

**MINUTES**  
**CITY OF ST. CHARLES, IL**  
**PLANNING AND DEVELOPMENT COMMITTEE**  
**MONDAY, SEPTEMBER 12, 2016 7:00 P.M.**

**Members Present:** Silkaitis, Payleitner, Lemke, Bancroft, Krieger, Gaugel, Bessner, Lewis

**Members Absent:** Stellato, Turner

**Others Present:** Mayor Raymond Rogina; Mark Koenen, City Administrator; Rita Tungare, Director of Community & Economic Development; Russell Colby, Planning Division Manager; Bob Vann, Building & Code Enforcement Division Manager; Matthew O'Rourke, Economic Development Manager; Chris Bong, Development Engineering Division Manager; Ellen Johnson, City Planner; Fire Chief Schelstreet; Asst. Chief Christensen Resources; Police Chief Keegan; John McGuirk, City Attorney

**1. CALL TO ORDER**

The meeting was convened by Chairman Bancroft at 7:02 P.M.

**2. ROLL CALLED**

Roll was called:

Present: Silkaitis, Payleitner, Lemke, Bancroft, Gaugel, Krieger, Bessner, Lewis

Absent: Stellato, Turner

**3. POLICE DEPARTMENT**

- a. Recommendation to approve a Rain Date Makeup for Class E-4 Temporary Liquor License for a Special Event, "Wine Down Wednesday" to be held on the 1<sup>st</sup> Street Plaza.

Aldr. Payleitner asked when this item was added because it is not on her Agenda. Chief Keegan said before the posting; so early Friday. Aldr. Silkaitis said it was on the Agenda Friday. Aldr. Payleitner said she didn't see it.

Chief Keegan said he apologized if there was a delay in getting the memo to committee members; but the PD was advised later last week that the 3<sup>rd</sup> and final day of the "Wine Down Wednesday" was pushed off due to inclement weather on September 7<sup>th</sup>. The sponsors are asking for a make-up date of September 28, 2016 to be their 3<sup>rd</sup> and final date; which committee and council approved 3 dates (July 6, August 3 and September 7) back in late spring/early summer.

Aldr. Lewis asked if "rain dates" have been given in the past when permission has been given for specific dates. Chief Keegan said not in his short tenure at the city, but evidently this is an event that is in its first year and was pretty well attended in July and August and the petitioners are asking for a rain date in consideration due to the inclement weather. Aldr. Lewis said she didn't recall it being that severe of weather because she thought of going down there, and she doesn't know about this one.

**Aldr. Bessner made a motion to approve a Rain Date Makeup for Class E-4 Temporary Liquor License for a Special Event, “Wine Down Wednesday” to be held on the 1<sup>st</sup> Street Plaza. Seconded by Aldr. Gaugel.**

**Roll was called:**

**Ayes: Lemke, Payleitner, Gaugel, Bessner, Silkaitis**

**Absent: Stellato, Turner**

**Nays: Krieger, Lewis**

**Abstain:**

**Motion Carried 5-2**

#### **4. COMMUNITY & ECONOMIC DEVELOPMENT**

- a. Plan Commission recommendation to approve a Special Use for Car Wash Facility for Wash-U Car Wash, Lot 3 Buona St. Charles Subdivision.

Mr. Colby said the committee reviewed and tabled this item in August and had requested some additional information from the applicant who is prepared to make a presentation to respond to Committee.

Bill Bochte-Attorney and resident of St. Charles-commended staff for their continued courtesy, professionalism and help in this matter as well as others from the past, they make it easy to get through the process and are very nice to work with. This Special Use application will allow the development of the piece of property which has been vacant for several years and prior to that was functionally obsolete. If the Special Use is granted this will provide for some exciting cross marketing efforts and potential, not only for the car wash, but for existing neighbors, all of which will benefit for the community. He said if this special use were in fact allowed they would become good members of this community and will support all activities that are allowed in the community and various community services. He said they will be presenting evidence tonight to give reason for the committee to favor the 6 special use factors that are found at section 17.04.330.C.2 of the Zoning Ordinance to grant the Special Use.

Tim Hague-418 Clinton Place-River Forest-Keystone Ventures and St. Charles Main St. Partners, LLC- said this is the previous deckyard property that was vacant for several years, they acquired it about 2 years ago and worked on it with the city for about half a year leading up to the Buona Beef restaurant development. The site is about 3.5 acres, a plat of subdivision was done to create a little less than 1 acre to join with the Rental Max property to expand their equipment yard and organize their traffic flow. Buona occupies lot 2 which is combined with the stormwater detention basin to the south that handles the volume for Rental Max, Buona and the car wash lot. He said they are excited about the proposed car wash use and feel it’s compatible to the Buona restaurant and thinks it will be a good way to finish this development and bring more activity to Main St. west of Randall Rd., which needs a little help. The properties are zoned BC which does provide and contemplate this type of use subject to the Special Use for the drive-through nature. He then introduced Mike Buonavolanto from Buona restaurants to comment on the use.

Mike Buonavolanto-Buona Companies-6801 Roosevelt Rd.-Berwyn-thanked the city for being great partners and said they have been in business since 1981, he’s 3<sup>rd</sup> generation owner with his Grandpa, his Dad and his Dad’s 4 brothers and they are growing with about 4-5 restaurants a year.

As we continue to grow we need to continue to grow our same store sales and feel that Wash-U would be a perfect complement for our restaurant.

Mr. Hague said when this was before Plan Commission, staff had their presentation and then their own presentation along with a brief Q and A where a couple comments were made regarding traffic which Plan Commission didn't get very specific about; those comments came more from the competing use down the street more than anything else. Upon the vote it was 6 to 1, with the 1 no vote making a brief comment of concern about the traffic as the meeting concluded; which was after the discussion point. He said there were also traffic concerns heard last month from this committee and he then shared the revisions they have made to the site plan since:

- Moved the building a little over 20 ft. to the east-closer to Buona to have more of an offset from the exit of the car wash tunnel to the curb cut on Main St. this provides for a little more stacking capacity for exiting vehicles. It also draws more of a distinction point, as you exit your coming into that front row of parking as opposed to being in line so it's a conscious decision to either turn left heading to the exit on Main St. or turn right to utilize the cross access easement to utilize one of the 2 curb cuts which are the benefit of that access agreement. He said when the Buona restaurant was approved they worked closely with staff and IDOT as to where those curb cuts would fall consistent with the city's Comprehensive Plan, they then went to Rental Max to create that cross access easement and then provided for that between lot 2 and 3; which is Buona and the car wash buildings. He said these curb cuts have been reviewed and approved by staff and then subsequently reviewed and approved by IDOT.
- Moved the row of vacuums (11 enumerated spaces) to the east of the car wash building from the eastern boundary of the site a bit west to abut the building. The benefit being that when the cars exit the car wash tunnel to utilize the vacuums it will ease the turning radius that enters them into the vacuum area.
- Opened up a one-way cross access easement along the south end of the car wash lot that provides for an escape lane as well as another mode of egress from the vacuum area heading east through the Buona lot.

