

**MINUTES
CITY OF ST. CHARLES, IL
PLANNING & DEVELOPMENT COMMITTEE
MONDAY, SEPTEMBER 13, 2021 - 7:00 PM**

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

Members Absent: Payleitner, Bancroft

Others Present: Lora Vitek, Mayor; Heather McGuire, City Administrator; Nicholas Peppers, City Attorney; Russell Colby, Acting Director of Community & Economic Development; Monica Hawk, Development Engineer; Ellen Johnson, City Planner; Rachel Hitzemann, City Planner

1. CALL TO ORDER

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

2. ROLL CALL

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

3. OMNIBUS VOTE

- *a. Plan Commission recommendation to approve the Final Plat of Subdivision for St. Charles Prairie Centre Fourth Resubdivision.
- *b. Recommendation to approve a Minor Change to PUD for Wok N Fire, 2801 E. Main St. (Stuart's Crossing PUD)

Ald. Wirball made a motion to approve omnibus items *4a and *4b on the Agenda. Seconded by Ald. Lencioni.

Roll was called:

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

Absent: Payleitner, Bancroft

Recused:

Nays:

Motion passed 7-0

4. COMMUNITY & ECONOMIC DEVELOPMENT

- c. Consideration of a request to amend the Natural Area Easement at 918 Fox Glen Drive.

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

Ald. Silkaitis asked about planting saplings in place of the 20 trees more than 4 inches in diameter that would be removed. He is requesting 3" trees be used to replace trees removed. Mr. Jay Reading, 918 Fox Glen Drive, advised the 20 trees greater than 4" to be removed are new growth from the old growth trees. These new trees are what is encroaching on the deck which is worse than when moved into the home 20 years ago. Mr. Reading suggested he would bring in an arborist and agreed 3" trees would be used to replace cut down trees wherever possible.

Ald. Wirball echoed Ald. Silkaitis comments on replanting of trees.

Ald. Bessner asked if Mr. Reading thinks the HOA will approve of the removal of trees. Mr. Reading believes the HOA will approve after reviewing architectural plans.

Ald. Bessner asked Mr. Colby if City approves and HOA does not, what will happen? Mr. Colby responded the item will not advance to City Council unless there is approval from the HOA. If there is a disagreement, with the HOA requesting something different, it would be brought back to Committee.

Ald. Pietryla asked would city arborist go out? Will there be confirmation trees have been replaced? Mr. Colby responded typically the homeowner hires the arborist and provides the report to the City. Part of the permitting process for deck or pool would be to confirm replanting of trees.

Ald. Balla asked if lot line where you can plant and not plant, does it jut out by neighbor to neighbor? Mr. Colby advised originally the lines were straight but had been modified over time. This change would make lot lines more uniform with the neighbors.

Ald. Lencioni made a motion to approve the request to amend the Natural Area Easement at 918 Fox Glen Drive (Subject to HOA approval). Seconded by Ald. Bongard.

Roll was called:

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

Absent: Payleitner, Bancroft

Recused:

Nays:

Motion passed 7-0

- d. Consideration of a request to grant a Waiver of the Right of First Refusal and Assignment of a License regarding 201 E. Main St.

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

Ald. Wirball noted in 2010 the property was sold from City, do we have the dollar amount of sale? Mr. Colby advised property sold for \$134,000.

Ald. Silkaitis has no problem waiving right of first refusal, but asked if it can be added to the contract for the new owners. Mr. Nicholas Peppers, City Attorney, has engaged both attorneys for buyer, Mr. Cook and seller, Mr. Hoscheit. One of the conditions of waiver is the Right of First Refusal continues on past this transaction to natural expiration in 2025. It will remain as well as any assignment that may be consented to, that remains, and if that group sells, they will have to come back to the City.

Ald. Balla asked for confirmation if the entire agreement continues with new owners of property. Mr. Peppers confirmed transfer of real estate is encumbered by 2 major items, city has right to say no, they can buy back at current value, and use of walkway stay in place with transfer of ownership. Mr. Cook and Mr. Horschiet have agreed to changes.

Ald. Lencioni made a motion to approve a Waiver of the Right of First Refusal and Assignment of a License regarding 201 E. Main St. with contingency that staff review final documents. Seconded by Ald. Pietryla.

