

**MINUTES
CITY OF ST. CHARLES, IL
PLANNING AND DEVELOPMENT COMMITTEE
MONDAY, JUNE 14, 2021 7:00 P.M.**

Members Present: Stellato, Silkaitis, Payleitner, Bongard, Bancroft, Lencioni, Pietryla, Wirball, Bessner, Weber

Members Absent: None

Others Present: Mayor Vitek, Chris Minick; Interim City Administrator & Director of Finance, Chief Keegan, Assistant Chief Christensen, Rita Tungare; Director of Community & Economic Development, Russell Colby; Assistant Director of Community & Economic Development, Monica Hawk; Development Engineer, Ellen Johnson; City Planner, Rachel Hitzemann; City Planner, Ciara Miller; Economic Development Planner

1. CALL TO ORDER

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

2. ROLL CALLED

Roll was called:

Present: Stellato, Silkaitis, Payleitner, Bongard, Bancroft, Lencioni, Pietryla, Wirball, Bessner, Weber

Absent: None

3. OMNIBUS VOTE

*4f. Recommendation to approve a Plat of Easement for 425 38th St. – Uniphase

*4g. Recommendation to approve a Plat of Easement for 410 S. Kirk Rd. - Smithfield Foods.

**Aldr. Bongard made a motion to approve omnibus items *4f and *4g on the Agenda.
Seconded by Aldr. Wirball.**

Roll was called:

Ayes: Silkaitis, Payleitner, Bongard, Bancroft, Lencioni, Pietryla, Wirball, Bessner, Stellato

Absent:

Recused:

Nays:

Motion passed 9-0

4. COMMUNITY & ECONOMIC DEVELOPMENT

- a. Presentation of a Concept Plan for Charlestowne Lakes (Oliver Hoffmann property)

Patrick Cook (DR Horton), 621 W. Jefferson Ave., Naperville, presented the concept plan highlighting details posted in the meeting packet.

Aldr. Bessner asked about the pricing and if there is going to be an HOA. Mr. Cook said pricing will be in the low \$300's and there will be an HOA.

Aldr. Payleitner asked Staff if the Consent Decree required office use. Mr. Colby explained that the Consent Decree is a court ordered settlement between the City and the property owner and it specifies the land uses that exist today in terms of the zoning district and the subdivision layout. It states the land use would be split between commercial and residential. The proposal being presented is calling for all residential land use so the Consent Decree would need to be modified. It would be handled as a negotiation between the City and the property owner and would be initiated following the concept plan review.

Aldr. Payleitner asked if consideration was given to adding some affordable housing units. Mr. Cook stated the calculation process gets quite cumbersome and from a corporate perspective it is easier to pay the fee in-lieu. He noted it may work with the row homes, but DR Horton would need some clarification on the set point where these would qualify.

Aldr. Payleitner commented on the green space and asked if there were any plans for a play area. Mr. Cook said they haven't had any discussions with the Park District yet, but the size of the development doesn't have much space for a large park. He noted the green space and walkability tend to be the desired feature. There is a larger park to the north of the development.

Chair Weber asked about connectivity to other neighborhoods and the Charlestowne Mall. Mr. Cook said they have a walking path stub to the south, but no vehicular access. Creating another point of access does not fit with their overall concept plan. However, they are open to including a walking path around the detention pond.

There were no objections to the use of the land. Chair Weber asked if the materials and costs were based on current pricing. Mr. Cook stated they have accounted for higher costs.

Aldr. Wirball asked about the potential impact on traffic. Mr. Cook said they are in the process of obtaining a traffic study and they hope to have that available in a few weeks.

William Papp, 3702 Queen Elizabeth Ct., St. Charles, asked if the development could proceed without the extension of Charter One Avenue into King Edwards Drive.

