

**MINUTES  
CITY OF ST. CHARLES  
PLAN COMMISSION  
TUESDAY, APRIL 19, 2022**

Members Present: Peter Vargulich  
Laura Macklin-Purdy  
Colleen Wiese  
Jeffrey Funke  
Suzanne Melton  
Zachary Ewoldt  
Laurel Moad  
Karen Hibel

Members Absent: Jennifer Becker

Also Present: Russell Colby, Director of Community Development  
Derek Conley, Director of Economic Development  
Ellen Johnson, Planner  
Rachel Hitzemann, Planner  
Monica Hawk, Development Engineer  
Court Reporter

**1. Call to order**

Chairman Vargulich called the meeting to order at 7:01 p.m.

**2. Roll Call**

Chairman Vargulich called the roll. A quorum was present.

**3. Pledge of Allegiance**

**4. Presentation of minutes of the April 5, 2022 meeting of the Plan Commission**

**Motion was made by Ms. Melton, seconded by Vice Chair Macklin-Purdy and unanimously passed by voice vote to approve the minutes of the April 5, 2022 Plan Commission meeting.**

**5. River East Lofts (STC 216 LLC)**

Application for Special Use for Planned Unit Development

Application for PUD Preliminary Plan

a. Public Hearing

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

**Motion was made by Vice Chair Macklin-Purdy and seconded by Ms. Moad to close the public hearing.**

**Roll call vote:**

**Ayes: Wiese, Macklin-Purday, Funke, Melton, Ewoldt, Moad, Hibel, Vargulich**

**Nays:**

**Absent: Becker**

**Motion carried 8-0**

b. Discussion and Recommendation

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

**Motion was made by Vice Chair Macklin-Purdy and seconded by Ms. Moad to recommend approval of the applications for Special Use for Planned Unit Development and PUD Preliminary Plan for River East Lofts (STC 216 LLC), subject to resolution of outstanding staff comments and any forthcoming technical plan review comments.**

**Motion was made by Chairman Vargulich to amend the motion to include the following conditions: 1) Rotate building away from 2<sup>nd</sup> St. so the front is on Riverside Ave. and eliminate ramps on Riverside; and 2) Sidewalks on 2<sup>nd</sup> St. and Riverside Ave. shall continue to the corner. No second. Motion to amend fails.**

**Roll call vote (on original motion):**

**Ayes: Macklin-Purdy, Weise, Melton, Ewoldt, Moad**

**Nays: Funke, Hibel, Vargulich**

**Absent: Becker**

**Motion carried 5-3**

**6. Additional Business from Plan Commission Members or Staff - None**

**7. Weekly Development Report**

**8. Meeting Announcements**

a. Plan Commission

Tuesday, May 3, 2022 at 7:00pm Council Chambers

Tuesday, May 17, 2022 at 7:00pm Council Chambers

Tuesday, June 6, 2022 at 7:00pm Council Chambers

b. Planning & Development Committee

Monday, May 9, 2022 at 7:00pm Council Chambers

Monday, June 13, 2022 at 7:00pm Council Chambers

**9. Public Comment - None**

**10. Adjournment at 9:58 p.m.**



**Planet Depos**<sup>®</sup>  
We Make It *Happen*<sup>™</sup>

---

# Transcript of Hearing- In Re: River East Lofts (STC 216 LLC)

**Date:** April 19, 2022  
**Case:** St. Charles Plan Commission

**Planet Depos**  
**Phone:** 888.433.3767  
**Email:** [transcripts@planetdepos.com](mailto:transcripts@planetdepos.com)  
[www.planetdepos.com](http://www.planetdepos.com)

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

BEFORE THE PLAN COMMISSION  
OF THE CITY OF ST. CHARLES

-----X  
In Re: :  
River East Lofts (STC 216 LLC):  
Application for Zoning Map :  
Amendment, Special Use for, :  
Planned Unit Development, and :  
PUD Preliminary Plan. :  
-----X

REPORT OF PROCEEDINGS  
St. Charles, Illinois 60174  
Tuesday, April 19, 2022  
7:01 p.m.

Job No.: 412175  
Pages 1 - 151  
Reported by: Kristine Wesner, CVR

1 Report of proceedings held at the location  
2 of:

3  
4 ST. CHARLES CITY HALL  
5 2 East Main Street  
6 St. Charles, Illinois 60174  
7 630.377.4400  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21

22 Pursuant to agreement, before Kristine  
23 Wesner, Certified Verbatim Reporter, and Notary  
24 Public in and for the State of Illinois.

Transcript of Hearing- In Re: River East Lofts (STC 216 LLC)  
Conducted on April 19, 2022

1 PRESENT:

2 PETER VARGULICH, Chairman

3 LAURA MACKLIN-PURDY, Vice-Chair

4 ZACHARY EWOLDT, Commissioner

5 LAUREL MOAD, Commissioner

6 SUZANNE MELTON, Commissioner

7 KAREN HIBEL, Commissioner

8 COLLEEN WIESE, Commissioner

9 JEFFREY FUNKE, Commissioner

10

11 ALSO PRESENT:

12 Derek Conley,

13 Director of Economic Development

14 Russell Colby,

15 Director of Community Development

16

17

18

19

20

21

22

23

24

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

P R O C E E D I N G S

CHAIRMAN VARGULICH: Good evening,  
everyone. It is 7:01. We'll be starting the  
St. Charles Plan Commission.

Roll call.

Laura Purdy?

VICE-CHAIR MACKLIN-PURDY: Here.

CHAIRMAN VARGULICH: Colleen Wiese?

COMMISSIONER WIESE: Here.

CHAIRMAN VARGULICH: Jeff Funke?

COMMISSIONER FUNKE: Here.

CHAIRMAN VARGULICH: Suzanne Melton?

COMMISSIONER MELTON: Here.

CHAIRMAN VARGULICH: Zach Ewoldt?

COMMISSIONER EWOLDT: Here.

CHAIRMAN VARGULICH: Jennifer Becker?

Laurel Moad?

COMMISSIONER MOAD: Here.

CHAIRMAN VARGULICH: Karen Hibel?

COMMISSIONER HIBEL: Here.

CHAIRMAN VARGULICH: Pledge of  
Allegiance, please.

(The Pledge of Allegiance was recited.)

CHAIRMAN VARGULICH: Thank you.

1 Presentation of our April 5th, 2022,  
2 meeting of the Plan Commission. Is there a motion  
3 to approve?

4 COMMISSIONER MELTON: So moved.

5 VICE-CHAIR MACKLIN-PURDY: Second.

6 CHAIRMAN VARGULICH: All those in  
7 favor?

8 (Chorus of ayes.)

9 CHAIRMAN VARGULICH: All right. So  
10 before we start tonight, we have Item 5,  
11 River East Lofts, which is a continuation of a  
12 public hearing. We'd like to have staff address a  
13 few comments before we begin.

14 MR. COLBY: Yes. Thank you.

15 When the hearing was continued at the  
16 last Plan Commission discussion of this project,  
17 there was a request to have a traffic study review  
18 by the city's traffic engineer, HLR Engineering.  
19 They have completed the review of the study.  
20 There's some initial comments and the traffic  
21 study was revised and expanded, somewhat, and then  
22 re-reviewed. In response to those reviewed  
23 comments, the intersection of Second and Riverside  
24 Avenue has been changed to a traditional

1 T-intersection design, which was a previous  
2 comment, and the intent there was to calm traffic  
3 at the intersection and discourage traffic coming  
4 through at the traffic signal at Illinois Avenue.

5 HLR concurred that the study's overall  
6 finding -- that the site traffic could be  
7 accommodated on the adjacent roadway network. We  
8 did have two outstanding comments. One was  
9 related to the sightline obstruction at the corner  
10 of Second and Illinois Avenue, due to building  
11 location at the corner; and the second was a  
12 concern with the proposed Riverside Avenue being  
13 blocked pedestrian crossing.

14 So although typical engineering  
15 standards aren't being met for either of those  
16 items, these conditions aren't uncommon in a  
17 downtown environment where the limited building  
18 setbacks are encouraged and certain streets may be  
19 designed specifically to slow traffic or favor  
20 pedestrians over traffic. So both of those issues  
21 will require further evaluation by staff and a  
22 more detailed engineering review, but there hasn't  
23 been (indiscernible) by the developer to adjust  
24 the building corner at Illinois and Second Avenue

1 to try and improve the sightlines by  
2 January 1st -- is the follow-up on the traffic  
3 study.

4 CHAIRMAN VARGULICH: Okay. Thank you.

5 MR. CONLEY: I also have --

6 CHAIRMAN VARGULICH: And then we have  
7 one more staff member.

8 If you could please, Derek?

9 MR. CONLEY: There were a couple of  
10 points that the commissioners didn't ask to  
11 clarify before going into the public hearing. One  
12 of those points was the committing of property.  
13 So just to be clear that there is land that would  
14 be vacated to the developer for this project;  
15 however, it is not a clear piece of property that  
16 has a (indiscernible) is all public right-of-way,  
17 so that, of course, does include Indiana Avenue as  
18 well as the triangular piece of the southern  
19 portion of this site. It is so small that it's  
20 actually not its own piece of property. It's  
21 publicly owned.

22 Per community comments, the revised  
23 plans do show the southern portion of the  
24 triangular piece (indiscernible) as city. Right

1 away, this is different from the previous version.  
2 This is the location of the proposed gateway  
3 signage. Under the current proposal, the  
4 remainder of the triangular piece at Indiana  
5 Avenue would be vacated to the developer. The  
6 responsibility and the cost of the maintenance of  
7 the piece would, therefore, fall to the developer.  
8 However, the property would be encumbered by an  
9 expense.

10 The benefit of the city -- the benefit  
11 for the city to this approach, the city would not  
12 be hurt by the routine maintenance that would be  
13 required. And so this is really status point is  
14 that: This is a piece of property that would be  
15 directly adjacent to the private development. The  
16 city isn't really that interested in having a  
17 small park there that we would have to maintain,  
18 and it would be better in the hands of a private  
19 developer.

20 Although staff is open to discussion in  
21 recommendation of this commission, two kind of  
22 spin-off questions that came from this point was:  
23 Is this common? I wouldn't call this common.  
24 Although it does happen frequently in other

1 municipalities and has happened here in  
2 St. Charles, most notably -- actually, Indiana  
3 Avenue on the -- the west side of the river was  
4 vacated when Blue Goose -- they just put four more  
5 locations put in. Indiana Avenue was vacated to  
6 the private property owner in that case.

7 And then another spin-off question that  
8 came from this was, just for clarification, that  
9 in the 2013 Comprehensive Plan of the entire  
10 site -- that's up for debate -- that was  
11 considered a catalyst site. So that does include  
12 not just the private ownership or the private  
13 property, but also the triangular piece, which is  
14 public right-of-way right now. It also does  
15 include Riverside Avenue.

16 The second point that was asked to be  
17 clarified was just the building height. The most  
18 up-to-date plans for the proposed River East Lofts  
19 project identifies the building height at 59 feet,  
20 8 inches. This is the measurement from the corner  
21 of Illinois Avenue and Second Avenue. The staff  
22 does accept this as the appropriate building  
23 height for this -- for this development.

24 For parcels with multiple frontages,

1 such as this site, the frontal outline is  
2 typically established in the subdivision plot;  
3 however, this is not the case. This is just  
4 missing information, so staff does accept this as  
5 the appropriate height. Please note that you can  
6 come to a different conclusion on this. However,  
7 it's within kind of the same margin. The margin  
8 isn't that large. And please note that any height  
9 over 50 feet requires a variance, so whether you  
10 agree or not, it would still go through the same  
11 process.

12 And that concludes my comments.

13 CHAIRMAN VARGULICH: Okay. Thank you  
14 very much.

15 At our -- just one point before we get  
16 started -- to ask a few things of the audience --  
17 but before we get to that. There was a request at  
18 our last hearing for one of our commissioners,  
19 Colleen Wiese, to be excused because of a  
20 potential conflict of interest. The rules that  
21 govern the Plan Commission do have an article --  
22 it's Article 11, if you want to look it up in the  
23 Rules for the Plan Commission -- addressing  
24 conflicts of interest.

1           As I read this Article, it does not  
2           seem to apply to this case. It was requested by  
3           Mr. Taylor. But not being a legal expert, I  
4           elevated this to staff and asked them to contact  
5           our city attorney. He has gotten back to staff,  
6           and it's my understanding that the attorney does  
7           not find any conflict of interest. And if you're  
8           in agreement -- or if you're not -- I would  
9           suggest you address that with staff, and they can  
10          direct you to our attorney or help you with any  
11          additional clarifications.

12                 All right. So --

13                 MR. TAYLOR: I was just going to say,  
14                 it was just to -- I never said that it was. It  
15                 was just to avoid an appearance. Just for  
16                 clarification. Okay? I wasn't saying that it  
17                 was. I was saying to avoid even an appearance.  
18                 Okay?

19                 CHAIRMAN VARGULICH: No problem. Our  
20                 city attorney still feels there is no issue.

21                 MR. TAYLOR: Sure.

22                 CHAIRMAN VARGULICH: Thank you.

23                 So for tonight, there's a number of  
24                 people who provided testimony related to this

1 project, and I see many of them are back tonight,  
2 and that is great because I love involvement. But  
3 I would ask, No. 1, that if you have testified  
4 related to certain topics already, that you do not  
5 repeat those topics tonight. So that if you can  
6 address either changes that were part of what the  
7 applicant has provided, either the new information  
8 or things that we did not discuss last time, that  
9 would be much appreciated.

10 I will try to also allow everyone to  
11 speak again. This is still a continuation of our  
12 public hearing, but I would like to limit  
13 everybody to five minutes if you have spoken  
14 before, and, again, please focus on things that  
15 are new and not things that have already been  
16 discussed. We have -- every one of the plan  
17 commissioners has received the letters that have  
18 been submitted and the -- and the -- and all of  
19 those letters are part of the public record  
20 because they became part of the packet. And if  
21 you are uncertain whether your letter was  
22 received, I think they were all posted -- unless  
23 there were new ones -- they were all posted on  
24 Friday; is that correct, Ellen and Russ?

1 MR. COLBY: Yes. And there were two  
2 additional ones posted today as well --

3 CHAIRMAN VARGULICH: Yeah.

4 MR. COLBY: -- and those are  
5 distributed on the desk of the plan  
6 commissioners --

7 CHAIRMAN VARGULICH: Correct.

8 MR. COLBY: -- so if you would like to  
9 cite those as part of the record.

10 CHAIRMAN VARGULICH: Yeah. Okay. So  
11 the two additional items that were submitted was  
12 an e-mail from Martha Gass dated 4/19/22, and  
13 there was a review of the petition for concept  
14 plan from August 2021. And so we have received  
15 those, including any of the notes and signatures  
16 that were part of that, and also the detailed  
17 description that was provided with respect to the  
18 discussions that were at our last meeting. So I  
19 think those two items have been included, and we  
20 have reviewed and received all of those.

21 So as, again -- just, again, rules of  
22 tonight. This is a continuation of our public  
23 hearing, and the Plan Commission is to conduct  
24 these hearings for zoning applications that are

1 filed with the city. All testimony and evidence  
2 both for and against this application will be  
3 given under oath. We will ask that the applicant  
4 come up and make a presentation based on the new  
5 information that he has provided to this body and  
6 that was in response to many of the comments and  
7 questions that were done.

8 After that, the Commission will follow  
9 with some questions, and then after that, members  
10 of the public, and we will take any additional  
11 testimony, so please wait until that time. When  
12 the Plan Commission feels it has gathered enough  
13 evidence, we will make a recommendation to the  
14 Planning and Development Committee. We will then  
15 close the public hearing.

16 The Plan Commission will then discuss  
17 all this evidence, both from the public and  
18 submitted by the applicant, and our staff's report  
19 in developing an opinion on that regarding our  
20 findings of fact, and make a vote for a  
21 recommendation. The application will then go  
22 before the Planning and Development Committee of  
23 the City Council. I don't know if it -- if it  
24 does go that far tonight, I don't know when it

1 would do that. I don't know if it -- does it go  
2 to the next one, or would it be later than that,  
3 Russ?

4 MR. COLBY: It would likely be May.

5 CHAIRMAN VARGULICH: May. Okay. So if  
6 you could --

7 And as everyone -- please, when you  
8 come up to the mic, including our applicant,  
9 please state your name, your address for the  
10 record, because we have a court reporter who's  
11 taking down all this information. So thank you  
12 very much. Thank you.

13 MR. CURTIS HURST: Good evening. My  
14 name is Curtis Hurst. I reside at 700 North  
15 3rd Avenue in St. Charles, Illinois.

16 MR. CONRAD HURST: Conrad Hurst. 9th  
17 and Main Streets. St Charles, Illinois.

18 MR. CURTIS HURST: Once again, I would  
19 like to thank everybody on the Commission and the  
20 public, the community, the city for the forum.  
21 We'll be brief and limit our comments to new  
22 information only in the spirit of, you know, what  
23 the (indiscernible).

24 AUDIENCE MEMBER: Can we have him in

1 the microphone? He's only -- it's hard to hear.

2 (Cross talk from audience.)

3 CHAIRMAN VARGULICH: If you can tip the  
4 microphone up, please?

5 AUDIENCE MEMBER: I couldn't hear you  
6 either.

7 MR. CURTIS HURST: Is that better?

8 CHAIRMAN VARGULICH: Is it better?

9 MR. CURTIS HURST: Is it on? It looks  
10 like there's a green light here. So does that  
11 mean it's on?

12 CHAIRMAN VARGULICH: I don't know. I  
13 assume it is, but --

14 AUDIENCE MEMBER: You were relatively  
15 quiet as well.

16 (Cross talk from audience.)

17 CHAIRMAN VARGULICH: Well, here. We'll  
18 let staff check. Thank you for letting us know.  
19 We want to make sure everybody can hear. Thank  
20 you.

21 (A break was taken due to technical  
22 difficulties.)

23 MR. CURTIS HURST: Is that better?

24 CHAIRMAN VARGULICH: Can you hear a

1 little better in the back? Yes?

2 AUDIENCE MEMBER: A little.

3 CHAIRMAN VARGULICH: Okay. I would  
4 just be as close as you can to the mic.

5 MR. CURTIS HURST: All right. I'll be  
6 as close as I can. I'll be as loud as I can.

7 CHAIRMAN VARGULICH: Thank you.

8 MR. CURTIS HURST: Also brief.

9 The following changes have been made to  
10 the plan. Regarding the relocated intersection at  
11 Riverside Avenue and Indiana, the layout was  
12 modified to a traditional three-way T-intersection  
13 per staff guidance, and a traffic study was  
14 updated to provide the requested information based  
15 on the new design. This is to improve safety and  
16 reduce the traffic flow of the neighborhood.

17 Regarding pedestrian access, a  
18 crosswalk was entered on Second Avenue that was  
19 aligned with the ramp -- that is aligned with the  
20 ramp access. Required signalization was added to  
21 the Riverside Avenue pedestrian crossing, which is  
22 part of the traffic study comments. And while not  
23 a change -- while this is not necessarily a  
24 change, we've been also contacted by the River

1 Corridor Foundation, as they have ideas and  
2 interests in adding river access in conjunction  
3 with the renovation of the Riverwalk. These are  
4 the types of things that we hope that will happen  
5 on a catalyst site.

