

**MINUTES
CITY OF ST. CHARLES, IL
PLAN COMMISSION
TUESDAY, APRIL 5, 2016**

Members Present: Chairman Todd Wallace
Brian Doyle
James Holderfield
Laura Macklin-Purdy
Tim Kessler
Tom Pretz
Michelle Spruth
Tom Schuetz

Members Absent: Dan Frio

Also Present: Russell Colby, Planning Division Manager
Chris Bong, Development Engineering Manager

1. Call to order

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

2. Roll Call

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

3. Presentation of minutes of the March 22, 2016 meeting of the Plan Commission.

Motion was made by Vice Chair Kessler, seconded by Mr. Doyle, and unanimously passed by voice vote to approve the minutes of the March 22, 2016 Plan Commission meeting. Mr. Pretz abstained.

4. Cityview – 895 Geneva Rd. (David Weekley Homes)

Application for Concept Plan

The attached transcript prepared by Planet Depos - Chicago Area Real Time Court Reporting is by reference hereby made a part of these minutes.

PUBLIC HEARING

5. General Amendment (City of St. Charles)

A petition filed by the City of St. Charles requesting amendments to Chapter 17.12 “Residential Districts”, Chapter 17.14 “Business and Mixed Use Districts”, Chapter 17.20

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“Use Standards”, and Chapter 17.30 “Definitions” (“Alcohol or Tobacco Sales Establishment” use category)

The attached transcript prepared by Planet Depos - Chicago Area Real Time Court Reporting is by reference hereby made a part of these minutes.

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

Roll Call Vote:

Ayes: Wallace, Kessler, Holderfield, Doyle, Macklin-Purdy, Pretz, Spruth, Schuetz

Nays:

Absent: Frio

Motion carried: 8-0

MEETING

6. General Amendment (City of St. Charles)

A petition filed by the City of St. Charles requesting amendments to Chapter 17.12 “Residential Districts”, Chapter 17.14 “Business and Mixed Use Districts”, Chapter 17.20 “Use Standards”, and Chapter 17.30 “Definitions” (“Alcohol or Tobacco Sales Establishment” use category)

The attached transcript prepared by Planet Depos - Chicago Area Real Time Court Reporting is by reference hereby made a part of these minutes.

Motion was made by Vice Chair Kessler, seconded by Mr. Pretz and unanimously passed by voice vote to recommend approval of the General Amendment (City of St. Charles) requesting amendments to Chapter 17.12 "Residential Districts", Chapter 17.14 "Business and Mixed Use Districts", Chapter 17.20 "Use Standards", and Chapter 17.30 "Definitions" ("Alcohol Or Tobacco Sales Establishment" use category).

Roll Call Vote:

Ayes: Wallace, Kessler, Holderfield, Pretz, Spruth, Schuetz

Nays:

Absent: Frio

Abstain: Doyle, Macklin-Purdy

Motion carried: 6-0

7. Additional Business from Plan Commission Members or Staff

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The attached transcript prepared by Planet Depos - Chicago Area Real Time Court Reporting is by reference hereby made a part of these minutes.

8. Weekly Development Report

9. Meeting Announcements

a. Plan Commission

Tuesday, April 19, 2016 at 7:00pm Council Chambers

Tuesday, May 3, 2016 at 7:00pm Council Chambers

Tuesday, May 17, 2016 at 7:00pm Council Chambers

b. Planning & Development Committee

Monday, April 11, 2016 at 7:00pm Council Chambers

Monday, May 9, 2016 at 7:00pm Council Chambers

10. Public Comment

11. Adjournment at 8:51 p.m.

Hearing - Cityview, Property located at 895 Geneva Road
Conducted on April 5, 2016

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HEARING, held at the location of:

ST. CHARLES CITY HALL
2 East Main Street
St. Charles, Illinois 60174
(630) 377-4400

Before Theresa A. Vorkapic, a Certified
Shorthand Reporter, Registered Professional
Reporter, and a Notary Public in and for the State
of Illinois.

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PRESENT:

- TODD WALLACE, Chairman
- TIM KESSLER, Vice Chairman
- BRIAN DOYLE, Member
- TOM SCHUETZ, Member
- JIM HOLDERFIELD, Member
- LAURA MACKLIN-PURDY, Member
- MICHELLE SPRUTH, Member
- TOM PRETZ, Member

ALSO PRESENT:

- RUSS COLBY, Planning Division Manager
- CHRIS BONG, Development Engineering
Manager, Planner
- DAN VENARD, Land Acquisition Manager,
David Weekley Homes

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P R O C E E D I N G S

CHAIRMAN WALLACE: This meeting of the
St. Charles Plan Commission will come to order.

Tim, call the roll.

VICE CHAIRMAN KESSLER: Doyle.

MEMBER DOYLE: Here.

VICE CHAIRMAN KESSLER: Schuetz.

MEMBER SCHUETZ: Here.

VICE CHAIRMAN KESSLER: Pretz.

MEMBER PRETZ: Here.

VICE CHAIRMAN KESSLER: Macklin-Purdy.

MEMBER MACKLIN-PURDY: Here.

VICE CHAIRMAN KESSLER: Spruth.

MEMBER SPRUTH: Here.

VICE CHAIRMAN KESSLER: Holderfield.

MEMBER HOLDERFIELD: Here.

VICE CHAIRMAN KESSLER: Wallace.

CHAIRMAN WALLACE: Here.

VICE CHAIRMAN KESSLER: Kessler. Here.

CHAIRMAN WALLACE: Presentation of minutes of
the March 22nd 2016 meeting of the Plan
Commission.

Is there a motion to approve?

VICE CHAIRMAN KESSLER: So moved.

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1 MEMBER DOYLE: Second.

2 CHAIRMAN WALLACE: It's been moved and
3 seconded.

4 All in favor?

5 (Ayes heard.)

6 CHAIRMAN WALLACE: Opposed?

7 MEMBER PRETZ: I'm going to abstain.

8 CHAIRMAN WALLACE: Let's do a retake of that
9 one.

10 Is there a motion to approve the minutes
11 of the March 22, 2016 meeting?

12 VICE CHAIRMAN KESSLER: So moved.

13 MEMBER DOYLE: Seconded.

14 CHAIRMAN WALLACE: Seconded by Mr. Doyle.

15 All in favor?

16 (Ayes heard.)

17 CHAIRMAN WALLACE: Opposed?

18 (No response.)

19 CHAIRMAN WALLACE: Abstentions.

20 MEMBER PRETZ: Abstain.

21 CHAIRMAN WALLACE: Item 4 on the agenda is
22 Cityview, 895 Geneva Road, David Weekley Homes,
23 application for concept plan.

24 For those of you who haven't been here

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1 before, the Plan Commission is tasked with
2 conducting public hearings for certain
3 applications that come before it. This eventually
4 could be an application that comes before the Plan
5 Commission. Tonight it's not. It's here as a
6 concept plan review, and as a concept plan, the
7 developer is coming before us to present plans
8 with possible anticipation of an application at
9 some point in the future.

10 This saves the developer and the city
11 time and money in going through an application
12 process and it gives the developer the opportunity
13 to get feedback from the Plan Commission as well
14 as from members of the public. So after tonight,
15 nothing will be done on this from our standpoint.
16 If the applicant wants to go forward, then they
17 will make a formal application with the city and
18 at that point in the future, it will come back
19 before the Plan Commission and/or the City
20 Council's Planning and Development Committee for
21 action. Any questions?

22 What happens is I'll ask the applicant
23 if they would like to make a presentation and then
24 after that the Plan Commission will ask questions

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1 and then members of the public will have the
2 opportunity to ask questions and make comments,
3 and at the end I will ask planning commissioners
4 to give their feedback to the developer.

5 Is the developer ready?

6 MR. VENARD: I am.

7 Mr. Wallace, good too see you. Dan
8 Venard with David Weekley Homes. I have a small
9 presentation PowerPoint to show you this evening.
10 The lion's share of the info we have here has been
11 part of the application and submittals that are in
12 your packet as well.

13 Just a brief note on who David Weekley
14 is, since this is the first time that we're in
15 front of the City of St. Charles, David Weekley
16 homes is a homebuilder based out of Texas. We are
17 a 40-year old company that operates currently in
18 23 different cities throughout the U.S. and
19 currently the largest private homebuilder in the
20 United States.

21 David Weekley himself still spearheads
22 our company. It's not just a name. He has been
23 on this little site that's before you in the
24 last -- about five weeks ago we had a meeting,

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1 four-and-a-half weeks ago.

2 David Weekley Homes has been nationally
3 recognized by J.D. Power for customer service but
4 also some national periodicals, builder,
5 professional builder magazines and some of the
6 notes that you see within the PowerPoint.

7 Additionally, it has been recognized ten
8 times by Fortune Magazine as the Top 100 Companies
9 to work for, as recent as about four weeks ago,
10 ranked number 17 out of the top one hundred in
11 Fortune Magazine, which is a nice feeling for
12 myself but also for the other 1100 employees at
13 Weekley Homes.

14 Currently, Weekley Homes came to the
15 Chicago market, they're relatively new, in
16 March of '14 based up in the Schaumburg area with
17 operations currently in active communities in
18 Barrington, Glenview and Buffalo Grove, and then
19 this year we'll be starting communities in
20 Hinsdale and Geneva. So with that are kind of
21 traditional neighborhoods. We also do a series of
22 teardowns from the Wilmette area down to
23 Naperville, haven't made it as far west as the Fox
24 River Valley yet, but are doing stuff along that

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1 corridor as we're getting our operations up and
2 rolling.

3 The projects that's before you that
4 Chairman Wallace touched on is 895 Geneva Road or
5 24 Mosedale. So if you see it within the
6 application referred to two different -- the site
7 does have two different addresses to it. It is
8 just a little over an acre. It's 1.05 acres, a
9 redevelopment opportunity. Years back I believe
10 there is a medical building if I remember
11 correctly, a dentist office from years back, but
12 it's been in this condition for at least the last
13 15 years if not prior to.

14 Prior to coming to you, Weekley Homes is
15 currently in the contract purchaser. We do not
16 own the property yet. It is currently owned by a
17 gentleman that used to reside in St. Charles, has
18 relocated down to Texas, just pure coincidence,
19 nothing to do with where we're based out of, and
20 his property holdings, but we've done a series of
21 soil borings to understand if it's suitable to do
22 what we propose as well as also the phase one
23 environments as there is an existing foundation
24 out there and worry about if there is any type of

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1 history of contaminants that may be within that
2 project.

3 Just a little closer zoomed in, you may
4 recall that this year the City of St. Charles
5 electric did a lot of work along 31 where they
6 were burying some lines along here and you still
7 might see some red fence, you know, some orange
8 fence down this way, but they were taking some
9 overhead lines and burying them and some of it is
10 attributed to some of the large trees that are on
11 the site. They are large, but not of the best
12 quality and two weeks back I had met with the
13 department heads to introduce this project to them
14 and to gain some of their feedback, and that's
15 when I learned that one of the reasons for this
16 was because we had some issues with overhead lines
17 and the trees on the site. There are overhead
18 lines going up up here, and I'll touch a little
19 bit more on some of the engineering that I have,
20 but this is all buried along Geneva or along 31 up
21 here. It is overhead lines.

