

**MINUTES
CITY OF ST. CHARLES, IL
PLANNING AND DEVELOPMENT COMMITTEE
MONDAY, NOVEMBER 12, 2018 7:00 P.M.**

Members Present: Stellato, Silkaitis, Payleitner, Lemke (7:05pm), Turner, Gaugel, Vitek Bessner, Lewis

Members Absent: Bancroft

Others Present: Mayor Rogina; Mark Koenen, City Administrator; Rita Tungare, Director of Community & Economic Development; Russell Colby, Community Development Division Manager; Ellen Johnson, City Planner; Rachel Hitzemann, City Planner; Mark LaChappell, Building & Code Enforcement Division Supervisor; 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: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Gaugel, Vitek, Bessner, Lewis

Absent: Bancroft, Lemke

3. OMNIBUS VOTE-None.

4. COMMUNITY & ECONOMIC DEVELOPMENT

- a. *Recommendation to approve a Right-of-Way License Agreement between the City of St. Charles and Crystal Lofts, LLC regarding Crystal Lofts Townhomes, 214 S. 13th Ave.*

Ms. Johnson said plans have been approved by the city for redevelopment of the former Lamp Factory building at 214 S. 13th Ave for residential townhomes; the existing building and the addition are very close to the property line along Indiana and 13th Ave. and the approved plans include projections into the city right-of-way which include front entry stairs, canopy overhang, landscaping along the building foundation walls and a small part of the electrical room adjacent to the garage for unit 1. The proposed license agreement grants the property owner and the successor owners (HOA) a license for maintaining the right-of-way projections. The property owner will responsible for maintaining the projections in a safe manner and in accordance with the approved plans, providing an indemnification and insurance for the benefit of the city. The city retains the right to enforce all regulations regarding the projections.

Aldr. Turner made a motion to approve a Right-of-Way License Agreement between the City of St. Charles and Crystal Lofts, LLC regarding Crystal Lofts Townhomes, 214 S. 13th Ave. Seconded by Aldr. Stellato.

Roll was called:

Ayes: Payleitner, Turner, Gaugel, Vitek, Lewis, Stellato, Silkaitis

Absent: Lemke, Bancroft

Recused:

Nays:

Motion carried 7-0

**Aldr. Lemke joined the Committee at 7:05pm.

b. *Presentation of a Concept Layout for the First Street Riverwalk and East Plaza.*

Mr. Colby said the remaining First St. riverwalk and East Plaza are to be constructed next summer when the buildings in Phase 3 are completed. Staff has developed a conceptual layout and are looking for some initial feedback on the overall layout before proceeding with developing engineering plans; a finalized plan will then be brought back at a later date. He then presented some slides which showed the following significant features:

- Along the Riverwalk, curvilinear planting islands with integrated seating.
- For the East Plaza, a larger central open space for events or performances.
- Use of consistent decorative lighting, railings, brick paver patterns and accents.
- A green edge/buffer as an interim condition for potential future connection/transition to the vacant parcel to the north (former Manor lot- not owned by the City).
- Opportunities for fixed and interactive public art exhibits/displays.

Plan Commission reviewed the concept on October 16 and provided the following feedback, which will be addressed in the final design:

- Consider how the East Plaza aligns geometrically with the existing West Plaza.
- Importance of pedestrian connections/routes/crossings.
- Importance of lighting, use of decorative fixtures, accent lighting; wall lighting for lower walk
- Potential for a water feature or other central focal point at the East Plaza stairs
- Shift performance structure to the south to be more centrally located in the plaza.
- Use of plants other than perennials for year round appearance; consider movable planters.

Aldr. Silkaitis asked if the upper and lower riverwalk would be finished as part of this, from bridge to bridge. Mr. Colby said yes, the next phase will involve the construction of the plaza and completion of the entire riverwalk on both levels, all the way up to the Plaza, where it connects to First St.