6 The north elevation. We've clipped the  
7 northeast corner, reducing it back four and a  
8 half feet from the north to improve visibility and  
9 visibility at the intersection. Our request  
10 contemplates leaving a left turn restriction to  
11 limit traffic flows. It would be up to the city,  
12 at that point, if they decided they wanted to  
13 change that. We also added window openings at the  
14 street level on the north elevation for  
15 aesthetics, and these are all part of the comments  
16 that have come out, through either the public  
17 comment or the traffic study or the Commission.

18 Parking. We have confirmed the  
19 geometry and adjusted the layout for  
20 maneuverability, and we've also gained one  
21 additional parking stall. We're going to add the  
22 landscape buffer to the north and west boundaries  
23 of the surface parking per recent discussions with  
24 the staff -- where the arrow is pointing at.

1 We've also updated the landscape plan and applied  
2 a survey accordingly with all the changes.  
3 Addressing the concern -- the primary concerns  
4 that have come up through this process, we want to  
5 make sure we weren't as focused on preparing the  
6 PUD request to what is allowed by right within the  
7 ordinance.

8 A couple things, you know, one is that  
9 it's not accurate that we have been disingenuous  
10 with our presentation of building height or  
11 measurements. We've consistently measured from  
12 the same location since concept review and that  
13 location is based on guidance from staff. The  
14 current building is, in fact, shorter than  
15 1 percent during the concept review as part of our  
16 continual changes throughout the process.

17 Second, any shadow studies or  
18 cross-sections need to be analyzed, not against  
19 existing conditions or three-story buildings or  
20 other developing configurations. All  
21 consideration for building height must be compared  
22 to what can be built by right within the CBD,  
23 which is 50 feet. So we're going to show the  
24 shadow studies and the cross-sections and kind of

1 walk through them a little bit.

2 MR. CONRAD HURST: Staff conveyed a  
3 request for us to add the elevations of some of  
4 the residential buildings and adjacent zoning. So  
5 we've laid those on to our cross-section here. We  
6 didn't confirm these elevations. We just kind of  
7 took them at face value and added them here, and,  
8 you know, I think it gives you a good perspective  
9 of those building heights relative to the 50-foot  
10 mark and the variance requested at 59-foot,  
11 8-inches.

12 Additionally, we updated our shadow  
13 study in a similar manner. We kept the theme of  
14 the spring equinox, summer equinox, winter and  
15 fall solstice. We moved the timeline forward to  
16 capture the relevant shadowing hours, so that  
17 there's not anything at 6 a.m. anymore, and then  
18 we also added a 50-foot building next to it for  
19 context, so that we weren't just comparing a  
20 shadow to infinity. We're comparing the shadow of  
21 the proposed development to what is allowed by  
22 right.

23 MR. CURTIS HURST: The one on the left  
24 is the building (indiscernible) that is proposed

1 in the PUD. The one on the right is with that  
2 fifth story not on there, which would be 50 feet.

3 MR. CONRAD HURST: And that's kind of  
4 the end of the new exhibits and changes to the  
5 plan since the last meeting.

6 MR. CURTIS HURST: So those are all  
7 part of the submission for changes.

8 CHAIRMAN VARGULICH: Okay.

9 MR. CURTIS HURST: We're happy to add  
10 them. At this point, we really, you know, those  
11 are the material questions that came up over the  
12 course of the process, back from the preliminary  
13 concept review that we've addressed throughout  
14 architecture changes. These represent just the  
15 changes from the last meeting, so we're trying to  
16 limit our comments to that. So if there's any  
17 questions, we're happy to answer those questions  
18 or go through any details that anybody has on the  
19 issues.

20 CHAIRMAN VARGULICH: All right. Thank  
21 you.

22 And so we'll start with our plan  
23 commissioners.

24 Questions, comments at this point?

1 COMMISSIONER FUNKE: Yeah. I've got  
2 some questions. Sorry I wasn't at the last --

3 MR. CURTIS HURST: Sure.

4 COMMISSIONER FUNKE: -- meeting that  
5 you guys came here.

6 My first question is, why do you need  
7 the extra story? Why do you want four -- an extra  
8 story -- why (indiscernible) for variance? What's  
9 the need?

10 MR. CURTIS HURST: The additional  
11 9 feet -- or the additional story -- really is a  
12 reflection of the change in architecture so that  
13 we could tier down from the southern edge and keep  
14 a similar square footage. So it was really to  
15 address some of the comments that we've received  
16 from the Plan Commission and throughout the  
17 process to soften that southern elevation, so that  
18 it doesn't have just to -- you know, big building  
19 mass in all that southern gateway elevation. So  
20 it helps us, you know, achieve that and achieve a  
21 similar square footage as well.

22 COMMISSIONER FUNKE: Does the project  
23 still work financially if you take that last story  
24 off?

1 MR. CONRAD HURST: If we added back to  
2 that southern elevation and removed the tiered  
3 steps.

4 COMMISSIONER FUNKE: Okay. My next  
5 question is that issue with the first floor retail  
6 along the river's edge, you have a -- just scaling  
7 from the drawings, it looks like a 6-foot wall  
8 that wraps around the perimeter of the building.  
9 Is there any reason for that? Is there any reason  
10 you can't bring the retail down to grade?

11 MR. CONRAD HURST: It's a floodplain  
12 mitigation.

13 COMMISSIONER FUNKE: Okay.

14 MR. CONRAD HURST: We got to get up to  
15 the FPE with all of our openings.

16 COMMISSIONER FUNKE: And I think,  
17 looking at the elevation, you still have 3 feet --  
18 you still have 3 feet above that.

19 MR. CONRAD HURST: Where we at here?

20 COMMISSIONER FUNKE: If you look at  
21 that, I'm looking at elevation No. 2, if you look  
22 there, the floodplain -- it looks like it's 3 feet  
23 below. My question is, I just, you know, I  
24 appreciate the --

1 MR. CONRAD HURST: That's -- sorry, I  
2 don't want to cut you off. That's the base flood  
3 elevation.

4 COMMISSIONER FUNKE: Yep.

5 MR. CONRAD HURST: Kane County and FPE  
6 is 3 feet above that.

7 MR. CURTIS HURST: And you have to meet  
8 that as part of the city ordinances. Otherwise,  
9 you have to do flood-proof doors and --

10 COMMISSIONER FUNKE: Right. So what --

11 MR. CONRAD HURST: So there's a  
12 difference between BFE and the FPE.

13 COMMISSIONER FUNKE: Okay. So the base  
14 flood -- we got the base flood at 3-foot-6,  
15 3-foot-8?

16 MR. CONRAD HURST: There's also a  
17 pretty severe grade change on-site as well.

18 COMMISSIONER FUNKE: No. No, I get it.  
19 I just -- I think that -- yeah, you got 3-foot-8  
20 and then what's the (indiscernible) floodplain?

21 MR. CURTIS HURST: 3 feet above the  
22 base flood elevation --

23 MR. CONRAD HURST: 659 --

24 COMMISSIONER FUNKE: 6-foot-8?

1 MR. CONRAD HURST: Yeah. 659.4.

2 COMMISSIONER FUNKE: 659 --

3 MR. CONRAD HURST: That may be plus or  
4 minus a point. I don't know exactly what the  
5 BFE -- or the FPE is off the top of my head. I  
6 just know that we designed the openings to be  
7 3 feet above the base flood elevation.

8 COMMISSIONER FUNKE: What does that  
9 say? Does that say the first floor? Is it 689.5?

10 MR. CONRAD HURST: Correct.

11 MR. CURTIS HURST: Correct. Finish  
12 from the top, finish from the --

13 COMMISSIONER FUNKE: And the base flood  
14 is at 656.

15 MR. CONRAD HURST: Yeah. That's gotta  
16 be a mistake.

17 COMMISSIONER FUNKE: 686?

18 AUDIENCE MEMBER: That is a mistake.

19 MR. CURTIS HURST: Yeah. That's gotta  
20 be a mistake.

21 AUDIENCE MEMBER: Beg your pardon --

22 CHAIRMAN VARGULICH: I'm sorry. If you  
23 could just wait, please.

24 MR. CURTIS HURST: We got our architect

1 here.

2 Do you know, Margaret, off the top of  
3 your head, why the BFE is called out at 656 when  
4 it's supposed to be 686?

5 AUDIENCE MEMBER: Because that's a  
6 typo.

7 MR. CONRAD HURST: Okay. So I'm being  
8 told that the base flood elevation is 686.4 and  
9 we'll obviously confirm that. But there's not --

10 COMMISSIONER FUNKE: Okay.

11 MR. CONRAD HURST: -- there's not  
12 33 feet of difference --

13 COMMISSIONER FUNKE: But it wraps  
14 around the building, and I guess it would be  
15 helpful to see what, you know -- I think you have  
16 a 6-foot high wall on the south side of the  
17 building that wraps around the south -- south  
18 retail. It looks like you have a pretty tall  
19 wall --

20 CHAIRMAN VARGULICH: It's five --

21 COMMISSIONER FUNKE: -- counting the  
22 steps, I think I counted eight steps.

23 CHAIRMAN VARGULICH: It's close. It's  
24 five and a half.

1                   COMMISSIONER FUNKE: Five and a half?  
2                   Yeah. I guess my point is that, you know, how  
3                   friendly is that for retail? And I know you  
4                   have --

5                   MR. CURTIS HURST: Well, it's a patio,  
6                   so it's -- it's -- it's out. I don't know what  
7                   the dimension is so I'm not going to call it out,  
8                   but it's a patio on that south side, so that it  
9                   has some sort of element that -- you're not just  
10                  walking up steps to get into the building, so it  
11                  makes that transition --

12                 COMMISSIONER FUNKE: No, I get it. I  
13                 get it. I just think from a retail standpoint, I  
14                 think it's going to be, you know, it's going to be  
15                 very unfriendly for retailers to rent that space  
16                 since, you know, you have to have people that have  
17                 to find the stairs to get up there -- and hear me  
18                 out --

19                 MR. CONRAD HURST: Oh, sorry --

20                 COMMISSIONER FUNKE: -- I just have a  
21                 couple more things. So, you know, the  
22                 connection -- the problem you have is at Indiana  
23                 Avenue and Second Avenue. I don't know what you  
24                 have going on there. You have some sort of

1 handicap accessible ramp that --

2 MR. CONRAD HURST: That is correct.

3 COMMISSIONER FUNKE: -- basically  
4 blocks the views. So I live on Indiana. My wife  
5 and I walked that street many times in the  
6 summertime, going down to the restaurants and  
7 everything. And now what I see -- what I'm going  
8 to be looking at is this -- it looks like you have  
9 a wall there, right, screening the accessible  
10 ramp? Is that true?

11 MR. CURTIS HURST: Is that -- which one  
12 are you pointing to?

13 COMMISSIONER FUNKE: Right there. You  
14 see that?

15 MR. CONRAD HURST: That's the railing  
16 to --

17 MR. CURTIS HURST: That's -- right --  
18 to that hand -- ramp down to the patio.

19 MR. CONRAD HURST: I mean, there's  
20 retaining walls to get us back up to the grade at  
21 Indiana Avenue.

22 COMMISSIONER FUNKE: No, I get it. And  
23 I guess, you know, I see a lot of nice renderings  
24 and everything. The only rendering you're not

1 showing me is the visual connection to the river  
2 on Indiana, so I just think it's -- it's a poor  
3 design connection along, you know, you have this  
4 great opportunity to bring in this retail, you  
5 know, to connect Indiana to the river and your --  
6 you have this, you know, all these vertical  
7 stairs, accessible ramps that are kind of blocking  
8 that and retaining walls that are blocking that  
9 connection.

10           You know, I do a lot of retail --  
11 design a lot of retail, and I think it's, you  
12 know, you're gonna have a hard time getting  
13 retailers in there because they're not going to  
14 have the connection of, you know, the river to the  
15 retail because they gotta go up, you know, 6 feet  
16 to get to that retail. You know, and the side --  
17 I don't know what the sidewalk dimension is around  
18 that area, but it can never be enough, right? You  
19 know, especially having enough for a café, you got  
20 retailers that, you know, have a café in that  
21 area. You know, they want pedestrian traffic and  
22 you're not gonna get pedestrian traffic because  
23 people are not gonna walk. There's no easy  
24 connection, you know, from -- from Indiana from

1 South Second Avenue to connect to that retail and  
2 along the river for that matter.

3 And I appreciate the sun studies. I  
4 think, you know, the sun studies do tell a story  
5 and, you know, especially in -- in the spring and  
6 fall, you know, at around 4 o'clock, 6 o'clock so,  
7 you know, it's casting a pretty large shadow on  
8 the residents next door, and I'd be interested to  
9 hear what they have to say about, you know, that  
10 shadow that's being cast.

11 And overall, I think it's, you know,  
12 it's come a long way, but I think there's still a  
13 lot that needs to be worked on and, you know,  
14 especially the pedestrian connections around the  
15 building. You got a lot of traffic, parking,  
16 entrances, and things that -- pedestrian elements  
17 that still need to be worked out that don't  
18 connect to the riverfront. So that's my -- my  
19 opinion.

20 CHAIRMAN VARGULICH: Okay. Anyone  
21 else? Okay. All right.

22 I have a few things that I'd like to  
23 ask. The -- I guess at a high level, the retail  
24 is -- Commissioner Funke has indicated -- sorry --

1 I think the retail, it has some challenges because  
2 of the grade relationship to Riverside, but  
3 understanding -- you have this base flood  
4 elevation, which then creates -- the lower you  
5 bring it, you know, costs and other challenges  
6 ensue.

7 But I guess the bigger question for me  
8 on this is, from a site planning standpoint, the  
9 view on Riverside Avenue is primarily -- you know,  
10 when you get up to the building, it's primarily  
11 just hardscape. And from a standpoint of coming  
12 in to St. Charles on Riverside Avenue, if you're  
13 headed northbound, you pass a small open space,  
14 and whether that's public or private is still, you  
15 know, still open for debate. You're asking for it  
16 to be private. Understood.

17 But then by the time you get to your  
18 proposed mid-block crosswalk, it's basically just  
19 pavement. And I think that the pedestrian level  
20 of service, which we did talk about a little bit  
21 last time, has not been improved at all for  
22 anybody on Riverside nor on Illinois. You still  
23 have sidewalks adjacent to curbs, and you have  
24 your higher traffic volumes on Illinois and on

1 Riverside, and from a pedestrian standpoint,  
2 that's not improved from my perspective.

3 That's being exasperated because you're  
4 adding a 6- or 8-foot ramp -- and without getting  
5 into the whole debate about the change to the  
6 right-of-way and all that kind of stuff -- the  
7 ramp in and of itself is causing, you know,  
8 everything to be compressed, and then there'd be a  
9 2-foot, 2-1/2-foot little landscape area filled  
10 with -- basically a landscape plan, perennials and  
11 grasses it looks like, which, in and of itself,  
12 are fine. But there's no trees, there's nothing  
13 to help that sense of level of service for  
14 pedestrians, and so I think that that is  
15 definitely a detriment for the project, and as far  
16 as how the city benefits from that, I don't see  
17 it.

18 The other part of that which came out  
19 through the discussion of stormwater, which there  
20 was a letter that has been reviewed by staff and  
21 they are generally -- okay. There was a little  
22 note within that that said that the ramp along  
23 Riverside that you're proposing to build might be  
24 hollow underneath and just be supported with piers

1 of some kind to allow the floodplain to kind of  
2 come in underneath it and go back out when that  
3 needs to happen, hence reducing the amount of  
4 compensatory work that needs to be done. From  
5 what I understand, you're going to propose to do  
6 some or all of that to the north on another parcel  
7 that you own, you know, right across Illinois back  
8 by where the Graceful Ordinary is, in the parking  
9 lot behind. And I'm assuming they can work  
10 through all the details on that.

11 MR. CURTIS HURST: At the engineering  
12 level, yes.

13 CHAIRMAN VARGULICH: Yes. But I think,  
14 visually, it even -- hasn't been improved at all  
15 with that idea because now you're going to have  
16 half of the year where you're going to have a gap  
17 below a slab that fills with debris or has to be  
18 cleaned out or something like that because,  
19 otherwise, as you walk along there, and especially  
20 as you would walk along Riverside going north and  
21 south next to the river, what you see is a big gap  
22 underneath the -- that ramp that you're proposing.  
23 And so, again, I don't think that pedestrians'  
24 experience has been improved at all.

1           And I would say that's also true along  
2 Second Avenue where you have just, you know, a row  
3 of parking and, from looking at the landscape plan  
4 that was submitted, there's very little that's  
5 being done along there. There's some trees and  
6 tree grates, and the whole functionality of that  
7 is, like, a whole nother topic, but we can talk to  
8 it a little bit. But what you have as you come  
9 pass where the retail ends on your building, is  
10 you have a transformer and a pad for refuse that's  
11 adjacent to the street and the public sidewalk. I  
12 don't see, again, how the pedestrian level of  
13 experience is improved at all with that.

14           So those are some, to me, site planning  
15 things that I think are not addressed and haven't  
16 been changed from the last discussion. The issue  
17 with the tree grates -- we have some trees, but  
18 they're in five-by-five tree grates. You can go  
19 all over the suburbs, you can go downtown Chicago,  
20 you can see plenty of examples, unfortunately, in  
21 our city. You go along Main Street where they've  
22 used a form of a five-by-five tree grate, and  
23 those trees have been replaced about three to  
24 five years on average since the streetscape was

1 done.

2           So unless you'd be willing to use  
3 what's called silva cell, which is a structural  
4 plastic frame that goes beneath the pavement to  
5 allow the root zones to spread out underneath the  
6 pavement because the structural plastic frame  
7 supports the weight, and they're designed to hold  
8 vehicles, you know, from a parking standpoint, not  
9 loading dock, but parking standpoint, they're  
10 designed to do that. I mean, unless you're  
11 willing to do something like that, which is not  
12 inexpensive -- I've looked at these things --  
13 those tree grates will almost be meaningless as it  
14 relates to a streetscape element for pedestrians  
15 moving north and south on Second Avenue or for how  
16 a five-story building, or a four-story building,  
17 relates to the neighborhood on the other side of  
18 Second Avenue. Because those trees are not going  
19 to mature and -- at least, not in a meaningful  
20 way -- and so I don't see how those create an  
21 improvement. So I -- from the site planning  
22 standpoint, there are some significant issues  
23 still, which I think we talked about a little bit  
24 at our last meeting.

1 I also asked that you explore rotating  
2 the building to parallel Riverside Avenue, and,  
3 apparently, that didn't find a home for you. And  
4 the reason that I think that's important is that  
5 by rotating the second through fifth floor -- or  
6 second through fourth floor, depending on how this  
7 all shakes out -- if you have to bring it down to  
8 50 feet -- that, again, is still open to  
9 discussion -- by rotating that against Riverside  
10 Avenue, then you can have -- you can bring your  
11 refuse inboard into the site, you can add your  
12 transformer inboard into the site, you'd have to  
13 move the ATM up by Second Avenue, but it would be  
14 inboard and be able to be used still, so you'd be  
15 able to meet your contract obligations with BMO.

16 And I think that has tremendous benefit  
17 to the residents from the standpoint, now, that  
18 mass has been rotated away from them. It helps a  
19 little bit with the shadows; I don't think a lot,  
20 but it will help a little bit. And then it also  
21 allows for some trees to be planted on that side  
22 of the building -- more than one; I'm figuring  
23 about seven -- which would, again, be able to be  
24 in planting beds that could help screen or buffer

1 the scale of the building as it relates to the  
2 residential neighborhood.