Vincent Rosanova 127 Aurora Ave., Naperville, said the north-south roadway and the corresponding 80 ft. width right-of-way is pursuant to the Consent Decree and is something that is very important to the City. Mr. Papp asked why that is. Mr. Colby said the City, as a part of the negotiation with the property owner, wanted to preserve that right-of-way to provide a street connection to complete the collector street network that serves

the residential neighborhoods to the north, recognizing that currently the only exit on a collector street is to the west along Foxfield. This would provide a direct alternate route to reach Smith Road without needing to cut through the Cornerstone Lakes subdivision in West Chicago which was not designed for that type of traffic.

Mr. Papp asked how many children they anticipate adding to the St. Charles schools. Mr. Cook said approximately 35 elementary students, 9 middle school students and 9 high school students would be added. Mr. Papp asked if any compensation would be made to the school district for the addition of these students. Mr. Rosanova said the land/cash ordinance requires the dedication of land or a cash equivalent. The one-time land cash equivalent payment would be about \$460,000. This is in addition to the yearly real estate taxes that the school district would receive from this development.

Mr. Papp questioned the need for the walking pathway to the Charlestowne Mall. Mr. Rosanova said the path along the south property line is for a reserved outlot. If the future use of that outlot is compatible with their development then the land is reserved and they can connect to it.

b. Presentation of a Concept Plan for Casey's Fuel Station (2600 E. Main St.)

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

Eric Tracy, Kimley Horn Associates, 4201 Winfield Rd., Warrenville, presented the concept plan. He noted the plan includes a great deal of open/green space.

Chair Weber asked if diesel fuel would be offered. Mr. Tracy said they will probably have diesel for auto, but the site is not intended to accommodate larger vehicles.

Aldr. Payleitner expressed concern about the increase in electric cars and asked about plans to repurpose the site as the need for gas stations diminishes. Mr. Tracy said he would need to raise this question with Casey's and will provide an answer when they file the formal application. However, they feel it's a viable location for them to have a good business model.

Aldr. Bongard asked why this location appeals to Casey's. Mr. Tracy noted there is significant westbound traffic movement on Main St. Casey's is a convenience store and it's all about the convenience of getting in and out. There is enough of a market there to provide that type of service. In addition, pizza is also a big part of the business and Casey's feels this location will get a lot of traffic.

Aldr. Wirball asked where the nearest Casey's is located. Mr. Tracy was unsure.

Aldr. Lencioni asked about the current zoning and how it works. Ms. Hitzemann said the property is located in a PUD and does not allow gas stations, but the underlying zoning does. The special use would be to allow this gas station use in the PUD. Casey's will probably be requesting a variance from the current PUD. There is a set-back requirement for the canopy and there would need to be the same set-back for the building. It currently is about 100 ft. and the normal requirement in town is about 20-30 ft. The variance as part of the special use would

conform more to the underlying zoning as opposed to the PUD it is currently in. Ms. Hitzemann noted they would probably create a new PUD for this property to stand alone from the PUD it is currently in.

Aldr. Lencioni asked why they chose this location that needs a departure from the current PUD when there is a lot of other gas station construction going on in the area. Mr. Tracy the PUD was done in a very different environment of development. He said a 100 ft. set-back does not conform well to any fuel station with a canopy. The departure is more a result of the way that this was envisioned in the 1970's.

Aldr. Silkaitis asked if the staff comments have been incorporated into the plan yet. Mr. Tracy said they are in the process of getting feedback and will address the comments in the formal application. Aldr. Silkaitis noted the issue about the future of electric cars is valid, but it will take about 20-30 years before it happens.

Aldr. Stellato said he would feel more comfortable if IDOT allowed a signal at Fieldgate and Main St. He would like that intersection studied a bit more.

Mr. Papp asked how much delivery truck/tanker traffic they anticipate going north onto Foxfield Dr. Mr. Tracy said deliveries happen infrequently and he expects most delivery trucks would use Main St.

Mr. Tracy asked if the City supports the use in this location. Chair Weber said conceptionally it looks good. Aldr. Payleitner stated she has been approached by different developers interested in that property, but nothing formal.

