering on the architecture, which will all be within the norm; as far as the top of the foundation, it's very cut and dry in terms of what's expected of him and what the building dept. is going to require. There's no basement so there is nothing to be gained by elevating it any further and the concept and idea is to keep it as low as possible for mechanical reasons involved in terms of entering and exiting the property in the garage, the stairs and run-off of water; the first rendering provided is fairly accurate and will not look that much different from the final form going to the building dept.

Aldr. Turner said at this point that neighborhood is not in transition; this would be the first transition, but the Comprehensive Plan and the study approved just tonight, states that area will change. Ms. Malay said she recognizes that and they are open to that, but without a streetscape they cannot determine how it will truly sit in its current condition. Aldr. Turner said when you're in a transitional area where there's multi-use, should the historical commission actually be in that area knowing it's going to change. Ms. Malay said sure, because it impacts the properties around it; there's a lot of historical properties all around there, including the Arcada. Aldr. Turner said he doesn't see those being affected by change of the neighborhood, if anything it will go more up, not down. Mr. Derrico added that this is not the first transition there, one of them is the office he

occupies, which he gets many compliments on, that area really is a huge mix, the Arcada is historical and he has no problem with what he sees there every day, it's a risk from what you see on paper and what I'm proposing to do, because I'm trying to sell that property; someone has to look at that.

Tom Pretz-Historic preservation Commission member-said in the use of the explanation of street we have to think more in terms of the block, which is how we take a look at what the proposal is and how it relates to the block that it's on. A lot of the things Mr. Derrico says are true as far as height and the future transition; it would have been considerably easier for us if we had something to look at, which is why we asked for the streetscape. It's not a question of spending money because the plans before Committee were probably drawn up by Mr. Derrico, because he's been working on it for 2 years, and for him to provide us with something would have made our decision making much easier. The neighbor to the east is a land surveyor who could have lent Mr. Derrico some assistance as far as the elevations and he requests that Committee send Mr. Derrico back to provide that information so historic can take a further look to make a logical decision.

Aldr. Lewis suggested sending it back to historic one more time to come to a conclusion and recommendation next month; she's concerned that they cannot get the rendering they are looking for and she doesn't want to set that precedence.

Aldr. Gaugel said in conversation with Mr. Derrico, there is a time constraint, this property is currently under contract, and Mr. Derrico doesn't own it. Mr. Derrico said correct, he's trying to meet the time element in his contractual obligation and he's already received one 30-day extension to get to where he's at right now. He noted that again, everyone needs to remember that the 40 ft. is what is in the ordinance, and if we created a flat line streetscape drawing it would not be the real picture you would get from the street because of where the property is setback and the way it falls away from the site line; it won't look as tall as the 40ft. indicates, and everything that's been built there are in the 35ft. range. We're talking about 5 ft. more in an area where you can stand in the street and see every conceivable mix of mass and height; which is why he brought in photos.

Phil Krahenbuhl-Historic Preservation Commission member-said he voted no for this based on the new building not blending into the neighborhood which would give a negative impact on other buildings and properties; he feels the scale of how far this building goes back, and the height of 40 ft., will dwarf the 2 ranch buildings on each side which are 20 ft. and 25 ft. We also did not receive the streetscape that we requested, which is very important. We also gave him opinions in regard to the height, that we may not support the 40 ft. and to make some adjustments to remove the garage doors similar to his other building to bring it to 37ft., which might blend better to be more transitional. As far as putting a number on the height, we really couldn't do that, but having the streetscape would have helped us determine that, but in relation to the surrounding building, it didn't blend for him, which is why he voted no.

Ms. Malay said she does realize it meets the ordinance right now, but another concern of hers is the garage doors, half the building will be garage doors, that's all you will see on the streetscape. She noted that Historic commission has been looking at the downtown for many years, including the First St. project and have worked well with developers to make those successful; we've had a lot of experience with new construction and blending into the downtown. It's not that we're not open to transition; it's really about massing, the scale and blending, to enhance the neighborhood.