Aldr. Payleitner referred to a Plan Commission point in regard to the East Plaza aligning with the west, because to her it looks as if it does line-up. Mr. Colby said the two plazas do align but the improvements within the proposed East plaza do not have a relationship established between the center axis of the West plaza, where the fountains are located; so maybe there's an opportunity to align this or bring the axis across to angle the view.

Aldr. Payleitner asked said she thought she once heard of possibly closing down First St. at the plaza, and if that's ever been considered. Mr. Colby said in the project planning that access has always been maintained as a secondary access in and out of the development. The intent with having the pavers constructed all the way across on First St. was to slow traffic and create a continuous crossing and access way. When the plaza is finished on both sides of the road it will have the effect of more of a combination street/pedestrian area. Mayor Rogina noted that he has heard of possibly closing First Street down just for some special events/fests.

Chairman Bessner asked for clarification on the railings. Mr. Colby said the chevron railing has been extended up to the end of the parking deck, as well as along the top of the wall. We have not determined if a railing will be installed on the lower walk, early versions did not include that, but the last plan approved by the city did include the railing, which is something we will be looking at, and will be similar to what is used for the upper level, in terms of type and design. It hasn't been decided whether there will be a lower level railing at this point; staff needs to evaluate. Chairman

Bessner said his concern is the depth of the water from the lower level to the actual water is about 5-6ft. and if someone did fall in it would be hard to get out on their own. Ms. Tungare said if the Committee has a design preference they should include that in tonight's feedback. Aldr. Stellato said he feels it's safer to have a railing on both. Aldr. Turner asked if it would be a concrete railing or would it match the upper railing, he agrees that a railing on both levels would be safer.

Aldr. Turner asked about the 52ft. on the north end and if plants would be put in there now. Mr. Colby said the width of the plaza, roughly 100ft., the greenspace extends into the plaza slightly, this plan includes all the property the city owns, the intent would be that this area at the north end would be a green buffer that could be changed depending on what happens with the adjacent lot.

c. Recommendation to approve a Revised License Agreement with First Street Development II, LLC regarding Balconies on First Street Building #3.

Mr. Colby said back in August the Committee recommended approval of a draft license agreement for balconies located on First St. building #3, those balconies extend out over the city-owned riverwalk. A revised version of the agreement contains one substantive revision; the developer has requested that the agreement state that any rules or regulations promulgated by the city shall not preclude: hot tubs, outdoor grills and decorative plants. The city could still regulate those items in terms of usage, safety or conditions, but could not outright prohibit them.

Aldr. Lewis asked how you'd get a hot tub up there. Bob Rasmussen said there's actually a hot tub on the 5th floor right now, it's difficult but it can be done; he doesn't anticipate but maybe 1 more, they can only go on the one large corner balcony that tucks in on the inside corner; those are the only balconies designed to handle the load for that. We didn't really go through the whole agreement before committee saw it last time and in order to sell these units we have to have some ability to tell tenants they can barbeque and put plants out there; just a couple minor things we felt everyone would want to do; we want to be sure those can't be taken away. The city can work with the association and give input into how those things look, are maintained and exactly what goes there.

Aldr. Lewis said there's already 1 hot tub in; she imagines it's hard to take out. Mr. Rasmussen said he put it up with a crane early in the construction process. Aldr. Lewis said she's okay with the grilling and plants, but she doesn't approve of the hot tubs, she doesn't know how now they'd get that one out but maybe it could possibly be grandfathered in.

Aldr. Turner clarified that the units are designed to handle that load. Mr. Rasmussen said yes, he's provided that information to the Building Dept. Aldr. Turner said if the Building Dept. is okay with it so is he.

