

**MINUTES
CITY OF ST. CHARLES, IL
PLANNING AND DEVELOPMENT COMMITTEE
MONDAY, AUGUST 8, 2016 7:00 P.M.**

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

Members Absent: None

Others Present: Mayor Raymond Rogina; Mark Koenen, City Administrator; Rita Tungare, Director of Community & Economic Development; Russell Colby, Planning Division Manager; Bob Vann, Building & Code Enforcement Division Manager; Matthew O'Rourke, Economic Development Manager; Chris Bong, Development Engineering Division Manager; Ellen Johnson, City Planner; Fire Chief Schelstreet; Asst. Chief Christensen; Chris Minick, Director of Finance; Jennifer McMahon, Director of Human Resources; John McGuirk, City Attorney

1. CALL TO ORDER

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

2. ROLL CALLED

Roll was called:

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

Absent: None

3. COMMUNITY & ECONOMIC DEVELOPMENT

- a. Recommendation to approve and execute a Release and Reimbursement Agreement between the City and SC Out Parcels One LLC c/o The Krausz Companies, Inc. (3710 Main Street, Cooper's Hawk).

Mr. Bong said there are 3 locations where the proposed outdoor patio hardscape will be closer than the 20 ft. of separation from the existing watermain that the city recommends and providing the full 20ft. eliminates the possibility of the outdoor patios. The area in question is the steel pergola on the NW corner and the staff is proposing a release and reimbursement agreement to work with the applicant to find a practical solution for both parties; the engineering part of the solution is the applicant agreeing to shift one of the watermains to be 10 ft. away from the corner of the NW patio. The legal portion of the release and reimbursement is up for discussion tonight, which is to protect the city from any future damages to developer's building or the city's watermain as a result of providing less than 20ft. of separation at the 3 locations, and staff has worked with the city's legal counsel to draft the agreement.

Aldr. Stellato made a motion to approve and execute a Release and Reimbursement Agreement between the City and SC Out Parcels One LLC c/o The Krausz Companies, Inc. (3710 Main Street, Cooper's Hawk). Seconded by Aldr. Payleitner. Approved unanimously by voice vote. Motion carried. 9-0

- b. Recommendation to approve a Minor Change to PUD Preliminary Plan for Legacy Business Park PUD Lot 4 – 3545 Legacy Blvd.

Ms. Johnson said proposed is a modification to the Preliminary Plan approved for Lot 4 in order to accommodate a smaller building than originally planned, as well as reflect changes in the lot layout as a result of the Final Plat of Subdivision. The applicant is Dan Dewalt-owner of Best Cabinets and the building will be used for warehouse and showroom space; staff has reviewed the plans and determined that the proposal complies with the Legacy PUD Ordinance and recommends approval.

Aldr. Turner made a motion to approve a Minor Change to PUD Preliminary Plan for Legacy Business Park PUD Lot 4 – 3545 Legacy Blvd. Seconded by Aldr. Stellato. Approved unanimously by voice vote. Motion carried. 9-0

- c. Plan Commission recommendation to approve an Amendment to Special Use for PUD and PUD Preliminary Plan for First Street PUD Building #3.

Mr. Colby said in 2015 the city approved a development plan and entered into an agreement with First St. Development II, LLC to construct 3 mixed use buildings and a parking deck on the First St. phase III property along the river at First. St. and Illinois St. Building #1 is currently under construction as well as the parking deck and the proposal for tonight is for Building #3, which is the lot between the parking deck and the river. Plans were approved last year that identified a building to be constructed in this location along with uses and square footages, but there were no architectural plans provided at that time. The developer is now proposing more detailed plans for Building #3 which triggers 2 zoning requests: bank and office uses on the 1st floor-the First St. PUD Ordinance from 2006 does not permit this type of business on the 1st floor within certain buildings on this project, including Building #3. So the proposal is to amend the ordinance to permit the bank and office use in Building #3 by incorporating the Downtown Overlay District guidelines into the PUD Ordinance, which are the requirements that apply elsewhere in downtown. This would allow for a 1st floor bank or office uses that are open to the public and are expected to generate some pedestrian traffic to occupy the 1st floor of the building. The 2nd request is for review and approval for a Preliminary Plan for Building #3 which includes the building square footage and architectural drawings. In terms of the review process, this property is located in the Historic District and the Historic Preservation Commission reviewed the proposal and recommends approval of the plans. Plan Commission held a public hearing on August 2, 2016 to review the proposal and recommended approval of the zoning applications that are now before the Committee. There is also a redevelopment agreement with the developer and changes to this document are listed as the next agenda item following the committee's action on the zoning applications.

Keith Kotche-First St. Development II, LLC- noted that his partners Chuck Wolande, Bob Rasmussen, as well as Dan Campbell-Chief Marketing-Sterling Bank, Tom Russell and Jennifer who operate the branch of Sterling Bank, and Dan Marshall-Architect, were all present to answer any questions. He said they have been before Historic and Plan Commission and received recommendations of approval to Committee for both the change in the use to allow office in addition to retail on the 1st floor in accordance with the overlay district, which was amended by the city in 2013, as well as preliminary plan approval.

Dan Marshall-Marshall Architects-812 E. Main St.-said he worked with Bret Dilley-Architect for Sterling Bank-to work on the south end of the building to give it a little of its own identity connected with the larger building as a whole with the goal of breaking up the massing so that it didn't appear as one big gridded mass. The entrance needed to be emphasized in the middle of the building so an element was created with a focal point and an axial arrangement of the windows. This building had the opportunity on the river side of some set-backs which gave some opportunity to break the building into what will appear as different buildings by changing the brick color, the types of windows, the heads and some of the detailing on the building. There will be residential condos so there will be some apartments to give the building some character, and he took some inspiration from some other riverfront buildings which will include some exposed steel detailing to have some contemporary feel to it. The goal was to maintain Sterling Bank's identity on the south end while creating a nice building throughout.

Mr. Kotche stated that this building and the layout will not impact the Riverwalk; it is totally within the confines of the site plan that was approved in 2015.

Aldr. Lewis asked if they are proposing retail on the 1st floor. Mr. Kotche said they are not proposing a specific use but that is set up as commercial use, so it could be office per the PUD or retail, they are not sure yet. Aldr. Lewis said but those are the buildings that would house residential. Mr. Kotche said correct, above on the 2nd-5th floor, they don't know how many they will have but right now they are big open floor plates that can be divided in different ways, so as the buyers come they'd be like a loft. Aldr. Lewis asked if that would change the windows. Mr. Kotche said the windows would not be able to be changed; the plan is to build a shell now with the balconies, and then work the floor plans into those openings. The market will dictate both the uses on the 1st floor be it office or retail as well as the size and number of the residential units. Aldr. Lewis said she just didn't know how the number of condos might change the outside with the window placements. Mr. Kotche said that's a good question; they did have some mockup condo units-3 per floor and they tried to make sure that it would work for that and he thinks it would be a pretty good possibility in terms of bedrooms, exiting and where a balcony might go. Aldr. Lewis asked if there were a picture of the other side of the building. Mr. Kotche showed a picture of the north elevation and said it comes out to a small end and then steps back from there and the west elevation is against the parking deck and is just flat with some small 4" steps in the brick-similar to what they did on building 1. He said there are also some bays that stick out on that side because they are pretty sure there will be a hallway right along there so that all the condos will face out toward the river, and bay windows will break up the façade a bit. Aldr. Lewis asked if that would be covered by the parking garage. Mr. Kotche said about the first 6-9 ft., depending where in the parking garage you are. Aldr. Lewis asked about some open space on the corner that will now be part of the building. Mr. Kotche said that's about 1,000 sq. ft. of commercial space with a 1-story walk-way to help circulation and allows a sewer pipe to go through, which will be open in the walkway, like Building 4, but this will be a walking tunnel instead of a drive tunnel. The addition of that corner will allow for additional residential space on floors 2-5; so there's a bigger footprint.

