

**MINUTES
CITY OF ST. CHARLES, IL
PLAN COMMISSION
TUESDAY, JUNE 8, 2021**

Members Present: Chairman Wallace
Peter Vargulich
Jeffrey Funke
Jim Holderfield
Laura Macklin-Purdy
Suzanne Melton
Colleen Wiese
Laurel Moad

Members Absent: Jennifer Becker

Also Present: Russell Colby, Asst. Director of Community & Economic Dev.
Ellen Johnson, City Planner
Rachel Hitzemann, City Planner
Monica Hawk, Development Engineer
Court Reporter

1. Call to order

Chairman Wallace called the meeting to order at 7:00 p.m.

2. Roll Call

Vice Chairman Vargulich called the roll. A quorum was present.

3. Pledge of Allegiance

4. Presentation of minutes of the May 18, 2021 meeting of the Plan Commission.

Motion was made by Mr. Funke, seconded by Mr. Holderfield and unanimously passed by voice vote to approve the minutes of the May 18, 2021 Plan Commission meeting.

5. KFP Planned Unit Development (KFP Family Associates LP / RDK Ventures LLC)

Application for Special Use (PUD)

a. Public Hearing

The attached transcript prepared by Planet Depos Court Reporting is by reference hereby made a part of these minutes.

Motion was made by Mr. Funke and seconded by Ms. Moad to close the public hearing.

Roll call vote:

Ayes: Holderfield, Melton, Funke, Vargulich, Moad, Macklin-Purdy, Wiese, Wallace

Nays:

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Absent: Becker
Motion carried 8-0

b. Discussion and Recommendation

The attached transcript prepared by Planet Depos Court Reporting is by reference hereby made a part of these minutes.

Motion was made by Ms. Macklin-Purdy and seconded by Mr. Funke to recommend approval of the Application for Special Use (PUD) and PUD Preliminary Plan for KFP Planned Unit Development (KFP Family Associates LP / RDK Ventures LLC), upon resolution of staff comments.

Roll call vote: Holderfield, Melton, Funke, Vargulich, Moad, Macklin-Purdy, Wiese, Wallace
Ayes:
Nays:
Absent: Becker
Motion carried 8-0

6. General Amendment (City of St. Charles)

Ch. 17.14 “Business and Mixed-Use Districts”, Ch. 17.16 “Office/Research, Manufacturing and Public Land Districts”, Ch. 17.20 “Use Standards”, Ch. 17.24 “Off-Street Parking, Loading and Access”, and Ch. 17.30 “Definitions” regarding microbreweries, outdoor dining, outdoor entertainment, and related uses.

a. Public Hearing

The attached transcript prepared by Planet Depos Court Reporting is by reference hereby made a part of these minutes.

Motion was made by Ms. Moad and seconded by Ms. Macklin-Purdy to close the public hearing.

Roll call vote:
Ayes: Holderfield, Melton, Funke, Vargulich, Moad, Macklin-Purdy, Wiese, Wallace
Nays:
Absent: Becker
Motion carried 8-0

b. Discussion and Recommendation

The attached transcript prepared by Planet Depos Court Reporting is by reference hereby made a part of these minutes.

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Motion was made by Mr. Funke and seconded by Ms. Wiese to recommend approval for the General Amendment to Ch. 17.14 “Business and Mixed-Use Districts”, Ch. 17.16 “Office/Research, Manufacturing and Public Land Districts”, Ch. 17.20 “Use Standards”, Ch. 17.24 “Off-Street Parking, Loading and Access”, and Ch. 17.30 “Definitions” regarding microbreweries, outdoor dining, outdoor entertainment, and related uses, with a condition that the Use Standards for Food Trucks be amended to clarify that operation of each food truck shall be limited to no more than two days in any seven day period.

Roll call vote:

Ayes: Holderfield, Melton, Funke, Vargulich, Moad, Macklin-Purdy, Wiese, Wallace

Nays:

Absent: Becker

Motion carried 8-0

- 7. Additional Business from Plan Commission Members or Staff- None**
- 8. Weekly Development Report**
- 9. Meeting Announcements**
 - a. Plan Commission
 - Tuesday, June 22, 2021 at 7:00pm Council Chambers
 - Tuesday, July 6, 2021 at 7:00pm Century Station Training Room
 - Tuesday, July 20, 2021 at 7:00pm Council Chambers
 - b. Planning & Development Committee
 - Monday, June 14, 2021 at 7:00pm Council Chambers
 - Monday, July 12, 2021 at 7:00pm Council Chambers
- 10. Public Comment**
- 11. Adjournment at 8:45 p.m.**



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Transcript of KFP Planned Unit Development Application

Date: June 8, 2021

Case: St. Charles Plan Commission

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BEFORE THE PLAN COMMISSION
OF THE CITY OF ST. CHARLES

-----x
In Re: KFP Planned Unit :
Development (KFP Family :
Associates, LP) Application :
for Special Use and PUD :
Preliminary Plan :
-----x

HEARING

St. Charles, Illinois 60174
Tuesday, June 8, 2021
7:00 p.m.

Job No.: 336727A
Pages: 1 - 58
Reported by: Joanne E. Ely, CSR, RPR

Transcript of KFP Planned Unit Development Application
Conducted on June 8, 2021

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1 HEARING, held at the location of:

2
3 ST. CHARLES CITY HALL

4 2 East Main Street

5 St. Charles, Illinois 60174

6 (630) 377-4400
7
8
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13 Before Joanne E. Ely, a Certified Shorthand
14 Reporter, and a Notary Public in and for the State
15 of Illinois.
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Transcript of KFP Planned Unit Development Application
Conducted on June 8, 2021

1 PRESENT:

2 TODD WALLACE, Chairman

3 PETER VARGULICH, Vice Chairman

4 JEFFREY FUNKE, Member

5 JAMES HOLDERFIELD, Member

6 LAURA MACKLIN-PURDY, Member

7 SUZANNE MELTON, Member

8 LAUREL MOAD, Member

9 COLLEEN WIESE, Member

10

11 ALSO PRESENT:

12 RUSSELL COLBY, Assistant Director of
13 Community & Economic Development

14 ELLEN JOHNSON, Planner

15 RACHEL HITZEMANN, Planner

16 MONICA HAWK, Development Engineer.

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Transcript of KFP Planned Unit Development Application
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| 1 | P R O C E E D I N G S | |
| 2 | CHAIRMAN WALLACE: All right. This | 18:59:30 |
| 3 | meeting of the St. Charles Plan Commission will | 18:59:30 |
| 4 | come to order. | 18:59:33 |
| 5 | Peter, would you mind doing the roll call. | 18:59:34 |
| 6 | VICE CHAIRMAN VARGULICH: I'm sorry? | 18:59:40 |
| 7 | CHAIRMAN WALLACE: Would you mind doing | 18:59:42 |
| 8 | the roll call. | 18:59:43 |
| 9 | VICE CHAIRMAN VARGULICH: Sure. | 18:59:45 |
| 10 | Commissioner Holderfield. | 18:59:53 |
| 11 | MEMBER HOLDERFIELD: Here. | 18:59:54 |
| 12 | VICE CHAIRMAN VARGULICH: Commissioner | 18:59:56 |
| 13 | Melton. | 18:59:57 |
| 14 | MEMBER MELTON: Here. | 18:59:57 |
| 15 | VICE CHAIRMAN VARGULICH: Commissioner | 18:59:58 |
| 16 | Funke. | 18:59:59 |
| 17 | MEMBER FUNKE: Here. | 18:59:59 |
| 18 | VICE CHAIRMAN VARGULICH: Commissioner | 19:00:00 |
| 19 | Moad. | 19:00:02 |
| 20 | MEMBER MOAD: Here. | 19:00:02 |
| 21 | VICE CHAIRMAN VARGULICH: Commissioner | 19:00:02 |
| 22 | Becker. | 19:00:04 |
| 23 | (No response.) | 19:00:04 |
| 24 | VICE CHAIRMAN VARGULICH: Commissioner | 19:00:06 |

Transcript of KFP Planned Unit Development Application

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| 1 | Macklin-Purdy. | 19:00:08 |
| 2 | MEMBER MACKLIN-PURDY: Here. | 19:00:08 |
| 3 | VICE CHAIRMAN VARGULICH: Commissioner | 19:00:10 |
| 4 | Wiese. | 19:00:11 |
| 5 | MEMBER WIESE: Here. | 19:00:11 |
| 6 | VICE CHAIRMAN VARGULICH: Chairman | 19:00:12 |
| 7 | Wallace. | 19:00:14 |
| 8 | CHAIRMAN WALLACE: Here. | 19:00:14 |
| 9 | Thank you. And it's Weise; right? | 19:00:16 |
| 10 | MEMBER WIESE: Right. | 19:00:17 |
| 11 | CHAIRMAN WALLACE: Okay. If everyone | 19:00:21 |
| 12 | would please join me rising for the Pledge of | 19:00:22 |
| 13 | Allegiance. | 19:00:25 |
| 14 | (The Pledge of Allegiance was recited. | 19:00:25 |
| 15 | CHAIRMAN WALLACE: All right. Item 4 on | 19:00:45 |
| 16 | the agenda is presentation of the minutes of the | 19:00:49 |
| 17 | May 18th, 2021, meeting of the Plan Commission. | 19:00:55 |
| 18 | Is there a notion to approve? | 19:00:58 |
| 19 | MEMBER FUNKE: I'll make the motion. | 19:01:02 |
| 20 | MEMBER HOLDERFIELD: So moved. | 19:01:05 |
| 21 | CHAIRMAN WALLACE: Moved and seconded. | 19:01:05 |
| 22 | All in favor. | 19:01:07 |
| 23 | (Ayes heard.) | 19:01:07 |
| 24 | CHAIRMAN WALLACE: Opposed. | 19:01:09 |

Transcript of KFP Planned Unit Development Application
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| 1 | (No response.) | 19:01:09 |
| 2 | CHAIRMAN WALLACE: All right. That motion | 19:01:10 |
| 3 | passes. | 19:01:10 |
| 4 | Item 5 on your agenda is KFP Planned Unit | 19:01:13 |
| 5 | Development, KFP Family Associates LP/RDK | 19:01:17 |
| 6 | Ventures, LLC, application for special use PUD and | 19:01:20 |
| 7 | application for PUD preliminary plan. | 19:01:25 |
| 8 | This is a public hearing, and for those of | 19:01:27 |
| 9 | you who have not been to the Plan Commission | 19:01:30 |
| 10 | before, welcome. The Plan Commission is tasked by | 19:01:34 |
| 11 | the City Council to conduct public hearings when | 19:01:37 |
| 12 | applications come before the City. | 19:01:41 |
| 13 | We are a fact-finding body; and as such, | 19:01:42 |
| 14 | we take evidence both for and against the | 19:01:45 |
| 15 | application. When we feel that we have enough | 19:01:49 |
| 16 | evidence to be able to make a recommendation to | 19:01:52 |
| 17 | the City's Planning and Development Committee, we | 19:01:54 |
| 18 | will close the public hearing, and then we will | 19:01:57 |
| 19 | vote on which recommendation to make. | 19:02:00 |
| 20 | So any questions regarding that? | 19:02:02 |
| 21 | (No response.) | 19:02:02 |
| 22 | CHAIRMAN WALLACE: Okay. Regarding | 19:02:06 |
| 23 | procedure, I will ask the applicant to make a | 19:02:08 |
| 24 | presentation. After that time, plan commissioners | 19:02:11 |

Transcript of KFP Planned Unit Development Application
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| 1 | will be asked to ask any questions, followed by | 19:02:16 |
| 2 | members of the audience, questions or comments. | 19:02:20 |
| 3 | And we do have this for recommendation | 19:02:23 |
| 4 | tonight. Also Item 6 is a public hearing as well, | 19:02:32 |
| 5 | so the same goes for that. | 19:02:37 |
| 6 | Before we begin, anyone who wishes to | 19:02:40 |
| 7 | offer any testimony, will be asking any questions, | 19:02:42 |
| 8 | would you be sworn in. Raise your hand. | 19:02:45 |
| 9 | (Witnesses sworn.) | 19:02:54 |
| 10 | CHAIRMAN WALLACE: Thank you. When you're | 19:02:54 |
| 11 | speaking, if you could stand at the lectern, speak | 19:02:56 |
| 12 | into the microphone, state your name, spell your | 19:03:00 |
| 13 | last name, also state your address for the record. | 19:03:03 |
| 14 | Please only one person speaking at a time, | 19:03:06 |
| 15 | and I would ask that you be recognized by me | 19:03:08 |
| 16 | before speaking; and even if you're asking | 19:03:12 |
| 17 | questions, please ask them from the lectern so | 19:03:15 |
| 18 | that the court reporter can take down your | 19:03:18 |
| 19 | questions. All right. | 19:03:21 |
| 20 | Is the applicant ready? Okay. | 19:03:21 |
| 21 | MR. DAY: Thank you, Mr. Chairman, other | 19:03:25 |
| 22 | Commission members. My name is Scott Day, D-a-y. | 19:03:40 |
| 23 | I'm an attorney with the firm of Day and Robert. | 19:03:43 |
| 24 | We are -- | 19:03:46 |

Transcript of KFP Planned Unit Development Application
Conducted on June 8, 2021

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| 1 | CHAIRMAN WALLACE: Is that microphone on? | 19:03:47 |
| 2 | MS. ROBERT: I hope so. I can hear | 19:03:47 |
| 3 | myself. | 19:03:50 |
| 4 | CHAIRMAN WALLACE: There we go. That's | 19:03:50 |
| 5 | better. | 19:03:51 |
| 6 | MR. DAY: I'll step up a little closer. | 19:03:52 |
| 7 | My name is Scott Day, D-a-y. I'm with the firm of | 19:03:54 |
| 8 | Day and Robert. We are a firm in Naperville, | 19:03:57 |
| 9 | Illinois, 300 East 5th Avenue, Suite 365 in | 19:04:00 |
| 10 | Naperville. I'm here with my law partner Rachel | 19:04:04 |
| 11 | Robert. | 19:04:07 |
| 12 | We have the privilege of representing the | 19:04:08 |
| 13 | owner of these properties KFP Family Partnership, | 19:04:12 |
| 14 | and Melia Linardos is our client. She is the | 19:04:13 |
| 15 | principal. | 19:04:15 |
| 16 | This is an application that involves a | 19:04:16 |
| 17 | planned unit development and special use. The KFP | 19:04:23 |
| 18 | team, we are the owners of the property. We are | 19:04:25 |
| 19 | leasing these parcels of property to the various | 19:04:28 |
| 20 | tenants. Our firm is representing them as | 19:04:31 |
| 21 | counsel. Mackie Engineering is our design group | 19:04:34 |
| 22 | of professionals. | 19:04:37 |
| 23 | The tenant for the large parcel of | 19:04:38 |
| 24 | property that's involved in this preliminary | 19:04:41 |

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|----|---|----------|
| 1 | planned unit development is Circle K, the RDK | 19:04:43 |
| 2 | team. They are here as well, and their design | 19:04:48 |
| 3 | engineer is Arc Engineering. | 19:04:50 |
| 4 | We're listed here as the attorneys. Melia | 19:04:53 |
| 5 | Linardos and her address is listed there for | 19:04:57 |
| 6 | purposes of the ownership. Our civil engineering | 19:04:59 |
| 7 | firm, both Steve Kaminski as well as Rosanna Lee | 19:05:02 |
| 8 | Morales, is here to answer any questions you may | 19:05:06 |
| 9 | have about the engineering for our portion of the | 19:05:08 |
| 10 | project. | 19:05:11 |
| 11 | The Circle K tenant is represented by | 19:05:11 |
| 12 | Anthony C. Sgarlata. He is the director of real | 19:05:13 |
| 13 | estate for Circle K, and his design engineer is | 19:05:17 |
| 14 | Ryan C. Swanson. You will hear from him. He will | 19:05:22 |
| 15 | testify and explain their portion of the project. | 19:05:25 |
| 16 | The project area, as you're familiar from | 19:05:27 |
| 17 | the concept presentation, is the northeast corner | 19:05:30 |
| 18 | of Dunham as well as Route 64, Main Street, and | 19:05:35 |
| 19 | it's a roughly 3.5-acre parcel collectively. | 19:05:37 |
| 20 | This is the north corner. It is zoned BC, | 19:05:40 |
| 21 | Community Business District, and the current | 19:05:45 |
| 22 | tenants include Circle K on the corner; Taco Bell | 19:05:47 |
| 23 | to the north; Corfu is a vacant site, it's been | 19:05:49 |
| 24 | vacant for almost two years; the Franky's | 19:05:49 |

Transcript of KFP Planned Unit Development Application

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1 property; Bosa; and Jersey Mike's. Those are all 19:05:56

2 tenants of KFP. 19:05:57

3 The applicant's request is seeking a 19:05:59

4 preliminary planned unit development approval for 19:06:02

5 the Taco Bell, the existing Circle K, former 19:06:04

6 Corfu, and Franky's properties. Under the City 19:06:06

7 code, all PUDs require a special use permit. 19:06:09

8 The six parcels that are owned by KFP were 19:06:12

9 acquired in various stages over the years 1950 19:06:18

10 through the 1980s; and as such, there was no 19:06:22

11 cohesive plan to the way that they were originally 19:06:26

12 developed. They were simply acquired on a 19:06:27

13 piecemeal basis and then built out and constructed 19:06:29

14 as standalone, individual sites. 19:06:31

15 They were not designed, engineered, graded 19:06:33

16 or planned for a mutually beneficial use. There 19:06:35

17 was no cross-access, and the result is an 19:06:38

18 inefficient, somewhat isolated land plan that 19:06:41

19 dates back to the '50s. It doesn't really 19:06:44

20 coincide with the way that land use plans are 19:06:46

21 currently designed or planned. 19:06:50

22 The current site has quite a few curb 19:06:50

23 cuts. Seven curb cuts currently exist onto 19:06:54

24 Route 64 and three onto Dunham Road. That's 10 19:06:57

Transcript of KFP Planned Unit Development Application

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1 for a 3.5-acre parcel of property. 19:06:59

2 With Illinois Route 64 being a strategic 19:07:01

3 regional arterial, that is one of the design 19:07:06

4 principles that IDOT has enforced on strategic 19:07:07

5 regional arterials is to limit access, and they 19:07:11

6 really even regulate the distance between the 19:07:13

7 access points. So closing as many access points 19:07:17

8 as possible is very conducive to what IDOT is 19:07:19

9 trying to accomplish with its strategic regional 19:07:23

10 arterial designated roadways. 19:07:24

11 Our current proposed Phase 1 PUD, there 19:07:26

12 are several amendments that you can't see really 19:07:29

13 from this particular exhibit, but we will explain 19:07:31

14 that most of those relate to deviations that are 19:07:33

15 necessary that have been identified by your 19:07:35

16 professional planning team. 19:07:37

17 What the applicant is trying to accomplish 19:07:41

18 is as follows: We want to provide for Circle K 19:07:43

19 expansion into the Corfu property for the 19:07:46

20 construction of a more modern, state-of-the art 19:07:49

21 gas station and Circle K convenience store. 19:07:51

22 We'd like to create a unified rear 19:07:53

23 cross-access from Dunham Road through the Taco 19:07:55

24 Bell, Circle K, and Franky's property. 19:07:58

Transcript of KFP Planned Unit Development Application

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| 1 | We'd like to close off four of the curb | 19:08:00 |
| 2 | cuts on Route 64 and eliminate one of the curb | 19:08:02 |
| 3 | cuts out onto Dunham. | 19:08:05 |
| 4 | We'll be providing significant site | 19:08:07 |
| 5 | improvements on the Franky's property, which will | 19:08:08 |
| 6 | include restriping, repaving the parking lot, | 19:08:10 |
| 7 | creating a new drive-thru pattern and eliminating | 19:08:13 |
| 8 | the existing westernmost curb cut onto Route 64. | 19:08:17 |
| 9 | The proposed Phase 1 subdivision will | 19:08:19 |
| 10 | result in three lots. The Corfu and the existing | 19:08:22 |
| 11 | Circle K will be unified and consolidated into a | 19:08:26 |
| 12 | single lot. The Taco Bell lot will, essentially, | 19:08:29 |
| 13 | retain its current shape as will the Franky's lot. | 19:08:32 |
| 14 | At this point in time, I'd like to | 19:08:34 |
| 15 | introduce Ryan Swanson. He is the design | 19:08:38 |
| 16 | professional who has been doing the work for | 19:08:41 |
| 17 | Circle K and RDK on this particular project. He | 19:08:43 |
| 18 | will explain for you the site plan and the | 19:08:46 |
| 19 | landscaping, the Circle K elevations and signage, | 19:08:48 |
| 20 | and the Circle K site lighting. | 19:08:52 |
| 21 | Ryan. | 19:08:57 |
| 22 | MR. SWANSON: Thank you, Scott. | 19:08:57 |
| 23 | My name is Ryan Swanson. I'm with Arc | 19:08:58 |
| 24 | Design Resources, 5291 Zenith Parkway in Loves | 19:09:02 |

