

**MINUTES  
CITY OF ST. CHARLES, IL  
PLANNING AND DEVELOPMENT COMMITTEE  
MONDAY, NOVEMBER 13, 2017 7:00 P.M.**

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

**Members Absent:** Turner

**Others Present:** Mayor Raymond Rogina; Mark Koenen, City Administrator; Rita Tungare, Director of Community & Economic Development; Fire Chief Schelstreet, Asst. Chief Christensen; Chris Bong, Development Engineering Manager; Russell Colby, Planning Division Manager; Matthew O'Rourke, Economic Development Division Manager; Bob Vann, Building & Code Enforcement Manager

**1. CALL TO ORDER**

The meeting was convened by Chairman Bessner at 7:00 P.M.

**2. ROLL CALLED**

Roll was called:

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

Absent: Turner

**3. COMMUNITY & ECONOMIC DEVELOPMENT**

- a. Recommendation to approve a Commercial Corridor and Downtown Business Economic Incentive Award for 225 W. Main Street (Edward Seaman – Home Brew Shop).

Mr. O'Rourke said this is a tier 2 application, Mr. Seaman applied for this in June 2007 but asked staff to hold off due to some delays with structural issues and code amendments; those issues have since been worked out. The award will be for the maximum matching amount of \$25,000 and the program doesn't allow work to begin before grant approval. Staff has worked with the general contractor to diligently look for improvements that have not yet been started to be sure those eligible improvements meet the provisions of the grant program.

Aldr. Payleitner said she appreciates that Mr. Seaman didn't make any assumptions beforehand.

**Aldr. Stellato made a motion to approve a Commercial Corridor and Downtown Business Economic Incentive Award for 225 W. Main Street (Edward Seaman – Home Brew Shop). Seconded by Aldr. Silkaitis. Approved unanimously by voice vote. Motion carried. 8-0**

- b. Plan Commission recommendation to approve a Map Amendment, Special Use for Planned Unit Development, PUD Preliminary Plan and Final Plat of Subdivision for, Crystal Loft Townhomes- 214 S. 13<sup>th</sup> Ave.

Mr. Colby said Committee reviewed a Concept Plan for this project in August. The property is an existing industrial warehouse building at the corner of 13th and Indiana Ave. The proposal is very similar to the Concept Plan with the existing building being converted into 9 townhomes, and 5 townhomes would be constructed in an addition to the east. The Plan Commission held a public hearing on November 7<sup>th</sup> where a number of topics were discussed, but there were no specific conditions recommended by the Plan Commission. The Plan Commission vote was for a recommendation for approval, subject to resolution of outstanding staff comments. Staff has comments on the engineering plans that need be resolved prior to City Council approval. The applicant was responsive to staff comments.

**Aldr. Stellato made a motion to approve a Map Amendment, Special Use for Planned Unit Development, PUD Preliminary Plan and Final Plat of Subdivision for, Crystal Loft Townhomes- 214 S. 13<sup>th</sup> Ave. Seconded by Aldr. Payleitner. Approved unanimously by voice vote. Motion carried. 8-0**

- c. Presentation of a Concept Plan for Smith Road Estates.

Mr. Colby said this Concept Plan is for annexation to the City for a 16-lot residential subdivision on the north side of Smith Road. The site is east of the Petkus property that was discussed earlier this year. The presentation was then turned over to the applicant.

John Antonopoulos-Attorney representing Vito Miulli-0N632 Gables Blvd., Wheaton - sole member of the limited liability company that owns this property. He said Mr. Miulli's proposed development is to cater to empty nesters, these will be smaller houses. The intergovernmental agreement with West Chicago allows 3 times the amount of units or townhomes, but we've elected to do single-family. He said a few suggestions were heard from Plan Commission, as well as neighbors in regard to changing some of the access points, room for turning and a buffer on 3 of the lots from Smith Rd. He said none of those are difficult to accomplish, everything was very well received and he didn't hear any objections from anybody.

Chairman Bessner said the city of West Chicago did chime in regarding the setbacks for the front yard versus backyards. Cole Helfrich-Knoche and Assoc. - 24 N. Bennett, Geneva. –said they requested the residences be moved away from the landscape buffer, and although we appreciate West Chicago's input, it's impractical. We have gone with a narrower street to give some front yard, especially for those residents along the north line. The 30ft. landscape buffer along the top is mandated by the IGA, so it's been left intact. Mr. Miulli has had an arborist out there to clean it up, but the trees are still there with the intent to be left alone. We feel the optimal solution is the 30ft. setback in front, which does give a useable front yard, and enough room in back for a