Aldr. Bessner asked about the architecture on the inside of the bank, and if things were to change would it be easy to change back to a use that's similar to residential, retail or commercial offices in general. Mr. Kotche said the floor heights are the same and yes it could be changed but it is a custom building for them so there would be significant changes, but nothing in the shell would say we couldn't do that.

Aldr. Gaugel said the number of residential units has varied over the last few times we have met, because here it shows a range of 48-56 and that the market would dictate that, so what is the plan for that. Mr. Kotche said he didn't understand those numbers. Mr. Colby said the number is from the staff memo, and that is the total count for phase III which includes the proposed building, Building #3, and Building #2; the range for Building #3 is 12-20. Aldr. Gaugel asked for the range for this building specifically for residential and how that will be determined. Mr. Kotche said if someone wants a studio or a 1-bedroom condominium unit they would then design that in that space on one of the floors. If somebody wanted a 3,000 sq. ft. unit that would be also be designed; they basically want to see what the market is going to dictate to them what is saleable and what is not. The city did a study and there are previous contracts for this building with condominiums, and it dictated that the market didn't really exist. He said down at Milestone where some of their partners have buildings, they are at 50% sold and 50% have to be leased out; so they want to see what they can get as far as sales and what those buyers are requiring as far as footprints, and will then build accordingly.

Aldr. Krieger asked if it would be better to make those apartments. Mr. Kotche said the cost of construction for a 5-story building changes it into another category versus some of the others that are only 4-story, it really dictates that it will be difficult to rent them and cover the cost. Aldr. Krieger asked if the Riverwalk plaza would be kept together. Mr. Kotche said that is staying, nothing has changed; they are building everything within the footprint that was outlined in the 2015 plan. Aldr. Krieger said she would prefer smaller condos to make them available to a wider range of people.

Aldr. Turner agreed with Mr. Kotche, that the market should determine this and after all there are still 2 lots out there to put residents on and also some potential sites very soon to also put residential on down by the river. This is real estate, you cannot tell somebody what to build of what to buy, its the market.

Aldr. Lemke said if you have somebody on the 3rd floor who wants a certain size unit and somebody on the 2nd floor has a different size; what impact would that have on the plumbing and electrical to have that open ended other than the shell; how would that be managed. Mr. Marshall said it presents some challenges but this is not uncommon in the city with loft buildings which are done in a similar way, but they have tried to set it up with the plumbing mains to make it easy but if you have to the ceiling could be opened up to change the plumbing. Aldr. Lemke said there'd be some risers. Mr. Marshall said yes, and they are hoping to get some presold as they are being marketed to get a better sense of what the market is looking for, and they have already set up concept units to figure out where the plumbing would go.

Aldr. Stellato said in apartments versus condos; his incentive is, because he was around when the TIF was created 13 years ago, the obligation of \$34 million out there, and he assumes that as the projections are done based on helping to pay the bonds off again, that the value of the the building has to be considered; the value of the bank and the real estate itself. He is not sure if there is much difference on the city's end as far as paying the bonds off, whether it's condos or apartments, and although he doesn't have access to the same numbers, he is guessing his projections are about the same, and if that reassurance is given, he would feel comfortable going forward with letting the market dictate what type of residential, whether its owner or rental, still allows us to pay the bonds back off on the schedule to not burden the tax payers. Mr. Kotche said he thinks that's accurate and he honestly thinks it might actually be a little higher from a real estate tax point of view if it

were condos versus apartments because the assessor can attach to each sale price rather than the apartments across the board.

Chairman Bancroft said he has sold his share of raw space in the city and he knows it can be done but he cautions everyone that in selling raw space the most important space is the space on that floor that is not sold, it's not the transaction you are working with; so in planning for it that really needs to be focused on. He said he doesn't understand how the tax will work because he assumes that raw space is taxed at a different rate and value, and his concern is what happens if it takes 5 years to complete these floors, from an absorption standpoint. Mr. Kotche suggested speaking to Chris Minick regarding his calculations, but generally speaking it's a vertical subdivision and while the developer is building the vacant units are assessed at a lesser value than the sold ones because they are not occupied and he would assume that the assessor would have a similar program in place for this. Aldr. Stellato said that's been his experience in other communities as well; the assessors are very sharp today and are on costar and LoopNet just like most realtors are and they will walk the building to work with you on that, but he agrees and thinks it's assessed vacant first and then goes up. Chairman Bancroft said it's something to keep in mind in terms of how it gets paid back; in essence the value will be postponed a little bit pending completion of the units. Mr. Kotche added that there will be 14 months' worth of construction so hopefully as we get into it there will be some pre-sold to move accordingly. Mr. Marshall said there is not another building like this on the river and there has already been some discussions of interest and he feels it has a really strong package to sell to people.

Aldr. Krieger said if this is approved, when would construction start. Mr. Kotche said it depends on how long it takes to get the Ordinances written; but they are hoping to start moving dirt the end of this month or early next month because construction season has a window and they would like the concrete in before November.

Aldr. Stellato said in regard to the life of the TIF, the de-TIF/re-TIF; how much time do we have for those bonds. Mr. Minick said he thinks 2037-2038. Aldr. Stellato said in regard to the construction being proposed; the path that it takes allows us to not pay off our bonds completely due to the property leftover, but this would put a serious dent in the \$34 million obligation. Mr. Minick said yes it would, when you create a TIF the only way to finance the bonds with the TIF district is to create incremental value and the only way to create that is to increase property values and new construction is the key component.

Vanessa Bell-Lasota-1610 Howard St.-said she was at the Plan Commission meeting and the slide being shown this evening is completely different as far as color and massing. Mr. Marshall said it's pretty close, this is the concept drawing and he just put that one up tonight because it's easier to read in color, but this is the submitted drawing and it is still brick. Ms. Bell-Lasota said there was a statement made at Plan Commission that has not been addressed tonight regarding the 1st floor retail, the marketing of the 1st floor retail and the reason why a restaurant has been abandoned, and she would like the developer to state again why the restaurant has been deleted from the plan. She said she does acknowledge that its market driven and she wondered what the developer is doing to market it and continue to market to retail and possible dining. Mr. Kotche said there hasn't been any demand for a restaurant at this site and we have engaged Corcoran Real Estate to market both as office and retail, office we get the approval tonight, retail for whatever we can get in there. Ms. Bell-Lasota reminded Committee of the Comprehensive Plan which states that in 2028: "St. Charles is a thriving community that has balanced character of local quality of life centered upon quality housing and local services with regional prominence attributed to its

economic, natural and cultural foundations. The Fox River-a unique and attractive downtown, important commercial corridors and strong neighborhoods remain intact as the DNA around which innovative and complementary investment has occurred.” She reminded Committee that when the Strategic Plan was approved in February that Council said a major vision was the completion of First St. to see vibrant downtown with a lively river and she still sees that it’s not complementary to the existing historical character and she hopes that as time goes on architectural elements will be developed. Right now one of the key things it says in the catalyst plan for this is “complement the existing architecture” and she looks forward to seeing a little less massing and a lot more walkability. She does appreciate that the footprint has not changed, but the massing of Building #1 and now #3, and in the future #2 with the parking garage do seem like the canyon that former Aldr. Carrignan said “just promise me it won’t be a canyon” and she still sees a canyon there.

Aldr. Turner made a motion to an Amendment to Special Use for PUD and PUD Preliminary Plan for First Street PUD Building #3. Seconded by Aldr. Stellato.

