

**MINUTES
CITY OF ST. CHARLES, IL
PLANNING AND DEVELOPMENT COMMITTEE
MONDAY, JUNE 12, 2017 7:00 P.M.**

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

Members Absent: None

Others Present: Mayor Raymond Rogina; Mark Koenen, City Administrator; Rita Tungare, Director of Community & Economic Development; Bob Vann, Building & Code Enforcement Manager; Ellen Johnson, City Planner; Chris Bong, Development Engineering Division Manager

1. CALL TO ORDER

The meeting was convened by Chairman Bessner at 7:01 P.M.

2. ROLL CALLED

Roll was called:

Present: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bessner, Bancroft, Gaugel, Vitek, Lewis
Absent: None

3. COMMUNITY & ECONOMIC DEVELOPMENT

- a. Recommendation to approve and execute a Parking Deck Easement and Operating Agreement between the City of St. Charles and First Street Development II, LLC and MAC Partners, LLC.

Mr. Bong said in 2016 the city entered an agreement with the owners of the surrounding lots granting them ingress and egress easements to the parking deck since that is the main point of access to the basement parking of the adjacent building. While that was more of a broader scope for the agreement, this agreement focuses on the operations and the maintenance between building 1 and the parking deck. The 2 structures depend on each other to some extent due to the proximity, utility access and other maintenance activities. The agreement has been reviewed by staff and the city attorney and found it addresses the pertinent matters, and staff recommends approval.

Aldr. Stellato made a motion to approve and execute a Parking Deck Easement and Operating Agreement between the City of St. Charles and First Street Development II, LLC and MAC Partners, LLC. Seconded by Aldr. Turner.

Roll was called:

**Ayes: Turner, Bancroft, Gaugel, Vitek, Lewis, Stellato, Silkaitis, Payleitner Lemke,
Absent:**

Nays:

Motion carried 9-0

Aldr. Stellato recused himself at 7:04pm from items b, c, and d.

- b. Plan Commission recommendation to approve a Special Use for PUD Amendment and PUD Preliminary Plan for Hillcroft Estates, 1147 Geneva Rd.

Ms. Johnson said the proposal is for a PUD amendment to go from 4 houses to 1 house which would replace the existing home in about the same location, and the PUD amendment is needed in order to reflect the revised project scope. A PUD was needed in the first place for this site due to the building height restriction and the slope of the site making it impractical to meeting the building height requirements, because the house sits up on the hill and we measure height from the front setback line. Plan Commission held a public hearing on June 6th and recommended approval by a vote of 5-0 with the condition that the plan be modified to limit impacts on a red oak tree near the western property line, as well as resolution of other outstanding staff comments; staff is awaiting a revised tree preservation plan in response to the condition.

Aldr. Lewis asked if there were any comments, oppositions or in-favor, from the neighbors. Ms. Johnson said there was a neighbor who spoke of the red oak tree, which is where the condition came from, as well as a few neighbors from The Oaks concerned about their detention pond, which Mr. Bong spoke to, but no one at the public hearing spoke of the building height.

Aldr. Payleitner asked if the builder, Mr. McNally, was agreeable to the conditions. Ms. Johnson said yes, his engineer presented that they were.

Aldr. Bessner said it seemed there might have been an issue with a line of trees for screenage. Ms. Johnson said yes, they relocated the drive a bit to the east in order to be sure that the tree line on the western property line is preserved.

Aldr. Turner made a motion to approve a Special Use for PUD Amendment and PUD Preliminary Plan for Hillcroft Estates, 1147 Geneva Rd. Seconded by Aldr. Bancroft.

Roll was called:

Ayes: Turner, Bancroft, Gaugel, Vitek, Lewis, Silkaitis, Payleitner Lemke,

Absent:

Recused: Stellato

Nays:

Motion carried 8-0

- c. Recommendation to approve a Final Plat of Subdivision for Prairie Winds of St. Charles PUD.

Mr. Colby said this final plat is in substantial conformance with the preliminary plat which was approved along with the PUD Ordinance in May. The approval included a condition that Geneva's review comments regarding Bricher Rd. access be resolved prior to approval of the final plat; those

comments have been resolved. Regarding easements shown on the plat, during the review of the project there was a significant amount of discussion regarding access to the adjoining properties, particularly bike and pedestrian. As proposed there is a public sidewalk along the full frontage of Bricher Rd., as well as a private sidewalk connection to Meijer and Lowes, in addition to an internal private sidewalk within the site. Although there were discussions about the connection to the undeveloped property to the north, no access easements are being proposed on the plat. The developer has stated that they will not commit to bike or pedestrian connections without know what the land use will be, and also how or where those connects would be made and connected to, but this can be revisited at the time of development for that north property.

Aldr. Lewis noted that behind building 23 & 24 the sidewalk does continue to circle around.

