

**MINUTES  
CITY OF ST. CHARLES, IL  
PLAN COMMISSION  
TUESDAY, JANUARY 8, 2019**

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Members Present: Chairman Wallace  
Vice Chairman Kessler  
James Holderfield  
Tom Pretz  
David Pietryla  
Peter Vargulich  
Laura Macklin-Purdy  
Jennifer Becker

Members Absent: Jeffrey Funke

Also Present: Russell Colby, Community & Economic Development Manager  
Ellen Johnson, Planner  
Rachel Hitzemann, Planner  
Court Reporter

**1. Call to order**

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

**2. Roll Call**

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

**3. Presentation of minutes of the December 4, 2018 meeting of the Plan Commission.**

**Motion was made by Vice Chairman Kessler, seconded by Mr. Pretz, and unanimously passed by voice vote to approve the minutes of the December 4, 2018 Plan Commission meeting.**

**PUBLIC HEARING**

**4. General Amendment (City of St. Charles)**

Ch. 17.26 “Landscaping and Screening” and Ch. 17.14 “Business and Mixed Use Districts” regarding modifications to site landscaping requirements.

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

**Motion was made by Vice Chairman Kessler, seconded by Mr. Pretz, and unanimously passed by voice vote to close the public hearing.**

**Roll Call Vote:**

**Ayes: Holderfield, Becker, Vargulich, Pretz, Pietryla, Macklin-Purdy, Wallace, Kessler**

**Nays:**

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**Tuesday, January 8, 2019**  
**Page 2**

**Absent: Funke**

**Motion carried: 8-0**

**5. General Amendment (City of St. Charles)**

Ch. 17.30 “Definitions”, Section 17.30.020 “Use Definitions” regarding Pet Care Facilities and Section 17.30.030 “General Definitions” regarding Pergola and Arbor/Trellis; Ch. 17.28 “Signs”, Section 17.28.060 “Illumination” regarding series and awning lighting.

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

**Motion was made by Vice Chairman Kessler, seconded by Mr. Pretz, and unanimously passed by voice vote to close the public hearing.**

**Roll Call Vote:**

**Ayes: Holderfield, Becker, Vargulich, Pretz, Pietryla, Macklin-Purdy, Wallace, Kessler**

**Nays:**

**Absent: Funke**

**Motion carried: 8-0**

**6. General Amendment (City of St. Charles)**

Ch. 17.12 “Residential Districts”, Ch. 17.14 “Business and Mixed Use Districts”, Ch. 17.20 “Use Standards”, Ch. 17.24 “Off-Street Parking, Loading and Access”, and Ch. 17.30 “Definitions” regarding regulation of short-term rental units.

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

**Motion was made by Vice Chairman Kessler, seconded by Mr. Pretz, and unanimously passed by voice vote to continue this item to the January 22, 2019 meeting.**

**Roll Call Vote:**

**Ayes: Holderfield, Becker, Vargulich, Pretz, Pietryla, Macklin-Purdy, Wallace, Kessler**

**Nays:**

**Absent: Funke**

**Motion carried: 8-0**

**MEETING**

**7. General Amendment (City of St. Charles)**

Ch. 17.26 “Landscaping and Screening” and Ch. 17.14 “Business and Mixed Use Districts” regarding modifications to site landscaping requirements.

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**Page 3**

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

**Motion was made by Vice Chairman Kessler and seconded by Ms. Macklin-Purdy to recommend approval of the General Amendment (City of St. Charles) for Ch. 17.26 “Landscaping and Screening” and Ch. 17.14 “Business and Mixed Use Districts” regarding modifications to site landscaping requirements with a condition that invasive species be removed from the Plant Palette.**

**Roll Call Vote:**

**Ayes: Holderfield, Pretz, Kessler, Wallace, Vargulich, Macklin-Purdy, Pietryla, Becker**

**Nays:**

**Absent: Funke**

**Motion carried: 8-0**

**8. General Amendment (City of St. Charles)**

Ch. 17.30 “Definitions”, Section 17.30.020 “Use Definitions” regarding Pet Care Facilities and Section 17.30.030 “General Definitions” regarding Pergola and Arbor/Trellis; Ch. 17.28 “Signs”, Section 17.28.060 “Illumination” regarding series and awning lighting.

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

**Motion was made by Vice Chairman Kessler and seconded by Ms. Macklin-Purdy to recommend approval of the General Amendment (City of St. Charles) for Ch. 17.30 “Definitions”, Section 17.30.020 “Use Definitions” regarding Pet Care Facilities and Section 17.30.030 “General Definitions” regarding Pergola and Arbor/Trellis; Ch. 17.28 “Signs”, Section 17.28.060 “Illumination” regarding series and awning lighting with a condition that limitations on series lighting shall not apply in residential areas.**

**Roll Call Vote:**

**Ayes: Holderfield, Pretz, Kessler, Wallace, Vargulich, Macklin-Purdy, Pietryla, Becker**

**Nays:**

**Absent: Funke**

**Motion carried: 8-0**

**9. General Amendment (City of St. Charles)**

Ch. 17.12 “Residential Districts”, Ch. 17.14 “Business and Mixed Use Districts”, Ch. 17.20 “Use Standards”, Ch. 17.24 “Off-Street Parking, Loading and Access”, and Ch. 17.30 “Definitions” regarding regulation of short-term rental units.

This item was continued to the January 22, 2019 meeting.

**10. Plan Commission Rules of Procedure Review**

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

**11. Comprehensive Plan Update for Downtown:**

Summary of existing planning documents; Review of existing conditions

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

**12. Additional Business from Plan Commission Members or Staff**

**13. Weekly Development Report**

**14. Meeting Announcements**

a. Plan Commission

Tuesday, January 22, 2019 at 7:00pm Century Station Training Room

Tuesday, February 5, 2019 at 7:00pm Council Chambers

Tuesday, February 19, 2019 at 7:00pm Century Station Training Room

b. Planning & Development Committee

Monday, January 14, 2019 at 7:00pm Council Chambers

Monday, February 11, 2019 at 7:00pm Council Chambers

**15. Public Comment**

**16. Adjournment at 8:54 p.m.**



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# Transcript of Hearing - General Amendments for Modifications to Site Landscaping

**Date:** January 8, 2019

**Case:** St. Charles Plan Commission

**Planet Depos**

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BEFORE THE PLAN COMMISSION  
OF THE CITY OF ST. CHARLES

-----x  
In Re: General Amendments :  
Regarding Modifications to :  
Site Landscaping :  
Requirements, Series and :  
Awning Lighting, and :  
Regulation of Short-Term :  
Rental Units :  
-----x

HEARING  
St. Charles, Illinois 60174  
Tuesday, January 8, 2019  
7:00 p.m.

Job No.: 168461  
Pages: 1 - 109  
Reported by: Joanne E. Ely, CSR, RPR

1 HEARING, held at the location of:

2

3 ST. CHARLES CITY HALL

4 2 East Main Street

5 St. Charles, Illinois 60174

6 (630) 377-4400

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13 Before Joanne E. Ely, a Certified Shorthand  
14 Reporter, and a Notary Public in and for the State  
15 of Illinois.

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1 PRESENT:

2 TODD WALLACE, Chairman

3 TIM KESSLER, Vice Chairman

4 JENNIFER BECKER, Member

5 JAMES HOLDERFIELD, Member

6 LAURA MACKLIN-PURDY, Member

7 DAVID PIETRYLA, Member

8 TOM PRETZ, Member

9 PETER VARGULICH, Member

10 ALSO PRESENT:

11 RUSSELL COLBY, Community & Economic  
12 Development Manager

13 ELLEN JOHNSON, Planner

14 RACHEL HITZEMANN, Planner

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P R O C E E D I N G S

CHAIRMAN WALLACE: The St. Charles Plan  
Commission will come to order.

Roll call.

VICE CHAIRMAN KESSLER: Holderfield.

MEMBER HOLDERFIELD: Here.

VICE CHAIRMAN KESSLER: Becker.

MEMBER BECKER: Here.

VICE CHAIRMAN KESSLER: Vargulich.

MEMBER VARGULICH: Here.

VICE CHAIRMAN KESSLER: Pretz.

MEMBER PRETZ: Here.

VICE CHAIRMAN KESSLER: Pietryla.

MEMBER PIETRYLA: Here.

VICE CHAIRMAN KESSLER: Laura. Purdy.

MEMBER MACKLIN-PURDY: I'm here.

VICE CHAIRMAN KESSLER: Wallace.

CHAIRMAN WALLACE: Here.

VICE CHAIRMAN KESSLER: Here.

CHAIRMAN WALLACE: Okay. Item 3 is  
presentation of the minutes of the December 4th,  
2018, meeting of the Plan Commission.

VICE CHAIRMAN KESSLER: Motion to approve.

MEMBER PRETZ: Second.

1 CHAIRMAN WALLACE: All right. Any  
2 discussion?

3 (No response.)

4 CHAIRMAN WALLACE: All in favor.

5 (Ayes heard.)

6 CHAIRMAN WALLACE: Opposed.

7 (No response.)

8 CHAIRMAN WALLACE: Motion passes  
9 unannounced.

10 Items 4 through 6 are public hearings, and  
11 then 7 through 9 are action items on those public  
12 hearing items.

13 Since I think that everyone here knows  
14 what our procedure is for public hearings -- and I  
15 can't remember. Do you need to be sworn in?

16 MS. JOHNSON: No.

17 CHAIRMAN WALLACE: Will you tell the  
18 truth?

19 MS. JOHNSON: I will.

20 CHAIRMAN WALLACE: All right. Go ahead.

21 Oh, I'm sorry. Item 4, general amendment,  
22 City of St. Charles, Chapters 17.26 and 17.14.

23 Are you going to take them one at a time?

24 MS. JOHNSON: Yes.

1 CHAIRMAN WALLACE: Okay.

2 MS. JOHNSON: Well, I'll just do -- I'll  
3 do the entire item 3, yes.

4 CHAIRMAN WALLACE: All right. Go ahead.

5 MS. JOHNSON: Okay. So I'll start with  
6 the landscape chapter. So we're proposing a  
7 number of amendments to Chapter 17.26 of the  
8 zoning ordinance which contains requirements for  
9 site landscaping and screening of private  
10 property.

11 The purpose of these amendments is to  
12 address some of the sections of the code that  
13 staff has identified over the past couple of years  
14 as being overly onerous or difficult to interpret  
15 or hard to administer.

16 So the staff report kind of lays out all  
17 these changes in detail, and then a full redline  
18 version is attached to the packet. So I'm just  
19 going to go over some of the main points tonight.

20 So the first is in regards to building  
21 foundation landscaping. I'll kind of go over the  
22 current requirements. You're probably familiar  
23 with them from reviewing staff reports in the  
24 past. But currently, we require 75 percent of the

1 front wall of the building to be landscaped along  
2 the building foundation. The front wall is  
3 defined as the wall that has the primary public  
4 entrance.

5 And then we require 50 percent of the  
6 remaining walls to be landscaped, and the  
7 landscape foundation beds need to be 8-feet wide,  
8 so measure 8 feet perpendicular from the wall.

9 The amount of planting is based on the  
10 length of -- the entirety of the walls of the  
11 building divided by 50. So two trees are required  
12 for 50 feet of building wall and then 20 shrubs,  
13 bushes, or perennials are required per 50 feet.

14 So proposed changes reduced these  
15 requirements to a total of 50 percent of all  
16 building walls, but 50 percent of walls facing a  
17 public street. So if there is a corner -- you  
18 know, a building on a corner, 50 percent of the  
19 walls on each side facing the public street needs  
20 to be landscaped, and then reducing the width of  
21 the planting beds to 5 feet.

22 We are also proposing to reduce the  
23 planting requirement by basing the number of  
24 plants required on the length of the landscape

1 beds instead of the length of the entire building  
2 wall.

3 And then we also are proposing to allow  
4 shrubs on certain situations where placing trees  
5 is not practical, such as, you know, a tree would  
6 be too close to the building wall or if there's,  
7 you know, a transformer or something like that in  
8 the way. Right now the code doesn't really  
9 explicitly provide that sort of flexibility,  
10 although staff has been allowing it in situations  
11 where it's been necessary. So this codifies the  
12 practice.

13 CHAIRMAN WALLACE: Does it actually say  
14 when deemed necessary by staff?

15 MS. JOHNSON: I don't think so. I think  
16 we could add that, maybe just say when deemed  
17 necessary.

18 CHAIRMAN WALLACE: I just think that a,  
19 you know, developer will always deem it necessary.

20 MS. JOHNSON: Right. Right. Right.

21 Okay. So are there any questions on the  
22 foundation landscaping?

23 MEMBER PIETRYLA: So the rationale, when I  
24 read the packet, is essentially to -- I got the

1 sense to spread out, essentially, the plantings so  
2 that it's really the front wall -- approximately  
3 the front wall, we do 50 percent of all the walls.  
4 There's, you know, a loophole where there's a --  
5 if there's a corner you mentioned, they would  
6 potentially have nothing.

7 MS. JOHNSON: Right. So before the  
8 requirement was the 75 percent of the wall that  
9 contains the public entrance to be landscaped.

10 MEMBER PIETRYLA: That could face  
11 somewhere else.

12 MS. JOHNSON: Yes. And if there's a  
13 corner lot, one side could potentially -- the  
14 landscaping could be provided on the interior side  
15 and that would meet the -- which happened with the  
16 Extreme Clean Car Wash. They provided their  
17 landscaping along the side, along the interior  
18 side instead of along the other side which is  
19 facing the street.

20 MEMBER PIETRYLA: So while the numbers  
21 have gone to 50 percent from 75, it, in essence,  
22 should provide aesthetics.

23 MS. JOHNSON: Yeah. The idea was that the  
24 landscaping would be provided where it's going to

1 be visible.

2 MEMBER PIETRYLA: Right. Okay. Thank  
3 you.

4 MS. JOHNSON: Good?

5 All right. Parking lot landscaping -- so  
6 this is regarding parking -- regarding landscaping  
7 within the interior of a parking lot. Right now  
8 we require 10 percent of the interior area of a  
9 parking lot to be landscaped with islands or  
10 landscape beds that project into the parking lot  
11 from the sides.

12 So landscape islands have to be  
13 distributed. There is a range of the distance  
14 between islands given which is 60 to 100 feet  
15 between islands, and then the number of the shade  
16 trees is based on a calculation which is you take  
17 the area of the required interior area of the  
18 parking lot divided by 160, and that gives you the  
19 amount of shade trees that are supposed to be  
20 provided within the parking lot.

