

**MINUTES  
CITY OF ST. CHARLES, IL  
PLANNING AND DEVELOPMENT COMMITTEE  
MONDAY, AUGUST 16, 2021 7:10 P.M.**

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

**Members Absent:** None

**Others Present:** Mayor Vitek, Heather McGuire; City Administrator, Fire Chief Swanson, Police Chief Keegan, Larry Gunderson; Director of Information Systems, Peter Suhr; Director of Public Works, Rita Tungare; Director of Community & Economic Development, Russell Colby; Assistant Director of Community & Economic Development, Rachel Hitzemann; City Planner, Ellen Johnson; City Planner, Monica Hawk; Development Engineer

**1. CALL TO ORDER**

The meeting was convened by Chair Weber at 7:35 p.m.

**2. ROLL CALLED**

Roll was called:

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

Absent: None

**3. OMNIBUS VOTE - None**

**4. COMMUNITY & ECONOMIC DEVELOPMENT**

- a. Plan Commission recommendation to approve an Amendment to First Street Redevelopment PUD for Alter Brewing Signage.

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

**Aldr. Bessner made a motion to approve an Amendment to First Street Redevelopment PUD for Alter Brewing Signage. Seconded by Aldr. Wirball.**

**Roll was called:**

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

**Absent:**

**Abstain: Bongard**

**Nays:**

**Motion passed 8-0**

- b. Update regarding expiration of the Crystal Lofts PUD, northeast corner of S. 13<sup>th</sup> Ave. and Indiana Ave.

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

Ald. Bessner had no problem with the extension, but said the site looks unsafe and asked that the open doorways and the gaps in the fencing be addressed.

Ald. Wirball asked about the timeframe for completing this project and if funding is available to move the project forward in a timely manner.

Jeff Funke, representative for owner, said it will take about 2 months to complete. They have the funding and subcontractors ready to begin the work.

Ald. Payleitner said they were told the windows were ready to “pop in” and questioned the status of that work. Mr. Colby stated the work is a bit more complicated than what was stated.

Ald. Lencioni asked for an update on what was done within the original 60-day extension. Mr. Funke said they had a structural report done and drawings completed. They also raised the money to start the first phase. There have been no changes made to the site because they do not have a permit yet to begin the work.

Ald. Wirball asked if they intend to finish off the property completely as in the picture or just get it in a condition that will allow them to sell the property. Mr. Funke said they plan to do both. The first phase is to get it to look like the picture so they can bring people in it and then at some point use it for industrial storage or a car condo concept.

Ald. Bongard clarified that nothing has changed with the physical state of the building within the last 60 days. Mr. Funke confirmed this is correct.

Ald. Payleitner asked if the chain link fence will come down in the first phase. Mr. Funke said they are planning on installing transparent fencing on the south and west sides and a solid fence on the north side. The chain link fence will be gone. However, the timing will depend on how quickly they get their permits.

Ald. Silkaitis asked how long it takes to get a permit. Mr. Colby said the review period is typically two weeks provided they receive a complete submittal. It could potentially be about one month before the permit is issued if revisions are needed.

Ald. Wirball asked if the funding they have is just for phase 1. Mr. Funke said that is correct.

Ald. Wirball also asked what the issuance of a violation notice means to a developer. Mr. Colby said it requires the property be brought into compliance with the property maintenance code.

**Aldr. Lencioni made a motion to approve a 60-day extension. Seconded by Aldr. Bancroft.**

**Roll was called:**

**Ayes: Bancroft, Lencioni, Pietryla, Wirball, Bessner, Balla**

**Absent:**

**Nays: Bongard, Silkaitis, Payleitner**

**Motion passed 6-3**

- c. Plan Commission recommendation to approve a Zoning Map Amendment, Special Use for PUD and PUD Preliminary Plan for 1023 W. Main St. Redevelopment.

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

Eric Carlson, project architect, explained the reasoning behind the three access points. They believe it is safer than just two access points because they will have quick in and out traffic off of North Ave. The site flow will be one-way from west to east. He noted the apartment is to be used for the owner's son. It will not be used for rental purposes.

Ald. Wirball expressed safety concerns regarding the position of the fuel pumps so close to Main Street. Mr. Carlson said they put the pump islands where they were previously to get flow on both sides.

Ald. Bessner asked if they had any intention of ever leasing or renting out the apartment space and whether or not it's safe to live above a gas station. Mr. Carlson said the new fuel tank technology & monitoring systems have increased significantly in recent years which help take away some of the environmental challenges.

Mohammed Ali, applicant, stated he only intends to have his son live in the apartment.

Ald. Silkaitis counted 13 variances for this property and said he would not be able to support all of them. He said he was fine with the gas station, but his biggest concern is with the residential use above the gas station. Mr. Carlson stated the variances come with doing work on this property. He said there isn't much that can be done that does not require a variance. It's a tight site that doesn't fit much of anything.

