

**MINUTES  
CITY OF ST. CHARLES, IL  
PLANNING AND DEVELOPMENT COMMITTEE  
MONDAY, DECEMBER 9, 2019 7:00 P.M.**

**Members Present:** Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Vitek, Pietryla, Bessner, Lewis

**Members Absent:** None

**Others Present:** Mayor Rogina, Rita Tungare; Director of Community & Economic Development, Russell Colby; Community Development Division Manager, Ellen Johnson; City Planner, Monica Hawk; Development Engineer, Rachel Hitzemann; Planner, Ciara Miller; Econ. Dev. Planner, Mark LaChappell; Building & Code Enforcement Division Supervisor, Bob Vann; Building & Code Enforcement Manager, Fire Chief Swanson, Asst. Fire Chief Christensen

**1. CALL TO ORDER**

The meeting was convened by Chair Payleitner at 7:00 P.M.

**2. ROLL CALLED**

Roll was called:

Present: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Vitek, Pietryla, Bessner, Lewis

Absent: None.

**3. OMNIBUS VOTE**

\*5d. Recommendation to approve a Plat of Abrogation and Plat of Easement for Extreme Clean Car Wash, 1625 W. Main St.

\*5e. Recommendation to approve a Minor Change to PUD for Meijer Outlot – Building Elevations, Building C Patio.

**Aldr. Bessner made a motion to approve omnibus items \*5d and \*5e on the Agenda. Seconded by Aldr. Bancroft. Approved unanimously by voice vote. Motion carried 9-0.**

**4. FIRE DEPARTMENT**

- a. Recommendation to approve an Ordinance Extending the Residential Sprinkler Moratorium until the adoption of the new 2021 codes or December 31, 2021, whichever occurs first.

Chief Swanson presented the Executive Summary posted in the meeting packet.

**Aldr. Lemke made a motion to to approve a an Ordinance Extending the Residential Sprinkler Moratorium until the adoption of the new 2021 codes or December 31,2021, whichever occurs first. Seconded by Aldr. Turner. Approved unanimously by voice vote. Motion carried 9-0.**

**5. COMMUNITY & ECONOMIC DEVELOPMENT**

- a. Plan Commission recommendation regarding a Special Use (Amendment to Special Use) for Extreme Clean Express Car Wash, 1625 W. Main St.

Ms. Johnson presented the Executive Summary posted in the meeting packet.

Aldr. Lewis said she's not opposed but she does have concerns regarding the left turn-in involving the light, the cut and the street in regard to safety. She'd like to revisit this in a year for any major issues. Ms. Tungare said this stipulation could be added to the motion to evaluate this within 1 year with a report for the Committee. Chair Payleitner clarified that the applicant understood the condition. Mr Gunsteen said he did. Ms. Tungare said since the use has already been established all we could do is request modifications to the terms and improvements at that time.

**Aldr. Lewis made a motion to to approve a Special Use (Amendment to Special Use) for Extreme Clean Express Car Wash, 1625 W. Main St.; with the right-out only and right-in left-in to be revisited in 1 year from the start of operation. Seconded by Aldr. Turner. Approved unanimously by voice vote. Motion carried 9-0.**

**Roll was called:**

**Ayes:** Pietryla, Bessner, Lewis, Stellato, Silkaitis, Lemke, Turner, Bancroft, Vitek

**Absent:**

**Recused:**

**Nays:**

**Motion passed 9-0**

- b. Plan Commission recommendation to approve a General Amendment to Title 17 of the St. Charles Municipal Code (Zoning Ordinance) pertaining to Pet Care Facilities in the CBD-1 District.
- c. Plan Commission recommendation to approve a Special Use for a Pet Care Facility for K-9 Country Club of St. Charles, 305 N. 2<sup>nd</sup> St.

Chair Payleitner noted that the applicant for items 5b and 5c had requested a postponement; she then read the email request submitted by the applicant- John Karatheodore; dated 12/9/19, sent to Russell Colby.