Aldr. Silkaitis asked if fire pits would be allowed; he doesn't want that. Mr. Rasmussen said gas grill only, we could modify the agreement to state that specifically, we can't wrap a whole bunch of rules for these balconies; he believes it'll be a situation where if something becomes evident it'll get addressed through the association. Fire Chief Schelstreet noted that's a concern of his as well, it's not so much about the open flame, its non-combustible; what concerns him is the smoke blowing into other units, the Fire dept. will be the first ones out there trying to regulate that and he asked that the language be put in the agreement. Aldr. Silkaitis agreed; he's fine with it as long as that language is in the ordinance.

Aldr. Payleitner noted that in looking closely at the plans in the packet you can see the hot tub; you don't really notice it, it's tucked in, and as long as it's just those 4 balconies she's okay with it. Mr. Rasmussen added that the hot tub is as big as it can be and it's pretty small.

Aldr. Stellato made a motion to approve a Revised License Agreement with First Street Development II, LLC regarding Balconies on First Street Building #3, based on the Fire departments recommendation. Seconded by Aldr. Vitek.

Roll was called:

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

Absent: Bancroft

Recused:

Nays:

Motion carried 8-0

d. Recommendation to approve an Amendment to Title 15 of the City Code Pertaining to Recording Fees for Structures in Drainage/Utility Easements.

Ms. Tungare said when applicants apply for a permit to place structures within utility and drainage easements (ex. Fence permit) we require that that they have a release and indemnity agreement with the city, which is then recorded with the appropriate county. Recently we were informed that the fees for Kane County were increased from \$47 to \$52 and this amendment is to reflect the increase in the fees that will cover our actual cost for recording the agreement. Rather than specifying a specific dollar amount and having to keep coming back to Committee every time there's an increase, we've specified that the applicable fee that is in effect at the time of the permit application will apply, to not have to come back to Council every time the county changes their fees.

Aldr. Turner asked if we're just passing through the cost from the county. Ms. Tungare said exactly, it's more a convenient service we offer the customer by recording their document.

Aldr. Turner made a motion to approve an Amendment to Title 15 of the City Code Pertaining to Recording Fees for Structures in Drainage/Utility Easements. Seconded by Aldr. Gaugel.

Roll was called:

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

Absent: Bancroft

Recused:

Nays:

Motion carried 8-0

e. Historic Preservation Commission recommendation to approve Historic Landmark Designation for 405 S 4th St., Colonel Francis Bowman House.

Mr. Colby said Ginny and Will Hohm have nominated their property, if approved this would mark the 50th designated landmark in the city. The house was constructed in 1852 in the Gothic Revival style. In 1942 the modernization of the house was featured in Better Homes and Garden magazine and the original owner was Colonel Francis Bowman who participated in the battle of Shiloh. The house has been owned by the Hohm's since 1967. The Historic Commission held a public hearing and recommended approval on November 7, 2018

Aldr. Turner made a motion to approve Landmark Designation for 405 S 4th St. Seconded by Aldr. Gaugel. Approved unanimously by voice vote. Motion carried 8-0.

f. Historic Preservation Commission recommendation to approve Historic Landmark Designation for 105 N 2nd Ave., Webster-Wing House.

Mr. Colby said David Hunt has nominated his property, most know the property as Townhouse Books and Café. The building dates from 1853, was constructed in the Greek Revival style by Orin Webster; Clinton Wing bought the home 12 years later and it remained in his family for 104 years. Clinton Wing was Mayor of St. Charles from 1877-1879 and was instrumental for bringing the Great Western Railroad to the city. The Historic Commission held a public hearing and recommended approval on November 7, 2018.

Aldr. Gaugel made a motion to approve Landmark Designation for 105 N 2nd Ave. Seconded by Aldr. Vitek. Approved unanimously by voice vote. Motion carried 8-0.

5. ADDITIONAL BUSINESS-None.

6. EXECUTIVE SESSION-None.

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

8. ADJOURNMENT- Aldr. Lemke made a motion to adjourn at 7:23pm. Seconded by Aldr. Turner. Approved unanimously by voice vote. Motion Carried 8-0.