

**MINUTES
CITY OF ST. CHARLES, IL
PLANNING AND DEVELOPMENT COMMITTEE
MONDAY, JUNE 10, 2019 7:00 P.M.**

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

Members Absent: None

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, Monica Hawk; Development Engineer, Bob Vann; Building & Code Enforcement Division Manager, Mark LaChappell; Building Code Enforcement Division Supervisor, Fire Chief Schelstreet, 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, Gaugel, Vitek, Bessner, Lewis

Absent: None

3. OMNIBUS VOTE

- *a. Recommendation to approve a Parking Deck Easement and Operating Agreement between the City of St. Charles, First Street Development II, LLC and Sterling Bank regarding First Street Building #3.

Vice Chair Bessner made a motion to approve omnibus item *4a. Seconded by Aldr. Vitek. Approved unanimously by voice vote. Motion carried 9-0.

4. COMMUNITY & ECONOMIC DEVELOPMENT

- b. Presentation of a Concept Plan for Pride Gas Station, southeast corner of Kirk Rd. and E. Main St.

Ms. Johnson introduced Dan Soltis of CIMA Developers and noted that Plan Commission reviewed the plan on June 4 and that discussion is summarized in the executive summary.

Dan Soltis-CIMA Developers-30W180 Butterfield Rd.-Warrenville-gave a brief history of his family owned company and stated that this location would be their 16th site; as well as Randall Plaza and 93 Octane Brewery. He said this has been a difficult site to develop in the past; he then showed a PowerPoint presentation with the following details:

- 4,500 sq. ft. convenient store
- 1,900 sq. ft. quick queuing carwash with dual lanes, that funnels to 1.
- Right in/right out access off Main St.-IDOT has been contacted and plans submitted.

He noted that they are working with staff to potentially flip-flop the entrance and exit of the carwash; as well as adjusting some of the landscape area, and bumping the carwash a bit to the south. He noted that those plans are in now in progress.

He said they have a reciprocal easement agreement with Main St. Commons to the south to have cross-access to the south and east, and are proposing 2 signage easements; as well as a design for a

preliminary detention to incorporate the current pond, as well as creating a new detention area to have 1/2 the site drain into the pond and 1/2 into the new area; and parking more than meets code.

Chair Payleitner noted that staff was looking for comments regarding land use, site layout and access, and whether a PUD is appropriate.

Aldr. Lewis said she appreciates that it's a difficult property to develop but she has concerns with the land use; she thinks this property needs to be a destination business, versus an impulse business; because of the right-in/right-out, and the access from Kirk Rd. coming into the middle of the shopping center. She noted that she travels that area frequently and can never make a left hand turn into the shopping center, and it's very hard to get out of there as well to make a right turn with the oncoming traffic. Traffic is a concern and she's not comfortable with the land use.

Aldr. Bessner asked if there is no way in or out off Rt. 64 or Kirk Rd. where the gas pumps would be. Mr. Soltis said they attempted to contact Kane County DOT, they put their traffic study together 6-7 months ago and it was unsuccessful. Aldr. Bessner he's not completely against it but it does seem tough for people to get gas, to have to come around to get into the corner lot. Aldr. Lewis noted that we want this to be successful; but there have been areas on the west side of town that didn't have in/out access and are no longer open because people could not get to them. Mr. Soltis said we did the traffic study and are very comfortable with the layout and cross-access. He noted that they were only looking for a right-in off Kirk Rd. but they feels this will be sufficient, especially if they're able to get some signage there.

Aldr. Pietryla said he shares some of the thoughts of his colleagues; it's not the first thing he envisions there but he appreciates that it's a difficult site. He asked if you can turn left on the east side where it comes onto the street, to hit Rt. 64 from the parcel, and he wondered if people could try to skip the light by cutting through the site. Mr. Soltis noted that they are possibly going to flip-flop the entrance and exit, but they want to keep the queuing for the car wash closest to the pumps, and they didn't see a concern with that. Mr. Soltis noted that the traffic study will be updated as they move forward.

Aldr. Vitek said she likes it and this piece of land has been unoccupied for quite some time and with some of the commercial use behind it she doesn't feel it's a bad use of space. She does agree with some of the Plan Commission comments; there are some tricky points there but she uses Rt. 64 a lot, and once heading east after passing Kirk there are not many options for gas/snacks. Mr. Soltis said that has been the consensus with their feasibility studies; there is a need for it.