deck, etc. The mindset was that the target market of empty nesters, being a certain age, wouldn't want large lawns to maintain anyway and would be pleased with a modest backyard and the landscape buffer. Mr. Antonopoulos said if we move the front yard line forward any more we will have parking problems. Mr. Helfrich said a comment was heard from a Plan Commissioner that there was too much driveway space and not enough front lawn space, but this is pretty normal for a 2 car garage space, and if we pull the houses south, it will take away from the grass. Another suggestion was to adjust the intersection at Faith Lane and Smith Rd., which we're looking into and have an idea of how we might enhance that. There was also a question of stacking, but with 16 houses there isn't going to be much traffic and we don't foresee a stacking issue; but we will work on tweaking the entrance a little bit. He said the site plan seen tonight is pretty much a "guess" and we're airing on the side of overkill on the detention we show; he doesn't feel we will need that much. Another consideration from neighbors was the view; they didn't want to be looking at the back of houses and we can add a berm and some screening trees along Smith Rd. Mr. Antonopoulos said they've also discussed some type of homeowner's association to maintain the berm; the buffer will be left in its natural state.

Chairman Bessner asked if the HOA would be able to maintain a berm or buffer that already exists on property lines. Mr. Antonopoulos said our declaration will show it as a limited common element maintained by the association and that they will levy an assessment for 4 lots/20ft., if that. Mr. Helfrich said if the entrance was expanded and a boulevard island was placed in the street that too would be addressed by the HOA but it would be a very low profile HOA kept to a minimum.

Aldr. Stellato said all the suggestions were good; he's okay with the deed restriction for the HOA to maintain the buffer, as well as the set-backs. He also likes the boulevard suggestion, because if the entrance is blocked you need to be able to get someone through the other side. He said he doesn't know if lining up Pheasant Run Trail is possible because it splits 2 properties, he suggested maybe doing 1/2 of it now and the other 1/2 when Petkus property is developed. Mr. Helfrich said a 1/2 right-of-way would do nobody any good; it would also take away 3 lots which would then render this development financially impractical. Aldr. Stellato said he tried to draw it sitting there and it's tough. Mr. Helfrich said he understands the desire to do so.

Aldr. Silkaitis said comments state that it will only be 50 ft.; our normal width is 60-66 ft. Mr. Helfrich said 50ft. has been done, maybe not in St. Charles, but the goal for this is to create an enclave project; a quiet cul-de-sac set aside that will not need a wide street, it's not a major thoroughfare. The pavement is of standard width, where we lose is the parking. He stated that he had a pre-meeting with several different city departments to go over the proposed plan, and the Fire Dept. was the only one that raised any questions. Their concern was not the width of the street, but the size of the cul-de-sac, which is the standard 60 ft. radius, 120 ft. embankment; Fire Dept. was good with that. Aldr. Silkaitis asked if it would be a private or public road. Mr. Helfrich said public. Aldr. Silkaitis asked if staff was comfortable with that set-up. Mr. Colby said because the site has not yet been engineered, a determination needs to be made of whether that's adequate based on the actual design. We think that something similar will likely work, but it needs to be evaluated. Mr. Helfrich said we haven't taken that next step, but the design seen tonight is pretty final in terms of the layout.

Aldr. Payleitner had no comments; her concerns were addressed through the 1<sup>st</sup> ward Aldermen.

Aldr. Lemke agreed that the connection at Pheasant Trail would be a tough accomplishment. He asked if there would be an island there between Faith Lane and Smith Rd. Mr. Helfrich said at Plan Commission it was heard that the turn was a little sharp and if there were more than 1 or 2 cars there it could be a problem; we agreed. We figured if we took the entrance and expanded in the southwesterly direction to widen that out and soften that curb with an island in the middle, it would solve several problems, as well as be attractive. Aldr. Lemke asked if that would be a right in/right out. Mr. Helfrich said it would be full access.

Aldr. Bancroft said all his comments were addressed and he likes it.

Aldr. Gaugel said he had nothing to add; it's a fine concept plan. Aldr. Vitek agreed.

Aldr. Lewis said she likes the overall concept, she asked if they are 1-story homes. Mr. Helfrich said there are a couple of different proposed models, nothing set in stone yet, but the 2-story will set along the back with the 15ft. backyard. Aldr. Lewis said she personally feels that's too small, and it would be better if they could gain a bit more there; she asked if there would be sidewalk and if the cars would be able to park in the driveways. Mr. Helfrich said there are sidewalks and they are holding it back in the front to give enough room to park in the driveways, but there will not be room to park in the parkway on the other side of the sidewalk; there will be grass in the 6-7 ft. right-of-way, which is little small but is a payoff for having a 50 ft. driveway. He said the side yards are 7.5 ft. setbacks, some areas are close to those and some are not. Aldr. Lewis said she thinks it's a pretty big house on a pretty small lot.