22 So what we're proposing for you is seven
23 detached single-family homes. I know there's been
24 some chatter over the years on this site about

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1 attached or detached. This is currently zoned
2 RT-1, and in a meeting with staff very early on in
3 about October of last year as we were kind of
4 trying to do our due diligence prior to going
5 under contract on what would work, I was informed
6 that that's not an option, which is great with us.
7 It's one of those things that it's a unique
8 property. It is a property so you know that has
9 its physical challenges to it. So from this back
10 corner or the westerly corner down to Route 31, we
11 have about 30 feet of fall. So each seven of
12 these detached single-family homes will be a
13 walkout and it's by design. So not only is it a
14 nice feature, but also allows us within this
15 building pad if you're look we've got 60 feet from
16 the front of the garage to the rear approximately,
17 I've got to lose eight to nine feet, you know, in
18 trying to pick up some of that grade. It allows
19 us to limit the amount of retaining wall that
20 we'll have to put in the rear of those homes
21 because there will be a retaining wall here.

22 To tell you, if it wasn't walkouts and
23 we tried to keep it, the retaining wall would be
24 approximately from what my civil engineers tell me

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1 approximately ten foot structural wall. This one
2 here now will be roughly a four, four-and-a-half
3 foot wall. That's a lot softer as you can imagine
4 with pedestrian traffic, with the bike path across
5 the street, come from Mt. St. Mary's or just car
6 traffic going either way, you're not looking at
7 this big wall, this kind of fortress wall with the
8 retaining wall.

9 So within this plan, within the
10 preliminary engineering, we are talking about
11 using this Keller Place, which is currently at
12 this line here, if you look at the property lines,
13 if you take a step back, this line is our
14 northerly boundary and you'll see this little box
15 out. This is City of St. Charles property. It's
16 currently a road, but if you were to go drive it
17 and go on site, it's not truly served as a road.
18 It's being served by one driveway right here for
19 the detached single-family home to the north and
20 that's it.

21 So what we propose to do to give us some
22 good secondary access for fire and public safety
23 is to do some improvements on this road, curve
24 into our site and then exit on Mosedale. If you

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1 have driven the site or not, you'll truly see that
2 30 feet I'm talking about as we go from the west
3 down to the east. You could really experience
4 that on Mosedale because about this point going
5 down it drops dramatically. So as we are going
6 through a series of different site plans for our
7 review and staff's consideration, one iteration
8 was coming up off the roads and having curb cuts
9 and while it yielded an additional lot, I didn't
10 like the stacking and kind of -- it just didn't
11 lay out well. So we've got all this. I may add
12 more retaining wall between side yards, so
13 needless to say.

14 So as I touched on within this plan,
15 it's currently zoned RT-1. What we're proposing
16 is an RT-2 PUD, which allows us -- we're going to
17 need some variances within this tight little site.
18 It is a site that has great proximity to downtown.
19 It's sat vacant for the last year and half, pardon
20 me, decade and a half plus, and we as you can kind
21 of tell from my initial PowerPoint, Weekley is
22 very dubious in the land acquisitions and that's
23 not me being the land acq guy to pat myself on the
24 back, but if you look at some of the markets we're

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1 in, Barrington, Glenview, Hinsdale, Geneva,
2 Buffalo Grove, St. Charles fits in that. All
3 A-plus, proximities to solid downtowns, even some
4 of the redevelopment we're seeing we like that,
5 proximity to good regional amenities, across the
6 street we have the bike path, we have got
7 Mt. St. Mary's, going into Jalapeno Grill towards
8 the Blue Goose.

9 So needless to say, we really think it's
10 a good opportunity for one to introduce our
11 product within the very solid market, and then
12 also from the City of St. Charles perspective,
13 it's kind of a blended site that I think is ripe
14 for some redevelopment.

15 The product that we have in front of
16 you, so one note on here, these are not the side
17 yards that I'm proposing. Just from that
18 perspective, it looks very tight. I was just
19 trying to give you as much product on one sheet so
20 you can understand. We would have -- that is
21 probably a six-foot combined side yard versus six
22 and six, 12-foot combined, but the product that
23 we're proposing as you recall I said they're all
24 walkouts. They all would be front-loaded product

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1 that would range from 1800-square foot to
2 2500-square foot, but also as you would know, we'd
3 have the builder finish the basements for the
4 homeowners and add an additional 700 to 900 square
5 feet.

6 So it's truly a development -- what
7 we've seen within the marketplace especially since
8 the downturn is some of the expectations have
9 changed with some of the homeowners that we're
10 doing our teardowns for, and it's the reason that
11 you see the successful amount of teardowns in the
12 Chicagoland area and especially the north shore,
13 northwestern suburbs, and western suburbs is
14 because they want to get more in town, smaller
15 lot, within the amenities and that's what we're
16 looking to propose here.

17 Within some external finishes on this
18 project is all HardiePlank finishes. You see some
19 metal-pleated roofs, copper-pleated roofs over the
20 garage. We take a lot of pride and having some
21 different design elements, not just HardiePlank,
22 just lap siding, but you may see some cedar, shake
23 siding, that is still Hardie product so you don't
24 have to paint, maintain, like you would have

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1 normal shake, but it just gives it a different
2 element, breaks things up, a little more detail as
3 you can tell on the garages versus just your
4 normal raised panel garage.

5 There is some brick and stone elements
6 on these doors as well, Masonite front doors so
7 you can stain or paint those, just some different
8 stuff that, one, I think this community would look
9 for; and, two, the design kind of specifications
10 internally it's our expectation as well.

11 Internally what's in your packet, I gave
12 some floor plans within that. So internally we
13 have ten-foot first floor ceilings, nine-foot
14 second floor ceilings. So when you walk in, they
15 don't feel so small. You walk in, you've got
16 these volumus rooms, wide-open views. As you get
17 into the kitchen, oversized islands is something
18 that you'll see in all of Weekley's designs, which
19 currently we've got a model that's up and open in
20 Barrington is probably the closest one. We've got
21 a couple of in Glen Ellyn and Wheaton that are
22 teardowns, but access isn't as easy, but you can
23 see the thought that goes into the internal
24 architecture as well and the specifications.

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1 So within that just a quick recap, look
2 for seven single-family homes, detached
3 single-family homes, and we appreciate in this
4 process that Chairman Wallace touched on about us
5 coming in early on in the process to see where the
6 city stands prior to any significant money being
7 spent on final engineering and previous designs
8 going forward.

9 So I'd really welcome your feedback and
10 hopefully look forward to being part of the
11 community.

12 CHAIRMAN WALLACE: Thank you.

13 MR. VENARD: Thanks.

14 CHAIRMAN WALLACE: Plan commissioners? Go
15 ahead.

16 MEMBER SCHUETZ: I've got a question. You
17 had mentioned on the slide of the elevation of the
18 homes that that doesn't really depict what the
19 side yard would be.

20 MR. VENARD: Right.

21 MEMBER SCHUETZ: Now, in your information you
22 provided us, it appears like the side yards are
23 six feet?

24 MR. VENARD: Correct.

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1 MEMBER SCHUETZ: So does that make it
2 12 feet?

3 MR. VENARD: Yes, sir.

4 MEMBER SCHUETZ: And so the one you show here
5 as far as looking at the elevations, what do you
6 estimate?

7 MR. VENARD: Three and three with combined
8 six.

9 MEMBER SCHUETZ: Oh, okay. So it would be
10 twice as wide between the homes?

11 MR. VENARD: Yes, sir.

12 MEMBER SCHUETZ: Just one other comment I
13 wanted to make. I do like the -- I don't want to
14 call it awning, but that's not --

15 MR. VENARD: Clip roof over the garage.

16 MEMBER SCHUETZ: Yes. I do like that. The
17 only thing I wanted to suggest maybe a few of the
18 homes the garage doors could have a little
19 candescent windows.

20 MR. VENARD: Oh, certainly. That's
21 definitely adding some of kind of breaking up some
22 of that within these series of garage doors.

23 MEMBER SCHUETZ: Right.

24 MEMBER MACKLIN-PURDY: Some of the things

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1 that we're to consider are as you're doing the
2 PUD, which I see why you would want to have this
3 as a PUD, but one of the questions that I have is
4 the site layout and why -- I mean, maybe it's
5 because of the grading, but why the two homes are
6 facing Mosedale instead of Keller Place?

7 MR. VENARD: You know, Commissioner Purdy,
8 that is something that was raised by your support
9 staff as well. It's something we will look at.
10 That's something to understand, but it is just
11 from this point and then maybe engineering I can
12 touch is just a quick point of reference, so each
13 one of these lines is one foot. So if we're
14 talking right here just using an 800-foot
15 elevation, so each line here is a foot as it goes
16 down, you know, we're talking five, six, seven,
17 eight, there's roughly 16 feet between a fall. So
18 if that is your rear yard, then you're generating
19 negative drainage towards your foundation. We
20 want positive and horseshoe drainage and that will
21 be one of the challenges with it, but it is
22 something that was raised and something that we're
23 contemplating, but also it's with everything going
24 from our project to the west is all that RT-2

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1 product so it also kind of ties in with some of
2 the stuff that's going that way. And then I will
3 say that one thing that I believe she's the head
4 of the Public Works, she had a good point in our
5 meeting about adding some parking bays right here
6 so that would kind of challenge -- that's one
7 thing that we're looking as well.

8 We have a got some really good notes
9 from your department heads as well within that
10 meeting, but it is something we've looked at, but
11 it's mainly due to grading.

12 MEMBER MACKLIN-PURDY: And then in terms of
13 how many homes or how many lots, does seven -- I
14 mean, there is there a reason for seven? Does
15 that just make sense with the numbers because
16 these lots are pretty small?

17 MR. VENARD: They are, and the size is kind
18 of -- each one either abuts or backs up to open
19 space so we can play the game and make everything
20 bigger and each one of these lots that we have
21 that we're proposing detention along here, I could
22 run that out and make these all bigger or I keep
23 this thing kind of unified. We are planning to
24 have an HOA here. We could maintain this area as

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1 well as these little pockets so we could make it
2 bigger.

3 It is a very fickle little site and
4 that's always the challenges with infill sites.
5 There is a reason that they're still there. So
6 seven allows me to distribute some of the costs as
7 we've talked about.

8 I have got utilities right here.
9 Utilities won't be too difficult to run. What
10 I'll have to do is open cut Route 31, tap into
11 water and come in and tie in over here so we have
12 our loop system that the municipality would look
13 for. I will have some challenges with earth work.
14 Our soil -- these two lots is where the old
15 foundation was. You can actually see remnants of
16 a old drive kind of right here. I have some soil
17 issues here that I'll need to address and any time
18 you've got a truck heading off or back on versus
19 being able to kind of distribute or reuse on site,
20 it's pricey, retaining wall, so the economics do
21 play a factor within this.

22 MEMBER MACKLIN-PURDY: I just have one more
23 comment.

24 CHAIRMAN WALLACE: Go ahead.

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1 MEMBER MACKLIN-PURDY: You sound like a
2 quality builder. I guess you have probably taken
3 into consideration Route 31 and what the back of
4 the homes would look like, but I think that will
5 probably come into play when you present your
6 final presentation.

7 MR. VENARD: Exactly. We'll have rear
8 elevations for your consideration. If we could
9 imagine each of these are all going to have decks
10 off the rear and really going to have some
11 dramatic -- if I can go back to -- as we look at
12 some of these elements continuing along here on
13 the sides, if there's a brick water table that
14 would continue down within that area. So there
15 are some elements that are going to break up the
16 rear of that as well so it's not so boxy along 31,
17 and really we're trying to take advantage of from
18 a marketing perspective some really neat views
19 looking east.

