

**MINUTES  
CITY OF ST. CHARLES  
PLANNING & DEVELOPMENT COMMITTEE  
MONDAY, DECEMBER 12, 2022 - 7:00 PM**

**Members Present:** Silkaitis, Kalamaris, Payleitner, Bongard, Bancroft, Lencioni, Pietryla, Wirball, Bessner, Weber

**Members Absent:** None

**Others Present:** Mayor Vitek; Heather McGuire, City Administrator; Russell Colby, Director of Community Development; Derek Conley, Director of Economic Development; Ellen Johnson, City Planner; Rachel Hitzemann, City Planner; Monica Hawk, Development Engineer; Allen Fennell, Building & Code Enforcement Manager; Peter Suhr, Director of Public Works; Bill Hannah, Director of Finance; Fire Chief Swanson

**1. CALL TO ORDER**

The meeting was convened by Chair Weber at 7:00 p.m.

**2. ROLL CALL**

Roll was called:

Present: Silkaitis, Kalamaris, Payleitner, Bongard, Bancroft, Lencioni,  
Pietryla, Wirball, Bessner, Weber

Absent: None

**3. OMNIBUS VOTE**

\*4e. Historic Preservation Commission recommendation to approve Historic Landmark Designation for 201 Cedar Ave., “Thomas H. Collins House”.

**Ald. Bessner made a motion to approve omnibus item 4e. Seconded by Ald. Lencioni. Approved unanimously by voice vote. Motion Carried.**

**4. COMMUNITY & ECONOMIC DEVELOPMENT**

- a. Plan Commission recommendation to approve a PUD Amendment and Minor Subdivision Final Plat for Munhall Glen PUD, Lots 44 & 45

Ms. Johnson, City Planner, presented the Executive Summary and materials posted in the meeting packet.

**Ald. Payleitner made a motion to approve PUD Amendment and Minor Subdivision Final Plat for Munhall Glen PUD, Lots 44 & 45. Seconded by Ald. Bancroft.**

**Roll was called:**

**Ayes: Silkaitis, Kalamaris, Payleitner, Bongard, Bancroft, Lencioni, Pietryla, Wirball, Bessner**

**Absent:**

**Nays:**

**Recused:**

**Motion passed 9-0**

- b. Plan Commission recommendation to approve a PUD Preliminary Plan for McKnight Oral Surgery Center, Foxfield Commons PUD Lot 3

Ms. Hitzemann, City Planner, presented the Executive Summary and materials posted in the meeting packet.

Ms. Payleitner asked if they are completing the sidewalk along Foxfield Road. Ms. Hitzemann responded yes.

**Ald. Payleitner made a motion to approve a Preliminary Plan for McKnight Oral Surgery Center, Foxfield Commons. Seconded by Ald. Pietryla.**

**Roll was called:**

**Ayes: Silkaitis, Kalamaris, Payleitner, Bongard, Bancroft, Lencioni, Pietryla, Wirball, Bessner**

**Absent:**

**Nays:**

**Recused:**

**Motion passed 9-0**

- c. Presentation of the 2022 St. Charles Housing Affordability Analysis

Ms. Johnson, City Planner, presented the Executive Summary and materials posted in the meeting packet.

Ald. Bongard asked the balance in the Housing Trust Fund.

Ms. Johnson responded the balance is upwards of \$2 million. We recently received a large contribution from The Springs development.

Ald. Lencioni commented with the Affordable Housing Fund we need to work locally to put those funds into service, those are the reasons we got those funds, there is a lot of good we could do with it. The City needs to find a way to use those funds as they're intended, to help the people, that's what it's there for and that needs to be a huge priority.

Ald. Bancroft added, in Cook County, for apartments his company developed, they made the decision to put in all the inclusionary housing within our apartment communities. The state of Illinois has a large tax break overlay that makes it feasible to do. I just want to make sure staff is up to speed on that so when Developers come and they start thinking about doing a Fee-in-Lieu we're educated enough to bring that to their attention because it may now be

economically feasible with tax breaks that they are getting to develop those units within their project.

Ms. Johnson responded that she has heard of that and staff will keep Developers apprised as well.