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Transcript of KFP Planned Unit Development Application
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| 1 | Park, Illinois. | 19:09:06 |
| 2 | With me tonight also is Tony Sgarlata, | 19:09:07 |
| 3 | real estate director with Circle K. What I'd like | 19:09:07 |
| 4 | to do is walk through focussing primarily on some | 19:09:15 |
| 5 | of the changes we made since the last time we | 19:09:16 |
| 6 | presented to this Commission. We've continued to | 19:09:19 |
| 7 | kind of hone our design in the last few months, | 19:09:21 |
| 8 | and I think we've got a lot of improvements to | 19:09:25 |
| 9 | show off here tonight. | 19:09:27 |
| 10 | This is the original plan that we | 19:09:29 |
| 11 | presented. Just to recap quickly, combined just | 19:09:30 |
| 12 | under an acre and a half, when you combine the two | 19:09:35 |
| 13 | parcels. Our store is 4,625 square feet, eight | 19:09:37 |
| 14 | fuel dispensers, 16 fueling positions in a much | 19:09:42 |
| 15 | more efficient configuration than we had before -- | 19:09:44 |
| 16 | or as exists today, much safer, efficient on-site | 19:09:50 |
| 17 | circulation for customers and delivery traffic, | 19:09:51 |
| 18 | as well as the cross-access that's so improved | 19:09:55 |
| 19 | with this, you know, redevelopment opportunity. | 19:09:58 |
| 20 | Reduction of driveway connections just on | 19:10:01 |
| 21 | the Circle K proposed development alone, I think, | 19:10:05 |
| 22 | there's five that we're, essentially, removing and | 19:10:08 |
| 23 | replacing with two. | 19:10:11 |
| 24 | And one major, I think, note or item to | 19:10:12 |

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1 note is the increased greenspace we have, 19:10:17
2 basically from the existing Circle K site, about 19:10:20
3 6500 square feet to almost 16,000 square feet. 19:10:24
4 We have added in the Corfu, which is about 19:10:28
5 146 percent increase. You say, well, you're 19:10:31
6 adding the Corfu as well; but as I'll depict in a 19:10:34
7 few slides, the Corfu is almost 100 percent 19:10:37
8 impervious pavement, so it's a significant 19:10:42
9 improvement. 19:10:45
10 Our updated plan, we have added -- kind of 19:10:45
11 went through and added some additional greenspace 19:10:50
12 areas and basically added about 1,000, 1,400, an 19:10:53
13 additional 9 percent in some areas around the 19:10:59
14 site. 19:11:02
15 I'm going to walk around these if I can -- 19:11:02
16 can everyone see my cursor? Excellent. 19:11:07
17 So I'll start kind of in the rear. This 19:11:08
18 is obviously a significant greenspace area in the 19:11:12
19 back. We've taken three parking stalls off. 19:11:13
20 These are employee parking spaces. This is what 19:11:16
21 Circle K needs. So we have reduced that and added 19:11:18
22 some additional greenspace here. 19:11:21
23 As you walk around the building, we've 19:11:22
24 added a few trees after working with staff, a few 19:11:24

Transcript of KFP Planned Unit Development Application
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1 foundation trees here. We enlarged this island 19:11:28
2 here to meet code and added a tree there. And 19:11:32
3 kind of as you walk to the west, and this is a 19:11:35
4 major area, we removed three parking spaces here 19:11:38
5 which provides not only additional greenspace, but 19:11:44
6 also a little space for cars to stack and queue 19:11:45
7 waiting to exit on Dunham Road and not block 19:11:48
8 somebody that's parked there. So we kind of 19:11:51
9 opened that up as well. 19:11:54

10 Coming down around the corner, we pushed 19:11:55
11 the underground -- these are the fuel storage 19:11:57
12 tanks here consistent with the older plan, but we 19:11:58
13 pushed them north and rounded this kind of to 19:12:02
14 increase this radius a little bit to further 19:12:05
15 enhance this corner. There's just some open 19:12:09
16 pavement area that we were able to change into 19:12:11
17 greenspace. 19:12:14

18 Another, I think, kind of a neat feature 19:12:14
19 here is we really reconfigured this entire 19:12:18
20 sidewalk along the frontage. Today there's 19:12:21
21 multiple driveway cuts, and it's all paved. What 19:12:24
22 we did basically -- I think it's in pretty good 19:12:27
23 shape at the corner. So we continued that wider 19:12:29
24 sidewalk along the curb, and that's about 6 1/2 19:12:32

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1 feet in width. So it's wider than your typical 19:12:35
2 walk, almost 7 feet in some spaces -- or in some 19:12:39
3 places. 19:12:40

4 As you approach this curve, then we pushed 19:12:41
5 the sidewalk off away from the road to add some 19:12:45
6 additional space for pedestrians. So this is Main 19:12:48
7 Street curving. The sidewalk kind of has its own 19:12:50
8 curve. Then this goes to 5 feet, adding some more 19:12:53
9 greenspace on both sides of the walk, ultimately 19:12:56
10 tieing into the existing walk to the east. This 19:12:59
11 adds some additional space for plantings, trees. 19:13:02
12 This will really, I think, be a massive 19:13:07
13 improvement to what's there today. 19:13:10

14 Another concern that was brought up at one 19:13:11
15 of the prior meetings was the bollards. You know, 19:13:16
16 Circle K and other convenience and fuel operators 19:13:20
17 use bollards now as a barrier-free system. 19:13:23
18 Basically, the pavement is flush, but also for 19:13:29
19 protection of the building. 19:13:31

20 We went back with Circle K, and we 19:13:32
21 eliminated several areas of bollards. So, for 19:13:34
22 example, all of the bollards have been removed 19:13:37
23 here on these western spaces. We also had 19:13:39
24 bollards along here, and they felt that the curb 19:13:44

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17

1 we had was sufficient to protect the building. So 19:13:45
2 all the bollards have been removed along the east 19:13:48
3 side of the building as well. So those have been 19:13:51
4 pulled off. 19:13:51

5 We do still have the bollards along the 19:13:54
6 front store area along here. We felt that was -- 19:13:57
7 basically, you'll have the flush sidewalk, so to 19:13:58
8 speak, and then it will raise up to a thickened 19:14:02
9 edge walk as you exit this site, you know, between 19:14:03
10 the greenspace here. 19:14:05

11 The other difference, which is a little 19:14:07
12 more subtle, the driveway here has been shifted to 19:14:09
13 the east slightly. This was actually an IDOT 19:14:13
14 comment, one of their few comments. They didn't 19:14:15
15 seem to mind the removal of the driveways. But 19:14:18
16 basically, we shifted this east to not conflict 19:14:21
17 with this turn lane taper right here, which we 19:14:23
18 were able to do. It also aligns better with 19:14:27
19 this -- actually this drive anyway, so it was kind 19:14:29
20 of a -- it worked out well. 19:14:32

21 This is just the overlay of the current 19:14:33
22 site as it stands today with Corfu and Circle K, 19:14:40
23 and really our new site, proposed site on top of 19:14:43
24 here, and You can see this is really -- this 19:14:48

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18

1 redline here is the only greenspace on this site, 19:14:50
2 this, and a little bit on Circle K here. 19:14:52
3 Everything else is paved or roof top, particularly 19:14:54
4 the Corfu. This is entirely paved here. Even 19:14:58
5 some of the landscaping along the side is actually 19:15:01
6 stone along this side, which we're going to 19:15:04
7 improve that as well. 19:15:07
8 There has been questions about the amount 19:15:08
9 of pavement in this corner here. This depicts our 19:15:12
10 tanker truck as it would use the Main Street 19:15:15
11 entrance and also exit. Basically, showing it can 19:15:18
12 circulate the entire canopy, but it does need 19:15:22
13 substantial room here to make this turn. So we 19:15:25
14 have left that area open mainly for the truck 19:15:27
15 routing. 19:15:30
16 It also gives space for cars to stack 19:15:31
17 here, and they won't conflict with the truck. So 19:15:34
18 we do need that larger area; but as I mentioned 19:15:36
19 before, we have expanded this corner, kind of 19:15:40
20 pulled that back to maximum the greenspace 19:15:43
21 further. 19:15:45
22 So here's a little bit -- I want to hit on 19:15:45
23 the bollard issue again because I know that -- 19:15:49
24 again, that was a question. Here's what happens 19:15:52

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19

1 when bollards aren't used and these are -- two of 19:15:54
2 these are projects that I worked on and actually 19:15:57
3 designed that the user required curb and not 19:15:59
4 bollards. So this isn't a Google search. 19:16:03
5 This is the tailgate of a Chevy Avalanche 19:16:07
6 inside of a Casey's store. I don't believe 19:16:11
7 anybody was hurt in these, so I'll just state that 19:16:14
8 upfront here. I don't believe. 19:16:17
9 This is a Walgreens that somebody had just 19:16:18
10 barely tapped. Again, curb, and you can see 19:16:24
11 enough damage here that it's going to be costly 19:16:24
12 and, you know, an issue. Certainly, much less 19:16:27
13 than these two examples. 19:16:30
14 Here's another example of another 19:16:32
15 convenience store where it looks like a Ford 19:16:33
16 Taurus drove in. This I know was caused by 19:16:36
17 somebody with a boot on their foot and couldn't -- 19:16:37
18 and had an accident with, I think, the gas pedal 19:16:39
19 and couldn't release it in time to get off of the 19:16:42
20 gas pedal or something, so they went right in the 19:16:45
21 store. Again, no bollards were on these two 19:16:47
22 locations. So most -- this -- actually this user 19:16:49
23 has also gone to bollards as well. So it's very 19:16:56
24 common at this point. 19:16:58

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20

1 These are the proposed elevations. These 19:17:00
2 have not changed. This is to show our proposed 19:17:03
3 signage on here. Again, I think a good use of 19:17:06
4 earth tones, in terms of colors, good articulation 19:17:11
5 on all four sides. The four sides are all the 19:17:13
6 same material. 19:17:16
7 And additionally, this store really has 19:17:17
8 done a good job -- has raised parapets on all four 19:17:22
9 sides. So you can see, they're all basically the 19:17:24
10 same height raised, not only just in the front but 19:17:29
11 also in the rear. So I think we do a good job. 19:17:31
12 It's a nice looking building. 19:17:36
13 This shows the proposed site signage. 19:17:38
14 We're proposing to reuse the existing sign with 19:17:40
15 just a different -- taking this advertisement 19:17:43
16 panel out and putting a diesel pricer sign in. 19:17:45
17 This is the proposed canopy with the -- 19:17:48
18 showing the upgraded columns as well, and that's 19:17:53
19 showing the building. 19:17:57
20 This is the proposed site lighting. I 19:17:58
21 apologize this is a little dark on the screen. 19:18:00
22 Really this -- the intent of this was to show we 19:18:03
23 were able to meet code along the perimeter areas. 19:18:06
24 We have tested some of the lighting. This is all 19:18:09

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21

1 modern LED lighting. Really it's just lighting up 19:18:13
2 the canopy area, some security areas behind the 19:18:15
3 store. And then obviously the cross-access, which 19:18:19
4 I think you can see this cross-access is being 19:18:22
5 illuminated with two poles and then some poles for 19:18:23
6 parking and then the entrance is there and the 19:18:27
7 exit, Dunham and Main Street. 19:18:30

8 That's it for my portion. 19:18:31

9 MR. DAY: We have worked extensively with 19:18:35
10 your professional staff trying to microanalyze 19:18:39
11 virtually every aspect of this particular plan. 19:18:42
12 We think we have defined all of the deviations 19:18:45
13 that will be necessary to implement the plan as 19:18:47
14 it's currently proposed. There's a total of six. 19:18:51
15 This is just an excerpt from that planned unit 19:18:53
16 development plan that I referenced earlier. This 19:18:56
17 has been amended. 19:18:58

18 The first deviation is the minimum lot 19:18:59
19 area. For properties within the Community 19:19:03
20 Business Zoning District, each lot is required to 19:19:05
21 be a minimum of 43,560 square feet or one acre. 19:19:08
22 The expanded, consolidated Circle K site will 19:19:12
23 exceed one acre in size, but neither lot for Taco 19:19:16
24 Bell nor Franky's is currently in excess of one 19:19:20

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22

1 acre. Both of those are below, and that is a 19:19:24
2 deviation that we will require for this planned 19:19:26
3 unit development. 19:19:29

4 Next, you have a parking and paving 19:19:29
5 setback requirement, and you can see slightly in 19:19:35
6 this blowup a red line that is running parallel 19:19:38
7 both to Dunham as well as North Avenue. That red 19:19:42
8 line is placed 20 feet back from the property 19:19:46
9 line. 19:19:49

10 Under your code, it is required that all 19:19:49
11 of the paving and parking area be outside of that 19:19:51
12 red line. You can see that we cannot accommodate 19:19:55
13 that. In order to have the pumping stations 19:19:58
14 underneath the canopy and have circulation routes 19:20:01
15 around that, we need to have portions of the 19:20:04
16 pavement that fit within that 20-foot setback. So 19:20:07
17 that's the second deviation that we need. 19:20:10

18 The third deviation that I will address is 19:20:12
19 related to the exit for Taco Bell. When we went 19:20:15
20 through the Plan Commission presentation and 19:20:19
21 concept review, it was suggested that the exit at 19:20:22
22 this location -- because eventually it will take 19:20:26
23 all of the traffic from Taco Bell, much of the 19:20:28
24 traffic from Circle K, the traffic from Franky's, 19:20:31

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23

1 and eventually in Phase 2 of the development will 19:20:34
2 all be exiting at this location, it was suggested 19:20:37
3 that we have two egress lanes. So there would be 19:20:39
4 a right turn out, a left turn out, as well as a 19:20:42
5 one-lane turning in at that location. 19:20:46

6 Each of those lanes has to be 12 feet in 19:20:49
7 width which requires 36 feet. Your code provides 19:20:51
8 for a 30-foot drive entry at this location. In 19:20:55
9 order to accommodate the three lanes, we have to 19:20:59
10 expand that to 36. So that's the third deviation 19:21:02
11 that I will address. 19:21:05

12 Ryan has several that he will address with 19:21:06
13 respect to the Circle K site at this time. 19:21:08

14 MR. SWANSON: I do have three deviations 19:21:11
15 to review. The fourth deviation for here is 19:21:21
16 really the building foundation landscaping. 19:21:24
17 There's two requirements per the code. 50 percent 19:21:27
18 of walls facing the street must be landscaped with 19:21:30
19 5-foot beds. That's along this, obviously, Main 19:21:32
20 Street, and then 50 percent of the total 19:21:35
21 horizontal dimension of building walls around the 19:21:38
22 perimeter also should be landscaped. 19:21:40

23 The hardship here is really the site 19:21:44
24 constraints that we've had to kind of consider. 19:21:46

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24

1 This building that Circle K has selected for this 19:21:50
2 site is the narrowest that can be used. We 19:21:53
3 already have -- as you can see the 3.7 didn't 19:21:57
4 really count in our total because it's too narrow, 19:22:01
5 which is understandable. But clearly we could 19:22:04
6 have made that wider if we had more room to play 19:22:08
7 with side-to-side. We're up against a 10-foot 19:22:10
8 setback on the west. 19:22:11
9 The drive aisle here is 24 feet, which I 19:22:12
10 would not recommend narrowing that further, for 19:22:16
11 cross-access purposes. It's really wide enough, 19:22:20
12 but it's not enough room to narrow significantly 19:22:22
13 to be able to fit that additional landscaping 19:22:27
14 through here. 19:22:29
15 The other thing, particularly with the 19:22:30
16 front facade, is all of our customers really are 19:22:32
17 crossing this area. That's one of the concerns 19:22:35
18 and why we're proposing not to have the beds along 19:22:38
19 here. 19:22:41
20 The other one is considering why don't 19:22:42
21 you push the building to the back, to the north. 19:22:46
22 Well, our concern there is visibility. You can 19:22:47
23 see part of the Franky's building here. Taco Bell 19:22:49
24 is here. This building is set back pretty far. 19:22:53

1 But also of importance is there is a trash 19:22:57
2 enclosure here that Taco Bell uses that's at a 19:22:59
3 grade slightly higher than our finished grade. So 19:23:02
4 pushing this back further impairs -- it's 19:23:05
5 impaired -- our visibility is impaired by this 19:23:08
6 structure, we believe. So this is one of the 19:23:11
7 requests, for this deviation for your 19:23:14
8 consideration. 19:23:16

9 The door locations here I pointed out just 19:23:16
10 to note that there's egress, you know, points, 19:23:21
11 public egress in front here, and then this is for 19:23:23
12 employees here in the rear. So there's multiple 19:23:29
13 door locations, entry locations as well. 19:23:29

14 This deviation is a little more 19:23:31
15 straightforward. We're proposing to reuse the 19:23:35
16 existing Circle K sign, as I mentioned; and when 19:23:38
17 you see this offset of 10 feet with the redline, 19:23:40
18 it just barely encroaches. It's about a foot and 19:23:44
19 a half. So we'd like to reuse the sign and not, 19:23:47
20 you know, have to move it, obviously, for a fairly 19:23:50
21 short amount of space. 19:23:53

22 My next and final deviation is related to 19:23:55
23 signage, two elements with this one. First off, 19:23:59
24 Circle K has introduced a message sign in front of 19:24:04

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1 the store here, and this is intended to be viewed 19:24:09
2 by folks going -- you know, getting gas under the 19:24:12
3 canopy, walking from the parking stalls primarily 19:24:16
4 on the site. 19:24:19

5 This is also set back under this canopy 19:24:22
6 here. So it's recessed as well. So it's not 19:24:25
7 meant to be the major advertising sign. As shown, 19:24:27
8 it's about 25 square feet. Just by way of 19:24:30
9 comparison, the Circle K advertising sign is 60 19:24:33
10 square feet. So, obviously, this is the main sign 19:24:36
11 that's intended. 19:24:39

12 This sign would meet all applicable code, 19:24:40
13 City codes. Usually it's applied to a 19:24:43
14 freestanding sign; but in terms of changeable 19:24:47
15 frequency, I think it's 15 seconds in your code; 19:24:50
16 but we would match that. Illumination 19:24:52
17 requirements, anything like that, we would match 19:24:55
18 with that sign, if it were to be improved. 19:24:56