Roll was called:

Ayes: Payleitner, Lemke, Turner, Krieger, Gaugel, Bessner, Lewis, Stellato, Silkaitis

Absent:

Nays:

Abstain:

Motion Carried 9-0

- d. Recommendation to approve an Amendment to the Redevelopment Agreement with First Street Development II, LLC regarding First Street PUD Building #3.

Mr. Colby said as the proposed changes to the building program for Building #3 necessitate modifications to the 2015 redevelopment agreement between the city and the developer, a letter has been submitted from the developer requesting changes to the building sequence and construction dates. Building #3 would be constructed before Building #2 and construction would begin by early fall with Building #2 following after Building #3 is completed. In terms of improvements that the city is responsible for within the project; the timing of the streetscape work along the buildings would be modified to coincide with the new building construction sequence. Also a portion of the city’s Riverwalk improvements along the face of Building #3 would be moved ahead in the project timeline to coincide with the construction of Building #3. In the meeting packet is a redline of revisions of the RDA exhibits and a few other exhibits will be updated as well to reflect revised legal descriptions based on the building footprint and plan documents included with the zoning applications, but no other business terms in the agreement are proposed to change.

Aldr. Stellato commented that this looks like more housekeeping than anything else.

Aldr. Stellato made a motion to approve Amendment to the Redevelopment Agreement with First Street Development II, LLC regarding First Street PUD Building #3. Seconded by Aldr. Turner. Approved unanimously by voice vote. Motion carried. 9-0

- e. Recommendation to approve Change Orders to First Street Parking Deck Construction Costs.

Mr. Bong said in March 2015 the city entered in a redevelopment agreement with First Street Development II, LLC, to redevelop city owned property bounded by First St., Illinois St. and the Fox River. The RDA calls for the developer to construct a parking deck and for the city to reimburse the developer for a total cost of \$1.9 million. Preliminary plans for the parking deck were approved at the same time as the RDA approval and the budget was based on that plan, and as the plans progressed and staff and consultants reviewed the plans, staff recommended additional necessary elements be added to the final design. In addition to the design changes there were site conditions that arose that resulted in required changes. A team of city staff from Community Development, Public Works, Fire Dept. and Police Dept. have been coordinating the design and construction of the parking deck on an ongoing basis, which will be a city-owned parking deck and the city will be responsible for its maintenance. The parking deck is about 75% completed with an anticipated completion date by the end of September and the construction has progressed to a point where staff is confident there will not be major additional change orders. Staff and the developer worked diligently to make sure the project stayed below the original RDA budget for those original RDA items, and of the \$1.9 million, we show a savings of about \$50,000, and what is being discussed tonight are the extras not contemplated in the RDA. The current change order expense to the RDA is \$126,415 and coupling that with the \$50,000 savings brings the total amount over the original \$1.9 million to \$76,117 or 4% of the total contract. These specific additional items that result in the change order are outlined in the staff memo. The developer solicited quotes on the city's behalf, the city has reviewed those costs to be sure they are in-line with the unit cost rates from the original quotes, and listed are the raw numbers with no contractor premium added to those change orders.

Aldr. Payleitner asked if any of the other parking decks had the electric heat system for the pedestrian ramp. Mr. Bong said he didn't think so. Aldr. Payleitner said it sounds like a good idea.

Aldr. Turner made a motion to approve Change Orders to First Street Parking Deck Construction Costs. Seconded by Aldr. Silkaitis. Approved unanimously by voice vote. Motion carried. 9-0

- f. Plan Commission recommendation to approve a Map Amendment, Special Use for Planned Unit Development, and PUD Preliminary Plan for Cityview, 895 Geneva Rd.

Ms. Johnson said this is the vacant 1-acre parcel at the northwest corner of Geneva Rd. and Mosedale St. and this past April the applicant-David Weekly Homes-presented a Concept Plan for a single-family subdivision on the property and they have now filed zoning applications and are requesting approval of the development in a slightly modified form. The proposal includes rezoning of property from RT1 to RT2, establishment of a PUD to allow certain deviations from zoning requirements, subdivision of the property into 7 single-family lots, 2 common area lots for storm water detention along the east of the property and for 5 off-street parking spaces that have been added. Also, Keller Place will be extended through the site to connect to Mosedale and the stormwater detention will be underground. Plan Commission held a public hearing on July 19 and recommends approval by a unanimous vote subject to resolution of staff comments.

Aldr. Payleitner said she sees that the neighbors went to the public hearing, as they did when it was presented as a Concept Plan before Committee stating that they were concerned about the erosion; and she wondered if that had been addressed. Ms. Johnson said the developer has been in contact

with that neighboring property owner. Dan Venard-18 High Gate Course-David Weekly Homes-said he did meet with Mr. Anderson who is contiguous to the west, and the changes to the plan since April include them removing the retaining wall that would have faced Rt. 31. They have about 29 ft. of drop from the west property line to Rt. 31. To off-set that grade there is a retaining wall that will be along Mr. Anderson's property and the rear yards of lot 6 & 7. Right now there is an existing jumbled retaining wall which meanders between his property and Mr. Anderson's property and with their development of the property they will remove that and install a new one all on their property which will have 5 ft. ornamental aluminum gate on top of that for fall protection, along with some spruces for privacy. Another change is that lots 6 and 7 were facing Mosedale and they have now been turned internally within that network so instead of having a combined side yard with 6 on his side and 6 on ours, we now have 31+ ft. within that rear yard which Mr. Anderson appreciated.

Aldr. Lewis said in looking at the aerial photo she's curious as to how the house will line up with the houses to the north. Mr. Venard said there's 1 house to the north that has a gravel drive which is the only access to Keller Place which goes to their side-load garage and faces onto Rt. 31. Aldr. Lewis said but there are 4 properties north of Keller Place that are fairly lined up and she wonders if when you get to 895 if the back of those houses will be farther in front of those other properties. Mr. Venard said they have not looked at the set-backs with the existing structures but they would plus or minus 35 ft. from Rt. 31. Aldr. Lewis said so in looking out at those other properties you would have a clear line of site, not looking at houses. Mr. Venard said correct, there would also be some topography and landscape within that as well.

Aldr. Gaugel said last time they were before committee houses 6 and 7 were front on Mosedale which was a concern, and he really likes this design and that the developer worked with the neighbors and the whole project has grown and him and he thinks it's well done. Chairman Bancroft agreed, especially with working with the neighbors to address their concerns and spending the time in getting the relationship needed in place to get this done.

Aldr. Turner made a motion to approve a Map Amendment, Special Use for Planned Unit Development, and PUD Preliminary Plan for Cityview, 895 Geneva Rd. Seconded by Aldr. Gaugel.

Roll was called:

Ayes: Payleitner, Lemke, Turner, Krieger, Gaugel, Bessner, Lewis, Stellato, Silkaitis

Absent:

Nays:

Abstain:

Motion Carried 9-0

- g. Plan Commission recommendation to approve a Special Use for Car Wash Facility for Wash-U Car Wash, Lot 3 Buona St. Charles Subdivision.

Mr. Colby said the location for the proposed car wash is a vacant lot immediately west of Buona Beef and a car wash requires a Special Use approval to be established in the BC-Community Business zoning district and the scope of that review is limited to assessing whether the proposal meets all the findings of facts for Special Use. The Plan Commission held a public hearing on Aug. 2 and voted 6-1 for approval based on the proposal meeting those findings of facts as listed in the resolution.

Chairman Bancroft clarified that the level of review for Committee was to determine whether or not the findings of fact are in place to allow the special use; not to reopen the use or state our personal preference to have something better or different there. Mr. Colby said that is correct, the zoning district in this location allows for a special use provided the applicant submits a site plan and supporting information that is reviewed and determined to meet the applicable findings for a special use, which has been provided in the resolution.