21 That number, you know, comes out to an  
22 amount of trees that sometimes cannot be  
23 accommodated within the entire parking lot. So  
24 staff has allowed some flexibility in locating the

1 trees around the edges of the lot in certain  
2 situations.

3 But proposed is to kind of simplify all of  
4 that and simply require one landscape island per  
5 10 parking spaces, and then also require that all  
6 rows of parking must terminate in either an island  
7 or a landscape area, and then we would require one  
8 shade tree per island.

9 So staff feels that this proposal is  
10 easier to understand and also easier in practice  
11 to determine what is required for any parking lot  
12 that is proposed. Right now we have to define the  
13 interior area which is -- has to be done on a  
14 case-by-case basis because every site plan is  
15 different. So the proposed change simplifies the  
16 requirements.

17 Any questions?

18 MEMBER VARGULICH: Are the islands  
19 required to have additional plantings besides the  
20 trees?

21 MS. JOHNSON: Yes. So that's something  
22 that's not addressed now, currently, but we're  
23 proposing to add language that says the landscape  
24 islands shall provide a mixture of shrubs and



1 perennials. There's not a specific planting  
2 requirement, just a mixture of types of plantings  
3 will be required.

4 Okay. This figure is also going to be  
5 added to the ordinance. The hashed areas show the  
6 landscape areas that are required for the  
7 ordinance. This is just meant to illustrate the  
8 requirements.

9 There are a few other changes that we're  
10 proposing. Street frontage landscaping -- right  
11 now we require 75 percent of the frontage along  
12 the street to be landscaped. Proposed is to not  
13 include the driveway width when measuring the  
14 length of a public street, which has been staff's  
15 practice, but this codifies that.

16 There is also some removal of necessary  
17 text in the provisions for reducing street  
18 frontage landscaping. We just simplified that  
19 down. For retaining walls, we're proposing to add  
20 in a caveat that terracing of retaining walls is  
21 not required when retaining walls form the inside  
22 wall of a detention basin.

23 So the buffer yard for existing parking  
24 lots -- this came up with the Extreme Clean Car

1 Wash last time. Currently, the code requires or  
2 allows existing parking lots which don't meet  
3 setback requirements -- it allows those lots to be  
4 resurfaced if they can meet 50 percent of the  
5 setback requirement, and we're proposing to expand  
6 this allowance to buffer yards also.

7 So if an existing lot is resurfaced and  
8 doesn't meet the buffer yard requirements, that  
9 buffer yard can be reduced by 50 percent just like  
10 the setback, which is what we did for the Extreme  
11 Clean Car Wash, but now it's written into the  
12 code.

13 And then finally, Appendix C of the zoning  
14 ordinance is called a planet palette. It is meant  
15 to give landscape architects and applicants an  
16 idea of the types of species that are recommended,  
17 but it's not an exhaustive list by any means. But  
18 a number of species are listed, and they're  
19 categorized by shrub, evergreen tree, et cetera.

20 So we're proposing just reformatting this  
21 list to make it more readable and then also to  
22 remove Ash trees from the list. We're open to  
23 other suggestions. If you've looked at the plant  
24 palette, the information on there is incomplete.

1 There's columns for checking off, you know,  
2 whether the plant is appropriate for parking lots  
3 or whether it's shade tolerant or needs sun, that  
4 sort of thing. For some of the species, nothing  
5 is checked or only one thing is checked. So it's  
6 not a complete list. So we're open to  
7 suggestions. We're not landscape architects.

8 MEMBER PRETZ: Can I just suggest that  
9 somewhere in there it says let's skip the boredom  
10 of seeing the exact same thing lot after lot after  
11 lot and have some creativity to make it look more  
12 appealing.

13 MS. JOHNSON: Uh-huh.

14 MEMBER PRETZ: I'm not that skilled in  
15 that world, but I do know enough that if all my  
16 neighbors have a certain type of plant, it just  
17 gets pretty darn boring having the same thing  
18 house after house after house, which also would  
19 be, you know, with businesses. So that would  
20 be -- I don't know how to phrase that.

21 MEMBER VARGULICH: Is the intent of the  
22 plant list or plant palette to do what -- if  
23 they're not required to follow it, then why would  
24 we put it in there?

1 MS. JOHNSON: I think the intent -- I  
2 mean, the way it's laid out it seems like it's  
3 meant to be a type of a reference list to say,  
4 Okay, I'm going to check this species and see if  
5 it's appropriate for the location I'm proposing.  
6 But it doesn't really do that because the  
7 information is incomplete.

8 So I don't know -- Russ, was there an  
9 intent for it originally?

10 MR. COLBY: No. I don't think the intent  
11 was ever clearly spelled out anywhere in the code  
12 other than it's a list of recommended plants. I  
13 think it may have originated through the corridor  
14 improvement commission when they put together  
15 design guidelines, which might explain why they  
16 didn't identify certain qualities for the  
17 individual species. But I'm not sure how it ended  
18 up attached to the ordinance in the form that it  
19 did.

20 MEMBER VARGULICH: Well, it might be  
21 worthwhile to consider, based on Tom's comments,  
22 giving it more diversity of species based on  
23 either the size of the parcel or the type of  
24 parcel. You know, we can give some suggestions

1 on, like, how many species of trees, how many  
2 species of shrubs should be used on a certain size  
3 of projects, which would get to monotony and  
4 boredom issues. Diversity would help with respect  
5 to horticultural issues. So there might be  
6 something we could have regarding that.

7 MEMBER PRETZ: That's exactly what I was  
8 going to say.

9 MEMBER VARGULICH: Some suggestions.  
10 There's nothing wrong with having the species, but  
11 it's a pretty long list. It takes up a bunch of  
12 space, and if we're really not using it to say we  
13 expect this, then hopefully, people are hiring  
14 professionals, whether it's a small project or a  
15 large project, to do that.

16 It also might be worthwhile to address  
17 that with respect to having a professional  
18 landscape architect be required to stamp the  
19 drawing which would get to some of these topics,  
20 some of these issues that people are having. Just  
21 like you have a professional engineer that stamps  
22 the, you know, site grading and architect stamps  
23 architect's drawings.

24 Maybe if you do that, then that would help

1 some of the plant list issues and not getting into  
2 all those exhaustive things that change over time.  
3 Certain species become unavailable because growers  
4 stop growing them. It doesn't matter whether they  
5 were good or bad. They just stopped growing them.  
6 I saw some plants on there that aren't really  
7 overly available now, both perennials and sun  
8 relief.

9 I'll provide some input to you independent  
10 of tonight. I was trying to understand what you  
11 were trying to do first before I thought of  
12 anything else.

13 MS. JOHNSON: Thank you.

14 MEMBER PIETRYLA: There's going to be  
15 species that -- there's not an unacceptable list  
16 here, but it looks like some of these are  
17 invasive. So to Peter's point, if they're not  
18 required, why put it in there. Are there any  
19 guidelines in terms of we're going to push for  
20 diversity in species, like, not allowing more  
21 invasive species? Is there any sort of governance  
22 on that in terms of the City's regulations?

23 MS. JOHNSON: Yeah. I think the  
24 unacceptable species are only unacceptable trees.

1 MEMBER PIETRYLA: Trees.

2 MS. JOHNSON: So the plant palette may  
3 include some invasive --

4 MEMBER PIETRYLA: There were some in  
5 there.

6 MS. JOHNSON: Yeah.

7 MEMBER PIETRYLA: So there's no  
8 prohibition.

9 MS. JOHNSON: There's not, no. I mean, we  
10 could take them off the list, which might be a  
11 good idea.

12 MEMBER PIETRYLA: Perhaps I would suggest  
13 doing that.

14 MS. JOHNSON: Yeah.

15 MEMBER PIETRYLA: I used to sit on  
16 the corridor improvement commission, and I know  
17 that they're very sensitive -- I'm not an  
18 expert -- to the native species and invasive  
19 species. So I agree with them. So that would be  
20 my recommendation.

21 MS. JOHNSON: Okay. Thank you.

22 Good?

23 CHAIRMAN WALLACE: Yeah.

24 MS. JOHNSON: All right. So that

1 concludes Item No. 3 on the agenda. I don't know  
2 if you want to -- because they're separate public  
3 hearings, They're listed separately.

4 CHAIRMAN WALLACE: I would say let's just  
5 keep on going unless anybody has any objection.

6 MS. JOHNSON: Okay.

7 VICE CHAIRMAN KESSLER: Is that okay with  
8 you?

9 MS. JOHNSON: Uh-huh.

10 So then you would just have a single  
11 motion to close all three public hearings.

12 CHAIRMAN WALLACE: Yes.

13 MS. JOHNSON: All right. So now I'm going  
14 to present the miscellaneous items. So staff is  
15 proposing to clean up a number of the provisions  
16 of the zoning ordinance which would be combined  
17 under a single application. These are fairly  
18 minor and just address some issues that staff has  
19 been experiencing.

20 So the first is the definition of a pet  
21 care facility, which we visited a couple of times  
22 in the past few years, but there's still a little  
23 bit of gray area in there.

24 So the existing definition has caused some



1 confusion. It's not clear whether -- there's a  
2 floor area limitation, and it's not clear whether  
3 it applies to overnight boarding or to daycare  
4 areas as well, and that's used to differentiate  
5 pet care facilities from kennels.

6 So the proposed change clarifies that a  
7 business that has overnight boarding areas which  
8 exceed 50 percent of the floor area, those  
9 businesses are considered a kennel. And then the  
10 square footage limitations for a daycare facility  
11 has been removed.

12 Staff has observed the doggie daycare  
13 businesses, most of their floor area is devoted to  
14 daycare so it really isn't practical to limit that  
15 component of their business when it's really more  
16 of a kennel use that is what we want to make sure  
17 is not being allowed as a pet care facility. So  
18 this proposal kind of clarifies that.

19 Next is arbor or trellis versus pergola.  
20 So an arbor or trellis is lumped together on the  
21 list of permitted yard encroachments, but they're  
22 not defined in the ordinance. So we are proposing  
23 a definition which is laid out here.

24 Then pergolas are listed separately on the

1 table of permitted encroachments and a definition  
2 already exists for pergola. So right now -- so  
3 the reason for needing a definition of  
4 arbor/trellis, there has been some confusion on  
5 what is that because there's no definition, and  
6 some people are arguing that a pergola can be  
7 considered an arbor, and that allows the  
8 structures to be closer to the lot line. So we  
9 want to make sure to clarify that they are  
10 different things because they have different  
11 setback requirements.

12 So basically, an arbor or trellis needs to  
13 be no more than 10 feet by 3 feet in size; and if  
14 it's larger than that, it would be considered a  
15 pergola and need to meet greater setbacks.

16 So are there any questions on that?

17 VICE CHAIRMAN KESSLER: Fascinating.

18 MS. JOHNSON: I know. Okay.

19 Finally, lighting -- so right now the  
20 ordinance -- these provisions are in the signs  
21 chapter. Right now the ordinance states that neon  
22 tubing or series lighting is prohibited from being  
23 used to outline windows or accentuate  
24 architectural features. But we are proposing to

1 allow this type of lighting from November to  
2 January to allow for holiday lighting.

3 And also to clarify that backlit awnings  
4 are prohibited. Right now on the table of  
5 permitted signage, there's a note that says  
6 backlit awnings are prohibited in commercial  
7 areas, but that seems to imply that's the only  
8 case if there is -- if the awning is a sign  
9 because it's on the table of signage. So we're  
10 just proposing to clarify that all backlit awnings  
11 are prohibited even if they are plain.

12 MEMBER MACKLIN-PURDY: Is there anything  
13 that has a backlit awning?

14 MS. JOHNSON: No. Because it's been our  
15 interpretation that they're all prohibited, but  
16 this kind of just clarifies that.

17 MEMBER VARGULICH: Just out of curiosity,  
18 why do we want to prohibit that?

19 MS. JOHNSON: For aesthetics. We allow,  
20 like, exterior lighting of awnings, like, you  
21 know, gooseneck lighting and that sort of thing.

22 MEMBER MACKLIN-PURDY: Why would anyone  
23 want a backlit awning, and how did that even come  
24 about as a thing?

1 MS. JOHNSON: Well, certain businesses  
2 want them. I know the Extreme Clean Car Wash,  
3 they wanted to use backlit awnings for that whole  
4 side of the building along 17th Street. In that  
5 case, there's no text on those awnings. So we  
6 interpreted that that is not permitted, but this  
7 kind of clarifies that standard.

8 VICE CHAIRMAN KESSLER: So if there's text  
9 on it, it's permitted?

10 MS. JOHNSON: No. It's prohibited.

11 VICE CHAIRMAN KESSLER: Prohibited.

12 MS. JOHNSON: Yes.

13 VICE CHAIRMAN KESSLER: It's not permitted  
14 in any case.

15 MS. JOHNSON: No.

16 MEMBER PIETRYLA: So this is where the  
17 awning would shine through potentially and is  
18 translucent or something.

19 MS. JOHNSON: Right. Right.

20 MEMBER MACKLIN-PURDY: Do we allow backlit  
21 signs?

22 MS. JOHNSON: Yes.

23 Yeah. So they're already prohibited, and  
24 we're just clarifying -- adding language to

1 clarify that.

2 VICE CHAIRMAN KESSLER: Okay. That's one  
3 thing. If you could go back to the series  
4 lighting, what do you consider series lighting?  
5 What if a building has, okay, well, first of all,  
6 some up-lighting in the ground that goes all the  
7 way around the building. Is that allowed?

8 MS. JOHNSON: No. I think the series  
9 lighting you would consider like lighting on a  
10 single string, like Christmas lights or, you know,  
11 usually they're brighter when they're used -- when  
12 they're not used for holiday decorating, but,  
13 essentially, the same thing, like a string of  
14 lighting.

15 VICE CHAIRMAN KESSLER: A string of  
16 lighting.

17 MS. JOHNSON: Or like a tube.

18 VICE CHAIRMAN KESSLER: Rope lighting.

19 MS. JOHNSON: Yeah, rope lighting.

20 VICE CHAIRMAN KESSLER: But except from  
21 November 15th to January 15th.

22 MEMBER MACKLIN-PURDY: So is this just on  
23 the -- so what about Eden On the River? They have  
24 the back patio lighting, is that prohibited now?