Chairman Bessner asked if the developer would be willing to discuss this in the future; leave it on the table to revisit this. Mr. Colby said they have stated that. Jeff Ratzler, applicant, 47W210 US Hwy. 30-Big Rock, IL-said he just had a 6 hour meeting with the seller going over easements and doing everything we can to make their property as valuable as it will after we develop our property. He said this topic never came up because they don't have a use right now, we know what our use is, but as soon as there is a plan, he'd be interested to see if he can make connectivity to benefit both properties. If they do some sort of senior or townhouse homes it would make sense to give them an easement on the northeast corner for bikes or pedestrian. He said he has been honest and upfront in regard to not wanting driving through the property; it's unsafe for his residents, especially for anyone cutting through that doesn't know the layout, or where the children live. But for some sort of communal relation, where we do a bike path/walking path, where kids from each property can go visit, he leaves himself open for that, but he's always been opposed to drive-through traffic.

Aldr. Payleitner said she thinks it's okay to put burden of connectivity on the future land developer as well; nobody has a crystal ball.

Aldr. Turner made a motion to approve a Final Plat of Subdivision for Prairie Winds of St. Charles PUD. Seconded by Aldr. Aldr. Bancroft.

Roll was called:

Ayes: Turner, Bancroft, Gaugel, Vitek, Lewis, Silkaitis, Payleitner Lemke,

Absent:

Recused: Stellato

Nays:

Motion carried 8-0

- d. Recommendation to approve a Private Recreation Area and Facilities Agreement for Prairie Winds of St. Charles PUD.

Mr. Colby said as part of the PUD approval the City Council approved a park land cash fee credit for private recreational amenities for the project, these include the clubhouse, fitness center, pool, playground, dog park and a nature trail; a credit in the amount of \$481,000 was approved against the land cash requirement for park land. The city code requires that the developer provide a guarantee to ensure that the amenities are constructed and maintained at the site. Staff and the developer drafted an

agreement that is meant to meet the requirement of the guarantee under the city code. This agreement requires the developer to provide an escrow to the city in the event that the recreational facilities are not completed as the project being constructed and after a year those funds can instead be provided to the park district as a cash contribution. This agreement would also provide the developer the ability to relocate or replace the playground, dog park or nature trail amenities upon notice to the city. The notice would need to identify what type of uses might replace those recreational uses, there is some language in the agreement that speaks to that, and they would also have to show a plan as to where those uses would be relocated. This agreement would be recorded against the property and binding on any future successor owners. Staff and the City Attorney have reviewed the document and find it to be acceptable, there are no outstanding comments and staff recommends approval.

Aldr. Turner made a motion to approve a Private Recreation Area and Facilities Agreement for Prairie Winds of St. Charles PUD. Seconded by Aldr. Lemke.

Roll was called:

Ayes: Turner, Bancroft, Gaugel, Vitek, Lewis, Silkaitis, Payleitner Lemke,

Absent:

Recused: Stellato

Nays:

Motion carried 8-0

Aldr. Stellato rejoined Committee at 7:15pm.

- e. Recommendation to approve changes to the Plan Commission residency requirements.

Ms. Tungare said our code currently has residency requirements for Plan commission members where by no more than 5 members can reside on either the east or west side of the Fox River. Our current Plan Commission is comprised of 5 member from the west side and 4 from the east side. We have run into some issues with this requirement, it has become challenging to fill Plan Commission vacancies with qualified candidates because of this requirement. It's also counterintuitive to the city's interest in terms of bringing the city together to not use the river as dividing line within the community. More so what we've seen in the past few years is a community-wide interest in any of the development proposals that have been considered in the community, regardless of living on the east or west side of the river. She said she has worked closely with the Mayor's office to bring forward an amendment to this section of the code whereby rather than keeping it as a requirement in terms of whether members live on the east of west side, we are proposing it be more of a guideline/advisory requirement to strive for a geographic balance of Plan Commission members as we recruit new members.

Aldr. Payleitner said she likes the wording "by providing a geographic balance of members at the Mayors discretion" but appointments come before the Council anyway, so if we didn't agree with the terms of balance we could say something. Mayor Rogina said that's exactly correct; it has been frustrating the last couple years to put someone aside who has interest and work qualifications but cannot be appointed due to living on one side of the river.

Aldr. Stellato made a motion to approve changes to the Plan commission residency requirements. Seconded by Aldr. Gaugel. Approved unanimously by voice vote. Motion carried. 9-0

4. ADDITIONAL BUSINESS-None.

5. ADDITIONAL ITEMS FROM MAYOR, COUNCIL, STAFF OR CITIZENS- NONE.

Aldr. Lewis thanked Aldr. Bessner for a successful festival.

Mayor Rogina mentioned Aldr. Lewis regarding the America in Bloom contest and encouraged all to check out the city themed hand painted geranium pots placed around the city.

6. ADJOURNMENT- Aldr. Payleitner made a motion to adjourn at 7:21pm. Seconded by Aldr. Bancroft. Approved unanimously by voice vote. Motion Carried. 9-0