Aldr. Bancroft said the site does not seem real for a Casey's. It's not where they normally go and he felt it wasn't the right fit. He also questioned whether putting a signal in felt right. Aldr. Lencioni expressed similar concerns and said he would like to understand their use of the site a bit more.

Aldr. Bessner and Chair Weber were fine with the use.

Aldr. Wirball said the use is fine, but never having been to a Casey's, he would prefer to take a look at one of their locations.

Aldr. Pietryla did not agree with the use.

Aldr. Lencioni was unsure and expressed apprehension.

Aldr. Bancroft said he loves Casey's, but thought it was a bad site.

Aldr. Wirball and Aldr. Payleitner did not agree with the use.

Aldr. Silkaitis preferred to see another plan that incorporates the staff comments before giving approval.

Aldr. Stellato said the site does not work.

- c. Plan Commission recommendation to approve a General Amendment to Title 17 of the St. Charles Municipal Code (Zoning Ordinance) pertaining to Microbreweries.

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

Aldr. Payleitner noted microbreweries were originally in the manufacturing district because that is what they did. Now they are an entertainment business. She said that wasn't the intent of the original zoning and she had issues with pushing that on the neighbors. She felt the neighbors need to have a legal recourse.

Ms. Johnson explained one of the alternative options which would require Special Use approval for any microbrewery looking to establish. This would require a public hearing for the specific location and business being proposed; a public hearing held by Plan Commission; and ultimately City Council approval of the Special Use. A Special Use could be acceptable in a given location if it is established in an appropriate manner and location within the zoning district. Findings of Fact would need to be found in the affirmative regarding impact to surrounding property owners and maintaining the general welfare.

Aldr. Lencioni requested clarification on an accessory use. Ms. Johnson said it's a use that is subordinate in area and functionality of the principle use.

Aldr. Silkaitis liked the alternative option and suggested looking at each business individually.

Aldr. Bongard ask if there were other noise restrictions in place in this area. Ms. Johnson said it is not in the zoning ordinance, but the City Code does include specific noise guidelines.

Mick Nottke, 222 N. 5th St., St. Charles, said the biggest issue is the amplified music. He said the music causes issues for him every Thursday through Saturday.

Shirley Fullbright, 300 N. 5th St., St. Charles, said the brewery is about 50 ft. from her bedroom and she can hear all the noise in her home.

Aldr. Payleitner said they are changing the use of these businesses from permitted use to special use and she would like to recommend staff consider the alternative option and reconsider having the microbreweries classified as a special use. Aldr. Bancroft said the only issue with making this a special use is that every project would come before them.

Aldr. Lencioni asked how often manufacturing integrates with residential. Ms. Johnson said it wasn't very common.

Aldr. Pietryla stated he cannot support the current language. Aldr. Wirball agreed and said it is having a negative impact on the quality of life for the residents in that area they need to explore other options.

Aldr. Bancroft made a motion to postpone the discussion to approve the Plan Commission recommendation to approve a General Amendment to Title 17 of the St. Charles Municipal Code (Zoning Ordinance) pertaining to Microbreweries. Seconded by Aldr. Payleitner.

Roll was called:

Ayes: Silkaitis, Payleitner, Bongard, Bancroft, Lencioni, Pietryla, Wirball, Bessner, Stellato

Absent:

Recused:

Nays:

Motion passed 9-0

- d. Plan Commission recommendation to approve a Special Use for PUD and PUD Preliminary Plan for KFP Planned Unit Development.

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

Scott Day, attorney, Day & Robert, presented an alternative preliminary plan.

Aldr. Wirball asked about the specific concern the Plan Commission had about the flow. Mr. Day said the biggest concern was that people who missed the Frankie's entrance would use the Circle K one and would then be confronting traffic exiting Frankie's onto Route 64. The close proximity was the concern.

Aldr. Bessner asked if the traffic study was going to look at the drive-thru traffic flow. Mr. Day said there will be a report written for Staff.