He said since hearing the comments from the last Committee meeting they went back to double check what they were doing and since then they have retained KLOA-professional traffic engineers-to take a look, comment and review on the design.

Bill Woodward-KLOA-Traffic Engineer-9575 W. Higgins-Rosemont-said he prepared a traffic evaluation memo for this development. They are familiar with the site having prepared the original evaluation for Buona Beef proposal. He then shared the findings from the evaluation:

- The access location is a full access and the location of it and its type (full access lefts and rights in and out) was approved and established with IDOT so it is permitted and is directly across from the access that serves St. Charles Bowl on the opposite side, so the alignment make good engineering practice to align those access point to not have conflicting turning movements.

- The access itself will provide 1 lane in bound and 1 lane outbound with the outbound lane being under stop sign control.
- No recommendation for any modification or change to Main St. Vehicles are going east bound on North Ave. while making a right turn into the site using the outside through lane and vehicles going west bound on Main St. will make a left going into the site from the continuous 2-way left turn lane that is currently provided on Main St. Therefore no recommendations of traffic control or widening of the roadway are necessary or recommended.
- The outbound traffic may experience some delay particularly during the weekday evening peak hour. They did go out and do field observations during this time and did notice that the traffic signals on Oak St. to the west and Randall Rd. to the east do affectively platoon the traffic along Main St. allowing gaps in traffic for vehicles to exit out onto Main St. in a timely manner.
- The development itself has 2 cross access points into Buona for flexibility as well.
- The southern cross access that was added is great from the standpoint that any vehicle that decides to opt out of the car wash stacking can go out into the Buona Beef development rather than having to circulate through the vacuuming stations. Anybody in the vacuuming stations can also proceed south and exit out into the Buona development without having to advance north to the east/west access that serves the site.
- The development will generate a low volume of traffic on the surrounding roadways. In their evaluation they did not account for any pass-by trips, which are vehicles in route to another destination that may want to go through the car wash, so they are already on the roadways therefore those numbers will be further reduced.
- The car wash stacking provides approximately 24 vehicles which they feel is adequate to accommodate the queue demand that will go into the car wash; given the information received, the observations they have made as well as the length of time that the average car wash takes.
- A comparison of the trip generation was done of the car wash and what was originally assumed for the site back when Buona was being proposed, which was a coffee shop with a drive-thru and a retail development. Basically the bottom line is that the trips generated by either use are very consistent with one another and that previous study was accepted and approved based on those land uses and assumptions, therefore they believe that the car wash is a very similar use as far as the trip generation that would be projected during the peak hours.
- Recommendation for some wayfinding signage to show the vehicles where to go for the car wash entrance and exit once they come out to reduce any unnecessary circulation through the site. Also recommended are “do not enter” signs particularly at: the exit of the car wash tunnel to deter opposing traffic from entering the car wash tunnel from the one-way exit direction, the southern cross-access from the car wash to Buona to deter traffic from

entering the car wash site, the Buona Lot at the exit to the drive-through bypass lane to deter opposing traffic from entering the drive-through queue from the south. He said it seem redundant but is necessary to be sure no vehicles go against the flow of traffic to ensure a smooth circulation

Mr. Hague said in regard to Aldr. Bessner's comment about the relationship to the site and how it functions and the impact the car wash may have on it as it relates to west bound traffic on Main St. and interaction with Campton Hills Rd. He said they did go back and look at that and its approximately 1,250 ft. from the west curb cut to that intersection that equates, if you use a 20 ft. increment per car, to about 60 cars which is a lot. Obviously that's interrupted by Oak St. and the signalization there, as highlighted in the traffic report from KLOA and Bill, those lights at Main St. and Randall Rd. and Main St. and Oak do work in unison to have a platooning effect to create that gap that they feel will alleviate that. They don't feel that introducing this use, as noted in the traffic report, will put an excessive burden on that and they think the majority of the traffic utilizing the car wash is traffic that already exists on Main St.

Aldr. Bessner asked if that western edge beyond the light and beyond Oak St. into the Campton Hills fork in the road was considered at all in the study. The reason he mentioned that is because he lives out in that subdivision and it has been brought up in the past and he feels it's a very dangerous intersection mostly for cars coming from westbound Campton Hill Rd. and west bound Main St./Rt. 64 because they converge there. He said 50-60% of the time he comes through there people are literally gunning their cars to try to break into the traffic because coming off of Campton Hills Rd. there may be a point in time where there are 40-50 cars continually coming from Peck Rd. from the west. Sometimes it's almost best to go around and come the other way, but his concern is when they do come around that way, even though the lanes open up, there is no natural traffic flow for those in the single lane to move over. If that light that was stated will control some of that traffic, and he believes it will when its red, but when it's not it's a pretty continuous full speed roadway, especially now with school back in the morning, evenings and weekends when there are activities at the park or the flea market; it gets really jazzed up there and it's one of his main concerns that he is trying to get past. Mr. Woodward said they did not look at the area west of Oak St.; they looked at their site access and the amount of traffic that would go into that access point and how it would work. Their evaluation did not do any capacity analysis but they did do field observations once when Buona was being proposed and again for this particular assignment which was done during the evening peak hours which did show that the traffic was platooning there to create gaps so cars could go out and make those turns., they didn't notice any west bound traffic that would spill back east of Oak St. that would block the access drive. Aldr. Bessner said going west bound and turning left on Campton Hills Rd. he has to wait a bit and then go; he is also trying to get past turning left into this facility if your heading east bound with west bound traffic coming. Mr. Woodward said when going west bound trying to make a left into the site, the signal at Oak St. will turn red, which will stop progressing traffic and create a gap which is not only for those trying to get out of the site but also for those trying to make a left to get into the site. Mr. Hague added that this was one of the topics of conversation when they came in with the proposal for Buona and one of the comments from staff and IDOT regarding creating the cross access easement between the 3 properties.

Mr. Hague said regarding a comment that Aldr. Turner had made at the last meeting about the use; they do think this is an appropriate use of the property given the PUD with Harley Davidson and Costco; there are a couple of automotive related uses in front of those as well as a gas station and a

7-Eleven so they do feel there is compatible uses there. He said they put together an exhibit to demonstrate that there is a significant amount of still developable land, we are at 18 and they double counted a few of the lots in front of Harley and Costco that are actually multiple user lots, so there is an excess of 20 development parcels still available at this intersection. Therefore they don't think the approval of this particular use at this particular site diminishes the market ability to bring in additional restaurants and the like.

Craig Nelson-190 E. St. Charles Rd.-Elmhurst- Car Wash Development LLC-said they are still very excited to come into town and feel they have a product that is of a bit of a different nature than what the city currently has. One of the things they have focused on in their developments as car washes is trying to be as sustainable as possible; they over spend on their cap-ex up front in order to put some environmental sustainability into place because those things are important, not only for them but in the long run saves money, and given where they are headed it's important to take these things into account. He then shared why he feels the site is a great site, a great fit and why they want it in St. Charles:

- Intersection of Main St. and Randall St. there is over 53,000 vehicles a day.
- West end of town is growing.
- Car counts of 17,500 with or without a car wash are going to continue to grow as the area continues to develop to the west.
- 44,937 households within a 13 minute drive-they use 2 different metrics depending on area density to determine site suitability and 13 minutes is not very far when thinking about how far that consumer would go to come to your store. They use different demographic analysis tools and all of them used the site index, which is very high, much higher than the norm, so they were pleased with that.
- Getting to know the Buonavolanto family and looking at the potential cross marketing aspect of it was a tremendous benefit.
- Existing cross access easement to ease traffic flow through the interior corridors of this site was a great point.