Aldr. Bancroft said he agrees with Aldr. Vitek and he sees they're working really hard to make the site work, which hasn't worked for anything else ever. He said there is access issues, but the prominence of the corner overcomes a lot, but it's a tough site, with a tough business to run on that site.

Chair Payleitner noted that this is the first concept plan received for this site.

Aldr. Turner said he doesn't know what could go there as a destination business given the site limitations, and we have heard for years that the east side needs more gas stations; there's very little competition out there compared to the west side; even the price of gas is a difference of 30 cents between the east and west side, and he's all for this.

Aldr. Lemke said seeing the traffic study, in terms of volume, will help him before he commits to it; and in terms of historic preservation, if there's any possibility of moving the house; put it up for sale.

Aldr. Silkaitis said he'd like to see the traffic study, and he noted that the city will not pay for the sidewalk; the developer will. Mr. Soltis noted that they are on record for that request from the city; its 700 linear ft. of sidewalk that is proposed on this and if the sidewalk is required and we are on record for the city to give relief for that; we stay on record for that. The site is very expensive to develop with the stormwater and retaining walls. Aldr. Silkaitis said he will not support it if the city is going to pay for it.

Aldr. Stellato said this site should have been developed 25 years ago with the rest of the property. It was due to the preservation of the barn, which never happened, and we could not get a right-in/right-out off Kirk Rd.; those 2 things still exist to this day. He doesn't know what land use it should have, but he doesn't know what the other option is, he can't think of another destination to put there at this point due to the obstacles. It's not perfect but the developers done a good job to this point to get something in there; but he would like to see the traffic study. Aldr. Silkaitis also noted that ownership was also the obstacle.

Mr. Soltis noted that the architecture would include both barn and metal features to incorporate some of the current structures. Aldr. Lewis said she likes that, and wondered if the station would service trucks for gas. Mr. Soltis said no, there will be 3+1 pumps that have gas and diesel for small trucks; not semi's.

Aldr. Bancroft said it sits there today with all its issues and he's not sure what else to put there.

Chair Payleitner said she hears Aldr. Lewis's point as far as a destination, with the driveway coming in and staying and leaving; she doesn't see an issue with that, that's an option; but she's not sure that a 24-7 gas station is the best use for our entry into the city; she doesn't see it. She thinks it's too much on too little of space; it is a gateway and the backside of the business faces Main St. Mr. Soltis said correct, the front door would be on the southwest corner, but the elevation would have windows, but yes, it does face south. Chair Payleitner said that doesn't go well with her vision of the entrance to town, but she noted that she is a big Pride fan, and she has checked out previous properties and she feels there more spacious, not as jam packed as this one. She asked if they're jamming 4 businesses there to get their money out of the land purchase price. Mr. Soltis said he doesn't feel they're "jamming" it, it's pretty typical of what they have; some sites are larger lots, but we did actually scale this down. Chair Payleitner said the stacking for the carwash is not our code, per say, with the 2 lanes. Mr. Soltis said he did read that in the code, but it's a quick queuing, every 20 seconds the cars are going through, as opposed to the other location that's every 6 minutes. He recommended the committee checking out their new Naperville location at North Aurora Rd. and Raymond.

c. Presentation of a Concept Plan for Prairie Place Lofts, Lot 702 of the Pheasant Run Crossing Subdivision.

Ms. Johnson introduced representatives of the applicant-Nick Varchetto and Dan Marshall- and noted that Plan Commission reviewed the plan on June 4 and their feedback is summarized in the executive summary.

Nick Varchetto-27W321 Providence Lane-Winfield-Engineering Resource Associates-gave a brief history of the company 3KB Enterprises LLC, he then showed a PowerPoint presentation with the following details:

- Three Residential Apartments
 - Two 24-unit Apartments
 - One 18-unit Apartment
- 2 Bedroom / 2 Bath (48 units)
- 1 Bedroom / 1 Bath (18 units)
- 66 Total Units
- Courtyard and Open Space

Mr. Varchetto noted that the Plan Commission comments included wanting site amenities; he noted that although the plans do not show it, there will be a gazebo for the residents.

