

**MINUTES
CITY OF ST. CHARLES, IL
PLANNING AND DEVELOPMENT COMMITTEE
MONDAY, OCTOBER 9, 2017 7:00 P.M.**

Members Present: Silkaitis, Payleitner, Lemke, Turner, Bessner, Gaugel, Vitek,

Members Absent: Stellato, Bancroft, Lewis

Others Present: Mayor Raymond Rogina; Mark Koenen, City Administrator; Rita Tungare, Director of Community & Economic Development; Ellen Johnson, City Planner; Fire Chief Schelstreet, Chris Bong, Development Engineering Manager; Russell Colby, Planning Division Manager; Matthew O'Rourke, Economic Development Division Manager; Bob Vann, Building & Code Enforcement Manager

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 Bessner, Gaugel, Vitek

Absent: Stellato, Bancroft, Lewis

3. COMMUNITY & ECONOMIC DEVELOPMENT

- a. Plan Commission recommendation to approve a Map Amendment and Final Plat of Subdivision for Parkside Reserves, 1337 Geneva Rd.

Ms. Johnson said this is a vacant half-acre parcel just north of Wheeler Park. A concept plan similar to the current proposal was reviewed in March 2015. The property owner-Grand View Capital is requesting to rezone from RS-3 to RM-1 to allow construction of a 3 unit townhome building. Also proposed is subdivision of the property into 3 lots; one for each unit and then a common area outlot. Connection to Geneva's watemain is proposed for water service, therefore an intergovernmental agreement will be required to allow connection, the draft is currently under review by St. Charles and Geneva. Plan Commission held a public hearing on the map amendment and recommended approval by a vote of 9-0.

Aldr. Lemke asked if they were that far from a St. Charles hookup. Ms. Johnson said they've identified that they are closer and it's an easier connection for water to Geneva.

Aldr. Turner made a motion to approve a Map Amendment and Final Plat of Subdivision for Parkside Reserves, 1337 Geneva Rd. Seconded by Aldr. Gaugel. Approved unanimously by voice vote. Motion carried. 6-0

- b. Plan Commission recommendation to approve an Amendment to Special Use for PUD, PUD Preliminary Plan, and Final Plat of Subdivision for Culver's, Zylstra First Resubdivision Lot 2 (Zylstra PUD).

Ms. Johnson said Culvers of St. Charles is proposing to resubdivide lot 1 and 2 in the Zylstra Center Subdivision by shifting the common lot line between the 2 lots to the south by 16 ft.; this will make the Culver's lot about 3,800 sq. ft. smaller than the existing lot, and proposed lot 1 will remain available for future development. Also proposed are plans for a drive-through Culver's restaurant on lot 2; the building will be positioned towards Randall Rd. with parking on 3 sides with the drive-through lane beginning on the southeast corner of the building wrapping around the front and north side. A PUD Amendment is being requested to reduce the side and rear parking setbacks from 10ft. to 2 ½ - 3ft., and to permit a zoning deviation to allow locating the drive-through around the front of the building. Also requested is a reduction in the number of vehicle stacking spaces for the drive-through; the ordinance requires 15 stacking spaces and the plans include 9, plus 5 waiting stalls after the drive-through queue. The applicant has provided data from 2 other location demonstrating that the 9 spaces will be adequate to meet demand. Plan Commission held a public hearing on October 3rd and recommended approval by a vote of 8-0.

Aldr. Payleitner said she agrees the stacking spaces are plenty but why does it have to be around the front. Chris McGuire-General Contractor-1059 Circle Dr.-Highland, Wisc.-said many different site plans have been considered for the property, however with the flow and orientation of the building proposing to be a mirrored floor plan, it affords us the best opportunity to keep our drive-through traffic somewhat away from pedestrian traffic. As the customers are stacking it will allow them to go toward the rear of the property, rather than having the headlights facing Randall Rd.; which gives us a better presentation to Randall Rd. The cars will be coming around counterclockwise and the stacking after is for those waiting for their orders.

Aldr. Payleitner asked what pedestrian traffic they're concerned about. Mr. McGuire said because it's a quick and casual restaurant, more than half the customers are coming inside; our focus is making sure that's a safe and friendly environment for them to cross and easily park behind the building and get to the front door.

Aldr. Turner asked if this would take up all the frontage between Discount Tire and Citgo. Ms. Johnson said no, lot 1 north of Culver's will remain open for future development which is a little bit larger than the Culver's lot.

Aldr. Lemke said it seems prudent that Committee should see a layout of the stacking before Council has final approval; a drawing of what traffic flow will look like. Ms. Johnson said one of the site plans in the packet shows that; 9 stalls are shown along the front of the building, as well as the 5 waiting stalls after the queue.

