

**MINUTES  
CITY OF ST. CHARLES, IL  
PLANNING AND DEVELOPMENT COMMITTEE  
MONDAY, DECEMBER 11, 2017 7:00 P.M.**

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

**Members Absent:** Stellato

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

**1. CALL TO ORDER**

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

**2. ROLL CALLED**

Roll was called:

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

Absent: Stellato

**3. COMMUNITY & ECONOMIC DEVELOPMENT**

- a. Plan Commission recommendation to approve a Final Plat of Subdivision for Valley Shopping Center Resubdivision.

Mr. Colby said this is a proposed resubdivision of the Valley Shopping Center and some of the adjacent outlot buildings, which are owned by Plank Road LLC, which is controlled by First Midwest Bank. The largest lot, Lot 4, is under contract to be purchased by the City as a location to construct a new police station. The other 3 lots are outlots along Main Street for commercial uses, including a lot for two existing buildings (Rookies and Olympia Chiropractic) and a lot that includes the former carwash and former Grimms building that could be redeveloped. A Plat of Abrogation has been provided to remove the existing blanket easements on the site, which would require the sign-off from the owner of the Fox Title lot. New perimeter utility easements and a cross access easement are proposed on the new plat. The Plan Commission reviewed the Subdivision Plat and recommended approval subject to resolution of outstanding staff review comments. Staff is further recommending that the Committee recommendation be contingent on obtaining the signature of Fox Title on the abrogation plat, otherwise the easement notes will need to be revised.

**Aldr. Silkaitis made a motion to approve a Final Plat of Subdivision for Valley Shopping Center Resubdivision. Seconded by Aldr. Bancroft.**

Aldr. Lemke clarified that the motion was contingent upon Fox Title's agreement. Mr. Colby said correct, the recommendation put forth by staff states that.

**Roll was called:**

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

**Absent:** Stellato

**Recused:**

**Nays:**

**Motion carried 8-0**

- b. Plan Commission recommendation to approve General Amendments to Title 17 (Zoning Ordinance) regarding Pet Care Facilities in the M1 zoning district and off-premise signs in commercial and manufacturing districts.
- c. Plan Commission recommendation to approve a Special Use for Pet Care Facility at 1311 E. Main St.- Fydoland.

Mr. Colby said Applications for agenda items 3b and 3c were filed by Robin Massey, owner of the business Fydoland, a Pet Care Facility, proposing to locate in a building at 1311 E. Main St. Item 3b. Ms. Massey has requested two General Amendments to modify the Zoning Ordinance:

1. To add "Pet Care Facility" as an allowable Special Use in the M1 district. This amendment is necessary for the business to be able to locate at 1311 E. Main St., under Item 3c on the agenda. The Plan Commission recommended approval of this General Amendment in a 9-0 vote with no significant issues raised.
2. The second request is to amend the sign regulations in order to permit off-site signs for commercial or industrial properties without street frontage. This amendment would enable the proposed Fydoland to post an offsite sign on an adjacent property with Main Street frontage.

The Plan Commission recommended approval of the sign amendment, 9-0, with conditions that:

- Freestanding signs would continue be limited to one per lot, even if signage is provided for an off-site business
- Additional sign face area on the freestanding sign will be granted to display signage for an off-site business, up to 50% of the square footage otherwise permitted on a given sign, based on how the property is currently zoned; that's the conclusion of the item 3b.

Item 3c is an application to approve a Special Use for a Pet Care Facility for Fydoland at 1311 E. Main St. This was recommended for approval by the Plan Commission, 9-0.

Aldr. Payleitner said she has concerns with adding petcare facilities to M1 zoning. Due to the proposed redevelopment of the Lamp Factory, the BEI- Cedar Ave. property, and the printing plant, she doesn't feel we need to settle anymore for filler uses, like a kennel would be. She has new eyes now with the potential of these buildings, especially with the future recreational amenity of open parks spaces where the abandoned railroad is, that will add value and we can have a better use for those properties. She also had concerns with the proposed amendment that reads:

"Pet Care Facilities shall comply with the following standards:

- Outdoor exercise areas shall not be located on a property that abuts a residentially zoned property.
- Outdoor exercise areas that directly abut or face any residentially zoned properties, commercially zoned properties, and any public street shall be screened with a 100%

opaque non-see-through fence or wall.”