1 MS. JOHNSON: I don't know what kind of  
2 lighting they have.

3 MEMBER PIETRYLA: It's kind of like  
4 strings.

5 MEMBER MACKLIN-PURDY: Strings on their  
6 back porch.

7 MS. JOHNSON: So I don't think that that  
8 would be prohibited because that's not being used  
9 to, like, outline windows or outline parts of  
10 their building. It's on their patio; right? Like  
11 over their patio, so that would be allowed.

12 VICE CHAIRMAN KESSLER: What zoning  
13 districts? The entire city?

14 MS. JOHNSON: So it's not -- it applies to  
15 the entire city.

16 VICE CHAIRMAN KESSLER: Like the string of  
17 lights I have around my back patio, porch that I  
18 have up year-around are not allowed?

19 MS. JOHNSON: Well, is it being used to  
20 accentuate architectural features?

21 VICE CHAIRMAN KESSLER: Well, I do outline  
22 the whole sill of the back-screen porch.

23 MS. JOHNSON: I mean, I think that in  
24 practice we have applied this to commercial

1 properties, but the code doesn't explicitly say  
2 that it only applies to commercial.

3 VICE CHAIRMAN KESSLER: So technically,  
4 somebody could show up and tell me to turn that  
5 off?

6 MS. JOHNSON: I suppose.

7 VICE CHAIRMAN KESSLER: Okay.

8 MS. JOHNSON: I mean, we could specify  
9 commercial. We could change the language to  
10 specify commercial properties.

11 MEMBER MACKLIN-PURDY: I think it should  
12 be because I have the same thing.

13 VICE CHAIRMAN KESSLER: Yeah.

14 MEMBER MACKLIN-PURDY: In the summer, I  
15 have lights outlining on my back patio.

16 VICE CHAIRMAN KESSLER: That's what we  
17 have.

18 MS. JOHNSON: We can propose that.

19 VICE CHAIRMAN KESSLER: For years we had  
20 lighting on the inside of the screen porch.

21 MEMBER PIETRYLA: They also mention  
22 specifically neon. If someone uses like LED or  
23 something, could they, given the language of the  
24 proposal, change it, or would that fall outside of

1 the restriction? If neon is just a tube with the  
2 gas inside of it, but, you know, there's other  
3 types of lighting.

4 MS. JOHNSON: Different types of rope  
5 lighting, yeah. I'll look into that and make sure  
6 we're being inclusive enough.

7 MEMBER PIETRYLA: There might be something  
8 that --

9 MEMBER VARGULICH: You currently would  
10 apply LED strip lighting?

11 MS. JOHNSON: Uh-huh.

12 MEMBER VARGULICH: Rated for exterior and  
13 interior use?

14 MS. JOHNSON: Uh-huh.

15 MEMBER VARGULICH: That would do exactly  
16 what you're talking about.

17 MS. JOHNSON: Okay. So we'd better expand  
18 the language.

19 MEMBER VARGULICH: I find it interesting  
20 that we can provide backlit signs but not backlit  
21 awnings that might have signage on it or may not.  
22 Can't you do an awning, if you put signage or  
23 graphics or things on it, count that as part of  
24 your overall allowed signage?



1 MS. JOHNSON: Yeah. But you get awning  
2 signage in addition to wall signage, and there's a  
3 requirement that awnings have to be a cloth  
4 material, like an umbrella. So I don't know if  
5 you can -- if that technically -- I mean, most of  
6 the time backlit awnings are vinyl; right?

7 MEMBER VARGULICH: It depends on the color  
8 of some umbrella fabric. You can backlight it.

9 VICE CHAIRMAN KESSLER: I struggle with  
10 that. I think that whole thing is a little bit  
11 troubling. I mean, if you have an entrance light  
12 above the door under the awning, you've backlit  
13 the awning.

14 MEMBER MACKLIN-PURDY: Yes.

15 MEMBER PIETRYLA: It shines down on the  
16 walkway.

17 VICE CHAIRMAN KESSLER: But it's going to  
18 backlight the awning.

19 MS. JOHNSON: Yeah. I think that's okay.  
20 I think it's when the lighting is designed to  
21 create a backlit awning.

22 MEMBER PIETRYLA: The aesthetics rationale  
23 is that you're prohibiting it because the light is  
24 striking, shining through the fabric to eliminate

1 this kind of -- or an accent.

2 VICE CHAIRMAN KESSLER: She is saying even  
3 without that, it could be backlit like that. You  
4 could have backlit awnings that are just colored  
5 awnings that are backlit.

6 MEMBER PIETRYLA: I mean, if the awnings  
7 are required -- it has to be cloth, the light  
8 won't be shining through it. It will just be  
9 shining down.

10 MS. JOHNSON: Uh-huh.

11 VICE CHAIRMAN KESSLER: I don't know about  
12 that.

13 MS. JOHNSON: I mean, it's an existing  
14 provision, so if you want to propose to change it,  
15 I mean, you can make that recommendation.

16 VICE CHAIRMAN KESSLER: Right.

17 MEMBER PIETRYLA: It's for aesthetics.  
18 That's the rationale for the lighting.

19 MS. JOHNSON: Uh-huh.

20 MEMBER PIETRYLA: I can't think of any  
21 gaudy looking awnings that, you know, require this  
22 sort of amendment.

23 VICE CHAIRMAN KESSLER: Okay.

24 MS. JOHNSON: Okay. That's it for the

1 miscellaneous.

2           Moving on to short-term rentals, the last  
3 one, so staff is bringing this amendment regarding  
4 short-term rentals forward as Airbnb and similar  
5 websites offering home sharing are becoming more  
6 popular. The zoning ordinance does not currently  
7 address this type of use.

8           So Airbnb and other websites like HomeAway  
9 offer platforms for property owners to rent their  
10 homes as vacation rentals. So entire homes could  
11 be rented, entire apartments, or shared rooms in a  
12 home that is hosted by the property owner.

13           So these types of accommodations are  
14 called short-term rentals. It's become a popular  
15 option for travelers looking for something  
16 different and a more unique experience, and also  
17 for homeowners looking to earn extra income from  
18 their spare space.

19           So staff has received a few inquiries over  
20 the past year to check whether short-term rentals  
21 are permitted in St. Charles. Currently, our  
22 ordinance really doesn't address them.

23           So we have currently two short-term  
24 lodging uses: bed and breakfasts and hotel/motel.

1 So based on the definitions that we have in the  
2 ordinance of those uses, we have made a few code  
3 interpretations regarding short-term rentals.

4 The first is that the code does not  
5 identify renting of a single room in a larger  
6 dwelling unit as a use category. So currently,  
7 it's not -- it's neither prohibited nor permitted.

8 So if more than one room is being rented  
9 out in a home, it is considered a bed and  
10 breakfast, and so it's permitted only where bed  
11 and breakfasts are allowed, which is the downtown  
12 districts.

13 Rental of an entire unit on a short-term  
14 basis, which is under 30 days, would be  
15 considered currently a hotel/motel use which then  
16 would only be permitted in certain commercial  
17 districts.

18 However, of course, short-term rentals are  
19 different from these uses in a few ways. Most are  
20 operated by property owners looking to earn extra  
21 income. These usually aren't businesses running  
22 these properties, although that does exist,  
23 especially in larger cities.

24 They're not registered as businesses or

1 subject to regulations like a health department  
2 inspection. They're also located in residential  
3 districts instead of commercial districts, and  
4 they vary in type of unit. As we talked about,  
5 there's a range of types of short-term rentals.

6 So we're proposing to add a definition of  
7 short-term rentals and then identify where it is  
8 allowed. This is the proposed definition: A  
9 dwelling unit or portion of dwelling unit that is  
10 available for rent as a residential accommodation  
11 for a duration of less than 30 consecutive days at  
12 a time.

13 So a unit that's being rented for more  
14 than 30 days would be considered non transient, so  
15 the renter of that unit would be considered a  
16 resident.

17 MEMBER BECKER: I have a question. The 30  
18 consecutive days, do you contemplate that being  
19 many different tenants or users or whatever?

20 MS. JOHNSON: It's going to be more than  
21 30 days at a time.

22 MEMBER BECKER: It doesn't matter if one  
23 person is doing it for one day and --

24 MS. JOHNSON: Yeah. I guess the idea is

1 no one renter or one traveler could occupy it for  
2 more than 30 days.

3 MEMBER BECKER: Thank you.

4 MS. JOHNSON: But theoretically, the  
5 thought is that the unit could be occupied at all  
6 times, just not by the same person for more than  
7 30 days.

8 MEMBER PRETZ: And the owner is present on  
9 the property or does not have to be present?

10 MS. JOHNSON: So that's coming.

11 MEMBER PRETZ: Okay.

12 MS. JOHNSON: That's coming. Yes.

13 So we're also proposing to kind of clarify  
14 the difference between short-term rentals and bed  
15 and breakfasts versus hotel/motel. So we've added  
16 a little bit of language to bed and breakfasts  
17 specifying that any dwelling with rooms offered to  
18 guests that have more than one guest room, that  
19 would be considered a bed and breakfast.

20 So use standards, to get to Tom's point,  
21 so we're preparing the use standards for  
22 short-term rentals proposed in the RE, RS, and RT  
23 districts, which are the single-family districts.  
24 Allow a short-term rental as an accessory use

1 subject to the following standards: One  
2 short-term rental is permitted per lot, and then  
3 the principal building must be owner occupied.  
4 We're proposing to prohibit use of an entire  
5 principal home as a short-term rental.

6 VICE CHAIRMAN KESSLER: There would be no  
7 B&B on the list or no Airbnb in those districts.

8 MS. JOHNSON: Well, there could be the  
9 shared-room model, but there couldn't be an entire  
10 house used as an Airbnb. There could be --

11 VICE CHAIRMAN KESSLER: In a traditional  
12 residential neighborhood.

13 MS. JOHNSON: Right. That's proposed.  
14 Yep. However, we're -- so auxiliary dwelling  
15 units are currently allowed in the code in the RT  
16 districts. So we would allow -- propose to allow  
17 an auxiliary use to be used as a short-term  
18 rental.

19 VICE CHAIRMAN KESSLER: What does that  
20 mean?

21 MEMBER MACKLIN-PURDY: What do you  
22 consider an auxiliary?

23 MS. JOHNSON: An auxiliary dwelling unit.  
24 That's currently in the code. So basically, in

1 the traditional residential neighborhoods, you can  
2 have a secondary dwelling on a lot.

3 MEMBER MACKLIN-PURDY: Like a coach house.

4 MS. JOHNSON: It could be a coach house.  
5 It could be attached or detached. It could be  
6 like an apartment above a garage or a basement  
7 apartment, something that could be used as a  
8 separate dwelling unit. It has to be less than  
9 700 square feet. The main building on the lot has  
10 to be owner occupied, and then there's some  
11 requirements regarding setbacks and things. Those  
12 are currently allowed.

13 So we're proposing to allow those to be  
14 used as short-term rentals.

15 MEMBER MACKLIN-PURDY: So some of the  
16 Airbnbs that are currently in St. Charles that I  
17 looked up and haven't come off, they would not be  
18 allowed.

19 MS. JOHNSON: Yeah. And I have a list  
20 coming up. We can talk about those.

21 MEMBER PRETZ: And with this, I would  
22 anticipate that it's quite possible people have  
23 vehicles. Can there be a requirement that it has  
24 to be on-property parking versus on the street?



1 MS. JOHNSON: Yeah. We are proposing to  
2 require one parking -- one on-street parking --  
3 one off-street parking space per short-term rental  
4 unit.

5 MEMBER PRETZ: Okay. I'm just thinking of  
6 the neighbors.

7 VICE CHAIRMAN KESSLER: I'll let you  
8 finish, then we'll --

9 MS. JOHNSON: Okay. So basically, the  
10 types of short-term rentals that would be allowed  
11 in the single-family district would be a private  
12 room in an owner-occupied house but just one room,  
13 and in the RT districts, an accessory dwelling  
14 unit.

15 For the multifamily districts and the  
16 commercial zoning districts, certain commercial  
17 zoning districts, the two downtown zoning  
18 districts, the local business district, and then  
19 the BT overlay, short-term rentals are permitted  
20 subject to one standard, which is one short-term  
21 rental is permitted per dwelling unit.

22 So that means that an entire unit could be  
23 used as a short-term rental, an entire home, an  
24 entire apartment, or a short-term rental could be

1 established in a house that's owner occupied or  
2 unit that's owner occupied.

3 And then to get to Tom's point about the  
4 parking, require one off-street parking space per  
5 unit. So here's a list of the existing short-term  
6 rentals in town. Airbnb doesn't disclose the  
7 exact address until you book a unit, but we've  
8 been able to identify approximately where most of  
9 the listings are located or at least by zoning  
10 district.

11 So this table lists the type of short-term  
12 rental, the zoning district that they're in, and  
13 then whether they would be proposed under --  
14 whether they would be permitted under this  
15 amendment.

16 So most of them would be permitted. The  
17 three at the bottom would be permitted if they  
18 were to reduce the number of bedrooms that they're  
19 offering. Right now, you know, the private room  
20 that has three bedrooms in a single-family home,  
21 they would have to reduce that down to one  
22 bedroom. They could offer the three bedrooms, but  
23 only one could be occupied by a traveler at a  
24 given time.

1           There are two in the RT district that are  
2           entire apartments. Those would be permitted if it  
3           can be determined that those entire apartments can  
4           be considered accessory dwelling units.

5           Are there any questions on any of this?

6           VICE CHAIRMAN KESSLER: Oh, yeah, lots.

7           Why are we not allowing Airbnb in  
8           single-family residential neighborhoods? Period,  
9           they're just not.

10          MS. JOHNSON: Well, they're allowed -- you  
11          can have a shared, you know, the shared home.

12          MEMBER MACKLIN-PURDY: No. I want to --

13          VICE CHAIRMAN KESSLER: I want to rent my  
14          house.

15          MEMBER MACKLIN-PURDY: I want to rent my  
16          house. I'm out of the country for a year, and I  
17          want to rent my house to Airbnb, but I can't.

18          VICE CHAIRMAN KESSLER: I want to leave --  
19          I mean, I just want to trade apartments, you know,  
20          rent it out by Airbnb because some big event is  
21          coming. So I want to rent it out for a week.

