

**MINUTES
CITY OF ST. CHARLES, IL
PLANNING AND DEVELOPMENT COMMITTEE
MONDAY, SEPTEMBER 14, 2020 7:00 P.M.**

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

Members Absent: None

Others Present: Mayor Rogina, Mark Koenen; City Administrator, Rita Tungare; Director of Community & Economic Development, Russell Colby; Assistant Director of Community & Economic Development, Ellen Johnson; City Planner, Rachel Hitzemann; City Planner, Ciara Miller; Econ. Dev. Planner, Chris Minick; Director of Finance, Nick Peppers, City Attorney

1. CALL TO ORDER

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

2. ROLL CALLED

Roll was called:

Present: Stellato, Silkaitis, Payleitner, Lemke, Bancroft, Vitek, Pietryla, Bessner, Lewis

Absent:

3. OMNIBUS VOTE

*4h. Consideration of a request to rename Porter Court.

*4i. Recommendation to approve a Right-of-Way License Agreement between the City of St. Charles and St. Charles Public Library District regarding the St. Charles Public Library, 1 S. 6th Ave.

Aldr. Bessner made a motion to approve omnibus items *4h and *4i, on the Agenda. Seconded by Aldr. Pietryla. Approved unanimously by voice vote. Motion Carried.

4. COMMUNITY & ECONOMIC DEVELOPMENT

- a. Recommendation to approve an Economic Incentive Agreement with McGrath Motors, Inc. (McGrath Honda relocation and expansion at former Mega Center property).

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

Aldr. Lemke asked if the 75% that is going back to McGrath is helping them payoff the improvements they are making. Mr. Koenen said the \$4 million is assistance for land purchase and site development and about \$1.2 million is for infrastructure.

Aldr. Stellato made a motion to recommend approval of an Economic Incentive Agreement with McGrath Motors, Inc (McGrath Honda relocation and expansion at former Mega Center property). Seconded by Aldr. Bancroft.

Roll was called:

Ayes: Pietryla, Bessner, Lewis, Stellato, Silkaitis, Lemke, Bancroft, Vitek

Absent:

Recused:

Nays:

Motion passed 8-0

- b. Plan Commission recommendation to approve a Preliminary and Final Plat of Subdivision for Pheasant Run Resort Subdivision.

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

Aldr. Lewis asked if it was correct that the issue of sidewalks could be determined later. Mr. Colby said there is currently no sidewalk system in place along the frontage of the property and limited crossings to connect to. The thought was as these lots are developed, and depending on the layout, the sidewalk network may be on the perimeter of the site or through it.

Aldr. Bessner made a motion to approve a Preliminary and Final Plat of Subdivision for Pheasant Run Resort Subdivision. Seconded by Aldr. Pietryla. Approved unanimously by voice vote. Motion Carried.

- c. Recommendation to approve a Minor Change to PUD for Prairie Centre Mixed Use buildings.

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

Aldr. Bessner made a motion to approve to a Minor Change to PUD for Prairie Centre Mixed Use building. Seconded by Aldr. Vitek. Approved unanimously by voice vote. Motion Carried.

- d. Presentation of Concept Plan for Anthony Place 2.

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

Chealon Shears, representative for GC Housing Development LLC, provided further information regarding the building details and unit amenities. She stated they are requesting a waiver for the applicable inclusionary housing, park and school fees.

Aldr. Pietryla asked if they were seeking to amend the PUD only or if they were also asking for zoning change. Ms. Shears said the original request was for rezoning, but the Plan Commission recommended retaining the BR classification and to address bulk and use standards through the PUD without rezoning.

Aldr. Silkaitis asked for clarification as to what the land/cash ordinance calls for and what the applicant is requesting. Mr. Colby said the land/cash ordinance would apply to this

project because they are considered residential units. The Inclusionary Housing Ordinance requires projects to provide a portion of units as affordable or a fee in lieu paid. One of the incentives to have the units constructed is that there is a development cost offset that would essentially waive all the City's applicable development fees, including the school and park land cash fees, for the portion of units that are affordable. A project of this size would typically require 10% of the units be made affordable and those fees would be waived. Since the entire project consists of affordable units, the request is for the development cost offset incentive be applied to the entire project. This would mean all the City's fees, along with the school and park fees, would be waived. Staff sent the request information to the school and park districts for feedback. The school district would not be as impacted, because based on the type of units, this would be a relatively low fee. The park district reviewed the request, but would like to hear the City's opinion before offering their opinion. Mr. Colby said if this moves forward, the request could be accommodated through the PUD ordinance.

Aldr. Silkaitis asked if they could put the age restriction in the ordinance so that whatever they agree to goes with the property and not the ordinance. Ms. Shears said that would be acceptable.

Aldr. Silkaitis asked if they bypassed the park donation for other similar developments. Mr. Colby said they have not had this type of request with a 100% affordable age-restricted project. Aldr. Silkaitis also asked if there has been an increased demand for this type of housing in the area. Ms. Shears said they leased out phase 1 units within a two-month period and they have a healthy waitlist for the next phase. Aldr. Lewis asked if they could guarantee priority to St. Charles residents. Ms. Shears stated they need to abide by the Fair Housing Act. However, from past experience the vast majority of residents have been within the region of St. Charles.

