**MINUTES**
**CITY OF ST. CHARLES, IL**
**ST. CHARLES PLAN COMMISSION**
**TUESDAY, FEBRUARY 22, 2011**

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| Members Present: | Todd Wallace, Chairman<br>Tim Kessler, Vice Chairman/Secretary<br>Curt Henningson<br>Thomas Pretz<br>Tom Schuetz |
| Members Absent: | Brian Doyle, Sue Amatangelo |
| Also Present: | Russell Colby, Planner<br>Matthew O'Rourke, Planner<br>Colleen Johnson, Recording Secretary<br>Sonntag Court Reporter |

1. Call to order

A meeting of the St. Charles Plan Commission was called to order at 7:00 p.m. by Chairman Wallace.

2. Roll Call

3. Presentation of Minutes

A motion was made, seconded and unanimously passed by voice vote to accept the minutes of the February 8, 2011 meeting.

**CONTINUED PUBLIC HEARING**

4. **Regency Estates (Town & Country Homes)(K. Hovnanian T&C at Illinois LLC)**

Application for an Amendment to Special Use Ordinance 2006-Z-4 to allow single family homes and setback variances

Chairman Wallace entered the following exhibits into the record:

- Plan Commission Exhibit J, e-mail from James Bernahl (Public Works) dated 2/11/11
- Plan Commission Exhibit K, memo from Brian Byrne (Fire Department) dated 2/14/11

The transcript received March 1, 2011 and prepared by Sonntag Reporting Service, Ltd., is by reference hereby made a part of these minutes.

**Mr. Kessler made a motion to close the public hearing.** Mr. Schuetz seconded the motion.

Voice Vote:
Ayes: Schuetz, Pretz, Henningson, Kessler, Wallace
Nays: None
Abstained: None
Absent: Amatangelo, Doyle
Motion Carried.

## MEETING

5. **Regency Estates (Town & Country Homes)(K. Hovnanian T&C at Illinois LLC)**
Application for an Amendment to Special Use Ordinance 2006-Z-4 to allow single family homes and setback variances.

Application for PUD Preliminary Plan
- PUD Preliminary Plans revised 2/16/11 and received 2/16/11
- PUD Final Engineering Plans revised 2/16/11 and received 2/17/11
- Landscape Plan revised 2/16/11 and received 2/16/11

Application for Final Plat
- Final Plat of Resubdivision dated 2/16/11 and received 2/17/11

Mr. O'Rourke reviewed the staff report dated February 11, 2011 referring to the Findings of Fact and stated staff recommends approval. He reminded the Commission that they could recommend approval with conditions if they felt necessary.

Mr. Kessler asked the members if a recommendation for approval were considered, would they have suggestions to place conditions on the motion. He discussed his concern with the three flag streets that are proposed, only one access entry point, and that the existing utilities do not allow modifications to the plan for improvement of the layout. Mr. Kessler referred to the staff report statement that the Commission has an option to make a recommendation for approval with conditions. Mr. O'Rourke advised that it is understood that the option is always available to the Commission to make a recommendation for approval with conditions.

Chairman Wallace commented that this plan proposes too many home sites into the existing framework, specifically pointing out concern with lots 13, 14, and 15. His opinion is that all the homes should be accessible from the street. He noted the subdivision that was referenced during the public hearing that had a similar layout was an older section of town that backed up to a new development. He believes that if that entire area had been developed at the same time it would not have been designed with that layout. He understands the difficulty for the applicant to construct a design that is

economically feasible, however stated that concept is not the role of the Commission. He said the Commission needs to consider the orderly development of the property and he does not believe this proposal meets the Findings of Fact with regards to the effect on development of surrounding property. His concern is approval of a plan that may discourage surrounding development.

Mr. Henningson said generally mixed use with commercial development introduces a residential component of multi-family homes with a zero lot line. He commented that a plan similar to Oak Crest with restrictive covenants might fit well in this area.