22          MS. JOHNSON: Yeah.

23          VICE CHAIRMAN KESSLER: I'll go stay with  
24          somebody else.

1 MS. JOHNSON: This is just a --

2 VICE CHAIRMAN KESSLER: Why can't I do  
3 that?

4 MS. JOHNSON: This is a draft amendment.  
5 It's what we're proposing now. It's not set in  
6 stone. So the Commission can make other  
7 recommendations. This is what we're proposing in  
8 order to limit the potential negative impacts on a  
9 neighborhood.

10 MEMBER MACKLIN-PURDY: What are the  
11 potential negative impacts?

12 MS. JOHNSON: Well, there's been some  
13 concern about party houses, you know, the house  
14 being offered on Airbnb and rented out for, you  
15 know, big parties --

16 MEMBER MACKLIN-PURDY: Like in Miami?

17 MS. JOHNSON: -- the noise.

18 VICE CHAIRMAN KESSLER: Yeah. I don't  
19 think people are coming to 12th Street in  
20 St. Charles to have a big party, not very often.

21 But anyway what is the -- I mean, what is  
22 the reason that -- can you tell us what was the  
23 thinking behind not allowing them in traditional  
24 single-family neighborhoods? Just that one, just

1 what you said?

2 MS. JOHNSON: Yeah. To limit potential  
3 impacts, and we felt that allowing them as we're  
4 proposing in a shared home, it still provides  
5 property owners with the opportunity to earn an  
6 income from their home through this, but it's kind  
7 of limiting the use. A lot of communities that  
8 are regulating short-term rentals are prohibiting  
9 them outright in residential neighborhoods.

10 VICE CHAIRMAN KESSLER: Like you're  
11 proposing to do.

12 MS. JOHNSON: No. We're not prohibiting  
13 them outright because they're allowed in a shared  
14 home.

15 VICE CHAIRMAN KESSLER: Okay. But you're  
16 prohibiting entire homes.

17 MS. JOHNSON: Yeah. Yes, entire homes,  
18 right.

19 So we felt that this was giving at least  
20 some flexibility compared to what other  
21 communities are doing without going all the way,  
22 but we can -- the Commission can make a different  
23 recommendation.

24 VICE CHAIRMAN KESSLER: Can you tell us

1 what our -- do you have any idea what our  
2 neighboring communities have done, if anything?

3 MS. JOHNSON: Yes. We didn't hear back  
4 from Geneva because I know they were talking about  
5 it awhile ago. I'm not sure where that  
6 conversation went.

7 VICE CHAIRMAN KESSLER: Okay.

8 MS. JOHNSON: Batavia, they have a bed and  
9 breakfast use that is allowed as a conditional  
10 use, which is like a special use in their  
11 residential district. So they have interpreted  
12 that all short-term rentals are considered bed and  
13 breakfasts. So they require conditional use  
14 approval.

15 So they're going to be shortly -- they're  
16 going to be sending out a notice to all of the  
17 Airbnb operators telling them that they need to  
18 apply for conditional use approval.

19 VICE CHAIRMAN KESSLER: So if somebody in  
20 Batavia wanted to rent out their entire house for  
21 an Airbnb, they would have to register as an  
22 Airbnb?

23 MS. JOHNSON: Right. And they'd have to  
24 get approval, which would, you know, involve for

1 most property owners a public hearing and all of  
2 that. So that's what Batavia is doing.

3 Geneva, I haven't heard from.

4 West Dundee recently decided to prohibit  
5 it in all areas except downtown. So they're  
6 permitted in downtown, and they require a business  
7 license to operate.

8 And I have information on some communities  
9 which are not our neighbors; but if you want to  
10 hear what more communities are -- a lot of  
11 communities that are doing something are doing  
12 that through some sort of licensing or  
13 registration.

14 VICE CHAIRMAN KESSLER: You know what, I  
15 really would understand the need for some sort of  
16 control over this. Anybody randomly renting their  
17 house out for, you know, party houses, I suppose  
18 that's kind of an extreme reason, but I believe  
19 that there should be some control.

20 I think I would rather see us address it  
21 through some sort of registration, licensing  
22 requirement than outright prohibiting. And I  
23 understand you think outright prohibited -- you  
24 outright prohibited me leaving my house and

1 letting somebody use it for Airbnb. I don't like  
2 not having that option, if I wanted to.

3 Although I could understand the need to  
4 register that property as a potential, and then  
5 during -- through that registration be required to  
6 notify that there's going to be an Airbnb renter.

7 So I think I'd rather give the option than  
8 take it -- completely take it away from the  
9 community. I mean, it's my house.

10 MEMBER PRETZ: I think from the City's  
11 standpoint, it's probably difficult while allowing  
12 the right to an individual to be able to do that,  
13 which I fully understand, taking the position of  
14 how the neighbors will feel, whether justified  
15 or not, that a unit is being rented out for a year  
16 with Airbnb, and I've done Airbnb myself.

17 VICE CHAIRMAN KESSLER: For a year?

18 MEMBER PRETZ: No. I mean, I've used it.  
19 So I'm at least familiar with it.

20 But I think we have to from the  
21 perspective of individual right and community  
22 maybe reaction or protection of the neighboring  
23 community for that, and I see what she's proposing  
24 as being protecting more than the neighborhood but



1 still allowing the individual with some  
2 flexibility to be able to do something.

3 To me I think that's a nice compromise.

4 VICE CHAIRMAN KESSLER: I don't see that  
5 flexibility if I'm leaving and I want to, you  
6 know, rent my house out for a weekend or a week.  
7 If I'm not going to be able to do that, I don't  
8 find that flexible.

9 I know it goes on in St. Charles. I have  
10 a neighbor who commuted, left her house for a  
11 year; and on and off over that year, the house was  
12 rented out for a week or a weekend on and off  
13 through Airbnb, and it was perfectly fine with the  
14 neighborhood.

15 I understand that it would probably have  
16 been better had there been some notification. We  
17 were always apprised if somebody new showed up.  
18 She was good enough to call all of us, you know,  
19 and let a couple of us in the neighborhood know  
20 that there would be a renter, and we would talk  
21 and let everybody know. But I don't like having  
22 that use completely removed. I just don't think  
23 that's -- I think that's a little overreaching.

24 MEMBER HOLDERFIELD: I can't hear what

1 you're saying.

2 VICE CHAIRMAN KESSLER: I said I think  
3 it's a little overreaching to take away the  
4 ability for a homeowner to rent their house as an  
5 Airbnb, and I'm not talking about a one-year  
6 rental, Tom. I'm talking about short-term, what  
7 this is describing as short-term rental here.

8 I can't go along with removing that  
9 ability. I think there's a compromise between,  
10 you know, public awareness and public safety and a  
11 homeowner's right to do with their property as  
12 long as they stay within the terms of the  
13 short-term rental. I just believe that we need to  
14 address it in a different fashion.

15 MEMBER VARGULICH: Of the communities that  
16 have gone to more of a registration or kind of a  
17 business permit to do that, do you have a sense of  
18 whether that's been received well? You know,  
19 people are cooperating with that, or do you have  
20 more of a sense that they're circumventing it and,  
21 you know, don't care.

22 MS. JOHNSON: I really don't have a sense.  
23 I was just doing some online research.

24 MEMBER VARGULICH: Okay.

1           VICE CHAIRMAN KESSLER: That's a very good  
2 point. Regardless of what's adopted, I can bet  
3 you it's going to be circumvented in any  
4 community. I mean, people are just going to do  
5 what they want to do because the likelihood of  
6 somebody, you know, finding out is probably slim.

7           MS. JOHNSON: Yeah. And what the City  
8 decides to do, if anything, regarding enforcement  
9 remains to be seen. But I think at least having  
10 something in the code that addresses it, if  
11 somebody wants to check, they can have an answer,  
12 and they can know whether what they're doing is  
13 allowed or not --

14           VICE CHAIRMAN KESSLER: Yeah.

15           MS. JOHNSON: -- and can do it at their  
16 own risk, but they would know what is and is not  
17 allowed, so.

18           MEMBER BECKER: I have a question. I'm  
19 thinking about the one room per dwelling, and I'm  
20 thinking about one room being perhaps somebody's  
21 playroom or a loft or something larger. Have you  
22 thought about maybe limiting the number of  
23 occupants for that room so you don't -- you know,  
24 if there's a concern about a party house, you get,

1 you know, 20 people crammed in a loft instead of  
2 the one or two people you think might be in a  
3 bedroom or, you know, a guest room or something.

4 MS. JOHNSON: Yeah. No. I hadn't thought  
5 about doing it by occupants. Yeah. That's an  
6 interesting idea.

7 MEMBER MACKLIN-PURDY: I think that's a  
8 good idea.

9 VICE CHAIRMAN KESSLER: We do have  
10 standards for occupancy, and maybe they should  
11 apply to this as well.

12 MEMBER BECKER: Then that would tie that  
13 into something that's already existing, and people  
14 would be more amenable to that.

15 MEMBER VARGULICH: If the City is  
16 concerned about impacts on neighbors and things  
17 like that, how would -- let's say we made no  
18 changes to what's being proposed at this point.  
19 How would that provide protection or, you know,  
20 remedy for neighbors with respect to parking or  
21 partying or that kind of thing?

22 MS. JOHNSON: Yeah. I mean, right now  
23 since we're not requiring licensing or  
24 registration we really -- the ordinance really

1 only limits that or protects against that in that  
2 it limits the number of units that are allowed --  
3 the number of units that are allowed and where  
4 they're allowed and requiring an off-street  
5 parking space.

6 But there's no registration requirement.  
7 So there's no identification of, like, a property  
8 owner or a contact person. If there's a problem,  
9 it really doesn't address any of that. And we  
10 wouldn't do that through zoning. The registration  
11 process would be separate from the zoning  
12 regulations.

13 MEMBER VARGULICH: Right.

14 VICE CHAIRMAN KESSLER: You could do it  
15 through the registration process, put restrictions  
16 on a large gathering or something like that.

17 MS. JOHNSON: Uh-huh.

18 MEMBER VARGULICH: Let's just say it had  
19 nothing to do with the Airbnb, but there was a  
20 big, big party going on, and there was some family  
21 that had a lot of people living in a house, and  
22 there was a lot of cars being parked and those  
23 kinds of things.

24 Is there something from a code -- from a

1 building code standpoint or from a police  
2 standpoint that they could -- you know, the  
3 neighbors could call and say, Hey, there's a noise  
4 issue, and what would the police do in those  
5 instances? And in those cases is there a way that  
6 the ordinance could apply those to this?

7 MS. JOHNSON: Yeah. I'm not too sure of  
8 the process. I mean, would it be a code  
9 enforcement or a police issue?

10 MR. COLBY: Yeah. It would depend on the  
11 type of complaint. Obviously, if somebody -- you  
12 know, issues arise in a short-term rental, they  
13 could be enforced the same way. It is difficult  
14 for the City to issue violations for -- code  
15 violations where we can't really demonstrate on a  
16 factual basis that, for example, an occupancy  
17 limit is being exceeded in a unit. We have  
18 limited ability to gather information on those to  
19 support code issues.

20 I think the concept of having licensing  
21 gives us the ability to communicate with the owner  
22 and a mechanism for the City to either allow or  
23 disallow that short-term rental, which is  
24 something that, you know, from a zoning standpoint

1 is difficult for us to do because we can't  
2 necessarily take away the zoning right based on,  
3 you know, a criminal activity or a civil code  
4 matter. So really the enforcement of the negative  
5 effects would likely have to be through licensing.

6 I will say, though, that right now we're  
7 in a difficult position when people approach us  
8 regarding short-term rentals as often they're  
9 inquiring because they want to, for example,  
10 purchase a property and turn it into a short-term  
11 rental or they want to purchase a property and  
12 turn it into all short-term rental units.

13 And it's very confusing, I think, to the  
14 average person to understand how that fits within  
15 our definitions of a motel versus a bed and  
16 breakfast. So we think it's necessary to clean  
17 this up because right now from an enforcement  
18 standpoint, if we can't call it a short-term  
19 rental, we're sort of in the position of having to  
20 say, well, you know, our code doesn't allow you to  
21 rent out this unit or a room within your house.

22 We have to demonstrate that they're  
23 actually using it in a way that's a violation of  
24 the ordinance, which without the definition there

1 for a different type of use, we have to prove  
2 somehow that it wouldn't be part of the family  
3 unit that's occupying the unit.

4 So we need some type of definition to  
5 distinguish those things, and I think, as Ellen  
6 has presented, we have tried to take a  
7 conservative approach with what we're proposing.  
8 We're open to input, though, from the Plan  
9 Commission about where you think these types of  
10 short-term rentals would be appropriate.

11 At least with our initial proposal, we  
12 wanted to present something that we can state to  
13 have a minimum, the least impact on the  
14 neighborhoods without prohibiting this use  
15 outright, which is the same as some communities  
16 have chosen to do. Just to provide a little  
17 background.

18 VICE CHAIRMAN KESSLER: That makes perfect  
19 sense, and I think that you're on the right track.  
20 I think it needs to be massaged a little more,  
21 though, to allow the homeowners. You know, that  
22 does scare me that somebody may come into our  
23 neighborhood and buy a house not intending to  
24 occupy it, but to use it as a short-term rental.



1 That is troubling. That we don't want.

2 But to come up with some sort of language,  
3 you know, describing what a short-term rental is  
4 and how that short-term rental is used in a  
5 residential neighborhood. I think we can spend a  
6 little more time on that. I would prohibit it if  
7 it wasn't a primary residence.

8 I had a situation -- here's a perfect  
9 example. About 10 years ago friends of ours  
10 parent died, and all of the kids lived all over  
11 the country. We had seven people staying in our  
12 house. We left and gave our house over to this  
13 family for a funeral.

14 Now, we didn't rent it at that time, but  
15 is that prohibited? Would that use be prohibited?  
16 Could we not give up -- move out of our house and  
17 give it to somebody to use; and if we decided to,  
18 we could rent it. But is that prohibited?

19 MS. JOHNSON: I don't think so because you  
20 weren't renting it. You were just allowing people  
21 to stay there.

22 VICE CHAIRMAN KESSLER: But I can see  
23 reasons why somebody would have a group of people  
24 in their residential home. I mean, that's a

1 reason right there. Maybe you do rent it out  
2 Airbnb, and somebody needs a place for a family  
3 gathering or something like that.

4 I think that we should spend a little more  
5 time on how we're controlling it. I think you're  
6 on the right track, but we need to -- we need to  
7 stop the use that would be a nonowner occupied use  
8 but still allowing owners to, you know --

9 MS. JOHNSON: So would it be a requirement  
10 where the owner would live at the property for a  
11 certain amount of -- a minimum time?