19 The other sign is just another logo sign. 19:24:59
20 It's a smaller sign, about 20 square feet above 19:25:02
21 this door. Primarily because it's meant to be a 19:25:05
22 public access door, so folks can use and come in 19:25:08
23 there. There's an overhang on it for folks, kind 19:25:08
24 of protection. So that's again an additional 19:25:16

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| | | |
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| 1 | sign, additional wall sign that we would be | 19:25:17 |
| 2 | requesting. | 19:25:19 |
| 3 | MR. DAY: Thank you, Ryan. | 19:25:22 |
| 4 | There's a saying that real estate | 19:25:25 |
| 5 | development is hard and redevelopment is harder. | 19:25:32 |
| 6 | This is a site that's being redeveloped, and, of | 19:25:34 |
| 7 | course, each of these buildings has a different | 19:25:38 |
| 8 | age profile and economic profile. | 19:25:39 |
| 9 | We are lucky enough at this point in time | 19:25:42 |
| 10 | that we have two sites that are ready for | 19:25:44 |
| 11 | redevelopment. One is the Circle K site, which is | 19:25:48 |
| 12 | quite an old gas station, and the other one is the | 19:25:49 |
| 13 | Corfu site. So we're taking advantage of that | 19:25:52 |
| 14 | opportunity and implementing redevelopment with | 19:25:55 |
| 15 | your conditional use approval at this time. | 19:25:58 |
| 16 | But we do plan for a future phase of the | 19:26:03 |
| 17 | project, and that would bring us in to what we | 19:26:07 |
| 18 | refer to as Phase 2 of the project. I have lost | 19:26:10 |
| 19 | that slide. Excuse me. | 19:26:10 |
| 20 | We have different site plans that are | 19:26:19 |
| 21 | contemplated. This is the far east end where Bosa | 19:26:21 |
| 22 | Donuts currently is and the Jersey Mike's facility | 19:26:24 |
| 23 | are located. It is not ready for redevelopment at | 19:26:26 |
| 24 | this time. We are in a good active lease stage | 19:26:30 |

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1 with these two properties; but in the future, we 19:26:33
2 want to add this to the cross-access mix. 19:26:36

3 We've worked with our engineers to define 19:26:38
4 a potential future site analysis and viable option 19:26:41
5 for that particular location with drive-thru which 19:26:45
6 is extremely popular along the Route 64 frontage. 19:26:48

7 So this is what the plan is long term, and 19:26:51
8 the finished result upon complete redevelopment of 19:26:54
9 the parcel would, essentially, result in a plan 19:26:58
10 that looks like this, and it would have multiple 19:26:59
11 ingress, egress points off of Route 64. It would 19:27:05
12 have unified cross-access amongst all of the 19:27:08
13 parcels on the property so that somebody could go 19:27:10
14 to the Circle K facility to get gasoline, they 19:27:12
15 could stop at Taco Bell to get dinner, or they 19:27:15
16 could stop at Bosa Donuts in order to pick up 19:27:18
17 donuts. 19:27:21

18 That's the concept down the road for this 19:27:22
19 particular site. Phase 2 is not before you, but 19:27:25
20 it is in the planning, and we hope that with the 19:27:27
21 success of redevelopment of the first phase, that 19:27:29
22 it will accelerate the redevelopment of the second 19:27:32
23 phase of the project. 19:27:35

24 At this time, we're available to answer 19:27:36

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1 any questions that you may have. Our entire 19:27:38
2 design team is present, as are the principals from 19:27:41
3 both KFP as well as Circle K. 19:27:42
4 CHAIRMAN WALLACE: All right. Thank you. 19:27:45
5 Plan Commissioners, questions? Yes, 19:27:48
6 Laura. 19:27:52
7 MEMBER MACKLIN-PURDY: You didn't really 19:27:53
8 address the Franky's lot tonight in your 19:27:54
9 presentation, and I have a question about the 19:27:59
10 traffic flow and the potential issues with the 19:28:04
11 vehicle cross-access; and particularly, when you 19:28:10
12 go into the Franky's parking lot, if you're going 19:28:16
13 to go to the drive-thru, you literally have to 19:28:21
14 circle around twice and exit either on the north 19:28:27
15 end of the property or -- I don't think there's 19:28:31
16 really any other way. 19:28:36
17 Can you pull up a slide and kind of 19:28:37
18 explain the thinking behind that? It was in the 19:28:39
19 last slide. So you're removing the curb cut. 19:28:46
20 MR. DAY: Yeah. We are removing the curb 19:28:52
21 cut, and we do have the cross-access into the 19:28:54
22 Circle K site. Steve Kaminski as well as Rosanna 19:28:56
23 Lee Morales are both present here. They're the 19:29:00
24 design engineers working on behalf of KFP. I'm 19:29:01

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| | | |
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| 1 | going to let Steve Kaminski answer that question. | 19:29:03 |
| 2 | MEMBER MACKLIN-PURDY: Okay. Thank you. | 19:29:06 |
| 3 | MR. KAMINSKI: Thank you, Scott. | 19:29:10 |
| 4 | For the record, I'm Steve Kaminski with | 19:29:12 |
| 5 | Mackie Consultants. We're at 9575 West Higgins | 19:29:15 |
| 6 | Road in Rosemont, Illinois. | 19:29:19 |
| 7 | I think, if I make sure I understand the | 19:29:21 |
| 8 | question correctly, were you referring to someone | 19:29:24 |
| 9 | who entered the Franky's site from the new rear | 19:29:28 |
| 10 | cross-access easement? | 19:29:32 |
| 11 | MEMBER MACKLIN-PURDY: No. From Route 64. | 19:29:34 |
| 12 | MR. KAMINSKI: Okay. So if you entered | 19:29:36 |
| 13 | from Route 64 on the remaining driveway, you would | 19:29:37 |
| 14 | come in along the east side of the building where | 19:29:40 |
| 15 | you would encounter the order board, circle around | 19:29:43 |
| 16 | the building to pick up your order, and then we | 19:29:45 |
| 17 | will be providing a recirculation island in front | 19:29:48 |
| 18 | of the store that doesn't exist today. | 19:29:52 |
| 19 | The way the existing arrangement on | 19:29:54 |
| 20 | Franky's works, the only option you would have at | 19:29:57 |
| 21 | that point would be to exit back out onto | 19:30:01 |
| 22 | Route 64. | 19:30:02 |
| 23 | MEMBER MACKLIN-PURDY: Correct. | 19:30:02 |
| 24 | MR. KAMINSKI: Regardless of what | 19:30:03 |

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1 direction or where you wanted to go from there -- 19:30:05

2 MEMBER MACKLIN-PURDY: Correct. 19:30:05

3 MR. KAMINSKI: -- your only option is to 19:30:05

4 go back out onto Route 64. 19:30:08

5 In the proposed configuration, what we've 19:30:09

6 done is changed that so that depending on where 19:30:12

7 you're going, we can reduce the amount of traffic 19:30:15

8 interactions happening in close proximity to each 19:30:18

9 other on Route 64. 19:30:21

10 MEMBER MACKLIN-PURDY: Can you use the 19:30:23

11 cursor to show me what a vehicle might do? 19:30:26

12 MR. KAMINSKI: Sure. Thank you. Good 19:30:28

13 point. I can do that. 19:30:28

14 So once picking up your drive-thru food 19:30:29

15 here, if you, in fact, want to go westbound on 19:30:33

16 Route 64, your easiest option would be to come 19:30:37

17 down here this way, move back out here, wait for 19:30:40

18 clearance in the traffic pattern within Circle K, 19:30:43

19 move this way, and then exit out onto Route 64. 19:30:46

20 So that's relatively similar to the 19:30:50

21 current configuration, except with the difference 19:30:54

22 being in the existing configuration, this driveway 19:30:58

23 would be right here, and there would be another 19:31:02

24 driveway right here. 19:31:03

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1 And the concern we've always had, and the 19:31:04
2 reason IDOT is seeking to reduce the number of 19:31:06
3 curb cuts is, for example, especially someone 19:31:09
4 coming eastbound on Route 64 looking to turn 19:31:12
5 inbound to the gas station is potentially looking 19:31:17
6 for traffic coming from out here and doesn't 19:31:20
7 necessarily see somebody making a turn right out 19:31:22
8 here from a driveway that's only 20 feet away. 19:31:26
9 Those kind of crashes are extremely common when 19:31:28
10 you have driveways in excessively close proximity. 19:31:32
11 MEMBER MACKLIN-PURDY: Right. I see a 19:31:35
12 huge potential for -- if somebody were crossing 19:31:37
13 over this exit and somebody were turning into the 19:31:39
14 gas station at the same time, I see a huge 19:31:41
15 potential for a problem. 19:31:44
16 MR. KAMINSKI: That's with the existing -- 19:31:45
17 that's in the existing configuration where you 19:31:47
18 have that problem. What we've done by closing 19:31:50
19 this driveway and moving the interaction point to 19:31:52
20 here is taking the possibility of that interaction 19:31:56
21 happening out on Route 64, where traffic is 19:32:01
22 traveling at 35 to 40 miles an hour, and moving it 19:32:03
23 inside the site where everyone is moving at 2 or 19:32:06
24 3 miles per hour. 19:32:11

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| 1 | MEMBER MACKLIN-PURDY: I still see a | 19:32:12 |
| 2 | potential for an issue there. | 19:32:14 |
| 3 | MR. KAMINSKI: It certainly is not an | 19:32:15 |
| 4 | ideal world, but short of demolishing Franky's and | 19:32:17 |
| 5 | building it somewhere else, which is not on the | 19:32:20 |
| 6 | table, these are the choices that we had to work | 19:32:23 |
| 7 | with within the geometric environment we had to | 19:32:26 |
| 8 | work with. | 19:32:29 |
| 9 | MEMBER MELTON: Is the entrance to | 19:32:31 |
| 10 | Franky's one way in? You can only enter, or is it | 19:32:33 |
| 11 | enter and exit? | 19:32:36 |
| 12 | MR. KAMINSKI: That is correct. That's | 19:32:37 |
| 13 | both in the existing and proposed condition is | 19:32:39 |
| 14 | this would be an entrance-only driveway. | 19:32:42 |
| 15 | MEMBER MELTON: Could it be widened to be | 19:32:44 |
| 16 | an exit as well? | 19:32:46 |
| 17 | MR. KAMINSKI: That would be subject to | 19:32:48 |
| 18 | IDOT approval, and that has not been requested of | 19:32:50 |
| 19 | them at this point. I don't -- that's one of the | 19:32:53 |
| 20 | things we discussed internally as an option. We | 19:32:58 |
| 21 | did not find that to be an advisable action | 19:33:01 |
| 22 | because you would need a much wider radius here | 19:33:05 |
| 23 | which would eat up a lot of your greenspace and | 19:33:08 |
| 24 | create more different passing interactions at this | 19:33:10 |

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1 point. 19:33:13

2 Because you're so constrained with the 19:33:14

3 space between the front of the building and 19:33:16

4 Route 64, by the time someone tries to make a 19:33:19

5 right turn here, they're swinging out into the 19:33:21

6 northbound lane of someone coming in at the same 19:33:25

7 time. 19:33:29

8 MEMBER MELTON: So if someone goes to the 19:33:29

9 drive-thru and mistakes that they can't exit the 19:33:32

10 way they came in and turn, they have to go all the 19:33:36

11 way back around the building to figure it out; 19:33:38

12 right? 19:33:40

13 MR. KAMINSKI: So let's see. They pick 19:33:40

14 up -- let me see if I'm understanding you 19:33:41

15 correctly. They pick up their food here, and they 19:33:42

16 want to go outbound -- back out onto Route 64. 19:33:44

17 MEMBER MELTON: Right. 19:33:50

18 MR. KAMINSKI: And if, in fact, they don't 19:33:52

19 realize that until they have turned here, then 19:33:54

20 you're right. To do that, they'll have to go 19:33:55

21 around again, at which point their choice will be 19:33:58

22 either to come out onto a lower-volume traffic 19:34:00

23 road at Dunham here, make a turn and wait for the 19:34:04

24 light at Dunham to come onto Route 64 or circle 19:34:06

1 back all the way around the building and use this 19:34:10
 2 driveway. 19:34:12

3 If I'm that driver, I'd probably use 19:34:13
 4 Dunham at that point just for the more -- the 19:34:16
 5 easier predictability of openings onto Route 64. 19:34:17

6 MEMBER MACKLIN-PURDY: I think 19:34:22
 7 Commissioner Melton had a good point is to discuss 19:34:24
 8 widening that entrance to make it two-way, so that 19:34:28
 9 you still keep your curb cut low level, low, but 19:34:32
 10 to provide some opportunity for people to exit and 19:34:36
 11 enter on the Franky's site. 19:34:42

12 MR. KAMINSKI: Is that something that 19:34:46
 13 Scott or Melia wants to comment on? 19:34:47

14 You know, the engineering is possible but 19:34:49
 15 does present other complications, such as, as I 19:34:54
 16 mentioned, you'd need a wider radius to facilitate 19:34:58
 17 that turn, which will reduce the greenspace. 19:35:01

18 Anything else you want to address there? 19:35:04

19 MR. DAY: I think you can see in this 19:35:06
 20 photo what we're dealing with from a starting 19:35:11
 21 point. We've got a large landscape area that 19:35:12
 22 essentially separates the ingress drive from the 19:35:15
 23 egress drive at this location. 19:35:17

24 The entire interior structure of Franky's 19:35:20

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1 has been designed so that the order window is at 19:35:23
2 the north end of the building. 19:35:25
3 MEMBER MACKLIN-PURDY: Correct. 19:35:29
4 MR. DAY: So they drive in along the 19:35:29
5 eastern side of the building, order at the back, 19:35:30
6 queue in order to get into the order line, and 19:35:32
7 then they pick up their order on the west side of 19:35:34
8 that building. So that's a traffic configuration 19:35:37
9 that we are basically locked into, dealing with an 19:35:40
10 existing tenant at that location. 19:35:44
11 And I think -- we spent some time with 19:35:46
12 your design engineers as well as with IDOT on 19:35:48
13 this. I will tell you we probably got the 19:35:51
14 quickest response from IDOT to our application to 19:35:54
15 close the curb cuts than our engineers have 19:35:58
16 experienced in, like, the last five years. IDOT 19:36:01
17 was so receptive to the idea of getting these curb 19:36:03
18 cuts closed up. 19:36:07
19 MEMBER MACKLIN-PURDY: Well, sure. We're 19:36:09
20 not saying remove any of the curb cuts -- 19:36:10
21 MR. DAY: I understand. 19:36:12
22 MEMBER MACKLIN-PURDY: -- just widening one. 19:36:12
23 MR. DAY: I understand, and I know your 19:36:13
24 engineer has requested a traffic engineer's 19:36:15

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1 opinion letter as it relates to this, and there is 19:36:18
2 a plan to go ahead and provide that. Our client 19:36:20
3 today gave us authorization to bring in KOA to 19:36:24
4 comment on this as well. 19:36:27

5 So we know that that is a concern. It's 19:36:28
6 not a perfect situation. We think this is better 19:36:30
7 than what we currently have, and we think that 19:36:34
8 it's a significant improvement, but that's not to 19:36:37
9 say that it can't be made better. If we find a 19:36:39
10 traffic engineer working in conjunction and 19:36:42
11 collaborating with yours that can make it better, 19:36:45
12 we will. 19:36:47

13 MEMBER MACKLIN-PURDY: Okay. Thank you. 19:36:48

14 MEMBER MOAD: Excuse me. On the exit or 19:36:50
15 the curb cut that is directly in front of 19:36:52
16 Circle K, will that provide for both a right-turn 19:36:55
17 and a left-turn exit? 19:36:59

18 MR. DAY: I don't -- I think it's all 19:37:00
19 right-turn, is it not? 19:37:06

20 MR. SWANSON: Yeah. 19:37:06

21 MR. DAY: Route 64. 19:37:12

22 MR. SWANSON: Yeah. That's proposed to be 19:37:12
23 a full cut at this point, which IDOT has not had a 19:37:13
24 problem with. Like I said, they required us to 19:37:17

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1 move that further east which does -- obviously 19:37:19
2 would impact if this driveway were left for 19:37:21
3 Franky's. That would not geometrically be 19:37:23
4 possible. So this is meant to basically provide 19:37:26
5 access, full access. 19:37:28
6 And the other benefit to it being pushed a 19:37:30
7 little bit east is that you've got the start of a 19:37:32
8 left turn -- the left turn protection here with 19:37:35
9 this two-way left-turn lane. 19:37:37
10 MEMBER MOAD: So you would be able to exit 19:37:39
11 east or west? 19:37:44
12 MR. SWANSON: Correct. Sorry. 19:37:44
13 Long-winded answer to your question. 19:37:45
14 MEMBER MOAD: Thank you. 19:37:48
15 VICE CHAIRMAN VARGULICH: If I could 19:37:49
16 follow up on some of these comments that some of 19:37:50
17 the other commissioners had. 19:37:52
18 Is there a reason that you have 13 19:37:52
19 stacking? Is that required by code? For our 19:37:56
20 staff, I thought it was 10, but I could be wrong. 19:38:03
21 MS. JOHNSON: Our code requires 15 19:38:06
22 stacking spaces for restaurants. So if they're 19:38:08
23 showing 13, that's an existing building and an 19:38:10
24 existing drive-thru, so it would be an existing 19:38:13

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1 nonconformity. 19:38:15

2 VICE CHAIRMAN VARGULICH: Okay. I'm just 19:38:15

3 trying to clarify how many are required versus 19:38:19

4 what you have and that kind of thing. Okay. 19:38:21

5 Is there any consideration, since there 19:38:22

6 has been conversation, I think, from staff and 19:38:24

7 some of our commissioners, regarding the location 19:38:26

8 of the cross-access at the south end of Franky's 19:38:28

9 and the proposed K where it's basically on top of 19:38:33

10 North Avenue there, and that's kind of an awkward 19:38:39

11 location for people who might be going straight or 19:38:41

12 trying to pull up to use that full-access point 19:38:46

13 which was just identified -- or clarified, I 19:38:50

14 should say. 19:38:53

15 Is it possible to move that access point 19:38:55

16 to the north so it lines up with the east/west 19:38:58

17 driveway of Circle K? And so now you've moved 19:39:02

18 that maneuver further away from 64? 19:39:05

19 MR. KAMINSKI: Again, that is one of the 19:39:09

20 options we looked at. We opted against it for 19:39:11

21 precisely the reasons that one of the other 19:39:14

22 commissioners mentioned is if it was located that 19:39:17

23 far north, then anyone who wanted to get out onto 19:39:19

24 Route 64 after having received their food at the 19:39:25

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1 drive-thru, you can see where the drive-thru 19:39:25
2 window is, has to go all the way around the 19:39:30
3 building again before you can get back to it. 19:39:32

4 That's an excessive amount of traffic 19:39:35
5 snarl happening on the site. Whereas where it's 19:39:37
6 located now, you can proceed from picking up your 19:39:40
7 food to directly moving out of the site without 19:39:44
8 having to circle the building an additional time. 19:39:47

9 VICE CHAIRMAN VARGULICH: I understand why 19:39:51
10 you would have done it but is there still -- given 19:39:53
11 the fact that you have an existing full access 19:39:56
12 point, doesn't that seem like a lot of conflict? 19:40:00
13 Or if somebody is going to try to cross people 19:40:03
14 coming into the site, the Circle K site, to then 19:40:06
15 be able to make a left-hand turn to go eastbound. 19:40:10
16 So they're going to have to make a 90 -- and in 19:40:13
17 which case they're on top of the intersection, 19:40:17
18 that intersection. And so how is their car going 19:40:19
19 to straighten out without blocking people coming 19:40:21
20 inbound? 19:40:25