Chairman Bessner said he agrees with all his fellow Committee member's comments, but asked them to consider the boundary line agreement with West Chicago and that 5-10 ft. does make a difference. It's not so much based on grass, because he does agree with Aldr. Lewis, and he'd like to make sure that gets worked out with West Chicago.

Tim Kessler-Plan Commission member- said he wants to be sure that everyone understands that the landscape buffer at the north end effectively cuts the backyards to 15ft.; he mentioned issues seen at Fisher Farms in Geneva. He said he understands the concept to market these and hopes they're able to do so to sell the entire property like that, but the fact remains that you don't have to, down the road somebody else might. If you don't move those houses closer to the street you won't have useful backyards and there could be some big issues.

Mr. Antonopoulos said if we were to build townhomes here the density would be 3 times the amount and this is a very unusual piece of property, along with that additional constraint of the buffer. The cost constraints to try and make this profitable is very difficult and we've done a great job of lining this up to try and appease Plan Commission, City Council and potential buyers. People in the targeted age group don't want a playset or swimming pool, just visually observe nature. It's not a big deal, we can move the houses forward, but from a planning standpoint they will be so close to the street and when people pull in their driveways it's going to be clustered. Mr. Helfrich said we've been called upon to "think outside the box" and we don't have a box, we have an arrowhead, and it's been a bit of a challenge to figure this out. We can

compromise on a few things, but the compromises are really pointed at our target market, so he feels the changes made benefit the city's advantage as well as our own.

Aldr. Lewis asked if there would be restrictions if someone wanted a deck. Ms. Tungare said yes, the lots would probably require a 10ft. easement. Mr. Helfrich said the utilities will be along the north line and the electric utility main line in front, but we provided for space between the residences to run services in the back regardless, therefore there will not be any easement restrictions on the 15ft. between the rear setback and the 30ft. buffer; could be a 14.95ft. deck.

Aldr. Lemke asked staff what a normal setback would be for the length of a driveway, and are there other examples of that. Mr. Colby said the RS4 district is the smallest lot single-family district of the suburban zoning districts, and that permits up to a 20ft. front yard set-back, because technically you can accommodate a car in a 20ft. setback but it's tight between the sidewalk and the garage. Aldr. Lemke said he does like the product and he's been in one similar before.

Aldr. Payleitner said she too would be a client, but she has 5 kids so she needs that driveway and sees the value in that.

Aldr. Stellato said we have smaller setback examples in town in Kingswood; King James and King Edward streets back up to a landscape buffer with a short backyard with decks going almost right up to the landscape buffer. It's been proven it works, and the city honors them maintaining the landscape buffer and he's more comfortable doing that than shortening up the driveways.

- d. Historic Preservation Commission recommendation to deny a Certificate of Appropriateness for demolition of the primary structure and rear addition of 217 Cedar Ave.

Mr. Colby said this building, along with a number of surrounding properties, are owned by Baker Memorial United Methodist Church. The church is exploring opportunities for these properties to be redeveloped in some manner. No redevelopment is being proposed at this time. The church has submitted a plan for reuse of the property as greenspace and prayer garden. Under the City Code, the Historic Commission is required to review requests for any exterior alterations to buildings in the Historic District. The Commission has the authority to approve COAs or to recommend to the City Council that a COA denied. On October 18<sup>th</sup> the Historic Commission approved COAs for demolition of the adjacent building and other ancillary structures on the property, but recommended denial for demolition of the 217 house. The Commission's recommendation is in the form of a Resolution, which is included in the packet. That resolution cites individual criteria that the Commission believes are not being met by the COA proposal. Members of the Historic Preservation Commission are here to represent their recommendation.

Reverend Mary Zajac-Pastor at Baker Memorial United Methodist church-We purchased this house in 1993 with never having the intent to keep it as a home long-term. The intent in 1993 was to at some point remove them and possibly build an annex location. Over the time it took us to purchase those properties and come into the ownership of them, that need did not actually

come through, which is why we're at our long-term plan to remove those properties. We've owned that property for 24 years and have never had a conversation regarding its historic status or how important it is to actually be denied the ability to be removed. As our request is considered please understand you are not dealing with an individual but a community, we have over 800 members and it takes us a while to make a decision due to the lengthy process involved; it took us more than 3 years to get to this point and in considering a buyer for the location there's a lengthy process for approval. The reason we chose greenspace is because we didn't feel we were necessarily good stewards of the property leaving it in its current condition and we'd like to get some church use out of it as we begin the process of seeking to sell the property; we do not have approval from the church at this time to sell it. In dealing with a congregation rather than a business, we don't actually have income, we have offerings, please consider that as a recommendation is made. Moving this particular building as our own cost would not be conducive to our congregation's approval or good stewardship of the funds received.