Aldr. Payleitner asked for clarification. Mr. Colby said it does seem contradictory, he would suggest that outdoor exercise areas are not allowed on a property that abuts residential and under item 2 it should only state: “Outdoor exercise areas that *face* any residentially zoned properties”. The original conversation at Plan Commission was that even though the adjacent property may not be residential, there may be an impact because it’s on the side of the building. Aldr. Payleitner said those are her concerns and she probably won’t vote to approve this.

Aldr. Lewis asked how many animals are allowed in the facility at one time. Mr. Colby said there’s not a specific limit. Robin Massey-703 N. 3<sup>rd</sup> Ave.-Fydoland Owner-stated that the old facility had 17 kennels and they’d be looking to have 30 kennels at the new location.

Aldr. Lemke said he hopes that the sign doesn’t require rebuilding the sign for Dimple Donuts, and he feels that the Plexiglas space currently available is adequate. Although he hasn’t heard of any complaints from residents in regard to the current location, he feels the proposed location is a better fit and he supports it.

**Aldr. Silkaitis made a motion to approve General Amendments to Title 17 (Zoning Ordinance) regarding Pet Care Facilities in the M1 zoning district and off-premise signs in commercial and manufacturing districts. Seconded by Aldr. Lemke.**

**Roll was called:**

**Ayes:** Silkaitis, Lemke, Bancroft, Gaugel, Vitek, Turner

**Absent:** Stellato

**Recused:**

**Nays:** Payleitner, Lewis

**Motion carried 6-2**

Aldr. Payleitner said she still doesn’t feel it’s the best use of the property. She has spoken to the city engineer-Karen Young regarding the flooding potential of that building, and she was curious if Ms. Massey is aware of that, because it’s pretty serious. Mr. Massey said absolutely, the owner is here to discuss things put in place to be sure there’s no flooding in that building at all, including all flood doors and gates, which had no problems in the most recent flood. Aldr. Payleitner said Ms. Young stated that the proposed map and revisions have the property and building structure within the 100 year floodplain and a portion of the building in the floodway. She asked what portion of the building is in the floodway; it’s one thing to have boxes or equipment but animals that will be alone overnight is very different. Ms. Massey said it’s already been addressed; it was one of her concerns when she first looked at the building. Terry Mauger-Managing partner at Brulin Carter, LLC-said there’s been 3 floods down there, we had a 100 year rain and 2 years later a 60 year rain, we flooded on both of those and at that point we researched and invested in flood control measures. When the flood doors were put in, the next flood the only water that came in was seepage around the foundation. The man doors look like any steel door except they use special seals that swell when they get wet; there are 3 other gate doors and there is really not an issue there. Whether it’s in the floodplain or floodway, he doesn’t think anyone can answer that; FEMA is studying that. We flooded 3 times, 2 times was enough and it was a very expensive rework. Aldr. Payleitner said it came to her attention because we are currently working on the 7<sup>th</sup> Ave. creek and because this property is at the top of the creek and all the work needs to be done at the bottom first, this property will not be removed from the floodplain until that work is done, which probably won’t get this property remedied

until 2025-2026; relief is a ways away. Mr. Mauger said his experience is that the bottom is where it starts and works its way back, if there are remedies at the bottom end it will get better at the top end. His only concern with all the work being done is the part that goes under the old railroad track, it's not in very good shape and somebody is going to get hurt there. Aldr. Payleitner said unfortunately we don't own that, the railroad does. She has no issues with the previous use, but now we're talking animals. Mr. Mauger said there is the flood alarm which is 6" before it hits the floor level, another alarm that goes off 1" above the flood level; him and Robin would both have 6" of warning before any water got into the building.

Aldr. Payleitner said there was not a lot of discussion recorded from the Plan Commission conversations and she assumes that all the neighbors have been notified, and not just the landowners but also the tenants. Mr. Colby said the requirement under the code is for the property owners to be notified, not the tenant. Aldr. Payleitner said she knows it's not required, but she thought maybe a courtesy was extended to them. She asked where in proximity would the Lamp Factory redevelopment be and if they were in on any of that. Mr. Colby referred to an aerial photo and identified an industrial property south of the railroad tracks; this is immediately north of the Lamp Factory building. Aldr. Payleitner asked if anyone heard from the construction company tenants in the little brick building on 13<sup>th</sup> Ave. Mr. Mauger said they rents from us and they have been notified and he has no problem, as well as the other tenant who is also in that building.

Aldr. Lewis asked what would be moving into the current Fydoland location. Unknown.