Mr. Schuetz said the flag streets are his concern with regards to emergency response, however acknowledged that staff indicated this was not an issue. He does not like the multi-family building mixed into the single-family home subdivision. Mr. Schuetz stated the Commission should look at what is good for the community in the long term. He said there has been indication that due to the present economy, homeowners are avoiding large-size lots and therefore the multi-family development may be a better option.

Mr. Kessler complimented Town & County on the past developments they have done in the City. He said the concerns being discussed are not about how it will be developed, but rather how it is planned. He said he cannot support the layout as there is too much proposed in a small area. He understands the difficulty involved because of the existing infrastructure. Mr. Kessler agreed a less-expensive townhome development might fit this site. Chairman Wallace added the number of units is not the concern for this site; it is the type of plan proposed.

Chairman Wallace asked the members if they would support a plan with inter-mixed new lower priced townhomes and duplex units that would complement the existing structure. The members were favorable.

Mr. Pretz said this proposal has too much planned, he does not like private roads, and he would be supportive of a different plan. His preference would be to include a second entrance but understands the constraints with reconstruction. Chairman Wallace said he does not think a second access is necessary. The Commission noted developments without a second access and discussed problems that relate to width of street and security.

**Mr. Kessler made a motion to recommend denial of the Special Use Ordinance 2006-Z-4 for Regency Estates to allow single family homes and setback variances, PUD Preliminary Plans revised 2/16/11 and received 2/16/11, PUD Final Engineering Plans revised 2/16/11 and revised 2/17/11, Landscape Plan revised 2/16/11 and received 2/16/11, Final Plat of Resubdivision dated 2/16/11 and received 2/17/11 because the proposed amendment does not meet the Finding of Fact Section 17.04.330 C-2 for Special Uses, "b." because existing utilities and infrastructure already exist on site and therefore unable to alter for improvement of site layout, and "d" the layout of the proposed plan will have a negative effect on development and improvement of surrounding property**
Mr. Pretz seconded the motion.

Voice Vote:
Ayes: Schuetz, Pretz, Henningson, Kessler, Wallace
Nays: None
Abstained: None
Absent: Amatangelo, Doyle
Motion Carried.

**6. Application for General Amendment (City of St. Charles)**
Application for General Amendment to Chapter 17.12, "Residential Districts" pertaining to Exterior Sideyard setback regulations.

Mr. Colby reviewed the staff report dated February 17, 2011 and stated staff recommends approval.

**Mr. Kessler made a motion to recommend approval of the General Amendment to Chapter 17.12 "Residential Districts" pertaining to exterior sideyard setback regulations.** Mr. Schutez seconded the motion.

Voice Vote
Ayes: Schuetz, Pretz, Henningson, Kessler, Wallace
Nays: None
Absent: Amatangelo, Doyle

**7. Plan Commission Training Schedule**
Mr. Colby said a Plan Commission training session is scheduled for the next meeting. He will review the agenda with Chairman Wallace. Staff expects to conduct three sessions with the Commission starting with basic review.

**8. Meeting Announcements**
**Plan Commission** Tuesday, March 8, 2011 at 7:00pm in the Council Chambers
**Plan Commission** Tuesday, March 22, 2011 at 7:00pm in the Council Chambers
**Plan Commission** Tuesday, April 19, 2011 at 7:00pm in the Council Chambers

**9. Additional Business from Plan Commission Members, Staff, or Citizens**

Mr. Colby advised the members that there are additional books regarding the role of the Plan Commission in the Planning office for them to use.

Mr. Lemke referred to the Regency development discussed this evening and commented that mixing townhomes within the plan might allow the developer an option to rework and come back with a revised plan. He also complimented the Town & County Home developments within the City.

The meeting adjourned at 7:53p.m.