Ms. Payleitner added that our senior developments also have a tax credit basis for getting financing. I would like to compliment the group along with Ald. Lencioni, I liked when I read it that the Housing Commission concludes in their report we need to match supply and demand and I like that moving forward that's something the groups going to work on. Also, I like that you said in your report there is limited information. The group's conclusion that this is based on the numbers for the Metro Chicagoland area, that the group is aware are we meeting the needs of our community. I like that we are moving forward and they are going to look into that.

Chair Weber asked Ms. Johnson when she would be coming before the Council again.

Ms. Johnson advised it would be sometime in January.

- d. Historic Preservation Commission recommendation to approve a Façade Improvement Grant Agreement for 17 N 2<sup>nd</sup> Ave.

Ms. Hitzemann, City Planner, presented the Executive Summary and materials posted in the meeting packet.

Ald. Payleitner' asked for clarification in the Executive Summary, it says budgeted amount is \$40,000 in the fiscal year and there is \$20,000 remaining, is that this \$20,000?

Ms. Hitzemann responded yes, this will exhaust the funds for the current fiscal year.

Chair Weber commented this is a great program, is very practical and we see the improvements done the right away.

**Ald. Lencioni made a motion to approve the Façade Improvement Grant Agreement for 17 N. 2<sup>nd</sup> Ave. Seconded by Wirball. Approved unanimously by voice vote. Motion Carried.**

- f. Downtown Riverfront Property:
  - i. Consideration to Conduct a Feasibility Study

Derek Conley, Economic Development Director, presented the Executive Summary and materials posted in the meeting packet.

Ald. Lencioni commented we have two proposals that have been presented, do either of them have any official status with the city? We don't have responsibility to do anything, we are complete unless we open something up, correct? There's been talk about removing proposals or what comes next but right now if we don't do anything that's nothing. So one of the considerations is to take a vote on either doing something or not doing something and I can

say right now I am not for moving forward with anything because there's really nothing to do and to take a vote I think doesn't make sense because I also wouldn't want to put in legislation because I'm not in favor of legislating things that are not actually before us. And right now, neither of these proposals are before us. So the way I see it there's really nothing to be done. I am in favor because the city owns this property, and it's on the river, going and getting as much guidance as we can objectively on what should go there. I think it's great we've gotten so much feedback and we've listened, I've listened. There have been some really good arguments, I want to remind everybody we need to be able to listen to ideas and just trust, I think the process has worked good, we've all been here and listened and I think everybody's had an opportunity to say things but let's remember we're neighbors, we can't be afraid of talking about this. When I take a look at the property, and I look at density. Trust the process.

Ald. Payleitner added what goes there isn't part of the feasibility study. This is what was originally going to be done when this was an RFP. What we are discussing now is nothing to do with what goes on the property, at this level what we're discussing right now is what is the property right now.

Mr. Conley responded what is the capacity of the site, how much can it hold as far as traffic and utilities. We could engage with a firm, and say, we have the feasibility, would you like to do a couple of concepts of what that would look like. If they say it could look like X, okay show us that it would look like that. It is something we could ask for, not necessarily have to.

Ald. Bongard asked to clarify if the city or Developer was responsible for the studies under the RFC.

Mr. Colby responded that during the initial discussions of the RFP, the the City was going to proceed with the demolition of the buildings which would have then involved some analysis of the site and environmental considerations. Because the demolition was taken out of the budget, the decision was made to withhold conducting those studies.

Ald. Silkaitis commented with a feasibility study we're going to ask for new guidelines, in my opinion we're going to start fresh. We need to narrow down the focus. We should have a vote on that. I am in favor of the Feasibility Study.

Ald Kalamaris stated he is 100% in support the Feasibility Study. Let's look at the facts, look at the data. Let's determine what really should be going there.

Ald. Bongard stated he is leaning towards no right now because we are putting the cart before the horse. If we don't have direction from this Council of making it a park or what's already existing, if we don't have 10 people up here that are in support of a Developer, I'm leery of spending \$100,000 to get information that maybe we don't need. Let's spend money and do studies, but at the end of the day if we end up in the same spot, that you have divided Council on what we're going to do, then what was it spent for? To tell us that traffic might be impacted, that there might be bedrock under there? I'd like to have an idea of where we want to go as a group before we start spending money on things we ultimately don't need.