Mr. Nelson said there are a number of vacancies but some great traffic drivers such as Meijer, Costco, Harley Davidson, Firestone, Discount Tire, Pep Boys and possibly the Shodeen development if it ever moves forward, would all be a good way to serve that additional number of residents in the community. He said they do know that there are other parcels available but some of them are exceedingly highly priced and they find that this site works very well for them. He said they have talked to some of the neighboring businesses and have a letter endorsing their project from Michael Rossi-VP of Rossi Real Estate who owns the commercial strip center across the street which has a 29% vacancy rate right now, and to some extent it's a little self-serving but to have another retail development across the street would probably not be his favorite thing to see, but given the fact that there is such a high number of retail vacancies they think their location with a diverse business aspect would be a very good use for the site.

Mr. Nelson said we listened to Committee, we heard you, we went back and sat with our architect to figure out what we could do to move the building a bit further east and what can we do to ease the traffic burden where the dead end was and they feel they have come up with a very good solution for those problems. He said utilizing the onsite and in site cross access easement helps to alleviate any of the stacking issues that people are potentially concerned about with outbound. As far as product used for the exterior of the building they will work with staff to meet all of the

planning and architectural appearance aspects. He mentioned Nichiha which is a fiber cement board that creates interesting patterns and is a sustainable company reclaims 95% of the water that it uses in its manufacturing process, which they feel is important and they have found its being used by quite a few of the national chains (Whole Foods, Wendy's, Thornton's) for exterior cladding, sustainability and its durable. Some of the things we have done differently than our competitors to make ourselves unique to the industry is that we have a proprietary foundation design and a reclaim system that we have invested heavily in that allows us to reclaim 85% of the water that we are using in a car wash only using 17 gallons of fresh water per car. The city of Chicago is imposing a 40-60% increase in their water and sewer tax, and knowing that those things are coming and that sustainability is important, they feel ahead of the game in learning how to put these things in and having installed them, and when you get to that level you're in the top 5% of the industry. The electrical system incorporates variable frequency drives (VFD) on the majority of our operating electrical motors which winds up using less electricity than a load of laundry. Chemical application systems are state of the art computer controls using less chemical but get more on the car with less waste as to do a better job getting that chemical on the car to get it cleaner; our goal is always to improve the process and the product we give to the customers.

Mr. Nelson said from the technical aspect there is quite a bit of equipment involved in the 130 ft. tunnel; he then showed and explained a 30 second video of what the dual belt conveyor does as opposed to a traditional conveyor for making it easier to load. There are 2 moving sidewalks that the cars drive up on, the car then goes in neutral and goes right through. You can load the cars at differing intervals of distance, they try to load them at least 12ft. but on busy days it may be closer. Next the soap goes on the car and stops at the back end of the car and doesn't start again until it hits the front bumper of the next car; cars can be staged very easily as they go through which takes away a lot of the trepidation of trying to line up between 2 steel rails. The car then continues on the moving line all the way through the wax and rinse cycle and then progresses down to the drying stage which uses 15 blowers and 2-750,000 BTU heated dryers to dry the car as it leaves the tunnel without having to excessively towel off with additional labor; cars can exit and be on their way and get through the tunnel in less than 2.5 minutes. He then showed some example photos of what it would look like stating that they are light, bright and clean and mentioned that their vacuum stations generate less than 69 decibels at a 10ft. interval, and a 20 ft. interval is down to 54 decibels; which is below the level of this current conversation because they want a quiet system. He said they believe strongly in the project they have built and would be pleased to be a part of the community.

Steve Timmer-3220 Lapp Lane-Naperville-said they listened to Committee from the last meeting and each of the changes they made addressed each and every one of the questions or concerns and they felt it flowed well, but they then took it out of their opinion and brought it to the experts at KLOA-who is one of the most respected in the traffic study side of this business, to see what they thought. When doing a traffic study with KLOA the developer/applicant has no influence; it is what it is when the study comes back. When the study did come back it supported all the changes that the committee suggested, from the building moving east to allow more of a cross flow, 3 different ingress or egress points in the cross access areas to the vacuums with an exit lane at the end to not have a dead end. All those changes made a big difference and seemed to support coming here and they are still excited to come to town, so much so that not only did they spend more money engaging the experts to say whether this is the right decision, but this project is also a little under \$4 million and we believe in St. Charles enough that we want to put that type of investment in that area. We are an express exterior only, we do not do insides or detailing, we just

focus on what we are good at and what this site would help us with. That area is a dead area right now, and has been, and all it will take is a little bit of a spark to create the match to light and when people see a business like Buona come in and then a year or 2 later another one, maybe we are part of the match that gets that area to see progressive growth and new things happening. This car wash is one the most state of the art in the entire country, people don't invest that kind of money unless they are serious about their business. St. Charles has done a great job with their city and it's a proud place to be and that's why we want to be here, but whether your customers are residents or commuters passing through, they all like new and progressive, which is a good part of growth and positive impact to spark other things and he feels they fit that and would like to be a part of the community. The cross marketing with Buona Beef is win/win for all of us, there is nothing wrong with people working together to generate and maximize sales, revenue and sales taxes dollars from one site versus fighting for the same dollar on the same identical site. The side of the competition; competition is good, it lifts everybody up and makes you at your best when competition comes in town, whether it's a restaurant or a car wash you have to be at your best. If somebody comes in with a new and potentially arguably better product you have to step your game up and that's good for everybody-value, residents and for their own business to be sharp on their toes and keep it going. We are always looking to become even better at what we do and that comes from looking at competition and respecting what they've done and trying to implement it; it increases business and makes everybody better when there's good competition. We wouldn't be here or fought hard to continue to come back and listen and address every one of Committee's concerns if we didn't truly believe and want to be a part of the community. If you give us that opportunity to help be another spark in that corridor just west of Randall Rd., we'd like to be part of it and help continue growth there.

Chairman Bancroft noted that the scope of the Special Use review is limited to assessing whether the proposed land use at the site, based on the site plan and supplementary information submitted, meets the list of Findings of Fact for Special Use (as listed in the attached Plan Commission resolution), so that is the level and focus on our discussion and review and where's its appropriately put.

Aldr. Payleitner asked if Committee were allowed to weigh the new use versus the original use of a coffee house/restaurant. Chairman said he doesn't know if the prior use has to be disregarded but the level of review is that we have a Plan Commission recommendation with a set of findings of fact and we have to either agree or disagree with those and why. Aldr. Payleitner said for instance-"public convenience" what if she feels that the original use has a higher public convenience versus the new use, can she take that into consideration. Mr. Colby said the Special Use request really is a proposal for the site as it exists today; so it is a vacant site. The findings that are being presented are based upon the site plan being proposed, so the previously approved use that was never established does not directly figure into the findings because the findings relate specifically to what is being proposed.