Roll was called:

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

Absent: Payleitner, Bancroft

Recused:

Nays:

Motion passed 7-0

- e. Discussion regarding extension of Temporary Outdoor Dining Program

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

Ald. Wirball thinks the program should be extended to April 15.

Ald. Bongard asked how construction will impact outdoor dining. Mr. Colby said it will affect area along 1st Street area and the east plaza.

Ald. Silkaitis has no issues extending but we will have to decide in the future what to do with public property that businesses are using and not paying anything. Fee structure will need to be discussed as this is a public plaza and public street.

Mr. Colby advised staff's intent was to bring forward for discussion over the winter.

Ald. Balla asked how far in front of Alter Brewing are they asking for extension. Mr. Colby believes request is for same area currently occupied. Ken Hendricks, Alter Brewing advised currently they are occupying 34 feet from north building façade. They would like 16 feet from concrete planters.

Ald. Pietryla is okay with extension through April 15. Have any other restaurants asked for enclosures? Mr. Colby answered no but it is possible others will ask and will need to apply using permitting process that is in place.

Ald. Pietryla made a motion to approve extension of Temporary Outdoor Dining Program to April 15, 2022. Seconded by Ald. Wirball .

Roll was called:

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

Absent: Payleitner, Bancroft

Recused:

Nays:

Motion passed 7-0

- f. Plan Commission recommendation to approve Special Uses for a Restaurant and Drive-Through Facility for Beef Shack, 2015 W. Main St.

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

Ald. Wirball supports project but would table the “welcome sign” for now with the intent to use a design that keeps all City welcome signs uniform.

Ald. Pietryla agreed with Ald. Wirball.

Ald. Lencioni made a motion to approve Special Uses for a Restaurant and Drive-Through Facility for Beef Shack, 2015 W. Main St., minus the welcome sign. Seconded by Ald. Balla.

Roll was called:

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

Absent: Payleitner, Bancroft

Recused:

Nays:

Motion passed 7-0

- g. Presentation of a Concept Plan for Springs at Smith Road

Mr. Weber let the record reflect 2 additional letters were received, one from William Thomas and one from Bill Marrano. Plan Commission had much public comment with questions concerning traffic study and drainage. He advised that any plan that would go forward would be subject to a future traffic study and drainage study.

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

Mr. Frederick Hood, Development Director, Continental Properties, presented the Springs at Smith Road plan:

- 340 units with Studio, 1, 2, and 3 bedroom units
- 17- 2 story buildings, each building to contain 20 units
- 10-40-40-10 mix
 - 10% Studio

- 40% 1 Bedroom
- 40% 2 Bedroom
- 10% 3 Bedroom
- Unit size runs 662 to 1,384 square feet
- Tuck-under parking garages as well as additional detached parking garages and outside parking
- Club House with fitness center and pool
 - 4,800 square feet
 - 24-hour access to fitness center
- On site management – no 3rd party management
- 2 Pet Playgrounds, considering playground for children
- Car Wash Station – no mechanical just water
- Pet Care Center – large sink to wash pets
- Valet Trash Removal
- Will be getting wetland report back soon, plans on leaving vegetation along Cornerstone Lakes and also west and east of property on southern boundary with additional landscaping where necessary
- Courtyards with sidewalks between buildings
- All units are direct access, not hallways
- Presented floor plans for units
- Timeline:
 - Approval March-May 2022
 - Completion June 2024

Ald. Bessner asked the distance from homes to north? Where are dog parks? Roof colors are all the same color? Mr. Hood advised approximately 275 to 300 feet from home lot lines. Pointed out where dog parks are located. Typically there are no noise complaints with dogs. Aggressive breeds of dogs are not permitted. Program in place, each dog is DNA tested before moving into property. If dog droppings are not picked up owners will be ticketed, only allowed 3 instances before dog is asked to be removed from community. Roof colors are negotiable, will work with staff and Council if color change is needed.

Ald. Wirball asked if the property is owned by Continental Properties or under contract. Mr. Hood advised they are currently contract.