3 I'm still very happy. I know Jeff may  
4 have a more keener eye for this kind of thing. I  
5 simply -- you know, you've made tremendous, you  
6 know, improvements -- I mentioned this at the last  
7 hearing -- on the architecture from the concept  
8 plan. I like, basically, everything -- still a  
9 little challenged with the north façade.

10 I like the fact that you've added the  
11 grills. I think that helped break it up at the  
12 street level, but I think that that façade is  
13 extremely important. However this project -- if  
14 it moves forward -- however this project moves  
15 forward, is very important because I think  
16 everyone can see that façade from the Main Street  
17 bridge. When you cross over, you can see the BMO  
18 ATM right now when you cross over on the bridge.  
19 When you're sitting at First Street Plaza today,  
20 and then when it turns into public event space  
21 that it's intended to -- hopefully this year, but  
22 maybe next year -- I think you're going to have  
23 lots of people looking that way, and I think that  
24 façade, if you will, is the leanest of the four

1 you've developed, and I hope that you can do some  
2 more with that.

3 I think that the project, from a retail  
4 level, could -- if you were comfortable with  
5 losing about 7 percent, which would be 500 square  
6 feet -- I think you'd be able to park 42 cars  
7 on-site, but you have to go underneath the  
8 building to do that, and I think, then, that  
9 changes the parking on Second Street to open up a  
10 more involved discussion about turning all of that  
11 parking to public parking. So now it's certainly  
12 available for your retailer, but then it's  
13 available for the neighborhood to use, or other  
14 events to use, versus if it goes private,  
15 admittedly, you would have a management issue to  
16 deal with on managing that --

17 MR. CURTIS HURST: I'm sorry. So what  
18 are you recommending?

19 CHAIRMAN VARGULICH: That the parking  
20 along Second --

21 MR. CURTIS HURST: To park underground?  
22 To park underground?

23 MR. CONRAD HURST: No. Building the  
24 retail to the south.

1                   CHAIRMAN VARGULICH: That the parking  
2 on Second Avenue stay public and that you would be  
3 able to park 42 spaces on your site and part of it  
4 would go underneath the retail. Some of the  
5 parking would go underneath the retail.

6                   MR. CURTIS HURST: Underneath the  
7 retail? That's the part I'm not catching.

8                   CHAIRMAN VARGULICH: I'm sorry?

9                   MR. CURTIS HURST: I'm not  
10 understanding parking underneath the retail.

11                  CHAIRMAN VARGULICH: So the grade would  
12 keep coming down from Second Avenue.

13                  MR. CURTIS HURST: All right.

14                  CHAIRMAN VARGULICH: Okay? Would come  
15 down to about 685, and then it would turn and drop  
16 to about 681 as you get to the west side of the  
17 retail on the first floor. So now that you'd be  
18 able to go underneath the slab because your slab  
19 is at 689-1/2.

20                  MR. CURTIS HURST: So you're talking  
21 about underground parking?

22                  CHAIRMAN VARGULICH: Yeah. For some of  
23 it. Most of it would just be underneath the  
24 second floor, but some of it would go underneath

1 the retail. Okay? And then you have about 42,  
2 which would give you one per unit on site. And  
3 then the parking along Second Avenue could be  
4 available for your retailer, but then it would  
5 also be available for the public or for other  
6 events, and when -- you would get out of this  
7 challenge of having street parking that's  
8 identified as private, which then becomes a  
9 management aspect of when people park there and  
10 use it that shouldn't, are you going to start  
11 towing people immediately?

12           When your residents complain, you know,  
13 I think people will be confused because it'll  
14 appear as public parking. I don't care how many  
15 signs you put up, people will be people. When  
16 they're challenged to park -- if they're going to  
17 the Arcada or something else or festivals, they're  
18 going to start parking there anyways and it  
19 becomes an issue. Okay? And if it could just be  
20 public all the time -- still available for your  
21 residents and their guests, but also available for  
22 retail as well as anything anyone else who is in  
23 the area -- I think that would be a better  
24 solution, and I think that this -- the land swap

1 could work out.

2 I mean, right now, you have the  
3 building set back to allow the sidewalk and  
4 everything anyway. What I'm proposing is you  
5 would transfer about 800 square feet along Second  
6 Avenue to the right-of-way; about 600 square feet  
7 along Illinois to the right-of-way; and the city  
8 would transfer half of the Indiana Avenue  
9 right-of-way to you, and it would almost be a wash  
10 as far as that goes. So now --

11 MR. CURTIS HURST: From a land  
12 standpoint, but not from the cost.

13 CHAIRMAN VARGULICH: I'm sorry?

14 MR. CURTIS HURST: From a land  
15 standpoint, but not from a cost standpoint.  
16 You're talking about significant cost variances to  
17 park underground, so that will be the difference  
18 in (indiscernible) --

19 AUDIENCE MEMBER: Louder.

20 CHAIRMAN VARGULICH: Understood.  
21 Understood that there are cost implications --  
22 there are cost implications to everything we're  
23 talking about, and not to say that you should bear  
24 the burden of all of that. I think that if

1 there's some discussion to be had with city, even  
2 though you seem to be adverse to public funds or  
3 public assistance --

4 MR. CURTIS HURST: We're not adverse to  
5 public funds. There are no -- there are no public  
6 funds available for the site.

7 CHAIRMAN VARGULICH: Well, I'm sure,  
8 potentially, some other resolutions could be made  
9 to help with that, but I think that there are  
10 things that can be done to minimize a lot of these  
11 topics, and by doing, especially the transfer  
12 along Illinois --

13 MR. CURTIS HURST: I don't mean to cut  
14 you off, but to be direct, we've asked for city  
15 funding on certain things within this project --  
16 for instance, the infrastructure and the water --  
17 and that was denied because there are no funds  
18 available for that. So I -- I'm not saying that  
19 we shouldn't explore things, but that's been the  
20 answer. And so I don't know that that becomes a  
21 practical cost element of a development like  
22 this --

23 CHAIRMAN VARGULICH: Okay.

24 MR. CURTIS HURST: -- particularly when

1 we're meeting the variance or the ordinance  
2 already from the parking standpoint. We're not  
3 asking for a parking variance because we're within  
4 the SSA and we don't require it, so --

5 CHAIRMAN VARGULICH: Okay. But you are  
6 asking for the transfer of a significant amount of  
7 public right-of-way to private ownership --

8 MR. CURTIS HURST: That's correct.

9 CHAIRMAN VARGULICH: -- and you're  
10 asking for 20-some spaces along Second Avenue to  
11 be permanently transferred to you.

12 MR. CURTIS HURST: That's correct.

13 CHAIRMAN VARGULICH: I think that  
14 that's a significant cost to the city to do that.  
15 And debatable or not, I guess that would be my  
16 perspective from that, and I think that the level  
17 of service that -- along those streets where  
18 people drive, there's heavy traffic now along  
19 Illinois and Riverside -- is an important aspect  
20 to all residents and should be an important aspect  
21 to the new residents who will lease from you as  
22 well as the people who would come to -- whoever  
23 you have as a retailer. I know you've had  
24 significant conversations or agreements with

1 Sammy, but that could change in the future.

2 But at this point, if it's Sammy, I  
3 think that having people have a good level of  
4 service as far as their experience along those  
5 streets is important and --

6 MR. CURTIS HURST: I think the  
7 alternative to that that we've, you know, put  
8 forward many times at this point is we are working  
9 with the city on the other piece of land that we  
10 own across the street, and that has the  
11 opportunity to do what is in the comprehensive  
12 plan as well, is to put multiple decks on that --  
13 one deck, two decks, and all that significantly  
14 more parking than what we can do underground here  
15 at a significantly lower cost as well. So there's  
16 an opportunity for addressing the parking, and I  
17 think it's more of a global issue rather than a  
18 specific issue to this point because even going to  
19 the 42 is likely not to resolve all of the parking  
20 issues within the city.

21 In terms of all the events, the  
22 different uses within the city, in terms of, you  
23 know, commercial, retail, all those, those are,  
24 you know, significant -- significantly bearing on

1 this development as well. We have offered  
2 alternative solutions as well. So I mean, I think  
3 that's a more cost-effective approach to doing it  
4 rather than going underground, and there's no  
5 doubt that there's a little bit of, you know, push  
6 and pull in terms of getting the parking, but the  
7 other side of that is the ability to add 60, 80,  
8 or 100 spots directly across the street, which we  
9 would expect our users to use as well, as well as  
10 any other, you know, patrons within the community.

11 CHAIRMAN VARGULICH: Well, yes. If  
12 it's a public garage then absolutely. Absolutely.

13 MR. CURTIS HURST: Right. So I think  
14 that's a better, more cost-effective approach to  
15 addressing the parking concerns, and the city is  
16 doing their parking study and all that as we  
17 speak.

18 CHAIRMAN VARGULICH: Okay.

19 MR. CONRAD HURST: Their participation  
20 in our parking is the findings that were  
21 generally -- excuse me -- generally be available  
22 on a tiff. To do cost-prohibitive parking  
23 measures is really 11 spaces at this point. That  
24 allows us to do the development that'll generate a

1 lot of revenue so that we can go out and solve the  
2 parking on a global scale, instead of kind of  
3 gyrating around public parking spaces.

4 CHAIRMAN VARGULICH: Okay. All right.

5 MR. CONRAD HURST: It is a balancing  
6 act; I'm not disagreeing with you. I'm just  
7 letting you know that we're not adverse to  
8 assistance, and we have had conversations. This  
9 is kind of a balancing act.

10 CHAIRMAN VARGULICH: Okay.

11 MR. CONRAD HURST: The landing spot.

12 CHAIRMAN VARGULICH: Okay. Oh, I think  
13 independent of going under the building, I think  
14 rotating the building along Riverside is a much  
15 better façade and a much better presentation to  
16 the city than having a parking -- a surface  
17 parking lot that's potentially mildly screened by  
18 a two-and-a-half-foot plant bed and to see an ATM  
19 at the base of the building. So I would argue  
20 that rotating the building so that those things  
21 disappear visually and go to the other side,  
22 independent of whether you park underneath the  
23 retail or not, is a better solution than seeing  
24 what we're looking at right now.

1                   COMMISSIONER FUNKE: You know, and I  
2 would have to agree with what he's saying is that,  
3 you know, you got this great opportunity for a  
4 great corner, you know, it's visible from the  
5 city, right? And an opportunity to have a  
6 restaurant on that corner with an outdoor plaza  
7 would be amazing, you know. I mean, there's ways  
8 to figure this out to make the parking works here  
9 and minimizing going underground.

10                   I mean, I can, you know, just thinking  
11 through my head, I could see how you could do  
12 that, right? So you gotta focus the retail  
13 towards -- you gotta create that connection  
14 towards the other retail. If you have that hole,  
15 people are not gonna go over to that retail,  
16 right? And then on the south side, you have  
17 that -- another hole with that, you know, with all  
18 those stairs and with the retaining walls that  
19 you're putting up there and these small sidewalks  
20 that are raised 6 feet in the air.

21                   So I think it's great advice that he's  
22 given you, and I think you have a great  
23 opportunity to do something nice here. And I just  
24 think the opportunity's been missed because it

1 seems like the building's been designed around the  
2 ATM machine, you know, to be honest with you --  
3 with what we're looking at, with all the entrances  
4 and, you know, out to Second Avenue.

5 And there's -- what bothers me is  
6 there's no thought to what you're giving back to  
7 the neighbors across the street on Second Avenue.  
8 You gotta give something back if you're gonna go  
9 up, you know, five stories, give them something  
10 back -- landscaping, a nice, you know, wide  
11 sidewalk. But just to put parking in front of  
12 their, you know, residence -- in front of their  
13 house, I just, you know, I don't think it's fair,  
14 so --

15 MR. CONRAD HURST: Rotating the  
16 building's gonna shift the parking --

17 MR. CURTIS HURST: To the back.

18 MR. CONRAD HURST: -- to the back.

19 COMMISSIONER FUNKE: Or it can go -- it  
20 can go underneath the first, you know, underneath  
21 the first floor, underneath the retail. You got  
22 the elevation changes there.

23 MR. CURTIS HURST: Not enough for --  
24 you'd still have to -- you'd still have to

1 excavate into the bedrock and --

2 MR. CONRAD HURST: And then you're  
3 gonna push the retail first floor higher and that  
4 whole building is getting -- I mean, I'm not --  
5 there's a lot of conversation --

6 COMMISSIONER FUNKE: It can be done.  
7 It can be done.

8 MR. CONRAD HURST: I'm not arguing with  
9 you, but I'm saying that there's -- for every  
10 give, there's a take, right? And so if you do  
11 that, then the building gets taller. And so is  
12 that -- are we advocating for a big, taller  
13 building?

14 COMMISSIONER FUNKE: You know, you've  
15 got 200 lineal feet of retaining wall. You know,  
16 that's going to cost money too.

17 MR. CURTIS HURST: Well, it's not a  
18 retaining wall to start with. It's -- it really  
19 is an elevated sidewalk so that it can meet the  
20 Kane County ordinance. If it were 3 foot lower --  
21 if we didn't have the Kane County ordinance, we  
22 would be 3 foot lower. Trust me on that. But  
23 it's not practical, so whether you have that or  
24 the building façade, whether it's on Riverside --

1 because as you get closer to Riverside, that  
2 elevation gets lower -- so the road elevation gets  
3 lower, so you're -- if you want to call it a  
4 retaining wall, call it a retaining wall. But  
5 it'd be the front elevation of the building or the  
6 patio or whatever is out there, it's all gonna be  
7 at that same FPE. You have to get to that FPE.

8 And so you're not really changing that  
9 condition, unless -- which is, you know, we've  
10 explored this because we have other buildings in  
11 the floodplain, and it's cost-prohibitive to do  
12 passive flood-proofing in this type of  
13 environment -- in this type of retail environment.  
14 Maybe at an airport or maybe somewhere else, but  
15 not in this small-scale of -- it's just  
16 cost-prohibitive.

17 So this is the better way to address  
18 it, and it's elevated and there are multiple  
19 examples around town where elevated patios and all  
20 that tend to work, which is really what our, you  
21 know, design intent is on the -- on the south  
22 elevation.

23 MR. CONRAD HURST: And -- if I could --  
24 the renderers don't always get it right. So

1 there's no reason this can't be a handrail rather  
2 than a retaining wall, right here.

3 COMMISSIONER FUNKE: I'm not just  
4 talking about that. I'm talking about what  
5 Mr. Vargulich was telling you is that you brought  
6 the retail all the way to the property line, so  
7 you have no room to give a buffer. You know,  
8 typically, you know, you can do natural buffers on  
9 a 45 as long as you have the space to create that  
10 buffer. You don't have the space to create that  
11 buffer, so you have to put a retaining wall, you  
12 know, a concrete wall that supports the sidewalk.  
13 That's my definition.

14 And because you went to the property  
15 line with the retail, that's what you're getting,  
16 so I'm talking along Riverside, so I mean --

17 MR. CONRAD HURST: Oh, River --

18 COMMISSIONER FUNKE: -- if you set that  
19 building -- if you set that retail back to the  
20 perimeter of the residential tower above, you can  
21 create more natural landscaping and it would be  
22 softer to that sidewalk.

23 MR. CONRAD HURST: And smaller retail.

24 MR. CURTIS HURST: With smaller retail.

1 (Cross talk.)

2 COMMISSIONER FUNKE: If you push the  
3 retail all the way to the north, you have a great  
4 plaza on the corner, you know, but you gotta get  
5 rid of your ATM machine.

6 MR. CURTIS HURST: I have no more  
7 comments.

8 CHAIRMAN VARGULICH: Okay. All right.

9 MR. CONRAD HURST: Appreciate the  
10 input.

11 MR. CURTIS HURST: Yeah.

12 CHAIRMAN VARGULICH: Thank you.  
13 Appreciate all of your --

14 MR. CURTIS HURST: The one thing I  
15 would say about the curb to, you know, road to  
16 sidewalk -- you know, we're in the CBD-1 here, so  
17 we need to remember that and that condition exists  
18 all over town, particularly on the north side of  
19 Illinois Street. That condition exists and that's  
20 a higher-speed traffic area than what we're  
21 talking about here, so it's a necessity of CBD-1.

22 You know, you're not really necessarily  
23 trying to landscape -- hey, you know, they're  
24 taking -- I'll take your point one further, you

1 know, the buildings on River -- or on 64, one of  
2 which -- two of which are my buildings. They've  
3 taken the trees out because of the reason you say  
4 that. Those trees are coming out, they're  
5 replacing it with concrete and sidewalk and pavers  
6 and all that because it's hard to do that in a  
7 CBD-1. And that's what we're trying to  
8 accomplish -- we are balancing that, so that's why  
9 we have the trees there. We're trying to, you  
10 know, balance the site's economics with the  
11 esthetics of the architecture as well.

12 So we are in the CBD-1, and I think  
13 that's an important point to remember in terms of  
14 what that condition looks like with other --  
15 compared to other buildings within the city in the  
16 same district.

17 CHAIRMAN VARGULICH: Understand --

18 MR. CURTIS HURST: -- and there's  
19 lots -- we don't disagree with you there's lots of  
20 ways to do architecture, somewhat subjective, and,  
21 you know, there's -- there's many ways to do that,  
22 so this is the version that we currently have.

23 CHAIRMAN VARGULICH: Okay. And I would  
24 just offer that specifically along Riverside

1 Avenue, you are -- by the approach that you're  
2 taking, by taking your retail and taking it up to  
3 the property line. Okay? But then in --  
4 out-boarding your ramp into the right-of-way,  
5 which you are asking to shift the right-of-way to  
6 accommodate that, okay -- that to me is an  
7 imposition on the city at one level, okay -- and  
8 you, in fact, are creating that condition where  
9 you can't improve the pedestrian level of service  
10 because if you kept everything at the current  
11 right-of-way line, there would be 12 or 13 feet  
12 between the right-of-way and the existing curb of  
13 which you could have a 5- or 6-foot sidewalk and a  
14 sodded parkway with trees.

15 So understanding what you both are  
16 saying, specifically along Riverside Avenue, but  
17 your design is creating the condition where you  
18 can't add trees or add anything. It isn't  
19 something that -- because the right-of-way is  
20 narrow. Along Illinois, the right-of-way is very  
21 narrow comparatively to the lanes of traffic, the  
22 left turns, et cetera. And so I understand your  
23 point, which is why I felt that a slight trade of  
24 reducing your lot line along Indiana by 4 or

1 5 feet would then shift the sidewalk over to the  
2 building, and then allow a sodded parkway to  
3 improve the level of service.

4 I mean, at the end of the day, it's a  
5 PD, and you're asking for some things and you're  
6 offering some things. And at the end of the day,  
7 I think it's also -- what does the city get back?  
8 In the case of Illinois, the city got back  
9 nothing. It's not a very nice right-of-way now,  
10 and there's no building there. And now, with your  
11 project, it's still not a very nice pedestrian  
12 experience, but we did get your building. Okay?  
13 So how did the city win in that particular  
14 instance?