Aldr. Payleitner asked if a streetscape is a courtesy, or a requirement. Ms. Tungare said it's supporting evidence for the commission to make a decision.

**Aldr. Lemke made a motion to approve the denial for a Certificate of Appropriateness for the construction of a building at 207 Walnut Ave. Seconded by Aldr. Silkaitis. Approved unanimously by voice vote.**

**Aldr. Gaugel clarified that a yes vote denies the COA.**

**Roll was called:**

**Ayes: Silkaitis, Lemke, Lewis**

**Nays: Payleitner, Turner, Bancroft, Gaugel**

**Absent: Stellato, Vitek**

**Recused:**

**Motion failed 4-3**

Aldr. Bancroft asked Mr. Derrico what the issue is with getting the Historic commission the streetscape. Mr. Derrico said from the onset of his first words spoken of his request it was 100% obvious what the outcome would be, the mindset was made before we even started; the heights of the building speak for themselves and meet the ordinance, the 21ft. house next door will hopefully not be there long-which the owner acknowledges, so it's a transitional area. To create a streetscape to show how we look compared to 2 buildings, or 1 for sure, that should not be there if that areas going to be a success, those properties are irrelevant to this equation right now. Aldr. Bancroft said its 4-3, I'm on your side, but I'm not going to let you thumb your nose at the Historic pres. commission, this is a simple request, which staff is telling me is a reasonable request and within their purview; make this easy, I voted yes because I like what you're proposing.

Ms. Tungare said the Committee can table this item and request the applicant to present the streetscape view; the committee can then ask the applicant to bring it back to committee or back to Historic Pres. commission.

Aldr. Lewis noted that we already voted. Ms. Tungare said the motion failed, so committee can make any motion they want.

Aldr. Payleitner noted that the builder is correct in that you cannot just look at the 2 buildings next to each other, the appropriateness applies to the whole 360 view; there's a parking garage across the street, she suggested putting the trees in the streetscape. Aldr. Gaugel suggested a streetscape of not just the block, but everything there.

Aldr. Lewis noted that her neighborhood has a lot of houses being torn down, and large ones are put up larger than they were supposed to be built and are massive structures; she doesn't believe the smaller structures around them will be torn down anytime soon; we need to vote for something that's reasonable, not something because the whole lots going to be torn down, that's offensive to those in that neighborhood. Aldr. Turner noted that her neighborhood is different zoning than the proposed neighborhood; he spoke to people in his older neighborhood along Dean St. and they would like to cash in, you can't deny those people the ability to cash-in and retire on that.

Aldr. Bancroft suggested sending the applicant back to Historic Pres., he's sure the applicant can get an extension; Mr. Derrico should answer the question and Historic should have the ability to

make a recommendation, and then Committee can disagree, but he likes the property, but Historic should have the opportunity to weigh in, they work hard and do what they do. Aldr. Lewis agreed.

**Aldr. Turner made a motion to approve the COA for the construction of a building at 207 Walnut Ave with the contingency of the applicant providing a streetscape at the next City Council meeting. Seconded by Aldr. Gaugel.**

**Roll was called:**

**Ayes: Payleitner, Lemke Turner, Gaugel**

**Nays: Silkaitis, Bancroft, Lewis**

**Absent: Stellato, Vitek**

**Recused:**

**Motion passed 4-3**

Mr. Derrico clarified that the decision at the Council meeting would be made depending on Councils opinion of what the height looks like. Chairman Bessner said correct.

**5. ADDITIONAL BUSINESS-None.**

**6. EXECUTIVE SESSION-None.**

**7. ADDITIONAL ITEMS FROM MAYOR, COUNCIL, STAFF OR CITIZENS-None.**

**8. ADJOURNMENT- Aldr. Bancroft made a motion to adjourn at 8:38 pm. Seconded by Aldr. Lemke. Approved unanimously by voice vote. Motion Carried 7-0.**