

**MINUTES
CITY OF ST. CHARLES, IL
PLANNING AND DEVELOPMENT COMMITTEE
MONDAY, AUGUST 8, 2011 7:00 P.M.**

Members Present: Chairman Carrignan, Ald. Stellato, Monken, Payleitner, Turner, Rogina, Martin, Krieger, Bessner, Lewis

Members Absent: None

Others Present: Mayor Donald P. DeWitte, Brian Townsend, Rita Tungare, Matt O'Rourke, Russell Colby, Chris Tiedt, Bob Vann, Chris Aiston, Chief Mullen

1. Call to Order

The meeting was convened by Chairman Carrignan at 7:00 pm.

Chairman Carrignan asked to have the Consideration of Agreement Regarding the Norris Cultural Arts Center moved on the agenda to be discussed first.

2. CITY ADMINISTRATION

a. Consideration of Agreement Regarding the Norris Cultural Arts Center.

Mr. Townsend stated that this is somewhat of a complicated issue but for a long time the Norris Center, which is a non-profit organization, and School District 303 worked together to operate the Cultural Art Center. Over the years four separate trusts have been established to help fund operations, maintenance and programming etc. As a result of a decision on the part of the School District and the Norris Organization to separate, there is an Agreement that has been drafted, and the city is the ultimate beneficiary of a couple of those trusts if the Norris Organization were to cease to exist. The City has been asked to approve this settlement agreement that will result in District 303 taking control and operations of the Center. The Norris Organization will continue to exist but will eventually relocate. Because the City is a beneficiary of the two trusts, we are required to grant our approval, in addition to Dist. 303, Norris Center and Harris Bank, who manages all the trusts and will also be a party to this agreement. The two trusts we are the beneficiary of are being converted to endowment funds. In approving this agreement there are two things the city feels are important: 1) we are asking through this settlement agreement that in the future if the Norris Organization ceases to exist and there were funds still remaining that they would come to the City as they would today and 2) That we continue to maintain a seat on the board of directors. Mr. Townsend stated that there were board members present for questions if needed.

A motion was made, seconded, and passed by unanimous vote to recommend approval for Consideration of Agreement Regarding the Norris Cultural Arts Center.

3. COMMUNITY DEVELOPMENT

a. Recommend approval of Special Uses for a Transportation Operations Facility at 220 N. Randall Road and 300 N. Randall Road.

Mr. Colby reviewed the staff report dated August 4, 2011.

Tony Malone-ESI Consultants-stated that in regard to the petitioning of the exempt rail crossing, he has spoken to the traffic engineer for KDOT and they have agreed to do so, process starting immediately. HLR, ourselves and the development partners are working with both KDOT and IDOT regarding the re-timing of the light and they have also agreed to take care of that.

Ryan Corcoran-Corcoran Commercial Real Estate- gave a quick synopsis regarding working with North Randall Partnership and all the efforts they have made toward developing the Randall Road Route 64 to Dean Street Corridor. North Randall Partnership's intention is to clean up the site and to ultimately develop the site and find a bigger user.

Dan O'Brien-Business Development Manager for Illinois Central School Bus-Mr. O'Brien gave a brief history of the company that was founded in 2004.

Diane Lukas-Hampton Lenzini and Renwick-Traffic Consultants-Ms. Lukas spoke about the concerns of the Plan Commission in regard to the impact of a one-hour surge of bus traffic leaving the site during the morning and afternoon times. Ms. Lukas reviewed the findings of the second Traffic Analysis in the packets.

Aldr. Rogina questioned whether the buses would always be stored at the 300 site. Mr. Corcoran stated initially the buses will be parked on what's existing asphalt and concrete, it will be somewhere between 45-60 days to complete the inter-property roadway.

Aldr. Rogina questioned the process for the ICC railroad exemption. Mr. Corcoran stated that he spoke to them and the indication is it could take 4-5 weeks, forms need to be filled out and a petition goes to the ICC office and then an order is released and Union Pacific installs the signs.

Aldr. Rogina questioned whether busses need to stop by law at the railroad regardless if children are present. Mr. Corcoran stated that prior to the exempt signs yes. But after signs are installed, no.

Aldr. Rogina clarified that the buses will go to Dean and then by option either turn west toward Peck or East toward 15th Street. Mr. Corcoran stated this is correct, 15th Street has a light, Illinois Central's goal is to relieve the congestion, and in terms of routing they will try to find the best and easiest access to exit the neighborhood.

Aldr. Stellato clarified the two different zoning districts, one being M1 and the other BC, this means that today if someone wanted to open a distribution center, with as many over the road trucks as they want, with no monitoring or control on where they turn or would be allowed, they

could do so without coming in front of this Committee and could simply just get a permit. Mr. Colby stated that is correct, for the M1 property that use is permitted. Aldr. Stellato stated that because of the control the city would have by allowing the Illinois Central School Bus to operate he does not have a problem with the special use.