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St. Charles, IL
MAR 1 - 2011
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Planning Division

1 S59378

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STATE OF ILLINOIS )
3 ) SS.
COUNTY OF KANE )

4

5 BEFORE THE CITY OF ST. CHARLES PLAN COMMISSION

6

In Re the Matter of: )
7 )
Regency Estates (Town & Country )
8 Homes)(K. Hovnanian T&C at )
Illinois LLC) Application for )
9 General Amendment to Special )
Use Ordinance 2006-Z-4 to )
10 allow single-family homes and )
setback variances. )

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12 CONTINUED REPORT OF PROCEEDINGS had at
13 the hearing of the above-entitled matter,
14 before the City of St. Charles Plan Commission,
15 taken in the offices of City of St. Charles,
16 112 North Riverside Avenue, St. Charles,
17 Illinois, on February 22, 2011, at the hour of
18 7:01 p.m.

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1 PRESENT:

2 MR. TODD WALLACE, Chairman;

3 MR. TIM KESSLER, Vice Chairman;

4 MR. CURT HENNINGSON, Member;

5 MR. THOMAS PRETZ, Member; and

6 MR. TOM SCHUETZ, Member.

7 ALSO PRESENT:

8 MR. RUSSELL COLBY, Planner;

9 MR. MATTHEW O'ROURKE, Planner; and

10 MS. COLLEEN JOHNSON, Recording Secretary.

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1 CHAIRMAN WALLACE: All right. This
2 meeting of the St. Charles Plan Commission will
3 come to order.
4 Tim, do you want do the roll call?
5 VICE-CHAIRMAN KESSLER: Sure.
6 Roll call.
7 Schuetz?
8 MEMBER SCHUETZ: Here.
9 VICE-CHAIRMAN KESSLER: Henningson?
10 MEMBER HENNINGSON: Here.
11 VICE-CHAIRMAN KESSLER: Pretz?
12 MEMBER PRETZ: Here.
13 VICE-CHAIRMAN KESSLER: Kessler,
14 here.
15 Wallace?
16 CHAIRMAN WALLACE: Here.
17 VICE-CHAIRMAN KESSLER: That's it.
18 CHAIRMAN WALLACE: All right.
19 Item No. 3, presentation of the minutes of
20 the February 8th, 2011, meeting.
21 Is there a motion to approve?
22 VICE-CHAIRMAN KESSLER: So moved.
23 MEMBER SCHUETZ: Second.
24 CHAIRMAN WALLACE: It's been moved

and seconded.

All in favor?

(The ayes were thereupon heard.)

CHAIRMAN WALLACE: Opposed?

(No response.)

CHAIRMAN WALLACE: The motion passes unanimously.

Item 4 on the agenda is a continued public hearing, Regency Estates (Town & Country Homes) application for an amendment to Special Use Ordinance 2006-Z-4 to allow single-family homes and setback variances.

And the last time this was before us we had Plan Commission Exhibits A through I. Today we have two new Plan Commission exhibits, Exhibit J, which is an e-mail from James Bernahl, Public Works Department, dated 2/11/11; and Plan Commission Exhibit K, which is memo from Brian Byrne, Fire Department, dated 2/14/11, and those are both included in the online materials.

And, let's see, did you have this one?

VICE-CHAIRMAN KESSLER: Yes.

CHAIRMAN WALLACE: Do you want to -- do you want to go ahead and summarize what --

1 what you have in your report?
2 MR. O'ROURKE: Yes. I was going to
3 walk through that a little bit.
4 CHAIRMAN WALLACE: Go ahead.
5 MR. O'ROURKE: Based on some of the
6 comments that were brought up during the first
7 public hearing, staff was asked to do a little
8 bit of research, and that has been outlined in
9 the Plan Commission or -- excuse me -- the staff
10 report that was submitted to the Plan Commission
11 in the electronic materials.
12 Very briefly, we can go by these item by
13 item very quickly.
14 The first one was regarding the fire
15 department having any problems with EMS access --
16 or emergency medical services -- access to those
17 private access drives.
18 That memo that was included as Exhibit K
19 from Brian Byrne was basically his rationale
20 behind his review on that. He stated he does not
21 feel that there are any issues there because they
22 are 160 feet and, typically, that's within their
23 range where they feel like they can service those
24 homes with the length of hose that they have