Ald. Lencioni also expressed concerns with some of the variances that were requested. He said the BL and CBD2 districts are the only commercial districts that allow for live-above units, but neither of these two districts allow for gas stations. He said it's important to have good transition between residential districts and commercial uses. The residents have a reason to expect a lesser intense use.

Ald. Pietryla asked if there were any other suburban locations that have this type of set-up with a residential unit above a gas station. Mr. Ali said it's common in Chicago and there are a few in the suburbs, but he did not have the names handy.

Ald. Bongard asked if they intend to continue with the project if the residential use is not included. Mr. Ali said they would have to look at their options.

Ald. Wirball noted one of the residents who lives behind the property expressed concern over the two-story building blocking her view and said he would not be able to support the residential use above the gas station. He's fine with just a modest gas station.

Mike Foulkes, resident, commented that they are trying to fit too much on such a small lot. He said if the apartment is considered unsafe for the general public then it should also be considered unsafe for the owner's family. He felt parking will become an issue with the convenience store and that no more than two pumps should be permitted. The gas station should be reduced in size to fit in proportion to the size of the lot and a second story should not be allowed.

Brian Gebhardt, 17 S. 11<sup>th</sup> St., said there are a number of other gas stations fairly close to them and asked why they need another one. He had concerns with the current size of the proposed project.

**Ald. Wirball made a motion to approve a Zoning Map Amendment, Special Use for PUD and PUD Preliminary Plan for 1023 W. Main St. Redevelopment with the following conditions: a single-story structure only with no apartment or apartments; two fuel pump islands; no variance for the dumpster located away from 11<sup>th</sup> Street; and IDOT approval. Seconded by Ald. Pietryla.**

**Roll was called:**

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

**Absent:**

**Nays:**

**Motion passed 9-0**

- d. Plan Commission recommendation to approve a General Amendment to Title 17 of the St. Charles Municipal Code (Zoning Ordinance) pertaining to Microbreweries.

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

**Ald. Payleitner made a motion to approve a General Amendment to Title 17 of the St. Charles Municipal Code (Zoning Ordinance) pertaining to Microbreweries subject to option 1A; prohibit "Outdoor Entertainment" only for Microbreweries in M1 or M2 adjacent to residential zoning. Seconded by Ald. Silkaitis.**

Ald. Lencioni stated he does not like having conditional zoning based on how close it is to residential. All people in M1 are not treated the same.

Ald. Payleitner said when they approved breweries they were a manufacturing business, but due to COVID they changed their business plan to become an entertainment use. She said she wasn't sure if that was fair to the residents to change the use because a brewery changes their business plan.

Ald. Lencioni said he wants consistency in the ordinance and that they should limit conditional zoning. Ald. Bancroft felt this was not conditional zoning.

Ald. Bongard asked if they needed to redefine what a microbrewery is. Ms. Johnson explained how they currently apply the use within the zoning ordinance, and what is proposed in the General Amendment.

Alexander Drayer, owner of D&G Brewing, said their original plan to include a taproom at some point was welcomed by the City. The City chose the zoning for this business and where they wanted the business to be located. The idea was always to have a small outdoor entertainment space and they received approvals to do this. He suggested a compromise of 8:00 p.m. on Fridays and Saturdays.

Steve Marck, 1860 Dean St., co-owner of Riverlands Brewery, said outside entertainment was in their plan all along and COVID just accelerated it. This industry has become a big economic motor for many small towns and employs many people. They have already built the outside complex and if they have to board it up, it will look bad for all. In fairness, he said there is noise from other sources too.

Martha Gass, 211 S. 3<sup>rd</sup> Ave. asked for clarification as to what adjacent means in regards to this item. Ms. Johnson said it's from the property line or across the street.

Ald. Payleitner said her motion meant only for breweries adjacent to residential.

Ald. Bessner asked what the business model was before COVID. Mr. Drayer said they haven't changed their model all that much. He said they had the taproom before and bands played inside and on the deck.

Ald. Payleitner asked if outdoor entertainment was allowed at that venue before the City implemented a temporary COVID plan. Ms. Johnson said it was not allowed in conjunction with microbreweries, but it may have been allowed with a special event permit.

Matthew King, 320 State St., said he is about equal distance between the D&G Brewery and the bars along North Avenue. He read a letter in support of the microbreweries.

**Roll was called:**

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

**Absent:**

**Nays:**

**Motion passed 9-0**

- e. Presentation of a Concept Plan for Dean Street Mixed Use Project

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

Reimer Maneja, project manager for Slaten Construction, said one of the residential units will be for the owner and the other two will be for traveling managers and visitors.

Ald. Wirball asked if they have any future plans to rent out the units. Mr. Maneja said it is just intended to be owner occupied.

Ald. Balla said the zoning doesn't allow for residential above commercial real estate. Ms. Johnson said it could be accommodated through a PUD or a general amendment to the zoning ordinance to allow some sort of live/work use in the manufacturing districts. The Plan Commission preferred to address it through a general amendment.

Ald. Bancroft said they could agree to a residential use of the PUD with a restriction that it needs to be occupied by someone affiliated with the business. Ald. Silkaitis did not see any advantage to allowing residential units. Ald. Lencioni said they will have a responsibility to residents who will be living in these areas to look out for their quality of life. He felt they were looking for trouble by doing this.