Aldr. Payleitner said she sees a stenographer and wanted to know if it was on the city's dime. Mr. Bochte replied that it was on his dime.

Aldr. Payleitner said she does have a concern with the traffic, and since it's a blank piece of property, did the previous use have a curb cut; does it have to have a curb cut there. Mr. Colby said that at the time the subdivision was approved, which was at the same time Buona was



approved, the subdivision included the access points shown on the site plan; there was an access granted on that lot, at the location being proposed. Aldr. Payleitner said ok, so no matter what that was going to be happen.

Aldr. Silkaitis said the traffic does concern him but whatever gets built there is going to generate traffic either way, so he will not say no to this project just because of the traffic. Does he feel the car wash is not the best use; he has his doubts, but on the other hand it meets all the requirements as far as he concerned and it is a free market here and he'd be inclined to go along with it.

Aldr. Lemke said in regard item C in the findings of fact-“Effect on nearby property” –the queuing of vehicles is in excess of the code requirements and he speaks to that being the inbound queuing that has folks waiting to come in and frankly he wouldn't know that there is a car wash on the way to Route 88 except for the queuing from the outbound and we don't speak to that here. The queuing from the outbound tends to impinge on the street to make it wet and bad weather will make it icy, where 2 or 3 place he passes that are fast food the queuing is relevant and outbound people leave by a number of routes and that never seems to affect him. He did read the KLOA analysis regarding stacking and it doesn't speak to the space for exiting vehicles and his concern is that it could be causing a back- up and an outflow onto Rt. 64 no matter which way. He said he made suggestions about this and enunciated his concerns last time and he doesn't find that the offset one way or the other materially changes anything in terms of the outbound traffic and it may experience a delay. He wouldn't even know there were a tunnel car wash on his way to work but that it does cause a problem in the outflow; it's the only thing he notices, so he does have a problem with item C.

Aldr. Krieger said with all due respect she does not agree with the traffic report and she has been through there a couple times since the last meeting and the traffic is very heavy with people coming and going from the post office as well as trucks and she feels it will only get worse as opposed to getting better. She was wondering if they could go just south of Main St.; there's a road that runs along the north side of the Harley dealership and she wondered if these businesses could be connected to that. She said she looked at any overheads she could find and couldn't see anything, but she feels that would eliminate not only icing on Main St. but also the traffic control issue she finds dangerous. Chairman Bancroft asked if it's the light further to the west or where the access is behind the Harley dealership where there's a right in/right out. She said it's the road that runs through to Randall Rd. and you can come in and out; she just wonders if there's anyway that these businesses could have a back access, like a backdoor. Her concern is the safety and the traffic.

Aldr. Gaugel agrees with Aldr. Silkaitis the closest; regardless of what goes in there it's going to have the same traffic impact and if it's not the car wash it will be the next application we see in front of us; is it his ideal, no, but he doesn't see a reason to deny it based on the 6 findings of fact. Public convenience-yes, infrastructure sufficient-yes, effect on nearby property and development surrounding the property-we heard from the neighbor Mr. Buonavolanto who is in favor and said it will affect his business positively, effect on general welfare-he doesn't see a reason how it would have an effect negatively and conformance with codes-it conforms. While it's not his ideal he doesn't see a reason to say no.

Aldr. Bessner said his concern is traffic and he feels this will have an effect on the general welfare of the area which is now considered a pretty dangerous flow of traffic through that intersection west of where this will be.

Aldr. Lewis said while she has no doubt that the applicant would do everything they could to support the activities of the city of St. Charles, she does believe that this does affect the general welfare of the general population and removes any sales tax or food or beverage tax that the people of this city are looking for to help in their budgeting. She concurs with the traffic concerns with Aldr. Bessner and Aldr. Lemke.

John Chenot- said he owns the apartment building at 1210 W. Main St. and as an investor and property owner he is concerned about developments that have the potential to impact the property values as well as the general desirability of the area for prospective tenants. He doesn't feel this proposed use really serves the public convenience and he think it could negatively affect the property values and he thinks the original intended purpose of more of a restaurant or retail space would be much more beneficial. Large retail operations want to be by other similar large restaurants and retail companies would like to be closer to similar retail developments as well, so he would like to see that area developed into more of a beneficial convenient area for his tenants and other residents and the city; it would be a better option. He really loves the area and has future interest to invest further and public convenience wise this is not a good decision.

Jeff Funke-536 Wing Lane-resident of St. Charles for 5 years, but his wife is a resident for over 30 years, he was married at Baker Memorial and he is excited that there is a developer coming in here who wants to spend \$4 million for a project on the west side of town. He said he's an architect and teaches an urban design class in Florence, Italy so he knows a little bit about urban design and everyone's talking about traffic; he thinks that the more businesses that come to this street the slower the cars are going to move. He said in his opinion, a highway was built on the east side and it really created unsafe traffic for all the pedestrians that want to go down to Main St. There are a lot of vacancies and we need to bring businesses into this town, he drives by and sees a lot of vacant strip malls, and the fact that there's a developer who is actually accommodating some of the concerns and listening to do a great piece of architecture; committee should listen and open their arms to developers that want to spend money in this community. He plans to live here for a long time, his kids are going to High School, and he would like to see businesses actually investing into the community. He plans to invest in the community and he thinks it's a great thing that somebody wants to spend the money for this town.

Jim Piazza-4N487 Foxfield Dr.-been in the area for 30 years and he doesn't think there's substantial infrastructure for the proposed use as a car wash and he doesn't think it's going to be a public service on that side of town. He's used several express car washes over the years and he sees how congested they get especially in the winter time with the water coming off the cars to make things slippery on Rt. 64. He believes it will create traffic issues, they say it will not no matter what we put in there, but if you put a restaurant or retail in there will be traffic coming in and out at a slower pace, rather than a car wash coming in and out. When he first moved out here there was 1 auto part store-Thompson Auto-and now we have 3-5 of them in a 3 mile radius, we do not need another auto parts store and in his opinion another car wash on the west side of town we don't need, there is already 1 a half mile west of the proposed site-Standard Car Wash. That's his opinion and he feels something else needs to be on that property.

Tim Wynveen-1315 S. 4<sup>th</sup> St.-said he's concerned about the traffic flow as well; today he was in the lot where the other car wash is at 5:35 going east and trying to pull out took him 55 seconds, the traffic flow was horrible and he doesn't agree with the analysis and he feels there will be a huge problem with it being very dangerous in the winter time. He does own a transportation business that does about 18,000 miles per month and they spend a lot of time on all these roads here in the area, they serve the Fox Valley area, so he is familiar with transportation and he thinks it's a huge mistake to let this go through and he thinks there will be multiple problems with the traffic flow alone, not to mention that having a car wash that's so unique and if it doesn't make it there will be a vacant building which will not be easily sold and turned into anything else due to its uniqueness.