He stated that the floor plans for the larger units would have balconies and 2 entrances, each unit will have a balcony. He noted some Plan Commissioners had concerns about the balconies, but he does want to push for those and suggested maybe putting something in the HOA to keep those clean.

He said the architecture will consist of masonry buildings with 2 entrances and 3 stories.

He noted that Plan Commission had concerns that the development only has 1 access point at this time, but they are hoping to have a conversation with Volkswagen to hopefully get an emergency access point to their lot. That access point would be gated at all times, except for potential fire use. He said they are also looking into the unincorporated area to the west because if that were ever developed, this property would then need to have some sort of covenant stating that it would require access through our property as well. He also noted that they now realize the site will probably require a PUD.

Aldr. Lewis said her concern is not having another exit and she'd like to see a concept plan that actually shows 2 exits. Mr. Varchetto said he agrees totally, the Plan Commission expressed that this will be a difficult lot to develop since it is a flag lot. Aldr. Lewis asked where the current entrance is. Mr. Varchetto said at the Silverado entrance and around the side aisle of the Silverado property; as of now we have not reached out to the Volkswagen dealership yet, but there is an aisle on their back end that could potentially be used with an access gate that would be closed 99% of the time, except for a fire exit. Aldr. Lewis said she'd like to see a concept plan that includes that.

Aldr. Bessner said he'd like to see more landscaping detail, to be more attractive. Mr. Varchetto said there is currently a berm between the dealership lot and the property; we haven't done the landscape plan yet but we will have landscaping to the full extent of the city Ordinance, as long as committee agrees this is a reasonable use for this property.

Aldr. Pietryla said the buildings look nice but he concurs with the Plan Commission for additional access and additional amenities.

Aldr. Vitek said she also feels the Plan Commission comments are valid and she is familiar with the architects work and really likes it, it incorporates some of the downtown feel, but yet keeps the character.

Aldr. Bancroft said he also agrees with all comments made, the use is fine, he would do a PUD, and he feels the architecture is great, but the access issue needs to be dealt with. He noted that there's a variety of examples of how the chaining off can be done; it has some precedence here to do that. He said they're going to need more than a gazebo to make it a success, he suggested spending time to think about the target market and the amenities.

Aldr. Turner also agreed with previous comments made, he thinks it's a great use for that land, he'd do a PUD, he asked who owns the unincorporated area. Mr. Colby said he thinks it's Barbara Petkus.

Aldr. Lemke suggested gaining access through the Hilton Garden Inn parcel. He asked for clarification on the floor plan. Dan Marshall-Marshall Architects-812 E. Main St. said there would be concrete block walls to be very soundproof between units; they are masonry contractors, they may not actually be firewalls, they are more of a sound barrier and will prevent fires and the spread of fires. Aldr. Lemke said you can't do retail on that site, there's no visibility.

Aldr. Silkaitis said it's an interesting lot; he doesn't have a problem with apartments being there. The access bothers him as well and he would like to see a more informative concept plan come back to Committee.

Aldr. Stellato said he's looking forward to the next step, but the access is obviously a problem.

Chair Payleitner said the access is big; there are a lot of options there worth investigating. Being adjacent to residential already she feels the land use is a good one.

Robert Kalima-629 Pheasant Trail-said he's 60-100ft. off the southeast corner of the smaller of the 3 buildings in the townhomes. The developer for his subdivision didn't create any parks for the kids and he suggested maybe an area with this proposed development for some land/parks for the kids; rather than just a parking lot. Chair Payleitner asked if there were any requirements on the property. Ms. Johnson said they are proposing a cash contribution that has been forwarded to the Park dist. for their review; staff hasn't received any comments yet.

Aldr. Lewis asked if there will be grass anywhere. Mr. Varchetto said they do not have a landscape plan yet, but all open areas will be grass with a 5ft. sidewalk around all the buildings, entrances in the back will also have sidewalks down the center. Plan Commission suggested wrapping a sidewalk around the pond for a bike trail to give another amenity. We only own a certain portion of that so we'd have to talk to the townhome development; we will be in discussion with them regarding this project. Aldr. Lewis said Mr. Kalima makes a good point; the kids need a place to play where they live. Mr. Varchetto added that the demographic they're looking for is 20-35 years old, in a transitional state and young professionals; those not quite ready to buy a home or townhome.

d. Consideration of a request to amend the Natural Area Easement at 2905 Glenbriar Drive.