Aldr. Turner made a motion to approve an Amendment to Special Use for PUD, PUD Preliminary Plan, and Final Plat of Subdivision for Culver's, Zylstra First Resubdivision Lot 2 (Zylstra PUD). Seconded by Aldr. Vitek.

Roll was called:

Ayes: Silkaitis, Payleitner, Lemke, Turner, Gaugel, Vitek

Absent: Stellato, Bancroft, Lewis

Recused:

Nays:

Motion carried 6-0

- c. Discussion regarding Design Guidelines and Standards for Traditional Residential Zoning Districts.

Mr. Colby said this discussion was prompted by the recent review of a house to be constructed out of metal shipping containers on S. 3rd St. However the topic tonight is whether the city's design standards and guidelines for the RT zoning districts should be modified; particularly given the experience with that specific building on 3rd St. The city's current regulations have been adopted over the years by taking incremental steps in regulating design of single-family residential buildings. He then showed a PowerPoint Presentation showing those adopted policies:

CBD-2 is lumped into the RT zoning districts; which are the areas adjacent to the downtown core. The RT districts are the older neighborhoods characterized as:

- Pre- World War II era development (pre-1945)
- Narrow, deeper lots
- Alley-access or detached garages
- Entry doors and porches are prominent features

RT zoning districts were established in 2006 and the older neighborhoods were separated from the newer neighborhoods; which are the RS Suburban districts. This was in response to teardowns and infill houses being constructed, there was a perception that those were out of scale for the existing neighborhoods; which is where the intent statement came from: "Preserve medium to higher density single family residential development in older neighborhoods of the City, and to accommodate new neighborhoods with a similar character."

Within RT zoning districts:

- Building coverage, setbacks based on existing houses
- Limitations on front-load garages
- Bonuses for detached garages, open front porches

In 2006- An advisory review process; Residential Architectural Consultation (RAC), was created to address architectural design in RT districts:

"Preserve the character of older neighborhoods by providing applicants advice and guidance on the appropriate design and location of residential structures to maximize their compatibility within older neighborhoods and to enhance long-term viability."

- Staff would provide advisory comments as a part of the building permit review
- In effect 2006 to 2015.

During that time there wasn't a significant amount of new home building, there wasn't much of that from 2006-2012, but were more in the years preceding 2015.

In 2015 we went back and looked at the process of regulating design in the RT Districts:

- Plan Commission reviewed buildings constructed since 2006; generally felt designs were appropriate
- Staff suggested formal standards/guidelines:
 - To provide direction to applicants before submitting for permit
 - To assist staff to be more objective and consistent in reviews
- Standards/Guideline were adopted in 2015:
 - Purposefully open-ended (many guidelines, few standards)
 - Specifically avoided dictating style
 - Did not include lists of permitted/prohibited items

During the review of the house on S. 3rd St. some issues were identified through Plan Commission as well as neighbors:

- Although architectural style is not regulated, but “traditional” design elements are required.
 - Conflicts in the review of “modern” style architectural designs.
- Compatibly with the surrounding neighborhood is cited as the “intent” of the regulations; however this is not directly enforceable.
 - Building form, roof type, materials, etc. are “guidelines” which are more advisory. We found the guidelines were meeting the intent of the regulations to help provide more consistency with existing development.

Plan Commission held a discussion on standards and guidelines and came up with the following actions:

- Re-write Standard/Guidelines to require traditional building styles (form, roof type, materials, etc.) as a baseline.
 - If requirements are met, building permit can be issued without any Commission-level review.
- Buildings that do not meet the baseline requirements would need to be reviewed and approved by the Plan Commission:
 - Review would be triggered by: Use of non-traditional architectural styles, flat roofs, non-standard building materials, etc.
 - Applicant would need provide a rendering or streetscape view showing the building in the context of the neighborhood.
 - Neighboring property owners notified of the review by mail.
 - The Plan Commission would function like an architectural review board, and could negotiate with the applicant.

Considerations:

- Applicant has the option of following the Standards/Guidelines and bypassing any Commission review.
- Staff sees potential to extend a similar process to other zoning districts where we have design requirements. Staff may have some ability to take some of our binding requirements and turn them into a process where unique designs could be reviewed by

Plan Commission based on what's being proposed for a specific project. They could then approve those designs without going through a PUD process for any kind of deviation from design requirements.

Next Steps:

- Any change to the Zoning Ord. requires a General Amendment application be filed.
 - Process requires a public hearing before Plan Commission, review by P&D Committee, City Council vote on an ordinance.