21 MR. KAMINSKI: Sure. At that point, you 19:40:26
22 can see -- actually see the stop bar for the 19:40:29
23 people coming outbound from Franky's where they 19:40:31
24 need to wait there for an opening in traffic. 19:40:34

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1 And realize that we're talking about an 19:40:36
2 8-pump gas station, not a Jewel/Osco or a 19:40:41
3 Woodman's type of store here. So the actual trip 19:40:46
4 generations while there -- there will be peak 19:40:49
5 times, but generally the counts aren't such that 19:40:51
6 you will have a manageable snarl there. 19:40:55
7 VICE CHAIRMAN VARGULICH: Okay. 19:40:59
8 CHAIRMAN WALLACE: Other questions? 19:41:05
9 MEMBER FUNKE: Yes. I've got a question 19:41:08
10 regarding the canopy for the pumps. Is there any 19:41:09
11 way to -- I mean, it seems like it's very 19:41:14
12 simplified. My concern is that, you know, you 19:41:17
13 have got a 228-foot-long canopy, and it's 19:41:20
14 really the majority of what you're going to see on 19:41:25
15 Route 64. Is there any way to incorporate some of 19:41:28
16 the stone or brickwork that you're using in the 19:41:31
17 main building around the columns of the gas 19:41:34
18 canopy? 19:41:37
19 MR. SWANSON: We have incorporated the 19:41:38
20 building materials into the columns. This is 19:41:40
21 the -- this is, essentially, the number of 19:41:42
22 dispensers that Circle K is, you know, requiring 19:41:49
23 for the site. So it's eight dispensers, but we 19:41:53
24 have upgraded all of these columns, so. 19:41:56

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| | | |
|----|--|----------|
| 1 | MEMBER FUNKE: Okay. Yeah. That's not | 19:41:58 |
| 2 | reflected in the -- | 19:42:00 |
| 3 | MR. SWANSON: I'm sorry. Yeah, it's a | 19:42:00 |
| 4 | little -- you can see it a little bit in this one. | 19:42:01 |
| 5 | Basically, it mimics the building with two | 19:42:02 |
| 6 | different materials and colors. | 19:42:05 |
| 7 | MEMBER FUNKE: Great. Thank you. I like | 19:42:07 |
| 8 | what you guys have done with the revisions. So | 19:42:09 |
| 9 | thank you. | 19:42:11 |
| 10 | CHAIRMAN WALLACE: Okay. Any other | 19:42:15 |
| 11 | questions? | 19:42:17 |
| 12 | MEMBER MELTON: Just one more quick one. | 19:42:18 |
| 13 | So the greenspace that you've added behind the | 19:42:20 |
| 14 | convenience store, is that strictly going to be | 19:42:23 |
| 15 | greenspace? Will there be any tables for people | 19:42:25 |
| 16 | to sit, or is that just meant for greenspace? | 19:42:28 |
| 17 | MR. SWANSON: It would just be, at this | 19:42:30 |
| 18 | point, proposed to be just open lawn, greenspace, | 19:42:33 |
| 19 | and trees. | 19:42:35 |
| 20 | MEMBER MELTON: Okay. Thank you. | 19:42:36 |
| 21 | VICE CHAIRMAN VARGULICH: I have some | 19:42:42 |
| 22 | questions regarding the overall site plan. We had | 19:42:43 |
| 23 | a lot of comments regarding some of the detail of | 19:42:46 |
| 24 | these cross-accesses. | 19:42:49 |

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1 On the Circle K site, you're showing land 19:42:50
2 bank spaces on the north side, and there's no 19:42:54
3 setback identified, and I was wondering why. 19:43:00

4 MR. DAY: The greenspace on the north side 19:43:04
5 of Circle K? 19:43:06

6 VICE CHAIRMAN VARGULICH: Yeah. Next to 19:43:07
7 the north property line. There is a 10-foot 19:43:09
8 landscape area required per zoning, yet you're -- 19:43:13
9 if you build -- it isn't currently done, but 19:43:17
10 you're asking for land bank spaces, it looks like. 19:43:17

11 So why aren't those land bank spaces, if 19:43:21
12 they were built, being built without -- being 19:43:23
13 built with the 10-foot required setback? 19:43:27

14 MR. SWANSON: Those were removed from the 19:43:29
15 proposal. They were shown initially. You're 19:43:31
16 talking about the spaces north, along this north 19:43:34
17 line here? 19:43:35

18 VICE CHAIRMAN VARGULICH: Uh-huh. 19:43:36

19 MR. SWANSON: Yeah. We've pulled those. 19:43:38
20 Circle K decided they did not need to bank for 19:43:38
21 future spaces, so that would just be left as open 19:43:41
22 greenspace. 19:43:44

23 VICE CHAIRMAN VARGULICH: Okay. All 19:43:45
24 right. I guess on the Franky's site, there are, 19:43:45

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1 like, 40 parking spaces plus being identified. 19:43:53

2 From a zoning standpoint, you know, only about 27 19:43:57

3 are needed. Is there some reason, given the 19:44:02

4 redevelopment and everything, that your parking 44 19:44:06

5 spaces? 19:44:11

6 MR. DAY: We weren't really encouraged to 19:44:12

7 create additional greenspace on the Franky's site. 19:44:15

8 We were specifically encouraged to try to examine 19:44:18

9 the site plan for the Circle K property and 19:44:21

10 minimize the parking. We had excess parking, I 19:44:24

11 think, in the original plan, and your staff 19:44:28

12 suggested that they make modifications, which 19:44:29

13 they've done. There are certain areas where they 19:44:31

14 could not make those modifications. 19:44:34

15 But as it relates to the Circle K site, 19:44:35

16 we're essentially taking a large landscape that 19:44:37

17 was created not too long ago for the Franky's 19:44:41

18 site. We're having to create cross-access through 19:44:44

19 that, but we really didn't examine the north end 19:44:47

20 of that property to create greenspace. We really 19:44:51

21 didn't look at that. 19:44:53

22 VICE CHAIRMAN VARGULICH: And I guess why? 19:44:54

23 MR. DAY: Our focus with respect to 19:44:58

24 Franky's, since they're in the midst of an 19:45:01

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1 existing ongoing lease, is to try to change their 19:45:04
2 site as little as possible and still accommodate 19:45:06
3 the idea of cross-access both presently through 19:45:09
4 the Circle K parcel as well as in the future 19:45:13
5 through the parcels to the east. It's an 19:45:16
6 accommodation that we had to seek from them 19:45:18
7 through the leasing process. 19:45:21

8 VICE CHAIRMAN VARGULICH: Okay. And if 19:45:23
9 you don't need 44 spaces, why wouldn't you 19:45:24
10 eliminate some of the parking along the north? I 19:45:27
11 mean, you're carrying out landscaping in the front 19:45:29
12 and, you know, you're doing a lot of site work, so 19:45:32
13 it's not like there's minimal or no site work 19:45:36
14 going on on the Franky's site. 19:45:37

15 And so why would you continue that, given 19:45:39
16 our ordinance requests 10 foot, and you're 19:45:42
17 developing this as one unified project even with 19:45:45
18 different ownerships? 19:45:50

19 MR. DAY: I can't answer that. We haven't 19:45:51
20 really looked at that particular issue. We 19:45:53
21 haven't discussed it with your staff or with our 19:45:56
22 designers. This is the first time it's come up. 19:45:58

23 VICE CHAIRMAN VARGULICH: Okay. I think 19:46:01
24 it was a comment in the concept plan hearing and a 19:46:02

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1 request to look at that, so. 19:46:06

2 MR. DAY: Well, this is a conditional use. 19:46:09

3 This body certainly has the ability to recommend 19:46:11

4 reasonable conditions associated with the approval 19:46:14

5 of the plan, and you know your city better than we 19:46:16

6 do. We are here to be accommodating to the City; 19:46:20

7 and if that's something that's important to you, I 19:46:23

8 think you do have the authority to request that as 19:46:26

9 a condition. 19:46:28

10 VICE CHAIRMAN VARGULICH: And given the 19:46:30

11 changes that you've made to the Circle K site -- 19:46:32

12 and I'm only responding because -- to this 19:46:35

13 request or to this question, is in the staff 19:46:38

14 report, the site plan and the things that we 19:46:40

15 received on Friday are different, noticeably 19:46:44

16 different, not hugely, but noticeably different 19:46:48

17 based on the presentation today. Because you 19:46:51

18 picked up some of the comments, if you will, to a 19:46:53

19 certain degree. So it looks like you're still 19:46:57

20 short some landscaping. 19:47:01

21 Is that still correct? I mean, Ellen, 19:47:02

22 would -- I don't know if you've had a chance to 19:47:05

23 look at this. How does it relate to the original 19:47:07

24 comments that you gave us in our packets? 19:47:11

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1 MS. JOHNSON: Well, I believe that the 19:47:12
2 applicant's team reviewed the staff comments that 19:47:15
3 are in the staff report, and they made some 19:47:18
4 changes on the plans in order to identify which 19:47:20
5 deviations they would need to formally be 19:47:22
6 requesting. 19:47:25
7 So I think that the plans that they're 19:47:26
8 showing tonight reflect a resolution of some of 19:47:26
9 those staff comments. The remaining landscaping 19:47:30
10 deviation they have highlighted along the building 19:47:33
11 foundation is still needed. 19:47:35
12 Does that answer your question? 19:47:36
13 VICE CHAIRMAN VARGULICH: Enough. Yes. 19:47:40
14 Thank you. 19:47:42
15 MS. JOHNSON: We would require a revised 19:47:44
16 formal plan submittal reflecting these changes 19:47:46
17 as well as resolution of remaining staff comments 19:47:49
18 before moving forward for any sort of Council 19:47:54
19 approval. 19:47:58
20 VICE CHAIRMAN VARGULICH: Okay. And I 19:47:58
21 appreciate that you've responded, you know, for 19:47:59
22 our meeting tonight and not just kind of waited, 19:48:01
23 so I appreciate that. You know, because that can 19:48:04
24 be a challenge to have two moving targets. 19:48:06

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1 MR. DAY: I understand. 19:48:09

2 VICE CHAIRMAN VARGULICH: I understand 19:48:10

3 that. And so I guess I would ask that given 19:48:11

4 there's some things you guys have mentioned about 19:48:13

5 where the landscaping is or isn't, some issues 19:48:17

6 with respect to the east side of the building of 19:48:21

7 the Circle K, that it's 3 1/2 foot or 3.7 feet, 19:48:23

8 and we require a minimum of 5, but you're up 19:48:28

9 against a 10-foot setback line on the west side. 19:48:30

10 And I would encourage you -- because I 19:48:34

11 think it would be a worthwhile variance or an 19:48:37

12 adjustment since we are in a PUD, and we're 19:48:41

13 sitting here. Given that your neighbor is Taco 19:48:43

14 Bell, and that it's a portion of their site that's 19:48:46

15 not exactly super critical to them from an image 19:48:50

16 or how they relate to the public standpoint. 19:48:53

17 I would say that if you moved the building 19:48:56

18 into the 10-foot setback a couple of feet so that 19:48:58

19 you can put those couple of feet on the east side 19:49:03

20 of the building where everyone will see it, versus 19:49:06

21 nobody will see pretty much the west side of your 19:49:09

22 building. 19:49:11

23 I think that would be a reasonable 19:49:12

24 tradeoff, if you will. So that we can have 19:49:15

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1 landscaping where people will see it as they drive 19:49:19
2 by it, et cetera. Right. Because they will be 19:49:22
3 using that driveway going north to south along 19:49:24
4 your east property line. I think that could be a 19:49:27
5 reasonable tradeoff to meet that landscape 19:49:30
6 requirement. 19:49:33

7 And for the most part, 8 feet or 10 feet 19:49:33
8 from your building, from the property line, I'm 19:49:37
9 pretty sure doesn't mean anything to Taco Bell as 19:49:39
10 a neighbor. So I would ask for you to think about 19:49:42
11 that. 19:49:45

12 I think that the sidewalk coming from 19:49:45
13 Dunham up towards the building at 8 feet wide 19:49:51
14 seems excessive given all things; and so maybe 5 19:49:57
15 or 6 feet seems a little more realistic given foot 19:50:03
16 traffic, et cetera. 19:50:09

17 And so now that 2 feet could be put into 19:50:10
18 the landscape area directly north. So again we 19:50:12
19 could add more greenspace, and maybe some of your 19:50:16
20 trees that you're minus currently as foundation 19:50:18
21 plants could be put in that area so that they're 19:50:21
22 adjacent, and that would be again one of those 19:50:24
23 tradeoffs. 19:50:28

24 You don't want to put landscaping in front 19:50:29

1 of the building for your egress and all the 19:50:31
2 paradigm standards that these sorts of places seem 19:50:34
3 to have which I -- which still baffle me to this 19:50:40
4 day. But from a community standpoint, if we could 19:50:41
5 get those plantings, if you will, in a nearby area 19:50:45
6 which would be directly to the west, maybe those 19:50:50
7 could be put there. Without running numbers and 19:50:52
8 without staff's full review, it seems like you're 19:50:56
9 still short a few trees and things. 19:51:00

10 MR. DAY: And understand I'm not reluctant 19:51:02
11 to make commitments on behalf of my client, but 19:51:04
12 I'm reluctant to make commitments on behalf of 19:51:08
13 Taco Bell. I'm reluctant to make commitments on 19:51:09
14 behalf of Franky's. They are not present. 19:51:12

15 And renegotiating lease terms and things 19:51:13
16 like that, there's a lot involved any time we have 19:51:16
17 to go to either Taco Bell or Franky's to try 19:51:20
18 modifying their particular site plan. There's a 19:51:23
19 process that we have go through. So it's not as 19:51:27
20 though I can casually say we can do this. 19:51:29

21 All I can say is that we'll look at it. 19:51:31
22 We will definitely look at the ideas that you have 19:51:34
23 in this regard. 19:51:36

24 VICE CHAIRMAN VARGULICH: Okay. 19:51:37

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1 CHAIRMAN WALLACE: All right. 19:51:38

2 MR. SWANSON: Sorry. Just one thing to 19:51:43

3 add on to your 10-foot comment west of the 19:51:44

4 building. One thing I didn't really clarify or 19:51:45

5 add to the testimony is -- a couple things. 19:51:47

6 One, there's a 10-foot easement required, 19:51:50

7 internal lot easement required along that side. 19:51:53

8 Even if that wasn't required, there is a couple 19:51:57

9 transformers and a switch gear that serve all of 19:52:00

10 these buildings that has to run through that tiny 19:52:03

11 area. So we're already challenged. We've got a 19:52:06

12 storm sewer running through there, potentially a 19:52:07

13 major electrical feed going through there as 19:52:10

14 well. 19:52:10

15 So we're still working through it, but I 19:52:13

16 appreciate the idea. Believe me, I would love to 19:52:14

17 push it over a little bit, but that's what our 19:52:18

18 issue is on that side. 19:52:21

19 VICE CHAIRMAN VARGULICH: Understand. I 19:52:24

20 know that you can't necessarily accommodate 19:52:24

21 everything that we have as ideas and requests, but 19:52:27

22 I feel that none of this is with an intention to 19:52:30

23 create a massive hardship for your project. At a 19:52:35

24 high level, I appreciate that you guys have gone 19:52:39

Transcript of KFP Planned Unit Development Application
Conducted on June 8, 2021

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1 through all of this effort, and a number of things 19:52:41
2 that you are accomplishing with respect to closing 19:52:44
3 the curb cuts and doing those type of things help 19:52:46
4 the community at large, which I think everybody on 19:52:50
5 this Commission appreciates. 19:52:54

6 And so from that standpoint, I guess, the 19:52:54
7 comments are related to trying to find the best 19:53:00
8 solutions that can work for you, obviously, 19:53:03
9 because you guys have businesses to run -- well, 19:53:05
10 maybe not the consultant team, your clients do. 19:53:07
11 And, you know, we, as commissioners, want to see, 19:53:10
12 you know, the best that can be done for our 19:53:16
13 community also. So thank you. 19:53:18

14 MR. DAY: We understand that the Plan 19:53:20
15 Commission is really looking to optimize this site 19:53:22
16 for the community, as is your staff. They've 19:53:25
17 worked very, very hard with us. I can't tell you 19:53:27
18 how many hours your staff spent analyzing this 19:53:30
19 particular plan and going through all the minute 19:53:32
20 details. 19:53:34

21 I work in a lot of communities. It's very 19:53:34
22 rare that we get the quantity of professional 19:53:37
23 staff hours that goes into the analysis before we 19:53:39
24 get to the Plan Commission. So they have worked 19:53:42

Transcript of KFP Planned Unit Development Application

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1 very hard, and we know you're doing the same 19:53:44

2 thing. We appreciate it. 19:53:47

3 VICE CHAIRMAN VARGULICH: And I would just 19:53:48

4 add on the signage, on your monument sign on the 19:53:49

5 corner, if it's possible to add to the base of the 19:53:52

6 sign. Maybe if you're not changing -- because 19:53:58

7 you're identifying you want to use the existing 19:54:00

8 sign, but to add the same type of materials that 19:54:03

9 you're adding to the canopy to the base of the 19:54:06

10 sign to kind of carry that architecture out to the 19:54:09

11 corner, rather than just leaving it on two posts. 19:54:11

12 If that could be filled in to make it feel and 19:54:15

13 look like the canopy and look like the building 19:54:19

14 just as a way to bring that architecture all the 19:54:19

15 way out to the corner. 19:54:25

16 MR. SWANSON: One thing to note we did 19:54:25

17 do -- I think there's some ties, railroad ties and 19:54:27

18 landscape plantars in that area. We're basically 19:54:30

19 removing that and starting over with consistent 19:54:32

20 materials, and we've got some higher growing 19:54:34

21 materials at the base of that sign to kind of 19:54:37

22 infill the area you're talking about, kind of that 19:54:39

23 open space. That's what's proposed at this point. 19:54:41

24 VICE CHAIRMAN VARGULICH: Thank you. 19:54:46

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| 1 | CHAIRMAN WALLACE: All right. Any other | 19:54:46 |
| 2 | questions or comments? | 19:54:49 |
| 3 | (No response.) | 19:54:52 |
| 4 | CHAIRMAN WALLACE: All right. Members of | 19:54:53 |
| 5 | the audience, does anyone have any questions or | 19:54:54 |
| 6 | comments? | 19:54:57 |
| 7 | (No response.) | 19:55:01 |
| 8 | CHAIRMAN WALLACE: Okay. Anything | 19:55:01 |
| 9 | further, Ellen? | 19:55:03 |
| 10 | MS. JOHNSON: No. | 19:55:05 |
| 11 | CHAIRMAN WALLACE: Okay. All right. In | 19:55:06 |
| 12 | that case, if the Plan Commission feels they have | 19:55:09 |
| 13 | enough information to be able to make a | 19:55:11 |
| 14 | recommendation to the Planning and Development | 19:55:14 |
| 15 | Committee of the City Council, a motion to close | 19:55:17 |
| 16 | the public hearing would be in order. | 19:55:19 |
| 17 | MEMBER FUNKE: I'll make a motion to close | 19:55:21 |
| 18 | the public hearing. | 19:55:23 |
| 19 | MEMBER MOAD: Second. | 19:55:25 |
| 20 | CHAIRMAN WALLACE: Okay. The motion has | 19:55:26 |
| 21 | been made and seconded. Any discussion on the | 19:55:27 |
| 22 | motion? This is a motion to close the public | 19:55:30 |
| 23 | hearing. | 19:55:32 |
| 24 | (No response.) | 19:55:34 |