12 VICE CHAIRMAN KESSLER: It has to be their  
13 primary residence, just like a mortgage company  
14 would ask or just like an insurance company asks.  
15 Is this your priority residence? If it's your  
16 primary residence, then yes, you do have the right  
17 to -- through registration, I believe. That's  
18 what I believe to be the answer, through  
19 registration to rent short term an entire  
20 dwelling. But, I mean, that's how you define a  
21 primary residence. If you live somewhere else,  
22 it's not your primary residence.

23 Do you have enough information? Can you  
24 come back to us with more of a --

1 MS. JOHNSON: Sure. Yeah. We can bring  
2 it back, and you could theoretically move forward  
3 with the other amendments, and we could bring the  
4 short-term rental back.

5 VICE CHAIRMAN KESSLER: Agreed.

6 I think I personally would like to hear  
7 more on this subject before we --

8 MEMBER MACKLIN-PURDY: I agree.

9 MS. JOHNSON: Are there any other thoughts  
10 on anything else that's proposed?

11 MEMBER MACKLIN-PURDY: That's really a  
12 good idea to limit the amount of options. I mean,  
13 I'm just looking through the Airbnb site. They do  
14 have, like, you know, five-person occupancy, and  
15 they do have limits on there, four-person. But  
16 there are a lot of like neighboring communities  
17 like Elgin that it's all just rooms.

18 So I mean maybe they have adopted  
19 something. I don't know. Maybe you could contact  
20 them to see what they -- I don't know. But to  
21 allow entire houses or dwellings to be short-term  
22 rentals in downtown St. Charles but not in certain  
23 neighborhoods, it just -- I mean, why couldn't  
24 somebody rent it for a party in downtown too. I

1 mean, you could.

2 I don't know how to get around or how you  
3 differentiate what's allowed and what's not  
4 allowed, but I know it's tricky.

5 VICE CHAIRMAN KESSLER: I believe if you  
6 spent some time on the Airbnb and their  
7 regulations, I mean, they have regulations on, you  
8 know, behavior and size of units, number of  
9 people, and it could be incorporated -- some of  
10 that could be incorporated into our ordinance --

11 MEMBER MACKLIN-PURDY: And every single  
12 person --

13 VICE CHAIRMAN KESSLER: -- or the  
14 licensing portion.

15 MEMBER MACKLIN-PURDY: -- that uses Airbnb  
16 gets reviewed, and, I mean, there is a whole  
17 reviewing process. Maybe there is something there  
18 too on that website.

19 MEMBER VARGULICH: I think the  
20 registration or the licensing should be looked at  
21 as an option to add to this, and I think  
22 ultimately, you should be looking to address the  
23 issue -- immediately address issues of parties or  
24 too many people beyond what has been approved.

1           Then you have a mechanism, number one,  
2           that you can write into enforcement. Number two,  
3           when their license comes up for renewal, if they  
4           had a lot of issues, maybe it can't come up for  
5           renewal or, you know, it's denied the next time  
6           versus otherwise.

7           I think you just put a lot of faith on how  
8           people will do things, and if you're really trying  
9           to address the hard issues, which are the parties  
10          and other things, some sort of licensing may be --  
11          now, if people don't, they don't, but ultimately,  
12          if there was a problem, then you're going to have  
13          a way to say, Hey, you have to have this or here's  
14          what's going to happen.

15          And the police have a good mechanism too.  
16          You know, if no one is licensed, then they can  
17          say, Hey, this is not allowed because of the  
18          licensing issue. And they have a better way to  
19          enforce rules.

20                 MS. JOHNSON: Right.

21                 MEMBER VARGULICH: Which is really what  
22                 you want, to have staff go in and enforce rules  
23                 for a building permit versus going in and enforce  
24                 rules. You want them to be enforced by law

1 enforcement. That's a better way to do it. You  
2 know, they're equipped to do it. You know,  
3 there's no question about that.

4 MEMBER BECKER: One other thought I had  
5 while I was in here. I live in a neighborhood  
6 that has an HOA. I'm thinking that maybe many of  
7 the HOAs have covenants preventing rentals of any  
8 type. You might want to look into that because  
9 that might cover a significant part of town, and  
10 that might be a way to pull from that area.

11 MS. JOHNSON: Right.

12 MEMBER BECKER: I mean, the City probably  
13 doesn't enforce that, but it's another thing to  
14 think about.

15 MEMBER VARGULICH: An HOA can be amended  
16 too, you know, even without notifying us.

17 MEMBER BECKER: Exactly.

18 VICE CHAIRMAN KESSLER: And, you know, you  
19 brought up Elgin. I know that Elgin has an entire  
20 rental department that deals with every kind of  
21 rental. There's a whole division with its own set  
22 of rules and regulations and registrations.

23 MS. JOHNSON: Right.

24 VICE CHAIRMAN KESSLER: That far from

1 being any regulations we would ever -- do you know  
2 what I mean?

3 MS. JOHNSON: Yes. We don't require  
4 licensing or registration of rental units, so this  
5 would be something new for the City.

6 VICE CHAIRMAN KESSLER: Right. But I  
7 think that it's different than a landlord.

8 MS. JOHNSON: Right, right.

9 VICE CHAIRMAN KESSLER: It's an entirely  
10 different thing than being a landlord, which means  
11 we may have to define it. Think about that.

12 CHAIRMAN WALLACE: Yes. Go ahead.

13 VICE CHAIRMAN KESSLER: I would move that  
14 we close the public hearing for Item No. 4,  
15 general amendment, City of St. Charles,  
16 landscaping and screening, Chapter 17.14, business  
17 and mixed use districts; and No. 5, general  
18 amendment, Chapter 17.3, definitions, 17.3.02, use  
19 definitions, and Section 17.30, Section 3, 178.28  
20 signs, 17.28, illumination.

21 MEMBER PRETZ: Second.

22 CHAIRMAN WALLACE: All right. So the  
23 motion is to close the public hearings on the  
24 agenda No. 4 and 5; correct?

1 VICE CHAIRMAN KESSLER: That is correct.

2 CHAIRMAN WALLACE: It's been moved and  
3 seconded. Discussion on that motion?

4 I guess my question would be then a  
5 subsequent motion would be to continue Item No. 6.

6 VICE CHAIRMAN KESSLER: That would be  
7 correct.

8 CHAIRMAN WALLACE: Okay. All right. Any  
9 further discussion on that motion?

10 VICE CHAIRMAN KESSLER: Do you want to  
11 second that condition --

12 MEMBER PRETZ: Okay.

13 VICE CHAIRMAN KESSLER: -- to leave Item  
14 No. 6?

15 CHAIRMAN WALLACE: Oh, no. I was just  
16 asking the question there is going to be a  
17 subsequent motion.

18 MEMBER PRETZ: Make a separate motion.

19 CHAIRMAN WALLACE: No. The motion is just  
20 to close 4 and 5. All right. Any further  
21 discussion?

22 (No response.)

23 CHAIRMAN WALLACE: All right. Tim.

24 VICE CHAIRMAN KESSLER: Holderfield.



1 MEMBER HOLDERFIELD: Yes.  
2 VICE CHAIRMAN KESSLER: Becker.  
3 MEMBER BECKER: Yes.  
4 VICE CHAIRMAN KESSLER: Vargulich.  
5 MEMBER VARGULICH: Yes.  
6 VICE CHAIRMAN KESSLER: Pretz.  
7 MEMBER PRETZ: Yes.  
8 VICE CHAIRMAN KESSLER: Pietryla.  
9 MEMBER PIETRYLA: Yes.  
10 VICE CHAIRMAN KESSLER: Purdy.  
11 MEMBER MACKLIN-PURDY: Yes.  
12 VICE CHAIRMAN KESSLER: Wallace.  
13 CHAIRMAN WALLACE: Yes.  
14 VICE CHAIRMAN KESSLER: Kessler, yes.  
15 And I would move to leave Item No. 6,  
16 general amendment, Chapter 17.12, 17.14, 17.20,  
17 7.24, and 17.30 open pending additional  
18 information from staff.  
19 CHAIRMAN WALLACE: We need to continue it  
20 to a certain date.  
21 VICE CHAIRMAN KESSLER: To a subsequent  
22 meeting.  
23 CHAIRMAN WALLACE: Are there other items  
24 on January 22nd?

1 MR. COLBY: Yes. We anticipate we'll talk  
2 about the comprehensive plan at that meeting.

3 CHAIRMAN WALLACE: Okay.

4 VICE CHAIRMAN KESSLER: Will we have time  
5 to talk about this on the 22nd?

6 CHAIRMAN WALLACE: Well, if not, we'll  
7 continue it to the next date if we don't have time  
8 to continue it.

9 VICE CHAIRMAN KESSLER: Continue it.

10 CHAIRMAN WALLACE: So the motion would be  
11 to continue it to the January 22nd meeting.

12 Is there a second?

13 MEMBER PRETZ: Second.

14 CHAIRMAN WALLACE: All right. It's been  
15 moved and seconded. Any discussion?

16 (No response.)

17 VICE CHAIRMAN KESSLER: Holderfield.

18 MEMBER HOLDERFIELD: Yes.

19 VICE CHAIRMAN KESSLER: Becker.

20 MEMBER BECKER: Yes.

21 VICE CHAIRMAN KESSLER: Vargulich.

22 MEMBER VARGULICH: Yes.

23 VICE CHAIRMAN KESSLER: Pretz.

24 MEMBER PRETZ: Yes.

1 VICE CHAIRMAN KESSLER: Pietryla.

2 MEMBER PIETRYLA: Yes.

3 VICE CHAIRMAN KESSLER: Purdy.

4 MEMBER MACKLIN-PURDY: Yes.

5 VICE CHAIRMAN KESSLER: Wallace.

6 CHAIRMAN WALLACE: Yes.

7 VICE CHAIRMAN KESSLER: Kessler, yes.

8 CHAIRMAN WALLACE: All right.

9 Item No. 7 is general amendment, City of  
10 St. Charles, Chapter 17.26, landscaping and  
11 screening, and Chapter 17.14, business and mixed  
12 use districts regarding modifications to site  
13 landscaping requirements.

14 Okay. Go ahead, Tim.

15 VICE CHAIRMAN KESSLER: I'll make a motion  
16 that Item No. 7 -- move to approve general  
17 amendment, Chapter 17.26, landscape and screening,  
18 and chapter 17.14, business and mixed-used  
19 districts regarding modifications to site  
20 landscaping requirements.

21 MEMBER MACKLIN-PURDY: Second.

22 CHAIRMAN WALLACE: All right. It's been  
23 moved and seconded. Any discussion on the motion?

24 MEMBER PIETRYLA: Question -- so we had a

1 couple of proposals in there that we need to  
2 include. Are we voting on the inclusion of those  
3 proposals?

4 VICE CHAIRMAN KESSLER: I think the  
5 specific requirements.

6 MEMBER PIETRYLA: The one about the  
7 species, for instance, talking about those  
8 outside. For the --

9 VICE CHAIRMAN KESSLER: I understand the  
10 species list.

11 MEMBER PIETRYLA: For the landscaping. Is  
12 that including that?

13 MS. JOHNSON: It can be included if you  
14 want to make that condition.

15 VICE CHAIRMAN KESSLER: Okay.

16 MEMBER PIETRYLA: Added as part of the  
17 conditions.

18 VICE CHAIRMAN KESSLER: It wasn't in my  
19 motion.

20 CHAIRMAN WALLACE: All right. Is there a  
21 motion to amend?

22 MEMBER PIETRYLA: Yeah. I motion to amend  
23 your motion to include the proposal to eliminate  
24 any of the invasive species from the palette.

1           CHAIRMAN WALLACE: So there's a motion to  
2 amend the main motion to include a condition  
3 that the --

4           MEMBER PIETRYLA: Yes, yes.

5           CHAIRMAN WALLACE: Does that make sense to  
6 everybody? All right. The motion is to approve  
7 the motion to amend is including a condition that  
8 the invasive species language be added.

9           MEMBER PIETRYLA: That any -- that any of  
10 the invasive species that are on the palette be  
11 removed from the palette.

12          CHAIRMAN WALLACE: Okay. That any of the  
13 invasive species on the palette be removed.  
14 That's the motion to amend.

15          Is there a second on that motion?

16          VICE CHAIRMAN KESSLER: So moved.

17          CHAIRMAN WALLACE: All right. There's a  
18 motion to amend, we're just amending the motion.

19          Tim.

20          VICE CHAIRMAN KESSLER: Holderfield.

21          MEMBER HOLDERFIELD: Yes.

22          VICE CHAIRMAN KESSLER: Becker.

23          MEMBER BECKER: Yes.

24          VICE CHAIRMAN KESSLER: Vargulich.

1 MEMBER VARGULICH: Yes.

2 VICE CHAIRMAN KESSLER: Pretz.

3 MEMBER PRETZ: Yes.

4 VICE CHAIRMAN KESSLER: Pietryla.

5 MEMBER PIETRYLA: Yes.

6 VICE CHAIRMAN KESSLER: Purdy.

7 MEMBER MACKLIN-PURDY: Yes.

8 VICE CHAIRMAN KESSLER: Wallace.

9 CHAIRMAN WALLACE: Yes.

10 VICE CHAIRMAN KESSLER: Kessler, yes.

11 CHAIRMAN WALLACE: All right. The main  
12 motion is a motion to approve as now amended. Is  
13 there any discussion on that motion?

14 VICE CHAIRMAN KESSLER: Holderfield.

15 MEMBER HOLDERFIELD: Yes.

16 VICE CHAIRMAN KESSLER: Becker.

17 MEMBER BECKER: Yes.

18 VICE CHAIRMAN KESSLER: Vargulich.

19 MEMBER VARGULICH: Yes.

20 VICE CHAIRMAN KESSLER: Pretz.

21 MEMBER PRETZ: Yes.

22 VICE CHAIRMAN KESSLER: Pietryla.

23 MEMBER PIETRYLA: Yes.

24 VICE CHAIRMAN KESSLER: Purdy.

1 MEMBER MACKLIN-PURDY: Yes.

2 VICE CHAIRMAN KESSLER: Wallace.

3 CHAIRMAN WALLACE: Yes.

4 VICE CHAIRMAN KESSLER: Kessler, yes.

5 CHAIRMAN WALLACE: All right. No. 8 is  
6 general amendments --

7 VICE CHAIRMAN KESSLER: Well, I would make  
8 a motion to recommend approval of the general  
9 amendment of, City of Charles, Chapter 17.30,  
10 definitions, Section 17.30.020, use definitions  
11 regarding pet care facilities, and Section  
12 17.30.030, general definitions regarding pergola  
13 and arbor/trellis, and Chapter 17.28, signs, and  
14 Section 17.28.060, illumination regarding series  
15 and awning lighting with the condition that  
16 language is inserted in Section 17.28.060,  
17 illumination, regarding series and awning lighting  
18 does not apply in residential.