15 And I guess that's more of my point.  
16 Understanding everything is a trade-off of cost  
17 and benefit, no doubt. Every aspect of this is  
18 for you and for anyone, not just for you, but for  
19 anyone who would be proposing here, those are cost  
20 trade-offs every day, so anyways --

21 MR. CURTIS HURST: And we made  
22 adjustments to the south elevate -- or the north  
23 elevation and what we consider to be 360-degree  
24 architecture at this point, so --

1 AUDIENCE MEMBER: We can't hear you.  
2 Can you speak louder?

3 MR. CURTIS HURST: I said, we made  
4 adjustments to the north elevation, which results  
5 in a 360-degree architecture as well on the  
6 building --

7 CHAIRMAN VARGULICH: Yes. And I  
8 agree --

9 MR. CURTIS HURST: -- which is unique  
10 to the site, and in some cases, it doesn't exist  
11 in other, you know, CBD-1s -- or CBD-1  
12 (indiscernible) --

13 CHAIRMAN VARGULICH: I agree. The  
14 north elevation has improved, but I think -- yeah,  
15 I think it's a very important elevation because  
16 you see it from Main Street, when you go,  
17 especially, eastbound, and when you get to the  
18 bridge, you will be looking at that elevation or  
19 that corner of the building over the river because  
20 there's an open parking lot there behind the  
21 Graceful Ordinary. And I think that's a very  
22 important elevation to see, so thank you for those  
23 efforts. Thank you.

24 So I think at this point, unless

1 there's some more questions or comments from  
2 anybody, we'll actually open it up to the public.  
3 We appreciate your presentation, our initial  
4 involvement, and if you would like to come up, and  
5 then we'll -- sorry -- I would like to say, I'm  
6 gonna have, unless you guys feel differently, I  
7 would like for the public to provide all their  
8 comments, and then if you want to respond to  
9 anything, do it that way rather than --

10 MR. CURTIS HURST: Yes.

11 CHAIRMAN VARGULICH: -- kind of a  
12 tit-for-tat, back and forth --

13 MR. CURTIS HURST: That's fine.

14 CHAIRMAN VARGULICH: -- if you don't  
15 mind.

16 All right. So please -- again, please  
17 state your name and address.

18 MS. FOSTER: Hello, I'm Janet Foster.  
19 I live on 3rd Street in St. Charles.

20 But the reason I'm here is, I own the  
21 building across the street from the proposed  
22 project on the corner of Illinois and Second,  
23 which houses Wilson Travel & Cruise, and this  
24 year's our 60th anniversary, so I have a stake in

1 the community. But at any rate, I've owned the  
2 building for 26 years. We moved the business  
3 there 26 years ago. My office window faces the  
4 project in question, and so I think I have a  
5 fairly decent perspective on what happens on that  
6 corner, both from a traffic, pedestrian, retail,  
7 parking, the whole bit -- I've watched for  
8 26 years.

9 And I would take a little issue with  
10 the studies for around that area as to what's  
11 happening because I believe they were done during  
12 the pandemic and while the building and that whole  
13 area was absolutely empty. So there's nothing  
14 driving anyone there for anything, so to study it  
15 and say, those roads aren't being used, no one's  
16 walking there, and that sort of thing is at a poor  
17 time to make that decision. If you had looked at  
18 that three years ago, that would've been a  
19 different story. So I don't want to see that  
20 ignored. I think you have spoken eloquently to  
21 the issue of putting up the building that makes  
22 sense, and it looks nice. I know I and my  
23 neighbors work very hard to keep our properties up  
24 and looking like they should and allowing for

1 green space and plantings and all that sort of  
2 thing, and I think this project is woefully short  
3 of that, as you have already said.

4 So my concerns about the project other  
5 than what I just said and not to repeat anything,  
6 and -- although I did send in a letter; I haven't  
7 been able to come -- so I'm not going to repeat  
8 any of that, but simply say what I think might  
9 have a bearing right now. And the biggest concern  
10 I have is the density. To dump that many people  
11 in that tiny spot, I think, does not work, period.  
12 And so it's just way too many people for the  
13 streets. Those are small neighborhood streets;  
14 they're not big runways.

15 And so I think that's a problem, and  
16 allowing a variance to make a building go higher  
17 so that you can jam more people in there, I think  
18 makes no sense and is not in the best interest of  
19 anyone, and I understand because I've been in  
20 business for -- I hate to admit it -- almost  
21 50 years. I know it's cost versus what you're  
22 doing and you have to make a profit, and there's  
23 no reason to do something if you're not going to  
24 be able to come out on it financially.

1           So I think whoever puts anything there  
2           has to be able to do that. But it has to be  
3           done -- just like I do on my lot, just like anyone  
4           else has done -- it has to be done within the  
5           parameters of city rules and what is the right  
6           thing to do. So I believe the five stories is  
7           totally out of line and giving a variance to go  
8           higher is wrong.

9           Parking proposed is not nearly adequate  
10          for that number of units that are park -- that  
11          they are suggesting goes there. Every unit would  
12          have one car. I'm going to say several units are  
13          going to have two cars, if not most. Everybody  
14          has a car these days, and people will come visit  
15          all of them, and you're talking about retail.  
16          Where is that retail parking?

17          Right now, I have parking in my  
18          personal lot -- or not personal, the business  
19          lot -- with my building. All the time, we have  
20          noncustomer parking because they can't find a  
21          place to park. Well, once that retail goes into  
22          that building across the street, what happens to  
23          my lot? It just gets worse, and we barely have  
24          enough for our own customers -- or will have, I

1 hope, if this pandemic ever ends.

2 So I think all the businesses in the  
3 area are going to be adversely affected by any  
4 huge increase of traffic and lack of parking. I  
5 think we're all going to hurt so that this project  
6 can have a fifth floor and as many people in there  
7 as possible. I don't mind doing my part. I don't  
8 want to take a hit so that this building can have  
9 several more units and several less parking  
10 spaces.

11 I really don't think the city should be  
12 considering closing off that street. I certainly  
13 know how many times I use it. I know my customers  
14 use it because they can't turn left off of Second,  
15 so they're coming on my lot, going back the other  
16 way and around to get back home or get back to 64.  
17 And now they're gonna -- I mean, okay. It's just  
18 a little further. But I just don't understand --  
19 I don't believe anybody would give me a piece of  
20 street if I felt it helped my business, and I  
21 don't understand the willingness to all of a  
22 sudden say, let's just close this street and give  
23 them some space so they can have a restaurant so  
24 they can eat there, maybe put in a fake tree or

1 two. I don't think it warrants what's happening.

2 Now, should that corner and everything  
3 be upgraded? Yeah. It's kind of an ugly  
4 situation when you get down to the point and you  
5 try and turn and look back and all of that. So  
6 yes, it could be a better situation. I'm not sure  
7 closing the street and giving that much of  
8 anything to a private enterprise would be my  
9 answer.

10 And so that brings me, very  
11 respectfully, to ask you and the developers to  
12 please do the right thing: Get this building down  
13 to the limit it's supposed to be without any  
14 variances to make it higher so that we have a  
15 high-rise all of a sudden in our neighborhood that  
16 goes sidewalk to sidewalk, as you brought up -- I  
17 mean, just a colossal amount of concrete that  
18 we've inherited, then, for that area. And I think  
19 it has to have less units to make it better for  
20 the people who are going to future -- live  
21 there -- future people living there, and for those  
22 who are already trying to operate in that area.

23 And you have to demand adequate  
24 parking. None of us have ever been allowed any

1 place I've been doing anything in the city, to  
2 say, well, you know, I'm just gonna do this, but,  
3 you know, now I don't have any parking for  
4 whatever I'm doing, but that's okay. It's not  
5 okay. You never allow it to be okay. Let's not  
6 make it okay here because there's just no reason  
7 to. And I think no to closing the street, so  
8 thank you for your time and consideration.

9 CHAIRMAN VARGULICH: Thank you.

10 (Applause.)

11 CHAIRMAN VARGULICH: Please.

12 MR. RACHETSON: Bob Rachetson  
13 (phonetic), 10 Illinois Street. Can somebody help  
14 me get to page 7 here? I don't know how to do  
15 that. To the drawings -- sorry about that.

16 Biggest thing I want to talk about is  
17 parking. I think you guys have covered a lot. I  
18 do think you'd need to look at the variances  
19 requested here and how many there are, and I think  
20 if you just sit and write it down, there's just so  
21 many differences to what we would normally develop  
22 in this town.

23 AUDIENCE MEMBER: Can you talk into the  
24 mic?

1 MR. RACHETSON: I spent 22 years  
2 developing in our downtown, and I think we've done  
3 it pretty successfully with this Commission, with  
4 the Council, and with the standards and ordinances  
5 that we currently have in place. I think we can  
6 abide by many more of them here to proper  
7 development, and I think responsible development  
8 is critical in our town. We've done it everywhere  
9 else, and in this situation, there are just too  
10 many things that aren't typical to a development  
11 of this size.

12 The parking is a big issue, and in  
13 Russ' comments, he talks about the special  
14 standards for CBD-1. It's 17.24.008, and it  
15 specifically says, you cannot eliminate surface  
16 parking that exists, unless you replace it on  
17 another private area. I don't understand how that  
18 is being met here when we're told that it meets  
19 the requirements of the SSA. When it says that in  
20 here, it triggers the City Council to request a  
21 parking study, and I couldn't quite hear Curt  
22 tonight -- maybe there's been a parking study  
23 commission. If it has, we need to see that.

24 We put about 600 parking stalls on the

1 west side of the river. It was a collaborative  
2 effort between us as a developer and the city.  
3 Quite expensive, but it works. We cannot use that  
4 parking for what's going on over here. Number 1,  
5 it's too far away; number 2, it's all spoken for.  
6 You can do the math there. I've done it many  
7 times with Russ. On this side of the river, you  
8 need to get the parking correct first, not second.  
9 You can't build the building first and park it  
10 afterwards.

11 If you look at the parking lot -- and I  
12 didn't realize this last time, and that's why I  
13 want to bring it up tonight -- I would ask staff,  
14 is there anywhere in our town where we've ever  
15 approved a private or public parking lot with  
16 20-foot aisles? The guideline is 24 feet; it's  
17 specific. It's absolute. It's everywhere. You  
18 can't get the cars in and out, and that is  
19 designed at 20-foot aisles, and even less, it's  
20 16-foot by the drive-through. It's not possible.  
21 It won't work.

22 A typical truck or SUV is 18-1/2 feet  
23 long. That's why parking stalls are 18 feet. I  
24 don't know if anybody's really looked at that. So

1 we could shrink, as Peter was saying, the retail  
2 and it would work pretty well by growing that lot,  
3 but something needs to happen. It won't work like  
4 it is, and I hope the Commission understands  
5 parking. We have guidelines for it, and we need  
6 to meet those guidelines.

7           And then if we take 24 parking stalls  
8 on the street, I a hundred percent agree with  
9 Peter that those need to remain public. We've  
10 already blocked this entire part of our community  
11 from seeing the river and experiencing the river.  
12 This is a huge quadrant of our town, probably one  
13 of the most quaint sections to preserve what our  
14 town's about. And now you can't get to the river;  
15 you can't see it. You can't walk down the street.  
16 I have 50-plus tenants three blocks from here,  
17 none of which can any one walk straight down the  
18 street and possibly not cross private property  
19 that is being given to a developer. I don't  
20 understand it. I've never seen it happen in our  
21 town.

22           So back to the parking across the  
23 street. We've talked about the potential of a  
24 parking garage. I told you last time I was here,

1 I built the parking garage between the Sterling  
2 Building and the ALE Building. You can only build  
3 that type of garage here -- one way up, one way  
4 down. The elevations don't allow for anymore.  
5 You can't put a helix in there. You're going to  
6 gain maybe 40 parking stalls, maximum. Please  
7 look at the park before you build a structure.

8 Last thing, I'm just going to finish  
9 and say, I do want the Hursts to build this  
10 building. This is a very pretty building. I  
11 agree with the neighborhood that it needs to be  
12 50 feet. I like the architecture. I think the  
13 setbacks need a little tweaking so we can soften  
14 the blow a little bit to the neighborhood. But  
15 there's a ton of ordinances not to park on the  
16 corner, not to have open parking. It's right  
17 here. Read it all. We've read it many times in  
18 the concept in the last year. We need to consider  
19 those things and not continue to look the other  
20 way and say all these things are okay.

21 So I would just ask that you make a  
22 list of these. Look at what's important to the  
23 city. Look at what's important to preserving the  
24 community to the east of here because they've

1 lived here forever and they deserve access to the  
2 river. Something's going to go there, and it's  
3 going to block some of that, but they should still  
4 have pedestrian access, and they should still have  
5 a way to get there.

6 I, myself, am not completely opposed to  
7 closing Indiana. I've never seen it done in our  
8 town. We just mentioned that we vacated in front  
9 of Blue Goose, but I think if you do your  
10 research, you're going to find out that it was  
11 specifically done on a PUD, and it was absolute  
12 that there was no question there was going to be a  
13 thoroughfare in front of the Blue Goose, and it  
14 exists today. So that could happen here. We  
15 could vacate it, we could continue the  
16 thoroughfare, continue the sidewalk, have  
17 easements so everybody could cross through  
18 there -- it would all work. We just need to  
19 consider those things.

20 So there's a lot of opportunity here.  
21 The building's awesome, the corner's awesome, the  
22 city needs this; we're just cramming too much into  
23 a small thing. I developed across the street;  
24 financially, I know it can work. I'm sure it can

1 get done. I appreciate your time.

2 (Applause.)

3 MR. TAYLOR: I had a PDF here  
4 somewhere. Is it -- did you load it down here?  
5 Here it is. Thank you.

6 I want to talk about the studies that  
7 Mr. Hurst quoted that said that there's no proof  
8 that this type of development will hinder our  
9 property values. Okay? And so I'm gonna quote  
10 here -- I'm gonna run through the two studies, and  
11 I also have expert testimony from acknowledged  
12 experts in the field. So if I need a little  
13 latitude, please give it to me because I think  
14 what I have to say is important.

15 I'm quoting Mr. Hurst, there are  
16 numerous studies including [sic] that there is no  
17 evidence that multifamily developments negatively  
18 affect the sales prices of single-family homes in  
19 an impact area. In fact, these types of  
20 developments typically have a positive on  
21 single-family neighborhoods, as the study found,  
22 commissioned by Partnership for Housing  
23 Affordability, as conducted by George Mason  
24 University Center for Regional Analysis.

1           So this is the study. I doubted it and  
2 I doubted the study was actually applied to this  
3 situation, so I went out and found it, and this is  
4 the study. You can see Partnership for Housing  
5 Affordability -- George Mason University Center  
6 for Regional Analysis. No doubt, this is the  
7 study, so I wanted to take a look at this and say,  
8 well, does this really apply to the situation?  
9 And it totally doesn't.

10           We looked at 11 developments. Okay?  
11 The first one is called Sycamore Village. I got  
12 to get down to it. Sorry. And the great thing  
13 about this, they have pictures. They show the  
14 development, and they show the neighborhood at the  
15 same time, and them citing this study is totally  
16 inappropriate. Sorry. I got to get to it. It's  
17 down at the end here. There it is.

18           The first development here is Sycamore  
19 Village. Okay? This is a development of  
20 single-family homes. It's not a five-story PUD.

21           Second development. Townhomes,  
22 two-story townhomes around condo parking. That's  
23 the townhomes. That's the neighborhood. They  
24 look a lot like -- not appropriate. The next

1 development. This is a three-story apartment  
2 complex. Ample parking in the front -- not  
3 appropriate. The next one. Two-story townhomes.  
4 There's a pattern here.

5 Out of the eleven properties studied,  
6 eight of them are either two-story townhomes or  
7 one-story -- or single-family homes. There is  
8 zero five-story apartment complexes located  
9 directly next to a residential neighborhood that  
10 doesn't take care of its own parking. Zero. Ten  
11 of the eleven are two-story townhomes or  
12 single-family homes. Totally inappropriate.

13 There is one four-story apartment  
14 complex, but there's a really interesting note  
15 about it. You see, there's more columns. The  
16 next one is the four-story apartment complex, but  
17 I want to point something out. It's this one  
18 here; it's called Brandy Hill. Okay?

19 You take a look at the second  
20 paragraph. Brandy Hill is separate from  
21 surrounding residential neighborhoods, and then  
22 you continue to read on further down. And I'm  
23 quoting here, by and large, there are not physical  
24 or visible connections between single-family homes

1 and Brandy Hill Apartments. It's important to  
2 note, I got another study that speaks to this  
3 issue. So the citing of this study in support of  
4 this PUD is inappropriate.

5 Mr. Hurst went on to state, a separate  
6 study conducted by researchers at the University  
7 of Wisconsin College of Business, a built  
8 environment, shows that contrary to popular  
9 belief, there's a positive association between  
10 higher density and the value of single-family  
11 residential properties. The researchers found  
12 that not only did the value of single-family  
13 residential properties increase with density of  
14 surrounding developments, the quality of the  
15 neighborhood is defined by access to other land  
16 uses, such as parks and trees as well.

17 I had my doubts on this too. Needless  
18 to say, they were well-founded. Let me get to it.  
19 That's the parking. Since we talked about  
20 parking, I was warned not to talk about something  
21 I talked about already.

22 Sorry. I got a plan of study from the  
23 University of Washington. I don't see it on here.  
24 You guys didn't --

1                   AUDIENCE MEMBER: It should be before  
2 the study.

3                   MR. TAYLOR: Is it? Okay. Thank you.  
4 And it's not -- thank you. It's not even a study;  
5 this is an article I want to point out. Okay?

6                   The stuff highlighted in yellow are  
7 almost word-for-word quotes from Mr. Hurst. Okay?  
8 You can read it. It's almost word-for-word.  
9 Okay? So the first part of the yellow is the  
10 first part of this quote, almost word-for-word,  
11 and the second item's highlighted in yellow -- the  
12 second part of his quote.

13                   But what are we talking about here? If  
14 we look further down in this article -- dog gone  
15 it. I'm sorry. I apologize. If we look further  
16 down, it's just right above the quote, it tells  
17 you what we're looking at.

18                   The results should not come as a  
19 complete surprise -- now, this is a professor of  
20 architecture from the university. Okay?  
21 Everything else that Mr. Hurst quoted is actually  
22 an interpretation from the reporter. But the  
23 results should not come as a complete surprise.  
24 It is well-known that property values in

1 neighborhoods like Queen Anne -- packed with  
2 dense, single-family developments and intermittent  
3 low-rise apartment buildings and condos near  
4 retail -- are substantially higher than in some of  
5 the county's subdivisions.

6 That's what we're talking about. We're  
7 talking about a comparison of an urban development  
8 for single-family homes to a development out in  
9 the country. We're not talking about -- we don't  
10 need to know is -- are Wicker Park property values  
11 greater than Elburn? We need to know: Does  
12 this -- what does this development do to our  
13 property values? That's the question. That's  
14 what's required in Criteria 3C, especially -- it's  
15 another totally inappropriate, but it gets better.

16 This is the actual study: The Economic  
17 Value of Walkable Neighborhoods. That's the  
18 actual study. Okay? And I reached out to the  
19 experts, and I have their testimony. And I just  
20 read their note: Queen Anne is actually called  
21 Queen Anne because of all the mansions that Queen  
22 Anne -- all the mansions built in Queen Anne-style  
23 in that neighborhood. Okay? So it's an urban,  
24 affluent neighborhood. Okay? It's called Queen

1 Anne because of all the Queen Anne mansions in the  
2 neighborhood. It sits on the hill in the city of  
3 Seattle. Okay. So that's what we're comparing,  
4 that type of a neighborhood to my neighbors --  
5 that's what his comments are related to, is that  
6 type of a neighborhood compared to a development  
7 out in the country. Okay?