Transcript of KFP Planned Unit Development Application

Conducted on June 8, 2021

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| | | |
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| 1 | CHAIRMAN WALLACE: Okay. | 19:55:34 |
| 2 | Holderfield. | 19:55:35 |
| 3 | MEMBER HOLDERFIELD: Yes. | 19:55:35 |
| 4 | CHAIRMAN WALLACE: Melton. | 19:55:37 |
| 5 | MEMBER MELTON: Yes. | 19:55:37 |
| 6 | CHAIRMAN WALLACE: Funke. | 19:55:37 |
| 7 | MEMBER FUNKE: Yes. | 19:55:37 |
| 8 | CHAIRMAN WALLACE: Vargulich. | 19:55:38 |
| 9 | VICE CHAIRMAN VARGULICH: Yes. | 19:55:39 |
| 10 | CHAIRMAN WALLACE: Moad. | 19:55:40 |
| 11 | MEMBER MOAD: Yes. | 19:55:40 |
| 12 | CHAIRMAN WALLACE: Macklin-Purdy. | 19:55:41 |
| 13 | MEMBER MACKLIN-PURDY: Yes. | 19:55:42 |
| 14 | CHAIRMAN WALLACE: Wiese. | 19:55:42 |
| 15 | MEMBER WIESE: Yes. | 19:55:44 |
| 16 | CHAIRMAN WALLACE: Wallace, yes. | 19:55:45 |
| 17 | This public hearing is now closed. Moving | 19:55:46 |
| 18 | on to 5b, this is discussion and recommendation. | 19:55:50 |
| 19 | Is there a motion? | 19:55:54 |
| 20 | MEMBER MACKLIN-PURDY: I'll make a | 19:56:03 |
| 21 | recommendation for approval for KFP planned unit | 19:56:04 |
| 22 | development, KFP Family Associates, LP, RDK | 19:56:09 |
| 23 | Ventures, LLC, application for special use PUD, | 19:56:12 |
| 24 | pursuant to staff's comments and recommendations. | 19:56:16 |

Transcript of KFP Planned Unit Development Application

Conducted on June 8, 2021

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1 CHAIRMAN WALLACE: And also the 19:56:21
2 application for the PUD preliminary plan? 19:56:22
3 MEMBER MACKLIN-PURDY: And also the 19:56:26
4 application for a PUD preliminary plan. 19:56:28
5 CHAIRMAN WALLACE: Okay. The motion has 19:56:30
6 been made. Is there a second? 19:56:34
7 MEMBER FUNKE: I'll second. 19:56:35
8 CHAIRMAN WALLACE: All right. It's been 19:56:36
9 made and seconded. Discussion on the motion? 19:56:37
10 MEMBER MELTON: Can I ask a question? 19:56:40
11 CHAIRMAN WALLACE: Sure. 19:56:40
12 MEMBER MELTON: So does that then include 19:56:41
13 that they would need to provide the traffic 19:56:43
14 circulation memo that was requested by staff so 19:56:45
15 that we can address those issues? 19:56:48
16 CHAIRMAN WALLACE: Yeah. Subject to 19:56:49
17 resolution of staff comments. 19:56:50
18 Am I correct, Ellen? 19:56:52
19 MS. JOHNSON: Yes. That was one comment. 19:56:54
20 If it's the applicant's desire to retain that 19:56:56
21 southern cross-access drive, then we are 19:57:00
22 requesting a traffic circulation memo. 19:57:02
23 MEMBER MELTON: I wanted to make sure. 19:57:05
24 Thank you. 19:57:06

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Transcript of KFP Planned Unit Development Application
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| 1 | CHAIRMAN WALLACE: All right. Any other | 19:57:06 |
| 2 | discussion on the motion? | 19:57:08 |
| 3 | (No response.) | 19:57:08 |
| 4 | CHAIRMAN WALLACE: Okay. This is a motion | 19:57:11 |
| 5 | for approval subject to resolution of staff | 19:57:12 |
| 6 | comments. | 19:57:16 |
| 7 | Holderfield. | 19:57:16 |
| 8 | MEMBER HOLDERFIELD: Yes. | 19:57:19 |
| 9 | CHAIRMAN WALLACE: Melton. | 19:57:19 |
| 10 | MEMBER MELTON: Yes. | 19:57:20 |
| 11 | CHAIRMAN WALLACE: Funke. | 19:57:20 |
| 12 | MEMBER FUNKE: Yes. | 19:57:21 |
| 13 | CHAIRMAN WALLACE: Vargulich. | 19:57:22 |
| 14 | VICE CHAIRMAN VARGULICH: Yes. | 19:57:22 |
| 15 | CHAIRMAN WALLACE: Moad. | 19:57:22 |
| 16 | MEMBER MOAD: Yes. | 19:57:25 |
| 17 | CHAIRMAN WALLACE: Macklin-Purdy. | 19:57:27 |
| 18 | MEMBER MACKLIN-PURDY: Yes. | 19:57:27 |
| 19 | CHAIRMAN WALLACE: Wiese. | 19:57:27 |
| 20 | MEMBER WIESE: Yes. | 19:57:27 |
| 21 | CHAIRMAN WALLACE: Wallace, yes. | 19:57:29 |
| 22 | That concludes Item 5 on your agenda. | 19:57:30 |
| 23 | (Off the record at 7:57 p.m.) | |
| 24 | | |

1 CERTIFICATE OF SHORTHAND REPORTER

2
3 I, Joanne E. Ely, Certified Shorthand
4 Reporter No. 84-4169, CSR, RPR, and a Notary
5 Public in and for the County of Kane, State of
6 Illinois, the officer before whom the foregoing
7 proceedings were taken, do certify that the
8 foregoing transcript is a true and correct record
9 of the proceedings, that said proceedings were
10 taken by me stenographically and thereafter
11 reduced to typewriting under my supervision, and
12 that I am neither counsel for, related to, nor
13 employed by any of the parties to this case and
14 have no interest, financial or otherwise, in its
15 outcome.

16 IN WITNESS WHEREOF, I have hereunto set my
17 hand and affixed my notarial seal this 13th day of
18 June, 2021. My commission expires: May 16, 2024

19 *Joanne E. Ely*
20

21
22 _____
23 Notary Public in and for the
24 State of Illinois



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Transcript of General Amendment Chapters 17.14, 17.16, 17.20, 17.24, 17.30

Date: June 8, 2021

Case: St. Charles Plan Commission

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BEFORE THE PLAN COMMISSION
OF THE CITY OF ST. CHARLES

-----x
In Re: General Amendment :
(City of St. Charles), :
Chapters 17.14, 17.16, :
17.20, 17.24, and 17.30 :
Definitions Regarding :
Microbreweries, Outdoor :
Dining, and Outdoor :
Entertainment :
-----x

HEARING
St. Charles, Illinois 60174
Tuesday, June 8, 2021
7:57 p.m.

Job No.: 336727B
Pages: 1 - 49
Reported by: Joanne E. Ely, CSR, RPR

1 HEARING, held at the location of:

2

3 ST. CHARLES CITY HALL

4 2 East Main Street

5 St. Charles, Illinois 60174

6 (630) 377-4400

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13 Before Joanne E. Ely, a Certified Shorthand

14 Reporter, and a Notary Public in and for the State

15 of Illinois.

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Transcript of General Amendment Chapters 17.14, 17.16, 17.20, 17.24, 17.30
Conducted on June 8, 2021

1 PRESENT:

2 TODD WALLACE, Chairman

3 PETER VARGULICH, Vice Chairman

4 JEFFREY FUNKE, Member

5 JAMES HOLDERFIELD, Member

6 LAURA MACKLIN-PURDY, Member

7 SUZANNE MELTON, Member

8 LAUREL MOAD, Member

9 COLLEEN WIESE, Member

10
11 ALSO PRESENT:

12 RUSSELL COLBY, Assistant Director of
13 Community & Economic Development

14 ELLEN JOHNSON, Planner

15 RACHEL HITZEMANN, Planner

16 MONICA HAWK, Development Engineer

| | | |
|----|--|----------|
| 1 | P R O C E E D I N G S | |
| 2 | CHAIRMAN WALLACE: Item 6 is General | 19:57:34 |
| 3 | Amendment -- thank you, gentleman -- General | 19:57:37 |
| 4 | Amendment, City of St. Charles, Chapter 17.14, | 19:57:40 |
| 5 | Business and Mixed-Used Districts; Chapter 17.16, | 19:57:43 |
| 6 | Office/Research, Manufacturing, and Public Land | 19:57:48 |
| 7 | Districts; Chapter 17.20, Use Standards; Chapter | 19:57:50 |
| 8 | 17.24, Off-Street Parking, Loading, and Access; | 19:57:55 |
| 9 | and Chapter 17.30, definitions regarding | 19:57:56 |
| 10 | microbreweries, outdoor dining, outdoor | 19:58:00 |
| 11 | entertainment, and related uses. | 19:58:00 |
| 12 | Again this is a public hearing. So we are | 19:58:06 |
| 13 | gathering information to be able to make a | 19:58:09 |
| 14 | decision to recommend to the City Council Planning | 19:58:11 |
| 15 | and Development Committee. | 19:58:16 |
| 16 | I would ask that anyone who wishes to | 19:58:17 |
| 17 | offer testimony please raise your hand. | 19:58:20 |
| 18 | (Witnesses sworn.) | 19:58:20 |
| 19 | CHAIRMAN WALLACE: All right. Thank you. | 19:58:27 |
| 20 | And once again as before, please wait to | 19:58:28 |
| 21 | be recognized and speak up at the lectern, state | 19:58:32 |
| 22 | your name first and last, spell your last name, | 19:58:35 |
| 23 | and state your address for the record. | 19:58:39 |
| 24 | Any questions regarding our procedure? | 19:58:41 |

| | | |
|----|--|----------|
| 1 | Okay. Ellen. | 19:58:44 |
| 2 | MS. JOHNSON: Good evening. I'll be | 19:58:46 |
| 3 | making the presentation tonight. This application | 19:58:48 |
| 4 | was filed by City staff. | 19:58:50 |
| 5 | So this is a general amendment to the | 19:58:51 |
| 6 | zoning ordinance being presented by staff based on | 19:58:55 |
| 7 | direction received by the City Council's Planning | 19:58:58 |
| 8 | and Development Committee on April 12th. | 19:59:00 |
| 9 | At that meeting, the committee directed | 19:59:02 |
| 10 | staff to initiate the general amendment process to | 19:59:04 |
| 11 | create a use category for microbreweries and to | 19:59:07 |
| 12 | establish standards for related uses such as | 19:59:10 |
| 13 | outdoor dining. | 19:59:13 |
| 14 | So this proposed amendment is meant to | 19:59:14 |
| 15 | clarify zoning requirements for microbreweries and | 19:59:17 |
| 16 | businesses with accessory brewing operations. It | 19:59:20 |
| 17 | will also allow for microbreweries in industrial | 19:59:20 |
| 18 | districts to expand their operation and will offer | 19:59:28 |
| 19 | more flexibility in the use of their space. | 19:59:30 |
| 20 | So part of the impetus behind this | 19:59:32 |
| 21 | amendment was an interest among existing | 19:59:36 |
| 22 | microbreweries in town to incorporate permanent | 19:59:38 |
| 23 | outdoor dining areas and also outdoor | 19:59:41 |
| 24 | entertainment as part of their business. | 19:59:45 |

| | | |
|----|--|----------|
| 1 | Two existing microbreweries in St. Charles | 19:59:46 |
| 2 | are located in manufacturing districts where | 19:59:49 |
| 3 | outdoor dining is not permitted. As part of the | 19:59:52 |
| 4 | City's COVID 19 response, the City created a | 19:59:55 |
| 5 | temporary outdoor dining program. This allowed | 19:59:59 |
| 6 | the industrial microbreweries to create temporary | 20:00:02 |
| 7 | outdoor dining areas, but this temporary approval | 20:00:05 |
| 8 | will expire at the end of the year. | 20:00:09 |
| 9 | Over the past few years, I'm sure you're | 20:00:11 |
| 10 | all aware, the City has seen a variety of | 20:00:16 |
| 11 | microbreweries open in town. In industrial | 20:00:18 |
| 12 | districts, we have Riverlands Brewing Company and | 20:00:23 |
| 13 | D and G Brewing. In our commercial districts, we | 20:00:25 |
| 14 | have Alter Brewing, Pollyanna, 93 Octane, and also | 20:00:28 |
| 15 | Broken Brix which is -- they make wine and cider. | 20:00:32 |
| 16 | So currently, the zoning ordinance does | 20:00:36 |
| 17 | not list microbrewery as a specific use category. | 20:00:40 |
| 18 | Existing businesses were classified into related | 20:00:44 |
| 19 | categories in order to be allowed to establish. | 20:00:48 |
| 20 | So in the industrial zoning districts we | 20:00:50 |
| 21 | classified -- as staff, we classified | 20:00:54 |
| 22 | microbreweries as light manufacturing which is a | 20:00:56 |
| 23 | permitted use, and the taproom of these breweries | 20:00:59 |
| 24 | was allowed to operate as an accessory use. So | 20:01:02 |

1 the taproom portion of the business has to be less 20:01:06
 2 than 50 percent of the floor area. In commercial 20:01:07
 3 districts, microbreweries have been permitted to 20:01:11
 4 function as an accessory use to a restaurant or 20:01:13
 5 a bar. 20:01:16

6 So proposed is to create a use category 20:01:16
 7 for microbreweries. I'll read the proposed 20:01:22
 8 definition. "An establishment where beer is 20:01:25
 9 brewed in quantities not exceeding 15,000 barrels 20:01:28
 10 per year. This use shall also permit the 20:01:28
 11 manufacture of wine and spirits. 20:01:32

12 "As a principal use, the establishment may 20:01:32
 13 include a taproom which is open to the public 20:01:38
 14 primarily for the sale of beer, wine, or spirits 20:01:42
 15 manufactured on-site for on-site and/or off-site 20:01:43
 16 consumption. 20:01:43

17 "Live entertainment is permitted as an 20:01:47
 18 accessory use in completely enclosed indoor areas. 20:01:49
 19 Outdoor dining and outdoor entertainment are 20:01:52
 20 permitted as accessory uses, subject to the use 20:01:54
 21 standards established in Chapter 17.20. As an 20:01:58
 22 accessory use, microbreweries shall be permitted 20:02:02
 23 only in conjunction with a restaurant, tavern/bar, 20:02:03
 24 or retail sales." 20:02:07

1 So the proposed -- a little explanation 20:02:07
2 on this definition. The proposed 15,000 barrel 20:02:14
3 limitation is based on the Brewers Association 20:02:16
4 definition of microbrewery as opposed to a 20:02:19
5 regional, larger regional brewery. 20:02:21
6 Microbreweries can include a taproom open 20:02:24
7 to the public where beer produced on-site can be 20:02:26
8 purchased for on-site consumption or off-site. 20:02:29
9 Live entertainment is permitted inside, and 20:02:33
10 outdoor dining and outdoor entertainment are 20:02:36
11 allowed as accessory uses subject to use 20:02:38
12 standards, which I'll discuss in a moment. 20:02:42
13 Also the manufacture of wine and spirits 20:02:44
14 were included in this definition to promote 20:02:47
15 small-scale wineries or distilleries, to allow 20:02:48
16 these types of activities also to occur within 20:02:52
17 existing breweries. 20:02:57
18 So proposed is to allow microbreweries as 20:02:58
19 a principal permitted -- permitted principal use 20:03:02
20 in the M-1 and M-2 industrial districts. 20:03:05
21 Currently, Riverlands and D and G are both zoned 20:03:08
22 M-1. Here's a map showing their location. This 20:03:13
23 is Riverlands off of Dean Street, and then D and G 20:03:17
24 is zoned M-1 off of North 4th Street. 20:03:21

| | | |
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| 1 | So as a permitted use in the M-1 or M-2 | 20:03:24 |
| 2 | Districts, the microbrewery could establish | 20:03:30 |
| 3 | anywhere within these districts, assuming they can | 20:03:32 |
| 4 | meet parking. They would have the potential to | 20:03:34 |
| 5 | expand their taproom because the 50 percent | 20:03:38 |
| 6 | taproom limitation -- 50 percent floor area | 20:03:42 |
| 7 | limitation would no longer apply. | 20:03:45 |
| 8 | And then for commercial districts, the | 20:03:46 |
| 9 | proposal is to allow microbrewery as an accessory | 20:03:50 |
| 10 | use to restaurants, bars, and retail sales. So | 20:03:54 |
| 11 | the code identifies an accessory use as a use that | 20:03:58 |
| 12 | is subordinate in area, extent, and purpose to the | 20:04:02 |
| 13 | principal use and that is customarily maintained | 20:04:05 |
| 14 | for the benefit of a permitted principal use. | 20:04:08 |
| 15 | So included in commercial districts are | 20:04:10 |
| 16 | the BL, Local Business, Community Business, | 20:04:14 |
| 17 | Regional Business, and the Downtown Central | 20:04:16 |
| 18 | Business District. | 20:04:19 |
| 19 | And so allowing microbreweries as an | 20:04:20 |
| 20 | accessory use fits with the existing | 20:04:25 |
| 21 | microbreweries that are located in the commercial | 20:04:29 |
| 22 | districts, which include: Alter Brewing and | 20:04:30 |
| 23 | Kitchen, which is classified as a restaurant with | 20:04:34 |
| 24 | a brewing accessory use; Polyanna Brewing Company, | 20:04:36 |

1 which is classified as a tavern/bar; 93 Octane, 20:04:42
 2 which is also classified as a tavern/bar; and then 20:04:46
 3 we also have Broken Brix on West Main Street, 20:04:49
 4 which is incorporated into the Homebrew Shop and 20:04:53
 5 classified as retail sales. 20:04:58

6 The proposed parking requirement for a 20:04:59
 7 microbrewery is one space per 1,000 square feet of 20:05:04
 8 gross floor area. This is the same requirement as 20:05:09
 9 for light industrial and light manufacturing uses. 20:05:10
 10 So this would be applicable to the brewery 20:05:13
 11 portion. For the taproom portion, 10 spaces per 20:05:16
 12 1,000 would be required, and that's the same 20:05:20
 13 requirement as for a bar and restaurant. 20:05:22

14 So a parking requirement comparable to the 20:05:24
 15 type of activity generated by the taproom will 20:05:29
 16 help make sure that microbreweries locate within 20:05:33
 17 industrial buildings that can accommodate the 20:05:35
 18 type of foot traffic that this type of business 20:05:37
 19 will see. 20:05:41

20 And then the parking requirement for 20:05:42
 21 businesses that are accessory, have accessory 20:05:44
 22 microbreweries will continue to be based on the 20:05:47
 23 principal use of the building. 20:05:51

24 Are there any questions so far? 20:05:51

| | | |
|----|--|----------|
| 1 | So moving on to outdoor dining, outdoor | 20:05:58 |
| 2 | entertainment, the proposal is to allow these uses | 20:06:01 |
| 3 | as an accessory use to taverns, bars, and | 20:06:03 |
| 4 | microbreweries. Outdoor dining is currently only | 20:06:07 |
| 5 | allowed in association with restaurants, although | 20:06:12 |
| 6 | there are a number of outdoor dining areas or | 20:06:13 |
| 7 | outdoor areas accessory to existing taverns and | 20:06:16 |
| 8 | bars in town. | 20:06:19 |
| 9 | So this change would also allow existing | 20:06:20 |
| 10 | microbreweries in the M-1 District to have | 20:06:22 |
| 11 | permanent outdoor areas. There are existing | 20:06:25 |
| 12 | provisions in the code which pertain to outdoor | 20:06:28 |
| 13 | dining, and those will remain. Those are that | 20:06:32 |
| 14 | they shall not be located in the required yard | 20:06:34 |
| 15 | abutting residential, so that's within a required | 20:06:36 |
| 16 | setback. | 20:06:39 |
| 17 | Sound level shall not exceed 60 decibels | 20:06:40 |
| 18 | at the property line and no music or any sort of | 20:06:43 |
| 19 | sound after 10:00 p.m. | 20:06:46 |
| 20 | MEMBER MACKLIN-PURDY: I have a question. | 20:06:52 |
| 21 | So how would this change -- since D and G is right | 20:06:53 |
| 22 | next to residential, would this change anything | 20:06:59 |
| 23 | they're currently doing with outdoor dining? | 20:07:04 |
| 24 | MS. JOHNSON: So their outdoor dining | 20:07:07 |