Aldr. Silkaitis asked what the reason was for the 1-no vote from Plan Commission. Mr. Colby said he didn't believe a reason was stated.

Aldr. Turner said he doesn't agree with the Special Use at all for this. Aldr. Krieger agreed and stated that there are number of car washes, including gas stations that also have them and it seems like there could be a better use for this property. Our west gateway is beginning to look like all the others in southern Illinois towns and she just doesn't support this.

Aldr. Lewis asked staff to address the Comprehensive Plan which approved this for a drive-through restaurant. Mr. Colby said that when Buona Beef was approved there was also a Special Use approved for the proposed car wash lot that would have allowed for a restaurant with a drive-through. There was a site plan approved for that and the property owner could construct per that plan approval that's in place.

Chairman Bancroft referred to the criteria for the findings of fact by which Committee judges this special use and it's important to keep the focus on the application of the findings of facts.

Aldr. Turner said there is already an approved Special Use for the drive-through restaurant and now we want a second special use. Mr. Colby said this Special Use approval would effectively replace the previous Special Use approval. Aldr. Turner said he doesn't agree with this; car washes have a very poor record on the west side; there's a vacant one at Valley, one on Rt. 38 is now a Pride, one on Rt. 64 was going out of business until it was redone, and there is also BP and Export. This location might need a special use but this will end up as 2 vacant businesses being out of business. Chairman Bancroft said in regard to public convenience in the finding of facts; does Committee find there to be any convenience. Aldr. Turner said there is zero, we have enough car washes and they are struggling the way it is.

Aldr. Lemke said in saying "effect on nearby property" it doesn't have to be the adjacent Buona Beef, it effects other similar uses in the western gateway which was part of the discussion at Plan Commission.

Aldr. Stellato asked if the ingress and egress is a full interchange. Mr. Colby said yes, it's full access with an existing access (former Deck Yard) which will be moved further to the west to a location that was approved by IDOT which lines up to the access at St. Charles Bowl directly across Rt. 64. Aldr. Stellato said the ingress and egress is his concern and he just doesn't know if traffic can be moved safely in and out of there. If they were to combine access with Buona Beef to have one location would be a different story. He asked if both the Buona Beef and the car wash are full interchange, and if so he has a concern with that. Mr. Colby said that is correct, both access points are state approved. Aldr. Turner agreed with Aldr. Stellato and stated that people going west trying to turn left into Buona Beef are hanging out in the road the way it is and that's a

problem. Chairman Bancroft said he went out to look at the site and agrees there is an access issue there.

Alex Sturwold-3255 W. Main St.-Standard Wash-shared a handout with Committee and said he wanted to keep this professional and focus on the findings of fact, but one thing he wanted to discuss in particular was the effect on nearby property. He said they sent the applicants site plan to Scott Pritchett- ARSA Architect- who they, as well as the applicant, have worked with in the past, and in reviewing the site plan Mr. Pritchett stated all of the following: that there should be concern for the traffic flow on and off site with the anticipated volume of the car wash site. Cars attempting to exit and enter the site will also utilize cross-access which will be on the neighboring properties including the Buona Beef and while the intent of the cross-access is to allow a connection between businesses, this particular site and the use intended will generate a high volume of cars which could adversely impact the access for neighboring businesses. The onsite traffic flow is another concern because the plan submitted indicated that there will only be 7 ft. 10in. between the north face of the building and the north cross-access for the drive aisle. So even if the car wash equipment (conveyor system) would end before the end of the tunnel, the cars will not have visibility until their mirrors pass the face of that north wall where they are half way into the drive aisle already. If they are turning right to use the vacuums on the right side of the lot and there happens to be a line or a car coming from cross traffic they would have to stop, and while the conveyor can handle and stop traffic from bumping cars in front of it, it cannot stop for the backup leading into the drive aisle if the vacuums are full, which will then start to dragon tale around its way to the stacking lanes. His car wash stacks well over 40 cars on their busiest days and he stated that the proposed car wash will have an issue with overflow onto North Ave. Another concern is the free vacuums which are a huge draw for carwashes, 1 stall of a free vacuum can generate up to 8,000 cars per year and there are several people that will go there just to use the free vacuums without buying a carwash and because there is not a lot of distance between the curb and the vacuum stalls, if the stalls are full and a car pulls down their only recourse is to make a multi-point turn which will cause congestions and concern for safety of drivers on the lot. The overflow onto and within and out of the site is highly questionable and it's apparent that many conflicts exist that will cause traffic flow issues which will be detrimental to the users of the site and the neighboring properties. He stated that Mr. Pritchett is a professional architect who has developed over a dozen carwash sites and he is happy to comment on any questions. Mr. Sturwold mentioned the conformance with codes analysis for carwash standards regarding ingress/egress and the location of the stacking spaces not obstructing ingress/egress to the site or interfere with vehicle circulation, which is the zoning ordinance standard, and the applicants have stated that the ingress/egress will not be obstructed or interfere with vehicle circulation, and a professional has evaluated the site and states the contrary.

Matthew Cafaro-3255 W. Main St.-Standard Wash-spoke to the fact of point E on the finding of facts-General Welfare which includes endangerment, public health and safety. Looking at the site design and being in the carwash industry for 8-years he doesn't believe they have sufficient exiting or entrance room. He then showed a picture of his carwash with stacked cars and despite having 2-lanes and plenty of room that they will not fill the equivalent of their 30 spots and it will overflow onto Rt. 64. In addition to that right next to their entrance/exit is the carwash exit where vehicles will be pushed outside with wet brakes and wet tires and most busy times come in freezing temperature when vehicles just don't respond as well. Even with the free vacuums there it's really tight and there is a lot of traffic volume there, even people coming in and out from Buona Beef.

Jack Berdan-3255 W. Main St.-Standard Wash-said he owns a carwash down the street so there is a bias there, but he wants to stick to the objective finding of facts. He the traffic flow is a substantial issue, he went to Buona Beef today and coming west on Main St. and going in on the volume of that type of restaurant you are waiting for a long time which will create back-up issues and with the volume that a carwash can generate the stacking issues could create substantial blockage on Main St. The effect on nearby properties, he has a background in real-estate and at the end of the day the city wants to see places that will generate real-estate tax and sales tax, and a carwash will not do sales tax for the city. He said they analyzed the data tremendously by working with a number of consultants, including the president of the Illinois Car Wash Assoc. and as far as real-estate tax, St. Charles has a failed Turtle Wax, failed Self-Serve and Valley Springs. He said Valley Springs was a first class site in 2006 where millions of dollars were spent, there was no competitor there and it still failed, and that took away a lot of real estate tax that could have been generated for St. Charles. He said he's not a guy against competition, he thoroughly believes it regulates markets and benefits the consumers and he has grown to love St. Charles and has become involved by donating over \$1,000 to charities in the first week of washing. He said they are involved on their site on a weekly/daily basis and they want to see the community thrive but frankly there is a lot of value on the developing side of building a building, but as far as the long term sustainability of it and its ability to generate sales tax and real estate tax, it doesn't make sense. In addition from a flow standpoint there is no pork chop access there, which a lot of other businesses on Rt. 64 have been required to have. The overall ingress/egress from a safety standpoint, an overall concern for the neighboring properties and the ultimate value of that community it doesn't make sense.