8 And then lastly, I just want to point  
9 out, on this article, he's referencing -- he's  
10 actually quoting this lady here, Catherine  
11 O'Donnell. Catherine O'Donnell -- she's a public  
12 information officer for the University of  
13 Washington. She's no expert in the field. His  
14 testimony is almost a word-for-word lift from  
15 someone that's a public information officer from  
16 the University of Washington. No report. No  
17 quotes from an actual expert.

18 But as I mentioned, I reached out to  
19 the expert -- the actual lead author of the study,  
20 The economic value of walkable neighborhoods.  
21 Here's the -- here's the letter. I'll submit it  
22 as part of the formal record. Okay? And the  
23 gentleman's name is Dr. Dong Wong [sic] Sohn.  
24 Okay? For the sake of time, I'm just -- you know,

1 I summarized it, I told him about our opposition,  
2 nothing new, then I got right to the question:  
3 Under the above scenario, as lead author of the  
4 cited study, do you feel the developer's use of  
5 the study is appropriate to provide evidence that  
6 his current plan will favorably affect our  
7 property values? A direct question.

8 Two days later. Dear Mr. Taylor, I  
9 have read your e-mail and can tell you that using  
10 my study to support the developer's proposal is  
11 not appropriate. My article provides evidence  
12 that proximity to multifamily buildings, average  
13 distance to multifamily parcels, has a negative  
14 effect on the property values of single-family  
15 homes. That's what the author of the study cited  
16 by the developer actually says.

17 The attached is the full paper. Please  
18 take a look at the SF model results in Table 5. I  
19 hope you find it helpful. So I submit both of  
20 these to the public record. I have the table that  
21 he's referencing. The first table -- excuse me --  
22 the first table is the definition of the variable  
23 study. I highlighted it for you. The second  
24 table is the -- is the evidence that he's actually

1 pointing us to. Okay? So I'm going to submit  
2 this to the public record too.

3 But the beta value in the actual table,  
4 in the actual study, means that the closer a  
5 single-family home is to a multifamily property,  
6 the lower the value is for the single-family home.  
7 That's what the study says. You don't have to  
8 take my word for it. That's what the professor  
9 stated, and I do have his credentials. They're on  
10 the slide. If you could please present them in  
11 the public record too, Professor Dong Wook Sohn.

12 He's a -- he has his PhD in urban  
13 design and planning from the University of  
14 Washington. Okay? He's published 19 documents on  
15 the subject matter, and he's been cited 357 times.  
16 He is an expert. He's telling us that this will  
17 affect the property values negatively.

18 Okay. The last thing on this table,  
19 there is an asterisk next to the beta value. It  
20 means that the data -- it means that the  
21 correlation is statistically significant. Okay?  
22 So this is a statistically significant value study  
23 from the actual professor who did the study on the  
24 article that was cited by the developer.

1           So in fact, there is evidence that  
2 multifamily developments negatively affect the  
3 sales price of single-family homes within an  
4 impact area, and the irony of it all is that that  
5 evidence can be found in the study that Mr. Hurst  
6 actually quoted. And now, I want to circle  
7 back -- I want to circle back to that four-story  
8 apartment complex in George Mason University,  
9 right? Physically separate, right? No  
10 connections, visually. We're speaking to the same  
11 truth.

12           Five-story apartment complexes should  
13 not be put next to single-family properties, and  
14 that's why they made it separate. Okay? They're  
15 speaking to the truth. I think you guys know it;  
16 we know it.

17           Besides reaching out to him -- I just  
18 want to make a comment: I mean, don't you find  
19 this troubling? I mean, every piece of testimony  
20 on this important subject is either misleading,  
21 inappropriate, or downright false.

22           Now, I sat in your shoes. I sat on  
23 boards, I sat on citizen advisory boards, I sat on  
24 the airport board, and I sat on the economic

1 development board in the city of DeKalb. Okay?  
2 And while in that capacity, if an applicant came  
3 to me with such poor testimony on such an  
4 important issue, it would make me question  
5 everything else that I received from them. This  
6 is important. It's one of the main things that we  
7 have here, one of the main concerns we have.  
8 Okay?

9 I move on. Last bit of evidence.  
10 Okay? But it's very important because it speaks  
11 to the lane giveaway. I also reached out to the  
12 lead researcher of the same study. It's the  
13 same -- it's the same e-mail, so I'm not going to  
14 read it, but I'm going to submit it as evidence.  
15 Okay?

16 The lady's name is Anne Vernez Moudon.  
17 Okay? And I have her credentials here too, so I  
18 want to submit them. But her credentials are  
19 even -- are even more impressive, and she's an  
20 expert in land management. And she got even more  
21 fired up about all this. One second. Just a  
22 little -- here she is.

23 This is a picture of her. Okay? This  
24 is from the University of Washington. Okay? So

1 she's a professor of architecture, landscape  
2 architecture, urban design and planning, adjunct  
3 professor of epidemiology and civil and  
4 environmental engineering at University of  
5 Washington. She directs at Urban Lab Forum [sic].  
6 She got her bachelor's from Berkeley with honors,  
7 and she's got her doctorate from a university in  
8 Switzerland.

9 She was president of the International  
10 Seminar on Urban Morphology, a faculty associate  
11 to the Lincoln Land [sic] Institute of Land Policy  
12 in Cambridge, Mass., and a fellow at the Urban  
13 Land Institute in Washington, D.C. She is an  
14 expert. She's a national thought leader on land  
15 management. And the irony of it all, the  
16 testimony last week drove me to her.

17 And then it goes on to speak about some  
18 of her publications. She was published at MIT and  
19 published at Columbia University. I have a hard  
20 copy. I'll submit that to the public record too.

21 But she sent me a letter. She was so  
22 upset about this and so upset about the misuse of  
23 this study, she sent me a letter on the University  
24 of Washington letterhead. And the thing that

1 she's most upset about is the land giveaway.

2 I'm a little nervous. Sorry about  
3 that. Here it is. So -- and I'm going to submit  
4 that to the public record too. University of  
5 Washington. Okay?

6 Addressed to me: Dear Greg Taylor,  
7 concerning our recent correspondence, it is true  
8 that great attention needs to be paid to the  
9 development and related sales or use of public  
10 land. Public land by definition is a community  
11 asset, owned entirely by the people living in the  
12 jurisdiction that holds title to said land. The  
13 trade value of said land needs to be assessed as  
14 compared to the nearby properties and to its  
15 highest and best use as compared to nearby  
16 properties. Public land should never be given  
17 away free to anyone, whether they be other public  
18 or private users or owners. Please seek legal  
19 advice, if necessary. Let me know if you have any  
20 questions. No ambiguity there.

21 So I just want to summarize here about  
22 the facts --

23 CHAIRMAN VARGULICH: Mr. Taylor, if you  
24 could wrap up, please?

1 MR. TAYLOR: Yeah. I'm sorry. I think  
2 it's all pertinent, though, speaking directly to  
3 the questions at hand, and I'm just trying to  
4 address the testimony that Mr. Hurst provided last  
5 week. It's direct rebuttal to what he stated last  
6 week, so that's why I appreciate the latitude.  
7 Okay? But I'm just trying to speak directly to  
8 the issues and the evidence that was presented  
9 last week. Okay?

10 I can just do it from memory. Okay?  
11 The facts regarding land -- the land giveaway are  
12 these, right? There's a 16,000 square feet of  
13 public land that's in this PUD to be given to  
14 Frontier for no cost. A national expert of land  
15 management states that this should never happen.  
16 She states that the land should be assessed to its  
17 highest value. This land has value. Okay?

18 I disagree with the 11 parking spots on  
19 this land. This land actually has 20 parking  
20 spots, 18 to 20. There's 11 that are running  
21 across east of the building, and there's 6 -- 5 to  
22 6 along the green space, and there's 2 to 3 that's  
23 on Indiana Avenue directly south of the dairy.  
24 Okay?

1           There's 18 to 20 spots -- parking spots  
2     on this land, and we're actually talking about --  
3     we're actually talking about, in this -- in this  
4     hearing -- we're going to give away -- the city's  
5     going to give away land that has parking on it in  
6     an area that's already challenged by parking. You  
7     know, scarcity plus demand equals value. We're  
8     actually talking about giving away valuable land  
9     in a meeting, and then later in that same  
10    meeting -- and in this meeting -- after giving  
11    away land that has 20 parking spots on it, talking  
12    about a need to build a 20 million -- not 20,  
13    excuse me -- a multimillion dollar parking garage  
14    on a lot across the street from the said giveaway.

15           It makes no sense. It's just wrong,  
16    and it's not me -- just me that says that it's  
17    wrong; it's me, it's Dr. Vernez Moudon that says  
18    it's wrong, and it's 350 petition signees that are  
19    saying that it's wrong. Okay?

20           We got 100 petition signees in the  
21    first petition, there's -- Burt had another  
22    petition with 20, and we have 250 petition  
23    signees, and a third online. 350 petition signees  
24    are all telling this commission, and they're all

1 telling the city of St. Charles, that this land  
2 giveaway is wrong. Thank you.

3 (Applause.)

4 AUDIENCE MEMBER: What was your name,  
5 sir?

6 MR. TAYLOR: Greg. Greg Taylor.

7 CHAIRMAN VARGULICH: Please.

8 MR. ALTERGOTT: My name is Robert  
9 Altergott, and I live at 317 Indiana Avenue.

10 CHAIRMAN VARGULICH: If you could speak  
11 up a little bit so our court reporter can hear.

12 MR. ALTERGOTT: My name is Robert  
13 Altergott --

14 CHAIRMAN VARGULICH: Thank you.

15 MR. ALTERGOTT: -- and I live on  
16 317 Indiana Avenue.

17 CHAIRMAN VARGULICH: Thank you.

18 MR. ALTERGOTT: Okay, I was -- spoke  
19 last time on the parking --

20 CHAIRMAN VARGULICH: Yes.

21 MR. ALTERGOTT: -- but I want to speak  
22 this time on the -- with the roads, the small --  
23 we have very small roads in the neighborhood, and  
24 I just want to say, first, that the St. Charles

1 Police follow the Illinois rule on stop signs, and  
2 that says, a car cannot park within 30 feet of a  
3 stop sign, 20 feet of a crosswalk, and 15 feet  
4 from a fire hydrant. Okay? You put those  
5 distances in and it's gonna take at least two cars  
6 on every block to park.

7 But Monday morning -- I don't know --  
8 I'm going to give you this. I went out and took  
9 pictures. Okay? And on there, I wrote, this  
10 truck here is -- is -- you want me to step back so  
11 you can all see this?

12 This truck here is a garbage truck. He  
13 has to make a wide turn. This is my street here,  
14 and he's coming toward it. And the same garbage  
15 truck, he gets to the stop sign, and he's got to  
16 pause and look because you have a car parked right  
17 here. Okay?

18 This is Monday morning; normal day,  
19 normal garbage day pickup, and he's parked there.  
20 All right? And after he looks at that car, he  
21 keeps going right across the intersection. Okay?

22 So what does he do next? He starts  
23 backing up so that he can get himself parallel  
24 with the street that he has to go down. Then he

1 has to back up a good distance to get himself  
2 lined up.

3 Now, he got himself where he can make  
4 it down the road and he's going on, taking his  
5 route, going down to get the garbage. And I went  
6 and got in my car -- took me a couple minutes to  
7 do that.

8 Anyway, he parked there. He had a --  
9 this is the -- this is what the road looks like  
10 when he's working. Now, you can't -- I couldn't  
11 pass him, and if I was coming to cross -- to make  
12 the turn, I'm gonna have to wait til he clears.  
13 So he's got the road blocked -- had to have it  
14 blocked for about six, seven minutes. He was  
15 out -- had to get out of his truck to load the  
16 garbage into the bin because it was on the street,  
17 so he was out there for a while. So you're  
18 looking at -- this is the kind of stuff we have on  
19 the road to --

20 And then -- of course, I was early  
21 enough to get the school buses, and here's the bus  
22 coming -- this is -- this is -- that'll be 3rd and  
23 this is Indiana, so that's right, again, in front  
24 of my house -- it's where I'm at. Here again, the

1 buses gotta swing wide to get around that corner.  
2 Okay? This car here, legally parked, but the  
3 bus -- so he doesn't run the curb over with his  
4 back tires, he's gotta come way out.

5 Okay. I think I missed a page here.  
6 Here he is coming up the -- here he is coming up  
7 the hill, and there's a big bus and cars in the  
8 way. Right? Well, that car's not in the way.  
9 That car's not in the way; I'm in the way because  
10 after the -- after the bus gets past me and goes  
11 through the intersection that's behind me, here  
12 comes this car flying through because he had to  
13 wait for the whole -- from the time the bus' nose  
14 peeked out into the Illinois -- or into Indiana,  
15 he had to wait that whole time behind me so that  
16 the bus could get through. Okay? So we got  
17 people that are -- come flying through for that  
18 reason.

19 And then the last thing I want to say  
20 about the bus is that with the -- Indiana -- now,  
21 the bus in the morning comes up and makes that  
22 turn. The bus in the afternoon goes right down to  
23 the river. Okay? Now, with them little -- with  
24 the road being blocked and you got them little

1 less turns going in there, that bus is gonna have  
2 a heck of a time going through there. You know  
3 what I'm saying? Okay? That's all I got.

4 Do you want me to give it to the other  
5 guy like I did last time?

6 CHAIRMAN VARGULICH: Please.

7 MR. ALTERGOTT: Thank you.

8 CHAIRMAN VARGULICH: Thank you.

9 MR. ALTERGOTT: Thank you for -- thank  
10 you for being here. Thank you for listening to  
11 us. I personally appreciate all the work you do.

12 (Applause.)

13 MR. ALTERGOTT: Did I leave paperwork  
14 up there? This is what I said about the  
15 testimony.

16 CHAIRMAN VARGULICH: Please introduce  
17 yourself.

18 MS. GASS: My name is Martha Gass, and  
19 I live at 211 South 3rd Avenue. And I'd like to  
20 also -- right on what Bob Altergott was saying,  
21 thank you all for your time and this commission  
22 and for listening to all of us as we present our  
23 facts to you.

24 I believe that you all have my

1 testimony today. I wanted to try to hold myself  
2 to five minutes per your request, Mr. Vargulich.  
3 So I'm just going to highlight some of the things  
4 that I think piggyback on what you were saying and  
5 what you were saying, Jeffrey Funke and Peter  
6 Vargulich.

7 Using -- in his presentation at the  
8 last meeting, Mr. Hurst was talking about a  
9 condensed building design and what he meant was  
10 that he made the building not quite on the  
11 footprint of the lot -- not using the whole  
12 footprint of the lot. And so I think you can see  
13 that from here, where he's got this whole corner  
14 of his north parcel that he does not use, and yet  
15 he's asking for a variance in height on the  
16 portion of the footprint that he had -- that he is  
17 using.

18 So I went through the math using the  
19 data from the tax records, and the footprint on  
20 both parcels is 23,550 square feet. If you  
21 multiply that footprint by three floors, and then  
22 if you take off the square footage of the north  
23 parcel -- assuming he's still got all his parking  
24 on the first floor on that north parcel -- you end

1 up with 57,909 square feet. What is he requesting  
2 in his current PUD? 57,767 square feet.

3 So even if he doesn't build on the  
4 first floor, utilizing the entire footprint  
5 though, he still has more square footage in three  
6 floors in a building that's three stories than he  
7 does in his PUD request. So does he need five  
8 floors to get his square footage? No.

9 He also presented mistaken testimony at  
10 the previous meeting where he was talking about  
11 population density, and he was asserting that in  
12 his PUD with the variances that he requested, that  
13 he was going to have fewer people than what the  
14 zoning actually permits because he asserted he  
15 could build 22 three-bedroom apartments in his  
16 same space and still be within his zoning.

17 But that was based on a mistaken number  
18 that he had, the number 65 there. This is  
19 corrected. This is corrected in the packet for  
20 today. Okay? So he has in here the real  
21 number -- it's 78. He didn't go back and correct  
22 that testimony, so I wanted to make sure that you  
23 know that that testimony that he gave last meeting  
24 is inaccurate. Okay?

1           So the facts about the density, I ran  
2 through the math for you here. He just mistakenly  
3 used -- instead of for the one-bedroom, he used  
4 the multiplication factor for an efficiency  
5 apartment, so it was an easy mistake that he made,  
6 but, nonetheless, it was made.

7           And so for the PUD, the estimated  
8 population is actually 78 people. As zoned with  
9 the 22 three-bedroom apartments that he proposed  
10 last meeting, it would be 67 residents. And then  
11 I ran through the math on what the parking spaces  
12 would be needed so you can see with the PUD, it's  
13 59.6. As zoned, 44 -- a 25 percent reduction.  
14 Now, this would be a four-story building.

15           So one of the things -- one of your  
16 criteria that you have to look at as far as  
17 finding facts is, has he proved that he actually  
18 needs the variances that he's requesting? So I  
19 just showed you where he can get his square  
20 footage in a three-story building. That would be  
21 so much more acceptable to the neighbors. Now,  
22 I'm showing you where his population density and  
23 his -- the parking burden that he'd put on the  
24 neighborhood in a four-story building is gonna be

1 much better too.

2           Okay. The next thing I want to show  
3 you is other -- this is another drawing that he  
4 submitted, and he submitted another version of  
5 this today, but I want to -- what I want to show  
6 you on this is that it's extremely misleading. It  
7 shows the houses in our neighborhood as, at least,  
8 20 to 30 percent larger, wider, and taller than  
9 what they actually are. The house -- these are  
10 the real houses in our neighborhood. This is the  
11 very largest, largest house on the block adjacent  
12 to his -- the block just east.

13           So this is 214 South Second Avenue.  
14 This building doesn't exist. Here's a garage.  
15 Look at the size of the garage compared to what he  
16 called representative buildings. Okay? Here is  
17 to 217 South 3rd Avenue. Okay? The height of  
18 this building is about one and a half feet taller  
19 than a three-story development would be. And it's  
20 hard to see because of the -- of the lines, but  
21 this whole side of this building does not exist.  
22 That is just part of what he was showing as what  
23 would be a typical building.

24           So looking at what I drew in, to scale,

1 I used his 59.8 -- his 59.8 feet as my scale. You  
2 can see what our actual neighborhood looks like  
3 compared to the River East Lofts. Also he didn't  
4 extend these lines to show you -- okay. How  
5 big -- how tall, actually, is that over our  
6 houses? So I've done that for you. Pretty easy.  
7 Just took a ruler and extended the lines.

8 The other thing that I threw in here  
9 that I just thought was a good perspective is this  
10 same house, 214 South Second Avenue, I threw it in  
11 on top of Fourth Avenue. So here it is, sitting  
12 on top of Fourth Avenue, and you can still see  
13 that there's room to go before you reach the  
14 height of the PUD. Okay? I could stand on top of  
15 that house, and if I were standing on top of that  
16 house, I would be able to just look -- just look  
17 with the eyes -- with my eyes where they are on my  
18 head, I'd be able to just look over the top of  
19 that PUD.