- e. Plan Commission recommendation to approve a Zoning Map Amendment, Special Use for Planned Unit Development and PUD Preliminary Plan for Munhall Glen.

This item was not presented.

- f. Plan Commission recommendation to approve a Map Amendment, Special Use for Planned Unit Development, and PUD Preliminary Plan for Pride of Kane County, southeast corner of Kirk Rd. and E. Main St.

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

Aldr. Lemke said he would need to see a draft of the annexation agreement before deciding. Ms. Johnson said it was not fully drafted yet because they were waiting for further feedback on the proposed items and before setting of a public hearing date for the annexation agreement. Aldr. Lemke felt there was no reason to limit what is otherwise permitted in other retail zoning areas.

Mario Spina, owner of Parent Petroleum, said it is going to be an expensive site to develop due to the restrictions on the site. He said they are not asking for sales tax abatement as others do with annexed properties which is why they asked for assistance with the

sidewalk. He clarified their request to restrict other gas stations on Main Street. He said if the property doesn't currently allow for gas station use, that there won't be any new rezoning for that use on Main Street. It's not to change the existing zoning for sites already zoned for gas station use. Another station in close proximity can kill the economics of the location.

Jayne Muenz, 27 Southgate Course, expressed concerns over the use of this lot. She felt it wasn't the right use of the lot and stated the number of accidents would increase. She also noted the plan for this particular use goes against at least five points in the Comprehensive Plan. She was against the non-competitive nature of the restriction limiting other gas stations in the area and having a gas station at the entry to the east gateway.

Aldr. Silkaitis said he has trouble supporting the sidewalk request and the restriction on rezoning other properties.

Aldr. Bancroft felt the radius restriction wasn't appropriate, but he would be open to further discussion on incentives. He said they have not seen any other options presented for that site and they need to consider if they would prefer to keep it left as is.

Aldr. Vitek said she only has an issue with the competitive piece. Aldr. Pietryla was not in favor of the plan.

Aldr. Bessner asked if the radius restriction applied all the way down Main Street to the river. Mr. Spina said that is correct and it is due to the volume of customers needed to survive. Aldr. Bessner asked staff if any current gas stations close or resell, would they fall under the "no gas station" restriction. Mr. Colby stated they would need to go through a process to understand what they would be trying to accomplish by imposing this type of restriction. Mr. Peppers said he would have serious reservation of the legal sufficiency of this Council agreeing to enact zoning in an annexation agreement or a zoning approval to limit competition on other property.

Aldr. Lewis stated this is not the proper land use. She felt the corner needs to be more of a destination than an in/out convenience type thing.

Aldr. Bessner asked if the restriction on other gas stations is a deal breaker. Mr. Spina said it's a concern.

Aldr. Stellato said that corner should have been an outlot in conjunction with Main Street Commons and they missed the boat. They are dealing with a very complex corner. The Comprehensive Plan is simply a guide and it needs to be adapted to the market. He feels this is the right development for this corner at this time and sales tax dollars are huge for gas stations. However, he still has issues with the non-compete clause.

Chair Payleitner asked staff for advice on moving forward. Ms. Tungare said based on the feedback received, the applicant needs to decide if they want to advance forward with the annexation agreement. She said a motion is not necessary at this point.

- g. Consideration of a request regarding The Reserve of St. Charles bike path.

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

Jay Dulla, Managing Director of Meritus Homes, said the bike path issue has been resolved over the years. He said they agreed to the \$23,805 and would like to give it to the HOA to make some improvements.

Terry Whitter, 1125 Reserve Dr., represented the HOA. She said they have received complaints from homeowners about damage caused by a tree service company working in the unincorporated area that runs along the subdivision. They have begun landscape renovations of this parcel and have installed a security fence. They would use the money to continue further renovations around this area.

Aldr. Bancroft said the bike path never came to fruition and felt this would be a good solution. Aldr. Lewis said there are still homes that need to be built in that subdivision and would prefer to leave things as they are or have the city take control of the property. Aldr. Bancroft disagreed. He felt they would be waiting for a plan that doesn't exist. He would rather have the money released to benefit the property owners. Aldr. Lemke felt there was no longer a need for a bike path due to other street connections that are now completed.

Aldr. Bancroft made a motion to approve the request for the release of the requirement for a bike path and correspondingly the dollars that are held as security to the neighborhood association. Seconded by Vitek.

Roll was called:

Ayes: Pietryla, Bessner, Stellato, Silkaitis, Lemke, Bancroft, Vitek

Absent:

Recused:

Nays: Lewis

Motion passed 7-1

5. ADDITIONAL BUSINESS – None.

6. EXECUTIVE SESSION – None.

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

8. ADJOURNMENT - Aldr. Pietryla made a motion to adjourn at 8:20 p.m. Seconded by Aldr. Bessner. Approved unanimously by voice vote. Motion Carried.