1 right now is under the temporary permit. So this 20:07:09
2 will allow them to have a permanent outdoor dining 20:07:12
3 area. 20:07:12

4 MEMBER MACKLIN-PURDY: Okay. 20:07:12

5 MS. JOHNSON: Their outdoor entertainment, 20:07:16
6 which is the next item here, the proposal is to 20:07:17
7 restrict sound amplification after 8:00 p.m. if a 20:07:20
8 microbrewery is adjacent to residential zoning. 20:07:24
9 So that would apply to D and G because they are 20:07:27
10 adjacent to residential. 20:07:30

11 MEMBER MACKLIN-PURDY: Okay. 20:07:32

12 MS. JOHNSON: So also proposed is to allow 20:07:33
13 outdoor entertainment as an accessory use, also to 20:07:37
14 a tavern, bar, and microbrewery, in addition to 20:07:40
15 restaurant, which is currently allowed. And like 20:07:43
16 I just said, for microbreweries adjacent to 20:07:45
17 residential, sound amplification would be 20:07:48
18 prohibited after 8:00 p.m. 20:07:51

19 That's what staff is proposing. 20:07:54
20 Obviously, this is a proposal, and it's up for 20:07:56
21 discussion and debate and can be modified. 20:07:59

22 MEMBER MELTON: Ellen, is that 8:00 p.m. 20:07:59
23 every day, or is it certain days of the week? 20:08:05

24 MS. JOHNSON: It's proposed as every day. 20:08:07

1 And then the final section is really just 20:08:16
 2 to clean up existing definitions of tavern/bar, 20:08:18
 3 restaurant, outdoor dining, outdoor entertainment, 20:08:21
 4 to clarify that outdoor dining and entertainment 20:08:24
 5 are permitted as accessory uses to restaurants, 20:08:27
 6 taverns, and microbreweries. 20:08:30

7 Also to amend the definition of live 20:08:32
 8 entertainment, to clarify that that is permitted 20:08:34
 9 indoors in microbreweries. 20:08:36

10 And then finally to amend the use 20:08:37
 11 standards for food trucks to include that they are 20:08:40
 12 permitted in association with microbreweries. 20:08:43

13 MEMBER MACKLIN-PURDY: I do have a 20:08:48
 14 question. It says the proposed change adds 20:08:49
 15 microbrewery to the full list of businesses which 20:08:53
 16 can offer food trucks. The rest of the existing 20:08:58
 17 provisions remain as-is. Restaurants, 20:09:00
 18 taverns/bars, and microbreweries can offer food 20:09:01
 19 trucks two times per week during business hours. 20:09:04

20 So they can only offer -- so they can't do 20:09:06
 21 Friday, Saturday, and Sunday? 20:09:09

22 MS. JOHNSON: That's how the code 20:09:11
 23 currently reads. We did the food trucks -- we 20:09:13
 24 incorporated the food trucks into the code, I 20:09:16

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| 1 | think, two or three years ago, and that was the | 20:09:18 |
| 2 | provision that was incorporated. If there are | 20:09:20 |
| 3 | revisions desired for that section, they could be | 20:09:24 |
| 4 | incorporated into this amendment because that code | 20:09:27 |
| 5 | section was included as part of this amendment. | 20:09:30 |
| 6 | That's all I had. If there are any | 20:09:32 |
| 7 | further questions for staff. | 20:09:44 |
| 8 | CHAIRMAN WALLACE: All right. Any other | 20:09:46 |
| 9 | questions? | 20:09:46 |
| 10 | MEMBER MOAD: I do. I believe that at the | 20:09:47 |
| 11 | Council meeting or at the planning committee | 20:09:49 |
| 12 | meeting in April, that 8:00 o'clock hour was | 20:09:53 |
| 13 | discussed and perhaps recommended for the | 20:09:55 |
| 14 | limitation on outdoor entertainment; is that | 20:09:59 |
| 15 | accurate? | 20:10:01 |
| 16 | MS. JOHNSON: You know, I don't recall a | 20:10:03 |
| 17 | specific time being discussed. | 20:10:05 |
| 18 | Do you recall that? | 20:10:08 |
| 19 | MR. COLBY: No. I don't think there was | 20:10:10 |
| 20 | specific direction provided, just direction for | 20:10:11 |
| 21 | staff to proceed with the general amendment | 20:10:15 |
| 22 | application. | 20:10:15 |
| 23 | MEMBER MOAD: Sure. So may I ask | 20:10:19 |
| 24 | arbitrarily why 8:00 versus 9:00, for example? | 20:10:21 |

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| 1 | MS. JOHNSON: You said the word | 20:10:24 |
| 2 | "arbitrary." We felt that that seemed like a | 20:10:27 |
| 3 | reasonable hour to allow kind of an after-dinner | 20:10:30 |
| 4 | music experience, but then not getting too late, | 20:10:35 |
| 5 | to be sensitive to the surrounding residents and | 20:10:37 |
| 6 | time that they may be looking to wind down. Again | 20:10:41 |
| 7 | it was offered as a starting point. | 20:10:45 |
| 8 | MEMBER MOAD: So would staff consider, | 20:10:47 |
| 9 | would we consider having a different parameter for | 20:10:51 |
| 10 | weekends versus weeknights, for example? | 20:10:55 |
| 11 | MS. JOHNSON: It is possible to write that | 20:10:57 |
| 12 | into the code. | 20:11:02 |
| 13 | MEMBER FUNKE: So does that mean that | 20:11:02 |
| 14 | after 8:00 o'clock, they cannot have people | 20:11:03 |
| 15 | outside? | 20:11:06 |
| 16 | MS. JOHNSON: It would mean that after | 20:11:06 |
| 17 | 8:00 o'clock, that they could not have any noise. | 20:11:08 |
| 18 | So essentially -- I'm sorry. I'm sorry. The | 20:11:10 |
| 19 | provision is no sound amplification after | 20:11:16 |
| 20 | 8:00 o'clock. Then the provision for outdoor | 20:11:19 |
| 21 | dining, which prohibits sound after 10:00 o'clock, | 20:11:22 |
| 22 | would apply. So they could have live music until | 20:11:26 |
| 23 | 8:00, and then people could be outside until | 20:11:28 |
| 24 | 10:00. | 20:11:31 |

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| 1 | MEMBER FUNKE: Okay. | 20:11:33 |
| 2 | VICE CHAIRMAN VARGULICH: I'm sorry, | 20:11:33 |
| 3 | Ellen. On the 8:00 o'clock with the | 20:11:33 |
| 4 | amplification, does that mean that an acoustic set | 20:11:35 |
| 5 | is impossible? | 20:11:41 |
| 6 | MS. JOHNSON: I believe they do acoustic, | 20:11:41 |
| 7 | but there would be no microphone for the singer. | 20:11:41 |
| 8 | VICE CHAIRMAN VARGULICH: Yeah. But then | 20:11:45 |
| 9 | at 10:00 o'clock, then it would all be done as far | 20:11:49 |
| 10 | as the outdoor area. | 20:11:52 |
| 11 | MS. JOHNSON: Correct. | 20:11:52 |
| 12 | VICE CHAIRMAN VARGULICH: So they can be | 20:11:53 |
| 13 | inside but not outdoor any further at that point. | 20:11:54 |
| 14 | MS. JOHNSON: Yes. Live entertainment | 20:11:56 |
| 15 | within completely enclosed -- closed windows and | 20:11:58 |
| 16 | doors is not subject to the time -- to the time | 20:12:02 |
| 17 | restraint. | 20:12:02 |
| 18 | VICE CHAIRMAN VARGULICH: Okay. | 20:12:04 |
| 19 | MEMBER WIESE: And, Ellen, the 8:00 | 20:12:08 |
| 20 | o'clock is only for those microbreweries that are | 20:12:09 |
| 21 | near residential. It doesn't apply to any one -- | 20:12:10 |
| 22 | any of the others; correct? | 20:12:13 |
| 23 | MS. JOHNSON: Yes. Correct. | 20:12:14 |
| 24 | CHAIRMAN WALLACE: How many of the | 20:12:16 |

1 existing microbreweries fit into that adjoining 20:12:17
2 residential areas? 20:12:22

3 MS. JOHNSON: So it's only -- we only have 20:12:22
4 two businesses that are classified as 20:12:24
5 microbreweries as a principal use, Riverlands and 20:12:26
6 D and G. D and G is the only one of the two 20:12:28
7 that's adjacent to residential. 20:12:32

8 CHAIRMAN WALLACE: Any of them with 20:12:35
9 microbrewery as an accessory use next to 20:12:37
10 residential? 20:12:39

11 MS. JOHNSON: I don't believe so. They 20:12:39
12 are within mixed-use zoning districts. There is 20:12:43
13 residential uses but not straight residential 20:12:46
14 zoning. 20:12:48

15 CHAIRMAN WALLACE: All right. Other 20:12:49
16 questions? 20:12:51

17 MEMBER MACKLIN-PURDY: I would love to 20:12:53
18 hear feedback -- I know Alex isn't here anymore 20:12:55
19 but -- from Riverlands, to see if having more -- 20:12:58
20 having food trucks more than two days a week, 20:13:02
21 maybe on holiday weekends like Memorial Day where 20:13:05
22 we just were, or if there's a four-day weekend. I 20:13:08
23 know how much the food trucks will pull in people. 20:13:10

24 You don't want people just coming there 20:13:14

1 and drinking. It's so much better to have food 20:13:16
2 offered. So if you could give some feedback. 20:13:19
3 CHAIRMAN WALLACE: Hold on. Hold on. 20:13:22
4 Sorry. Go ahead. 20:13:24
5 MEMBER MACKLIN-PURDY: I know we haven't 20:13:24
6 asked, but I would love to hear some feedback from 20:13:27
7 the actual brewery owners on that. 20:13:29
8 CHAIRMAN WALLACE: If you'd like to 20:13:31
9 address that, you can come on up. 20:13:34
10 MR. MARCK: Yeah. Absolutely. So my 20:13:36
11 understanding is the current -- 20:13:38
12 CHAIRMAN WALLACE: Hold on. If you could 20:13:38
13 state your name. 20:13:40
14 MR. MARCK: I'm Steve Marck, M-a-r-c-k. 20:13:40
15 Address is 1860 Dean Street, Riverlands. 20:13:44
16 So my understanding is currently the rule 20:13:48
17 is I can have different food trucks, but I can 20:13:53
18 only have the same food truck twice a week, but I 20:13:58
19 can still do all weekend. 20:14:00
20 MEMBER MACKLIN-PURDY: Well, I think I 20:14:02
21 would like some clarification to make sure. I 20:14:03
22 want to make sure that -- 20:14:06
23 MR. MARCK: That's what was explained to 20:14:06
24 me, so that's what we've been doing. 20:14:06

1 MEMBER MACKLIN-PURDY: Okay. 20:14:06

2 MR. MARCK: So When there's a long 20:14:08

3 weekend, we would normally have -- we just don't 20:14:10

4 have the same person. I think the big concern 20:14:13

5 that the Council had had was that they didn't want 20:14:16

6 to have someone camp out for any long period of 20:14:17

7 time. 20:14:21

8 So we make a big effort to make sure that 20:14:21

9 they're there for a very distinct amount of time, 20:14:24

10 and there's some setup. You know, like, Chuck 20:14:26

11 takes a couple hours to build his thing or 20:14:29

12 whatever -- 20:14:29

13 MEMBER MACKLIN-PURDY: Okay. 20:14:29

14 MR. MARCK: -- but then at the end of the 20:14:32

15 night, everything is taken away. That way there's 20:14:34

16 no one hanging out for long periods of time. You 20:14:36

17 know, like, they don't want to have, like, a 20:14:40

18 restaurant there. 20:14:42

19 MEMBER MACKLIN-PURDY: Right. 20:14:43

20 MR. MARCK: They want something that comes 20:14:45

21 and goes. So we've been very good about that. So 20:14:46

22 every time we have a food truck, they don't come 20:14:48

23 back the next day. It would be nice to have a 20:14:50

24 little bit of leeway in case there was an 20:14:50

| | | |
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| 1 | emergency, but it hasn't been an issue yet. | 20:14:53 |
| 2 | MEMBER MACKLIN-PURDY: So currently, the | 20:14:59 |
| 3 | way it's set up is fine with you. | 20:14:59 |
| 4 | MR. MARCK: It's working for us. Again, I | 20:15:02 |
| 5 | haven't spoken to Alex about this specifically, | 20:15:04 |
| 6 | but we're pretty good about making sure -- it's | 20:15:07 |
| 7 | good for our business too to make sure there's | 20:15:10 |
| 8 | different things going on all the time because | 20:15:12 |
| 9 | that helps make sure it's always new and fresh and | 20:15:13 |
| 10 | interesting. | 20:15:16 |
| 11 | So we're okay with the existing rule; but | 20:15:16 |
| 12 | if there was an emergency, it be would be nice to | 20:15:19 |
| 13 | let that slide, so. Because if I had to call | 20:15:21 |
| 14 | somebody and be, like, Hey, someone canceled on | 20:15:24 |
| 15 | me. But other than that, which again has not | 20:15:27 |
| 16 | happened yet. | 20:15:30 |
| 17 | MEMBER MACKLIN-PURDY: Okay. | 20:15:31 |
| 18 | MR. MARCK: The other thing is I do know | 20:15:32 |
| 19 | that on weekends, it would be nice to have a | 20:15:34 |
| 20 | little bit longer than 8:00 if we did have | 20:15:35 |
| 21 | somebody that had amplified music. I know we do | 20:15:39 |
| 22 | stuff on Sundays, and it would be nice to be able | 20:15:42 |
| 23 | to go longer if they wanted to do a few more sets, | 20:15:45 |
| 24 | especially in the summertime. | 20:15:48 |

1 Weekdays I totally understand 8:00 o'clock 20:15:50
2 for somebody in residential. I know it doesn't 20:15:53
3 affect me as much as Alex. I know that's a big 20:15:53
4 thing for him. It's a bigger part of his business 20:15:58
5 than it is for me. 20:16:00

6 MEMBER MACKLIN-PURDY: Okay. Thank you. 20:16:00

7 MS. HITZEMANN: I think Alex might be on 20:16:02
8 Zoom. So let's see if we can -- 20:16:07

9 MR. DRAYER: Can you hear me?

10 MS. HITZEMANN: Alex, are you there?

11 MR. DRAYER: Yeah, I'm here. Can you hear
12 me?

13 MS. HITZEMANN: Yes, we can hear you. 20:16:13
14 Go ahead. 20:16:13

15 MR. DRAYER: I definitely concur with 20:16:13
16 Steve on this in terms of the food trucks. Food 20:16:23
17 trucks are an integral part of our business, 20:16:28
18 mainly because we don't offer food. So it offers 20:16:31
19 our customers, you know, something to eat while 20:16:33
20 they're drinking other than just potato chips or 20:16:36
21 pretzels. 20:16:36

22 And, you know, we've been offering food as 20:16:40
23 often as we can, usually it's a Thursday, Friday, 20:16:47
24 Saturday, sometimes a Sunday afternoon. We have 20:16:50

| | | |
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| 1 | not seen any issues with it yet. So I would hope | 20:16:52 |
| 2 | that that's something we could continue to do | 20:16:57 |
| 3 | because it definitely has helped maintain our | 20:17:01 |
| 4 | business, especially during COVID, but also even | 20:17:06 |
| 5 | before COVID, I was able to do this. It's | 20:17:09 |
| 6 | effective at building our relationship with the | 20:17:14 |
| 7 | customers and the community and our business. | 20:17:16 |
| 8 | In terms of the music, I'm fine with the | 20:17:21 |
| 9 | legislation of 8:00 p.m. I mean, yeah, I would | 20:17:26 |
| 10 | love it if we could do later, but we do have | 20:17:30 |
| 11 | neighbors sensitive to music around us and a | 20:17:31 |
| 12 | compromise, you know, with them -- you know, I'm | 20:17:35 |
| 13 | hoping that this would be a compromise with them | 20:17:37 |
| 14 | to be able to do it until 8:00 p.m. | 20:17:40 |
| 15 | Because, I mean, we did this last summer | 20:17:42 |
| 16 | during COVID, and I know the police gave leeway | 20:17:46 |
| 17 | with being able to do this. And, you know, as we | 20:17:52 |
| 18 | got later into fall, residents definitely did levy | 20:17:57 |
| 19 | complaints about, you know, 9:00 and 10:00 o'clock | 20:18:02 |
| 20 | at night. | 20:18:05 |
| 21 | And we're hoping that 8:00 p.m. is kind of | 20:18:05 |
| 22 | that happy medium because we have seen -- since we | 20:18:12 |
| 23 | have not offered live music outside -- since | 20:18:14 |
| 24 | talking with the police chief back in January, we | 20:18:18 |

1 have seen a decrease in our business, especially 20:18:23
 2 on the weekends of about 20 percent; and we kind 20:18:26
 3 of need this to continue our growth and continue 20:18:30
 4 expanding what we're trying to do. 20:18:35

5 And I'm happy, and I think it's very 20:18:38
 6 reasonable, 8:00 p.m., for us. Like I said, I'd 20:18:41
 7 love it if we could do it until 9:00, but 8:00 20:18:46
 8 p.m. is reasonable, and I'm hoping others feel the 20:18:47
 9 same way about that. 20:18:52

10 CHAIRMAN WALLACE: Okay. 20:18:58

11 MR. DRAYER: That's kind of what I wanted 20:19:00
 12 to say. If there's any questions, I would love to 20:19:02
 13 answer them, especially because we are kind of the 20:19:05
 14 only one that's really adjacent to residential. 20:19:06

15 CHAIRMAN WALLACE: Okay. Any questions? 20:19:10

16 MR. MARCK: I think it's worth noting that 20:19:16
 17 both music and food trucks are some of the biggest 20:19:18
 18 draws to both of our taprooms, and so they're 20:19:21
 19 critical to amplify the amount of business that we 20:19:24
 20 do during those times. So, I mean, if you -- I 20:19:27
 21 can pull up my square and show you what the hours 20:19:30
 22 look like when we have some sort of entertainment 20:19:32
 23 or something going on. We have an event or 20:19:34
 24 something like that. 20:19:34

| | | |
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| 1 | The vast majority of those events are food | 20:19:38 |
| 2 | trucks and music. So, I mean, they make a big | 20:19:38 |
| 3 | difference, and the more that we move in the | 20:19:43 |
| 4 | taproom, the less goes out, and St. Charles is | 20:19:45 |
| 5 | able to get tax money too. So it's a big deal for | 20:19:49 |
| 6 | you guys too. So I'm not privy to Alex's books, | 20:19:52 |
| 7 | but I think that his are probably similar to mine, | 20:19:59 |
| 8 | so. | 20:19:59 |
| 9 | CHAIRMAN WALLACE: Okay. | 20:20:00 |
| 10 | MR. DRAYER: They are. | 20:20:01 |
| 11 | CHAIRMAN WALLACE: All right. Any other | 20:20:02 |
| 12 | questions? Comments? | 20:20:05 |
| 13 | MS. JOHNSON: Chairman Wallace, I did want | 20:20:12 |
| 14 | to make sure that the Commission saw we received | 20:20:13 |
| 15 | three additional letters after the Friday packet | 20:20:15 |
| 16 | posting. If you wanted to read them into the | 20:20:19 |
| 17 | record, there's one from Ed Seaman, Brittany Groot | 20:20:23 |
| 18 | and Alex Drayer, and Eric Larson. | 20:20:28 |
| 19 | CHAIRMAN WALLACE: Okay. Yeah. We do | 20:20:39 |
| 20 | have them. Were they not included in the packet? | 20:21:02 |
| 21 | MS. JOHNSON: Correct. They were given to | 20:21:06 |
| 22 | us after the Friday packet posting. So it would | 20:21:08 |
| 23 | be appropriate to read them into the record. | 20:21:12 |
| 24 | CHAIRMAN WALLACE: Okay. And I don't | 20:21:14 |