Alex Sturwold-3255 W. Main St.-Standard Wash-said that after a thorough review of the submitted traffic study and the revised Special Use submittal, he addressed a few key points in the findings of fact that the proposed Wash-U car wash development does not adhere to:

- #1- Sufficient infrastructure-based on the finding of fact sufficient access is needed for the orderly development of any site in St. Charles and he would argue that per the submitted traffic study from Wash-U the IDOT access approval given for this site was given for a coffee shop with a drive-through and/or mixed use retail development. This approval came at the time of the original IDOT approval for the Buona Beef, an IDOT approval for a car wash has not yet been considered for this site which is stated plainly in the submitted traffic study provided by the applicant. In following up with the comparison that the coffee shop with a drive-through is actually busier than a car wash use which he would argue as untrue. Regardless of vehicles per day a car wash has substantially different traffic flow than a coffee shop with a drive-through or a retail development, hence the need for 4 full stacking lanes in the submitted architectural design for this car wash. The Dunkin Donuts located on busier part of Main St., just east of Randall Rd. next to Just Kabob's, has 1 stacking lane to handle cars at higher traffic volume part of the road. The McDonalds on Main St. near the corner of Randall Rd, which is very busy, only has 2 stacking lanes, this car wash is proposing 4 stacking lanes because of the nature of how busy car washes get which are very different from any other retail development that can go in there. Another reason and concern here is the access, in particular the ingress and egress pointed out by Mr. Stellato at the last meeting; by having 2 full access and high traffic turn lanes right after a stop light on Main St. is a cause for a traffic safety concern. The proposed site plan does not call for an auxiliary turn lane as would likely be required by IDOT for the proposed car wash use and traffic volume on this street which has not been considered yet by IDOT.
- #2-Public convenience-many villages refer to this finding of fact as public convenience or necessity and Wash-U says this proposed car wash will add to the public convenience and I would argue that this business will not provide products and/or services that are different and/or unique to the area and would prevent the addition of a restaurant or retail that would suite the public convenience at a higher level on this site. It has been mis-stated at the last 2 meetings that there is not another express car wash in the area, and for the record he wanted to state that his car wash does not do interior, they are an express car wash that has over 1,600 members that utilize us for a 3 minute car wash as well, and had the applicant googled Standard Wash they would have known that. Wash-U stated that they will serve the western side of the market and employ local labor; this newly proposed wash is automated and would add negligible net new jobs, especially in comparison to the amount of jobs and sales tax that would be created with the originally intended use; as pointed out by Aldr. Lewis. The reason the Planning & Development Committee exists is to regulate the orderly development of St. Charles in making sure any new development is a benefit to

the community and he doesn't feel it is wise to approve what could cause dangerous traffic conditions on a major thoroughfare which leads up to an even larger intersection at Randall Rd.

- #3-Effect on development of surround property-if we refer to the original Comprehensive Plan for the subject property and area and look to adhere to Euclidean zoning, the proposed use was for a retail shop and coffee shop with a drive-through, and this car wash is a deviation from that proposal which interrupts the flow of the Comprehensive Plan for the area and could be injurious to development of other restaurants and retail in the western gate that do not want to be near a car wash.
- #4-Effect on the general welfare-the proposed car wash would be dangerous to traffic safety; the traffic study fails to consider the unprecedented amount of cars turning left across east bound traffic from the median because most traffic on Main St. is traveling west from busy Randall Rd. In addition to this it will be very difficult to make west bound left hand turns out of the car wash when exiting out onto Main St. into traffic which will lead to further back-ups in the car wash lot.

The point is the proposed car wash falls short on several of the findings of fact, there is not sufficient infrastructure for proper ingress and egress and public safety on the lot, IDOT approval has not been given or considered for the use of a car wash on this site which is extremely different of that of a coffee shop. No coffee shop in the world has 4 stacking lanes for traffic because car washes are a different kind of animal. This plan should be denied because a car wash will interrupt the original Comprehensive Plan for the site and directly affect the orderly development of remaining surrounding property in the western gate. This car wash use will negatively affect the general welfare and safety of the St. Charles residents traveling through and visiting the western corridor.

Mr. Bochte said if he owned a car wash and the proposed car wash was going to be my competitor I would certainly be concerned also, however competition is not a factor that can be taken into consideration under the local ordinance. We have some expert testimony here and quite frankly it's the only expert testimony that committee has from the traffic expert stating that the proposed car wash will not have an impact on North Ave. other than what was originally proposed, which was a multi-retail establishment with a restaurant and drive-through, whose traffic would be identical according to the traffic report from the expert, as to what the car wash is going to be. We all would like nice uses; he would love to be an east side resident and have a Bloomindales and Nordstrom take over big spaces in the Charlestowne Mall to be developed and have traffic problems, but that's not going to happen because he cannot dictate the use for a particular piece of property, nor should we attempt to do that under the local ordinance. It is clear that traffic impact as a result of this special use will be no more than the traffic impact that there would have been had been used as originally zoned or provided, there is no expert testimony here for Committee other than what the applicant has presented, and statements from a competitor who is concerned are not part of the factors that should be taken into consideration.

Mr. Timmer said we have removed ourselves and hired those who have earned the right and position to be the people you really want to go to for an expert opinion on whether it works or not, and if we cannot rely on them as our decision point, resident or personal opinion. His personal opinion is that the first plan proposed looked good, but they took a step back and listened to Committee and thought maybe it wasn't so good, so they listened and went to the experts. He said if the car wash doesn't go there, there's another dead piece of property sitting there for a long period of time; we all have envisions of great use, but whether the car wash goes there or not, or

something goes across the street, you will have increased traffic on Main St. Otherwise we are not approving potentially any growth going west because any growth going west will only increase traffic. The study from the expert shows that most of our traffic from will be coming from the existing traffic, we would not be bringing a lot of great new traffic, so it'll be coming what's already passing our doors. If we want to see growth in that area we have to open our arms and embrace new people who want to invest in that area and we are one of those that would love to invest and the traffic will not go away or slow down unless you shut down business. To have traffic build is a good part of growth because it forces IDOT or the village to provide better means of getting through those intersections, but the traffic will not go away, only increase and we would love have committees support if possible to be there.