Steve Gibson-243 Valley View Dr.-Vice Chair for Historic Preservation Commission-gave a brief history of the building and why it's considered historic: structurally and architecturally there are some very cool things about this house. The house was originally owned by Judge William D. Barry who moved from Vermont to St. Charles in 1840; he practiced in Ohio court before that and was admitted to the bar. Once here he was a teacher to other attorneys and had his own law practice. Soon after he moved here he purchased this property from Ira Minard-one of the original founding fathers of St. Charles-and we believe the building was built circa 1845-1847. The house originally had a river stone exterior and he lived in the house until his death in 1892; it's not clear what happened between 1892-1921 but we do know that in 1921 Frank Rasmussen purchased and remodeled the interior of that structure. He was there until 1942 and then gave the property to his daughter-in-law, sister-in-law and Edith Kohler, who was secretary to Mayor Langum. In 1967 she was interviewed by the Chronicle about this property, she talked about the history of the building which included visits on several occasions from Abraham Lincoln, who was a friend of Judge Barry, and repeatedly slept upstairs in a bedroom. She also noted the interior of the house was not original, there were extensive changes to the inside as well as stucco to the exterior as of 1921. Edith Kohler had a brother Henry Kohler who was a business man here in town, he also competed in 3 Indy 500 races, after he was done racing cars he purchased an airplane. In order to fly his plane he bought interest in a property on the east side of town and when he was done with that he gave that interest to the men that then developed DuPage Airport. He then purchased a Ford dealership here in town, as well as garage. Overall the structural changes in the interior are significant, the exterior not so much, the windows and doors are generally in the same position, there may have been a window added to the west side of the house, but most everything else appears to be on the original plan. Given the facts of the history shared tonight the Historic Preservation Commission believes there's an opportunity for this building as it exists to tell the story of St. Charles, pull together a lot of stories of St. Charles and allow people to see where this all existed in the city. It's a fantastic location with proximity to the Dunham Hunt mansion, St. Charles History Museum and East Side park.

Aldr. Lemke said the stucco looks to be not materially different than it was originally stuccoed, it looks to be somewhat deteriorating, is there a sense as to whether this should be kept or who is responsible for rehabbing the house. Mr. Gibson said requests come to Commission for repair or remodeling by the owner of the building, however if this development is being packaged to go to

someone else that buyer would come to us to discuss what they want to do; it's not contingent that the building be 100% in repair when its sold to a new buyer.

Aldr. Payleitner thanked Mr. Gibson for the history on the building, it's significant and clearly in its original condition. In the church's defense; Pastor Mary didn't know she had an architecturally significant building, and she can see why they thought that. In the packet there's an architectural survey that was conducted around 1994 and in there it states it's non-contributing architecturally. Mr. Gibson said it's important to understand that non-contributing doesn't necessarily refer to the historical significance, that was an architectural survey. Specifically what they talk about there is that all of those things we consider to be unique about the house, those were not evident at the time the survey was done. Aldr. Payleitner said clearly it was flawed or unknown, but the church didn't know they had this when they bought it, which they did to demolish it. It has the potential to be a real gem in the historic district and she'd like to see us take a breath and find out if it can be moved, or restored. Chairman Bessner suggested some sort of study to get in and see it.

Aldr. Silkaitis said he'd really hate to lose this house, he understands the condition of it, but maybe take the stucco down and he bets there's stone walls, which is very unique. He knows in the past we've lost some architectural buildings in St. Charles, which he's not crazy about, and he'd like to see us do more work on this to find out what we can do to preserve this house, whether that means moving it, or whatever the situation is. He doesn't want to jump the gun and tear it down, he wants more information before he makes a final decision, but he'd like to save it.

Mr. Gibson said there's an example at the end of the block-the Collins house, the stucco was actually removed and is now stone, as well as 2 stone buildings next to St. Patrick's Church and the Weisel house.

Aldr. Vitek asked if we've explored the cost of moving it, she too agrees that we shouldn't jump the gun. Mr. Gibson said its incumbent on the owner of the property to make any of these changes, not necessarily the church, who has expressed interest in selling the property. The next person to buy that property could undertake the cost of moving or redeveloping that building; so that's really not the focus. Pastor Mary clarified that they have a congregational agreement to remove the homes and return them to green space; we do not have a congregational agreement to sell the property. We do have a strategic property team that's been looking at the possibility of selling for a number of years, but as to when or not we would have congregational approval, she cannot speak to that. We'd have to have a buyer, a price, a congregational meeting, 30 day notice, there's a process. Chairman Bessner asked if during that time the possibility would be looked at to tear down the structure. Pastor Mary said we didn't know we had a historic structure so we already have contractors and funds set-aside to do so; we don't have funds set aside to remove the houses around it without disturbing that one, so likelihood would probably be to leave all the structures standing at this point. Chairman Bessner said maybe an option would be to ask if it's possible to market the property "as-is" for 6 months to see if there's any takers. Pastor Mary said their strategic team has taken the informal assessment that properties on the east side of the river were not ready to sell due to current empty spaces, and so in being good neighbors, to get better use out of the properties, the prayer garden is more in our mission versus rental homes and go this way. If there is interest in the properties that wanted to develop now,

that would absolutely be something they would consider. Chairman Bessner said that would give us an opportunity to see if its marketable, and at the same time take a breather and find out if we can restore or relocate the structure, if it came down that path. We can all do our homework a little further to come to a better understanding and what the final outcome might be.