1 adequately.
2 The second comment was the idea of the
3 developer, instead of those access drives,
4 installing some sort of cul-de-sac type of
5 arrangement or eyebrow which is sort of a
6 semicircle that comes off of the main drive.
7 We did take a pretty good look at this, and
8 when we finally brought it up to the Public Works
9 Department, they basically said mostly because of
10 snowplowing and other maintenance issues they
11 don't prefer to have those setups. It makes it
12 very inefficient for them to do so, and in a
13 development like this, they probably wouldn't get
14 to that to almost last, so they'd prefer to not
15 see new setups like that if at all possible.
16 The third comment that was brought up was,
17 are there other locations in town where similar
18 setups exist from Lots 13 through 15 and Lots 24
19 through 26? This is in reference to those lots
20 being proposed off the private access drives
21 that face kind of the side or rear of the other
22 homes across those private access drives.
23 I did do sort of a visual survey using the
24 City's GIS system, or aerial photography, and I

1 found numerous examples.
2 I included three in the packets that are
3 sort of -- sort of, I guess, more of the exotic
4 examples that I found, for lack of a better term,
5 and I included those in the packet, as well, and
6 I can show them on the projector if anybody would
7 like to kind of go over those.
8 And the last comment was in regards to the
9 possibility of a second access point. We -- we
10 did have staff revisit this issue, and while it
11 certainly could happen, there's a number of
12 engineering constraints involved with that in
13 terms of having to bring in fill and build the
14 road up to the right height and how that might
15 affect the stormwater pond and the drainage and
16 some of the other issues around there, and when
17 staff looked at this kind of at a critical level,
18 it was really -- we came down to the point where
19 the site was developed and approved with this
20 one access point.
21 We don't see like that this proposal
22 fundamentally alters the purpose of the
23 development that often, so from the staff
24 perspective, there's nothing in the ordinances

1 that would require that second access point.
2 So that -- I have more for the staff
3 meeting during the recommendation portion of the
4 agenda, but I think that sums up staff's research
5 in relation to those comments that were brought
6 up at the last public hearing.
7 VICE-CHAIRMAN KESSLER: So I can sum
8 that up as "No, no, no, and no"?
9 MR. O'ROURKE: You can sum it up as
10 staff saying that we reviewed these items, and we
11 can't really see any method in the ordinances
12 that would dictate these have to happen.
13 VICE-CHAIRMAN KESSLER: I just would
14 like to go on record as saying I realize that
15 there is no ordinance about, you know, two access
16 points, and I realize that we're trying to work
17 within the existing framework, but I'd also like
18 to point out that it's been understood that we
19 avoid those subdivision situations where there is
20 only one in-and-out access, and the fact that
21 this was -- this -- this parcel was approved that
22 way doesn't negate the fact that it is something
23 that we do try and avoid.
24 MEMBER SCHUETZ: Was it approved that

way for multiple-family or for the single-family as we're currently talking?

MR. O'ROURKE: It was approved, I mean, by the City Council for the townhome units. That's what's currently approved on the site. This is still in the review process.

But when staff looked at it at a functional level, the -- there's less total units now than were approved for the townhomes, so from a traffic perspective, it's probably -- there's less of an impact from those less amount of units than there would be from the proposal that was already approved.

CHAIRMAN WALLACE: Okay. Any other questions for Matt on that?

MEMBER SCHUETZ: Are you going to review the aerial views of those areas?

MR. O'ROURKE: I certainly can if you want to look at those.

MEMBER SCHUETZ: If you guys would, I'd like to see them.

VICE-CHAIRMAN KESSLER: Yes.

MEMBER PRETZ: Yes.

MEMBER HENNINGSON: Yes.