Tim Hague-418 Clinton St.-River Forest-part of the real estate development partnership St. Charles Main St. Partners, LLC-who developed the adjacent property (Buona Beef) and we were the original applicant 2-years ago and he is happy to report the Buona Beef is up and working well and selling a lot of sandwiches. He said they do feel the car wash is an appropriate use for the property and they have marketed the property for retail and restaurant uses in the last 2.5 years leading up to our acquisition of this property. The original concept plan did show a 7,000 sq. ft. building adjacent to Buona Beef with a proposed drive-through which they thought would enhance the marketability on the property and with their experience in marketing that has not brought forth the users for that. He has 25 years' experience in retail development in the Chicago land and has developed over 600,000 sq. ft. and does business with all the popular restaurant chains and they have presented this to over 100 users and there is a strong preference with the national names to be on Randall Rd. It's somewhat of a herd mentality coming off of Randall Rd.; we do not get the interest in this property for additional restaurant uses and have not been successful in doing that. He said the presence of the car wash will enhance the sales vines of the Buona Beef just due to the contiguous nature and traffic generated to be cross business and there will be a sales tax benefit as well as real estate tax benefits with the new construction of this 4,000 sq. ft. building. From a Wash U standpoint we feel it's an appropriate use and there are double digit vacancies in the 2 properties immediately north of Main St. and those are marketed in the mid-teens and triple net rents and mid-teens will not support new construction on this property, therefore we do not see the opportunity to develop retail or new restaurants on here in the foreseeable future which is why they are bringing forward this proposal. He also added that in the Comprehensive Plan it is recommended that cross access easements are created across the front of these properties and they worked with staff to design that for the Buona Beef to align their curb cuts on Main St. to have a distinct relationship with the curb cuts on the north side of Main St. which was all reviewed by city staff and submitted to IDOT who approved it and permitted it and he doesn't think that would have happened successfully if IDOT felt there were a safety concern. From a code perspective the

required stacking is 10 stalls per bay and we have 30 which is significantly more stacking than what the city code requires as well as what the competing carwash who spoke this evening has. He then introduced 3 principals from Car Wash Development LLC who would be the owners and operators of the proposed car wash; Craig Nelson, Steve Timmer and Don Tomage as well as the project architect John Hague who was also the architect for Buona Beef were all there to explain their knowledge, experience and why they believe bringing this car wash to St. Charles would be a benefit and to also answer any questions.

Craig Nelson-190 E. St. Charles Rd.-Elmhurst-one of the managing partners for Car Wash Development LLC doing business as Wash-U and the proposed development is what is referred to as a “express exterior car wash” that does not clean interiors but does provide free vacuums for customers to use for their interior if they care to. The express exterior business, as of the last 5 years, has really taken off in the car wash industry and in regard to a comment made about all the vacant car washes in the area; most of those are self-service bays that are no longer convenient to customers or the in-bay automatic rollovers which was a contraption inside a bay that would roll over your car and you were not sure if you would get a good car wash or not. The industry has developed well beyond that and we’ve tried to be as sustainable as possible with respect to our car wash by building 70-75% reclaimed systems or 17 gallons of fresh water into our washes versus 50-60 gallons of fresh water in other car washes. We use electrical devices that reduce the electrical usage on the motors and yet we are able to process more cars faster than the old style car washes. Today’s consumer is more about getting in and out and on with their busy life style and that is what we are able to accommodate and the reason we can stack and do these things in a more efficient manner is because of the mechanisms put in place. We have been in business for quite some time, we’ve developed 6 of these facilities in the last 3.5 years-one in July 2013, September 2013, March 2014, April 2015, April 2016 and June 2016. So we are familiar with the express exterior car wash and how these facilities lay out compared to other types of washes and this is our focus-all we do is operate car washes and feel that we are a very good fit for the community. He said he does happen to have a CCIM designation (certified commercial investment member) which is a real estate designation that worked in the real estate field and site selection for automotive for a long time. We have measured all the metrics and worked with the developer on the site and feel that we have come up with a very logical site plan that flows well and would be able to control both the traffic and be beneficial to the co-users as well as the St. Charles population.

Steve Timmer-3220 Lapp Lane-Naperville-said he’s a cards up kind of guy and hopefully he doesn’t offend anybody because he always tells it the way it is. He said they are recognized in the industry across the country, with the top vendors and top equipment and software companies that are the largest world-wide and he doesn’t say that to be boastful because they wouldn’t deal with us and use us as test washes if we didn’t really know what we are doing in this industry. He said what we are proposing to put in St. Charles would be one of the top 3 or 4 state of the art washes in this industry in the country. We are one of the very few, probably top 2 or 3, that really invest heavily in the environmental friendly side of it with a reclamation in the electric and the water and we have done 6 of these in the past and over the next 12 months we are looking to do 6 more. We have the largest guys flying in and meeting with us because we really work hard to be on the front of it so that questions from Committee are addressed and we are also able to provide a service that’s affordable and quick to the customer and we differentiate ourselves in the building and the equipment that we use in the processing. The industry with the coin-op are the dinosaurs and 99% of those are for sale and we’re in the processing of purchasing one of those right now that is an ugly eye sore on a corner and we will come right behind it with something like we are hoping to put in St. Charles. He said it only helps a community that does create traffic and in looking at their

proposed wash and how we process vehicles, in seeing all the stacked up vehicles on the site plan, those peak days happen about 12 days out of 365 days a year in the Midwest which happens when you get a good snowfall, then the salt and then the sun breaks. Those are the perfect storms for us that create big volume days and on those days we have our trained management out there in safety vests and the managers will direct traffic, but the rest of the days cars flow through all day long and you don't see stacks like shown in the site plan which just shows what we are capable of stacking. He said one might drive by on any other day and think we are not doing much business however we may have washed 500-600 cars that day because we are built to process with 3 pay stations, a unique dual belt system that is always moving like a moving sidewalk, to always be processing very quickly. He said the others who have spoken tonight is all about competition, but Wash-U does not do full service like the competitors down the street, we are solely in the express business for the exterior of the car. He said rather than being nervous as to how we can do this, our systems and investment is put up to process vehicles and we do help our neighbor-Buona Beef who are good friends of ours and they are excited because what we do does help their volume and we are going to have a cross marketing program to help both businesses and that will make a difference in their sales tax. He said we would love to be in St. Charles and would be proud to be in St. Charles and we have properties on higher volume roads that we have never had issues with due to how we handle it. There's only 3 car washes in St. Charles-an express only on the east side that allows 14-16 stacking that goes straight into North Ave. and you dead nose into the vacuums if you're trying to get in a stacking lane. The one to the west can stack about 14 cars and then you're into the ingress/egress of the development and if you're going to vacuum that day you're boxed in at a vacuum station, and if it works for them great. At ours we put 2 distinctive layouts; 1 is the pay stations and processing the vehicles, and the other is the vacuums which are on entirely different sides of the building so there is not interference to have any of the issues that have been raised. He thanked the committee for their time, said he appreciate their concerns expressed that they would love to be in St. Charles and hope it's a possibility.

Aldr. Lewis said she was at Plan Commission last week and there were some photographs of what it looked like but she doesn't see that in the materials for tonight, but she supposes that it we don't need to address what it looks like, this is more to discuss the land use, but it does confuse her that it was in last week's packet but not this one. Ms. Johnson said they do have a rendering of their building if they would like that put up on the screen, but it is not in the packet but is in the presentation.

Chairman Bancroft reminded everyone that there is a recommendation from Plan Commission. He said he is not sensing a motion at the moment and asked staff what is needed.

Mr. Hague-said 2 concerns heard tonight is the use and traffic, and if the issue regarding traffic is withholding this from moving forward, then we would ask to have this tabled to get a comprehensive traffic study done for this use at this particular location and bring it back before Committee.