20 CHAIRMAN WALLACE: The lots that are backing
21 to Route 31, what's the distance? Those are -- at
22 least those three lots are 38 feet wide, correct?

23 MR. VENARD: Correct.

24 CHAIRMAN WALLACE: What is the distance from

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1 the back of the lot to the back of the site? So
2 that detention area?

3 MR. VENARD: From here to here, that area?

4 CHAIRMAN WALLACE: Yes.

5 MR. VENARD: It's additional probably
6 25 feet, but I would really not having the scale
7 in front of me, Todd, it's something that --

8 MEMBER PRETZ: So that would be 38 plus 25.
9 Is that what he's saying?

10 CHAIRMAN WALLACE: Oh, no, no. So from the
11 back, then, you have 15.

12 MR. VENARD: That's a good question. It
13 would be 40 feet. So we're proposing 15-foot rear
14 yards that would be an additional 40-foot rear
15 yard.

16 CHAIRMAN WALLACE: Okay.

17 MEMBER HOLDERFIELD: That includes the
18 retention area?

19 MR. VENARD: Yes, sir. And that is truly a
20 building pad, too. That's the other thing is what
21 we try to do is able to offer if we are -- it
22 gives us something to work with maybe shallower,
23 this is a product that we are currently building
24 in Atlanta as well as Beaumont, Texas and we are

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1 we are also proposing up in Long Grove. So we are
2 taking it and tweaking it right now, kind of the
3 width and the length of it. So at the time when
4 we actually put out our floor modification and you
5 will see a better product, but it will look --
6 what we are showing you here is not going to look
7 dramatically different than what we've submitted
8 to the staff to consider.

9 MEMBER PRETZ: My concern would be the view
10 coming off of 31 in taking a look at first I would
11 see a retaining wall, is that what you said? It
12 would be a four-foot retaining wall?

13 MR. VENARD: You see the retention first. So
14 on the western part of that retention area so you
15 would have these elements here, so you have this
16 retaining wall. The retaining wall would run
17 pretty much along this rear lot line is how we're
18 trying to control that. It would still be set
19 back 25 feet at its closest point if that's the
20 width of it, so you'll see the detention first and
21 then retaining wall.

22 MEMBER PRETZ: Right now are you just
23 thinking it's going to be a plain cement wall?

24 MR. VENARD: No. It will be a block wall.

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1 We'll have elements, if we progress to that point,
2 we'll show you, we don't like to use the kind of
3 battleship gray cinderblock. You know, there are
4 some softer colors. There are some browns and
5 some tans that have various sizes.

6 MEMBER PRETZ: Where I'm going is the fact
7 that considering the amount of traffic and the
8 amount of visibility that comes off of that
9 street, looking in the direction of those homes, I
10 think it's critical that the view is attractive,
11 so whatever that means, whether the material
12 that's used, some greenery that's incorporated
13 with it to break it up other than along wall going
14 across and kind of boring. I don't know from a
15 cost structure or anything like that, but I think
16 that's critical that the view coming off the
17 street seeing that is attractive.

18 The other thing, too, would be in
19 reference to taking a look at the back of the
20 homes because understanding that people have all
21 different kinds of the way they live, if you're
22 going to have your decks and there's nothing
23 that's going to break that up so if the view
24 coming from the street is looking at the backs of

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1 homes, I think that it's probably critical that
2 there's something to break that up also because if
3 people are using it for piling their things, you
4 know, whether they're putting bikes on their decks
5 or all their furniture or whatever else, so that
6 there's some attractiveness at the back of the
7 house because I think the back of the house will
8 also need to have some architectural to it to give
9 it some beauty as you're looking up other than
10 taking a look and going, well, here is a series of
11 five homes, they all basically look the same,
12 we've changed the color, because it's a wide
13 enough patch.

14 MR. VENARD: We agree.

15 MEMBER PRETZ: Does that make sense?

16 MR. VENARD: Yes, sir.

17 CHAIRMAN WALLACE: Brian.

18 MEMBER DOYLE: I want to go back to -- you
19 actually have it up -- the topography.

20 So in terms of the location of the --
21 the extension of the road, is that informed by the
22 topography? I mean, when I looked at the plot at
23 first, and I wasn't thinking about the topography
24 and the drop off, but I would have expected that

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1 road to connect up to I think it's Pine Street
2 which is --

3 MR. VENARD: Right here?

4 MEMBER DOYLE: Yes, right. So I would have
5 expected it to connect to that other street that
6 is directly across from your -- exactly, exactly.
7 Now, is the reason why you didn't propose that
8 because of the topography?

9 MR. VENARD: Good question. So currently
10 between the existing home right here, there is a
11 retaining wall that is as well as some sizable
12 trees in the rear so we've got some physical
13 constraints on site despite the topography that we
14 had in mind.

15 MEMBER DOYLE: Okay.

16 MR. VENARD: And also, Brian, is we would be
17 coming up -- folks coming in, their lights would
18 be hitting the back of these folks' homes. We try
19 to not disturb as much the folks to the west of us
20 so if we come up with that road and come in and
21 turn, these folks are going to be getting hit
22 with, you know, now the snow plows in the winter
23 and more traffic that they've experienced in
24 40-plus years that they've been there.

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1 MEMBER DOYLE: Thank you. That helps.

2 The next question then is regarding the
3 road, I saw a comment in the staff review about
4 the width of the road and the question as to
5 whether or not it would be considered a private
6 road or a public road and public road needing to
7 be a minimum of 26 feet, so right now what you
8 have displayed is 20 feet.

9 Could you respond to that staff comment?

10 MR. VENARD: Certainly. We did hear at our
11 meeting with your department heads a couple of
12 weeks back and something that we're entertaining.
13 Not knowing road width, we proposed a private road
14 but having met with staff and actually more
15 importantly with some of the department heads, I
16 think there is some stuff that goes down to
17 24 feet that's in town if I remember correctly,
18 Russell? I think 24 feet, which was actually
19 quoted by the fire marshall, allows easy passage.
20 26 feet allows us to park on one side. Within
21 this plan right here there is no parking within
22 the one side of the street. 26 feet allows us to
23 have some parking here and actually one thing that
24 we're strongly considering if we are were to come

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1 back in is to pull the parking off to make it that
2 much more safe, to pull it over here versus having
3 this 26 feet you have got to make this turn and we
4 start thinking about fire trucks again and we
5 always do a turning radius study but we worry
6 about plows. I would rather put the space here
7 then within the width of that development.

8 MEMBER DOYLE: So you are already looking at
9 maybe widening it by at least four feet.

10 MR. VENARD: We are. Correct. So
11 potentially make that wider. Having it be public
12 is something that -- it's like public works, we
13 have got some really good direction from the
14 department heads here and we did not change the
15 application because this was already submitted to
16 have kind of that moving ball effect, but there is
17 some really good feedback that we're looking at if
18 we were to come forward for the formal submittal
19 would include those.

20 MEMBER DOYLE: My last question concerns the
21 proposed rezoning to RT-2 and the variations from
22 zoning that we require for the PUD. So minimal
23 lot area, for instance, 6600 square feet under R-2
24 and looking at average of 35, 34 square feet of

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1 new concept plan and so on and so forth.

2 I guess my question is did you consider
3 any other zoning categories like perhaps an RM
4 category with townhome or two-family home
5 structures? The reason why I ask is the variance
6 between the minimum square footage under R-2 and
7 what you're proposing is substantial, and one of
8 the things that we typically look at under a PUD
9 application is does the PUD application -- is the
10 primary focus of it to intensify the land use or
11 does it serve some other purpose that warrants the
12 leniency? And there's a fair amount of
13 intensification here. So the reason why I ask the
14 question is, you know, if you looked at -- even
15 though RT-2 is not in the surrounding area, we do
16 have RM across the street generally, you know.

17 Did you consider that maybe a
18 townhome-type development or two-family home
19 structures might be more flexible in terms of both
20 the challenges of the land as well as the zoning
21 challenges?

22 MR. VENARD: Zoning challenges I agree,
23 Brian, they may provide us more flexibility if we
24 were to choose to go that route. I'm trying to

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1 look at -- kind of almost begin with the end in
2 mind and look at what the market would take within
3 this area, and what's surrounding us going to the
4 west. I understand that there's the apartments
5 across the street, but also I want to be mindful
6 of what's at the south and west and north of us as
7 well and trying to work within that.

8 So if there is a zoning category that we
9 did not look at this as -- take a step back -- as
10 attached or multi family because that actually in
11 tying the building together with the physical kind
12 of drops from the site, it actually presents more
13 challenges.

14 In giving that a deuce scenario, a
15 duplex or paired homes scenario is something to
16 contemplate where it may give us some relief, but
17 I do think that there is a need within the
18 marketplace of some in-town detached single family
19 product that is kind of new construction that is
20 walking distance versus being attached. I think
21 it's a unique opportunity, the number of years
22 I've lived in town and as we're starting to see
23 the populus kind of pull out, kind of pull within
24 and that's really why we kind of go after some of

1 these little holdings like this because it's a
2 unique opportunity. It does have some headaches.
3 It takes some really good working relationship
4 between the city and the developer to kind of find
5 the right kind of fit for this stuff, but the end
6 product instead of having one six-unit building
7 looking onto it and maybe a dup building looking
8 onto Mosedale, it may net an additional unit, I
9 think the overall development look would be better
10 as detached single family.

11 MEMBER DOYLE: I absolutely agree if you're
12 thinking of it in terms of a six-unit building. I
13 absolutely agree with you. I was thinking of it
14 in terms of what if you had three dupes, for
15 example, or two dupes and one three-unit building
16 and the reason I ask that question is we do
17 have -- the homes down in the CBD, Redstones,
18 those are townhomes, correct?

19 MR. COLBY: The brownstone homes?

20 MEMBER DOYLE: Yes.

21 MR. COLBY: Yes those are townhomes.

22 MEMBER DOYLE: Do you know down by where Blue
23 Goose is, there are a number of very end townhomes
24 and they are within striking range in terms of the

1 surrounding neighborhood of this parcel.

2 Coming back to the question about the
3 distance between the side yard distances, as a
4 prospective homeowner looking at this and looking
5 at short side yards where I really can't do a
6 whole lot with that side yard, you know, I don't
7 know if it would make a big difference to me as a
8 prospective homeowner whether I was in a duplex or
9 a very vertical oriented single-family home where
10 I have a side yard that I really can't do much
11 with.

12 MR. VENARD: Okay.

13 MEMBER DOYLE: So we can talk about that more
14 during the comments, but I just think that it's
15 something worth considering. I don't know the
16 market impact of that in terms of how that product
17 would -- how it would be positioned in the
18 marketplace.

19 MR. VENARD: Well, trying to address what
20 Commissioner Pretz had brought up, there could be
21 some massing concerns along 31. If you had two
22 buildings together, now you're looking at the rear
23 of the building as being 52 or 54 feet roughly
24 versus 26 to 28 feet and the massing of that

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1 perspective, we are talking about the rear of
2 these things looking attractive could be a little
3 challenging.