Aldr. Lewis said she sees both sides, and to Pastor Mary; government moves slow as well, and in speaking with Pastor Mary she felt there was also interest there in protecting and keeping that house. In reading the minutes, people are not opposed to redeveloping that property; they'd like to get the parking lot off Main St. and it could be an exciting property with the 2 stone houses on either end with parking and an entrance in the back. This community has spent a lot money in restoring these types of buildings, and we owe it all to ourselves to take this pause to see what can be done, what the cost would be and have some vision and conversation on it. She suggested postponing this for 6 months and then revisit.

Aldr. Stellato said he also sees both sides, as well as intelligent people on both sides and he feels there's a compromise here. He doesn't feel the hard line approach is that this house can never be moved, because that's one of the hardline statements he's seen where we thought we don't want money to get in the way, and we don't want historical significance of the site to get in the way more than the house; the house is the most important and critical here. He said he deals with historical structures all the time, and time is really not on our side, we cannot wait too long if the house is already in bad condition. The church has no obligation to do anything to this home going forward, just like any other homeowner, it's up to them, but based on its current condition it will only depreciate over time; we need to move somewhat quickly. He would hate to market it for 6 months and find it cannot be sold and then go back and bring in a structural engineer, where at that point there's now some winter damage to the home. He'd like to really research and find out what it would take to move that house if we had to, that's going to have to be the compromise for those that want to keep it in that exact spot, there has to be some give on both side. It seems it's a beautiful home but at the same time we have the church that needs to develop that site, they bought it not knowing it was historical and they need to have the right to develop it. This is a tough one, I've been on Council for a long time and not everyone is going to be happy with this one, but he feels there's a good commonsense compromise here somewhere. Chairman Bessner asked if we have the ability to market the product at the same time as looking at it structurally. Aldr. Stellato said you can't rent it out today, it will continue to be vacant. Pastor Mary said we had tenants in these buildings until June when school got out, but we honestly don't feel good having families in these structures. Aldr. Stellato said he wouldn't either, they will remain unattended and he doesn't want that to go too long.

Aldr. Gaugel asked who would be responsible for the structural analysis. Aldr. Stellato said he personally feels the city should have some part in that, and he doesn't mind helping out with if we can get some sort of taskforce involving the city, church and historic preservation to work together to do that. Financially, to hire an engineer will have to be discussed, but first someone needs to go in there first and find out what we have, because moving stone is difficult. The Jones Law office was moved very well, but that's a different structure, but he personally feels the city should jump in and help.

Aldr. Bancroft said he agrees with Aldr. Stellato, moving a structure like this is going to be complicated and dealing with in the governance structure that the Pastor has is going to make it that much harder. These things are hard enough to do when you're a professional, but this is a big task for a church.

Aldr. Lemke said he can see the possibility of marketing "as-is" with the 1 structure left, he does worry about deterioration with being empty all winter. He mentioned the Farnsworth Mansion and the difficulty of moving a stone building; it's not rocket science but it's not easy, nor cheap, and he needs more information.

Aldr. Payleitner said her thoughts were more for restoration and she wondered if there are any experts close at hand to take a look to see what we have in a timely fashion. Mr. Gibson said there are people in the room tonight that could tell us that, not him personally. But from his experience with the Judd Mansion, Heritage Square, etc. where there needed to be work done to stabilize and make things work, it is very possible, the Chamberlain house comes to mind which was completely renovated and is on the market for \$1.1 million. He would also like to know what the cost is of this building being there and not being there, to the church, it's an important consideration and financial hardship is included in the commission's deliberation which would be brought to Committee.

Kim Malay-Historic Preservation Commission, 526 S. 16<sup>th</sup> St.-said we have been in this situation before with the Judd mansion and Richard Riot house; both were purchased by developers and were restored to be very successful, so it can be done and she hopes we can start researching that possibility. Moving it will not be an easy task and a lot of research is needed, but this ordinance is in place because we lost the Farnsworth Mansion in a very similar discussion and she hopes all options are reviewed.

Aldr. Stellato said our ability to pitch in might not only be to test structural integrity, but also in the form of a financial monetary incentive and put it out there for a developer to work with the church.

