

**MINUTES
CITY OF ST. CHARLES, IL
PLANNING AND DEVELOPMENT COMMITTEE
MONDAY, MAY 9, 2022 7:00 P.M.**

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

Members Absent: None

Others Present: 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, Fire Chief Swanson, Asst. Fire Chief Christensen

1. CALL TO ORDER

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

2. ROLL CALLED

Roll was called:

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

Absent: None

3. OMNIBUS VOTE

*4a. Recommendation to approve a Plat of Easement for Sidewalk at 501 S. 6th St.

Ald. Lencioni made a motion to approve omnibus item *4a on the agenda. Seconded by Ald. Pietryla.

Roll was called:

Ayes: Payleitner, Bongard, Bancroft, Lencioni, Pietryla, Wirball, Bessner, Silkaitis, Balla

Absent:

Nays:

Motion passed 9-0

4. COMMUNITY & ECONOMIC DEVELOPMENT

- b. Plan Commission recommendation to approve a Special Use to amend Ordinance 2005-Z-11 (Zylstra PUD) to allow an unpaved motorcycle test area on Lot 9

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

Ald. Wirball noted a letter from a resident regarding noise, and asked if it's true that adventure bikes are not as loud as dirt bikes. Larry Woods, director of rider training, stated that is correct, and noise would be similar to the existing paved training area.

Ald. Lencioni made a motion to approve a Special Use to amend Ordinance 2005-Z-11 (Zylstra PUD) to allow an unpaved motorcycle test area on Lot 9. Seconded by Ald. Bancroft.

Roll was called:

Ayes: Payleitner, Bongard, Bancroft, Lencioni, Pietryla, Wirball, Bessner, Silkaitis, Balla

Absent:

Nays:

Motion passed 9-0

- c. Recommendation to approve an amendment to Title 15 of the City Code for the adoption of 2021 Building Codes and local amendments.

Mr. Fennell presented the Executive Summary posted in the meeting packet.

Ald. Payleitner asked if this applied to existing structures and noted a past issue with required upgrades to existing homes, specifically a question on needing wired smoke detectors with a bathroom remodeling. Ald. Silkaitis stated he completed a kitchen remodel a few years ago and he was required to install smoke detectors in his entire home.

Mr. Fennell said it has been City policy for many years to make sure smoke detectors are all operational and brought up to current code during all kitchen, bathroom or basement remodel inspections. The homeowner of an existing home would be required to install new detectors if it's found they are missing any required by the code. He noted wireless detectors would be acceptable for interconnection.

Ald. Lencioni questioned it being a 2014 plumbing code update. Mr. Fennell said the 2014 code was in effect last year and they are just stating it's still the code in effect today.

Ald. Pietryla asked if it's the City's policy to do a safety check or if it's required by state law. Mr. Fennell confirmed it's the City's policy, since at least 2009.

Ald. Wirball made a motion to approve an amendment to Title 15 of the City Code for the adoption of 2021 Building Codes and local amendments. Seconded by Ald. Pietryla. Approved unanimously by voice vote. Motion Carried.

- d. Discussion regarding shifting of Board of Zoning Appeals functions to the Plan Commission.

Mr. Colby presented the Executive Summary posted in the meeting packet.

Ald. Bessner asked if they foresee the Plan Commission having more than one or two meetings a year regarding zoning. Mr. Colby said they would see a similar number of variance applications

added to their regular meeting agenda. There would need to be some training as to the procedures for handling these.

Ald. Wirball served on the Board of Zoning Appeals (BZA). He said he liked that it was independent from the Council. He suggested reducing the membership down to 5 members.

Ald. Lencioni supported the idea of shifting the BZA function over to the Plan Commission. He felt they did not meet enough to gain the experience needed to understand the zoning process.

Ald. Bongard was also on the BZA. He liked that it was independent, but the reality of not meeting enough presented challenges. He would support shifting the functions to the Plan Commission.

Ald. Payleitner asked what the difference is between the BZA meeting 3 times a year and the Plan Commission meeting as the BZA. She felt it would require the same training and this shift would just add more onto the Plan Commission. These are usually just homeowners coming before the BZA. Keeping that separate and independent from the political body would be smart. She liked the idea of reducing membership before eliminating the entire board.

Ald. Balla asked if the City was one of a few municipalities to have a separate board. Mr. Colby said it's not unusual to have a separate zoning board, but it is unusual to have one that is a final decision-making body that makes decision separate from the City Council.

Ald. Silkaitis said they haven't had any problems with the current system so he sees no reason to change it. He also likes keeping it independent. He would support reducing membership, but not combining functions.

Ms. McGuire noted the State statute requires the City to have 7 members so reducing it would not be possible. The main issue is to ensure there are adequate members for representation and that they understand their role which is difficult due to the minimal times they meet during the year.

Ald. Pietryla asked why the BZA board meets so infrequently. Mr. Colby explained how the City tried to write the zoning codes around existing development so that if you were constructing something that was similar to something that existed in your neighborhood you wouldn't need a variance. In addition, the code limits what you can request a variance for and the board has a fairly consistent practice of adhering to the standards quite rigidly. These factors have resulted in few variance applications, which means few meetings on yearly basis.

Ald. Pietryla asked if there might be an uptick in applications if the two groups were merged. Mr. Colby said there could be due to the change in process.

Ald. Payleitner asked if they would ever be able to change the ordinance to allow for a smaller BZA membership. Ms. McGuire said it is the State statute that grants the authority for that board. They are allowed to vest that authority in the Plan Commission and merge them, but to have a separate zoning board requires 7 members. Ald. Payleitner wanted assurance that the Plan Commission would be up to speed due to the infrequent nature of the meetings. Ms. McGuire said staff members conduct training sessions. With a board that meets more regularly it

would be easier to keep them up to speed on any changes necessary. They are also expecting that frequency of meetings, so it's easier to attend meetings and to be present for those trainings.

Ald. Payleitner asked if this idea was presented to the current BZA or Plan Commission members. Mr. Colby said they wanted input from P&D members first.

Ald. Wirball asked about the current recruitment process for the zoning board. Ms. McGuire noted the City has many commissions to fill, and they reach out to community members with related backgrounds. In this case, because the duties and qualifications overlap, it makes sense to merge the groups in order to have enough qualified members that understand the process.

Ald. Weber noted the feeling is that this should be discussed further and asked staff to reach out to the BZA and Plan Commission chairs for their feedback on this matter.

- e. Recommendation to approve vacation of right-of-way of N. 8th Ave. (between Cedar & State Aves.) & Cedar Ave. (east of N. 9th Ave.)

Mr. Colby presented the Executive Summary posted in the meeting packet.

Ald. Lencioni stated he's familiar with this situation and noted these roads do not even exist anymore.

There was no further discussion.

Ald. Lencioni made a motion to approve vacation of right-of-way of N. 8th Ave. (between Cedar & State Aves.) & Cedar Ave. (east of N. 9th Ave.). Seconded by Ald. Wirball. Approved unanimously by voice vote. Motion Carried.

5. PUBLIC COMMENT – None

6. ADDITIONAL ITEMS FROM MAYOR AND CITY COUNCIL MEMBERS-None

7. EXECUTIVE SESSION – None

8. ADJOURNMENT - Ald. Wirball made a motion to adjourn at 7:32 p.m. Seconded by Ald. Pietryla. Approved unanimously by voice vote. Motion Carried.