1 MEMBER SCHUETZ: These are the ones
2 you found, right, Matt?
3 MR. O'ROURKE: Yes. These are the
4 ones that I basically looked -- kind of did a
5 survey of all the residential neighborhoods in
6 the city and found these examples. I found more
7 examples but these ones kind of stuck out for
8 their own unique reasons.
9 This first one here is at the intersection
10 of Oak Street and South 15th Street, and I've
11 kind of highlighted where we have this occurring
12 in red, with this red outline here and, as you
13 look, you have the front of these homes facing
14 the side and rear yards of these homes across
15 15th Street here. They are all addressed on
16 15th Street, which this was kind of a pattern
17 that developed, I think, when this neighborhood
18 got approved, but it's something you see that's
19 fairly common throughout town, this sort of
20 arrangement.
21 The next one I have is -- this is a good
22 example of kind of where an older neighborhood
23 meets a newer neighborhood.
24 Here we have North 11th Avenue, and the

1 front of these homes are facing to the east, and
2 you could see how they come up North 11th Avenue,
3 and then this newer subdivision kind of got built
4 around the existing lot pattern, and here you
5 have the front kind of facing directly into the
6 rear of these homes here, and this kind of
7 weird-shaped area kind of got cut out of these
8 pie-shaped lots.
9 MEMBER HENNINGSON: Hey, Matt. Back
10 to that one.
11 Which -- what's the old subdivision?
12 What's the new?
13 MR. O'ROURKE: I couldn't tell you
14 the name of this older subdivision off the top of
15 my head.
16 MEMBER SCHUETZ: Is that Persimmon?
17 MR. O'ROURKE: That's Persimmon Drive
18 right there.
19 CHAIRMAN WALLACE: Yes.
20 MR. O'ROURKE: This was developed --
21 I'm not sure if it has a formal subdivision name
22 except on a plat somewhere.
23 CHAIRMAN WALLACE: I think those were
24 built in the early '50s.

1 MR. O'ROURKE: The older portion?
2 CHAIRMAN WALLACE: The ranch homes.
3 MR. O'ROURKE: I think that's
4 correct.
5 On this last example is Viewpoint, and
6 here you see the fronts of these homes face
7 Viewpoint Drive, and if you look across the
8 street, you're looking directly at the rear of
9 these homes that kind of come off this private
10 access drive here.
11 So you could probably expand this red
12 bubble to include a few of these other
13 properties, too, but I think this was a pretty
14 good example of a very similar situation that's
15 existing in town, and this was -- this
16 subdivision was developed in the late '90s.
17 MEMBER SCHUETZ: Do you know the size
18 of those lots, by chance, about --
19 MR. O'ROURKE: I -- I do not. I know
20 they're very small.
21 The way this subdivision was developed
22 is -- the premise was, you have just a very small
23 envelope that you own around the foundation of
24 your house, and you don't -- the yard is more of

a common area, so I -- I would -- unless I can get to the GIS system.

MEMBER SCHUETZ: I was just curious how they compared to what we're looking at.

CHAIRMAN WALLACE: The home type doesn't really compare.

MEMBER SCHUETZ: No.

MR. O'ROURKE: It would be about the same size.

MEMBER SCHUETZ: It looks like they are, but I was just curious.

MR. O'ROURKE: One of the ones I just referenced that come off that private access drive -- let's see. Bear with me for a moment.

Right there, yes. So 5,199, 5,200 square feet.

CHAIRMAN WALLACE: All right. Any other questions on that?

MEMBER SCHUETZ: No.

CHAIRMAN WALLACE: All right. Does the Applicant have any additional information to present?

MR. BLANKENSHIP: I don't think so.

I mean, the second access point, like Matt

1 kind of summed up, for a lot of reasons it's
2 really difficult.
3 You know, we did kind of a study of the
4 area, not just a cost basis, but reasonableness
5 of getting a road in that area, and there's a --
6 I mean, I can show you a little exhibit I did if
7 you want to see it; but there's a 10-foot
8 difference between the grade from the existing
9 street inside Regency Estates to Woodward Drive.
10 To get around that bend there, there's a
11 10-foot drop, and that area was never built with
12 structural materials so we don't know how far we
13 would have to dig down to get suitable soil.
14 We know we would have to bring it up at
15 least 10 foot and sort of bring that up, go down,
16 bring it up. We'd also have to extend -- we'd
17 cut through the retaining wall, the ends of the
18 retaining wall that's there. We'd essentially
19 have to extend that retaining wall back around,
20 and, to my surprise, the retaining wall would
21 actually cost more than putting the road in.
22 It's close to $200,000 just to put a retaining
23 wall in to hold that section up, and it's almost
24 that much to -- to do the dirt work and -- and

the road, so it's really, really expensive, and I think, like Matt kind of summed up, it's a pretty small community. There's going to be actually less homes there than originally slated.