Ald. Wirball had a different concept for this property based on 2013 Comprehensive Plan which is townhouses. DuPage County also has zoned it for single family. He feels this would be less dense and less traffic issues. Mr. Hood responded Springs creates a townhome-like apartment building, units are stacked. Continental Properties does not build townhome communities.

Ald. Pietryla agrees with Ald. Wirball given the Comprehensive Plan as his guide. Is there a sidewalk along Smith Road? Children will be attending school down the street. Would like to see less density. He asked if the project complied with the boundary agreement density standard.

Mr. Hood responded there is not a sidewalk but plans for extending an existing 10-foot path. Developer is open to looking at plan that would have less density. Ms.

Johnson advised the plan does comply with density restrictions in the boundary agreement.

Ald. Lencioni likes the community and DNA testing dogs. Would like to see more green space, less dense. He is interested in the project and would like to see what will be done to address comments.

Ald. Silkaitis would like to see single family homes. He does not like gated communities, nobody can go in and walk around from the community. Only one entrance and one emergency access point are a concern, he would like to have 2 entrances. Mr. Hood will take under advisement the gated community aspect. People do like the fence on a safety aspect with Smith Road. Fence does allow some type of protection. Will be flexible on the placement of the fence and gates.

Ald. Balla agrees with other comments, including 2 entrances. Green space, would like to see playground for kids, density concern.

Ald. Bongard asked about target market. Not hearing targeting young families with kids. Time frame, how much leeway on timeline? There are 3 developments currently on this part of town's future development. Mr. Hood advised the approach is to look at young professionals, millennials, empty nesters. We also have 2 and 3 bedroom units for families. Families are not the largest market. If given approval today construction would start the day after closing on property. He feels there is enough market demand for all 3 developments in area. Market demand for rentals suggests need for 1,048 rentals.

Chairman Weber asked what the occupancy rate is for current rentals? Who pays utilities for units? Are there permits for parking? Do community managers live on site? Density needs to be addressed, more green space, likes the location of the gate which is away from the school. Would like to see a kid's park.

Mr. Hood advised rental occupancy rate for Springs rentals in Chicagoland is 96 – 97%. Water and electric are sub metered and are paid for by residents. If there is a parking shortage spots will be assigned. Typically, people park nearest to their building. Community managers live on site or nearby.

Mr. Nicholas Dzierzanowski, 2456 Lehman Dr., West Chicago. Not opposed to development of property, opposed to the proposal. In 2016 owner wanted to put 416 units. City said too dense and wanted property to be R1 or RM2, this development is RM3. In 2017 owner filled out application for annexation with RM3 zoning, City chose not to move forward without development plan. Mr. Dzierzanowski served on West Chicago City Council from 2003 to 2013 and Development Committee for West Chicago and DuPage County Storm Water Management for 7 years. Please address flooding issues of this property, it will affect homes bordering the property. Concern also on traffic issues this development will cause. This development does not fit this area. Comprehensive Plan shows what should be put on this property- Townhomes and a small sliver of apartments.

Mrs. Nancy Gardaphe, 3736 King George Lane, St. Charles. Concern gated entrance feels very restrictive. Traffic going out on to Smith Road from Cornerstone Lakes in the morning is bad. How many additional parking slots are there? Size of parking slots important. Concerning that it will only take 18 months to build. She feels the Concept Plan for Charlestowne Mall is a priority as that is what people see first coming into St. Charles. Concern about 340 apartments in Springs; DR Horton 102 townhomes, 62 duplexes; mall 325 garden apartments, 208 townhomes- would be 1,037 people moving in if just one person moved into each unit. Would appreciate City looking at it holistically as opposed to individual development.

Ms. Teresa Bundy, 2730 Lehman Dr., West Chicago. Existing wetland is not dealing with current water issues, it ends right after my house. Water is actually coming from Kingswood retention pond, has waterway under Foxfield Drive to field to tree line to existing wetland. Would like to see existing wetland addressed because without that homes will continue to flood.

5. ADDITIONAL BUSINESS - None

6. EXECUTIVE SESSION - None

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

8. ADJOURNMENT – Ald Wirball made a motion to adjourn at 8:25 p.m. Seconded by Ald Pietryla.