4 We try to be mindful of outdoor personal
5 living space. So having a deck on a dup, within a
6 walkout scenario on a duplex, your deck is right
7 next to your neighbor's so you better get along,
8 and at least having these features where I've got
9 my private personal spaces to entertain, to grill
10 and do that kind of stuff, that's the reason we
11 try to get a little more creative within the
12 zoning requests, but I do appreciate what you're
13 saying. It is something that I'm well aware of
14 what the brownstones -- the price points over
15 there and what they initially came out for, very
16 challenging site I would say roughly '02, '03 and
17 with its physical constraints, great looking
18 product that's held up well. What we are
19 proposing just brings another -- adds a little
20 more product diversity to the envelope for the
21 city.

22 MEMBER DOYLE: Thank you.

23 MEMBER PRETZ: Can I just ask, excuse me,
24 what type of profile do you have of your potential

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1 buyer?

2 MR. VENARD: Very good question. Because
3 we're starting to see mixed, and I can step back,
4 I appreciate you asking that. We're seeing more
5 active adults, that the Sun Cities, the Dell
6 Webbs, the attractiveness of that is somewhat
7 waned, and still having it in proximity to walk to
8 shopping, walk to grocery, to grocery and to
9 shopping and restaurants downtown appeals with the
10 regional amenities of the bike path across the
11 street. We've got is the strong reputation of
12 Davis School, which is always a draw and so we're
13 going to hit to your second time move up buyer so
14 as well as some move downs.

15 Good case in point is the development
16 currently going on in Geneva, Park Place if you're
17 familiar just contiguous to the south of Wheeler
18 Park. It's a townhome development that is selling
19 very well and talking with the developer, he is
20 someone that he and I had worked for different
21 builders 15 years ago. He's seeing -- well, if I
22 can take a step back, it's a rear-load home
23 townhome product. So you pull into the garage,
24 you've got a set of six stairs to a landing,

1 another set of six stairs to the main living space
2 and then so on to get to the main living. He's
3 seeing folks coming out from the city that like
4 the proximity to downtown, that are -- one guy is
5 he and his wife are 80 years old. I think that's
6 pushing it, but there is folks in their sixties
7 that have purchased in there. There's single
8 parent homes, want to keep their kids in the
9 Geneva schools or in this case scenario in the
10 St. Charles schools or proximity to their child
11 that will definitely come into play as well.

12 Having seven homes, I think we are going
13 to see a nice little diversity within this little
14 one-acre site.

15 MEMBER PRETZ: Brian, the reason I asked that
16 was that I wanted to see what he was going to say
17 because the yard may not be as important to the
18 prospective buyers that they may be going for.
19 They may want some yard, but it may be on a small
20 scale and it may not be as important for them in
21 their everyday life.

22 MEMBER DOYLE: I recognize that and I agree
23 with that and I guess, you know, I think the point
24 about the massing from Route 31 is a good point.

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1 If a yard is not important, the question my mind
2 goes to is is a townhome property what they're
3 looking for? You know, if I'm an active adult and
4 I'm not looking to do a lot of yard work and I
5 don't want a high maintenance home. So but I
6 think you made a good point about some of the
7 reasons in terms of a private deck or a private
8 patio area. I'll save any further comments on
9 that until after.

10 MR. VENARD: Thank you.

11 MEMBER SPRUTH: I was going to say that I
12 like the layout and a couple of the other
13 commissioners pointed out that the rear
14 landscaping and beautification needs to be
15 considered. You pointed out that there is a
16 jogging path. There's quite a lot of pedestrian
17 traffic going down from that path.

18 I like the detention pond that you're
19 using, the use of it, facing the road and just
20 sufficient landscaping measures. I do think the
21 proximity to the park is advantageous. St. Mary's
22 is a lovely park and people would rather enjoy the
23 park rather than mow their lawn is probably an
24 attractive feature for these houses.

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1 I guess I just wanted to highlight that
2 the rear views as the other commissioners pointed
3 out needs to be just thoughtfully designed and the
4 parking needs to fit in with the layout and the
5 surroundings. So just a consideration.

6 MR. VENARD: I agree. Thank you. Part of
7 our formal application, one of our requirements is
8 to submit a landscape plan. So you will see if
9 it's a wetland mix that we use within this
10 detention area, what that's going to look like,
11 the details of the retaining wall, the rear yard
12 landscaping as well to help break up different
13 elements as well as what's existing out there.

14 This is just a bland overlay that lets
15 us truly focus on the land plan, but truly I will
16 show you what trees we are keeping, what quality
17 of trees those are, which ones we are razing
18 because there is some stuff that needs to be and
19 then what we're putting back in.

20 MEMBER SCHUETZ: One question. You maybe
21 answered it. The price point?

22 MR. VENARD: In the 500s is what we're
23 talking.

24 MEMBER SCHUETZ: Amenities internally, et

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1 cetera, et cetera.

2 MR. VENARD: Certainly granite features,
3 granite countertops are standard, you know,
4 ten-foot first floor, nine-foot second floor,
5 beautiful master suites, if you look at within the
6 plans within the master suite everything has
7 separate shower and baths, double sinks. We've
8 put a lot of thought into squeezing a lot of home
9 within that 2500-square foot footprint.

10 CHAIRMAN WALLACE: Let's stick with questions
11 for right now.

12 MEMBER HOLDERFIELD: I have no questions.

13 CHAIRMAN WALLACE: If any member of the
14 public wishes to ask a question or make a comment,
15 I would just ask that you come up, state your name
16 and spell your last name and give your address.

17 MR. ANDERSON: My name is Lanny Anderson, and
18 I live on 32 Mosedale which is just west of this
19 proposed plan.

20 One of my concerns is the wall, I think
21 you said four-and-a-half foot wall, right?

22 MR. VENARD: Behind the lots.

23 MR. ANDERSON: On the west side.

24 MR. VENARD: Are you referring to this wall

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1 here? I don't know what the height of that wall
2 is. The four and a half feet I was referring to
3 is the retaining wall we would build.

4 MR. ANDERSON: Oh, sorry. I didn't
5 understand.

6 MR. VENARD: We're not proposing at least at
7 this point any retaining wall or replacement on
8 the west side.

9 MR. ANDERSON: As you know what's there now
10 is brick, concrete, chunks of concrete.

11 MR. VENARD: I didn't know. There is some
12 heavy foliage there.

13 MR. ANDERSON: Yeah, there's four oak trees
14 and a black walnut along that lot line, too, and
15 my concern is the distance between the lot line on
16 the west side and that first view there, what's
17 the distance from the lots line to that first -- I
18 know you haven't proposed the final.

19 MR. VENARD: Right. I would say roughly
20 that's six to eight feet, though.

21 MR. ANDERSON: Six to eight feet. My lot, I
22 think it's eight to ten feet from the lot line.
23 So that means it will be a huge wall if you billed
24 there that I have a 96-inch window looking out of

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1 the family room, I have two windows looking out of
2 the kitchen and then I have another window looking
3 out the living room that is facing east of there.
4 So we are going to be looking at a huge wall.

5 One of the questions my wife wanted me
6 to ask is is there any windows along there on that
7 wall?

8 MR. VENARD: There would be.

9 MR. ANDERSON: There would be windows,
10 because if you take a look at the units you've got
11 facing 31, there is very little distance. So
12 those windows would be facing each other's unit?

13 MR. VENARD: Actually we lay out the product
14 next to it for window placement certainly.

15 MR. ANDERSON: But that's not going to affect
16 me.

17 MR. VENARD: I know, but you asked the
18 question.

19 MR. ANDERSON: Okay. I was concerned because
20 there is about a two, three-foot drop off there.

21 MR. VENARD: There is.

22 MR. ANDERSON: If you remove that wall, which
23 is just pure concrete, it looks like an old
24 concrete road that was broke up and then they

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1 piled it on top of each other and once that's
2 gone, my house is going to be washed away, too,
3 because that's maintaining that wall.

4 MR. VENARD: Point taken, Mr. Anderson.
5 That's something we need to be mindful of as we
6 progress to understand what that is, and would
7 welcome the opportunity for you and Mrs. Anderson
8 and myself to kind sit down and kind of talk
9 through some of that because you are going to be
10 the most impacted on what we're proposing, but I
11 would welcome the opportunity to come over and
12 walk it especially now we are getting a little
13 nicer weather.

14 MR. ANDERSON: I want to say something else
15 but I shouldn't. My wife will kill me. Why don't
16 you buy my house and then bring that road out on
17 to Pine Street? You can bring that road back.
18 That's all I had to say. I am concerned about
19 that wall there.

20 MR. VENARD: Certainly. I'll give you my
21 card.

22 VICE CHAIRMAN KESSLER: Can I ask a question?
23 Whose wall is that?

24 MR. VENARD: Mr. Kessler, I need to find that

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1 out.

2 VICE CHAIRMAN KESSLER: Who owns that wall?

3 MR. ANDERSON: I know where the lot line is
4 in the front and I know where the lot line is in
5 the back and that wall is on the property to the
6 east and until you get to the very back of the lot
7 and then somehow, I'm not sure why, the wall ends
8 up on my lot. So probably 90 percent of the wall
9 is on that vacant lot.

10 VICE CHAIRMAN KESSLER: You guys are going to
11 have to do a deal together.

12 MR. ANDERSON: Yeah, right. Okay. Thank
13 you.

14 CHAIRMAN WALLACE: Yes, sir.

15 MR. TRENDLER: I'm Robert Trendler. I live
16 on Pine Street just sort of at the edge of the
17 area we're interested.

18 A couple of things that I've observed
19 even now is the difficulty with parking. I see
20 really little opportunity here. Mosedale is a
21 fairly busy street. They do a lot of parking
22 around there already and, of course, it's
23 extremely sloped and in the wintertime this can
24 really be a serious hazard.

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1 I'm not sure, seven homes, two cars per,
2 I'm not seeing anything different than that
3 usually where these people are going to put all
4 these cars and is there going to be parking along
5 Mosedale or even up to into Pine Street? So
6 that's the one issue that I think needs to be
7 looked at.

8 The other is which has been brought up
9 here is the view of these houses from 31, and I
10 just don't know how you can fix that to be honest.
11 It's going to look like five boxes just plopped
12 way up high off of 31. There is no question about
13 that. And it just seems to me to be very
14 difficult to make that ever look anything
15 different than tacky.

16 The other question I have is just really
17 related to probably the economics is whether you
18 do fewer units and give a little more room for
19 things to be accomplished, say, instead of seven,
20 five or six, have some green space perhaps where
21 the two other units that come out on to Mosedale.

22 Anyway, that's the sum total of the
23 things that occurred to me while I was looking at
24 this. It would be nice to have the topography I

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1 guess finished at some point although I kind of
2 enjoyed walking through.

3 MR. VENARD: Maybe a path. That's all.

4 MR. TRENDLER: Thank you.

5 CHAIRMAN WALLACE: Thank you. Ma'am?

6 MS. QUINLAN: My name is Katherine Quinlan
7 and I live on Pine and I would like to know the
8 distance between on Mosedale they have -- AT&T has
9 got all those big boxes, those big things, how far
10 back are you going from them?

11 MR. VENARD: If I may? Certainly. She's
12 absolutely correct. AT&T has a maintenance
13 cabinet, the big green cabinets. It's roughly
14 right around here. If we are able to zoom in on
15 preliminary engineering, it's identified. So we
16 are -- we're set back from that. Actually that's
17 within the city right-of-way. That's set back off
18 the property line. So actually you look at this
19 side yard is actually set back a little bit more
20 so I think we're probably roughly 20 feet from
21 that cabinet, those overhead lines.