Ald. Bancroft stated I would make sure something in the scope document reflects what the potential use is for the site. Other municipalities hired experts that come up with grand ideas

of what could be done on a particular site. I would add a use component to that and not just make it technical. I would also add a thumbnail of what makes it a developable site. With those two things I'd be supportive of it.

Ald. Lencioni stated he is very much in favor of studying what the limits and potential of the property is. Take a real cost benefit look, some of my goals are doing a study will help us understand how we can make this the most productive situation. For the City to ask the residents to tear down a building, I would like to see value to the City that takes the burden of paying for reconstruction of the riverfront that's falling down. I'd like to see a revenue element to it, I'd also don't want to blow out the neighborhood behind. I don't want to ask the residents to just pay for an idea that we think sounds great until we open up our pocketbook and the whole idea doesn't make sense. I want to see studies and I want to be fiscally responsible. I think a little bit of money up front will help make sure that happens.

Ald. Pietryla stated I support a Feasibility Study,

Ald. Wirball asked Staff who decided to divide Ald. Payleitner's motion?

Ms. McGuire responded that it is two separate issues contained in the motion.

Ald. Wirball stated I do support Feasibility Studies, what geotechnical analysis, traffic impact study, utility study, can we even dig? Right now those two buildings don't even have basements, they're on slabs. What concerns me when I hear potential use, who determines the potential use is? What are we basing that on? That's where the second motion comes into play when it comes into revising the RFCP that should be inclusive of community input in determining what that use should be. Somebody might say potential use may be a hotel, so therefore do the study based on a hotel. Then there's an assumption it may be a hotel. If we're going to take potential uses, that concerns me on where that might go. In my opinion, I think the whole motion as a whole should be approved. I think it would serve everyone's best interest to start the whole process over. I think we have an opportunity tonight to restore the confidence of the residents in the RFC process. I think it's eroded over the last few months. Sometimes things don't work out the way they're supposed to and I think it's a good approach to just start over.

Ald. Bessner stated feasibility of what can be built there. I'm really more interested in that aspect environmentally. I want to find out the remediation of that piece of property.

Chair Weber stated for peace of mind, we should do our due diligence and have somebody do a study. The only think I'd like to add, the original open house discussion with this potential use of this space in 2019 involved public meetings and an open house. I would like to see if we can engage the public again so we are being transparent. To instill the confidence, to get resident input would be very beneficial.

Ald. Payleitner asked for clarity, I was mistaken when we went from RFP to an RFC. I didn't know it was based on what Russ said, that at the time it was going to be demolished. I appreciate having one firm do the work. If we go and we do this, I'm reading from the old RFP, the City plans to obtain a geotechnical analysis to understand the soil structure, the bedrock depth across the site, the results of the environmental and geotechnical reports will be shared when they become available. That seems to be a ground zero. To do a use study in

conjunction doesn't make much sense, so I'm asking for the process. Why spend \$100,000 when we can find out what we need for \$50,000 first.

Ms. McGuire stated that at a Staff level we will work up a draft RFP for the Feasibility Study and present it back.

Mr. Conley stated we will be looking at planning firms and go off their recommendation also.

Ald. Bessner added we want to be fiscally responsible. what a company will do is a survey showing there were 40 river towns and this is the type of things that they did. I agree with Ald. Weber, you want to involve the community, you want to get the ideas. It would be helpful to see what other communities have done.

## ii. Evaluation of Existing Proposals

Ald. Bessner stated there is some perception out there that this Committee might have made some rush to judgement in trying to move forward with these proposals. But there's also a perception out there in regards to some communications we've received from residents of the community that there's a push to remove these proposals. I can't remember a time where we've been in position to dictate what we don't typically do, so in light of transparency I think it was well stated earlier we should just do the status quo right now. There's a timeline in place that timeline obviously that was stated that these feasibility studies go through won't begin May 1 from there it's going to take 4-5 more months. Nobody is rushing anything.