You know, we also kind of dug something up in the original PUD ordinance where it kind of talks about, you know, limiting the access of all the parcels there -- not just the -- the residential, but all the commercial areas -- to limit the access onto Woodward Drive, so, you know, my assumption is that there was a reason for that back then. I don't know the exact reason, but they didn't want a lot of traffic on there, and it just -- it doesn't make sense to us to -- to add it there.

The -- the expense. We'd probably lose two of the homes, also, which is really burdensome for us since we've already come down from 49 to 44 homes, and it's -- it's not many cars going in and out of there, so we just -- you know, there's no other way out on the back side, so it's not needed for a throughway, it's just getting these people in and out, and we think the one entrance is -- is more than enough.

1 CHAIRMAN WALLACE: All right. Any
2 questions?
3 MEMBER HENNINGSON: Yes.
4 CHAIRMAN WALLACE: Go ahead.
5 MEMBER HENNINGSON: I'd like to get a
6 better understanding of the homeowners
7 association.
8 I know that Regency Court East and Regency
9 Court West are -- that's a public street;
10 correct?
11 MR. BLANKENSHIP: Correct.
12 MEMBER HENNINGSON: Okay. The
13 private drives, are those going to be turned over
14 to the City?
15 MR. BLANKENSHIP: No.
16 MEMBER HENNINGSON: Okay. So they
17 will be private drives?
18 MR. BLANKENSHIP: Correct.
19 MEMBER HENNINGSON: Who is going to
20 take care of the maintenance on those?
21 MR. BLANKENSHIP: The association so
22 they'll -- they'll do the periodic maintenance;
23 they'll do the snow removal, repairs, whatever is
24 needed.

1 MEMBER HENNINGSON: Okay. And in
2 terms of the rest of the subdivision, what will
3 the homeowners association be responsible for?
4 MR. BLANKENSHIP: Well, for the most
5 part, you know, the -- the -- the monumentation
6 at the entry, and that whole landscape buffer
7 between Regency Estates and Woodward Drive, and
8 then from there any of the open parcels -- which
9 are just a handful -- and the detention wetland
10 areas.
11 MEMBER HENNINGSON: Any landscape
12 maintenance or exterior building maintenance?
13 MR. BLANKENSHIP: No. You know,
14 I haven't worked that out; but, no, it's not
15 intended -- it's -- they're going to own their
16 own lot and whatnot.
17 I'm thinking I may do this like we've done
18 in some active adult communities in the past,
19 where the association may offer it to them for an
20 additional fee, but you wouldn't be required to
21 partake in it. If you like doing landscape work
22 and mowing your grass and whatnot, you're free to
23 do it.
24 If you don't want to, since the association

is going to be there every week maintaining some other landscape areas, they can maintain it for you at generally a slightly reduced cost.

MEMBER HENNINGSON: Okay.

CHAIRMAN WALLACE: What are the -- we may have covered this last time, but there are three shaded strips on proposed Lots 8, 13, and 22.

MR. O'ROURKE: Which -- which plan are you looking at, Todd?

CHAIRMAN WALLACE: I'm looking at the PUD preliminary plan.

Oh, I think I just answered my question. It looks like those are easements that are being vacated.

MR. O'ROURKE: Are you talking about the hatch marks?

CHAIRMAN WALLACE: Yes.

MR. O'ROURKE: Yes. That's correct.

CHAIRMAN WALLACE: Okay. Thanks.