Ms. Tungare said this property is located within the Woods of Fox Glen; resident-Emir Abinion is requesting to place a fence in his rear yard to fence in a pool. The rear yards within this subdivision have a natural area easement, for the subject property the easement is 40ft.; which is made up of some grass area and some wooded area. She noted the updated hand-out information that was provided to the Committee which she received from the Mr. Abinion; which is a different plan than was in the packet. The original plan showed the fence encroaching on the entire tree conservation natural area; the revised plan shows the fence restricted to only the grass area within the easement. An amendment is needed because the natural area easement restricts any structure from being placed within it. A certified arborist has stated that there would not be any disturbances to the vegetation. Staff requested that Mr. Abinion provide an opinion from the HOA, which he did and it states they will defer to the city for approval before taking a final vote; however they did not state any objection at this point to the request.

Ms. Tungare noted that staff periodically gets this type of request from residents within this subdivision; this natural area easement was established in 1988 and over time the vegetation changes. She noted that staff has not conducted a complete comprehensive assessment of the quality of the vegetation, but wanted the committee's thoughts on staff approaching the HOA to see if they have an interest to loosen up those regulations, or modifying the natural easement for the entire subdivision.

Aldr. Pietryla made a motion to approve the request to amend the Natural Area Easement at 2905 Glenbriar Drive. Seconded by Aldr. Vitek. Approved unanimously by voice vote. Motion carried 9-0.

Aldr. Stellato said he feels it's always good to engage the HOA. Mr. Turner said over 25-30 years things change and it should be talked about. Committee agreed.

e. Plan Commission recommendation to approve a Special Use for Animal Hospital for VetIQ, Meijer PUD.

Ms. Johnson said the clinic would occupy about 860 sq. ft. at the southeast corner of the building and would have its own exterior access. Services include: dog/cat vaccines, microchip, lab work, routine care and treatment of minor illness. Plan Commission held a public hearing on May 21st and voted 7-0 to recommend approval.

Chad Longston-923 S. Ridgeway Place-Eagle, ID-clarified that there would not be access from the interior; there will be an interior door for employees only. Customers have to access from the exterior; there are no animals allowed in the store; it's completely walled off.

Aldr. Silkaitis made a motion to approve a special use for an Animal Hospital for VetIQ, Meijer PUD. Seconded by Aldr. Vitek. Approved unanimously by voice vote. Motion carried 9-0.

- f. Recommendation to approve Amendments to Title 18 – Stormwater Management Ordinance (adoption of 2019 revisions to the Kane County Stormwater Ordinance and related city amendments).

Ms. Hawk noted that this was a follow-up from December, 2018; she then shared a PowerPoint presentation:

Background:

- Mandatory County-wide SMO effective in 2002
- Certified Community since 2002
- City amendments – Title 18
- Exempt Developments
- Exempt vs. grandfathered

County Ordinance Revision process:

- P&D feedback submitted to Kane County
- Public Adoption Process
 - 30-day Public Review and Comment
 - FEMA & IDNR review
- Kane County revised ordinance - June 2019

Major Changes to the County Ordinance:

- Detention Trigger
- Redevelopment
 - Credit for Removal of Impervious Area
- Best Management Practices (BMPs)
- Discharge – impacts on downstream
- Floodway – rebuilding
- Floodplain – Substantial Improvement/Damage
- Buffers

Follow up on P&D's Feedback:

- Redevelopment
 - County ordinance goal – promote redevelopment
 - Demonstrate No adverse impacts on neighbors
- Credit for removal of impervious surface
 - No Detention required if reducing impervious
 - Existing detention to be preserved
 - BMPs may still be required, if:
 - Known drainage issues
 - Greater than 3-acres
- “In-Fill” Redevelopment less than 3-acres
 - No detention / No BMP's - if reducing impervious (unless drainage issues)
 - Discharge directly to river/stream

City Amendments:

- References County Ordinance
- Administrative and Technical in nature
- Change in “Administrator” of the ordinance (From PW director to City Administrator)
- Simplify Fence regulations
- Exempt Developments list
 - Expiration date-staff recommends December 31, 2020 for these exemptions. Unless an extension is granted by the City Council.