Aldr. Lemke said there may be some potential here regarding the circulation issue; he sees there is a lot of stacking space, but if you assume the building is the same at all locations due to the car washing process then putting the building toward the west could reduce the outflow issues with the finished vehicles coming out into the cross access; which would resolve one of the concerns to be consistent with tabling this for an additional study. Mr. Hague clarified that the concern is the flow of traffic exiting the car wash. Aldr. Lemke said correct, traffic being pushed out by the conveyor. Mr. Hague asked if there are any other concerns that he can give his staff direction on

regarding the design components. Mr. Turner asked what the economic impact would be, outside of Buona Beef paying a bit more sales tax, because he really doesn't think it's going to be all that great for this area looking to the future once the subdivision is built across the street and he thinks there's a lot more potential there. Mr. Hague said they would take a look at that.

Aldr. Lewis said she goes back to the land use and that location was approved in the Comprehensive Plan for a restaurant. Aldr. Turner agreed and said he'd prefer to wait.

Mr. Colby said this evening the committee has the option to:

1. Table this item with some direction to staff regarding the application
2. Recommend approval based on the findings that have been provided in the packet from Plan Commission.
3. Recommendation of denial with Committee referencing specific findings of 1 or more finding that have not been met.

He noted that legal counsel was also present if there were any other procedural questions.

Ms. Payleitner asked if there were any reason that Committee or Council will see this again. Ms. Tungare said this application for Special Use would be the only one, unless it were tabled.

Aldr. Silkaitis said this is a special use so we do have control over it, but asked legal counsel what basis committee needs to have to deny this. Mr. McGuirk said as Mr. Colby indicated; if Committee disagrees with the findings of the Plan Commission to make a statement to those specific findings that would go along with a denial and that's the inclination of this Committee.

Aldr. Lemke made a motion to table this item with the understanding of an economic study and a study of traffic circulation within the site and externally to Rt. 64. Seconded by Aldr. Gaugel.

Roll was called:

Ayes: Payleitner, Lemke, Turner, Krieger, Gaugel, Bessner, Lewis, Stellato, Silkaitis

Absent:

Nays:

Abstain:

Motion Carried 9-0

- h. Plan Commission recommendation to approve a Map Amendment and Preliminary Plat of Subdivision for Silverado Senior Living, Part of Lot 7 Pheasant Run Crossing Subdivision.

Aldr. Stellato said in the essence of saving some time because there are still a lot of people left; he really likes this development and is going to go out on a limb and make a motion to approve this because we do not have enough Senior Living in St. Charles.

Aldr. Stellato made a motion to approve a Map Amendment and Preliminary Plat of Subdivision for Silverado Senior Living, Part of Lot 7 Pheasant Run Crossing Subdivision. Seconded by Aldr. Turner. Approved unanimously by voice vote. Motion carried. 9-0

- i. Recommendation to approve a Minor Change to PUD Preliminary Plan – 2701 E. Main St. (Dunkin' Donuts).

Mr. Colby said this item was tabled at the July P&D meeting with the issue of the private access easement between the proposed Dunkin Donuts lot and Walgreens to the east. The owner of the Walgreens lot is not willing to modify the access easement without permitting 2-way traffic on the drive south of the Dunkin building. So the proposal is unchanged from July and the question before Committee is whether to approve the minor change to allow 2-way traffic south of the Dunkin building. If this were approved the developer would still be making all the other modifications to the site that were approved last year. If it's not approved it's possible the Dunkin Donuts business will not be locating at this site and if that happens the site configuration will remain as is, which currently has a 2-way drive south of the building. Therefore it would remain to be seen, depending on what type of business would locate there, if the Council has some discretion to impose other site changes when that new business is proposed.

Aldr. Stellato said we need to work this out; he wants to see Dunkin Donuts there. He asked if Committee agrees to a minor change, and Dennis Alf has agreed that he agrees with that minor change, if we are good or is there still an issue with Walgreens. Mr. Colby said there is no issue with what's been proposed with the 2-way access, that meets Walgreens interest and there is a statement from Dennis Alf subsequent to the meeting that he is supporting the proposal. Chairman Bancroft said he also asked staff to talk to the Police Dept. in regard to that, and there has only been 1 accident so this had not been an ongoing problem on that site. Aldr. Payleitner said because nobody goes that way.

Aldr. Krieger asked if staff is positive there is plenty of stacking room. Mr. Colby said there is adequate stacking space for Dunkin's drive-through lane, they do have room in the event that there was an increased amount of stacking it would stack back into their parking area and would not be anywhere near the location where the access leads into the Toyota property or Rt. 64.

Aldr. Lemke made a motion to approve a Minor Change to PUD Preliminary Plan – 2701 E. Main St. (Dunkin' Donuts). Seconded by Aldr. Gaugel. Approved unanimously by voice vote. Motion carried. 9-0

- j. Discussion on Beekeeping in Residential Districts.

Mr. Vann said recently staff has been responding to resident questions and concerns on the practice of beekeeping and staff is bringing this to Committee for input and direction as current city code does not address this use. He noted that in the packet there was a survey of local communities and whether they have standards or not and possible standards Committee may consider are: minimum lot size, maximum number of hives on a property, location on the lot, minimum distance from lot lines, should existing hives be grandfathered in or amortized or should a fence and barrier be installed. He said earlier today he contacted the Park Dist. and they have started the discussion on the possibility of beekeeping and locations, right now they are doing their due diligence so no decision has been made. Tonight staff is requesting feedback and direction on the interest of regulating and the possible standards for the practice of beekeeping in residential districts and based on that direction staff can bring back an ordinance for consideration.

Aldr. Silkaitis said he knows there are some concerned neighbors here and he knows Mr. Vann has been out to the site and he wonders if staff feels this is a health and safety issue. Mr. Vann said he

is not an expert on beekeeping but he and the code enforcement officer were out there for about 40 minutes standing 10 ft. from 2 hives and he didn't feel threatened; there are neighbors who are concerned and there are neighbors who are not. Aldr. Silkaitis clarified that Mr. Vann did not experience anything, however the neighbors have. Mr. Vann said yes. Chairman Bancroft clarified that this is not about a particular location, it's a general ordinance.

Aldr. Payleitner said in conversations with the Park Dist. did the potential of having a community beehive area come up. Mr. Vann said it's very early in conversation but that's the impression he got and he has heard that those exist on a plot of land, obviously bees have are beneficial to the environment, so he thinks they are searching for good locations for that. Aldr. Payleitner said depending on how this evening's conversation goes; what happens to any existing hives is a concern to her and she wonders if committee even has that option to allow them to keep up their hobby or job. Mr. Vann said what to do with the existing hives is his questions and he can only tell them of one location but he's sure there are more out there.

Aldr. Stellato said it looks like about 19 other communities were contacted in the survey with Elgin and West Chicago not responding, so it reduces down to 17 communities and out of the 17 he only sees 3 or 4 that actually allow someone to have hives in their backyard and some of the minimum lot sizes are 2-5 acres, and then there are towns like Wilmette where it's absolutely not permitted at all. He said he assumes that there is a reason why such a large number do not allow this; it's a safety issue and he has been alerted to the fact that there has been some swarming going on, and maybe honeybees don't swarm, but bees are swarming so there is an issue there. He doesn't know how to regulate that and his concern is going down this road to try to craft an ordinance that will protect the bees but the priority is to protect the community and he likens this to a conversation he had earlier; if you have a dog that has potential to bite somebody, a fence can be put up; this is a whole different discussion because there is no way to contain bees in someone's yard. They have the ability to leave and possibly hurt someone, especially a small child which is his biggest concern; people can be allergic and therefore there are some health issues and he is not in favor of this at all. He would like to direct staff to put an ordinance together, and if it is allowed it only be in a certain area that is not in someone's yard too close to homes in a small dense area. If someone west of town wants to have that on a 5 acre plot it's not in our jurisdiction anyway, but he thinks the goal would be to get staff to work with the city attorney to draft something to get in the books right away.