22 MS. QUINLAN: 20 feet --

23 MR. VENARD: To the north.

24 MS. QUINLAN: To the north.

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1 MR. VENARD: Yes, ma'am.

2 MS. QUINLAN: When I drive down on Mosedale,
3 I'm driving down, many times when I make a left
4 turn to go into town, I see a car coming from Park
5 Shore and we meet each other because they're
6 coming, they're making their turn and it's very
7 hard.

8 MR. VENARD: I agree with that. That's the
9 neat opportunity we have at Keller Place improved
10 here.

11 MS. QUINLAN: That would be better.

12 MR. VENARD: And that lefthand turn will be
13 safer.

14 MS. QUINLAN: Oh, God, it will be so much
15 safer.

16 MR. VENARD: Not only do have this kind of
17 harsh rate of repose as this thing falls away, but
18 do you have that angle is about 115 degree angle
19 left turn could be dangerous. We agree with you.

20 MS. QUINLAN: And I guess my next question is
21 the two houses, you've got the road going -- I'm
22 not clear on whether it comes to Pine, the road
23 that you have coming, whether it comes to Pine or
24 it doesn't.

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1 MR. VENARD: It would not. I think this one
2 will give you -- isn't this Pine right here? I
3 believe it is. So if we were take a step back on
4 the aerial, here we go, this gives you a better
5 look, ma'am, because you see Pine goes right --
6 almost it goes next to Mr. Anderson's house and
7 let's call it lot one and then where our road
8 would come out at is this driveway here ties
9 into --

10 MS. QUINLAN: Have you talked to those
11 people? They're brand new.

12 MR. VENARD: No, but I will be. If we
13 progress enough along, it is something that we
14 want to let everybody know who we are and what
15 we're up to.

16 MS. QUINLAN: Well, good luck.

17 MR. VENARD: Thank you.

18 MEMBER PRETZ: I'd like to ask a question of
19 staff.

20 Keller Place coming onto Route 31, is
21 Route 31, Geneva Road there, is that city or
22 state.

23 MR. BONG: Route 31 is a state rode.

24 MEMBER PRETZ: Is there any concern that the

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1 state would make that right-in, right-out based on
2 the new construction and the new use of that road?

3 MR. BONG: You know, my guess would be that
4 they probably wouldn't want a right-in, right-out.
5 I think that's usually something that you put in
6 when there's more traffic typically.

7 MR. VENARD: We already have an existing full
8 access on to 31. They cannot inhibit -- with road
9 improvements going to go in with the right-of-way,
10 they cannot do a right-in, right-out.

11 CHAIRMAN WALLACE: Any other questions?
12 Okay.

13 Let's go ahead with comments. Would you
14 mind if we start on your end. If you would just
15 let the developer know positives, negatives, what
16 you think.

17 MEMBER MACKLIN-PURDY: Sure. I do think that
18 the proposal does meet the purposes of a PUD.
19 Because when you look at the density overall, the
20 PUD it's a lot more palatable in terms of the
21 minimum lot area and all the size of the lots and
22 the width and the building coverage.

23 In terms of concept, we were talking
24 about retaining wall, there's a real cool wall

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1 across the street at Mt. St. Mary's that you might
2 want to emulate. It would give it a really
3 beautiful look. You might want to look at that.

4 MR. VENARD: Where Humpty-Dumpty is?

5 MEMBER MACKLIN-PURDY: Yes. I'm just saying
6 because it's a beautiful part of St. Charles.

7 MR. VENARD: Certainly.

8 MEMBER MACKLIN-PURDY: And we would never
9 want to downplay the beauty of that area. I think
10 you should be a little bit concerned about the
11 rear of the homes making them look as nice as I
12 think everyone has expressed that they would like
13 them to look.

14 So the density, it does concern me but I
15 think that if could probably be wonderful, and
16 those are really my only concerns. I'm finished.

17 VICE CHAIRMAN KESSLER: I don't see how you
18 would ever get away from a PUD on this site
19 regardless of what went there. It's just a
20 challenging site.

21 MR. VENARD: Truly.

22 VICE CHAIRMAN KESSLER: I mean, the shape,
23 the topography, the location.

24 MR. VENARD: Two lots, two single family

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1 lots.

2 VICE CHAIRMAN KESSLER: I think it's going
3 to -- it begs for a PUD.

4 That being said, we've talked a lot
5 about massing. I agree with other commissioners
6 have said. It's a big concern. I realize that
7 you only are using about 23 percent of the entire
8 site. Lot size it's hard to use that measurement
9 because you could shape them anyway you want, you
10 could make them bigger if you wanted to, but I do
11 have some concerns about massing and I want to
12 speak to something that both Tom and Brian brought
13 up, and that is the view from 31.

14 I'm not opposed to some duplex units and
15 specifically, I'll just give an example, if you
16 look the two furthest north buildings and put them
17 together and the next two and put them together,
18 all those buildings would have great side yards.
19 They could be single family or they could --
20 duplexes, the same thing here. I'm a little
21 concerned about this transition of the two houses
22 on Mosedale to the properties to the west. If
23 there is some way to make that massing less
24 obvious than the way it looks to me right now.

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1 The other thing that we haven't talked
2 really about, and I'm just going to bring it up, I
3 don't know if you have any specific
4 recommendations or anything, but we had a site
5 similar to this last year that we worked on and
6 heights, building heights were a huge issue for
7 the people to the west because if you go to allow
8 building heights, you could completely block the
9 view of everybody to the west of you. So you have
10 to be concerned and careful about those types of
11 building heights.

12 MR. VENARD: Yes. We'll be prepared to
13 address that within this. It is something that we
14 heard at the staff level as well.

15 VICE CHAIRMAN KESSLER: Right and I think
16 because of Mr. Anderson and his house, I know what
17 it's like to have an unobstructed view for an
18 awfully long time, but it's not going to last
19 forever. So I like the idea.

20 As far as the zoning goes, the fact that
21 you're going to end up with a PUD, it may be more
22 palatable to some people to go to RT-2 so you make
23 the lot sizes smaller so you're not making too big
24 a jump, but so to me it's six of one, half dozen

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1 of the other since I don't think this it's likely
2 this is going to be developed as a pure RT-1 or 2.

3 MR. VENARD: Agreed. Thank you.

4 CHAIRMAN WALLACE: One of the things that
5 didn't come up that just occurred to me is the
6 zoning. Our bulk requirements don't allow a third
7 story, am I correct, if it was straight zoning?

8 MR. COLBY: That's correct.

9 CHAIRMAN WALLACE: Okay. Because it actually
10 reads for RT -- well, for all the RTs, 34 feet or
11 two stories, whichever is less. So I think that's
12 something we need to consider.

13 I do have some concern about the height
14 of the building off of Route 31. I know that
15 that's not where we're measuring it from, but I do
16 agree that you don't want to create something that
17 looks like a big wall of structures across there
18 from the 31 side.

19 I wish there was something you could do
20 with the layout. The only thing that occurs to me
21 is something similar to what Tim was talking
22 about, and I don't know, it may completely not be
23 in your business plan to go with multi-family, but
24 if that was the case, I think that there would be

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1 an easy way to even get an extra unit out of it to
2 combine the two that are together into one and
3 then basically you could have three across. Where
4 you have five right now, you could have three
5 duplex buildings, maybe even having one access to
6 Mosedale and then the other five units access
7 Keller Place and then on the one with two units
8 having one access Mosedale and the other one
9 access Keller Place, something like that, but I
10 think for me that would make it more palatable.
11 As I said, I don't know if that's in the business
12 plan or even considering some type of a mix of
13 having single -- several single family and one or
14 two duplexes, something like that.

15 I was looking at the lot sizes, I mean,
16 the big thing that came out when I first looked at
17 this was the 3500-square foot lot size. I think
18 that's kind of a misnomer because it's not really.
19 And I think coming back, I don't know, we're just
20 playing with numbers because it's the same overall
21 size, but if those lots went all the way back to
22 the rear of the lot you're looking at more like
23 4500 square feet.

24 MR. VENARD: Possibly, without running the

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1 math.

2 CHAIRMAN WALLACE: Yes. I mean, at least for
3 those three lots. For the other two it would be
4 even more.

5 MR. VENARD: Right.

6 CHAIRMAN WALLACE: Which when we're looking
7 at the underlying RT-2, the fact that it's closer
8 is better, you know.

9 And I do agree on the parking issue.
10 Parking on Mosedale would be impossible. Of
11 course there is no parking on 31 so having some
12 sort of onsite auxiliary parking might be
13 something to consider.

14 MR. VENARD: Agreed.

15 CHAIRMAN WALLACE: Especially with the number
16 of units we're trying to put in. If it's two
17 single families, then whatever it doesn't matter,
18 but putting six, seven, eight units in there,
19 that's going to be an issue. I think that's all I
20 have.

21 MEMBER PRETZ: Well, the property has been
22 vacant for long enough. It's time for a
23 development, so I say go for it.

24 My recommendation, though, is that --

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1 and I know that you're getting numerous
2 recommendations and in the end you'll probably
3 incorporate more than 50 percent of them, maybe
4 even a higher percentage. My recommendation would
5 be, though, is that when you come before us again
6 with your obviously formal plans for the next step
7 is that those recommendations that you've been
8 receiving that cannot be addressed and not
9 addressed because it doesn't fit your business
10 plan or because there's land restrictions or
11 whatever else you want to fill in the blank with,
12 is that in order to help us and make it easier so
13 we understand the project maybe even a little bit
14 better is that you actually tell us these were
15 recommendations and these were things that we are
16 not going to do or have not incorporated and the
17 rationale as to why, and I think it will probably
18 be an easier approach with your overall project.

19 I wish you well and go for it.

20 MR. VENARD: Thank you, sir.

21 MEMBER SCHUETZ: I'm not going to repeat
22 everything that's already been said, but when it
23 comes -- I can tend to be longwinded. If you do
24 consider duplexes or whatever you may call them,

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1 I'm sure with the topography could you consider
2 different levels and they could come back and
3 forth as far as shifting them on the site a little
4 bit so they cannot only fit but they would give a
5 better visual from 31 or some of the other streets
6 so it's not just soldiers lined up, you know, the
7 way it is, and that's how city lots are. I get
8 it. But if you do consider a duplex or some kind
9 of townhouse or whatever, that might be something
10 to consider. Just moving it back and forth, you
11 know, give a little bit different facades.

12 MR. VENARD: Agreed. We could look that even
13 with the single family perspective. I know what
14 I'm showing you is a big shoe box with an A on it
15 and that's by design because we are going to put a
16 product in there that may be six, eight feet
17 shorter than that, maybe right to the point of
18 that, but have some different detail on the front
19 and that's the beauty of having an engineer do
20 your land plan. If we let him design everything,
21 the world would have nothing but oval detention
22 ponds and boxy homes, and that where we've got to
23 bring our product into it.

24 MEMBER DOYLE: So I would start by saying

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1 that historically this community is very sensitive
2 to density and sensitive during public hearings
3 particularly to intensification of land use.