**Aldr. Turner mad a motion to approve a Special Use for Pet Care Facility at 1311 E. Main St.- Fydoland. Seconded by Aldr. Bancroft.**

**Roll was called:**

**Ayes: Silkaitis, Lemke, Bancroft, Gaugel, Vitek, Turner**

**Absent: Stellato**

**Recused:**

**Nays: Payleitner, Lewis**

**Motion carried 6-2**

- d. Recommendation to approve a Minor Change to PUD for Saddlebrook Office, St. Charles Commercial Center PUD.

Mr. Colby said Saddlebrook Executive Offices are located 1400 & 1700 Lincoln Hwy., generally located behind CVS off of 14th Street. The Shodeen Group is proposing an exterior renovation of the building, which includes adding larger entry porches, changes to the building materials to add shingle and cultured stone, and replacement of the monument signs. Staff has reviewed the Minor change and is recommending approval.

**Aldr. Turner made a motion to approve a Minor Change to PUD for Saddlebrook Office, St. Charles Commercial Center PUD. Seconded by Aldr. Gaugel. Approved unanimously by voice vote. Motion carried. 8-0**

- e. Continued discussion regarding Design Guidelines and Standards for Traditional Residential Zoning Districts.

Mr. Colby said Committee last spoke on this back in October-Minutes are included in the packet. The Plan Commission has suggested revising the Design Standards and Guidelines for the RT zoning districts. This came about in response to the discussion of the “container house” proposed on S. 3rd St. The Plan Commission suggested that the Standards and Guidelines be revised to require traditional architectural style as a baseline, and require non-traditional designs to be reviewed by the Plan Commission. The Committee asked for additional information during the last discussion. Staff prepared an outline of the process as discussed by Plan Commission. The critical element will be the finding that the Commission is to make. Staff has proposed wording for the Plan Commission finding which states “the design is compatible with the surrounding neighborhood” and then they can reference elements of the design that make it compatible, such as materials or colors. Staff is look for direction from the Committee to either: move ahead with the conceptual amendment proposed by Plan Commission; look into other changes to the design review process; or leave the code as is.

Chairman Bessner said to leave the code as is, is an option, as well as looking at it more intensively to not focus on 1 particular aspect and taking the time to pay attention to every detail, and not rushing to put something together quickly. If we do decide to do something it will create an environment within the Plan Commission to be a more formal setting when an applicant comes in and has to follow this design guideline review. Mr. Colby said the existing guidelines and standards are open to interpretation; Plan Commission has proposed a new process where they’d actually be reviewing the designs that don’t comply with the guidelines. Another alternative would be to simply clarify the existing guidelines we have in place with more specifics to not be open to interpretation, in which case we wouldn’t have the type of appeal process that went before Plan Commission, but there wouldn’t be anything in the code that would address the issues we run into with a modern style building and trying to apply traditional design guidelines.

Aldr. Silkaitis said we need to get over yesterday and feels were starting to go too far now; my definition of traditional building styles may be different from yours; same with non-standard building materials. We have a system in place and he thinks were overreaching, people want to design their own house on their own property, how far do we go to tell them what they can and can’t do; it’s questionable for him. Mr. Colby said if Committee did want this to advance we would need to identify those individuals things, both style and material, in order for this to be effective and enforceable. Aldr. Silkaitis said that’d be tough to do, to go over every piece and corner of the house.

Aldr. Lemke referenced a house near Crane Rd. and Rt. 31 where guidelines and standards are not met. It leaves a lot of opening, not that the Plan Commission wouldn’t be able to discuss and make recommendations, but it seems that more than those 3, or more inclusions within those 3 guidelines regarding traditional architecture that are suggested in the outline. There can be a concern and he doesn’t like the idea that we’ll have container houses.

Aldr. Payleitner agrees with Aldr. Silkaitis in the overstretch comment; she likes option #3-to leave as is. She would welcome staff to propose changes to further clarify, to her that would simply solve the problem.

Aldr. Vitek asked if we went with option #1, would that answer option #3, meaning not having to go back. Mr. Colby said yes, we’d be reassessing how all of the standards and guidelines are

written because they need to be set up to fit in this process. Aldr. Vitek said in speaking with a Plan Commission member; it's not so much being more strict and limiting, but more providing design feedback, not in a code sense, but more suggestions. She's see it more like what the Historic Pres. Commission does, it's about design, not rules to follow. Mr. Colby said correct, but we would still need to establish baseline rules regarding materials as far as what's allowed without going through the Plan Commission review; what would constitute a traditional style building that staff could approve administratively to bypass that Plan Commission process. However if someone is proposing to use different materials or style then there would be a discussion about design.