Chair Weber asked if the units would have separate utilities from the business below. Mr. Maneja said that was the plan.

Chair Weber said based on the feedback received, they would suggest continuing to move forward with the plan.

f. Presentation of a Concept Plan for River East Apartments.

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

Ald. Bongard excused himself for this item.

Conrad Hurst, 9 E. Main St., and Curt Hurst, 700 N. 3<sup>rd</sup> Ave., discussed their plan. Mr. Curt Hurst said all of their planning is generated from the 2013 Comprehensive Plan. He said it meets the goals of the plan. The land is designated as part of the southern gateway to downtown and will include significant features outlined in the plan. The number of planned apartments may go down.

Ald. Wirball asked what the purpose is for closing off Indiana Ave. and the triangle right-of-way and having it conveyed over to them for private use. Mr. Curt Hurst said it is to have a larger patio area to be used by those in the building, a location for Sammy's Bikes and some open grassy space. They would also like to include some type of monumentation that the City would be proud of.

Ald. Wirball said he read the letters received from residents and he shares many of their concerns. He noted he has issues with turning over public property to a developer for private use. He felt the City should retain ownership of that property.

Ald. Wirball asked about the number of parking spots gained from closing off Indiana Avenue. Mr. Curt Hurst said it would be about five. Ald. Wirball said it might not be worth it due to the impact on the traffic flow. Mr. Hurst said they will also be getting some outdoor space and that it would be very easy to redirect traffic in this area.

Ald. Wirball said they seemed to have some very large variances and asked for the reason for this. Mr. Curt Hurst said there are currently two lots there and all those gross areas come into play by combining them into one in a PUD. Ald. Wirball said the building is too massive and doesn't blend well with the area. He said he's looking for something that flows a little better.

Ald. Payleitner said she's fine with the land use and mixed use, but would appreciate anything that can be done to diminish the height and bulkiness of the building. She said she appreciates that the developers speak to the intention of the comprehensive plan. She would be okay with conveying the City property, but would like to see the traffic study first.

Ald. Bancroft said he was less concerned with the mass scale and more interested in the final architecture.

Ald. Silkaitis said he needed more justification for conveying the property to them. He needs to know how the residents would benefit from this. He also noted the building is too tall and too wide and would like to see it shrink.

Ald. Lencioni said he appreciates how the developer is listening to what the community is saying and trying to find the right ways to make reasonable accommodations.

Ald. Pietryla would like something at this site, but noted he still has some concerns regarding the traffic. He's fine with the PUD and the use. He also stated that he is pleased the developer had read the letters from the concerned residents and noted their input cannot be ignored.

Chair Weber asked that they are mindful of being the southern gateway and to consider having a gradual rise into town. He likes that they are trying to incorporate the use of the river a bit more and that they are reusing the footprint of the current building. He asked if there were any plans to do something with the overhead utility lines. Mr. Curt Hurst said they are advocating to take them down.

The following residents were present and expressed their concerns with this project.

Diane Thornton, 802 S. 10<sup>th</sup> Avenue

- Narrowing Riverside – people won't slow down.
- Too high.
- Bad idea to grant property to a developer with no return.
- Not enough parking as it is now. This will add more residents and even less parking.

Martha Gass, 211 S. 3<sup>rd</sup> Avenue

- Proposal is ugly and greedy.
- Request they stay within zoning requirements.
- Doesn't blend with anything within several neighboring blocks.
- Parking spots – nothing proposed to replace the five spots they are getting.
- Restrict retail space to prevent a bar or restaurant on this site.
- Residents currently have sewer back-up issues – the development will add to these issues.
- Urge developer to limit space to two-story row houses.

Mark Shulski, Wyngate Road

- Not beautification of the City; it's revenue for developer.
- City Council should go out and talk to residents and come up with a solution that works for all.

- Having 50 ft. building will hurt property values.

Greg Taylor, 211 S. 3<sup>rd</sup> Avenue

- Developer will not be living in neighborhood as noted.
- Comparing the size of the Baker and west side developments to this site is crazy.
- Fears concerns expressed at meetings are not going to be considered and the City is working behind the scenes to get this done.
- Apartment building not appropriate for gateway that sits in an historic neighborhood.
- Will add to already strained parking situation.
- Ask all involved to step back and rethink this so that it is done properly.

Chair Weber said the City is listening and the hearings/meetings are part of the process.

Robert Carter, 217 S. 3<sup>rd</sup> Avenue

- Only have elected officials to look out for the residents. Many people feel they are being overrun by contractors.

Dan Swanson, 504 S. 3<sup>rd</sup> Avenue

- Expressed concerns about parking.

**5. ADDITIONAL BUSINESS – None.**

**6. EXECUTIVE SESSION – None.**

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

**8. ADJOURNMENT - Ald. Bancroft made a motion to adjourn at 10:12 p.m. Seconded by Ald. Wirball.**