Ald. Wirball stated in the request for concept proposals packet on page 7 on the bottom, note: "the City shall not be obligated to accept a proposal and reserves the right to reject all proposals". I think it would serve everyone's best interest to simply start the process over. Everyone is welcome to resubmit under the new guidelines of any RFCP. Whatever the studies come back, it's going to change the RFCP. I think it would be fair to everyone if we just reassure the residents that we're going back over this and do our due diligence. We've heard both plans are not been very receptive with the people in the community. I think it's best to say we're going to make revisions to the RFCP. It will go back out, it's open up to benefactors, more public amenities, and really needs to be inclusive of community input because at the end of the day that property belongs to the people. I feel that it's not really rejecting the two proposals because as Ald. Lencioni said we really didn't accept them, it's just we're going to make some changes. If you want to come back under the new guidelines and resubmit, that's fine. Everybody's welcome to come back.

Ald. Pietryla stated we're all in agreement we want to do a feasibility study, we want to gather additional data. If we're going through the process of doing that and being educated more on what is there and to Ald. Wirball's point to codify what we can put there and getting more data in terms of survey of peer communities. I think it's just prudent to start anew and with this new information I think it's fundamentally fair to start over and ask the Developers to come back and if we get additional Developers, we have a new Director of Economic Development who can help spread that net. I think that's prudent to help understand and get a better idea of what can go there ultimately.

Ald. Lencioni stated I am in favor of doing nothing because there is nothing to do. We are going to revise the RFCP but with that there's another comment about restoring confidence and I don't know how confidence was damaged, I think this worked very well, there has been great public comment. There has been fear, and there's nothing to be afraid of, nothing's happening, there's nothing bad that has happened, there's been good conversation, there's been a lot of opportunity for people to talk. We really do need to consider, we're neighbors, this all happened well and to talk about a lack of confidence it doesn't make any sense.

Ald. Bancroft stated the truth is we are not, from a timing standpoint, in any pain to make a decision. I think even though this room has a position, they are discounting the position of others out there who may not attend. I think the safest thing for this body to do is not react to the people sitting here but to take no action because at the end of the day nothing is going to happen until we get the studies back. There's no risk of something getting developed, there's nothing been approved. From my perspective I think Mr. Lencioni is right if we do nothing then none of the constituencies are insulted by our action. We should tell the submitters there's going to be a significant amount of time before they get any reaction from us. I assume if we decide studies are going to happen there's no communication with the submitters.

Ald. Bongard stated I think the idea that just because feedback has been conflicted at times from some. It was a request for concepts. We got concepts. We heard loud and clear from certain people, I don't like the idea of an apartment, I don't like the idea for a high density hotel, that's what a request for concepts does. You're getting people to say, this is what I like, this is what I don't like. Somewhere along the process we got off track and worried about all these different things. We were asked to find out, do you like this concept or not. I don't know if we now need to take this extra step to tell these Developers, hey you need to go away, you've been rejected. We heard, we saw your presentation, there's no vote coming from this body because there's no consensus on picking one of these. I'm not wild about going the extra step because we feel we need to send an additional message. We got the concepts, it doesn't have consensus up here to pick a Developer and move forward. That's where we're at and we're moving on to the next subject. I don't see the point of having to put in this extra step when we've already made it clear there is no consensus to pick a developer.

Ald. Payleitner stated two points to Ed, Paul, Todd and Ryan, why not return it? Secondly instead of a note of rejection why not return all submitted plans with an invitation to resubmit? Change them or don't change them, then we will put out an invitation and then along with other new proposals, once new guidelines with feasibility have been developed, bring them back in. So I need to know, why not return them.

Ald. Bongard responded are we now saying that anytime the P & D Committee meets and we have somebody come with a Concept Plan, not only are we going to ask for a consensus on a vote we're also then going to schedule or tell staff to send them a rejection letter?

Ald. Lencioni responded that's just how government works, things just die in committee all the time, it's outside the process to take an action that isn't an action. If you don't get a proposal to move forward on every level of government things die in committee and that's how it works. I'm not going to ever be in favor of taking negative action on something we're not going to do.