Staff is seeking direction for one of the following:

- Proceed with amendment to code per the Plan Commission recommendations.
- Research other alternatives.
- Leave the code as is (no further action).

Aldr. Payleitner said the advisory review is a great idea, but asked for a reminder as to where the architectural expertise comes in on the Plan Commission. They are all gifted in their own ways by doing their "findings of fact" charge, but as far as opinions on architecture; she needs a reminder as to how they qualify in that regard. Mr. Colby said we do have 1 architect on the Plan Commission, but this wouldn't necessarily be a situation where the Plan Commission is simply critiquing the quality of the architecture. We would need to establish criteria they would use for review, similar to the findings of fact; it wouldn't be open ended. Criteria would be developed with Plan Commission and it would then be important for Committee to review.

Aldr. Vitek asked if there is a requirement for Plan Commission to have someone with architectural experience. Mr. Colby said there is a list of qualifications of professional backgrounds which includes: planning, landscape architecture, architecture, etc. It's not necessarily a requirement, the language states to try to achieve a mix of those who have professional and technical experience and those who are community members who have a resident perspective. Aldr. Vitek said she's fine with the Plan Commission doing the review, rather than developing another committee for that, but is there a way to pay attention to that skill set; to guarantee expertise. Mr. Colby said we'd be changing the code significantly by adding a new power to the Plan Commission that we don't currently have. Going forward as appointments are made to the Commission it would be an important consideration than it has been.

Aldr. Gaugel said he'd be in favor of seeing a draft; from what he remembers from 2015 discussion was putting those guidelines in place to try and alleviate this exact situation from coming up, and here we are with something rather unique. He's not a fan of overregulation and review of things, in this context it may be good, but his hesitation is preventing something from happening that we might want because it doesn't fit that standard. The container house is a unique situation and he doesn't know how we reasonably could have avoided it in the first place; it gives him pause to go forward and put more things in place because of 1 isolated situation.

Aldr. Lemke said the Historic Preservation Commission members have good insight into architecture; maybe it does add too many layers of review but if there were clean guidelines people would know they could not do this again. He said option 1-the General Amendment would give us a chance to look at these and avoid somebody deciding to live in a roll-off.

Aldr. Silkaitis said it's a good proposal, he can support it, but he doesn't want to review every window or every bit of siding; that's too much government involvement. I understand we have to be careful but this goes back to the "beekeeping" ordinance; for 1 person we were going to regulate everything, he doesn't want to do that with this either. A little more review is fine for advisory, but not mandatory. He asked if that container home be approved under this new ordinance. Mr. Colby said we haven't drafted the actual "standards or guidelines", he can't answer that. Plan Commission didn't have the ability to work with the applicant to modify the plans or better understand how the design fit the site or how it could be made more contextually appropriate, because right now this is a "staff only" process. The only reason it went before Plan Commission was because they were appealing an interpretation of that staff regarding the 360 degree architecture standard. He thinks there are opportunities to be more flexible with how some of the requirements are applied to find alternatives to better fit, without necessarily imposing more restrictions. Aldr. Silkaitis said he doesn't want to start overreaching our authority; he doesn't want to be the architectural police. Mr. Colby said that's going to be a matter of how we write these guidelines; the intent is to look at the big picture items, not the little details. Those things are not as important when you're talking about how well a building fits in a neighborhood; that's staff and the Plan Commissions intent and thoughts.

Aldr. Payleitner asked if we are equipping an appeal process, or does everyone come in and submit plans. Mr. Colby said if the applicant meets all the standards and guidelines they would completely bypass any review process. If you're proposing something different there would be an application process created to appear before the Plan Commission, who would then review that against the criteria. It wouldn't even necessarily be structured as an appeal, but more like a review process to identify what needs to be submitted and what requirements need to be met.

Aldr. Payleitner asked about the Historic Preservation Commission's expertise. Mr. Colby said we have an architect on that board as well; they have quite a bit of experience dealing with residential building design; that's one of the major areas they review for. They too have appropriate background to handle this process; however we thought it made sense to keep it with the Plan Commission because if it expands outside of the RT district it has potential to overlap into the commercial districts. Aldr. Payleitner said they're a group that didn't want to take down George's, but then approved the red awning at Gordy's; she wonders where their expertise is.