19 MEMBER MACKLIN-PURDY: Second.

20 CHAIRMAN WALLACE: All right. It's been  
21 moved and seconded.

22 Any discussion on that motion?

23 (No response.)

24 CHAIRMAN WALLACE: Tim.

1 VICE CHAIRMAN KESSLER: Holderfield.  
2 MEMBER HOLDERFIELD: Yes.  
3 VICE CHAIRMAN KESSLER: Becker.  
4 MEMBER BECKER: Yes.  
5 VICE CHAIRMAN KESSLER: Vargulich.  
6 MEMBER VARGULICH: Yes.  
7 VICE CHAIRMAN KESSLER: Pretz.  
8 MEMBER PRETZ: Yes.  
9 VICE CHAIRMAN KESSLER: Pietryla.  
10 MEMBER PIETRYLA: Yes.  
11 VICE CHAIRMAN KESSLER: Purdy.  
12 MEMBER MACKLIN-PURDY: Yes.  
13 VICE CHAIRMAN KESSLER: Wallace.  
14 CHAIRMAN WALLACE: Yes.  
15 VICE CHAIRMAN KESSLER: Kessler, yes.  
16 CHAIRMAN WALLACE: All right. That motion  
17 passes.  
18 Moving on to Item No. 9, which we will not  
19 take action on since there's still an open public  
20 hearing.  
21 Item No. 10 is review of the Plan  
22 Commission Rules of Procedure.  
23 This is one of the things that we  
24 discussed at the last meeting. You all have the



1 books. Yeah.

2 Yeah. And, Russ, do you want to -- do you  
3 have --

4 MR. COLBY: Yes. Just a quick comment.

5 CHAIRMAN WALLACE: All right.

6 MR. COLBY: One item that we highlighted  
7 that could potentially be revised in the Rules of  
8 Procedure is the order of business of how items  
9 are listed on the agenda. We have been listing  
10 items separately under the public hearing section  
11 and the meeting section when action is taken on  
12 the items.

13 They could be listed differently so that  
14 the public hearing item and the meeting item are  
15 listed together in a single agenda item.

16 We've attached in the packet at the end a  
17 draft agenda of what that might look like if we  
18 made that change. That way the Plan Commission  
19 would not need to, at the meetings, revise the  
20 agenda or hear the agenda items in a different  
21 order because it's -- they're being listed that  
22 way only because that was in the Rules of  
23 Procedure.

24 So if there's an interest in doing that,

1 we put that out there so that you have an  
2 opportunity.

3 CHAIRMAN WALLACE: Okay.

4 VICE CHAIRMAN KESSLER: We have talked  
5 about doing that, and I would say it's actually  
6 just a little bit of housekeeping because we do it  
7 virtually every time anyway.

8 CHAIRMAN WALLACE: And one of the thoughts  
9 that I had along those lines was whether something  
10 should be included in the Rules of Procedure. I  
11 mean in a case like that, we would -- the way that  
12 we do it currently is we have the public hearings  
13 and then we have the action items.

14 And if we want to take, like, let's say  
15 today, for example, let's say that we wanted to do  
16 Item No. 4 and then before going on to Item 5,  
17 we're going to do Item 7, which is action on that  
18 same item.

19 Normally, we would have done that just by  
20 making a statement at the beginning of the meeting  
21 that we'll take Item 7 after Item No. 4 and ask if  
22 there are any objections. And really, according  
23 to Robert's Rules, there should be a procedure for  
24 voting on any changes to the agenda, unless the

1 Rules of Procedure say that we can do that without  
2 any objection from any member present, for  
3 example.

4 Does that make sense?

5 VICE CHAIRMAN KESSLER: Are you suggesting  
6 that we don't need to change the order of business  
7 but just eliminate the need to vote on any change  
8 we make in the order of business?

9 CHAIRMAN WALLACE: No, not necessarily. I  
10 mean, I'm open to changing the order of business.  
11 I'm just saying that maybe there would be a  
12 circumstance where we want to do all the public  
13 hearings and then want to do all the action items,  
14 you know, for example, like today.

15 VICE CHAIRMAN KESSLER: Yeah. So we could  
16 still do that.

17 CHAIRMAN WALLACE: We could still do it.  
18 It would just be a more streamlined procedure for  
19 doing it.

20 VICE CHAIRMAN KESSLER: When we do do it.

21 CHAIRMAN WALLACE: Yeah. When we want to  
22 change the order.

23 VICE CHAIRMAN KESSLER: It's probably less  
24 often than the other way.

1           CHAIRMAN WALLACE: And really it would be  
2 for any changes to the agenda. You know, for  
3 example, if we had, I don't know, election of  
4 officers and it was on the agenda prior -- well, I  
5 don't know. It would actually be after any of the  
6 action items anyway; but if we wanted to change  
7 the order for whatever reason, it would give a  
8 more streamline procedure for doing that, where we  
9 could change the order of agenda items without  
10 objection or by unanimous consent of the Plan  
11 Commission.

12           Does not make sense?

13           MR. COLBY: Yeah.

14           VICE CHAIRMAN KESSLER: All right.

15           CHAIRMAN WALLACE: So I guess, Russ, do  
16 you want to take notes, and we'll just -- we'll  
17 kind of between now and the next meeting, we can  
18 kind of work on how to --

19           MR. COLBY: Yes. We'll bring back a  
20 revised draft to the next meeting based on the  
21 Commission's suggestions.

22           CHAIRMAN WALLACE: Okay. All right.

23           VICE CHAIRMAN KESSLER: One of the things  
24 that came up -- Tom, you brought it up at our last

1 meeting -- was attendance. I think somewhere in  
2 here there was --

3 CHAIRMAN WALLACE: Yeah. That's --

4 VICE CHAIRMAN KESSLER: Page what?

5 CHAIRMAN WALLACE: It's on page -- it's in  
6 Article V at the end.

7 VICE CHAIRMAN KESSLER: Article V. Okay.  
8 So that to me is a little bit cumbersome.

9 CHAIRMAN WALLACE: It says, "Plan  
10 Commission members are expected to attend all  
11 meetings to assure that they are well-informed  
12 before voting on recommendations to the City  
13 Council.

14 "If a member will not be able to attend a  
15 meeting, the member should notify the planning  
16 office as soon as possible. If the planning  
17 office determines that a quorum may not be  
18 present, the planning office will inform the  
19 Chairman, who may cancel the meeting.

20 "If a member fails to notify the planning  
21 office of nonattendance at three consecutive  
22 meetings, the Chairman should contact the member  
23 to determine the cause and to assess member's  
24 willingness to continue as a Commission member.

1 If for some reason the member is unwilling or  
2 unable to complete his term in office, a written  
3 letter of resignation to the Mayor is in order."

4 VICE CHAIRMAN KESSLER: Well, the only  
5 thing that -- I guess I need to figure out how --  
6 you know, when I was in the rotary club, we had  
7 what was called a membership chairman every year,  
8 and that person's job was to review the  
9 membership's attendance. They would contact  
10 members if somebody wasn't showing up, but we  
11 don't have a membership chairman here.

12 So what's a more streamline way to  
13 identify that issue other than somebody deciding,  
14 Well, I think somebody hasn't been showing up.  
15 There's got to be a better way to address that,  
16 and I agree that there should be conversation.

17 MEMBER MACKLIN-PURDY: I do think the  
18 Mayor monitors who is here.

19 VICE CHAIRMAN KESSLER: Do you?

20 MEMBER MACKLIN-PURDY: I do.

21 VICE CHAIRMAN KESSLER: We don't hear  
22 about it.

23 MEMBER MACKLIN-PURDY: You'd hear about it  
24 if you're not here.

1 MEMBER PIETRYLA: You hear about --

2 VICE CHAIRMAN KESSLER: Yeah. But see,  
3 that's in our -- that's not in what this says.

4 CHAIRMAN WALLACE: Well, there's two  
5 different issues though. One is the fact that the  
6 Rules of Procedure only govern the Plan  
7 Commission. They don't govern the Mayor; and if  
8 the Mayor makes an appointment, which he has the  
9 ability to do under the City's ordinance, we can't  
10 do anything in our Rules of Procedure to change  
11 that.

12 So if he wants to make an appointment and  
13 that person doesn't show up to a single meeting,  
14 there's really nothing that we can do about it.

15 VICE CHAIRMAN KESSLER: According to this,  
16 there is.

17 CHAIRMAN WALLACE: Not legally. It says  
18 that a written letter of resignation to the Mayor  
19 is in order, but that doesn't mean that the Mayor  
20 has to accept it. It also doesn't mean that the  
21 Mayor has to appoint anybody else to fill that  
22 position.

23 VICE CHAIRMAN KESSLER: So really, you can  
24 take those two paragraphs out, at least the last

1 one.

2 CHAIRMAN WALLACE: I don't know. I mean,  
3 I would -- I mean, I think, in the past there's  
4 always been a kind of, you know, the Mayor having  
5 consultation with the Chairman about attendance  
6 and appointments. You know, and unfortunately,  
7 there's nothing we can do to our Rules of  
8 Procedure to require that.

9 MEMBER PRETZ: You also have the scenario  
10 because it says if a member doesn't notify that  
11 they're not going to be there. The reality is is  
12 that it could be six meetings in a row, and a  
13 phone call goes in or an e-mail and says I'm not  
14 going to be at that meeting, they have complied.

15 I think there's another issue of actual  
16 having attendance whether you call in and can't  
17 make it or not. That at some point, you can't  
18 have beyond three meetings in a row or some other  
19 number and allow the person not to be able to be  
20 in attendance.

21 MR. COLBY: If I can just add to what Tom  
22 is saying. The rules do say failing to notify of  
23 your absence, and that hasn't been an issue for  
24 us. I mean, very rarely has someone not notified



1 us and not shown up. So we're regularly notified  
2 by everyone that they're not going to be present  
3 and they're absent.

4 VICE CHAIRMAN KESSLER: So we have  
5 monitoring going on by the Mayor. We have  
6 monitoring going on by the staff; but according to  
7 these rules, it's the Chairman's responsibility to  
8 address this issue; but because it's being  
9 monitored by the Mayor, the staff say it doesn't  
10 occur.

11 MR. COLBY: Well, it might be helpful to  
12 have some guideline stated here of what the  
13 expectation is for the Commission. That would  
14 give us something to -- particularly with new  
15 members or if there's a question that comes up,  
16 something we can point to and say the expectation  
17 is that you wouldn't miss more than this many  
18 meetings in a year or a certain time period.  
19 Because right now it's just sort of vague the way  
20 it's stated.

21 MEMBER PIETRYLA: So maybe we should  
22 appoint or elect, like, a sergeant at arms who  
23 could be, like, a monitor of the attendance, with  
24 that sort of responsibility.

1           VICE CHAIRMAN KESSLER: That might not be  
2 a bad idea. We have done that in the past.

3           MEMBER PIETRYLA: Then they could be  
4 responsible for communication with staff and  
5 report to you if folks are not --

6           CHAIRMAN WALLACE: I'm thinking that if --  
7 I mean, staff keeps track of attendance, and the  
8 reporting of whether or not we'll be at meetings  
9 goes to staff.

10           I know one of the issues of this in the  
11 past has been, with the responsibility of being  
12 the Chairman to make that determination, I don't  
13 keep track of who has missed, you know, who misses  
14 meetings or who is not here or anything like that.

15           You know, maybe this should be changed to  
16 if three consecutive meetings are missed, then  
17 staff will send a memorandum to the Chairman and  
18 to the Mayor advising them that, you know, so and  
19 so missed three consecutive meetings.

20           VICE CHAIRMAN KESSLER: Well, how does the  
21 Mayor know? How does the Mayor know about  
22 attendance?

23           MR. COLBY: He inquires about it.

24           CHAIRMAN WALLACE: Yeah. I mean, I don't

1 want to put more responsibility on staff. I'm  
2 just saying that if you keep track of who is at  
3 meetings, who is not at meetings, and if somebody  
4 misses more than three meetings, how much of a  
5 burden would it be to send out something? And we  
6 can say in here at which point a discussion  
7 between the Chairman and the Mayor will be in  
8 order.

9 I mean, I think that that would be nice,  
10 for there to actually be some communication  
11 between the Plan Commission and --

12 VICE CHAIRMAN KESSLER: Well, that speaks  
13 to another thing. This is actually perfect timing  
14 to welcome Jennifer and say goodbye to Dave.  
15 Because all of these events occurred outside of  
16 this Commission, and I don't think it's fair to  
17 Jennifer, not to pick on anybody, but any new  
18 member that comes here could show up, and we got a  
19 new member. We don't know.

20 So perhaps somewhere in these rules, in  
21 this order, in our Rules of Procedure, we can also  
22 address some sort of consultation. We tried it  
23 for a short time, and it just kind of fell by the  
24 wayside. But maybe we should memorialize it

1 because I don't think it's fair to any of us. You  
2 know, Jennifer walks in, she sits down, and she is  
3 new. We don't know who you are.

4 CHAIRMAN WALLACE: Who is that lady  
5 sitting up in that chair?

6 MR. COLBY: To Todd's point, though, we  
7 can't necessarily dictate what the Mayor is doing.

8 CHAIRMAN WALLACE: I agree. I agree, but  
9 I do think if we were to memorialize it in our  
10 Rules of Procedure as this is how things are going  
11 to be, I think that that puts -- that at least  
12 puts people on notice of what the expectations are  
13 and what would aid us in being able to run our  
14 Commission more effectively.

15 VICE CHAIRMAN KESSLER: And I agree. I  
16 don't think this is intended as a rebuke to  
17 anybody for anything.

18 CHAIRMAN WALLACE: No.

19 VICE CHAIRMAN KESSLER: But it's like any  
20 other volunteer position. It's a necessity to  
21 reinforce and remind and request. That's what you  
22 have to do in a volunteer organization.

23 MEMBER PRETZ: And it does go back to  
24 saying that you're appointed, we're not elected,

1 you're appointed to this position; and we have a  
2 responsibility to 30-some-thousand people that we  
3 are taking a look at and reviewing.