Aldr. Turner made a motion to approve Amendments to Title 18 – Stormwater Management Ordinance (adoption of 2019 revisions to the Kane County Stormwater Ordinance and related city amendments). Seconded by Aldr. Vitek. Approved unanimously by voice vote. Motion carried 9-0.

- g. Plan Commission recommendation to approve a General Amendment to Title 17 of the St. Charles Municipal Code (Zoning Ordinance) pertaining to swimming pool regulations.

Ms. Johnson said staff is proposing these amendments because the existing zoning provisions for swimming pools and pool decks are unclear and incomplete. The proposed amendment will clarify requirements and establish standards that minimize impacts on neighboring properties. The following amendments include:

- Add definitions of “Swimming Pool” and “Swimming Pool Deck”.
- Allow swimming pools and pool decks up to 10 ft. from the rear and interior side lot lines.
- Require 6 ft. screening when a pool is placed in the rear yard of a corner lot that is adjacent to a neighbor’s front or interior side yard.

Plan Commission held a public hearing on 6/4/19 and voted 7-0 to recommend approval of the General Amendment as presented.

Aldr. Lewis asked what is currently allowed. Ms. Johnson said currently it’s prohibited in the front and exterior side yard with setback requirements in a couple different places. In the permit packet it states a 5ft. setback for a pool, and the zoning is unclear; but staff’s been enforcing a 5ft. setback.

Aldr. Vitek said this was brought up from a resident from her ward and she appreciates staff taking a look at it and it cleans it up a bit and makes happy neighbors.

Aldr. Bancroft made a motion to approve a General Amendment to Title 17 of the St. Charles Municipal Code (Zoning Ordinance) pertaining to swimming pool regulations. Seconded by Aldr. Stellato. Approved unanimously by voice vote. Motion carried 9-0

- h. Plan Commission recommendation to approve a General Amendment to Title 17 of the St. Charles Municipal Code (Zoning Ordinance) regarding design review standards and guidelines for the RT and CBD-2 zoning districts.

Ms. Johnson said this is a follow up item; discussion occurred after the Plan Commission heard an appeal request regarding design standards applicable to a container home. In August, 2017 Plan Commission discussed existing RT Design Standards and Guidelines and suggested revising those to require traditional architecture, as well as requiring non-traditional architecture in these districts to be reviewed by Plan Commission. Subsequently the P&D Committee discussed this and determined there was not support for requiring traditional style architecture, or establishing an additional review process. Staff was directed to leave the code as is but to add clarification to the existing requirements. The proposed standards and guidelines are in keeping with staff’s interpretation of the code over the years

and staff believes these changes will be clearer for applicants and help to avoid future appeals. Plan Commission held a public hearing on 4/2/19 and voted 8-0 to recommend approval.

Aldr. Turner asked if that means there will be anymore container homes in our traditional neighborhoods. Ms. Johnson said we're not prohibiting them; the guideline that stated to avoid flat roofs did not have support by Committee and was removed. It states that roof style shall be compatible with the style of the home; there also are not any material restrictions added, and containers are not restricted as a material, based on the direction received.

Ms. Johnson noted that these guidelines are attached to the permit packet for new single-family homes; staff then does a design review once plans are submitted.

Aldr. Stellato made a motion to approve a General Amendment to Title 17 of the St. Charles Municipal Code (Zoning Ordinance) regarding Design Review Standards and Guidelines for the RT and CBD-2 zoning districts. Seconded by Aldr. Pietryla. Approved unanimously by voice vote. Motion carried 9-0

- i. Historic Preservation Commission recommendation to approve a Residential Façade Improvement Grant for 117 N. 5th Ave.

Mr. Colby said this grant is to replace windows with architecturally appropriate replacement windows, there's a quote that's been provided; this has been reviewed by the Historic Pres. Commission and they recommend approval of \$5,000, which is the maximum grant available for a residential property.

Aldr. Turner made a motion to approve a Residential Façade Improvement Grant for 117 N. 5th Ave. Seconded by Aldr. Bancroft. Approved unanimously by voice vote. Motion carried 9-0.

5. ADDITIONAL BUSINESS - None

6. EXECUTIVE SESSION - None

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

8. ADJOURNMENT- Motion was made and seconded to adjourn at 8:07 pm. Approved unanimously by voice vote. Motion Carried 9-0