Dean Bemis-304 N. 2<sup>nd</sup> Ave.-their house is listed on the National Register of Historic Places as the Joel H. Hubbard house, the home at 217 Cedar is in our neighborhood. The architectural survey referred to earlier was actually done of the Central District of St. Charles which was completed in 1994 by Dixon and Associates, which states the home dates from 1850. Mr. Dixon was instrumental in helping us get our home on the National Register; he sent us an email on the Barry house stating that in his opinion the 1921 coating and stucco put on the house can actually act as a protection for the stone. He also said the Barry house is certainly an early St. Charles home which contributes to the historic neighborhood and the links to Frederick Rasmussen, Edith Kohler, Abraham Lincoln and General Farnsworth only strengthens the case that this home represents a singular opportunity to reserve the heritage in St. Charles in a way to help future generations understand how St. Charles developed from a shallow ford in the Fox River to the great city it is today. He then shared a story regarding the Andrew Weisel House regarding the removal of the stucco and how outstanding it preserved the brick underneath, and he hopes the home at 217 Cedar will have the stucco removed to preserve this pillar of St. Charles history.

Adam Gibbons-33W777 Hill Rd., Geneva- President-Preservation Partners of the Fox Valley-in February 2017 Aurora's Historical Society uncovered a compelling evidence that Abraham Lincoln stayed overnight at a Boarding house in Aurora. There's also an oral tradition often repeated over many decades that he also stayed in St. Charles in the 1850's, the only 2 dwellings tied to that was the old John Farnsworth house-who was present at the death bed of Abraham Lincoln, as well as the Judge Berry house at 217 Cedar Ave. Although this house is now covered in stucco and suffering from neglect it is a very significant history and the potential for a significant future. On the behalf of Preservation Partner's members and the board, they are hopeful that the demolition will not be allowed; the Judge Berry house is integral part of the fabric of the neighborhood. He mentioned some of the east side historic homes that have been renovated and they feel confident that the Barry house has the same potential. He then gave a brief history of Judge Berry and asked Committee to please show their support of St. Charles rich heritage and do their part to preserve its past.

Susan Izzo-312 N. 2<sup>nd</sup> Ave. -said she lives in the Andrew Weisel home and are not just homeowners, but caretakers of the property. We were lucky enough to come in and restore it as a historic property, it was covered in stucco but having the vision to know what is there and knowing the history is really beautiful. People come to celebrate and marvel at these beautiful homes and would like to add that this is something that we need to be very prudent with as we move forward, and make sure this is not destroyed.

John Saucer-39W876 Old Burlington Rd., Campton Hills-said he's here as a member of the community as well as a member of the church, and as 1 of the trustees of the church. The church is 1 of the pillars of the community, made up of family members and generations of people, so when a church makes a decision like this it's not easy, it take years and a lot of people are involved. The last thing the church wants to do is tear down anything that has historical significance, we'd want to air on the side of preserving something. The church has owned and operated these for many years, the only approved by the church and its members was to turn this into a prayer garden, the church operates in budget constraints and does not have unlimited funds. The prayer garden best serves our congregation and it's hard to get a large group to make a decision for any type of change. We are also realists and are open to the community but are not actively looking to sell this; it may never be sold, but we're open and reasonable. If the city or a developer came to us and said they had a use for this and would like to buy it; absolutely our congregation would listen, but that hasn't been the case. By trade he's in real estate, a developer in construction, and something doesn't have to be listed for sale for a developer to show interest, and to his knowledge that hasn't happened in 20 years. These are rundown buildings-decrepit, we've done our best; they were probably not in the best shape when the church took them over. We've put money into these by replacing windows, heating and cooling systems, wiring, etc., but at some point there is a useful lifespan to a structure. Everything doesn't last for 1,000 years and these are in rough shape. He too lives in a historic house and sees the value of saving something old that's worthwhile; however these do not have good bones, nothing is original about this; there are major issues. He thinks the architectural significance in looking at the property is almost zero, so it's really historical values, which he's heard a lot of passionate comments tonight but he knows these places and it doesn't exist. He's heard a lot of historic possibilities tonight, but we don't really know and he feels there's been a lot of conjecture to what the historical significance really is of this. We're not in a hurry to rush to do something, once you