Mr. Hague said we are almost our own worst enemy because when we brought the Buona proposal in we worked with staff to see what the zoning would allow next door, which is BC that allows a lot of retail uses. We said selfishly with staff that a possibility could be a multi-tenant building and if we did that we know that a lot of the quick service restaurants would be looking for drive-throughs. So to make our lives easier, if we were successful in leasing that building, we drew that plan with multi-tenant building with a drive-thru to accommodate a restaurant. 2.5 years later being involved with this property we have not been successful; he works often with the city's staff and participates in the International Council of Shopping Centers functions and the industry in terms of retail is a relatively small industry; all developer and brokers know all the users. If you ask staff you would hear resoundingly that restaurants want to be on Randall Rd., not Main St.; the Buona restaurant is a little unique in that capacity and he is thrilled they selected Main St. as opposed to taking the typical herd mentality that most nationals do. It almost feels as though it's a detriment to what they are trying to do in developing the community because they showed a preliminary plan that after 2.5 years was unsuccessful; the vacancy rates on the 2 similar properties across the street are double digit vacancy rates which is higher than the industry in the Chicago metropolitan area norm and their rents are depressed which then rent for under market. We cannot develop new retail space on lot 3 and lease it at the same economics as those properties across the street and make money, so please don't hold it against us as a negative that we were initially proactive in proposing a building that we were unsuccessful in leasing. As far as the possibility of creating a cross access easement with Harley and Costco; we worked initially with staff for the Buona proposal and we did reach out to those property owners and were unsuccessful; but they'd be happy to work with staff to make that a condition to re-approach them to obtain that cross access. He said it would be difficult to do on the west because of the post office configuration and we are separated to a good degree by our stormwater detention and also the Costo and Harley development. Since we did the initial development Rental Max did acquire the property the east which is adjacent to the drive off of Main St. so that would be an acceptable condition that would have to be re-approached. We did hear from a professional engineer tonight who did review this and the outbound stacking is entirely controlled by the car wash facility and if it becomes an issue the conveyor belt stops and the exiting queue is allowed to empty. We did also hear from a neighboring business that this would not be a negative influence but a positive one and we would really like to see this move forward.

Chairman Bancroft said since we have 7 committee members he would not be voting on this tonight but he does want to commend the applicant for attending meetings, responding to suggestions, went to their neighbors and followed a process that was 100% true from what we require from applicants; kudos for doing it the right way. He personally, although not voting

tonight, agrees with Aldr. Gaugel in looking at the factors, he personally doesn't see a problem with the findings of fact made by the Plan Commission.

Aldr. Payleitner said her concern isn't traffic on Rt. 64, it's the traffic in and out of Rt. 64. On the diagram it shows 33 cars in the queue and Buona Beef has 13, although she's not an expert, but a similar use like Buona would also have 13 cars and she wonders where the traffic expert has come to the conclusion that this won't have an impact on traffic with cars coming in and out. She is guessing that the investors are hoping there will be 33 cars in queue, but based on that, that's where her concerns are because traffic will come onto to Rt. 64 no matter what, but it's that many cars at that pace coming in and out that's her concern. Mr. Woodward said the cars are showing the stacking capacity, not necessarily that it would be at that capacity. The car wash and Buona Beef may also have different peak hour times; Buona could be humming during lunch hour and car wash more during the morning, so they won't necessarily be happening to the extreme at the same time. Aldr. Payleitner said she just meant it's a diagram, she didn't think they would conflict but that's ok. Mr. Woodward said he understands what Aldr. Payleitner is saying; the vehicles that are coming through is one reason why there is the cross access between the parcels to allow flexibility to go from one parcel to the other and allow them to go in and out of the development. They are being processed at different rates so it's not like there will be 10 cars all rushing to the exit at the same time; they would be coming from either dining inside the restaurant, the drive-through, the car wash or the vacuuming station, all leaving and entering at different times; so it will be staggered. Aldr. Payleitner said the current use would have had 13 cars coming and going, whereas the car wash use had 33, and her concern is seeing them all backed up and exiting on a busy Saturday going to tri-city soccer or the flea market; she asked if that is really not a concern. Mr. Woodward said he really does not see it as a concern; he did field observations and noticed that there are gaps in traffic along Main St. from the 2 traffic signals at Oak St. and Randall Rd. that allows the cars to exit out onto Main St. Whether it's a car wash or the previous proposed use of fast food restaurant with a drive-through or coffee shop, they don't feel it will be detrimental to the turning movements going in and out of Main St. He pointed out that this access was looked at when it was originally planned; there were several access drives along Main St. and that was cleaned up as part of this subdivision, where they were closed and it was worked out with IDOT as to where these access points could be and those were then put into position to accommodate any type of development, whether it's a coffee shop or the proposal before you. Aldr. Payleitner said the science if you will, is just eyeballing it when there was traffic gaps at a light, there were no counts taken. Mr. Woodward said no, there were no counts taken. Aldr. Payleitner said so you just sat and watched for traffic gaps and visually assumed on a busy Saturday if there are 20 cars here there's enough time for that. Mr. Woodward said correct, which is not uncommon, they do gap studies which is really what they do. As the car passes by you hit the button and then the software they use goes in and tabulates how many gaps in traffic there are to effectively allow the vehicles to exit. Aldr. Payleitner said that's what I am asking. Mr. Woodward said we did not formally do a gap study, no, but we did do observation and noted that there were sufficient gaps in traffic. Aldr. Lewis asked how many times they did that and what date. Mr. Woodward said he did field observations a couple times for the original study for Buona, but only 1 time for the car wash on Tuesday, Sept. 6.

**Aldr. Gaugel made a motion to approve the Plan Commission recommendation to approve the Special Use for car wash facility for Wash-U Car Wash, Lot 3 Buona St. Charles Subdivison. Seconded by Aldr. Silkaitis.**

**Roll was called:**

**Ayes:**           **Gaugel, Silkaitis**

**Absent:**       **Stellato, Turner**

**Nays:**         **Lemke, Krieger, Bessner, Lewis, Payleitner**

**Abstain:**

**Motion failed 2-5.**

Chairman Bancroft asked if this matter would then go back before City Council for a final vote. Ms. Tungare said yes.

Mr. Bochte said the local ordinance requires that the reasons for refusal shall be stated using mandatory language, and he would like the specific reasons for the down vote on the record. Aldr. Payleitner said she would be willing to do that at Council. Ms. Tungare said the Ordinance that will be prepared for City Council will have the findings of facts. Aldr. Payleitner said so we can do that at Council. Ms. Tungare said yes if that's the Committee's desire. Mr. Bochte said so we cannot have those findings for your reasons voting this down on the record tonight, but they would be subsequently put in an Ordinance regardless of what the Ordinance says. Chairman Bancroft clarified that this is a review by Committee with a negative recommendation to Council, and he agrees that at Council the specifics need to be given to the applicant of what the refusal would be. Mr. Tungare said staff would approach legal counsel with that ordinance.

- b. Plan Commission recommendation to approve a General Amendment to Title 17 of the St. Charles Municipal Code (Zoning Ordinance) to remove the lot area requirement for Drive-Through Facilities in the BL Local Business District.

Ms. Johnson said this General Amendment is proposed by David and Julie Lundeen. The zoning ordinance in the BL district requires a 1 acre minimum lot size for drive-through facilities to establish. The proposal is to remove the 1 acre requirement so that there's no lot size requirement particular to drive-through facilities in the BL district, but drive-through's in that district would still require a Special Use approval to establish; so every proposed drive-through would still need to demonstrate that the site provides adequate stacking, parking and circulation. Plan Commission held a public hearing on the amendment on Aug.16 and voted 5-2 to recommend approval.

Aldr. Krieger asked about stacking area and number of cars. Mr. Johnson said the particular stacking for Lundeen's won't be addressed for the General Amendment, it will be addressed for the Special Use which is next on the agenda.