20 So more than twice as high as this.  
21 The bottom view shows you this even -- a little  
22 bit better. Here's a three-story height. You can  
23 see how high it is compared to the very, very  
24 tallest building. I didn't model Janet's

1 building; that's the Wilson Travel & Cruise. I  
2 modeled the very, very tallest building to give  
3 you the very best scenario for Mr. Hurst.

4 MR. TAYLOR: And this is going uphill,  
5 as she's showing you.

6 MS. GASS: Okay. The other thing that  
7 I want to say is that it does matter where you are  
8 calling the front of the building. All of the --  
9 all of the submissions that he's made, his planned  
10 submissions, he's showing this as the front of the  
11 building. There are no retail entrances -- the --  
12 everything that is fronting for customers and for  
13 the apartments is -- is -- is this south-facing  
14 façade and the façade that's facing the river.  
15 The addresses that he has on all his plans are  
16 over there, and this is the reason why it matters:  
17 Because this 50-foot height that he shows is -- is  
18 higher if you let him choose to call the front of  
19 his building the side that he's currently putting  
20 the garbage and the transformers on.

21 The front of the building is the  
22 address that he's using. It's on Riverside  
23 Avenue, and you can see this -- this is a visible  
24 difference, and when he does the models for the

1 shadows, it's also going to be different. Two  
2 feet to you guys might mean nothing, but we're on  
3 the other side of this building, and 2 feet to us  
4 means a lot, and 2 feet is the average -- is the  
5 average. So it's from Indiana Avenue down to  
6 Illinois Avenue, and the difference in height  
7 there is -- is about 4 feet, so 2 feet is the  
8 average, and that's what I showed here. Okay?

9 It'd be great if the city would clarify  
10 what their -- what the real zero and not just  
11 accept a zero that is -- that is on the back of  
12 the property. The other thing that I'll point out  
13 is that in his application for the concept plan,  
14 he listed the height at 63 feet. Okay? So he  
15 hasn't always considered the back of the building  
16 as the -- as the real height.

17 Okay. The next thing I wanted to show  
18 you for -- this is all to give you guys  
19 perspectives because these perspectives have not  
20 been provided, and I think this is what you were  
21 talking about, Mr. Funke, in your testimony. What  
22 is this going to be like for the people who are on  
23 the east side of this development? Well, here's  
24 the building, 214 South Second Avenue, and picture

1 something that's more than twice as tall over  
2 here. Okay? Also that 63-foot height, picture  
3 here -- here's a telephone utility pole at the --  
4 pretty much the front corner of that parcel. So  
5 picture a 63-foot tall wall going down this whole  
6 block now. Okay?

7 Another thing that I'm going to point  
8 out is that this pine tree is getting chopped  
9 down. There's another tree behind it that's  
10 getting chopped down. This buckeye is getting  
11 chopped down. So there's going to be nothing  
12 that's going to help the neighbors or even help  
13 anybody coming from the south get a softened view  
14 of what that mass is going to look like.

15 The other thing that I want you to see  
16 in this photo is these are the other city  
17 buildings. Here's the top of the Graceful  
18 Ordinary building. Here are the buildings that  
19 you can see -- I think it's a dental office that's  
20 on the other side of -- of Walnut Avenue, I think  
21 is the building that is right there. Okay?

22 So this is the kind of perspective that  
23 I asked him to provide that still has not been  
24 provided. And this is -- it's not just me who

1 asked for it. Mr. Funke asked for it in his  
2 testimony at the concept phase review, so it's  
3 information that was requested by you so that you,  
4 actually, could try to make some good decisions  
5 for us. We're relying on you. We have no power  
6 in this. We're -- we're just trying to come up  
7 here and talk to you and give you our perspective.

8 Okay. Also in the testimony -- the  
9 written testimony that I provided, I wanted to  
10 point out that on the second-to-last page and the  
11 last page -- this is all already part of the  
12 public record that was submitted earlier that they  
13 were alluded to -- are all the different mistakes  
14 and misleading information that's been provided by  
15 the developer to try to make this look like it's  
16 not as big of a deal as it is. Okay? I'm not  
17 going to read them to try to accommodate your  
18 request, Mr. Vargulich. But I would really  
19 appreciate if all of you would read them and pay  
20 special attention to them -- misleading  
21 information, false information. Okay?

22 Finally, at every meeting, Mr. Hurst  
23 has brought up the alternative, and you talked  
24 about an alternative, and you also talked about an

1 alternative, Mr. Funke. So I'm gonna just suggest  
2 some alternatives too -- even though I know that  
3 you're not considering voting on any alternatives  
4 at this meeting -- but there are other things that  
5 Mr. Hurst can think about too, along with the  
6 input that you gave him.

7 Two very quick ones -- one is,  
8 compromise with Mr. Hurst by allowing some greater  
9 population density than zoning allows, if he  
10 sticks to three stories on the building and  
11 addresses the parking and doesn't take the street  
12 or the green space, which he has not proved that  
13 he needs. He's not building on it; he's not  
14 getting any more density out of it. If he's  
15 uninterested, let him build his two alternate  
16 structures at four floors. They'll cast a smaller  
17 shadow, and they'll be at the appropriate  
18 population density, and this city is no worse off  
19 on parking because we, the taxpayers, are going to  
20 have to live with, or resolve, the parking issues  
21 he creates both with this PUD and also without it.

22 The developer has to prove that a  
23 special use for PUD application meets the criteria  
24 laid out in the application. I gave you guys a

1 long presentation, and it's got a lot of proof in  
2 it. It's hard and ample evidence that the  
3 developer doesn't prove his case. We, neighbors,  
4 would like to see the property thoughtfully and  
5 harmoniously developed. He's done some beautiful  
6 other projects that we sincerely appreciate, but  
7 this PUD is not that. It's a total overreach.

8 So I ask the Plan Commission -- I ask  
9 that the Plan Commission not favorably recommend  
10 this PUD to the City Council. Thank you again for  
11 your time tonight.

12 (Applause.)

13 CHAIRMAN VARGULICH: Anyone else?

14 MR. SHULSKI: I'm Mark Shulski.  
15 St. Charles, Illinois -- Wyngate Road. I'm not  
16 gonna -- I mean, there's a lot of points made  
17 tonight. You've all heard them. I just want to  
18 say that, you know, you have a few speakers come  
19 up here, but there's a large group of people  
20 behind them. Like, you know, once the point was  
21 made -- we don't have a vote in this. But we can  
22 voice our concerns and say that, and we count on  
23 the people who are representing our city to take  
24 our interests into account and help the citizens

1 and the residents in this particular case.

2 And -- but the one point I want to  
3 make -- and it's more of a question -- and I grew  
4 up in this town. I lived right next to the park  
5 that's being given away, or proposed to be given  
6 away, and I honestly -- maybe it's wording, but I  
7 really take offense to the comment that the city  
8 no longer has use for this property and doesn't  
9 want to upkeep it.

10 Who is the city to decide that a piece  
11 of land is no longer of use? I don't remember a  
12 referendum coming that the residents, the people  
13 who used the property, had any say in that. So I  
14 mean, I just -- I don't think that's right. I  
15 think it's a total disregard for the people who  
16 live in the area, and that's just something that I  
17 wouldn't feel right myself if I didn't, at least,  
18 make that comment.

19 And I'll do you one better: If it's  
20 something about the upkeep, I promise you right  
21 now, personally, I'll take care of all the  
22 property upkeep. I'm happy to if you keep it the  
23 way it is. Thank you.

24 (Applause.)

1 CHAIRMAN VARGULICH: Thank you.

2 MS. MYERS: I wasn't gonna say  
3 anything. Suzanne Myers, 303 South 3rd Avenue. I  
4 just want you to visualize -- that tree actually  
5 was one of my Arbor Day trees, and the city made  
6 me move it down there. But just think: You're  
7 coming in town and put a five-story building right  
8 there. Does that welcome you?

9 Think about coming in on 31 from the  
10 south. You don't have a big block sticking out  
11 that doesn't fit in anywhere. There's nothing  
12 five stories tall on the right or the left.  
13 Coming in on 31, coming in on 25 from the other  
14 way, we have softscape. This is going to be a,  
15 folks, we're in St. Charles. And we also want to  
16 accent the river; this isn't accenting the river.  
17 People are going to see that and just go, oh, my  
18 God. That's just my point. Okay? Thanks.

19 CHAIRMAN VARGULICH: Thank you.

20 MS. MYERS: Three stories would be  
21 great. Everything else is three stories. Why do  
22 we have to have five?

23 (Applause.)

24 CHAIRMAN VARGULICH: Thank you.

1 MS. THORNTON: Diane Thornton. 10th  
2 Avenue. I've spoken before, so I'll keep it  
3 quick.

4 If you don't want to maintain that  
5 small plot of land, that doesn't mean you throw it  
6 away. You can naturalize it, put native plants  
7 there, you know, grasses, bushes, trees and make  
8 it a thing of beauty.

9 Also you were saying -- somebody, I  
10 don't remember who it was -- was saying you did a  
11 parking deck study. I don't know when the study  
12 was done -- if it was before 2000, that's great.  
13 But I can tell you that I have tried to use it in  
14 the past on Saturday or Friday nights, and it's  
15 been full before 2000.

16 But think of someone living in those  
17 apartments, you know, and said why don't they park  
18 there? Well, all right. Average family size has  
19 1.93 kids, so you take your week's worth of  
20 groceries and your 1.93 kids, and you try to walk  
21 it along those busy roads to the apartment  
22 complex. And whether it's a kid in a stroller or  
23 one old enough to be able to run around and run  
24 into traffic, while you're holding all of these

1 groceries, that does not sound, like, safe or  
2 viable to me.

3 And then the third thing -- and I'm  
4 going to show my ignorance here. I don't know  
5 what your rules are on that ATM. Is there any way  
6 of incorporating it into the side of the building  
7 instead of a stand alone? I don't know what the  
8 architecture would be like. I don't know what  
9 your contract is with the ATM company, so just a  
10 couple of quick things to consider. Thank you.

11 (Applause.)

12 CHAIRMAN VARGULICH: Thank you.

13 MR. MORGAN: My name is Joe Morgan, Sr.  
14 I live at 1808 Sterling Court in St. Charles. I  
15 moved here 34 years ago to be closer to Fermilab  
16 from the city of Chicago.

17 Downtown St. Charles was a bunch of  
18 old, beat-up-type restaurants, bars. We would go  
19 to Geneva all the time because Geneva seemed  
20 classier, very vibrant. Now, I see a lot of  
21 development in St. Charles. St. Charles is alive  
22 again -- the streets, the condos, the businesses  
23 here. I think it's wonderful.

24 A lot of young, urban professionals

1 can't afford a mortgage in St. Charles, including  
2 my granddaughter, who'd like a nice apartment  
3 here, close to town, to walk to restaurants, bars,  
4 the Arcada Theater. So I think it's a great idea,  
5 plus the taxes that'll be generated by the people  
6 living in this complex will stir up lots of funds  
7 for the city of St. Charles -- tax revenue. So  
8 I'm all for the project. Thank you for allowing  
9 me to speak.

10 CHAIRMAN VARGULICH: Thank you.

11 (Applause.)

12 MR. MCMAHON: My name is Paul McMahon.  
13 I live at 3rd Avenue and Chestnut, historic  
14 district. I've been here for 40 years, been to  
15 several variance meetings over the years in town.

16 I guess my question is, what is the  
17 process for allowing this variance to happen? If  
18 the neighbors -- of all the neighbors, we got 350  
19 petitions against this height in this  
20 non-residential building in a residential  
21 neighborhood, and he's asking for a variance. Why  
22 would you even think of considering a variance for  
23 this? I mean, there's a money issue -- I get it.  
24 But what everybody's pointing out is the fact that

1 it's doable on a three-floor -- at a three-story  
2 height.

3 I think that the big building on the  
4 west side is too tall, but it's a business  
5 district. They violated the green space on the  
6 west side; now, you're going to violate the green  
7 space on the east side. The police station's  
8 coming up next. I think that this whole thing is  
9 being -- giving up too much to the developer and  
10 not enough consideration to the residents. I  
11 think that 60 feet is 20 percent taller than the  
12 ordinance allows, and then that -- I don't know  
13 what the process is. If you can tell me what the  
14 process is to allow this variance to happen if the  
15 majority of the opinions are against it?

16 CHAIRMAN VARGULICH: Well, here. I'll  
17 offer this observation and understanding. In  
18 part, that's what this body is here for. The  
19 applicant has filed in request of this variance.  
20 Public testimony can be provided for and against;  
21 clearly, there's more people who have shown up  
22 against the project, right?

23 Staff, across the board, starting with  
24 planning, engineering, economic -- they review the

1 project and provide us with a detailed report,  
2 which is available online so anyone can have  
3 access to it. And so that is all the information  
4 that we are considering, and as an applicant has  
5 the right to come in and ask for a variance, then  
6 we can either agree and recommend it moving  
7 forward to Planning and Development Committee, or  
8 we can disagree and recommend denial.

9           And so that's what this process is all  
10 about, so you can't -- because residents show up  
11 and say, well, we don't like something, doesn't  
12 mean that any one applicant, whether it be this  
13 one or somebody else on a totally different topic,  
14 doesn't deserve the right to run through the  
15 process. The Plan Commission is a recommending  
16 body, and so we will be making a recommending --  
17 recommendation one way or the other to the  
18 Planning and Development Committee, of which we'll  
19 make a final decision on this project.

20           So we do not make final decisions; we  
21 make, what we feel, are thoughtful  
22 recommendations, and the policy and  
23 decision-making is really taken care of at the  
24 Planning and Development Committee, and,

1 ultimately, approved at City Council.

2 MR. MCMAHON: So like I said, I live in  
3 the historic district. I've been notified various  
4 times over the last four years of people who have  
5 asked for variances, and they've notified us by  
6 mail. We've been invited to the meetings. We've  
7 been asked our opinions for it, and our opinions  
8 were taken -- were being considered if we're --  
9 because they're asking for a variance in my  
10 neighborhood.

11 I live three blocks north of this, so  
12 my concern is less about that spot exactly --  
13 except for as a city resident, I'm concerned about  
14 it.

15 CHAIRMAN VARGULICH: Sure.

16 MR. MCMAHON: But I don't hear -- I  
17 hear a lot of negativity about the space and about  
18 the height, and they're coming from residents in  
19 the neighborhood. That's really gotta be taken  
20 into consideration, so --

21 CHAIRMAN VARGULICH: It is.

22 MR. MCMAHON: Okay.

23 (Applause.)

24 CHAIRMAN VARGULICH: It is. Thank you.

1           Anyone else from the public?

2           Okay. If you could come up, and, as  
3 you can and as you feel comfortable, address the  
4 comments and questions, please.

5           MR. CURTIS HURST: I just want to make  
6 a couple comments. I don't want to make it long.  
7 I think -- but it's important to address some of  
8 the comments -- the public comments that have been  
9 made.

10           The discussion about the density,  
11 whether it's, you know, 43 units or 22 units --

12           AUDIENCE MEMBER: Louder.

13           MR. CURTIS HURST: -- and -- the  
14 discussion about the density with 43 units or  
15 22 units, what we really did take into account was  
16 that 43 units is less impactful, regardless of  
17 it's 72 -- if we made a mistake on that, that's  
18 our apology. We corrected it, obviously. But if  
19 it's 72 units or 67 units or whatever that number  
20 is, but allowed by right on that site, what we  
21 could build -- and if we just had a building  
22 permit and no variances and nothing else -- is --  
23 not only those 22 residents, which, again, results  
24 in a little bit different configuration and the

1 bedroom count, and, therefore, would look  
2 different on the number of people.

3 But you're also allowed, you know,  
4 office use on the second floor. You could do  
5 other uses that are conforming still. And so when  
6 they're talking about just the residents of 22 or  
7 43, or that, you also have to consider the 80  
8 people that would be in an office building if that  
9 whole second floor was office building. So I  
10 think that's an important consideration because  
11 those people are gonna come and go on a daily  
12 basis, and that's a conforming use. It can be  
13 built by right. That's one thing, I think.

14 The other is, pointing out that we  
15 measured the building -- we were very consistent  
16 with staff's guidance. And if you look at the way  
17 we proposed this building, it's predominantly  
18 residential -- 43. 100 percent of the entrance of  
19 that 43 residents is entered off of Second Avenue.  
20 It's not on Riverside Avenue. There are some  
21 retail land there -- some retail entrances on  
22 Riverside Avenue for the one retail use.

23 Yes. There will be a lot of people  
24 coming and going in the retail use, but the front

1 of the building, if you consider what the, you  
2 know, intended use, which is 43 residents, the  
3 entrance is on the north side of the building. So  
4 that's where that measurement comes from, and it's  
5 been consistent throughout the whole process. And  
6 our original building was 63-point whatever, and  
7 we have lowered it down in attempt for that.

8           The last thing I think I would say is,  
9 with regard to the study about land donations and  
10 all that, it's done everywhere. You don't have to  
11 look any further than across the river. The tip  
12 provided a lot of land donation to that  
13 development, and that was all land that was  
14 purchased by the city with the intention of giving  
15 it to that development, as well as other public  
16 areas that were given.

17           So the discussion about right or wrong  
18 has, you know, different opinions, but clearly  
19 that's been addressed in this city, but it's been  
20 addressed in every other city as well. And so  
21 those are things that happen in urban development,  
22 and it's not uncommon so I find it a little bit  
23 odd that -- that they would make that statement,  
24 and, you know, and, you know, for that reason.

1 I think those are the three big  
2 takeaways that I have for this. You know, I could  
3 go through a lot of different things here on the  
4 heights of the buildings and the lines that are  
5 drawn and this and that. And the -- and then  
6 the -- the -- the representation here is not  
7 intended to be the specific houses. We didn't go  
8 out and take architectural studies of each of  
9 those houses. We did what was a representative of  
10 the heights of typical buildings and try to give  
11 you some sightlines of a three-story building  
12 versus a five-story building, which is what  
13 we're -- not a five-story -- 50-foot building,  
14 which is what we're allowed to build by right just  
15 with a permit, and then the last 9 feet. And the  
16 impact is relatively minimal.

17 And that's what we're trying to  
18 demonstrate within the shadow study as well, the  
19 50-foot building versus the 59-foot building.  
20 There's a very small difference in there. And we  
21 could build that 50-foot building with just a  
22 permit, and, yes, we would probably -- not  
23 probably -- we would be limited to 22 residents.

24 But to make it economically viable, for

1 us and for the city, you know, you would have  
2 other uses in there. For instance, office use,  
3 and that's a very viable use -- office use -- in  
4 this market; it's a very viable use. I'm not  
5 going to talk about, you know, our specific  
6 conversations with people that would take that  
7 use, but we have opportunities to do that.

8 So I'm trying to really demonstrate  
9 that our approach has been to use the residential  
10 component to provide housing stock within the city  
11 so that it helps the vibrancy of the city from a  
12 residential standpoint. Yeah, we could add office  
13 space in there or other retail, but there's --  
14 there's -- there's a, you know, there's less  
15 housing opportunities than there are retail  
16 opportunities at this point. There's quite a few  
17 empty retail opportunities to be had within the  
18 city, and office as well, but there's less  
19 residential opportunities, and so that's why we're  
20 trying to get the variance to have a higher  
21 density.