Aldr. Krieger said she hates to say it; but she like the Schaumburg community bee garden, and eliminate the "or at home" and perhaps work with the Park dist. to get an area set aside; an area not too far out of town that would serve very well-maybe near Crane Rd. Aldr. Turner agreed and suggested maybe Primrose Farm, or something like that in an open area; but in town he feels is a problem.

Aldr. Bessner suggested putting together something like we did for the chicken coops, because those were designated parcel sizes to not be close to each other and larger pieces of property would allow that; and maybe that ordinance could be used as a template for the beekeeping. Mr. Vann said he doesn't claim to be an expert but in researching, some of the smaller lots require fencing which he wondered about but thinks that because it protect young kids from getting to the hives, and also there is a flight pattern for the bees. They will not hit the fence, they will take off and fly many miles to do whatever they want to do and it gets them up in the air and if we are considering smaller lots there are a couple requirements in the survey that require 6 ft. high fencing, which is something to consider.

Aldr. Lewis asked how big a beehive is and she wonders why people would want them in their backyards.

Gary La Gesse -1618 S. Tyler Rd.-shared some pictures with Committee and stated that he lives right behind a property that has beehives and chickens and if you Google “bee deaths in the US” the average is 53 per year and the CDC says these are the most dangerous animal to Americans in the US, not alligators or anything else. We read all this stuff about peanut allergies-we cannot have them in school, airplanes etc. and only 6 people have died from a peanut allergy in the past 10 years; so that is the ratio of peanut allergies vs. the real issue of bees. None of the research talks about why we do not want them in town and it’s because they kill people. He has had anaphylaxis shock and Delnor saved his life; it wasn’t about bees but he wouldn’t wish that on anybody. Aldr. Payleitner asked Mr. La Gesse to explain the pictures he passed around. Mr. La Gesse said those pictures were from a month ago when they only had a few of things that stack up and since then they have added more, and if you look at the white part of the big tree; that’s the swarm which is hard to see, you have to be there. He said he has seen the swarm 5 times since then, and he doesn’t know why they do it, but they do. He noted that his neighbor also planted 28 trees in his backyard and didn’t call J.U.L.I.E and he’s lucky he didn’t cut a power line.

Aldr. Lewis asked if people have bees in their backyard for a business. Mr. La Gesse said if he has that many of them what is he doing with all the honey; you can’t consume all that in a year. Mr. Vann said this is something new we have discovered so he doesn’t have a lot of data, but typically when we see something like this it’s really a hobby; he doesn’t understand it as being a business but that doesn’t mean it couldn’t transpire into one. Aldr. Lewis said she too sees this as getting out of hand and trying to regulate this would be difficult and not allowing it may be a better ordinance to go in that direction than trying to manage it.

Carol Schreiber-1614 S. Tyler Rd.-said she is one of the 5 properties that share a line and the problem she sees is that the neighborhoods are changing and have limited space for their own personal use and the enjoyment of our own personal properties. This is a subdivision, we are not Green Acres or a farm and if you want to have a hobby that utilizes animals or bugs etc. you have to be cognizant of your neighbors around you and how it will impact them on the usage of their own properties. She has a nephew who is highly allergic to bees who has a small child and they do not know if the baby is allergic to bees yet and will they come to her home or want to sit outside on her patio and have a barbeque, she doesn’t know because they don’t know when those bees will swarm. She thinks if someone wants to have bees in a subdivision or within city limits you should have to have a minimum of an acre of property, and the hives must be a minimum of 50 ft. from property lines. She said she lives in the city for a reason; she doesn’t live in the country and she thinks there needs to be an ordinance and we don’t need to have bees. She thinks there are other ordinances that the city has passed that need to be revisited, but that’s not why we are here today, we are here for bees.

Pam Otto-1312 7th Ct. – said we tend to use the blanket term “bees” to refer to any stinging insect and in going down the road of considering an ordinance it would be good to explore the behaviors of different types of stinging insects because honey bees are a bit unusual-they are not native species but are extremely protective of the hive area which only extends a few inches around that hive in order to provoke a reaction. A honey bee will die upon stinging so they are reluctant to do that until they’re coming down to the defense of their hive. Thinking of all the stings she has seen in the last few weeks; we have a huge population this year of German yellow jackets which live in

the ground, another not native species but part of our environment, and a large number of stings are occurring from them at this time. She said she would appreciate being involved in any research that goes on and she thinks she can provide some more information if anyone has any questions, but the statistic stated earlier regarding “bee deaths” is not just honey bees, it is the members of the group hymenoptera which include: bees, wasps and hornets all lumped together.

Pete Mazeika-1616 S. Tyler Rd.-said his neighbor behind him has beehives in his lot and his wife noticed a swarm of bees that happened to her and actually called the city to come out and visit. The city came out and took pictures of it and he knows they say that when they swarm they are docile, but when you kill one of those bees they put out a pheromone that attract the other bees to let them know “we are in trouble”. He has a 10 month old child and is worried that if there is a swarm a child doesn’t know not to hit against bees, and we do not know if the child is allergic or not.

Zack Gravink-Sugar Grove-works at the St. Charles History Museum-said he can corroborate what Ms. Otto said because his brother started keeping bees this past year at his house. He has 2 hives in the backyard right behind the house and they are docile creatures and he hasn’t been stung by any in all the time they have been there. You only really have to worry about them if you are reaching into the hive, which his brother has been stung a couple times doing that, but he’s the beekeeper. Bee keeping is a very unusual hobby and he thought it was strange his brother got into it because he’s only met one other bee keeping before, and how common are people going to be getting bees, how many will there really be etc. To him it would be strange that someone in the city would have beehives but he wouldn’t worry that it’s that big of an issue where there has to be an ordinance against bees, but that’s just him.

Paul Napolitano-103 Cambridge Ct.-said they are his bees and there is so much to say, but the biggest issue that is experienced with bees is a fear of the unknown; of what people do not know and do not understand about these creatures. To the point of “why” we are a little different, not everybody is a scientist and he gets that, but they are fascinating and if you ever take the time to learn about them, their hive structure and everything they do in their colony, they are absolutely fascinating creatures. They don’t sting for the sake of stinging, they die when they sting, and it’s a last defense. They sting when you get in their faces, they will not come after you, it’s just not what they do; for example a skunk, which is a known predator, will intentionally go in the middle of the night and bang on the hive to get to bees to come out so they can eat them. Skunks will not stand on their hind legs to a hive that is elevated off the ground because the bees can sting their belly’s; it’s interesting. He said they protect their families, he has an 8 year old son and he has a bee suit and he is working with his son to learn what the bees do and how they do it. He does it because it’s fascinating, yes, honey is great but he doesn’t sell it and has no intention of selling it; he has 2 hives that have gotten bigger; that’s what they do, they multiply. When the weather gets to be about 50 degrees they start building up the population and the point of their population is to grow, forage and collect as much pollen and nectar to raise their bees so that they can go out and collect more pollen and nectar to make honey, because the honey is what they use to live through the winter. He said his purpose is to help them get through the winter, and he thinks we all know there is a significant problem with bees as far as: colony collapse disorder, mites, pesticide spraying which is eliminating them rapidly. He said 1/3 of all of the fruits and vegetable available to us are because of bees, and he doesn’t tell his neighbors to not have fruits and vegetables in their garden, and he doesn’t tell his bees not to pollinate over there, they could easily be somebody else’s bees. If you are at a picnic and a bee comes to you, it’s not a honey bee-they are not carnivorous, they are after pollen and nectar that’s all they care about. So if you have a hotdog or hamburger or see