Aldr. Payleitner said Committee packets usually include an explanation for "no" votes from Plan Commission, which were from Pretz and Wallace and does she know why they voted no. Ms. Johnson said she believes 1 of the members was because there are existing drive-throughs in the BL district that have lot sizes under 1 acre and there were concerns of existing issues with those drive-throughs on those smaller lot sizes. Aldr. Payleitner said she shares those concerns, and thanked Ms. Johnson for the reference sheet; she didn't have to go driving around to find those. Ms. Johnson said there are currently 6 drive-throughs in BL and 5 of those are under 1 acre. Aldr. Payleitner said she has had personal experience maneuvering 4 of those 5 and there's a good reason why an acre is required, so she is not sure why this would be a pro-argument for it because they are hideous to maneuver and she cannot imagine changing it based on the 4 or 5 tiny lot size

drive-throughs; they just don't work, and she believes a drive-through would not work on a lot under an acre. Aldr. Krieger agrees.

Aldr. Payleitner asked why we have the ordinance to begin with and what the 1 acre is. Mr. Johnson said previous to the 2006 zoning ordinance, there was no lot size requirement for commercial parcels/commercial zoning districts. Mr. Colby said the reason the 1 acre requirement specific to drive-through facilities was put into place was primarily in reaction to existing conditions that were observed with the smaller lots. This question did come up at Plan Commission as well and staff is not certain depending on the timeframe when those special uses were approved if they provided adequate stacking based on the ordinance requirements in place at the time. If this amendment were approved, going forward any use that's established would need to meet the minimum stacking requirement for that given use and he thinks the thought was that by having that requirement in place, if the minimum lot size standard were removed, there would still be an opportunity to review the stacking. Chairman Bancroft said as a follow-up to that; do we need a 1 acre requirement if we would always default to the stacking being the issue; what's the point of having the 1 acre requirement. Mr. Colby said for that reason staff doesn't object to removing the requirement because they think it's somewhat redundant as long as there's a stacking requirement and a Special Use review involved. Aldr. Payleitner said so some need 3 stacking, some 6 and some 12, ok. She apologized and said she wishes she could have gone to Plan Commission because she is curious about the conversation and is really surprised they would recommend approval because they are very strong proponents for encouraging pedestrian uses in downtown. Ms. Johnson noted the Lundeens were present to respond to questions.

Julie and David Lundeen-6 Greenwood Ct.-DeKalb-said they grew up in town and have used many of the drive-throughs in St. Charles and in looking at their lot, while it does not meet the 1 acre requirement, it certainly does meet traffic flow and would be obscured from Rt. 64. She said she has gone through Starbucks by Randall Rd. which sits on almost 1 acre and it is a nightmare to get to, as well as getting in and out, they have to put up cones to obstruct cars from other directions. She doesn't feel that a physical measurement of 1 acre determines what is an efficient and successful drive-through. She said in the next item on the agenda for the Special Use, they will show that they can hold more than the stacking requirement and can meet all the requirements of a drive-through while maintaining traffic flow. She said as far as the point made about being downtown; they are not considered the downtown area but are the corridor for mixed use and actually border by 1 street as full commercial out to Randall Rd. She said they do have customers that walk up but they also have a mixed use of clientele from Rt. 64 and neighbors, and they are there to answer any questions.

**Aldr. Silkaitis made a motion to approve the ordinance as stated. Seconded by Aldr. Gaugel.**

**Roll was called:**

**Ayes: Lemke, Gaugel, Bessner, Silkaitis**

**Absent: Stellato, Turner**

**Nays: Krieger, Lewis, Payleitner**

**Abstain:**

**Motion passed 4-3.**

- c. Plan Commission recommendation to approve a Special Use for a Drive-Through Facility for Lundeen Liquors, 1315 W. Main St.



Ms. Johnson said the Special Use is being proposed by the Lundeen's and the improvement to be made to the site in connection with the drive-through includes: drive through stacking running counterclockwise along the east side of the building with 5 stacking spaces, removal of the northern of the 2 access points onto 14<sup>th</sup> St. and additional landscaping along the street frontages. The City Council amended the liquor code last year to add a license category for drive-through service and the ordinance states that properties where the zoning ordinance requires a Special Use for a drive-through that the Special Use must be approved before the liquor license will be granted. The proposed Special Use at this location also requires approval of the General Amendment which was just discussed. Plan Commission held a public hearing on August 16<sup>th</sup> and recommended approval by a vote of 7-0 with 2 conditions: a drainage issue brought up by the neighboring property to the east be resolved to the satisfaction of staff, and the plan be modified to make sure vehicles don't cut across parking spaces. Regarding the drainage issues- engineering plans will need to be submitted for building permit review and at that time staff will ensure those issues are resolved. The site plan has been modified by the applicant to add planters in the parking area to be sure that vehicles do not cut across the spaces.

Aldr. Lewis said she believes there were some changes made to the BL zoning as far as liquor stores and that the ones that are there now are permitted to stay unless the use changed. Ms. Johnson said correct, and per that amendment for BL-liquor stores would be permitted along the major arterials including Main St. in the future.

Ms. Lundeen walked Committee through the diagram and stated that they have been looking for a long time to improve the property. Currently there are 3 access driveways and the one that sits by 14<sup>th</sup> and Rt. 64-they are offering to get rid of that access which would then create a more proper traffic flow through the lot to not allow people to turn or cut in by the stop sign to come in; it would also add considerably to the amount of green space on Rt. 64 and 14<sup>th</sup>. The drive-through would be accessed on 14<sup>th</sup> St. and all of it would flow behind the building between Dr. Masoncup and themselves. They spoke extensively with Dr. Masoncup-who is a commercial neighbor, he was at the public hearing and he does support this project. She said they took the recommendation to show the 24 ft. access from the triangle to the sign, and that the striped triangle would be put in place and they would also have large 3-4 ft. planters to create a physical obstruction to anyone cutting across that.

Aldr. Gaugel asking for clarification in terms of the driveway that's going to be shut off on 14<sup>th</sup> and if the plan will stay as it is being shown right now. Ms. Lundeen said there are currently 3 actual driveways into the property and the one closest to Rt. 64 will be closed.

Aldr. Lewis said in looking at the aerial view of the apartment and houses; how they feel it would affect the residential and have they had any conversation with those neighbors. Ms. Lundeen said yes, when they went through the initial process with Council they actually took signatures of customers and they had well over 700 signatures; as well as the notification that went to all of those within 250 ft. and no one seems to be against it. She said they service a lot of elderly and handicapped that would not have to try and come into the facility, they could just drive around. It flows really well and the driveways are more large to accommodate traffic flow in and out.

Chairman Bancroft said he recalled a presentation some time ago that showed the actual interface between someone in a car and someone who is manning the drive-through; the drive-through is

actually at closer proximity to the customer than at the counter. Ms. Lundeen said correct and showed a picture to demonstrate that from their Sycamore location. She noted that the window is of large size with no speaker for ordering, everything, including the carding, is conducted face-to-face. There are cameras in the drive-through and the proximity is closer than the counter because it's just the width of the window itself.