tear it down you can't get it back, and he understands that, but there is a financial cost to wait 6 months; real-estate taxes, insurance, utilities and maintenance. The church is not in a financial ability to let this sit, and we certainly do not have funds to hire architects or historians. We're certainly open to take 30-60 days to publicize it for sale, and if someone wants to move it or buy it and provide a plan to the council for restoration; we could certainly take that to the church for discussion, but he doesn't see that happening. If someone here or the historic preservation commission wants the building we would donate it and they could then move it, but that's very costly. He's not trying to belittle the organization at all, he feels it's important and wonderful, but it's really easy to say we believe there's historical significance, and he disagrees with the significance of this building; in a sense it's kind of grasping straws. He reminded everybody that the city isn't using any of their money, were not here asking for TIF money, this is all private donated funds to turn this into a prayer garden. The building next door is a duplex and needs to be torn down, there are no single-family homes on this block, and it's surrounded by another church, a business and parking lots. As you move from a downtown business district into neighborhoods there's going to be a buffer and change, and how we live today is not how we lived 50 years ago, unfortunately we do need parking lots, otherwise people will not come and shop downtown. The church isn't a developer, this was bought as a church mission initially, and we've had many different renters in there and it just doesn't work, the buildings were too dilapidated before we even got them. We've put time and money into trying to save them, but this property has outlived its lifespan and the majority of the weight needs to be on the side of the property owner and what they would like to do with it.

Pat Pretz-214 Chestnut Ave.-She lives in the historic district, 2 blocks north of the Barry house. She said the St. Charles mission statement puts "heritage" as number one, which makes it unique and special, and it's important. She congratulated the city on being the 2017 winner of America in Bloom, and what an honor it is. Quoted from the finding of America in Bloom-"St. Charles has a very active Historic Pres. Commission that oversees preservation effort; there are ordinances in place that provide authority to prevent demolition of historic resources through City Council." That's quite a charge and she asked that Committee be thoughtful when considering this issue. She said people are looking for places to visit that have this heritage, and we have a number of stories here. She mentioned the trolley tour. Adaptive reuse is a wonderful compromise, although it was a home, it doesn't have to be that in the future. She thinks we're looking too small sometimes, she mentioned some other properties around the city where the home was saved but rethought as a different purpose. She feels for the church, there's a lot of pressure to make ends meet, but there are façade grants in place which is a plus and she thinks collaboration and creativity and vision can develop something that preserves history but relative and functional for today.

Diana Brown-1436 S. 3<sup>rd</sup> St.-Vice President of the St. Charles History Museum, said a resolution was approved stating we recognize the historical significance of the Barry house and we support a process of further deliberation and consideration by the city to preserve the structure in the historic district.

Karen Lando-107 W. Main St. and 201 Cedar Ave. -said when we purchase the Cedar Ave. location she was uneducated about the fact that it was a historic property; she's sympathetic to the church and completely understands. After doing research they decided that if they were

going to restore the building they would do it right and they took it back to its original look. If the church would decide to sell this property in the future she would hope that whoever the purchaser is will have the vision and the foresight to realize that you can have a modern and historic mix. She said her undertaking was a large one, but thanks to Kim Malay and the Historic Preservation Commission, they were able to secure some matching funds for the exterior of the building. She hopes Committee takes the time to really give this some thought. She mentioned the yearly tour the 3<sup>rd</sup> graders take and that although her building is older, the Barry house has much more historic significance.

Aldr. Payleitner said property ownership has no guarantees and she's feels bad that the church made a discovery that they're not happy with; it's throwing their plans off track for now. This is something we need to take a breath on and investigate to find out if this is worthy of restoration.

Mr. Colby stated that we should allow the church the opportunity to request the committee to take action of what's before you, or if they're comfortable with this delay.

Pastor Mary said 90 days all depends on what's going to happen in those days. From the Church's perspective we don't have intention to hire historical engineers, she wouldn't choose to put the congregations money there and she wondered what would happen in the 90 days and how would it paid for. Chairman Bessner said we'd like to try to get the input from our Historic Commission, the city and representative from the church to look at this to try to market it, or for the city to find out if this is restorable and for what price. Pastor Mary said if we're leaving it up to the church to do something in 90 days, it's not likely, it's not the top of the priority list. She's not adverse to 90 days if she can understand what will happen.

Aldr. Stellato said in those 90 days we set those goals and we come back and talk about what we've learned, and maybe have a get together between the groups to go over those goals with the ultimate goal of looking at some type of final decision. But use these 90 days to open up dialogue between the city, staff, commission and church to figure out what our role is.

**Aldr. Lewis made a motion to postpone the decision for 90 days bring people together to see what we can come up with, come back and report, then try to get to a decision by the end of 6 months. Seconded by Aldr. Stellato.**

**Roll was called:**

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

**Absent: Turner**

**Recused:**

**Nays:**

**Motion carried 8-0**

- e. Recommendation to approve an amendment to Title 15 of the City Code for Building Permit Fees.