rotten apples on the ground and there are bees around, it's a wasp-yellow jacket or paper wasp, but it's not a honeybee. Wasps also eat bees, but that's another story, but it's fascinating how bees defend themselves against them and if anybody want to know he'd be happy to share because they are fascinating creatures. He said yes, he has extra boxes "supers" on his hives because the queens lay lots of eggs and the colony increases as the year goes on and a couple weeks ago the population was at its peak and now it will decline until the temperature drops below 50 degrees and they stop flying. They will have a small colony that they will use to get through winter and they will eat their honey to survive; so the population can double or triple and then it will drop. Right now he can see that, he goes in there every week, he pays attention to them because he needs to know if they have enough food to get through the winter, do they have any parasites, do they have any diseases that I need to be concerned about and so far the answer is no; they are doing great. He said he had a problem initially, he spent all spring building his beehives with cedar, tung oil-to not have any chemicals and he thinks they are beautiful and he is proud of the way they look, he built them specifically. Keeping things in mind about raising the bees and what he has learned over the past years before embarking on this journey; there was something the bees did not like and late May and they did swarm, but a swarm is not hostile or aggressive, they gorge on honey and they leave with the queen to find a new home. Honey is very calming and soothing to a bee; it's also the reason why we sometimes smoke the hive, the bees think it's a fire and they gorge on the honey and become docile. However, they did swarm and end up in the neighbor's tree which his neighbor told him about and he apologized and said he would get the bees, but he had no idea this was a big issue and he had no indication from any of the neighbors at any point in time that they were concerned, angry or inappropriate. He doesn't understand and doesn't want to get into tit for tat, but how can one neighbor complain about the bees, their child or their grandson/granddaughter and then walk next to them.

Chairman Bancroft clarified that we are here considering whether there should be an ordinance in place and he appreciates Mr. Napolitano's discussion and perspective on this but he asked how Mr. Napolitano felt about designating a place for this activity and would he have interest in that. Mr. Napolitano said that would not be his first choice because honeybees have a working range of 2-5 miles, so to group all of them, their range is still only 2-5 miles and considering where we are and the types of crops (soy beans and corn) grown in this area they are not very friendly to bees. Actually corn and the spraying is a really big issue that when there's over spraying it's been documented that the abusive roundup and the over spray will do more harm to the bees than good and his hives are registered with the Illinois Dept. of Agriculture and Driftwatch for pesticide spraying as well.

Chairman Bancroft asked if there were a place found could the hives be moved. Mr. Napolitano said they could but it would have to be done very carefully because they take an orienting flight and they learn where they live and everything around them, so if moved incorrectly they will get stranded and die because they will go back to the original location.

Mrs. Mazeika-1616 S. Tyler Rd-Mother of the baby-said she understands we need bees but our neighbors live very close to us and her baby cannot even play in the pool or play in the grass because the bees are there. She said if the neighbor is allowed to keep them he should put a fence up so the kids cannot accidentally hit the hives and be attacked, because there are a lot of kids in the neighborhood. The hives should also be at least 50 yards from her property to not be too close to her house but closer to his house because in looking the picture shared the hives are right on her property line. She said they moved from the city to a nice suburban subdivision so their daughter can play in the backyard, and now she cannot.

Aldr. Silkaitis said he understands they are docile animals and do not generally sting, but for him it took 55 years before he was ever stung by anything and if he sees bees coming toward him he will not stop to think what kind it is, you will take defensive action to protect yourself.

Chairman Bancroft said it looks like there is more interest in a prohibition with the idea of an option for some location to have this activity. Aldr. Stellato said he thinks the community bee garden is the option.

Aldr. Stellato made a motion to instruct staff to put together an ordinance not permitting bees in the community, except in a community bee garden with at least 10 acres run by the Park District. Seconded by Aldr. Bessner

Roll was called:

Ayes: Payleitner, Lemke, Turner, Krieger, Gaugel, Bessner, Lewis, Stellato, Silkaitis

Absent:

Nays:

Abstain:

Motion Carried 9-0

Aldr. Lewis said the community gardener may not want beehives near them for some of the same issues. Chairman Bancroft said the motion is to find the right place and that would be a consideration. Aldr. Payleitner added that it would be a community Bee Garden.

Aldr. Payleitner added that whether bee's sting or not, it's an agricultural use and she thinks that in and of itself needs to be addressed.

4. ADDITIONAL BUSINESS-None.

5. EXECUTIVE SESSION-Collective Bargaining – 5 ILCS 120/2(c)(2)

Motion made by Aldr. Lemke. Seconded by Aldr. Turner to go into Property Acquisition Executive Session at 9:05pm.

Roll was called:

Ayes: Payleitner, Lemke, Turner, Krieger, Gaugel, Bessner, Lewis, Stellato, Silkaitis

Absent:

Nays:

Abstain:

Motion Carried 9-0

Motion made by Aldr. Stellato. Seconded by Aldr. Turner to come out of Executive Session at 9:15PM. Approved unanimously by voice vote. Motion carried. 9-0

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

7. ADJOURNMENT- Aldr. Lemke made a motion to adjourn at 9:17pm. Seconded by Aldr. Payleitner. Approved unanimously by voice vote. Motion Carried. 9-0

After the meeting had adjourned, Zack Gravink-resident of Sugar Grove, made a statement: He said there's no other place he would want to live than St. Charles; he was born here, has been here his whole life, his Grandfather was the 3rd ward alderman back in the 50 and 60's, he started volunteering at the museum last year, the town means a lot to him. He said in thinking of the First St. project he still misses the Manor restaurant and how it used to be but the whole project from what he's seen has been a disaster because now we have a big ugly building with a bunch of fake storefronts on the front of it. Before you used to drive in on the south part of town and see the Hotel over the little 2 story buildings and the main things of St. Charles are the Baker Hotel, Municipal building and the Arcada Theater are the things that make St. Charles special and a one of a kind town. He tries to think back to Colonel Baker and Les and Delora Norris who are the town's heroes who made the town what it is and the First St. project with the proposed 5 story building, he cannot imagine Colonel Baker ever funding something like that because it's a big office building right in the middle of town. The statements on what the building was supposed to be state that it should be comparable to the Baker Hotel which would not happen because in 1928 it costs \$1,250,000 and was called the perfect hotel with Spanish Venetian style with no budget. He said he is not against there being an office building or a business in the town, his concern is the size of it, because at 5 stories driving into town on Rt. 25 you see the silhouette of the hotel-which is 5 stories but has set-backs, so it's not a big box like this new building. He said all modern building are big and plain because it's all about size and money and he knows the city is losing money on the First St. project and its ultimately to make money and get it over with to finally have something there rather than a vacant lot. He feels it would be best to consider that this building will be here for a long time and it should be something to add to the beauty of St. Charles. He said he always goes to Geneva and he hates the town because they make St. Charles look like idiots because they have a charming and beautiful main thoroughfare with lots of shops in small old buildings, which is what draws people there. All St. Charles has is a busy highway, a bunch of bars, empty stores and a big parking garage, and it's sad to him because he loves the town and looking back at old pictures he knows what it used to be. His recommendation is that something be done with the architects to not make it a massive building, and he knows it has to be shorter than Hotel Baker, which is technically a 7 story building, but only 5 full stories because the top 2 are just in the center tower. He said at its proposed height all you will see is 2 big bland buildings which is not an attractive picture post card towns like we had, and he is just one concerned guy that thinks the town is past its prime and wishes it would keep that old charm that made St. Charles such a special place that makes him want to live here for the rest of his life.