Aldr. Turner asked for clarification on the appeal for the container home. Mr. Colby said staff's review comment back to the applicant was that it didn't comply with the standard for 360 degree architecture. The container house had different materials on the front versus the side, different layout out of the windows on the front versus the side; it has to be consistent to meet that standard and at that point we couldn't issue him the permit. Under the code he then had the option to appeal the review comment to state that city staff didn't interpret the requirement correctly, which is what the Plan Commission was assessing; and they agreed that staff had been interpreting it correctly. The applicant was then required to modify the plan to meet the comments before they were able to receive the building permit. Aldr. Turner said that's what he would expect to happen if we didn't have a process in place, and to him we already have that process in place and he doesn't think we need another set of regulations. Mr. Colby said the Plan Commission's review scope was only as to whether it met that 360 degree requirement, they didn't have the authority to assess its appropriateness in the neighborhood or the context; right now we don't have a process for that. Aldr. Turner said there's not a process in place now, but as far as the dept. is concerned, this does not fit the standards that are in place right now. Mr. Colby said correct, the ordinance allows us to administer it, he just thinks there were some reactions based on that process and

the outcome of that was not what everyone had hoped. The ordinance is functional the way it is, it's just setup a little different.

Aldr. Lemke said we're fortunate they didn't meet the 360 requirement and had it not been for that there could be a bunch of these and tear down neighborhoods. He'd argue supporting the proposal to consider roof lines, gables and types of materials to not only have the 360 be the only reason to ask for Plan Commission review.

Aldr. Vitek asked if other cities have architectural review committees. Mr. Colby said there are some out there, but those that do, it's a standalone body and they review everything that occurs within a certain district. We're proposing to not significantly add to the work load of the commission because they wouldn't be reviewing everything. We don't have that much activity in the course of the year, and a standalone committee would be another group to manage. We don't think it's necessary, but it could be done.

Aldr. Turner said if we leave the code as is; can he not build this container house. Mr. Colby said the permit has been issued for the house, after the Plan Commission review, they had to modify the plans to meet the 360 degree requirement, which they did by modifying exterior materials and windows; so yes he can now build that house. Aldr. Turner said this is just to make it a little more clear to those who have unique or outlier designs. Mr. Colby said correct.

Aldr. Silkaitis said he's like to see a draft first.

Aldr. Turner said he thinks staff's process worked, but if Plan Commission wants to be a bit more full, he'll take a look at the draft too.

Aldr. Gaugel said the process worked, but the container house is still being built and should we put something in place it would be very difficult for another container house to be built in the city if we go through with new design standards. Mr. Colby said not necessarily, they can be disguised and constructed as something else, or take steps to have it blend better with the neighborhood. It would more difficult and they'd need to take more steps to be compatible than they had to in this situation. Aldr. Gaugel said so if they wrapped it in cedar siding nobody would know the difference, but it's still a container house; that would add insurmountable costs that they wouldn't want to incur. Everything worked properly but the container house is still being built; he fielded numerous phone calls and emails as a result of that. He agrees with Aldr. Silkaitis in seeing a draft first. Aldr. Vitek said she also would like to see a draft of the criteria. She also added that this is not for or against "container houses"; we need to talk about the process of this committee outside of container houses; she doesn't want to end on that note. Aldr. Bessner said the Plan Commission proposal is a good first step, but as a previous member of the plan Commission he's trying to figure out how they will pull out their mind set of following ordinances, finding of facts and tradition and non-traditional, to be able to make a good judgement of something so modern, in an unbiased way, or not feel pressure from the community. Mr. Colby said that's really where they criteria will come into play.

Mr. Colby asked if Committee would like to see additional information before proceeding with the process of presenting this to Plan Commission. Aldr. Lemke asked how a General Amendment would be written to have it implemented and have issues come to them based on it. Aldr. Payleitner asked if we are talking about coming back with a process or specifics. Mr. Colby said he could come back to

Committee with an outline and general parameters of what this amendment might look like, and then give us direction to proceed and we will then go through the public hearing process with Plan commission. Chairman Bessner said that would be helpful.

- d. Recommendation to approve an Ordinance Amending Title 2 of the St. Charles Municipal Code, entitled "Administration", Chapter 2.25 "Housing Commission" by amending Section 2.25.020 "Purposes" and Section 2.25.050 "Powers and Duties".

Aldr. Payleitner made a motion to approve an Ordinance Amending Title 2 of the St. Charles Municipal Code, entitled "Administration", Chapter 2.25 "Housing Commission" by amending Section 2.25.020 "Purposes" and Section 2.25.050 "Powers and Duties". Seconded by Aldr. Turner. Approved unanimously by voice vote. Motion carried. 6-0

4. ADDITIONAL BUSINESS-None.

5. EXECUTIVE SESSION-None.

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

7. ADJOURNMENT- Aldr. Turner made a motion to adjourn at 7:47pm. Seconded by Aldr. Silkaitis. Approved unanimously by voice vote. Motion Carried. 6-0