

**MINUTES
CITY OF ST. CHARLES, IL
PLANNING AND DEVELOPMENT COMMITTEE
MONDAY, JANUARY 10, 2011 7:00 P.M.**

Members Present: Chairman Stellato, Ald. Penny, Krieger, Turner, Martin, Bessner, McGuirk, Lewis

Members Absent: Carrignan, Monken

Others Present: Mayor Donald P. DeWitte; Brian Townsend, City Administrator; Bob Vann, Building and Code Enforcement Manager; Rita Tungare, Director of Community Development, Chris Tiedt, Development Engineering Services Manager; Fire Chief Mullen, Police Chief Lamkin, Matt O'Rourke, Planner, Russell Colby, Planner.

1. Call to order by Chairman Stellato

2. Historic Preservation Ordinance: Certificate of Appropriateness (COA) Administrative Approval List

Mr. Colby reviewed the two categories (construction of retaining walls and installation of non-visible rooftop equipment) that the Historic Preservation Commission added to the list that allows staff to administratively grant COA approval.

A motion was made, seconded, and approved by unanimous vote to approve the revised Certificate of Appropriateness Administrative Approval List.

3. Comprehensive Plan – Recommending Approval of Contract for Services from Houseal Lavigne

Chairman Stellato explained the Council has requested this item be tabled. Ald. Martin agreed that the Comprehensive Plan needs upgrading, but the timing is difficult with the current budget and therefore the \$163,000.00 could adequately be used in another area. He said he would like to delay this request for one year.

Ald. Martin made a motion to table this item to 2012. Ald. Krieger seconded the motion. There was unanimous vote for approval to table this item.

Chairman Stellato said this item will be brought back in the future.

4. Resolution Declaring Default and Authorizing the Mayor to Demand Payment Under a Letter of Credit – Remington Glen Subdivision

Mr. Tiedt advised that staff has been pursuing incomplete subdivisions in an attempt to complete any outstanding improvements. He said Remington Glen is one of these subdivisions and advised that the property is now in foreclosure with MB Financial Bank. He said staff is not confident the improvements will be completed in a timely manner and would like to secure funding to have the City complete public streets, the storm sewer punch list and acceptant of the storm sewer, and replacement of the sidewalk on Lot 6.

The future owners of the Remington Glen Subdivision will be responsible to complete remaining improvements at a later date. Mr. Tiedt said the City holds the Letter of Credit in the amount of \$129,056.82 issued by MB Financial Bank. The estimate for cost of improvements is approximately \$115,000.00. MB Financial Bank has been notified of this issue. Ald. Turner asked if the bank had any response. Mr. Tiedt said the bank indicated they are not sure what else they can do to complete any improvements based on the time of year. Mr. Tiedt will discuss the outcome of this meeting with the bank. Ald. Turner noted the original information the Committee received listed a cost of \$160,000.00 and asked why this has been reduced to \$115,000.00. Mr. Tiedt said the original cost estimate was for completion of all items on the list including erosion control, maintenance, and removal of spoils piles. The \$115,000.00 will cover specifically public road improvements, replacement of the sidewalk for Lot 6, and the storm sewer punch list items so the City can accept, own, and maintain the storm sewer. He said the majority of the spoils piles are on undeveloped lots, so the future owners will be forced to complete these remaining improvements to begin construction.

Ald. McGurik asked for clarification regarding the status of this subdivision. Mr. Tiedt said it is currently in foreclosure. The bank holds the note and is working through the proceedings of foreclosure while attempting to sell to another developer. The new owner will basically take note and pay the debts.

A motion was made, seconded, and passed by unanimous vote to declare fault and demand payment upon the Letter of Credit.

5. 2010 General Amendments to the Zoning Ordinance

Mr. O'Rourke reviewed the power point presentation addressing issues, omissions, and errors to the 2006 Zoning Ordinance update.

Chairman Stellato clarified that instead of a 50 ft setback along the area of Main Street these amendments will create opportunity for more control and additional landscaping but in a smaller area. Mr. O'Rourke said that is correct and the standards will be specific to the type of landscape that will be acceptable.

Ms. Penny commented that she liked the idea of a trade-off with setbacks for additional landscaping.

A motion was made, seconded, and passed by unanimous vote to approve the General Amendment to the Zoning Ordinance.

6. Request for Approval of a Mixed Martial Arts Event at the DuPage Expo Center

Chief Lamkin summarized the event request for Feb 19th with regards to timing, security, paramedics, and that anyone 21 years of age and older will be identified by wrist bands. He referred to the floor plan and said the requested changes from fire and code enforcement will be addressed in advance of set-up so there will be adequate time for inspection. He said all other City requirements have been met. Chief Lamkin reiterated this request is for one event only, however other requests may be submitted at another time.

Ald. Martin stated this type of caged, violent mixed-martial arts “entertainment” is not typical for St. Charles, noting that a doctor, paramedics, and security are all needed to be on-site. He read information that stated there has not been any problems with similar events held at Real Time Sports, however there is potential with this event for a much larger attendance because of this proposed location. Ald. Martin said this adds concern with people leaving the event after consuming too much alcohol. He wants assurance no one leaves under the influence. He said he will not vote in favor of this request and does not support this type of event.

Ald. Bessner asked if there would be similarities between this event and the other three events that were held at the Expo Center. Chief Lamkin said they are somewhat similar however those events had a different promoter. He said attendance for those events were around 600 people and there were no problems reported. Ald. Bessner said since this was not proposed to be at the Arcada Theatre and no problems resulted from the events at the Expo Center he would support this request.

Mr. Rob Cebelski, 11320 Kiley Drive, Huntley Illinois, said he has promoted over 100 events in nearby communities within the past 17 years and has not had one problem. He said these events have also been successfully held at Marriott Hotels, St. Andrews Church, Toyota Park, and the Hawthorn Racetrack. He stated he couldn’t guarantee that no attendees would leave after having too much alcohol consumption, just as it happens at other sporting events and local bars, however he said they would do all possible to have the event run smooth in a safe setting. He stated that since 2000 the rules have been regulated by the state and agencies and this sport has greatly improved. He said liability is important to his business and they hire the best people available to run this event.

Ald. Turner said since these events have successfully been held at the Expo Center he would be in favor of approving.

Ald. Lewis said she has done a lot of research on this sport and the decision is difficult and emotional. She wants the best decision for the City and believes the Expo Center is an appropriate location to hold this type of event. She is agreeable with the restrictions being placed on this event and would like any alcoholic beverages cut off at a time similar to how the Chicago Cub’s games are handled. She said she will vote in favor and would like the Committee to receive feedback after the event for further discussion.

Ald. Penny said she would not vote in favor as people have questioned her regarding the purpose of this sport where one person is beating up another without protection.

Ald. Turner made a motion to recommend approval. Ald. Bessner seconded the motion.

Voice Vote:

Ayes: Lewis, Bessner, Turner

Nays: Krieger, Martin, McGuirk, Penny

Absent: Carrignan, Monkin

Motion Failed

Chairman Stellato asked if there was a motion to deny or if the Committee wanted this petition to proceed to Council with a defeated positive motion. Ald. Turner suggested this go to the Council as not all members were in attendance to vote at this meeting.

5. Additional Business

Adjournment 7:21 p.m.