Aldr. Lewis said she feels this pertains more to teardowns than any other type and she likes the idea of having a little more in place to begin with because as much as people understand things need to be improved, people move into neighborhoods because they like the look and feel. She noted that in older neighborhoods some houses look over the top and until other houses are torn down to look the same it looks out of place. She agrees with #1.

Aldr. Turner asked how often something like this comes before staff or Plan Commission. Mr. Colby said 10-12 permits per year for new residences within the RT districts, so not many, and majority of them follow traditional design. He estimates maybe 2-3 that do not follow the guidelines and would then go before Plan Commission.

Aldr. Silkaitis said if we start doing this we're going to be telling people what color they can and can't paint their houses. That is a road he doesn't want to go down and we're now starting to migrate toward that.

Aldr. Payleitner said she worries that Plan Commission has their rules in front of them, and their doing the findings of fact, but when we start giving them permission to give their opinions, she's concerned. How many of them are really in the planning/building/architect business. She worries about putting that kind of responsibility in the hands of non-professionals for opinion; on "findings of fact" they do a great job of that.

Aldr. Lemke said Historic Preservation doesn't go demanding color, they usually provide opportunities for improvement. It doesn't mean having a group that's seen other development would be arbitrary or capricious, but the Committee has the opportunity to override that, as we should. We could be more finite in terms of what requires on extra review but so far he doesn't see a problem, and if we find they're getting too aggressive we are able to override.

Aldr. Payleitner asked if everything that goes to Plan Commission comes before Committee. Mr. Colby said no, most items do, but this process as proposed would not come before Committee unless there was an appeal or denial, but it could be setup in a different way. Aldr. Payleitner said her desire is #3.

Aldr. Lewis asked Aldr. Payleitner if her concern was that Plan Commission would be making decisions and the Council wouldn't have input; because she can understand that, and she feels we should have final say, like everything else they do. She's not sure if that makes the process too long.

Aldr. Silkaitis said he doesn't want to tell people no, I don't like that style, you can't do it. It's going to be subjective; you know your guidelines and it's still going to be in that gray area; he believes #3 is the correct option.

Chairman Bessner said if there were guidelines in place and say there were 6 of them, could it be straight forward that if they met majority of them the project would go through. Mr. Colby said for staff review they would all have to be complied with, it would depend how they're written. When it's reviewed in a Commission format then it's possible to weigh certain options on the list, rather than others.

Chairman Bessner said in regard to doing something, or nothing, he's not in favor of that completely; he'd like to see time take and do it so it encompasses a number of different projects or properties that may come to us to plan further out ahead, to get all aspects of what could come our way, versus reacting quickly.

Aldr. Turner said option #3 states sometime next year staff will clarify or make changes to the code, he thinks we should wait to see what those modifications are. The committee agreed.

- f. Recommendation to approve a proposal from WBK Engineering for First Street Building #3 streetscape and riverwalk design engineering services.

Mr. Colby said that at the October Government Services Committee, staff presented a Conceptual Plan for streetscape and Riverwalk improvements along First Street Building #3. Staff has obtained a proposal from WBK Engineering to complete final engineering plans for the project. WBK is very familiar with the First Street project and has the necessary background and base information to complete the plans efficiently. The proposed cost is above the budgeted amount, but funds are available in the First Street Design Engineering budget to cover the cost. The scope of the engineering design increased as certain elements anticipated to occur with the later phases need to be designed now with this project. Based on the Committee review in October, the proposal includes additional services to study a potential Illinois Street pedestrian crossing. Staff is looking for feedback regarding whether to include the additional services.

Aldr. Turner said to continue on with the Illinois St. crossing, we have to keep that in the background at all times when everything eventually gets connected; it's a good time to do it now.

**Aldr. Silkaitis made a motion to approve a proposal from WBK Engineering for First Street Building #3 streetscape and riverwalk design engineering services. Seconded by Aldr. Vitek.**

**Roll was called:**

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

**Absent: Stellato**

**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. Lemke made a motion to adjourn at 7:40 pm. Seconded by Aldr. Turner. Approved unanimously by voice vote. Motion Carried. 8-0**