Would there be any possibility, you know -- and one -- one of the things I commented on the last time -- and I still have the same opinion about it -- is regarding -- I don't like the

1 arrangements of Lots 13, 14, and 15 and --
2 I mean, I'm -- I'm sensitive to the fact that in
3 order for this to be economically feasible there
4 has to be a certain number of lots in here.
5 Is there any way to reconfigure the lots
6 along Regency Court East, specifically from
7 Lot 30 through Lot 34, even if they were brought
8 under -- I know we resized it in order to bring
9 them above a certain square footage, but even if
10 they were decreased, squeeze one more lot into
11 there?
12 Have you researched that configuration?
13 Are there any issues with doing something
14 like that?
15 MR. BLANKENSHIP: So if -- if we were
16 to squeeze one more lot in that area, we still
17 wouldn't be able to wrap around -- yeah. We've
18 done some research, to answer your question.
19 We still wouldn't be able to wrap around --
20 like Lots 22 through 26 -- around that -- that
21 bend. We would end up losing two or three lots.
22 CHAIRMAN WALLACE: I'm not -- I'm not
23 as concerned up there.
24 MR. BLANKENSHIP: Okay.

1 CHAIRMAN WALLACE: The part that I'm
2 more corned about is -- wait. No, no.
3 What I -- what I mean over here between
4 30 and 34 is possibly to move the lot line, you
5 know, starting on the north lot line of Lot 34,
6 make that 50 instead of 56 feet, move the next
7 lot line down, et cetera, et cetera, so that you
8 basically squeeze one more lot.
9 30 -- 30 through 35 is five lots.
10 Reconfigure that to make that same area six lots,
11 and then basically, in exchange for that, up
12 where 13, 14, and 15 is, reconfigure that to make
13 that into two lots which are accessible off
14 the -- off of the road instead of having that
15 little spur there.
16 MR. BLANKENSHIP: You couldn't
17 make -- I don't think you could -- you could
18 actually make one lot accessible off the road
19 there, much less two.
20 I mean, I know early on -- and Andrew could
21 probably speak to a little bit of this. I mean,
22 we -- we did a lot of different lot
23 configurations but ultimately we -- we decided it
24 made the most sense for a lot of reasons to kind

1 of stick with this scenario because like I
2 explained at the prior couple of meetings, we're
3 trying to fit these buildings on the same
4 building pads, the structural pads that the
5 townhomes would be in, and that configuration
6 where 13, 14, 15, all the way down to 16, is the
7 exact same configuration if there was a townhome
8 building there, so the only difference is is the
9 walls aren't adjoined.
10 You've got four homes there. Before there
11 was going to be four townhomes there. They were
12 going to be serviced off a flag road just like
13 that.
14 So, yeah, honestly, it would be tight to
15 even get one home, you know, put -- put it in
16 almost as a pie on that corner there. No way you
17 could fit two homes.
18 MR. O'ROURKE: If I might just add
19 something.
20 Part of the reason the lots are configured
21 the way they are on that eastern part of Regency
22 Court is to work around existing utilities.
23 When you look at the utility plan, there's
24 certain easements and things that have been kind

of worked around in order to get these home lots the way they are.

In jockeying some of those around to create another lot might interfere with some of that.

There are certain separations that the public works department requires from storm drains, storm pipes, that sort of thing, so that's one of the reasons that the lots are situated where they are.

CHAIRMAN WALLACE: And are we talking about something that would be an additional expense to the developer or to the City?

MR. O'ROURKE: Ultimately, it would be probably an additional expense to the developer to have to relocate those utilities that are already underground in order to put them in the right places so that we can maintain them in the future.

If they're not moved, then it becomes a maintenance issue that would be ultimately the City's responsibility.

CHAIRMAN WALLACE: Okay.

MR. MOUW: There's a water main that runs to the property to the west underneath

that -- underneath that street.

CHAIRMAN WALLACE: Underneath where?