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| 1 | know -- I see that one of the authors is here with | 20:21:16 |
| 2 | us tonight. Eric Larson is here. One of the | 20:21:19 |
| 3 | letters is from him dated June 7th. | 20:21:22 |
| 4 | Eric, do you prefer me to read the letter? | 20:21:26 |
| 5 | MR. LARSON: You can read it. | 20:21:29 |
| 6 | CHAIRMAN WALLACE: Okay. | 20:21:29 |
| 7 | "I am writing in support of the | 20:21:31 |
| 8 | clarification being proposed as an amendment to | 20:21:32 |
| 9 | zoning ordinance effecting M-1 property we own in | 20:21:36 |
| 10 | downtown St. Charles. We purchased the | 20:21:38 |
| 11 | 23,000-square-foot warehouse and six adjacent | 20:21:41 |
| 12 | homes with the hope of positively transforming a | 20:21:43 |
| 13 | blighted area in the center of our community. | 20:21:43 |
| 14 | "We have made great strides adapting our | 20:21:45 |
| 15 | warehouse into a trendy use as was the intent for | 20:21:49 |
| 16 | the M-1 zoning -- Board and Brush Art Studio, | 20:21:49 |
| 17 | D and G Brewing, Bring it! Sports Academy, Out of | 20:21:49 |
| 18 | Body Fitness, Fit U, 4th Street Automotive. | 20:22:00 |
| 19 | "We have only just begun! Along with | 20:22:00 |
| 20 | Lexington Homes and the potential for the Great | 20:22:00 |
| 21 | Western bike trail extension, we hope to recreate | 20:22:08 |
| 22 | a blighted industrial neighborhood. The factory | 20:22:10 |
| 23 | at 303 North 4th Street dates to the early 1900s | 20:22:12 |
| 24 | and was a steel parts manufacturing company for | 20:22:17 |

| | | |
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| 1 | the last 50 years. Tractor-trailers coming and | 20:22:17 |
| 2 | going daily through our town's streets and the hum | 20:22:17 |
| 3 | of machinery running all day long. | 20:22:25 |
| 4 | "The perfect transition from its past as | 20:22:25 |
| 5 | heavy manufacturing to align with the intent of | 20:22:29 |
| 6 | its zoning district has been the addition of a | 20:22:31 |
| 7 | microbrewery. | 20:22:33 |
| 8 | "I ask that the Commission keep in mind | 20:22:34 |
| 9 | the past uses when evaluating pros and cons of new | 20:22:38 |
| 10 | uses. | 20:22:41 |
| 11 | "Here are a few thoughts on the proposed | 20:22:43 |
| 12 | amendment: | 20:22:44 |
| 13 | "1. Outdoor music until 9:00 p.m. on | 20:22:45 |
| 14 | weekends is very reasonable. 8:00 p.m. weekdays? | 20:22:47 |
| 15 | "2. If brewing is an accessory to a | 20:22:50 |
| 16 | brewpub, then why not have food as an accessory to | 20:22:52 |
| 17 | a microbrewery? Many breweries have concession | 20:22:57 |
| 18 | style food or permanent food trucks. Why limit | 20:23:00 |
| 19 | food? A restaurant in M-1 zoning even seems | 20:23:02 |
| 20 | reasonable. | 20:23:05 |
| 21 | "3. One person with a guitar, amp, and | 20:23:05 |
| 22 | microphone is very different than a live large -- | 20:23:09 |
| 23 | a large live band. I believe this too should be | 20:23:14 |
| 24 | defined. Maybe full bands should require a | 20:23:14 |

1 special permit for occasional events? 20:23:19

2 "4. If M-1 zoning is meant to be flexible 20:23:20

3 to allow for reuse of old buildings, I propose 20:23:23

4 parking for breweries be reduced to six to eight 20:23:26

5 spots per 1,000. 20:23:31

6 "D and G Brewing has a wonderful 20:23:31

7 atmosphere, and live small-scale music is 20:23:33

8 reasonable and critical to its future success. 20:23:36

9 "Warm regards, Eric Larson." 20:23:39

10 And then we have one from D and G Brewing, 20:23:40

11 which is dated today, June 8th. 20:23:46

12 "Plan Commission: 20:23:48

13 "We are writing to comment on the proposal 20:23:49

14 for the general amendment on microbreweries. 20:23:51

15 "We are Brittany Groot and Alexander 20:23:54

16 Drayer. We own D and G Brewery. 20:23:54

17 "We are writing to express support for the 20:23:59

18 amendment regarding microbreweries, even with the 20:24:02

19 additional restrictions placed on us, 20:24:03

20 specifically, regarding outdoor entertainment. 20:24:06

21 For context, we currently have a permitted, 20:24:09

22 permanent outdoor dining area and have clarified 20:24:11

23 with the police and the City, on multiple 20:24:14

24 occasions, that we are allowed amplified sound, 20:24:17

1 including live music, on this space until 10:00 20:24:17
 2 p.m., provided it's under 60 decibels, which we 20:24:17
 3 have consistently utilized since we opened this 20:24:17
 4 space in September 2018. 20:24:27

5 "Although the new amendment restricts our 20:24:28
 6 outdoor entertainment to 8:00 p.m., we feel this 20:24:31
 7 is a fine compromise. It allows us, as local 20:24:34
 8 residents, a reasonable use of our spaces. 20:24:36
 9 Additionally, it allows for continued growth of 20:24:39
 10 our business and continued development of this 20:24:42
 11 manufacturing district. 20:24:45

12 "For additional context, before our moving 20:24:46
 13 in, the warehouse was a storage space and housed a 20:24:48
 14 machine shop. The back parking lot was filled 20:24:51
 15 with garbage. Our opening has brought additional 20:24:54
 16 businesses to the building, including Board and 20:24:57
 17 Brush. 20:24:57

18 "We are the anchor business in this 20:24:59
 19 development and being used to spur future 20:25:03
 20 development. Future plans focus on bringing 20:25:05
 21 additional parking, retail, and food service to 20:25:08
 22 the area. We also really want this bike trail 20:25:10
 23 connection to happen, but I guess that's for 20:25:15
 24 another meeting. 20:25:15

1 "However, for us, the biggest positive for 20:25:18
 2 this amendment is the allowance for growth of our 20:25:20
 3 brewhouse area. We are proud that our business 20:25:22
 4 has grown and is currently in need of another 20:25:24
 5 expansion. This amendment will allow for our 20:25:27
 6 expansion to continue inside our current warehouse 20:25:30
 7 location to include more brewing capacity and a 20:25:34
 8 canning line for packaging. 20:25:34

9 " This allows for growth on our wholesale 20:25:39
 10 and off-premise sales, which is where we are 20:25:41
 11 looking to increase our reach and revenues. This 20:25:44
 12 growth in the brewhouse is what has allowed us to 20:25:47
 13 increase our full-time employees and will continue 20:25:47
 14 to do so. 20:25:54

15 "Further, as a microbrewery, our focus has 20:25:54
 16 always been to increase our brewing capacity and 20:25:58
 17 be able to provide our beer to more people 20:26:00
 18 because, not to brag, it's pretty awesome. 20:26:03

19 "Thank you for your time. Thank you for 20:26:05
 20 those that submitted letters and spoke on our 20:26:05
 21 behalf. Alex will be at the meeting to speak and 20:26:05
 22 answer any questions that may come up. 20:26:05

23 "Brittany Groot and Alex Drayer." 20:26:15

24 And we have another letter. This one is 20:26:15

| | | |
|----|--|----------|
| 1 | from Ed Seaman. Do I have -- it just starts with | 20:26:24 |
| 2 | entertainers is that -- okay. Not dated. | 20:26:27 |
| 3 | "Entertainers are good for business. | 20:26:30 |
| 4 | D and G and many other establishments employ | 20:26:31 |
| 5 | entertainers responsibly throughout our business | 20:26:31 |
| 6 | community. D and G and others are not being | 20:26:37 |
| 7 | irresponsible with respect to volume and curfew. | 20:26:40 |
| 8 | "However, there are noise issues within | 20:26:41 |
| 9 | our community that need attention. | 20:26:44 |
| 10 | "The pleasant level of sound generated by | 20:26:48 |
| 11 | music being played at D and G is mute when | 20:26:49 |
| 12 | compared to the noise generated from Main Street, | 20:26:52 |
| 13 | Route 64. The noise level from illegal exhaust | 20:26:55 |
| 14 | systems, Jake brakes, street racing, and amplified | 20:26:59 |
| 15 | air horns is deafening. | 20:26:59 |
| 16 | "Additionally, there are downtown | 20:26:59 |
| 17 | businesses playing theme music through | 20:26:59 |
| 18 | loudspeakers well into the morning hours as well | 20:26:59 |
| 19 | as beer gardens hosting unchecked rowdy patrons | 20:27:10 |
| 20 | until 2:00 a.m. | 20:27:10 |
| 21 | "Noise is unwanted sound that is | 20:27:10 |
| 22 | disruptive and unpleasant to hearing. Acoustic | 20:27:10 |
| 23 | noise such as music is pleasant to hearing. | 20:27:10 |
| 24 | "To single out a business like D and G for | 20:27:21 |

1 noise is an entirely other issue altogether. 20:27:23

2 "Respectfully, Ed Seaman, Homebrew Shop, 20:27:23

3 225 West Main Street." 20:27:23

4 All right. Any questions? Comments? 20:27:31

5 (No response.) 20:27:31

6 CHAIRMAN WALLACE: Okay. I guess one 20:27:43

7 question that I have, and you may have answered 20:27:45

8 this, and I might have missed it, Ellen. 20:27:48

9 Regarding the 8:00 o'clock time, are 20:27:50

10 there -- do we have other ordinances in the area 20:27:52

11 that have already been put in to place where they 20:27:57

12 have a cut-off time like this when it's adjacent 20:28:02

13 to a residential area? Do you know? 20:28:06

14 MS. JOHNSON: I don't know off the top of 20:28:08

15 my head in terms of a time limitation. There are 20:28:15

16 other provisions in zoning such as certain 20:28:21

17 setbacks or landscape buffers that are required 20:28:25

18 adjacent to residential. 20:28:29

19 CHAIRMAN WALLACE: I'm just looking at 20:28:31

20 this from an undue burden standpoint where if 20:28:33

21 we're choosing an arbitrary time and limiting it 20:28:38

22 from what we currently have. 20:28:40

23 MR. KEEGAN: I can speak to that. 20:28:40

24 CHAIRMAN WALLACE: Sure. 20:28:40

| | | |
|----|--|----------|
| 1 | MR. KEEGAN: Good evening. I'm the police | 20:28:50 |
| 2 | chief, Jim Keegan. My star number is 300, and | 20:28:51 |
| 3 | we're at 1515 West Main Street. | 20:28:54 |
| 4 | So our current ordinance on noise, which | 20:28:57 |
| 5 | is 9.24.70, in relation to residential properties, | 20:29:00 |
| 6 | you talk about time frame. So refuse collection, | 20:29:04 |
| 7 | for instance, is only permitted from 7:00 a.m. to | 20:29:05 |
| 8 | 7:00 p.m.; construction activity from 7:00 a.m. to | 20:29:15 |
| 9 | 7:00 p.m., outdoor maintenance from 7:00 a.m. to | 20:29:15 |
| 10 | 10:00 p.m. | 20:29:15 |
| 11 | And then amplified sound, there's a couple | 20:29:16 |
| 12 | different regulations. One is for residential | 20:29:19 |
| 13 | property that talks about 10:00 p.m. [sic] to | 20:29:20 |
| 14 | 10:00 a.m. [sic] is our allowed time frame, so | 20:29:24 |
| 15 | long as it's not heard at the property line. | 20:29:27 |
| 16 | For a mixed-use property, such as what we | 20:29:29 |
| 17 | have just described, it's pretty similar. The | 20:29:32 |
| 18 | hours of operation are 7:00 a.m. to 10:00 p.m. | 20:29:34 |
| 19 | the 60 decibels is really in our zoning code, not | 20:29:37 |
| 20 | in our noise ordinance. | 20:29:41 |
| 21 | So our noise ordinance is a little bit | 20:29:42 |
| 22 | different. Our officers kind of use the lot line | 20:29:44 |
| 23 | as a litmus test. Whereas our zoning ordinance | 20:29:46 |
| 24 | specifies the decibel level, which is a little | 20:29:49 |

| | | |
|----|---|----------|
| 1 | difficult for us, as police officers, to get out | 20:29:52 |
| 2 | there with a decibel reader or stand at the | 20:29:54 |
| 3 | property line. | 20:29:57 |
| 4 | I've talked to Alex a number of times. | 20:29:57 |
| 5 | What I kind of use, as the police chief, is the | 20:29:59 |
| 6 | number of calls that we receive. We have | 20:30:02 |
| 7 | received probably, I think, eight calls for | 20:30:04 |
| 8 | service and then probably another half dozen | 20:30:05 |
| 9 | e-mails related to noise issues. | 20:30:08 |
| 10 | We've tried to mitigate those as best we | 20:30:10 |
| 11 | can, but once again our zoning ordinance talks | 20:30:12 |
| 12 | about 60 decibel levels whereas our noise | 20:30:16 |
| 13 | ordinance talks about the property line. And the | 20:30:19 |
| 14 | hours that I just outlined are what's included in | 20:30:21 |
| 15 | our noise ordinance, so. | 20:30:24 |
| 16 | CHAIRMAN WALLACE: Do you think, from an | 20:30:25 |
| 17 | enforceability standpoint, it would be -- there | 20:30:29 |
| 18 | would be an added difficulty in enforcing an | 20:30:32 |
| 19 | 8:00 o'clock time frame where it seems like 10:00 | 20:30:36 |
| 20 | o'clock is kind of the standard for the rest of | 20:30:42 |
| 21 | the City? | 20:30:44 |
| 22 | MR. KEEGAN: You know, in looking at the | 20:30:45 |
| 23 | complaints that we have received as far as | 20:30:47 |
| 24 | D and G -- and I have met with Alex a number of | 20:30:49 |

1 times, and I know he's on the Zoom call. 20:30:51

2 A lot of the calls that we received are 20:30:51

3 prior really to 8:00 p.m. I think the first one 20:30:55

4 we received from the police department was in 20:30:57

5 September of 2000 -- 2020, rather. It was, I 20:31:00

6 think, 9/11 actually, and that was a band, and I 20:31:04

7 think Alex will tell you that that was a mistake. 20:31:06

8 So we worked with Alex and his staff to 20:31:08

9 try to bring in, you know, maybe that 20:31:11

10 coffeehouse-type musician that we talked about 20:31:13

11 with an amp and maybe a small acoustic; and then 20:31:14

12 we drafted the expanded outside dining ordinance 20:31:17

13 with community development, that was a request 20:31:22

14 that I brought forward as far as acoustic only. 20:31:23

15 So we try to mitigate those as best we 20:31:24

16 can. Alex, for instance, and D and G does have a 20:31:29

17 patio; and then that outside dining expansion 20:31:31

18 allowed him to move into the parking lot to the 20:31:34

19 south of his building, and that abuts residential, 20:31:37

20 and I think that's when we started getting some of 20:31:39

21 the complaints. 20:31:42

22 I had encouraged him to collaborate with 20:31:44

23 his neighbors, to meet with his neighbors to try 20:31:44

24 to strike a balance. If there's a mutual 20:31:46

1 understanding, and they can kind of co-habitate 20:31:51
 2 with one another. 20:31:51

3 So I think he's trying to do that, and I 20:31:52
 4 don't know if there's any other letters or 20:31:54
 5 testimony that was received from nearby neighbors, 20:31:56
 6 but that's kind of been our stance when we've gone 20:31:58
 7 out and talked to the neighbors that have called 20:32:01
 8 us. 20:32:04

9 MEMBER MACKLIN-PURDY: I just want to say, 20:32:04
 10 I mean, coming from a musical family who has 20:32:06
 11 played at D and G, Alex has them playing inside. 20:32:08
 12 So I think he's changed his -- the way he's doing 20:32:12
 13 business, and he has all the musicians play inside 20:32:17
 14 now because he doesn't want to disrupt the 20:32:21
 15 residents. 20:32:23

16 MR. KEEGAN: You're right, Ms. Purdy. So 20:32:24
 17 this past weekend when there was a complaint, and 20:32:28
 18 I talked to Alex, there was a steel drum and a 20:32:28
 19 piano or an organist, and I don't know if it was 20:32:31
 20 the bass or the beat. I'm not from a musical 20:32:35
 21 family. But we did get a complaint. That door 20:32:38
 22 was left open, and it bothered somebody, and we 20:32:40
 23 wound up getting a call. 20:32:43