4 And I think whatever we put in for  
5 language, the reinforcement is for you have a  
6 responsibility. You took the position.  
7 Therefore, you have some duties that you have to  
8 perform versus just I'm a volunteer. Hey, I've  
9 got something better to do instead of attending  
10 the meeting. And I think that's the emphasis we  
11 need is to just reinforce the responsibility that  
12 comes with this position.

13 VICE CHAIRMAN KESSLER: And I couldn't  
14 agree with you more. And to piggyback on that, I  
15 believe that some of these recommendations or  
16 changes to our Rules of Procedure are meant more  
17 to make us more of a deliberative body as opposed  
18 to individuals showing up with their own personal  
19 thoughts and ideas and agendas. I think it's  
20 important that we operate that way, and I think  
21 that these types of things are going to help us do  
22 that.

23 So do you have some information, Russ, to  
24 look at?

1 MR. COLBY: Well, I'm was just going to  
2 ask how do you envision that consultation process  
3 working? What steps would you want to see  
4 identified?

5 VICE CHAIRMAN KESSLER: Well, I think, if  
6 I can answer that, Todd.

7 CHAIRMAN WALLACE: Yeah. Go ahead.

8 VICE CHAIRMAN KESSLER: It was a very  
9 simple process before, and it really wasn't even a  
10 consultation as much as it was a meeting. We  
11 brought on a couple of new people, and Todd and I  
12 had a phone call, and I know that I went to two of  
13 them where -- well, I think, Dave, you were one of  
14 them before you came on -- where we had an  
15 opportunity to meet with a prospective member,  
16 ostensibly a new member, because the Mayor is  
17 going to appoint them, which we don't even have a  
18 problem with.

19 But I think it's more of a consultation, a  
20 pre-meeting by, you know, the Chairman or the Vice  
21 Chairman or even somebody else on the Plan  
22 Commission. I don't even think it has to be  
23 limited to those two members. So that there is  
24 some connection between that person coming on and

1 the people who are already there, and that's how I  
2 would envision it, a pre-meeting.

3 What do you think?

4 CHAIRMAN WALLACE: I agree. I'm thinking  
5 in my head. I'm not sure how to wordsmith that,  
6 how to put it into the actual rules. I think that  
7 the actual enforceability of it is somewhat  
8 limited but --

9 VICE CHAIRMAN KESSLER: And I don't want  
10 to make it an enforcement issue as much as I do,  
11 you know, a way that we do business.

12 CHAIRMAN WALLACE: Yeah. Yes, I agree.

13 VICE CHAIRMAN KESSLER: And frankly, I  
14 believe that everybody knows this and agrees with  
15 it.

16 CHAIRMAN WALLACE: Yeah.

17 VICE CHAIRMAN KESSLER: I mean, we've had  
18 conversations about it, and it's easy to let  
19 these things fall by the wayside if you don't do  
20 them very often. So maybe it's just a matter of  
21 reminding and reinforcing.

22 MEMBER PRETZ: I kind of think about you  
23 have a petitioner for something. They already  
24 probably have a pretty good idea of how many

1 members there are; and if we have five, we barely  
2 have a quorum, and they come forward, and they  
3 have their project which is their baby that  
4 they're sharing, and they want feedback and get  
5 approval and everything; and we have a mini  
6 portion, a subcommission up here, I don't know if  
7 that necessarily gives a good image or a good  
8 feeling to those people as far as --

9 VICE CHAIRMAN KESSLER: What is fair.

10 MEMBER PRETZ: -- yeah. Fair overall.

11 MEMBER MACKLIN-PURDY: Right.

12 VICE CHAIRMAN KESSLER: But on the other  
13 hand, I mean, I don't know if we can change what  
14 constitutes a quorum. I don't know if we want to  
15 do that. We have nine members.

16 CHAIRMAN WALLACE: I don't think we have  
17 any problem with that. Yeah.

18 VICE CHAIRMAN KESSLER: Attendance.

19 MR. COLBY: There might be a restriction  
20 in the Open Meetings Act. I think we could  
21 increase the quorum if that's what you're  
22 suggesting rather than decrease it.

23 VICE CHAIRMAN KESSLER: No. I wouldn't  
24 decrease it. If anything, I'd increase it.



1 CHAIRMAN WALLACE: Yeah. All right.

2 Very minor thing, Robert's Rules of Order,  
3 the newest edition is the 11th Edition. That's in  
4 Article V.

5 One of the other things I wanted to bring  
6 up was that we actually do have beyond the nine  
7 members, we have three additional members, which  
8 is the Mayor, who is an ex officio member, and  
9 then the park district and school district members  
10 who are auditory members.

11 MEMBER PRETZ: I've seen the Mayor at a  
12 few of our meetings. I've never --

13 CHAIRMAN WALLACE: And he has the right to  
14 voice but no vote.

15 MEMBER PRETZ: But I've never seen the  
16 other two, and I probably would not know if they  
17 were in the audience.

18 CHAIRMAN WALLACE: No, me neither.

19 MEMBER PIETRYLA: We haven't seen them.

20 MEMBER MACKLIN-PURDY: I would know. They  
21 haven't been here.

22 MEMBER VARGULICH: Probably on a bigger  
23 project.

24 CHAIRMAN WALLACE: I'm just wondering if

1 there's any procedure that we can take to -- or we  
2 should be taking any steps to better inform them  
3 of what's going on here.

4 MEMBER VARGULICH: You're talking about  
5 the auditory members?

6 CHAIRMAN WALLACE: Uh-huh.

7 MEMBER VARGULICH: Do they receive the  
8 meeting minutes?

9 MR. COLBY: The auditory members receive  
10 the packets.

11 CHAIRMAN WALLACE: Oh, they do.

12 MR. COLBY: Yes. They're on our e-mail  
13 distribution list.

14 CHAIRMAN WALLACE: So they just don't  
15 care.

16 VICE CHAIRMAN KESSLER: Why do we have  
17 them as auditory members?

18 MR. COLBY: I believe that's to keep them  
19 informed about things that are --

20 VICE CHAIRMAN KESSLER: Is there any  
21 reason that there has to be auditory members? Why  
22 can't you send them the packet, and they don't  
23 need to be auditory members?

24 MR. COLBY: Well, this, I think, gives us

1 a basis to keep sending them the packet versus  
2 just adding people to the list. I mean, when we  
3 distribute the meeting packets, they're not sent  
4 out in sort of the general interest. They're  
5 posted on the website, but there's a purpose as to  
6 who receives the e-mail.

7 CHAIRMAN WALLACE: Well, the basis would  
8 be the school district and the park district is  
9 really because of land cash. I mean, there's -- I  
10 mean, that's why we don't have a forest preserve  
11 representative, you know, or a township  
12 representative or something like that. It could  
13 always overlap.

14 All right. Any other -- I don't know.

15 VICE CHAIRMAN KESSLER: Well, how many  
16 items do we have there, Russ? We have the  
17 attendance thing, the consultation issue.

18 MR. COLBY: Was there an interest in  
19 changing the order of business? I know we talked  
20 about --

21 VICE CHAIRMAN KESSLER: Yes.

22 CHAIRMAN WALLACE: I think so.

23 MR. COLBY: -- the suggestion about being  
24 able to do that during the meeting, but would you

1 also like to change our regular agenda format?

2 CHAIRMAN WALLACE: I think so.

3 VICE CHAIRMAN KESSLER: I'd say yes.

4 CHAIRMAN WALLACE: I'd say yes to both,  
5 unless somebody else has a reason not to.

6 MEMBER PIETRYLA: Whatever will make it  
7 streamlined.

8 VICE CHAIRMAN KESSLER: This would be a  
9 perfect example if Todd's idea would work, and  
10 that is it's unanimous consent. Nobody said no.

11 CHAIRMAN WALLACE: Yeah.

12 VICE CHAIRMAN KESSLER: So we'd have the  
13 order of business. We have the unanimous consent.  
14 We have the --

15 CHAIRMAN WALLACE: Well, maybe we should  
16 just put something in that says that with the  
17 exception of action -- with the exception of  
18 action on application items, the Commission may  
19 take action by unanimous consent.

20 VICE CHAIRMAN KESSLER: Which would change  
21 a lot of the ways of doing the votes.

22 CHAIRMAN WALLACE: Yeah. A lot of the  
23 voice votes that we go through and all the  
24 rigmarole. I mean, we could do it in a much

1 easier way by unanimous consent, just asking for  
2 objections. If there are none, then it passes.

3 VICE CHAIRMAN KESSLER: Unless it's  
4 action.

5 CHAIRMAN WALLACE: Unless it's an  
6 action -- I would say unless it's -- we'd have to  
7 do more wording on that.

8 VICE CHAIRMAN KESSLER: How to do --

9 CHAIRMAN WALLACE: Action on an  
10 application or an action constituting a  
11 recommendation to the City Council. You know, I  
12 mean if it's that, then it has to be by a roll  
13 call vote; but if we're talking about changing the  
14 agenda, I mean, we can do that without having a  
15 roll call vote.

16 Does that make sense to everybody?

17 VICE CHAIRMAN KESSLER: Well, I think  
18 that's what you just said. I think you just said  
19 that.

20 So first of all, if we list in the Rules  
21 of Procedure our agenda -- the order of our  
22 agenda, you would make that change, and we have  
23 talked about it.

24 And then we also add language to allow

1 unanimous consent unless it's an agenda action  
2 item, and you could figure out how to describe  
3 that. We have to describe that in a certain --  
4 recommendation to the City Council.

5 Okay. So that's those two. There are  
6 those two items. The next item is how do we  
7 address -- I mean, I think, Todd, you made a  
8 suggestion about informing --

9 CHAIRMAN WALLACE: Yeah.

10 VICE CHAIRMAN KESSLER: Right now there's  
11 informal methods of they are calling up and saying  
12 who is coming to meetings and who isn't. You  
13 suggested --

14 CHAIRMAN WALLACE: I would say it's  
15 believed that the first -- the second-to-last  
16 paragraph in Article V, leave that as it is. But  
17 then after that paragraph, that if the planning  
18 office receives or if a given member misses more  
19 than three meetings, then the planning office will  
20 notify the Chairman and Mayor of the same.

21 MEMBER PRETZ: And it's three meetings  
22 regardless if I send in and say --

23 VICE CHAIRMAN KESSLER: Whether you notify  
24 or not.

1 MEMBER PRETZ: Yeah. Regardless.

2 VICE CHAIRMAN KESSLER: Yeah. I would  
3 take out the notify.

4 CHAIRMAN WALLACE: Yeah. I think it's  
5 just misses three meetings.

6 MEMBER PRETZ: I think that's good.

7 CHAIRMAN WALLACE: And that may at  
8 least -- you know, the Chairman and Mayor can  
9 talk. Is there an issue? Well, you know, yeah,  
10 this person was on, you know, an extended trip,  
11 out of the country or something like that. Okay.  
12 Well, maybe that's not really an issue. But if  
13 it's well, Yeah, they missed three meetings and  
14 they didn't notify us, you know, and then we can  
15 talk about what action to take.

16 But I would say something be put in there  
17 where then the Chairman and Mayor will discuss. I  
18 don't know. However, we word that.

19 VICE CHAIRMAN KESSLER: So that's the  
20 third item, Russ.

21 MEMBER PIETRYLA: Chairman, I think it  
22 should say initiating a meeting request or both.

23 CHAIRMAN WALLACE: Maybe both, the  
24 Chairman and Vice Chairman.

1           MEMBER PIETRYLA: In terms of the wording,  
2 since we can't compel the Mayor to meet, could we  
3 say, you know, request meeting, and I have no  
4 doubt he will comply.

5           CHAIRMAN WALLACE: Yeah, yeah. I mean, I  
6 would --

7           VICE CHAIRMAN KESSLER: You don't have to  
8 have a sit-down meeting. It could be a phone  
9 call.

10          CHAIRMAN WALLACE: I know we can't compel,  
11 but I would just say put something in the rules to  
12 that effect, then there will at least, you know --

13          MEMBER PIETRYLA: Also can we address  
14 consecutive? Do you want consecutive meetings or  
15 any three? So three meetings throughout, I guess,  
16 a calendar year. Because conceivably you could  
17 miss -- if we meet twice a month, so you could  
18 miss an entire month of meetings, and that would  
19 trigger a meeting with the Mayor, and then go to  
20 meetings a couple more months, miss then another  
21 entire month. So it should be three meetings  
22 total, just to maintain some discipline, I guess.

23          VICE CHAIRMAN KESSLER: That's hard.

24          CHAIRMAN WALLACE: Yeah.



1 VICE CHAIRMAN KESSLER: You could say  
2 calendar year. You could say --

3 MEMBER VARGULICH: A quarter.

4 VICE CHAIRMAN KESSLER: There could be a  
5 quarter. Maybe a quarter would be a way.

6 MEMBER PRETZ: Well, if you kind of think  
7 of that just to be here either for a quarter or  
8 for a half year because you're only talking --  
9 you're either talking six meetings potentially for  
10 a quarter or 12 meetings for a half year.

11 So if you wind up missing three meetings,  
12 you've missed -- on six months, you've missed  
13 25 percent of the meetings, and now you're  
14 starting to become a burden to everybody, you  
15 know, as far --

16 VICE CHAIRMAN KESSLER: So what have you  
17 got, a quarter or six months?

18 MEMBER PRETZ: I would -- I don't know.

19 CHAIRMAN WALLACE: Well, I think it can be  
20 a problem just to miss consecutive meetings. No?

21 VICE CHAIRMAN KESSLER: I don't think it  
22 should be consecutive. I mean, you could go to  
23 one meeting a month for three months, and you've  
24 missed half the meetings.

1 MEMBER PRETZ: Yeah, or more, if some are  
2 canceled.

3 VICE CHAIRMAN KESSLER: Yeah.

4 MEMBER PRETZ: I think it's total.

5 CHAIRMAN WALLACE: Well, we could say to  
6 the planning office, if they miss an inordinate  
7 number of meetings.

8 MEMBER PIETRYLA: I think three would be a  
9 trigger to have a discussion.

10 VICE CHAIRMAN KESSLER: I think three  
11 meetings, and I'd say if you miss three meetings  
12 in a year, it would trigger a discussion.

13 MR. COLBY: So three meetings in a  
14 12-month period?

15 VICE CHAIRMAN KESSLER: Yes. And so if  
16 you miss them in the first quarter, then you miss  
17 them in the first quarter. If you miss them in  
18 six months, you miss them in six months.