4 So I mentioned that earlier. I agree
5 with Tim that topographical features along with
6 this parcel seem to lead you to needing some sort
7 of PUD to work with the challenges that you have
8 in front of you. It will be really important as
9 you bring this plan back to us that you address
10 the amenities and the ways that your proposal is
11 creatively working with the reality of what you
12 have to work with and why the PUD is warranted.

13 To that end, obviously building layout,
14 building architecture and quality of building
15 architecture is important and serves that
16 argument.

17 I think that the renderings that you've
18 shown us and the description that you've offered
19 speaks to a high quality product. I do want to
20 talk a little bit about the RT-2 again from a
21 couple of different standpoints. I think that
22 notwithstanding what Chairman Wallace said, this
23 differential between the site -- the square
24 footage requirements of RT-2 and what you have is

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1 again fairly substantial, and when I see a delta
2 that large, it just gives me pause. It makes my
3 mind go to that, wow, this is really intensive
4 land use, is that what this is, versus a creative
5 use of design.

6 The other thing is Chairman Wallace
7 mentioned that traditional doesn't allow for third
8 stories, but there are some other not constraints
9 but design review that you have to go through, and
10 I was just looking on Google Maps because I was
11 driving by this area today and just south of
12 Mosedale on Geneva Road, Route 31, there is a
13 large single-family home that is a very modern
14 design.

15 MR. VENARD: I'm aware of it. Yes.

16 MEMBER DOYLE: A very intriguing design, and
17 I would like to say that we have so much
18 traditional architecture in St. Charles and how do
19 we brand ourselves? We brand ourselves by
20 prominent buildings downtown. In terms of height
21 and the issues that that presents in terms of the
22 facade that you present to Route 31, is it
23 possible that a more modern architecture that uses
24 plate windows and uses the height, says this is

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1 what we are dealing with, we are going to create a
2 design that responds to that and leverages that as
3 a design feature. We've got this modern house
4 right nearby. I think it would really serve the
5 PUD argument if you presented something in the
6 design that was just completely different from
7 what we see in the rest of St. Charles, still has
8 the same amenities that people want in terms of
9 walkability, in terms of the access to the
10 amenities that you're talking about, but I think
11 that market may also be a little bit more
12 adventurous in terms of what kind of product
13 they're looking for.

14 So for those reasons, I would encourage
15 you to think about other zoning categories that
16 might be more flexible to you that might not box
17 you into a traditional architectural approach, and
18 that might give you some options to work more
19 creatively with the topography.

20 MR. VENARD: Thank you.

21 MEMBER HOLDERFIELD: I had a plan until I
22 heard you speak, so I think I might change it, but
23 first thing I want to say is after taking a look
24 out there, I want to commend you for bringing

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1 forward the plan to develop this property. You've
2 got a tough job with this lot, the configuration
3 of it, the drop of grade from west to east is
4 terrible a design problem to work with, and I
5 support the movement of RT-1 to RT-2. I think
6 that would not diminish the character of the
7 existing neighborhood.

8 My biggest concern was the number of
9 units on the lot and I guess after all the things
10 it was conflicting with, all the side yard and the
11 design issues with the garage being too wide, I
12 know that can probably be addressed, but I was
13 thinking more of maybe five units, four along
14 Geneva Road and one along Mosedale, and I think
15 configured the way you are now you have a very
16 narrow footprint of this house and that's going to
17 exaggerate even more so the height even if it's
18 within the zoning heights and especially if you go
19 with the traditional architecture like you
20 proposed in these elevations. What strikes me, I
21 know what we're talking about to the south, but
22 with a small footprint, you could pull off more
23 vertical with modern-looking elevation or styling
24 than you can with a more traditional gables and

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1 dormers and that sort of thing because you're
2 compressing that and that's going against the
3 grain and design and that's part of what we are
4 concerned about here is the design element.

5 So I think as you go forward with this,
6 you need to consider maybe going to a different
7 style of architecture. It could be tricky, but
8 more modernistic, horizontal windows. It could
9 work. So I just wanted to make that point to you.
10 I think you're on the right path and I'm excited
11 to see. I remember when it was a doctor's office.

12 MR. VENARD: A doctor or dentist. I don't
13 recall.

14 MEMBER HOLDERFIELD: Good luck to you.

15 MR. VENARD: Thanks.

16 MEMBER SPRUTH: So in regards to I've
17 mentioned before I like the side layout. The site
18 does need to be redeveloped. I would support the
19 change in zoning and I do believe that the
20 proposal meets the PUD process.

21 I'm encouraged about speaking with the
22 neighbors and locality and taking their views into
23 consideration as part of the construction and just
24 to be pointed out, the views, the highlighted

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1 views on 31 are very important, so the localities,
2 and the wall which has already been mentioned.
3 Thank you very much for coming forward with this
4 application.

5 MR. VENARD: Thank you.

6 MEMBER SPRUTH: We look forward to seeing
7 what you present.

8 CHAIRMAN WALLACE: All right. That concludes
9 our concept review.

10 MR. VENARD: Thank you very much for your
11 consideration and very thoughtful comments.

12 CHAIRMAN WALLACE: Thank you. Good luck.

13 (WHEREUPON, off the record at
14 8:17 p.m.)

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CERTIFICATE OF SHORTHAND REPORTER

I, THERESA A. VORKAPIC, a Notary Public within and for the County of Kane, State of Illinois, and a Certified Shorthand Reporter, CSR License No. 84-2589, of said state, do hereby certify: That the foregoing hearing transcript was reported stenographically by me, was thereafter reduced to typewriting under my personal direction and constitutes a true record of the testimony given and the proceedings had;

That I am not a relative or employee or attorney or counsel, nor a relative or employee of such attorney or counsel for any of the parties hereto, nor interested directly or indirectly in the outcome of this action.

IN WITNESS WHEREOF, I do hereunto set my hand of office at Chicago, Illinois, this 8th day of April, 2016.



Notary Public, Kane County,
Illinois.

My commission expires 11/6/19.

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BEFORE THE PLAN COMMISSION
OF THE CITY OF ST. CHARLES

-----x
In Re: :
Public Hearing; City of :
St. Charles Requests General:
Amendments to Chapter 17.12, :
Chapter 17.14, Chapter 17.20:
and Chapter 17.30. :
-----x

HEARING

St. Charles, Illinois 60174
Tuesday, April 5, 2016
8:17 p.m.

Job No.: 97788B
Pages: 1 - 31
Reported by: Theresa A. Vorkapic,
CSR, RPR

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HEARING, held at the location of:

ST. CHARLES CITY HALL
2 East Main Street
St. Charles, Illinois 60174
(630) 377-4400

Before Theresa A. Vorkapic, a Certified
Shorthand Reporter, Registered Professional
Reporter, and a Notary Public in and for the State
of Illinois.

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PRESENT:

TODD WALLACE, Chairman

TIM KESSLER, Vice Chairman

BRIAN DOYLE, Member

TOM SCHUETZ, Member

JIM HOLDERFIELD, Member

LAURA MACKLIN-PURDY, Member

MICHELLE SPRUTH, Member

TOM PRETZ, Member

ALSO PRESENT:

RUSS COLBY, Planning Division Manager

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P R O C E E D I N G S

CHAIRMAN WALLACE: Item 5 on the agenda is the continued public hearing, General Amendments, City of St. Charles, a petition for by the City of St. Charles requesting amendments to Chapter 17.17, "Residential Districts", Chapter 17.14, "Mixed Business and Mixed Use Districts", Chapter 17.20, "Use Standards", and Chapter 17.30 Definitions, ("Alcohol Or Tobacco Sales Establishment" use category.)

Mr. Colby.

MR. COLBY: Yes. At the previous hearing the Plan Commission decided to continue the hearing so we could provide additional information regarding our definition of how that fit with the city's licensing requirements for liquor sales and tobacco establishments.

So what's before you here is a revised definition and what we've done is clarified what was meant by a primary purpose because the definition was saying the primary purpose of the establishment was alcohol and tobacco sales. So what we've done is made reference specifically to the floor area and put in a percentage to state

1 that if the establishment has over 50 percent of
2 its retail floor area dedicated to the sale or
3 consumption of one of its products, then would
4 fall into this use category.

5 So this is differentiated from a zoning
6 standpoint from a typical retail store that may
7 have the sale of alcohol and tobacco as part of
8 the store that sells other things. As long as it
9 doesn't exceed the 50 percent zoning-wise, it
10 would continue to be classified as a retail store.

11 So then the question would be how does
12 that definition fit with the city's liquor
13 licenses? And what we've identified here are all
14 the packaged liquor licenses that are available
15 from the city, each category. Category A-1 is
16 basically what you would consider a standard
17 liquor store. The license specifically says that
18 the primary purpose of the business has to be
19 liquor sales. This is specific to the business
20 that sells almost exclusively liquor products.

21 The other categories relate to
22 businesses where the alcohol sales may be smaller
23 components of a larger store. So, for example,
24 with the A-2 category, that license is only

1 available to businesses that are within a building
2 that exceeds 10,000 square feet or the store space
3 exceeds 10,000 square feet and ten percent or less
4 of that area is devoted to the sale of liquor.

5 So under that category any business with
6 an A-2 license would be considered retail sales
7 use because they cannot exceed ten percent of
8 their square footage with alcohol sales. So in
9 that case they would not fall under this
10 definition of the alcohol and tobacco sales
11 establishment.

12 The other definition classifications
13 work the same way. They're more limited in their
14 application. So what this is means, then, in
15 terms of the use category as listed in here in
16 this table, businesses that fall in the city's A-1
17 license would be considered alcohol and tobacco
18 sales establishments. The other A categories,
19 they would not. Except for A-5, you have the
20 ability to utilize more than 50 percent of the
21 floor area for alcohol sales in which case you
22 couldn't move into the category of alcohol and
23 tobacco sales establishment, and this is as it's
24 listed here it's a restricted category for wines,

1 imported liquor, gourmet beer for consumption off
2 the premises.

3 So these categories go into a lot of
4 details and some of these sort of dictate the
5 business models that you're able to operate in the
6 city when you obtain a liquor license. So really
7 if your business is selling alcohol, you have to
8 fall into one of these categories.

9 There's less detail provided for types
10 of tobacco licenses. There's not necessarily a
11 limitation on square footage. If you're granted
12 one of these licenses, you're able to sell tobacco
13 in accordance with the what the license says. So
14 essentially what this means then is if the
15 business is exceeding 50 percent of the floor area
16 with the sales of tobacco products, it would fall
17 into the category of an alcohol and tobacco
18 establishment.

19 So I think that clarifies the question
20 that was asked at the previous meeting. The other
21 thing I wanted to note, I know Brian brought up
22 some concerns with one of the findings of fact
23 that was No. 4. There was a statement that was
24 listed there that made reference to potential

1 negative impacts of this use and as Brian pointed
2 out, there was no information to substantiate that
3 so we revised that finding to more follow what I
4 stated at the public hearing, the previous public
5 hearing, was that really the intent of this is
6 more so to make the city's zoning in line with
7 what's expected by the community and City Council
8 at the time a license is being granted. Really
9 what we're trying to do is align the zoning
10 restrictions with the community's expectations
11 when it comes to a business licensing and that was
12 really more of the intent of the public interest
13 element. I think that it was not accurate as it
14 was previously written because it was not
15 substantiated, and I don't think that was really
16 the city's intent to imply that. So I appreciate
17 that being pointed out.