Ald. Bongard asked Ald. Payleitner if there was a concern that because we don't formally take action removing these that somehow it's going to get passed in the middle of the night?

Ald. Payleitner responded why not have that peace of mind. It's kind of a starting over. And if you're starting over, you're not starting over if you've got two plans in the wings that may or may not work with our new studies. Are we starting over, or aren't we?

Ald. Pietryla added my rationale, it's not involving that there's no consensus here for the two concepts. If we're getting feasibility and getting more data, and starting that anew, why not? It comes down to language as well, it's not a rejection it's an invitation to return within the guidelines of this new data.

Ald. Kalamaris asked Mr. Conley if either of the developers resubmitted after the presentations?

Mr. Conley advised they have made revisions after presentations but not made any changes since October.

Ald. Kalamaris added I need to understand the feasibility studies. I can't tell you if the proposals match the facts and the data that go along with that study. I was disappointed I didn't hear a lot of the due diligence I'd expect to have heard coming out of those sessions. I think number one the developers are still in and after the study they are welcome to resubmit the exact same proposals if they meet the criteria or something totally different if they want to. For me it's rejecting the proposals as they stand pending the feasibility study and allowing them to come back and resubmit if they want to within the means of that study.

Ald. Silkaitis stated on the meaning of trust, I've talked to people, if you remember correctly, back in October this was going to be signed in a period of two weeks. Luckily, we stopped that process. That's what the issue of trust is about. Second with the RFPs I see no reason why we should keep these two. We are going to have a new RFP come out in the end, it's not going to meet what we have here. When we put out this RFP they did not follow it, that's another trust issue. I have no problem starting over completely, if they want to resubmit, I will give them equal amount of respect. But to say we should keep these on, is wrong. I think we should vote to start the process over again after we get the study done and we can see what we can and can't build there. Ultimately, it's our decision up here, I've listened to the residents and 95% of them don't want this project. For the ones that don't comment I can't help that. This is a republic here, we listen to what we hear. If people don't want to say hey you're wrong then I have to go with the people that say I agree with you. So, I think we have to start over again.

Chair Weber responded there is 23,000 registered voters in St. Charles. I represent the 5<sup>th</sup> ward, there's obviously been one ward that has been extremely vocal and we have listened. The original intent was to pick a developer, not a project. It's a pretty mixed bag up here as to who wants to do what.

Ald. Payleitner asked if we could vote on this?

**Ald. Pietryla made a motion to return all submitted plans with an invitation to resubmit along with other new proposals once new guidelines for feasibility have been developed.**



**Seconded by Ald. Wirball.**

**Roll was called:**

**Ayes: Silkaitis, Kalamaris, Payleitner, Bongard, Bancroft, Lencioni, Pietryla,  
Wirball**

**Absent:**

**Nays: Bessner**

**Recused:**

**Motion passed 8-1**

## **5. PUBLIC COMMENT**

The following citizens commented on the Downtown Riverfront Property:

Ms. Christine Poulton, resident, spoke about how is the Committee getting community input, followed by discussion between Committee members.

Mr. Mike Kanute, resident, thanked the City Council for listening to input from residents. Mr. Kanute commented on previous meetings he attended.

Mr. Paul McMahon, resident, commented on the study and the previous meetings held to get resident input. Discussed the signed petition.

Mr. Gary Swick representing Friends of the Fox River, thanked the Committee for taking pause and thinking and listening to the residents.

Mr. Brian Ketter, resident, stated a low-rise building is not respecting the river. Do we want impervious surfaces or density? Talked about traffic increase and St. Charles not being a full functioning downtown due to lack of density.

Alex Walker, resident, stated putting more people here the better. Stated there is a failure in leadership as city knew this property was going to be vacated when the new police station was being built.

## **6. ADDITIONAL ITEMS FROM MAYOR, COUNCIL OR STAFF**

**None**

## **7. EXECUTIVE SESSION**

**None**

## **8. ADJOURNMENT**

**Ald. Bessner made a motion to adjourn at 8:18 p.m. Seconded by Ald. Lencioni.  
Approved unanimously by voice vote. Motion Passed.**