19 MEMBER PRETZ: And getting back to what  
20 Todd had said, the discussion would be do we have  
21 a problem or do we not have a problem?

22 VICE CHAIRMAN KESSLER: Right.

23 MEMBER PRETZ: I think it's easier to  
24 address, at least to trigger three so somebody is

1 thinking about it.

2 VICE CHAIRMAN KESSLER: Right. It would  
3 trigger that at the third meeting.

4 CHAIRMAN WALLACE: What do you think,  
5 Russ? What do you guys think?

6 MR. COLBY: We were just thinking it might  
7 be easier to track it by calendar year as opposed  
8 to a 12-month period, but we can do that.

9 VICE CHAIRMAN KESSLER: That's fine. I'm  
10 okay with that. I didn't mean 12 months.

11 CHAIRMAN WALLACE: Whatever.

12 VICE CHAIRMAN KESSLER: Just 12 months. I  
13 mean, if you've got to make it a calendar year,  
14 that's fine.

15 CHAIRMAN WALLACE: I mean, we're putting  
16 the responsibility on you, so you tell us what  
17 would work without --

18 MR. COLBY: We were just trying to think  
19 of what would be the easiest thing for us to keep  
20 track of.

21 CHAIRMAN WALLACE: Yeah.

22 VICE CHAIRMAN KESSLER: I don't really  
23 care what 12-month period. Once you start, it's  
24 12 months. Okay. All right. So that's the third

1 item.

2 So then the fourth item was, and I don't  
3 want to call it consultation. I want to talk  
4 about, you know, either discussion or introduction  
5 to new members, something along those lines, which  
6 we have done before. I think there is some  
7 wording about that somewhere in meeting notes or  
8 an e-mail somewhere since we've done it.

9 CHAIRMAN WALLACE: Yeah.

10 VICE CHAIRMAN KESSLER: And then I know  
11 that we can't compel the Mayor, but our members  
12 are good enough to talk with us before they go,  
13 and that is that we're, you know, aware of members  
14 leaving. You know, unless there is some untoward  
15 reason, there's no reason that we can't say  
16 goodbye. So that's part of that, the  
17 introduction, you know.

18 MEMBER PRETZ: The introduction and  
19 debrief.

20 VICE CHAIRMAN KESSLER: The introduction  
21 and debriefing.

22 And then the fourth thing -- or the fifth  
23 thing was that Robert's Rules of Order is in the  
24 11th Edition.

1 CHAIRMAN WALLACE: It is as of 2011.

2 VICE CHAIRMAN KESSLER: As of 2011, Todd,  
3 that makes perfect sense.

4 So those are the five items. Does anybody  
5 else have anything else that they can think of?

6 CHAIRMAN WALLACE: Okay. All right.  
7 Good. That concludes Item 10.

8 Item 11, comprehensive plan update for  
9 downtown, summary of existing planning documents,  
10 review of existing conditions.

11 MR. COLBY: This will be quick. I just  
12 want to kind of recap what we went over back in  
13 November when I think I first introduced the  
14 comprehensive plan process, but this information  
15 is to sort of walk through that again.

16 So the City is planning to update the  
17 comprehensive plan, specifically the subarea plan  
18 for the downtown, and with particular attention to  
19 the catalyst sites map that's shown in the subarea  
20 plan. There's an interest to revise that plan  
21 based on two things: One being the fact that the  
22 City is constructing a police station, and so the  
23 police facility that is existing downtown will no  
24 longer be utilized. So there's an opportunity for

1 that property to be used in some other way.

2 And also the City is analyzing the active  
3 river component of the river corridor plan, which  
4 has evolved in the past couple of years, and that  
5 includes a whole list of potential improvements of  
6 the river and the shoreline.

7 And we are concurrently -- we have an  
8 economic impact analysis that's being done by a  
9 consultant to look at what potential economic  
10 benefits could result from the river corridor  
11 improvements and looking at that from a cost  
12 benefit standpoint as to which ones would have the  
13 most return on investment.

14 They're also looking at how that increases  
15 development potential from the properties that  
16 would be influenced by the improvement that's made  
17 as part of that project.

18 So what we're intending to do is go  
19 through the process of looking at the properties  
20 we believe would be directly affected by the  
21 improvements and revisiting the land use  
22 recommendations and the catalyst sites exhibit  
23 that's in the plan to identify what developments  
24 the City would give for the future of those sites

1 based on these potential changes.

2 So there is a page that's been set up on  
3 the home page that has documents for the  
4 comprehensive plan update. There's a link to this  
5 from the summary that was in the meeting packet.

6 At the last meeting, I sort of walked  
7 through these different documents related to the  
8 river corridor plan and the feasibility study that  
9 was done and the different concepts that were  
10 shown for what's called the river park, which is  
11 the portion of the project that would be directly  
12 outside of City Hall here between the damn and the  
13 railroad bridge. That's the portion of the focus  
14 of the most significant changes potentially if the  
15 project were to advance, and that's the area that  
16 we're focusing on.

17 Some new documents that have been posted  
18 here since previous meetings. We have identified  
19 what we're considering to be the primary study  
20 area for properties to be influenced by the  
21 project improvements, and those are the blocks  
22 that are immediately adjacent to the river,  
23 basically one block in and also including the  
24 police facility here.

1           And also posted are existing conditions  
2 documents for both the east side and west side  
3 properties in the study area. So these include  
4 some maps of the parcels, a zoomed-in map that  
5 shows the way the properties are zoned, how they  
6 are designated in the comprehensive plan with  
7 future land uses.

8           This is a topographic map that is showing  
9 the change in grade and elevation across the study  
10 area, and there's also maps of the floodplain  
11 overlaid on the aerial photo to show you where the  
12 existing floodplain is along the river.

13           We also have information on historic  
14 preservation, including the historic district  
15 boundaries, and also the ratings for each of the  
16 structures in the historic district. These  
17 letters indicate what they're rated in the survey.

18           We also have put together sort of a  
19 generalized exhibit that shows the utilities that  
20 exist within the study area, both the red are  
21 major underground utility corridors, and the  
22 purple are the major overhead utility corridors.

23           We have also indicated some City  
24 infrastructure that's in the study area. You'll



1 see there's quite a bit of that on the east side  
2 study area as shown here, including a couple of  
3 well sites adjacent to the municipal center and  
4 the police station.

5 It also identifies which properties are  
6 City owned. Especially on the east side, most of  
7 the properties in the study area are City owned.

8 And we have similar information from the  
9 west side -- zoning, the land uses, the topo map,  
10 the floodplain map. On the west side, probably  
11 the most significant feature on this side is the  
12 aerial of the extent of floodplain and the fact  
13 that there's an adjacent creek that drains through  
14 this area.

15 The historic district boundaries -- on the  
16 west side, the historic district doesn't extend as  
17 far north. The boundary is State Street.

18 Then the utilities map -- on this side of  
19 the river, there's not as extensive of overhead  
20 utilities. There are major underground utility  
21 lines that cross through this area, including some  
22 that are underground river crossings for the same  
23 sewer system.

24 And then the map of City-owned properties,

1 which are a little more limited on this side to a  
2 few parking lots.

3 So that information is posted. You can  
4 look through there. We'll be using those to sort  
5 of look at the development potential of the area  
6 based on the existing conditions.

7 Also included -- this is the downtown  
8 subarea plan from the current comprehensive plan,  
9 and I went through, and I just put some notes on  
10 some things that were relevant to the study area.  
11 It's marked on each of the exhibits. You can sort  
12 of see how this area relates to the information  
13 that was in the existing plan.

14 I also included updates on that, things  
15 that have changed on the maps that aren't  
16 reflected here such as the additional historic  
17 district that was designated.

18 There's a page that talks about the  
19 character of each of the frontages of different  
20 properties and what types of site building designs  
21 are appropriate. You can see how the subarea  
22 overlaps those recommendations. It was sort of  
23 transferring this information onto an aerial photo  
24 to see how that lays out with the actual parcels.

1           This is the improvement plan, the study  
2 area shown. Also this is the catalyst sites map  
3 that I've been referring to that identifies  
4 potential redevelopment sites.

5           Within the study area on the east side,  
6 there was no catalyst site identified when the  
7 plan was written because it wasn't determined if  
8 the police station was going to remain at its  
9 current location. So there was no plan done to  
10 anticipate what might be desirable there.

11           On the west side of the river, almost all  
12 the properties in the study area were previously  
13 identified as catalyst sites, and there's a  
14 description of a desirable development form that's  
15 included in the plan. This didn't, however, take  
16 into account what potential improvements are going  
17 to be made along the riverfront. So we need to  
18 update that to reflect those types of changes.

19           Also noted in here are some of these  
20 development sites will be removed, like the First  
21 Street project site. Those will be completed  
22 later this year.

23           So this information is posted here. We'll  
24 spend some more time at the next meeting kind of

1 going through this in more detail as to the  
2 specific properties.

3 Yes.

4 MEMBER MACKLIN-PURDY: That last picture  
5 that you went on and then got off really quickly.

6 MR. COLBY: Oh, the one at the end of this  
7 document?

8 MEMBER MACKLIN-PURDY: Yes. That one.

9 MR. COLBY: Yes.

10 MEMBER MACKLIN-PURDY: Can you talk a  
11 little bit about that?

12 MR. COLBY: Yes. So this shows -- this is  
13 a just a 3D rendering of potential catalyst site  
14 developments. So this takes some of these sites  
15 that are shown on the map here and shows what they  
16 could look like if they were developed.

17 And this included -- what they had shown  
18 here was the old First Street Phase 3 Plan that  
19 was from 2006 because at the time that the plan  
20 was being written, it wasn't -- there were no new  
21 plans being presented for that site. It wasn't  
22 determined what the development form would look  
23 like. This was just sort of a placeholder of what  
24 the old plan was.

1           So I have a note on here that that will be  
2 completed. So this image is outdated because that  
3 site will be mostly developed, and this also shows  
4 other potential development sites along the east  
5 side of the river. It shows a potential parking  
6 deck, a park site along the river. So some of  
7 those recommendations are -- you know, nothing is  
8 changed in terms of the existing conditions. So  
9 we have left those in there as they're shown.

10           MEMBER MACKLIN-PURDY: No. 15?

11           MR. COLBY: Yeah. No. 15. This one?

12           MEMBER MACKLIN-PURDY: Is that where  
13 there's a parking lot now?

14           MR. COLBY: Yes. So that is a parking  
15 deck shown on top of where the existing parking  
16 lot is.

17           MEMBER MACKLIN-PURDY: Okay. All right.  
18 Thank you.

19           VICE CHAIRMAN KESSLER: Is this link  
20 available off the home page, or do I have to go  
21 through my agenda to get to it?

22           MR. COLBY: Yeah. If you're on the home  
23 page, there's this list here that has project  
24 information. It's under City studies and

1 initiative. That's on the comprehensive plan  
2 update.

3 And I know at the last meeting we had  
4 talked a little bit about the schedule. We're  
5 trying to schedule this, the discussions about the  
6 comprehensive plan to sort of follow with the  
7 economic analysis that's being conducted, and  
8 we're anticipating that there's going to be a  
9 presentation of the preliminary findings of the  
10 economic analysis at the first Plan Commission  
11 meeting in March.

12 So at that point, we will have gone  
13 through most of this information with the existing  
14 development recommendations and start the process  
15 of coming up with some new recommendations, and  
16 then we'll hear that information that comes from  
17 the economic analysis in March before we have  
18 completed our process, so we'll be able to  
19 incorporate some of that information into the  
20 recommendations.

21 MEMBER BECKER: Since I'm new, is this an  
22 in-house initiative? I know the economic analysis  
23 is consultant driven, but this is in-house?

24 MR. COLBY: Yes, yes. This update will

1 be.

2 VICE CHAIRMAN KESSLER: All right. No  
3 questions from me.

4 CHAIRMAN WALLACE: Any questions? Any  
5 other questions?

6 (No response.)

7 CHAIRMAN WALLACE: No. Okay. That's it.

8 All right. Is there any additional  
9 business from the Plan Commission members or  
10 staff?

11 VICE CHAIRMAN KESSLER: Well, I think I'd  
12 like to take this opportunity to wish Dave the  
13 best. This is his final meeting with the Plan  
14 Commission. He's moving on to bigger and better  
15 things, but I suspect that we haven't seen the  
16 last of him. I'm guessing.

17 MEMBER PIETRYLA: No, you haven't. No, I  
18 appreciate it. It's been fun serving with you and  
19 learning, and it's time, as you mentioned, for  
20 someone else to join you and make their mark. So  
21 I appreciate it.

22 CHAIRMAN WALLACE: All right.

23 VICE CHAIRMAN KESSLER: Thanks, Dave.

24 CHAIRMAN WALLACE: Thank you very much.

1 All right. Meeting announcements, as we  
2 stated before, we do have items on January 22nd.  
3 If anyone knows that they will not be present at  
4 any of the upcoming meetings, please let staff  
5 know.

6 VICE CHAIRMAN KESSLER: I will not be  
7 present at the February 11th meeting.

8 CHAIRMAN WALLACE: That's planning and  
9 development.

10 VICE CHAIRMAN KESSLER: I'm sorry. I will  
11 not be at the February 19th meeting.

12 CHAIRMAN WALLACE: Okay. All right.  
13 We'll move on.

14 Public comment.

15 VICE CHAIRMAN KESSLER: Wait, when does  
16 the year start?

17 CHAIRMAN WALLACE: February 20th.

18 VICE CHAIRMAN KESSLER: Oh, March.

19 CHAIRMAN WALLACE: All right. Is there a  
20 motion to adjourn?

21 VICE CHAIRMAN KESSLER: So moved.

22 MEMBER MACKLIN-PURDY: Second.

23 CHAIRMAN WALLACE: It's moved and  
24 seconded. All in favor.



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(Ayes heard.)

CHAIRMAN WALLACE: Opposed.

(No response.)

CHAIRMAN WALLACE: The meeting of the  
St. Charles Plan Commission is adjourned at  
8:54 p.m.

(Off the record at 8:54 p.m.)

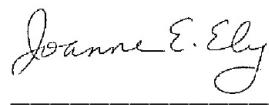
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CERTIFICATE OF SHORTHAND REPORTER

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal this 14th day of January, 2019.

My commission expires: May 16, 2020

  
\_\_\_\_\_

Notary Public in and for the  
State of Illinois