18 With that, I'll take any questions.

19 CHAIRMAN WALLACE: Questions? Brian?

20 MEMBER DOYLE: I just want to confirm
21 something that I read, and thank you, by the way,
22 for the analysis, particularly for the
23 implications of the analysis.

24 On Page 7 of the staff report regarding

1 Class A-4 licenses, the final sentence of that
2 bullet point reads: "Tavern/Bar and Restaurant
3 will continue to be permitted as a Special Use in
4 the BL district because they are different use
5 categories than an Alcohol/Tobacco Sales
6 Establishment."

7 So that means, then, say, at any of the
8 properties that we're talking about in the
9 business local areas if a Plan Commission
10 recommended and City Council approved a special
11 use application and Liquor Commission approved for
12 liquor license, they could operate as taverns in
13 these locations, they just can't operate as liquor
14 stores taverns.

15 MR. COLBY: That's correct.

16 MEMBER DOYLE: That's my only question.

17 CHAIRMAN WALLACE: Other questions?

18 VICE CHAIRMAN KESSLER: I do have one. I
19 just want to clarify something that Laura had
20 mentioned to me and that was with this amendment
21 and historically as well liquor sales are not
22 allowed on Route 64 unless -- liquor stores are
23 not allowed; is that correct?

24 MR. COLBY: No. It depends on the zoning

1 district still whether the use is permitted.

2 MEMBER MACKLIN-PURDY: I said gas stations.

3 VICE CHAIRMAN KESSLER: Gas stations.

4 MR. COLBY: Yes. There is a specific
5 prohibition of the granting of a license to a gas
6 station.

7 CHAIRMAN WALLACE: Other questions?

8 VICE CHAIRMAN KESSLER: I was going to make a
9 motion to recommend approval.

10 CHAIRMAN WALLACE: Not yet.

11 MEMBER MACKLIN-PURDY: Could I ask one more
12 question?

13 CHAIRMAN WALLACE: Oh, I'm sorry. Go ahead.

14 MEMBER MACKLIN-PURDY: For stores that sell
15 wine and/or specialty liquor and beer Class A-5,
16 what would a Class A-5 be? Can you give me an
17 example? Like a restaurant that sells wine?

18 MR. COLBY: This would be -- it could be not
19 necessarily a restaurant because that's a
20 different category. This would be a store that
21 may sell specialty items in one classification of
22 that could be these specialty liquors or beers. I
23 think one establishment I believe that had this
24 type of license was The Bend store, which was on

1 West Main Street where they also sold some
2 sandwiches. It wasn't necessarily a restaurant,
3 and they weren't serving alcohol, but they sold
4 some specialty liquor items because it fit their
5 business.

6 VICE CHAIRMAN KESSLER: Blue Goose?

7 CHAIRMAN WALLACE: They have an A-2.

8 MR. COLBY: They have an A-2 because there
9 are not restrictions on the type of alcohol that
10 is being sold.

11 MEMBER DOYLE: I'm sorry. I have one more
12 question that I neglected.

13 CHAIRMAN WALLACE: Go ahead.

14 MEMBER DOYLE: Regarding the legal
15 nonconforming use, so basically that stipulates
16 that if the business closes and is vacant for
17 180 days, the legal nonconforming use expires.

18 MR. COLBY: Yes.

19 MEMBER DOYLE: Can the business owners sell
20 their business to another owner and that owner
21 provided that business does not remain there for
22 more than 180 days, can a subsequent owner operate
23 it as a liquor store?

24 MR. COLBY: Yes. The ownership status of the

1 business does not come into play. It would only
2 be whether the use is continuing to operate there
3 and as long as it doesn't -- the use doesn't cease
4 to operate for six months, 180 days. Obviously
5 the license would have to be updated and the city
6 would have to grant a new license or a revised
7 license to the new business.

8 CHAIRMAN WALLACE: One thing about the status
9 as a legal nonconforming use would come into play
10 as far as the granting of a liquor license goes.

11 MR. COLBY: No, it wouldn't. It would not be
12 appropriate to consider the status of that
13 nonconforming use as any different from a
14 permitted use in terms of granting a license.

15 CHAIRMAN WALLACE: Okay. Anything else?
16 Tim?

17 VICE CHAIRMAN KESSLER: I would like to move
18 that we close the public hearing.

19 MEMBER PRETZ: I'll second.

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

22 Any discussion on the motion? Tim?

23 VICE CHAIRMAN KESSLER: Spruth.

24 CHAIRMAN WALLACE: We're closing the public

1 hearing right now, and then we are going to take
2 action.

3 MEMBER SPRUTH: Yes.

4 VICE CHAIRMAN KESSLER: Holderfield.

5 MEMBER HOLDERFIELD: Yes.

6 VICE CHAIRMAN KESSLER: Doyle.

7 MEMBER DOYLE: Yes.

8 VICE CHAIRMAN KESSLER: Schuetz.

9 MEMBER SCHUETZ: Yes.

10 VICE CHAIRMAN KESSLER: Pretz.

11 MEMBER PRETZ: Yes.

12 VICE CHAIRMAN KESSLER: Macklin-Purdy.

13 MEMBER MACKLIN-PURDY: Yes.

14 VICE CHAIRMAN KESSLER: Wallace.

15 CHAIRMAN WALLACE: Yes.

16 VICE CHAIRMAN KESSLER: Kessler. Yes.

17 CHAIRMAN WALLACE: That concludes Item 5 on
18 the agenda.

19 Item 6 is General Amendment
20 City of St. Charles as listed on the agenda.

21 Is there a motion?

22 VICE CHAIRMAN KESSLER: Yes. I'd like to
23 move that we recommend approval of Item No. 6,
24 General Amendment, city's applicant City of St.

1 Charles, a petition filed by the City of
2 St. Charles requesting amendments to Chapter
3 17.12, "Residential Districts", Chapter 17.14,
4 "Business and Mixed Use Districts", Chapter 17.20,
5 "Use Standards", and Chapter 17.30, "Definitions"
6 ("Alcohol Or Tobacco Sales Establishment" use
7 category.)

8 MEMBER PRETZ: Second.

9 CHAIRMAN WALLACE: Just to clarify the
10 motion, that is to recommend to the City Council
11 approval of all of those amendments?

12 VICE CHAIRMAN KESSLER: That is correct.

13 MEMBER PRETZ: I still second.

14 CHAIRMAN WALLACE: All right. The motion is
15 on the table. Is there any discussion?

16 MEMBER DOYLE: Yes. I've put some thought to
17 Russ's point last time about this decision being
18 basically no different than the decision that we
19 make regarding any retail use category or land use
20 category as far as zoning is concerned. And I
21 think that's a very valid point and so I'm not
22 quite as fervently against it as I was last time.

23 That being said, I think there are a
24 couple of -- I have a couple of strong

1 reservations still. One is that I think there is
2 an inconsistency in having zoning that you can --
3 we basically say that retail sale of liquor and
4 tobacco, which cannot be consumed on the premise,
5 you have to take it out of the building and take
6 it home, that that is somehow out of character
7 with surrounding residential uses. A tavern where
8 you can drink it on premises and walk out to your
9 car and pass out in the parking lot is possibly
10 consistent with the surrounding residential uses
11 and should be a special use. Contingent upon the
12 approval of the Liquor Commission and Plan
13 Commission and City Council.

14 So if consistency and logic would seem
15 to dictate that restaurants and taverns would also
16 need to be special uses in these areas or that a
17 liquor store should be a special use in these
18 areas and that it is incumbent upon an applicant
19 to go and to have a public hearing and to have it
20 be thoroughly reviewed by this commission and the
21 Liquor Commission and the City Council. So that's
22 one point that gives me some pause.

23 The other thing that I just sort of
24 contingently think about is how we define what is

1 consistent with community expectations and what is
2 in the character of community and what's not and
3 how we're using zoning to enforce those standards.

4 Since the last meeting, I've gone a
5 couple of times to One Stop Liquors because I
6 thought I better go and review what I remember
7 about that business, and, in fact, I'm no longer
8 certain if what I remember is actually what was
9 there because there is no security glass in that
10 business. The wine bottles are not covered in
11 dust. They do sell some craft beers. It doesn't
12 have the same negative impression that it had on
13 me that led me to not shop there all these years,
14 and the concern that -- the thing that makes me so
15 worried about this is that there's not perception
16 that, oh, that's a bad place for our community. I
17 don't like that place. I don't like the people
18 who work there. I don't like the people who go
19 shop there. It's a bad element. We shouldn't
20 have that here. I don't want my kids to have to
21 walk past that. None of us are the people who we
22 would identify as part of that element, nor any of
23 us that would be members of the City Council that
24 we identify with that element.

1 So it was important to me to, first of
2 all, be certain that we're not imposing some new
3 condition upon that business owner that's going to
4 be a burden and that we're doing it for the right
5 reasons. So I can live with the premise that it's
6 not in the character of the surrounding
7 residential neighborhoods, but I do think that we
8 want to consider reconciling the whole
9 tavern-restaurant sort of discrepancy in terms of
10 the ability to consume on premise versus buy and
11 take it off premise.

12 VICE CHAIRMAN KESSLER: I think you bring up
13 a very good point. I want to speak to your last
14 issue first, and that is I'm not so sure that
15 zoning is what's the problem as much as the
16 marketplace, One Stop Liquors, because in my
17 experience I go to a place once, I don't like it,
18 I'm probably not go to go back there. I might try
19 it again. If I don't like it the second time, I'm
20 probably never going to go back. So I think the
21 marketplace kind of dictates what happens in an
22 establishment. We can affect it, I suppose, by
23 some zoning, but the fact that place has not been
24 successful is not because -- people don't like it,

1 it's because they don't like that place and your
2 experience, how many years has it been since you
3 were there and what caused you to go back there?
4 Would you have ever have gone back again if this
5 not happened? So, again, that's a marketplace
6 issue.

7 MEMBER DOYLE: I agree but, on the other
8 hand, when we say it doesn't serve the convenience
9 of the neighborhood, it obviously serves someone's
10 convenience because someone is going and shopping
11 there otherwise it would be out of business.

12 VICE CHAIRMAN KESSLER: You know what, maybe
13 it's not the neighborhood that's shopping there.
14 That's a corridor. I knew somebody that lived
15 over in Blackberry on the other side of 38 and he
16 stopped there for his 30-pack on the way home on
17 the north side of St. Charles. He didn't live in
18 the neighborhood. He just happened to be driving
19 by and was on his way. So I don't know. I
20 understand what you're saying and I have to say,
21 Russ, I appreciate the fact that you did address
22 that issue, that perception of creating an image
23 because I think you were right, Brian. I think
24 you were right. Writing it in such a way that

1 wasn't the thrust of the language that made sense
2 to me. So that's why I say about that.

3 I want to go back to this thing.

4 Explain that to me again about the special use
5 because a tavern can go into a neighborhood under
6 a special use but a liquor store under no
7 circumstances can go into that neighborhood, and I
8 wonder about that.

9 Is a tavern considered a restaurant?

10 MEMBER SCHUETZ: I think it's confined in the
11 building and they're not taking it out on the
12 streets. I'm just saying. That's why it's
13 delineated that way.

14 MEMBER MACKLIN-PURDY: The Wine Exchange
15 where people actually buy wine there and stay and
16 consume that, how does that -- this is a lot of
17 verbiage for me and I'm try to wrap my brain
18 around everything. The only way I really can is
19 by giving examples. So something like that where
20 there's not necessarily -- it is a liquor store
21 but people stay there and consume alcohol. So how
22 does that play into it? I'm asking. I don't
23 know.