Aldr. Stellato asked if they would consider adding cross access in the front of the site between the Frankie's parking lot and Bosa into their future plans. Mr. Day said they can't commit to that particular connection point at this time because they have already negotiated the lease with Frankie's and was not one of the elements that was negotiated.

Chair Weber noted they have the original plan which was approved by IDOT, but they are still waiting for the traffic analysis assessment. They also have the modified version which is not approved by IDOT and will still need the traffic analysis for the City engineers to review. Mr. Day said they were hoping to get a recommendation for approval for both plans to avoid getting stuck in a situation where they file the application for this and three or four months later they are still waiting for IDOT approval while the price of construction is skyrocketing.

Aldr. Payleitner was guessing getting a traffic study would happen a lot sooner than IDOT weighing in on the second version. She asked if the purpose of the traffic analysis was to deem the safety of the original plan. She was advised that is correct. Ald. Payleitner said she was fine with approving both plans pending the traffic study as long as it was safe.

Aldr. Payleitner made a motion to approve the Plan Commission recommendation to approve a Special Use for PUD and approve both plans pending the traffic analysis. Seconded by Aldr. Lencioni.

Roll was called:

Ayes: Silkaitis, Payleitner, Bongard, Bancroft, Lencioni, Pietryla, Wirball, Bessner, Stellato

Absent:

Recused:

Nays:

Motion passed 9-0

- e. Update regarding expiration of the Crystal Lofts PUD, northeast corner of S. 13th Ave. and Indiana Ave.

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

Asher Wolmark, One Rotary Center, Evanston, said they have not been able to find a suitable way to get this done as a residential project so they are trying to go back to doing something commercial. They will be taking care of the code issues with the building to get in in compliance.

Aldr. Wirball asked if the work has to commence within 60 days or be completed within that timeframe. Mr. Colby said it needs to be underway within 60 days.

Aldr. Bessner asked what the process is after 60 days if they are noncompliant and how long that takes. Mr. Colby said it could extend over a longer period of time.

Aldr. Stellato said they should expect to see significant progress within 60 days and proof that work was done. Mr. Wolmark stated they need to create the capital for the project and it takes about 45 days. They can show some progress in regards to drawings and plans. They could also show some progress in regards to construction, but he didn't know how much.

Aldr. Silkaitis made a motion to approve a 60-day extension for Crystal Lofts PUD, northeast corner of S. 13th Ave. and Indiana Ave., with the requirement to show a progress report at the August 16, 2021 meeting. Seconded by Aldr. Stellato.

Roll was called:

Ayes: Silkaitis, Payleitner, Bancroft, Lencioni, Pietryla, Wirball, Bessner, Stellato

Absent:

Recused:

Nays: Bongard

Motion passed 8-1

5. ADDITIONAL BUSINESS – None.

6. EXECUTIVE SESSION – None.

7. ADDITIONAL ITEMS FROM MAYOR, COUNCIL, STAFF OR CITIZENS

Mayor Vitek stated the City submitted a letter to legislators regarding the Clean Energy Bill reform. She said the City supports clean energy as a municipality. However, they cannot support the current bill's timeframe of 2035 without extreme costs to the residents and the City of St. Charles. They have asked for consideration of a timeframe of 2050. She highlighted the following items.

- The 2035 date is expected additional cost of over two million dollars if Prairie States closes.
- It will cost residents over \$200 more annually.
- For commercial customers, the expected average annual additional cost per customer is \$4732 if Prairie States closes.
- For industrial customers, the expected average annual additional cost per customer is over \$208,000.
- The largest industrial customer in St. Charles is Smithfield Foods. Their expected average annual additional cost if Prairie States closes is close to \$800,000.

8. ADJOURNMENT - Ald. Wirball made a motion to adjourn at 9:07 p.m. Seconded by Ald. Pietryla. Approved unanimously by voice vote. Motion Carried.