22 If we had 22 units in this building  
23 built, the size it would be, they would be big  
24 units. They would be for sale units for the most

1 part because you're not gonna rent a, you know,  
2 three or four, 2,500 square foot -- I'm not gonna  
3 say a number because that's irrelevant, and I  
4 don't want to get it wrong, so that's probably the  
5 other reason, but the density allowance of 22 is  
6 not practical in a building of this size. So you  
7 have to fill that space somehow, whether you do it  
8 with an office or you do it with a different use  
9 or a variance to get that density down a little  
10 bit so that you can provide some common housing  
11 stock to folks that want to live in this  
12 community, but can't because they don't have that  
13 opportunity from a rental standpoint.

14 I think those are probably the major  
15 points, so I'm not going to go back and talk about  
16 the parking and all that because I think that's  
17 something that has already been addressed. So I  
18 think we'll leave you with that.

19 CHAIRMAN VARGULICH: Okay. All right.  
20 Thank you.

21 I'd like -- if I could just address a  
22 question to staff. It's been talked -- the whole  
23 parking discussion has been talked about a lot,  
24 both here and other ideas and, clearly, it's an

1 important topic to the neighborhood. There's also  
2 been discussion about the land swap just to the  
3 north and the potential to do a garage on that  
4 piece of property, if that land swap happens  
5 because right now, it's fragmented and it doesn't  
6 allow, really, for any parking structure  
7 development because of the fragmentation.

8 Has there been any analysis done so far  
9 as to how many floors or how many -- roughly, how  
10 many spaces would be generated if, in fact, that  
11 land swap happens?

12 MR. COLBY: No, there is not.

13 CHAIRMAN VARGULICH: Okay. Okay. Fair  
14 enough.

15 Anymore discussion by our Plan  
16 Commission members since our residents are --

17 MR. CURTIS HURST: I'll have one more  
18 thing and then I'll sit down.

19 CHAIRMAN VARGULICH: Okay.

20 MR. CURTIS HURST: I'm working on a  
21 different project that has a component of parking  
22 and has a similar footprint to the parcel you were  
23 just referring to, and you can contain the ramp  
24 style entrances to get up to multiple decks within

1 that footprint. You don't have to look too far.  
2 Geneva parking for their public parking is a  
3 pretty similar footprint -- maybe it's a little  
4 bit wider, maybe it's a little bit longer, but  
5 that's not relevant in length as much as the width  
6 is. The width is pretty similar, and it has ramp  
7 parking up to the top deck. So you don't  
8 necessarily need --

9 CHAIRMAN VARGULICH: Are you talking  
10 about the Metra deck?

11 MR. CURTIS HURST: You don't -- the  
12 Geneva public parking deck next to the train  
13 station.

14 CHAIRMAN VARGULICH: Yeah. Okay. So  
15 the one issued by Metra.

16 MR. CURTIS HURST: Very similar. Very  
17 similar. Very similar in footprint. Yes, it's a  
18 little bit wider -- I'm not going to be  
19 disingenuous about that, but I'm designing another  
20 project that has four or five stories and a very  
21 similar footprint. So there is an opportunity to  
22 get more parking decks pretty economically on that  
23 site.

24 No, I haven't done a, you know, a

1 drawing of it yet, so I'm not going to represent  
2 that I have. But, you know, it's very similar in  
3 terms of footprints and other things that we've  
4 worked on. So I disagree with the comment that  
5 you either have to have a helix sorted; you can't  
6 get enough parking back there. There's plenty of  
7 opportunity.

8 CHAIRMAN VARGULICH: Okay. All right.

9 I guess there's -- we're at that point.  
10 If we have -- if we feel we have enough  
11 information, do we want to close the public  
12 hearing? So is there a motion to close the public  
13 hearing?

14 VICE-CHAIR MACKLIN-PURDY: I would like  
15 to make a motion to close the public hearing.

16 COMMISSIONER MOAD: I second.

17 CHAIRMAN VARGULICH: Second? All  
18 right.

19 Roll call.

20 Colleen Wiese?

21 COMMISSIONER WIESE: Yes.

22 CHAIRMAN VARGULICH: Laura Purdy?

23 VICE-CHAIR MACKLIN-PURDY: Yes.

24 CHAIRMAN VARGULICH: Jeff Funke?

1 COMMISSIONER FUNKE: Yes.

2 CHAIRMAN VARGULICH: Suzanne Melton?

3 COMMISSIONER MELTON: Yes.

4 CHAIRMAN VARGULICH: Zach Ewoldt?

5 COMMISSIONER EWOLDT: Yes.

6 CHAIRMAN VARGULICH: Laurel Moad?

7 COMMISSIONER MOAD: Yes.

8 CHAIRMAN VARGULICH: Karen Hibel?

9 COMMISSIONER HIBEL: Yes.

10 CHAIRMAN VARGULICH: I would vote, yes.

11 All right.

12 So at this point, the public hearing is  
13 closed, and we will open it up to discussion for  
14 the Plan Commission. So if there's anything more  
15 we'd like to --

16 AUDIENCE MEMBER: A little louder.

17 CHAIRMAN VARGULICH: I'm sorry.

18 AUDIENCE MEMBER: Louder?

19 CHAIRMAN VARGULICH: I'm sorry. I  
20 apologize.

21 At this point, the public hearing is  
22 closed, so there'll be no more public testimony.  
23 We may have questions as we discuss this for the  
24 applicant, which we'll deal with those at that

1 point, and so I would open it up to discussion.

2 COMMISSIONER FUNKE: You know, I'll  
3 start. I just -- first of all, I just want to say  
4 I appreciate the developers putting a lot of time  
5 and effort into the project, and it looks like you  
6 guys spend a lot of time thinking things out and  
7 working through things. You know, I appreciate  
8 the residents coming forward and talking, you  
9 know, telling us their opinions and giving great  
10 insight to, you know, the articles and the history  
11 and, you know, it's well-thought out, and I  
12 appreciate that -- that testimony.

13 The issue I have is -- the first big  
14 issue is, obviously -- I brought it up a couple  
15 meetings ago -- is, you know, did you talk to the  
16 neighbors? When I speak to my clients, I always  
17 tell them, the first thing you need to do is talk  
18 to your neighbors, and, you know, you have to have  
19 a (indiscernible) or you have to just find out  
20 what their concerns are because, you know, we  
21 don't design on an island, right? You know, so  
22 you have to think about the residents around you,  
23 the people that are actually living there, you  
24 know, that come day-to-day and what their concerns

1 are. It seems like, you know, I don't know if you  
2 guys did talk -- or you guys did talk to the  
3 neighbors?

4 MR. CURTIS HURST: We haven't had any  
5 specific type of conversation.

6 COMMISSIONER FUNKE: You know, I think  
7 it's a big -- it's a big issue, and, you know, I  
8 hear their concerns, and their concerns are valid.  
9 And, you know, my problems with the building have  
10 a lot to do with pedestrian, you know, how that  
11 relates to the context of the properties around  
12 it; the context to the land; the context to the  
13 river. And, you know, as the lady spoke, you  
14 know, you do have opportunities to get the density  
15 on there at a lower building and, you know, at  
16 least if that would've been thought out and  
17 presented to the neighbors or ideas of, you know,  
18 working as a (indiscernible) with the neighbors  
19 and, you know, finding out what their concerns  
20 are.

21 I think, you know, it goes a long way,  
22 and, you know, I wish you guys would've done that  
23 and, you know -- I, you know, I appreciate each  
24 side, but, you know, it's, you know, what happens

1 in the end is, you know, it's -- it's -- we all  
2 have to work together. We are a community, so  
3 thank you.

4 COMMISSIONER WIESE: I second my  
5 commissioner -- fellow commissioners -- thankful  
6 to the developer for bringing this to us, thankful  
7 for the community comments. I think it's  
8 important to get input from both sides. I'm  
9 thankful to staff for the extensive work that has  
10 been done with this document and working with the  
11 developer in providing this information to us.

12 I have a couple of things that -- I  
13 think it's important to note that there is a  
14 parking study that is going to be commissioned by  
15 the city in the new budget, which is not going to  
16 happen until after May. I don't know if we have a  
17 set date yet for that. But my personal opinion is  
18 that I don't think we want, as a city, to stop all  
19 development until a parking study is done and  
20 addressed as long as the developer is addressing  
21 the parking that's particular to their project.

22 Based on what I'm reading on staff's  
23 comments, it appears as though the developer is  
24 adhering to what is required from parking. That

1 does not mean that there's not going to be  
2 implications, and I hear that loud and clear. But  
3 I also hear that there is an opportunity for  
4 potentially alleviating that to the -- to the  
5 property to the north, potentially. And I think  
6 that will be uncovered in a parking study, as well  
7 as every other development that's going on around  
8 the city.

9           So I just am of the opinion, there  
10 probably needs to be a parking study and that we  
11 need to take a comprehensive look at this, but I  
12 don't want to isolate everything separately from  
13 itself, as long as the developments that are  
14 becoming before us are addressing parking needs.  
15 I appreciate Commissioner Funke's opinion as well,  
16 that something else could come into this if we  
17 shortened it to three stories or four stories.  
18 What I heard is that if there's an office building  
19 that goes into the second floor, that is the  
20 potential for more parking headache than if it  
21 stays residential, if we are constantly having 40  
22 or 50 cars coming through an office building. So  
23 I think that could be a potential bigger issue for  
24 the residents.

1 I am personally affiliated with this.  
2 I live in that community as well, so I understand  
3 the nightmare of the streets right now. I see  
4 this with -- there are some issues, you know. I  
5 think there's some staff guidance in here that I'd  
6 take advantage of that -- I'd look at what staff  
7 was saying about parking; I'd look at what staff  
8 is saying about the plantings. I think that  
9 they're very comprehensive in what they're  
10 encouraging and suggesting, and any resolution  
11 would require adherence to staff comments.

12 I see a value in what could,  
13 potentially, happen with the river and the  
14 association of this building, the pathways that it  
15 creates to the river, the access that the retailer  
16 would have to the river, and the development of  
17 this city more from a pedestrian-friendly and  
18 outdoor-friendly city. So I do see those  
19 attributes on this, and I think that's an  
20 important part to this development, and I  
21 appreciate the developer taking a look at the  
22 river and trying to access, with the retailer -- I  
23 know the retailer isn't necessarily gonna be there  
24 forever, but in terms of what they're proposing in

1 this development -- how it works with the site,  
2 how it works with that parcel as a gateway to the  
3 city, and how that corresponds with the river. I  
4 think that's an important consideration because  
5 it's not being done in isolation. It's looked at  
6 comprehensively.

7           And my final point is the density. I  
8 think there's an important point to be made that  
9 housing is limited in this downtown area that's  
10 affordable. I think we're all trying to encourage  
11 more people to come to the city of St. Charles --  
12 to move here and live here and buy here, there  
13 needs to be an appropriate step, and we are  
14 building up our community.

15           I think it's become a vibrant downtown.  
16 I think there's plenty of opportunity. I think  
17 there's going to be more opportunity with the  
18 development of 1st Street, and who knows what's  
19 going to happen on the north side. I think we  
20 need to encourage the type of housing that allows  
21 people to step -- step-stone into our community,  
22 and we don't have enough of that in the proximity  
23 to downtown that allows it to be a walking  
24 community. That is what this development would

1 do, in my opinion -- is create more of a  
2 pedestrian-friendly [sic] because these people are  
3 situated right downtown.

4 So again, I appreciate everyone's  
5 comments, and I think it's important that everyone  
6 takes part in the process. So thank you all for  
7 being here.

8 VICE-CHAIR MACKLIN-PURDY: I wrote some  
9 things down so I could get my thoughts straight.  
10 Thank you to Frontier Development and to the  
11 neighbors for all supplying -- three different  
12 times coming here, and giving your feedback, and  
13 thank you to staff.

14 The subject property is a catalyst site  
15 for the comprehensive plan in the city of  
16 St. Charles. Please keep in mind, the city's  
17 conducting a study of the downtown parking,  
18 beginning of May 2022, and as identified in the  
19 comprehensive plan, the city's intention is to  
20 acquire the entire east half of the parking lot as  
21 a potential site for the parking deck, which will  
22 vastly improve our parking options.

23 There are many options for this deck  
24 that could potentially add many new parking

1 spaces. The River East Lofts PUD is a creative  
2 approach to the site as an attractive building  
3 with the cascading features on the south side of  
4 the building. This development will enhance the  
5 landscape of the Fox River by creating a beautiful  
6 gateway to our downtown. Following the procedure  
7 of the findings of fact that we, as commissioners,  
8 are to consider in every single thing that we are  
9 brought -- and that is brought to us, I will make  
10 my next comments.

11 The targeted business on the first  
12 floor of this PUD is integrating the attributes of  
13 the Fox River and will be offering a means of  
14 utilizing the river with kayaking, canoe rentals,  
15 of which, currently, there's only one place to do  
16 so in St. Charles. And we'll also be promoting  
17 our bike trails that are so necessary to our city,  
18 which will promote physical activity for the  
19 enjoyment of our residents.

20 The PUD promotes economic development  
21 with a creative and efficient use of land. In  
22 addition to this, it is imperative that we focus  
23 our efforts on supporting the businesses that have  
24 already invested in St. Charles by supporting the

1 economic viability and providing a much-needed  
2 diversity of housing in our downtown area. The  
3 apartment sector is a necessary category of a  
4 healthy downtown housing inventory, which is  
5 currently underrepresented.

6 The proposed PUD is directly in line  
7 with the comprehensive plan that was created with  
8 the input of St. Charles residents in 2013. The  
9 requested variances will not only support the  
10 attractive design features of the building, but  
11 will support the use of green space, provide  
12 resident gathering spaces, improved walkability  
13 between the neighborhoods and the river, in  
14 addition to a pedestrian-friendly means of walking  
15 to downtown restaurants and venues.

16 It is my opinion that the developer has  
17 conducted the necessary studies that have been  
18 requested. The developer has also incorporated  
19 the suggestions from the studies into their  
20 engineering plans to ensure that there is no  
21 impact on the city infrastructure. In addition,  
22 the traffic study shows that the new traffic flow  
23 will not only increase safety, but will also help  
24 facilitate the traffic flow in a positive manner.

1 That's it.

2 COMMISSIONER MELTON: Okay. I also  
3 want to echo a lot of the comments that you've  
4 just heard, and thank everyone for being -- is  
5 this thing on? Trying to talk louder. Can you  
6 hear me now? Sorry.

7 Again, I want to thank all of you for  
8 being here. I want to thank Mr. Hurst and his  
9 development group for presenting us a wonderful  
10 property. I do think we're close -- there are  
11 several things that I would love to see that have  
12 been brought up here -- the ATM, the landscaping.  
13 I think we're close -- I think when I take a step  
14 back and look at all the wonderful things that  
15 we've done in this city as of recent and just the  
16 vibrancy it brings to this community.

17 I agree with Mr. Wiese's [sic] comments  
18 about formal housing and bringing people here that  
19 can't, you know, necessarily buy the larger homes  
20 around here or any of the homes -- we want an  
21 apartment to step -- we want those folks here. I  
22 think our world is changing the way we work. I  
23 think people work from home. I think we need to  
24 provide more of that, so although I think there

1 are things to be tweaked and done, and I think  
2 staff has done a wonderful job with their comments  
3 in addressing that. I do think that, in the end,  
4 this would be a wonderful asset to our community.

5 COMMISSIONER MOAD: I would also like  
6 to thank the Hursts and Frontier Development for  
7 taking the feedback, and the community as well as  
8 the commission and going back several times to  
9 tweak the project. I appreciate the comments from  
10 the community. I live downtown too, although I  
11 don't live in your neighborhood; I live on the  
12 other side of the river in a neighborhood.

13 You know, I appreciate very much that  
14 this development is not asking for a parking  
15 variance, and, at the same time, I respect that  
16 you live in a neighborhood where there's parking  
17 pressure. That pressure shouldn't preclude  
18 development of our town, and if this property is  
19 not asking for parking variance, they,  
20 theoretically, should not be putting more pressure  
21 on the neighborhood.

22 I agree that we have an opportunity for  
23 residential housing and multiunit housing in the  
24 downtown area. There's a couple of apartment

1 buildings -- rental buildings on 1st Street that,  
2 I believe, are almost always sold out -- rented  
3 out. We have a demand in the downtown community  
4 for apartments and to give people an opportunity  
5 to move into the community or even empty-nesters  
6 that don't want to own anymore or stay downtown in  
7 our community, and this building is a great  
8 location to live in an urban community with  
9 walkability.

10 And the recommendations I would have, I  
11 would like to see that -- the hardscape softened.  
12 I think we need to take another look at how we can  
13 add more landscape, even on Second Street. Peter  
14 spoke about the trees and the grates. I'd like to  
15 see landscape (indiscernible) if it's feasible to  
16 get them worked in there. It's something that  
17 would be of interest in the winter when the trees  
18 are bare, and, of course, along Riverside Avenue.  
19 And if the ATM can be relocated -- it's an  
20 eyesore. It just is, and it would help soften the  
21 Riverside/Illinois corner of the development.

22 I think -- those are really my primary  
23 comments. I think that we need the building. I  
24 appreciate -- actually, one more: I appreciate

1 that the south end of the building -- where the  
2 plan inquisition, it will, potentially, take  
3 place -- you've created an open space that the  
4 community can enjoy that gives some visibility to  
5 the river, and, at the same time, also creates an  
6 opportunity for, perhaps, events or festival or  
7 concerts or just a place to hang out that might be  
8 on Frontier property, but it's still open -- an  
9 open space that everyone can enjoy. Appreciate  
10 that. Thank you.

11 COMMISSIONER HIBEL: I'd like to make a  
12 quick comment. I drive past here all the time. I  
13 appreciate what you've done. It's beautiful; it's  
14 thoughtful; it's the right thing for this area.

15 Where I struggle is, it still feels  
16 like a mass. It's a visual barrier -- it's a  
17 beautiful one, but it's -- it's the size component  
18 of it that I really am struggling with. You know,  
19 you look on -- you want to see the river. You  
20 want to see it when you're walking, when you're at  
21 Pollyanna, when you're, you know, coming down on  
22 Illinois, driving down various streets.

23 I think there's -- we're tracking  
24 towards -- you have the right goals. What we're

1 trying to achieve here, it's -- it really comes  
2 down to the size component for me. So I'm  
3 struggling with approving the variance -- the  
4 height variance on this, so I'll leave it at that.

5 COMMISSIONER EWOLDT: All right. Well,  
6 I'll just keep it short and sweet. You know, I  
7 agree with a lot of things that my fellow  
8 commissioners said. I thank the applicant for  
9 coming in and doing all this work for the city.

10 You know, just to kind of reiterate a  
11 couple comments, you know, I think it's important  
12 to continue to note that, you know, if the  
13 applicant were to pursue something, it's within a  
14 50-foot range that they probably would be having  
15 office use or more retail use, which would drive  
16 more traffic close to the proposed plan with  
17 residential. The residents aren't going to be all  
18 leaving and going at same time. Sometimes  
19 residents don't leave at all for days, you know,  
20 but if it was office space, you'd have high  
21 traffic volume, especially during that rush hours  
22 that'll put more pressure on the neighborhood.

23 You know, this area is known for CBD-1,  
24 and it's been that way for a while, so it's not

1 necessarily -- it isn't a resident -- it's next to  
2 a residential neighborhood, but it's been zoned  
3 the same as downtown, and so, you know, it should  
4 be expected that developments up to 50 feet could  
5 have existed there, you know, the entire time that  
6 the zoning has been, you know, a part of the city.