24 MR. COLBY: Well, I don't know what type of

1 license that that business has so I can't --

2 MEMBER MACKLIN-PURDY: I want to make sure
3 that their business is not affected.

4 MR. COLBY: It's possible it could be
5 considered a package liquor store. It's located
6 in the CBD-1 zoning district or would continue to
7 be a permitted use.

8 One thing to clarify, Brian had brought
9 up the restaurants and taverns, those two uses are
10 permitted as a special use in the BL district,
11 which is one of the districts we're talking about.
12 Neither of those uses are permitted either in the
13 CBD-2 district or in the BT district, which are
14 the only two that are affected by this amendment.
15 So it's specific to the BL district for
16 clarification, and another point, a restaurant use
17 doesn't necessarily have a liquor license so there
18 isn't always going to be a liquor component
19 connected to a restaurant use.

20 VICE CHAIRMAN KESSLER: One more
21 clarification.

22 So, for example, the Wine Exchange and
23 I'm looking at class is A-1 through A-5 licenses
24 and I don't really see anything that that falls

1 under, but I believe you said that existing
2 establishments are grandfathered under their
3 current licensing.

4 MR. COLBY: That location it will continue to
5 be a legal conforming use because of the zoning
6 district it's located in, the 71 district.

7 VICE CHAIRMAN KESSLER: Thank you.

8 CHAIRMAN WALLACE: All right. Anything else?

9 Then the motion is to recommend to the
10 City Council Planning and Development Committee
11 approval of the applications. Tim.

12 VICE CHAIRMAN KESSLER: Spruth.

13 MEMBER SPRUTH: Yes.

14 VICE CHAIRMAN KESSLER: Holderfield.

15 MEMBER HOLDERFIELD: Yes.

16 VICE CHAIRMAN KESSLER: Doyle.

17 MEMBER DOYLE: Abstain.

18 VICE CHAIRMAN KESSLER: Schuetz.

19 MEMBER SCHUETZ: Yes.

20 VICE CHAIRMAN KESSLER: Pretz.

21 MEMBER PRETZ: Yes.

22 VICE CHAIRMAN KESSLER: Macklin-Purdy.

23 MEMBER MACKLIN-PURDY: Abstain.

24 VICE CHAIRMAN KESSLER: Wallace.

1 CHAIRMAN WALLACE: Yes.

2 VICE CHAIRMAN KESSLER: Kessler. Yes.

3 CHAIRMAN WALLACE: All right. That motion
4 passes, and that concludes Item 6 on our agendas.

5 Item 7, any additional business from
6 Plan Commissioners?

7 MEMBER DOYLE: Yes. I'm going to be quick
8 because I know everyone wants to leave, but I have
9 a quick question for Russ and a question for the
10 commission.

11 In the city code, does the Plan
12 Commission is it empowered to make recommendations
13 for zoning changes to the City Council or is it
14 only empowered to receive and consider
15 applications that are submitted to the commission?

16 MR. COLBY: I don't know for certain. I
17 don't believe the commission has the ability to
18 make formal recommendations on zoning changes
19 absent an application.

20 The commission has the ability to make
21 recommendations with respect to a comprehensive
22 plan, but not necessarily I don't think any kind
23 of binding recommendation to the City Council.

24 MEMBER DOYLE: I asked the question because

1 it's not listed in Title II as a power of the
2 commission but in Chapter 17, Section 4,
3 Section .020, Plan Commission, No. 1: "To hear
4 and make recommendations on applications for
5 zoning and map amendments, text amendments, except
6 for amendments to Chapter 17.32 for historic
7 preservation and special uses and amendment for
8 specializes and planned unit developments."

9 So I'm not clear if that language means
10 that we must first hear an application and then we
11 can make a recommendation or we can simply make a
12 recommendation in the absence of an application.

13 MR. COLBY: I believe it requires that you
14 are first hearing the application.

15 MEMBER DOYLE: Okay.

16 MR. COLBY: Because only certain parties are
17 able to apply for changes to zoning. The city
18 does have the ability to file an application, but
19 that would have to be initiated by the City
20 Council.

21 MEMBER DOYLE: That was going to be my next
22 question. So the cities determines to file an
23 application at the direction of the City Council
24 exclusively?

1 MR. COLBY: Yes. So in that situation, the
2 Plan Commission would then be holding a public
3 hearing on the city's application to change the
4 zoning classification of the property.

5 MEMBER DOYLE: Or a general amendment.

6 MR. COLBY: Yes, or general amendment.

7 CHAIRMAN WALLACE: I think that the Plan
8 Commission can propose a resolution under
9 2.28060-C of the code which to prepare and
10 recommend to the corporate authorities from time
11 to time plans for specific improvements in pursuit
12 of the official comprehensive plan.

13 MEMBER DOYLE: Okay.

14 CHAIRMAN WALLACE: Because it doesn't say
15 changes to the comprehensive plan. It says
16 specific improvements in pursuance of the
17 comprehensive plan.

18 So is that along the lines of what
19 you're talking about?

20 MEMBER DOYLE: Yeah, I guess I'm wondering --
21 well, residents can file an application for a
22 general text amendment to Chapter 17, and I was
23 wondering what the commission's ability is. So,
24 for instance, if we determine that we think that

1 there is an inconsistency between the special use
2 for taverns and not permitted use for liquor
3 stores, what would the process be by which we
4 submit that formally to the City Council for
5 consideration?

6 VICE CHAIRMAN KESSLER: As opposed to
7 attaching it to a recommendation?

8 MEMBER DOYLE: Correct. Because it's
9 really -- yes. I think that, first of all, the
10 application that we just recommended to approve is
11 now closed and that's no longer on our agenda.
12 And, secondly, there may be other things from time
13 to time that we identify as areas for improvement,
14 and there is no application in front of us to
15 which that recommendation would be germane.

16 CHAIRMAN WALLACE: I think the prudent course
17 should be to if there was something on which the
18 Plan Commission may forward resolution on to the
19 City Council for consideration that we would
20 discuss it only after appropriate notice has been
21 given as though there were an application, and I
22 think before we went that direction, I would want
23 to talk to staff or myself we should talk to the
24 city attorney to determine what is appropriate.

1 We don't want to take any action that would be
2 challengeable, but I think that if we were to
3 present a resolution that originates from the Plan
4 Commission itself, certainly we would want to be
5 sure that we fit within the notice --

6 MEMBER DOYLE: Right.

7 CHAIRMAN WALLACE: -- requirements.

8 MEMBER DOYLE: So I ask this because I'm
9 interested in bringing forward two items for
10 discussion and I'd like to know whether it's
11 within the commission's purview and with the
12 approval of the rest of the commissioners to
13 discuss those things, and the two items are what
14 we just discussed, and the second item is the lack
15 of any use category zoned in Chapter 17 for gun
16 shops, and I've been doing some research on this
17 since the last meeting and Hoffman Estates and
18 Niles, Illinois and Urbana, Illinois all have
19 portions of their zoning that allows a gun shop
20 and defines what it is and then makes zoning
21 categorizations accordingly.

22 I think historically the last couple of
23 months we've had several applications come before
24 us that were proactive in correcting perceived

1 deficiencies in the zoning and based on community
2 expectations and so I think that it would be
3 consistent with those applications and with that
4 direction of, you know, recent amendments to
5 discuss either discrepancies or omissions in
6 Chapter 17.

7 CHAIRMAN WALLACE: I guess my position would
8 be that if we did want to have a discussion on
9 something like that in order to I don't want to
10 say direct -- well, I guess I will say to direct
11 staff to bring an application, the benefit of that
12 would be that we would -- I mean, there's already
13 a framework to that, you know, and having an
14 executive summary, et cetera, et cetera, we don't
15 want to -- it seems kind of backwards the Plan
16 Commission would be suggesting to staff what types
17 of applications they would be bringing, but the
18 application we just considered was basically
19 directed from the Planning and Development
20 Committee to be brought.

21 VICE CHAIRMAN KESSLER: I don't see any
22 reason why we wouldn't ask Russ to get direction
23 from the City Council to bring an application in
24 front of us for those things.

1 MEMBER DOYLE: So to bring this to a close
2 because it's ten to nine, what I would be
3 interested to understand is if we need to have an
4 agenda item on a future meeting to discuss this,
5 discuss the rationale, discuss the pros and cons
6 and determine if there is a resolution of the
7 commission to do this.

8 VICE CHAIRMAN KESSLER: To ask Russ to go to
9 the planning and development?

10 MEMBER DOYLE: Well, find out from the city
11 attorney whether or not it is advisable at all for
12 us to discuss it or what the framework do it is
13 and then, again, what's the it framework in which
14 we do it so that we know how to process the issue.

15 CHAIRMAN WALLACE: Russ, why don't we put
16 this on the agenda for the next meeting, a general
17 discussion.

18 MR. COLBY: And I would suggest that we list
19 it under additional business since it's not a
20 formal request --

21 CHAIRMAN WALLACE: Yes. Correct.

22 MR. COLBY: -- that's been filed.

23 CHAIRMAN WALLACE: In the meantime, I'll do
24 some factfinding with the city attorney.

1 MEMBER DOYLE: Okay.

2 CHAIRMAN WALLACE: And Russ as well. It
3 would probably be easiest to do it by e-mail as
4 opposed to phone calls. So I'll do some
5 factfinding there and then that way at the next
6 meeting we can report back what procedurally how
7 to handle something like this. Sound good?

8 MEMBER DOYLE: Yes.

9 CHAIRMAN WALLACE: All right. Any additional
10 business? All right.

11 Weekly development report you all should
12 have received and meeting announcements. We have
13 upcoming meetings here shown on the agenda.

14 VICE CHAIRMAN KESSLER: I won't be here on
15 the 19th.

16 CHAIRMAN WALLACE: What's your excuse this
17 time?

18 MR. COLBY: At this point, I don't think we
19 have anything scheduled for that meeting.

20 CHAIRMAN WALLACE: Okay. All right. Any
21 public comment? I don't think so.

22 Is there a motion to go adjourn?

23 VICE CHAIRMAN KESSLER: So moved.

24 CHAIRMAN WALLACE? Second.

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MEMBER PRETZ: Second.

CHAIRMAN WALLACE: All in favor?

(Ayes heard.)

CHAIRMAN WALLACE: Opposed.

(No response.)

CHAIRMAN WALLACE: City of St. Charles Plan
Commission is adjourned at 8:51 p.m.

(Off the record at 8:51 p.m.)

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CERTIFICATE OF SHORTHAND REPORTER

I, THERESA A. VORKAPIC, a Notary Public within and for the County of Kane, State of Illinois, and a Certified Shorthand Reporter, CSR License No. 84-2589, of said state, do hereby certify: That the foregoing hearing transcript was reported stenographically by me, was thereafter reduced to typewriting under my personal direction and constitutes a true record of the testimony given and the proceedings had.

That I am not a relative or employee or attorney or counsel, nor a relative or employee of such attorney or counsel for any of the parties hereto, nor interested directly or indirectly in the outcome of this action.

IN WITNESS WHEREOF, I do hereunto set my hand of office at Chicago, Illinois, this 8th day of April, 2016.



Notary Public, Kane County,
Illinois.

My commission expires 11/6/19.