Chair Payleitner read additional written correspondence submitted after the meeting packet posting, all objecting to the Special Use: Brent & Jaci Lindberg, 309 N. 2<sup>nd</sup> St. & 220 N. 4<sup>th</sup> St., dated 12/8/19; Terry Grove, 311 N. 2<sup>nd</sup> St., dated 12/9/19; Neil Johnson-SVN Landmark Commercial Real Estate dated 12/7/19; Jim Coleman-Coleman Land Company dated 12/8/19; as well as a petition to the Planning & Development Committee signed by 44 people comprised of VFW members and tenants at the Charleston Center at 311 N. 2<sup>nd</sup> St. Chair Payleitner noted that the VFW representative may have an additional signed petition.

Ms. Johnson presented the Executive Summary for items 5b and 5c posted in the meeting packet.

Terry Grove-311 N. 2<sup>nd</sup> St., Suite 304-owner of the building, as well as other properties in the downtown area, said he knows all about the uses in downtown. Under findings of fact and recommendation it states that "Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood". He's spoken to over 60 people and none feel this is a good idea; there will be barking dogs and all the surrounding properties will be affected; it's a small space. In 40 years he's never objected to anything in downtown St. Charles, but this is such a misuse that affects 52,000 sq. ft. of commercial space.

Vanessa Bell-Lasota-1610 Howard St.-representing the Veterans of St. Charles and the St. Charles Veteran Center-comprised of the American Legion, the VFW, Amvets and The Vietnam Veterans of America; as well as other organizations that use the facility at no charge. She addressed the impact this use would have on the Veterans, which most are senior, retired and disabled, and they need to have access to the parking lot and need to have a peaceable time at the facility. She noted that the proposed use would open at 6am which would interfere with their fellowship with the Veterans (7-11am Saturdays and 8-10am Wednesdays) of all ages. In regard to overall improvements in the surrounding area in the findings of fact, the proposed use will definitely affect, and is incongruous with, the use of our Veteran center. In regard to “effect on development of surrounding properties that it will not impede the normal and orderly improvement of the surrounding property for use permitted”; this will most certainly affect the surrounding property because of the size and the scale of it. As to the noise and effect on general welfare and this business having to comply with the standards would be impossible. She’s a dog owner/lover and supports the industry but the location is incongruous with current use and the future of our Veterans Center and our Veterans.

Jacqueline Lindberg-owner of 309 N. 2<sup>nd</sup> St. & 220 N. 4<sup>th</sup> St.-noted the mention of the special use of Fydoland and that there were no significant issues raised during the public hearing, as shown in the executive summary, however as you can see/hear tonight there is significant issue being raised regarding this pet care facility. Fydoland is located in M-1 and is far removed from the downtown area; the area proposed tonight is CBD-1 which is extremely close to the overlay area downtown which was determined to not be acceptable for a dog daycare. This location is part of the future plans of development and is this part of the face of St. Charles we want our visitors to see; barking dogs? Pet care facilities standards state that outdoor exercise areas shall not be located on a property that abuts a residentially zoned property and her property is permitted for residential use; that alone should disregard the ability to use this as a pet care facility. The noise ordinance will be monitored by her building if this goes through and she will be a squeaky wheel.

Tom Anderson-712 Horne St.-adjacent property owner to the site-said he doesn’t feel this is a positive use of this facility and he agrees with all the others that have spoken this evening.

Aldr. Turner said as a matter of fairness he suggests a postponement for the applicant as Committee allowed for the Extreme Clean Express car wash at a prior meeting.

**Aldr. Turner made a motion to allow the postponement for items 5b & 5c until the January 13, 2020 Planning & Development Committee meeting. Seconded by Aldr. Stellato.**

**Roll was called:**

**Ayes: Pietryla, Bessner, Stellato, Silkaitis, Turner**

**Absent:**

**Recused:**

**Nays: Lewis, Lemke, Bancroft, Vitek**

**Motion passed 5-4**

**Chair Payleitner clarified with the petitioner that he has 1 month to come back and address the concerns/desires mentioned this evening by Committee.**

**6. ADDITIONAL BUSINESS - None**

**7. EXECUTIVE SESSION - None**

- 8. ADDITIONAL ITEMS FROM MAYOR, COUNCIL, STAFF OR CITIZENS-None.**
- 9. ADJOURNMENT - Aldr. Stellato made a motion to adjourn at 7:30pm. Seconded by Aldr. Lemke. Approved unanimously by voice vote. Motion Carried.**