7           You know, things that could be improved  
8 on based on the plan -- I really think that the  
9 landscaping could go a long way to get some  
10 improvement, especially along that Second Street.  
11 You know, whether or not it is some sort of  
12 landscaping island, you know, if that means  
13 getting rid of one or two parking spaces to get  
14 some healthier tree growth or looking to work with  
15 the city and see if you can have larger, you know,  
16 boxes rather than just the grates. I, you know,  
17 looking at that just so we have healthier tree  
18 growth, I think that would be great for the  
19 long-term than having -- have trees that die, you  
20 know, or whatever kills.

21           And, otherwise, I personally do like  
22 that south-end use of the open space while, you  
23 know, today, some residents in the neighborhood  
24 might gain access to that -- it doesn't invite the

1 community as a whole. As it exists today, you  
2 know, as a resident here, I would not be willing  
3 to go there. If I'm going to be willing to go  
4 enjoy open space, there's a lot of other parks in  
5 the community that I would prefer to use instead  
6 of that.

7 However, during this proposed plan, if  
8 I was to look at retail and be downtown at  
9 Pollyanna, I wouldn't mind sitting there, at the  
10 development, if there was a bench -- if it was  
11 the, you know, the tables, or if I was at Sammy's,  
12 if that's who will fill your retail space, so I  
13 think that your use and goal, it has a lot of  
14 progress, and I appreciate that. Thank you.

15 CHAIRMAN VARGULICH: I have a question  
16 for staff. If the parking along Second Street was  
17 not private, does -- will the project comply -- be  
18 able to comply because of proximity, plus whatever  
19 they have on-site to meet our ordinances?

20 MR. COLBY: There has to be a certain  
21 amount of parking along Second Avenue that would  
22 be private ownership in order to meet the SSA  
23 parking exception. So if that was all public  
24 parking on Second Avenue, then it would constitute

1 the -- a zoning variance or deviation to the  
2 parking requirements because of the private  
3 parking eliminated as a part of the project.

4 CHAIRMAN VARGULICH: Okay. Okay.

5 Thanks. Thank you. That's helpful. Thank you.

6 A lot of conversation about -- and it's  
7 a big topic -- the land transfer of right-of-way  
8 and other spaces for private use in perpetuity. I  
9 think there was a question regarding, you know,  
10 why staff have that opinion that that's okay. I  
11 think that the staff looks at things in a very  
12 thoughtful way. I mean, not only on this project,  
13 but their reports are extremely thorough, and they  
14 look at many of these issues and options as, if  
15 you will, servants of the city, whether they live  
16 here or not.

17 So I think if there -- whether you as  
18 an audience or we as commissioners are in  
19 agreement, I think that they have, you know,  
20 thoroughly thought through whether they think that  
21 that is a reasonable thing to consider in making  
22 their recommendation, No. 1. Independent of other  
23 experts and how they view land transfer and values  
24 and things like that, I would offer that that

1 topic is rarely, if ever, a straight line to the  
2 decision process and to all things that are  
3 considered as part of that, and the PUD process,  
4 by definition, allows for this conversation and  
5 this analysis -- both as people here who are part  
6 of the Plan Commission, opinions and thoughts  
7 related from the audience, as well as the many  
8 hours that staff has spent thinking about this,  
9 looking at this, and in constant, probably -- or  
10 nearly constant -- conversation with the applicant  
11 regarding this topic.

12 I, too, think it's a very important  
13 topic. Just, personally, as I look at this  
14 project and what's being asked, and I think that  
15 it's, at some levels, it's a challenge to look at  
16 this in this way because the -- I think there are  
17 options that, for whatever the reasons are by the  
18 applicant, they're not looking at spreading out  
19 the building. I mean, they could have proposed an  
20 L-shaped building, if you will, for the  
21 residential component, which would have spread out  
22 their project over the square footage but has  
23 other implications related to costs and things  
24 like that.

1           So there's, you know -- again, it's  
2 never a simple line and a simple topic and a  
3 simple discussion to say, oh, well, you can just  
4 spread it out. I can -- I've worked on many  
5 projects like this, and the cost of piers and  
6 foundations and multiple things that go into  
7 spreading out the building have a direct cost,  
8 even independent of yield, have a direct cost to  
9 the project, and so maybe that's the reason that  
10 they haven't looked at lowering the building and  
11 creating an L-shaped building because, clearly,  
12 the land is big enough to do that, but that hasn't  
13 happened.

14           The whole conversation about where do  
15 you measure the building. The 50 feet, 58 feet,  
16 63 feet -- however you want to do that, I think  
17 staff has probably gone through that conversation  
18 and topic a whole bunch and have come to the  
19 comfort level that the measurement is along  
20 Second, in part, because the residents, I'm  
21 guessing, since the primary entrance into the  
22 residential building as proposed is on Second.  
23 That means the address for those residents will be  
24 on Second as far as how that building will be

1 addressed, my guess is. So -- but I think that  
2 they're very comfortable with that.

3 Beyond the 50 feet, then it's a matter  
4 of is it 59 or 58, and I guess that's the whole  
5 height variance topic. I would offer this for --  
6 probably for our audience; I'm sure our developer  
7 has looked at this and thought about that, but  
8 whether the building is 50 feet or 58, it's going  
9 to cover the length of Second Street. Even if  
10 they took a floor off or adjusted the step downs  
11 on the south side to pick up those units, you're  
12 going to have a building that's 50 feet high, if  
13 you will, and that'll be running all the way along  
14 Second Avenue. So from a view standpoint, I don't  
15 see how your view will change at all, candidly.

16 At 50 feet or 59 feet, you have a  
17 building that runs parallel to Second Street  
18 from -- whether you vacate Indiana right-of-way or  
19 not, it's gonna run from there to Illinois, and  
20 it's gonna, at one level, be what it is at  
21 50 feet.

22 And 59? Sure, it's bigger. But you're  
23 still gonna have, at a minimum, a 50-foot  
24 building, if you will. And so whether it's part

1 of the PUD or whether the whole thing gets thrown  
2 out and you're back to, zoning is right, and then  
3 you get into a whole different conversation about  
4 parking and where does it go, I think that it's  
5 going to be that. And hence why I asked, and I  
6 still will ask, that the building -- whether it's  
7 two to four floors or two to five -- that that  
8 building be rotated along Riverside Avenue.

9 I cannot get past that because I think  
10 it will make a difference to how people east of  
11 the building will perceive it. The mass has been  
12 pulled away, it has minimal effect on the  
13 shadows -- agreed, but I think the mass being  
14 pulled away from Second changes how people will  
15 perceive the building and allows for more  
16 intervening objects with trees and things like  
17 that that help to break down the direct view of  
18 the building, whether you're the residence and the  
19 business that sits along Second, or if you're the  
20 next street back and you happen to be looking  
21 towards the river, I do think it makes a  
22 difference. I do think it makes a difference  
23 wholeheartedly.

24 The -- the whole parking topic related

1 to a garage, and I agree with some comments that  
2 have already been made with respect to -- you  
3 can't stop things from moving forward while you're  
4 waiting for a parking study that -- guarantee it's  
5 not going to start in May because the fiscal year,  
6 and they probably have to get it onboard and then  
7 you'll have months of study, and so it'll go a  
8 while.

9 But I would respectfully disagree with  
10 the applicant, that you're gonna get four or five  
11 floors out of the parcel with the land swap  
12 directly to the north. It's only 95 feet wide at  
13 its best, and it's 200 feet long around -- yeah,  
14 200 feet long because they're two lots and all the  
15 lots are roughly -- were 50 by 100 back in the day  
16 when it was all subdivided originally. And at  
17 5 percent slope, which is the maximum you can park  
18 on on a parking deck, you are only going to get  
19 two floors -- done. Unless you put a helix at one  
20 end or something like that, you're only going to  
21 get two floors and at 95 feet wide, you'll have to  
22 have angled spaces. So you will not be able to  
23 drive in both directions on those, unless you only  
24 single load them, which wholly reduces the

1 efficiency of the spaces.

2           So while it will help to even do two  
3 floors because that'll be, if you will, a hundred  
4 percent more than you have now, I don't believe  
5 you're going to get three, four, or five floors  
6 without a lot of complicated engineering, and  
7 maybe not a complete land swap with you so that  
8 you have everything from the south end of  
9 Pollyanna to the Illinois right-of-way. I think  
10 that would be a challenge, given the narrowness of  
11 the property at 95 feet.

12           I like the building. I think it's,  
13 like, you know, other than maybe a little more on  
14 the north, but I like the building, whether it's  
15 four floors or five floors, I still like the  
16 building, and if you need 42 units to make the  
17 numbers work, and that means that the south end  
18 gets less stepped, if you will, because everybody  
19 wants it to be four floors, I still think it will  
20 be a good looking building because I think the  
21 massing, the folding of the vertical surface is  
22 very nice. I think most of the balconies are  
23 inboarded into the building, which I think is very  
24 nice.

1           And for those who don't understand,  
2     inboarding is where the balcony step into the  
3     building. The balconies, primarily, on the 1st  
4     Street buildings that are currently built are --  
5     are outboarded, where the balconies hang out and  
6     step away from the building. Inboarded balconies  
7     are usually more complicated and much nicer from  
8     an architectural standpoint. I know Jeff  
9     understands that too, that doing them where  
10    they're outboarded is simpler and not as nice. So  
11    I like a lot of those things.

12           And I don't know what to tell you about  
13    the -- the going on with the first floor. Costs  
14    and costs. Everything -- at the end of the day,  
15    everything zeros down to something, no matter what  
16    it is, whether it's the water mains, whether it's  
17    the brick façade, whether it's building ramps on  
18    the Riverside Avenue part of the building, which I  
19    had never agreed with -- all those things roll  
20    down to some number at the bottom, and it just  
21    does. I don't care whether it's a tree or an  
22    ornament on the corners, it all boils down to  
23    something.

24           And so I understand that, and I think

1 there's some site development, like getting rid of  
2 the ramp on Riverside, helping the pedestrian  
3 level of service, having you walk up, basically,  
4 where you have the door now -- walk up to the  
5 building there, and have all your ADA access and  
6 access back out of the retail, assuming it's  
7 Sammy's, at the far southeast corner of the  
8 building where you currently have an entry and  
9 exit already planned onto your patio.

10 And I think that that improves Illinois  
11 in a big way, and I guess we have differing  
12 opinions, and I respect that, on Illinois. I'm  
13 sorry, I would have to ask that the right-of-way  
14 be moved southward 4 feet or 5 feet so that the  
15 sidewalk can be moved so that there is an improved  
16 pedestrian level of service.

17 And, candidly, I don't care that there  
18 is not the equal partner on the north side of the  
19 street. To me, that could be done as part of  
20 whatever the garage is being built and whatever  
21 your patio ends up being, assuming the land swap  
22 happens sometime. But that can be improved when  
23 those projects come on board, if they come on  
24 board.

1 I think the rotation of the building is  
2 an important thing. It moves the ATM off the  
3 corner. I don't know what your agreement is with  
4 BMO on how long that has to be there, or if it can  
5 move. I would hope that it can be moved as long  
6 as it's on the same lot, but I don't know what  
7 your agreement is.

8 I think that moving your, at a minimum,  
9 the refuse containers, but -- hopefully, even the  
10 transformer -- off the street presence, whether  
11 it's public or private, which is yet to be  
12 determined, but off that and moved on to the  
13 property. I think it's, again, one of those  
14 pedestrian things -- neighborhood things that goes  
15 a long way to -- to getting people to feel better  
16 with the outcome.

17 This process, by variances and PUDs, by  
18 its nature, doesn't make everybody happy. It flat  
19 out won't. Heck, if it was zoning by right,  
20 there'd be people that'd be unhappy. The  
21 challenge with that is, is that when it becomes  
22 zoning by right, this doesn't happen -- period.  
23 It doesn't happen. They submit plans, they  
24 comply, they turn them over to staff to review for

1 technical reasons. Once they've -- if a staff  
2 agrees it meets all the bulk requirements, then  
3 there is no conversation here that we're having  
4 today. Doesn't exist.

5 So while I know there's challenges and,  
6 you know, in what you propose as a PUD, candidly,  
7 I think it's better because, now, this  
8 conversation happened -- actually, over two  
9 nights. And so that's, from my perspective, a  
10 positive -- number 1, you got to weigh in, and,  
11 hopefully, that transforms into something that we  
12 hear as well as, ultimately, what Planning and  
13 Development will hear.

14 And so I think that those are all good  
15 things, independent of the final outcome, because  
16 somebody's not going to be happy with something --  
17 doesn't matter what it is. Somebody won't be  
18 happy with something, whether it's the trees or  
19 whether it's a car that's parked too close or  
20 something, so those are the big deals.

21 Is there any other discussion that we  
22 want to have or do we want to entertain a motion?  
23 Is there anything final from staff that you guys  
24 have? Thoughts or things based on the

1 conversation tonight?

2 MR. COLBY: Just that any  
3 recommendation be conditional on addressing the  
4 outstanding grounds in the staff report --

5 CHAIRMAN VARGULICH: Of course.

6 MR. COLBY: -- and the forthcoming  
7 technical review of the plans that were submitted.

8 CHAIRMAN VARGULICH: Of course. All  
9 right.

10 So do we have any --

11 VICE-CHAIR MACKLIN-PURDY: Well, I  
12 just --

13 CHAIRMAN VARGULICH: --  
14 recommendation -- or I guess a recommendation for  
15 this project? And it can be with conditions.

16 VICE-CHAIR MACKLIN-PURDY: Well, I  
17 would just like to say, there's a lot of things  
18 that have been recommended to Frontier Development  
19 tonight. Hopefully, you heard some of the  
20 comments and the issues and will address those.

21 But I would like to make a motion for  
22 approval for River East Lofts (STC 216, LLC) --  
23 application for special use for planned unit  
24 development; application for PUD, preliminary

1 plan. This recommendation will be conditional on  
2 the developer addressing any outstanding staff  
3 comments and conditional on any forthcoming  
4 technical plan review of comments.

5 COMMISSIONER MOAD: Second.

6 CHAIRMAN VARGULICH: Any discussion on  
7 these conditions or anything you'd like to put on  
8 there? Anybody? No?

9 Okay. I would like to offer an  
10 amendment to that.

11 VICE-CHAIR MACKLIN-PURDY: Sure.

12 CHAIRMAN VARGULICH: And I would  
13 like -- as an amendment -- that the building front  
14 on Riverside and not on Second as far as the mass  
15 of the second through fifth floor. The  
16 residential entry would, obviously, still be off  
17 of Second from an address standpoint. But I would  
18 recommend that the building be rotated away from  
19 Second Street, and that there's -- the ramps along  
20 Riverside not be built so that there could be a  
21 nicer pedestrian level of service created, rather  
22 than just a narrow strip of landscaping, that the  
23 sidewalks that are on Second and Riverside  
24 continue all the way to the corner instead of

1 stopping where they're shown, so that people can  
2 walk away completely along Riverside and all the  
3 way down to whatever the final entry element is  
4 that's decided by some later process with the  
5 city.

6 Those are my two recommendations or  
7 conditions that I'd like to add. Any discussion  
8 on that?

9 AUDIENCE MEMBER: So are you approving  
10 50 feet or 60 feet? Are you approving 50, which  
11 is legal and zoned, or are you approving 60, which  
12 is not? I don't hear that part.

13 CHAIRMAN VARGULICH: Well, we're not  
14 approving anything. We're making a recommendation  
15 to the Planning and Development Committee, and per  
16 the initial motion, it would be to agree with the  
17 59 -- or 58 feet that is being requested because  
18 that's what the motion has identified.

19 MR. CURTIS HURST: 59 feet, 8 inches.

20 CHAIRMAN VARGULICH: 59 feet, 8 inches.  
21 I'm sorry. 59 feet, 8 inches. Anyways, more than  
22 50 feet. All right. So is -- I guess --

23 VICE-CHAIR MACKLIN-PURDY: I have a  
24 question for Russ. If this doesn't get seconded,

1 does it default back to my recommendation?

2 CHAIRMAN VARGULICH: Yes.

3 MR. COLBY: Yes.

4 CHAIRMAN VARGULICH: Yes. Correct.

5 Okay. So I'd like to modify that with those  
6 conditions. Any -- is there a second?

7 All right. Doesn't look like it. All  
8 right.

9 So I guess we have a motion on the  
10 floor, and let me --

11 VICE-CHAIR MACKLIN-PURDY: And it's  
12 been seconded.

13 CHAIRMAN VARGULICH: And it's been  
14 seconded, and I will repeat the motion. The  
15 motion is to approve River East Lofts application  
16 for special use PUD and PUD preliminary plan --

17 VICE-CHAIR MACKLIN-PURDY: In  
18 additional --

19 CHAIRMAN VARGULICH: -- and include the  
20 execution of all -- and resolution of all staff  
21 comments related to the report and future  
22 technical --

23 VICE-CHAIR MACKLIN-PURDY: And any  
24 forthcoming -- yep.

1 CHAIRMAN VARGULICH: -- review that  
2 will be done as part of their review of submitted  
3 documents. So we have a motion, a second  
4 repeated.

5 So at this point, we will have roll  
6 call.

7 All right. Laura Purdy?

8 VICE-CHAIR MACKLIN-PURDY: Yes.

9 CHAIRMAN VARGULICH: Colleen Wiese?

10 COMMISSIONER WIESE: Yes.

11 CHAIRMAN VARGULICH: Jeff Funke?

12 COMMISSIONER FUNKE: No.

13 CHAIRMAN VARGULICH: Suzanne Melton?

14 COMMISSIONER MELTON: Yes.

15 CHAIRMAN VARGULICH: Zach Ewoldt?

16 COMMISSIONER EWOLDT: Yes.

17 CHAIRMAN VARGULICH: Laurel Moad?

18 COMMISSIONER MOAD: Yes.

19 CHAIRMAN VARGULICH: Karen Hibel?

20 COMMISSIONER HIBEL: No.

21 CHAIRMAN VARGULICH: Myself? No.

22 So I think we have five to three; is  
23 that right? All right. Motion carries. That  
24 concludes the River East Lofts for tonight.

1                   Let's see. We have additional business  
2 for the Plan Commission or staff? Anything  
3 additional? Russ? Ellen? No? Well, we have --  
4 I think we have topics for our next meeting.

5                   MR. COLBY: Yes.

6                   CHAIRMAN VARGULICH: Okay. Great. And  
7 with the development report, assuming everybody  
8 did all that.

9                   Adjournment. Do we have a motion to  
10 adjourn?

11                  VICE-CHAIR MACKLIN-PURDY: So moved.

12                  CHAIRMAN VARGULICH: Second?

13                  COMMISSIONER MOAD: Second.

14                  CHAIRMAN VARGULICH: All those in  
15 favor?

16                  (Chorus of ayes.)

17                  CHAIRMAN VARGULICH: Plan Commission  
18 ends at 9:58. Good night.

19                  (Off the record at 9:58 p.m.)

20  
21  
22  
23  
24

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

CERTIFICATE OF REPORTER - NOTARY PUBLIC

I, Kristine Wesner, CVR, the officer before whom the foregoing proceeding was taken, do hereby certify that the foregoing transcript is a true and correct record of the proceeding; that said proceeding was taken by me and thereafter reduced to typewriting under my direction; that reading and signing was not requested; and that I am neither counsel for, related to, nor employed by any of the parties to this proceeding 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 26th day of April, 2022.

My Commission Expires: July 02, 2025