MR. MOUW: There's an existing water main from the intersection of Regency Court there and runs underneath that road and runs to the corporate center to the west --

CHAIRMAN WALLACE: Okay.

MR. MOUW: -- and loops the water main.

CHAIRMAN WALLACE: And does that same water main run under 49 on the west -- on the east side of the property between Lots 26 and 30?

MR. MOUW: 26 and -- no, it does not.

MR. O'ROURKE: There's -- it's storm water utilities in that location that are the issue.

CHAIRMAN WALLACE: Oh, okay.

MR. O'ROURKE: It's Sheet C5 in the engineering plans.

Todd, it might be easier if I maybe point it out to you from here.

CHAIRMAN WALLACE: Sure.

MR. O'ROURKE: It's -- the existing utilities are in a light gray color so they're

1 hard to make out, but you could see kind of this
2 line that comes -- this is Lot 30 here. This is
3 the -- the existing utilities that run through
4 this northern part of the site, and then there's
5 some other ones that are behind these
6 buildings --
7 CHAIRMAN WALLACE: I see.
8 MR. O'ROURKE: -- right here.
9 So this -- unfortunately, the location of
10 this pipe kind of dictated a lot of that
11 configuration that you see.
12 That was actually in response to a staff
13 comment, some of what you see there.
14 CHAIRMAN WALLACE: Okay.
15 MEMBER HENNINGSON: Todd, in relation
16 to your comment, your last comment, 13, 14, 15,
17 access off the private drive, plus 24, 25, 26,
18 and 38 and 39, I've heard a lot of comments about
19 the fact that people just aren't comfortable with
20 the -- with the private drives --
21 CHAIRMAN WALLACE: Okay.
22 MEMBER HENNINGSON: -- and they would
23 like to see all of the lots accessed off of the
24 street, and I tend to agree. I think we're

1 putting too much product on too little space.
2 CHAIRMAN WALLACE: All right. Any
3 other comments or questions?
4 (No response.)
5 CHAIRMAN WALLACE: Okay. If we have
6 all of the information that we need in order to
7 make a decision one way or another, then a motion
8 is in order to close the public hearing.
9 The next item on the -- just for
10 information, the next item on the agenda is
11 action on this item, so if you feel that any
12 additional information is needed, then we can
13 either get it now or continue the public hearing,
14 but if you have all the information, then I'll
15 entertain a motion to close the public hearing.
16 VICE-CHAIRMAN KESSLER: I would move
17 to close the public hearing. I make that motion.
18 MEMBER SCHUETZ: Second.
19 MEMBER PRETZ: Second.
20 CHAIRMAN WALLACE: All right.
21 It's been moved and seconded.
22 Any discussion on the motion?
23 (No response.)
24 CHAIRMAN WALLACE: All right.

Tim, roll call.

VICE-CHAIRMAN KESSLER: Schuetz?

MEMBER SCHUETZ: Here. Yes.

VICE-CHAIRMAN KESSLER: Kessler, yes.

Pretz?

MEMBER PRETZ: Yes.

VICE-CHAIRMAN KESSLER: Henningson?

MEMBER HENNINGSON: Yes.

VICE-CHAIRMAN KESSLER: And Wallace?

CHAIRMAN WALLACE: Yes.

All right. The public hearing is now closed, and that concludes Item No. 4 on your agendas.

(Which were all of the proceedings in the above-entitled matter at 7:26 p.m.)

1 STATE OF ILLINOIS )
) SS.
2 COUNTY OF K A N E )
3
4 I, Glenn L. Sonntag, Certified Shorthand
5 Reporter No. 084-002034, Registered Diplomate
6 Reporter, do hereby certify that I reported in
7 shorthand the proceedings had in the
8 above-entitled matter, and that the foregoing is
9 a true, correct, and complete transcript of my
10 shorthand notes so taken as aforesaid.
11 In testimony whereof I have hereunto set my
12 hand on this 28th day of February, 2011.
13
14

15 Certified Shorthand Reporter
Registered Diplomate Reporter
16 Certified Legal Video Specialist
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