Aldr. Payleitner said it doesn't make any difference when the previous amendment was made, that every case by case would be entertained. This being less than ½ an acre even, we have to trust staff and the plan that this is sufficient room for a drive-through and she wondered if that's based on the number of cars or the business plan. Mr. Colby said based on the type of business, the Zoning Ordinance drive-through stacking requirement is 5 spaces, so it meets that minimum requirement for this type of business.

**Aldr. Silkaitis made a motion to approve a Special Use for a Drive-Through Facility for Lundeen Liquors, 1315 W. Main St. Seconded by Aldr. Gaugel.**

**Roll was called:**

**Ayes: Lemke, Gaugel, Bessner, Silkaitis**

**Absent: Stellato, Turner**

**Nays: Krieger, Lewis, Payleitner**

**Abstain:**

**Motion passed 4-3.**

- d. Recommendation to approve an Ordinance Amending Title 6 of the St. Charles Municipal Code, Entitled "Animals", Chapter 6.04 "Definitions" by adding Section 6.04.055 "Beekeeping" and Chapter 6.12 "Regulations", by adding Section 6.12.085 "Beekeeping Prohibited."

Mr. Vann said last month the practice of beekeeping was brought before Committee by staff; currently the city code does not provide standards for this type of activity. Following last month's presentation and discussion the Committee directed staff to draft an ordinance for their consideration and based on the Committee's direction the proposed ordinance will have the following provisions:

- 1) The activity of beekeeping is prohibited within the City corporate limits.
- 2) The activity of beekeeping shall be permitted by other units of governments owning property within City corporate limits, also known as "community bee gardens."
- 3) An existing bee garden that does not meet the proposed standards has an amortization date of one (1) year and shall be removed and discontinued.

Chairman Bancroft said he has had numerous conversations with other Committee members and he would say that the overwhelming majority of those he has heard from has suggested that this is an appropriate item to postpone using the Mayor's instruction from the last meeting, to obtain further education and understand the ins and outs of beekeeping to really make sure a decision is not rushed.

Aldr. Lewis said that between the time Committee gave staff direction and tonight she has received numerous phone calls and letters; who knew beekeeping was such a passion, but as she read these letters and listened to residents she feel she has a little more to learn on this before she can make

the decision to outright ban this. She is interested in more feedback from the community and the beekeepers; she spoke to the ex-president of the Beekeeping Association and she would like to see this postponed as well.

Aldr. Gaugel echoed Aldr. Lewis comments; he had a tremendous response in favor and support to allow beekeeping within the city and he feels committee was a little rushed and didn't have all the facts and information up front. He said he had a tremendous amount of feedback from residents who currently have hives and he had no knowledge there were that many beekeepers within the city and to his knowledge we haven't heard of this problem previous to the impetus for this whole discussion. Another point he wanted to make and he's sure his fellow committee members would agree with, is we just went through the America in Bloom process and were a contributing city to that and he questions what the America in Bloom folks might say to not allowing beekeeping within the city. He agrees with postponing and he is sure that in no way could he support a ban on it; he would be very amenable to guidelines more than an outright ban.

Aldr. Krieger is in agreement and shared a "model beekeeping ordinance" prepared by the Minnesota Hobby Beekeepers Association.

Chairman Bancroft said the suggestion of postponing is probably less related to postponing the draft prohibition ordinance; we will postpone the item to continue the discussion to have a further learning. He apologized to those who are here for this item; he had no idea we would not get to this until an hour and 45 min. into the meeting. He asked staff to come up with a way to efficiently synthesize the information that has been coming at us through a fire hose; to get the right information in the right quantity to make a conscious decision. He then congratulated those that were there in support of beekeeping.

Aldr. Payleitner agrees and would like to see an option that would more contain and control as opposed to an outright ban. She noted that there is a nuisance possibility here which needs to be addressed as well; be it a neighbor notification or whatever that we need to also keep on the other side. Aldr. Silkaitis agreed and said he understands the support of bees but we do have to look at the other sides of the story where those feel bees are a problem, he doesn't want to rush in and say bees are great, but he's willing to discuss it and see what we can do.

**Aldr. Lewis made a motion to postpone consideration of the ordinance that was proposed pending further discussion. Seconded by Aldr. Bessner.**

**Roll was called:**

**Ayes: Lemke, Krieger, Gaugel, Bessner, Lewis, Silkaitis, Payleitner**

**Absent: Stellato, Turner**

**Nays:**

**Abstain:**

**Motion passed 7-0.**

- e. Corridor Improvement Commission Recommendation to approve a Corridor Improvement Grant for 2601 E. Main Street (Warwick Publishing).

Mr. O'Rourke said the grant amount is \$2,704.88, essentially the property owners removed a large sidewalk in front of the building that faces E. Main St. and they are proposing to install some more

decorative/perennial shrubs, mostly evergreens to soften the side of the building. The Corridor Commission recommended approval on September 7, 2016.

**Aldr. Silkaitis made a motion to approve a Corridor Improvement Grant for 2601 E. Main Street (Warwick Publishing). Seconded by Aldr. Payleitner. Approved unanimously by voice vote. Motion carried. 7-0**

- f. Historic Preservation Commission Recommendation to approve historic landmark designation for 514 Oak St., Charles Hunt House.

Mr. Colby said this house has been nominated by the Historic Preservation Commission in cooperation with the owner of the property. The house is nominated based on architecture as an example of nearly unaltered Craftsman style dating back to the early 1920's. A public hearing was by Historic Preservation Commission and recommended approval. It was noted that the homeowner signed off on the application.

**Aldr. Bessner made a motion to approve historic landmark designation for 514 Oak St., Charles Hunt House. Seconded by Aldr. Silkaitis. Approved unanimously by voice vote. Motion carried. 7-0**

- g. Recommendation to approve a Final Plat of Subdivision for First Street Phase III (Resubdivision of the Resubdivision of Phase III First Street Redevelopment Subdivision).

Mr. Colby said last week Council approved plans for First St. building #3 which included a preliminary subdivision plat to modify the building lots for the approved footprint for building #3. The city has prepared the subdivision plat based on the footprint for building #3, some of the other lot lines on the site have been slightly revised to better reflect the actual constructed building footprints for both building #1 and the parking deck. He said there's a small right-of-way dedication at the corner of 1<sup>st</sup> and Illinois, staff is still reviewing the easement language but is recommending approval subject to resolution of outstanding comments on the easement language.

**Aldr. Bessner made a motion to approve a Final Plat of Subdivision for First Street Phase III (Resubdivision of the Resubdivision of Phase III First Street Redevelopment Subdivision). Seconded by Aldr. Lemke. Approved unanimously by voice vote. Motion carried. 7-0**

**5. ADDITIONAL BUSINESS-None.**

**6. EXECUTIVE SESSION-None.**

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

**8. ADJOURNMENT- Aldr. Bessner made a motion to adjourn at 8:52pm. Seconded by Aldr. Gaugel. Approved unanimously by voice vote. Motion Carried. 7-0**