24 So I think if he sticks to maybe what 20:32:45

| | | |
|----|--|----------|
| 1 | we're talking about, maybe, you know, a small one | 20:32:48 |
| 2 | person musician with an amp and acoustic, you | 20:32:50 |
| 3 | know, I think that would mitigate some issues. | 20:32:55 |
| 4 | The problem that we did have that started | 20:32:58 |
| 5 | this whole issue was really the band on 9/11 of | 20:33:00 |
| 6 | 2020. | 20:33:05 |
| 7 | MEMBER WIESE: So this is a question I | 20:33:07 |
| 8 | have, and it might be for Alex, is if you've had | 20:33:09 |
| 9 | conversations with the neighbors. Because if we | 20:33:11 |
| 10 | go to 8:00, you know, do we have buy-in? Are you | 20:33:13 |
| 11 | still going to get calls because that doesn't | 20:33:17 |
| 12 | satisfy them? | 20:33:20 |
| 13 | And, like, is there collaboration and | 20:33:20 |
| 14 | conversation going on between Alex and the | 20:33:22 |
| 15 | neighborhood so that they can see that he's making | 20:33:25 |
| 16 | a concession and is, you know, bringing it | 20:33:26 |
| 17 | indoors, and he's doing things to try to make it | 20:33:29 |
| 18 | right -- a good neighbor. | 20:33:32 |
| 19 | But at the same time, you know, I can see | 20:33:33 |
| 20 | we want to have viability. We want to see | 20:33:35 |
| 21 | resurgence in areas that -- you know, he's | 20:33:38 |
| 22 | bringing life to an area. So as long as the | 20:33:39 |
| 23 | neighbors are feeling there's a give and take, I | 20:33:42 |
| 24 | think that might help you guys as well. | 20:33:44 |

| | | |
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| 1 | MR. KEEGAN: That's a good point, Colleen. | 20:33:47 |
| 2 | We have had a number of conversations with Alex | 20:33:48 |
| 3 | and the neighbors. For instance, when the outside | 20:33:51 |
| 4 | dining plan was extended to acoustic only, | 20:33:55 |
| 5 | Mr. Drayer had asked me for a permit for his | 20:33:58 |
| 6 | anniversary week in August to actually do bands, | 20:34:02 |
| 7 | to operate outside of that expanded dining. | 20:34:02 |
| 8 | And what I said to him was let's see how | 20:34:05 |
| 9 | the spring and early summer goes, and let's make | 20:34:06 |
| 10 | sure you get the buy-in from your neighbors. | 20:34:09 |
| 11 | Typically, on special events, for instance, we | 20:34:11 |
| 12 | have -- and I know Ms. Purdy knows this from all | 20:34:14 |
| 13 | the special events we do, but we typically have | 20:34:16 |
| 14 | our event organizers deal with and try to attempt | 20:34:17 |
| 15 | some outreach with the neighbors and the | 20:34:21 |
| 16 | residents. | 20:34:23 |
| 17 | And if I can get that buy-in, then I'll | 20:34:23 |
| 18 | approve it and make a recommendation to City | 20:34:26 |
| 19 | Council, you know, to make it happen. And I think | 20:34:28 |
| 20 | that's what's kind of lacking a little bit, maybe | 20:34:30 |
| 21 | some continued dialogue. | 20:34:33 |
| 22 | We've had those discussions, and I think | 20:34:35 |
| 23 | Alex is trying. He's trying, but I think there | 20:34:37 |
| 24 | needs to be a little bit more of that to kind of | 20:34:40 |

| | | |
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| 1 | mitigate some of our complaints. | 20:34:41 |
| 2 | CHAIRMAN WALLACE: Any other comments or | 20:34:46 |
| 3 | questions? | 20:34:49 |
| 4 | MEMBER MOAD: I do on the food truck | 20:34:52 |
| 5 | issue. | 20:34:52 |
| 6 | CHAIRMAN WALLACE: Okay. | 20:34:52 |
| 7 | MEMBER MOAD: There seems to be perhaps a | 20:34:56 |
| 8 | need for some clarification around food trucks | 20:34:58 |
| 9 | because the way that the ordinance reads is a | 20:34:59 |
| 10 | maximum of two nights per week, but the | 20:35:04 |
| 11 | interpretation is it just has to be a different | 20:35:05 |
| 12 | food truck. So I'm not sure what our intent is, | 20:35:08 |
| 13 | but I do think we need some clarification in the | 20:35:11 |
| 14 | ordinance. | 20:35:14 |
| 15 | MR. MARCK: I think if you check the | 20:35:15 |
| 16 | minutes from when they wrote that, we asked | 20:35:17 |
| 17 | specifically about that because we wanted to make | 20:35:19 |
| 18 | sure that was going to be -- or what the intent | 20:35:21 |
| 19 | was and what they were trying to accomplish with | 20:35:22 |
| 20 | it, and that's where we had our communication. | 20:35:24 |
| 21 | MEMBER MOAD: That's terrific. We just | 20:35:25 |
| 22 | need to make sure -- | 20:35:27 |
| 23 | MR. MARCK: Sure. | 20:35:27 |
| 24 | MEMBER MOAD: -- the ordinance reads that | 20:35:28 |

| | | |
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| 1 | way. | 20:35:29 |
| 2 | MEMBER MACKLIN-PURDY: I do remember that, | 20:35:33 |
| 3 | and that's why I was confused that it said what it | 20:35:36 |
| 4 | said. | 20:35:37 |
| 5 | MR. MARCK: Yeah. I believe I came up | 20:35:38 |
| 6 | here and asked that specific question, and that's | 20:35:39 |
| 7 | what you guys told me. | 20:35:43 |
| 8 | MS. JOHNSON: Yes. That is correct. It | 20:35:43 |
| 9 | is two days per truck. So we can write some | 20:35:45 |
| 10 | language in there, in that code section to | 20:35:49 |
| 11 | clarify. | 20:35:51 |
| 12 | MEMBER MOAD: Thank you. | 20:35:52 |
| 13 | MS. HITZEMANN: I think Alex might have an | 20:35:56 |
| 14 | additional comment. | 20:35:56 |
| 15 | Alex, are you there? | 20:35:56 |
| 16 | MR. DRAYER: Yes, I am. Can you guys hear | 20:35:58 |
| 17 | me? | 20:36:02 |
| 18 | CHAIRMAN WALLACE: Yes. | 20:36:02 |
| 19 | MR. DRAYER: Okay. Okay. I just wanted | 20:36:03 |
| 20 | to make a comment in regards to reaching out to my | 20:36:06 |
| 21 | neighbors. I know I have had probably four or | 20:36:09 |
| 22 | five different neighbors levy complains against | 20:36:12 |
| 23 | the music, and we have made efforts to try and | 20:36:17 |
| 24 | mitigate that, and, you know, some receptive and | 20:36:21 |

| | | |
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| 1 | some not so receptive. | 20:36:26 |
| 2 | And I do have a criminal justice | 20:36:27 |
| 3 | background. I used to teach criminal justice, | 20:36:31 |
| 4 | and, you know, some people are going to complain. | 20:36:31 |
| 5 | A lot of calls that we got late into the fall, | 20:36:37 |
| 6 | like, in November and December came very early in | 20:36:41 |
| 7 | the day, came at, you know, 3:00 o'clock because | 20:36:44 |
| 8 | we were only running music between 2:00 in the | 20:36:47 |
| 9 | afternoon and 5:00 in the afternoon outside at | 20:36:49 |
| 10 | that point before the law changed in January. | 20:36:53 |
| 11 | And, you know, it's hard to please | 20:36:55 |
| 12 | everyone all the time, and that's one of the | 20:37:02 |
| 13 | things, and I'll be honest -- to be truly honest, | 20:37:03 |
| 14 | like, even 8:00 o'clock, I would anticipate if | 20:37:07 |
| 15 | even that is the law, certain neighbors will | 20:37:10 |
| 16 | probably complain. | 20:37:14 |
| 17 | And as much as I am trying to mitigate | 20:37:14 |
| 18 | this, the sound, so that the police don't get | 20:37:16 |
| 19 | complaints, I think explaining to the residents | 20:37:18 |
| 20 | that this is a reasonable compromise also helps, | 20:37:21 |
| 21 | and that takes an effort more than just me going | 20:37:28 |
| 22 | around and trying to, you know, offer them a | 20:37:30 |
| 23 | couple cans of beer, quite frankly, to, you know, | 20:37:33 |
| 24 | be on my side about this. | 20:37:37 |

1 And I think it takes, you know, City 20:37:38
 2 Council, and it takes the aldermen in the area to 20:37:44
 3 explain that, Look, here is -- you know, here is 20:37:46
 4 what we feel is a reasonable compromise for a 20:37:51
 5 business to operate as well as, you know, you to 20:37:54
 6 be able to peacefully enjoy your neighborhood and 20:37:58
 7 your home, and especially if we get later in the 20:38:01
 8 evening. 20:38:05

9 And I've spoken to our neighbor directly 20:38:05
 10 to the west of us, who is right on our fence line; 20:38:08
 11 and I had asked her, you know, would 8:00 be an 20:38:13
 12 issue for you. And she did say no. She's like 20:38:19
 13 that's a reasonable time. I go to bed about 9:00, 20:38:22
 14 and she is a woman in her 80s. 20:38:24

15 But then there are also neighbors to our 20:38:27
 16 south and further west of us that even though the 20:38:31
 17 music probably cannot be heard from inside their 20:38:37
 18 house, the minute they step outside, they call the 20:38:39
 19 police on us. And it makes it difficult for us to 20:38:44
 20 also conduct business when you have police 20:38:46
 21 officers walking in your door two or three times 20:38:49
 22 in an afternoon. 20:38:51

23 You know, we are not the Filling Station 20:38:53
 24 or, you know, Pub 222 or Alibi, not to name names, 20:38:56

| | | |
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| 1 | but we don't have the type of problems that, you | 20:39:02 |
| 2 | know, it's fall down drunk and getting DUIs and | 20:39:07 |
| 3 | stuff like that. And we're trying very hard to be | 20:39:10 |
| 4 | reasonable with the request, but music is such an | 20:39:13 |
| 5 | important part of our business model, and it had | 20:39:16 |
| 6 | been since the beginning. | 20:39:22 |
| 7 | And the chief is right, that 9/11 band | 20:39:23 |
| 8 | that we had, I had to cut them off because they | 20:39:26 |
| 9 | just would not shut down the music when we asked | 20:39:29 |
| 10 | them to, to the point where I was, like, all | 20:39:31 |
| 11 | right, I'm pulling the plug. | 20:39:31 |
| 12 | So I am sorry that that opened up the can | 20:39:37 |
| 13 | of worms on this, but I am hoping that we can go | 20:39:38 |
| 14 | forward and residents will understand that we also | 20:39:42 |
| 15 | have a legitimate -- in the M-1 zoning have a | 20:39:46 |
| 16 | legitimate, you know, right to run a business and | 20:39:49 |
| 17 | do it as best as we can without completely | 20:39:52 |
| 18 | disturbing them, and I'm hoping that this is the | 20:39:57 |
| 19 | compromise that gets us there. Thanks. | 20:40:01 |
| 20 | CHAIRMAN WALLACE: Okay. Thank you. Any | 20:40:04 |
| 21 | further questions or comments from either plan | 20:40:08 |
| 22 | commissioners or members of the audience? | 20:40:11 |
| 23 | Sir, yes. Were you sworn? | 20:40:12 |
| 24 | MR. KING: I was not. | 20:40:21 |

| | | |
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| 1 | CHAIRMAN WALLACE: Okay. Raise your hand. | 20:40:22 |
| 2 | (Witness sworn.) | 20:40:22 |
| 3 | CHAIRMAN WALLACE: Okay. Go ahead and | 20:40:22 |
| 4 | speak into the microphone, state your name, spell | 20:40:30 |
| 5 | your last name and state your address. | 20:40:31 |
| 6 | MR. KING: Matthew King, that's K-i-n-g, | 20:40:37 |
| 7 | 320 State Street here in St. Charles since 2016. | 20:40:41 |
| 8 | So I'm about right smack dab between | 20:40:44 |
| 9 | D and G and Alibi. D and G doesn't keep them open | 20:40:48 |
| 10 | at night. So from what Alex was saying and some | 20:40:53 |
| 11 | of the letters, I did send a letter back in | 20:40:57 |
| 12 | February when the ordinance was looking at getting | 20:41:01 |
| 13 | changed or, you know, extended, and Alex worked to | 20:41:04 |
| 14 | bring that acoustic music indoors to make | 20:41:07 |
| 15 | concessions for his neighbors. He has always | 20:41:11 |
| 16 | reached out to me. He has always communicated | 20:41:13 |
| 17 | to me, and I'm four or five doors down. | 20:41:15 |
| 18 | So I definitely appreciate that, but I | 20:41:18 |
| 19 | don't see how you can hold him accountable to, you | 20:41:22 |
| 20 | know, a couple of extra hours where there are | 20:41:27 |
| 21 | businesses that I've measured 30 decibels off my | 20:41:29 |
| 22 | front porch coming from downtown. | 20:41:33 |
| 23 | So thank you for your time. | 20:41:36 |
| 24 | CHAIRMAN WALLACE: All right. Thank you. | 20:41:37 |

| | | |
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| 1 | Any other comments or questions? | 20:41:39 |
| 2 | (No response.) | 20:41:39 |
| 3 | CHAIRMAN WALLACE: If the Plan Commission | 20:41:51 |
| 4 | feels they have enough information to be able to | 20:41:51 |
| 5 | make a recommendation, then a motion to close the | 20:41:54 |
| 6 | public hearing will be in order. | 20:41:58 |
| 7 | MEMBER MOAD: So moved. | 20:42:02 |
| 8 | CHAIRMAN WALLACE: Okay. | 20:42:04 |
| 9 | MEMBER MACKLIN-PURDY: Second. | 20:42:04 |
| 10 | CHAIRMAN WALLACE: It's been moved and | 20:42:04 |
| 11 | seconded. Any discussion on the motion to close | 20:42:05 |
| 12 | the public hearing? | 20:42:06 |
| 13 | (No response.) | 20:42:06 |
| 14 | CHAIRMAN WALLACE: All right. | 20:42:06 |
| 15 | Holderfield. | 20:42:06 |
| 16 | MEMBER HOLDERFIELD: Yes. | 20:42:10 |
| 17 | CHAIRMAN WALLACE: Melton. | 20:42:11 |
| 18 | MEMBER MELTON: Yes. | 20:42:11 |
| 19 | CHAIRMAN WALLACE: Funke. | 20:42:13 |
| 20 | MEMBER FUNKE: Yes. | 20:42:13 |
| 21 | CHAIRMAN WALLACE: Vargulich. | 20:42:14 |
| 22 | VICE CHAIRMAN VARGULICH: Yes. | 20:42:14 |
| 23 | CHAIRMAN WALLACE: Moad. | 20:42:15 |
| 24 | MEMBER MOAD: Yes. | 20:42:15 |

| | | |
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| 1 | CHAIRMAN WALLACE: Becker. I'm sorry. | 20:42:15 |
| 2 | She's not here. | 20:42:15 |
| 3 | Macklin-Purdy. | 20:42:19 |
| 4 | MEMBER MACKLIN-PURDY: Yes. | 20:42:19 |
| 5 | CHAIRMAN WALLACE: Weise. | 20:42:19 |
| 6 | MEMBER WIESE: Yes. | 20:42:20 |
| 7 | CHAIRMAN WALLACE: Wallace, yes. | 20:42:21 |
| 8 | All right. And discussion and | 20:42:22 |
| 9 | recommendation, would anyone like to make a | 20:42:25 |
| 10 | motion? | 20:42:25 |
| 11 | I don't think that was a motion. Anyone | 20:42:25 |
| 12 | else? | 20:42:25 |
| 13 | MEMBER FUNKE: I'll make a motion for | 20:42:30 |
| 14 | approval, approval for the general amendment, City | 20:42:50 |
| 15 | of St. Charles, Chapter 17.14, business and | 20:42:54 |
| 16 | mixed-use districts -- | 20:42:58 |
| 17 | CHAIRMAN WALLACE: We'll just say as | 20:42:59 |
| 18 | listed on the agenda. | 20:43:00 |
| 19 | MEMBER FUNKE: -- as listed on the agenda. | 20:43:01 |
| 20 | CHAIRMAN WALLACE: All right. Do we need | 20:43:03 |
| 21 | to make that subject to resolution of staff | 20:43:05 |
| 22 | comments, Ellen? | 20:43:07 |
| 23 | MS. JOHNSON: Yes. And if you would like | 20:43:08 |
| 24 | to include the revised provision regarding food | 20:43:09 |

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| 1 | trucks, if you could please include that as well. | 20:43:13 |
| 2 | CHAIRMAN WALLACE: Okay. Jeff, do you | 20:43:15 |
| 3 | agree with that? | 20:43:17 |
| 4 | MEMBER FUNKE: I agree, yes. | 20:43:18 |
| 5 | CHAIRMAN WALLACE: Okay. Is there a | 20:43:19 |
| 6 | second? | 20:43:20 |
| 7 | MEMBER WIESE: I'll second. | 20:43:22 |
| 8 | CHAIRMAN WALLACE: Okay. It's been moved | 20:43:23 |
| 9 | and seconded. Any discussion on the motion? | 20:43:24 |
| 10 | (No response.) | 20:43:29 |
| 11 | CHAIRMAN WALLACE: Okay. Seeing none, | 20:43:29 |
| 12 | Holderfield. | 20:43:33 |
| 13 | MEMBER HOLDERFIELD: Yes. | 20:43:34 |
| 14 | CHAIRMAN WALLACE: Melton. | 20:43:34 |
| 15 | MEMBER MELTON: Yes. | 20:43:35 |
| 16 | CHAIRMAN WALLACE: Funke. | 20:43:36 |
| 17 | MEMBER FUNKE: Yes. | 20:43:36 |
| 18 | CHAIRMAN WALLACE: Vargulich. | 20:43:37 |
| 19 | VICE CHAIRMAN VARGULICH: Yes. | 20:43:37 |
| 20 | CHAIRMAN WALLACE: Moad. | 20:43:39 |
| 21 | MEMBER MOAD: Yes. | 20:43:39 |
| 22 | CHAIRMAN WALLACE: Macklin-Purdy. | 20:43:41 |
| 23 | MEMBER MACKLIN-PURDY: Yes. | 20:43:41 |
| 24 | CHAIRMAN WALLACE: Weise. | 20:43:41 |

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| 1 | MEMBER WIESE: Yes. | 20:43:41 |
| 2 | CHAIRMAN WALLACE: Wallace, yes. That | 20:43:42 |
| 3 | motion passes unanimously, and that concludes Item | 20:43:43 |
| 4 | 6 on our agenda. Thank you everyone. | 20:43:48 |
| 5 | Any additional business from Plan | 20:43:51 |
| 6 | Commission members or staff? | 20:43:53 |
| 7 | Okay. We have pending meetings. Do we | 20:43:55 |
| 8 | have items on agendas for upcoming meetings? | 20:44:02 |
| 9 | MS. JOHNSON: We do for the 22nd. We do | 20:44:08 |
| 10 | have agenda items. We are not sure yet about the | 20:44:10 |
| 11 | July meeting. | 20:44:14 |
| 12 | CHAIRMAN WALLACE: Okay. If we do have | 20:44:14 |
| 13 | the July meeting, it will not be here. It will be | 20:44:16 |
| 14 | in the Century Station training room, which is | 20:44:17 |
| 15 | across the street. | 20:44:21 |
| 16 | And then we have upcoming Planning and | 20:44:23 |
| 17 | Development Committees on June 14th and July 12th. | 20:44:26 |
| 18 | Any comment from the public? | 20:44:29 |
| 19 | (No response.) | 20:44:29 |
| 20 | CHAIRMAN WALLACE: All right. Is there a | 20:44:32 |
| 21 | motion to adjourn? | 20:44:33 |
| 22 | MEMBER MOAD: So moved. | 20:44:35 |
| 23 | MEMBER FUNKE: Second. | 20:44:36 |
| 24 | CHAIRMAN WALLACE: It's been moved and | 20:44:37 |

Transcript of General Amendment Chapters 17.14, 17.16, 17.20, 17.24, 17.30
Conducted on June 8, 2021

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| 1 | seconded. All in favor. | 20:44:38 |
| 2 | (Ayes heard.) | 20:44:38 |
| 3 | CHAIRMAN WALLACE: Opposed. | 20:44:38 |
| 4 | (No response.) | 20:44:38 |
| 5 | CHAIRMAN WALLACE: The City of St. Charles | 20:44:40 |
| 6 | Plan Commission is adjourned at 8:45 p.m. | 20:44:40 |
| 7 | (Off the record at 8:45 p.m.) | |
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1 CERTIFICATE OF SHORTHAND REPORTER

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3 I, Joanne E. Ely, Certified Shorthand
4 Reporter No. 84-4169, CSR, RPR, and a Notary
5 Public in and for the County of Kane, State of
6 Illinois, the officer before whom the foregoing
7 proceedings were taken, do certify that the
8 foregoing transcript is a true and correct record
9 of the proceedings, that said proceedings were
10 taken by me stenographically and thereafter
11 reduced to typewriting under my supervision, and
12 that I am neither counsel for, related to, nor
13 employed by any of the parties to this case and
14 have no interest, financial or otherwise, in its
15 outcome.

16 IN WITNESS WHEREOF, I have hereunto set my
17 hand and affixed my notarial seal this 13th day of
18 June, 2021. My commission expires: May 16, 2024

19 *Joanne E. Ely*
20

21
22 _____
23 Notary Public in and for the
24 State of Illinois