Mr. Vann said approximately every three to four years, staff reviews the fee structure of construction permits, the last increase to the building permit fee schedule was January 2014. The

majority of permit fees are based on the number of movements in the time it takes to conduct these inspections and also the administrative costs to process a permit. The city's current fee structure is based on a specific project, square footage or cost. Staff has reviewed all the permit types and has identified specific permit projects where the current fees are specifically lower than the city's actual cost. Staff recommends a fee increase for only the permit fees where staff noticed a discrepancy between current fees and a cost to provide the requested services. Where the permit fees increase would be significantly large staff is proposing a step process for those fees to be increased over the period of 3 years. He referred to 2 exhibits in the packet, one for comparison of surrounding communities, and the other was the proposed permit fees.

Aldr. Lemke said he sees cases where we're spending more out of pocket for some things that were not collected, and were just not covering our cost. Inflation occurs every year and he's asked for this before and going back now 20 years it seems like the "de minimis" amount, the amount in which you can do your own without a building permit has never changed. He understands there's an issue here, but the "de minimis" needs to be looked at as well as what's being spent for some minor things in the first place.

Aldr. Gaugel said he doesn't have an issue with any except for the small appliance going from \$35 to \$55 in 3 years. He think most residents are doing it and don't even realize they need a permit to do so, and if the rates keep going up we may really not see people apply for those permits. He'd be happy to have it go away all together just so people will actually step forward to actually get the permit to put it in, in the first place.

Chairman Bessner asked what the range is for small appliances. Mr. Vann said central air conditioner, hot water heater, softeners; things that the building or plumbing code really identify as needing to be reviewed and inspected.

Aldr. Gaugel asked how many of those staff sees. Mr. Vann said a lot, Lowes and Home Depot, or any other appliances store, will get those because they know the liability if they do not get permits; it they're the ones installing it. Aldr. Gaugel said he guesses that if the homeowner is buying and installing themselves that we see less than 10% of those homes installs. It would be great if they did, it's in their benefit and best interest to do so, and putting something in place that might hinder that is his concern.

Aldr. Stellato said he did apply for a hot water heater permit, Steve Herra's a great guy, he came over before and after and walked him through what needed to be done, and made sure the plumber did the right job. He asked if Aldr. Gaugel would okay with freezing just that one, as a compromise. Aldr. Gaugel said that's fine, he just wants the easiest path to get people to apply for it.

Aldr. Lewis asked what happens if somebody doesn't get the permit and then sells their home; is that a problem. Aldr. Stellato said as a broker, yes it is a problem if it's not installed properly and there's no permit in place. That blatant defect must be disclosed versus whether it's visible or not, if you did something without a permit and you're called out on it, you're in trouble. Mr. Vann said people are now understanding that they can file a FOIA request now to find out what type of permits have been pulled on their house, or a potential house. Aldr. Lewis asked how far

the permits go back because she's now thinking about the house that was earlier discussed. She wondered if those permits would be available. Mr. Vann said he'd have to check on that.

**Aldr. Gaugel made a motion to approve amendment to Title 15 of the City Code for Building Permit Fees, with the modification of the small appliance permits to remain at their current rate of \$35. Seconded by Aldr. Stellato**

**Roll was called:**

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

**Absent: Turner**

**Recused:**

**Nays:**

**Motion carried 8-0**

*\*\*Aldr. Stellato abstained from item 3f.*

- f. Recommendation to approve and execute an Acceptance Resolution for Public Utilities for the Prairie Winds Development.

Mr. Bong said the acceptance resolution and bill of sale officially transfer ownership of the public utilities from the developer to the city, to then begin the 1 year warranty period. Utilities have all passed required pressure testing, there are a few minor punchlist items remaining but he felt we could recommend this for conditional approval contingent upon the completion of the punchlist, prior to final city council action.

Aldr. Payleitner made a motion to approve and execute an Acceptance Resolution for Public Utilities for the Prairie Winds Development. Seconded by Aldr. Bancroft.

**Roll was called:**

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

**Absent: Turner**

**Abstain: Stellato**

**Nays:**

**Motion carried 7-0**

- g. Recommendation to approve and execute an Acceptance Resolution for Public Utilities for the Anthem Heights Development.

Mr. Bong said these utilities have all also passed all required pressure testing, there are a few minor punchlist items remaining but recommend this for conditional approval contingent upon the completion of the punchlist, prior to final city council action.

**Aldr. Stellato made a motion to approve and execute an Acceptance Resolution for Public Utilities for the Anthem Heights Development. Seconded by Aldr. Gaugel.**

**Roll was called:**

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

**Absent:** Turner

**Recused:**

**Nays:**

**Motion carried 8-0**

**4. ADDITIONAL BUSINESS-None.**

**5. EXECUTIVE SESSION-None.**

**6. ADDITIONAL ITEMS FROM MAYOR, COUNCIL, STAFF OR CITIZENS-None.**

**7. ADJOURNMENT- Aldr. Stellato made a motion to adjourn at 8:47pm. Seconded by Aldr. Silkaitis. Approved unanimously by voice vote. Motion Carried. 8-0**