Aldr. Krieger asked about the possibility of a light at 17th Street. Mr. Tiedt stated that he doesn't feel a light would ever come to fruition. Route 64 is a state route, and the state likes quarter mile spacing minimums, and for a signal to be placed there we need to justify certain traffic warrants.

Aldr. Bessner questioned how many buses will be going eastbound verses westbound on Route 64. Mr. O'Brien said about 50 buses would travel eastbound.

Aldr. Bessner asked if in regard to the retiming for extra time for the turn lane, will it be enough to handle the traffic. Ms. Lukas stated that the analysis shows that during that time of the day we can transfer enough time to the left turn arrow to handle that movement.

Aldr. Bessner questioned staff in regards to retiming the signals and also the exemption status, does that mean if we made an approval tonight for these uses, would we be in a situation where this process is pending and if for some reason this process of retiming or exemption does not go through where does that leave us? Ms. Tungare stated that there is always a possibility that one of those two things may not happen but based on the comments and information provided by the applicant I don't believe we have anything to worry about in regard to the retiming of the signals or the exempt sign for the railroad crossing. In terms of the special use staff has outlined conditions and all we can seek is cooperation and responsibility for cost on those items, both of those decisions include multiple jurisdictions including the city so it would not be fair to just pass the responsibility on to the applicant. If the conditions are significant in terms of the Council's approval I believe the special use could be conditioned on approval of the two pending items.

Aldr. Martin asked what the benefit of having our traffic disrupted by a large amount of buses would be. Mr. Corcoran stated that over 150 jobs will be created for residents, also that the property will have substantial improvements made to it.

Aldr. Martin agreed that the site needs substantial improvements due to the owner not maintaining it.

Gerard Keating-Co-Owner of property-spoke of all the benefits that he felt this project will bring to the city including, the property producing about \$70,000 in real estate tax revenue, if we tear it down most of that is gone. We would be investing \$1,000,000 to improve the property. This in turn will put a lot of people who are unemployed in the construction business back to work. Mr. Keating stated that the 220 site will be used by the Illinois Central School Bus without cost to set up their Employment Office.

Aldr. Lewis questioned how this site would later be transformed into retail space. Mr. Keating stated that after the parking lot is re-done this site would work for any type of retail.

Chairman Carrignan asked if all the traffic flow through the property is on private property. Mr. Keating stated yes that is private. We built all of it however the whole community uses it without any cost to the city.

Chairman Carrignan asked Mr. O'Brien who the Bus Company currently has contracts with. Mr. O'Brien answered Geneva School District 304, Benjamin School District 25, West Chicago District 33, West Chicago District 94 and Batavia District 101.

Chairman Carrignan clarified that about 1/3 of the buses will be going eastbound down Route 64. Mr. O'Brien stated a good deal of the contracts are Special Education work, which mean students are going to various out of district sites, so we are still sorting the routing, but approximately 1/3 yes.

Chairman Carrignan questioned whether the buses will also be used for athletic events to where buses will be running at night? Mr. O'Brien stated yes.

Chairman Carrignan questioned when buses plan to pull out on Randall Road heading north and you get to Dean then deciding to go left or right, will your buses going left go all the way down to Peck come back down south on Peck to Route 38 or do you see them doing U-turns on Randall. Mr. O'Brien stated no U-turns, we believe Peck to Route 38 would be the plan.

Chairman Carrignan asked Ms. Lukas, in her experience, how long will it take to drive this timing change through IDOT and Kane County. Ms. Lukas responded a couple of weeks.

Chairman Carrignan asked Mr. O'Brien how soon he was looking to be fully operational. Mr. O'Brien responded that most schools begin the end of August.

Aldr. Rogina questioned whether HLR used Highway Capacity software for the traffic study. Ms. Lukas responded yes. Aldr. Rogina asked if any test runs had been done on Route 64. Ms. Lukas said just the technicians counting the traffic, but no a time delay study was not done.

Aldr. Rogina questioned when we go to a permanent status and the buses are going on to the access road to 17th Street, those buses without a light could turn left or right on to Route 64. Mr. Colby stated that is correct.

Aldr. Rogina stated that policy is very important and wanted to clarify that the standard in recommending a change in the zoning by staff, and even a recommendation by Plan Commission, is making sure there is a preponderance of evidence in each of the six findings. Mr. Colby stated that is correct for a Special Use. Aldr. Rogina questioned staff about Plan Commission finding of fact number one, public convenience, that the Special Use will serve the public convenience at the proposed location. Mr. Colby stated the answer to that finding is based on the fact that a use of this type is needed in the area and the way this site is oriented relative to the arterial streets in the area makes it a convenient site for this type of use. We look at this as a use that's looking to locate in our area even though it's not necessarily serving the City of St. Charles.

Chairman Carrignan asked in regard to the termination of the sunset clause if there would be a problem. Mr. Corcoran responded no.

Tony Malone stated that he spoke with Tom Szabo at KDOT and Tom stated he could do the re-timing of the light within a week but definitely before school starts. Chairmen Carrignan stated that he feels that is the deal breaker because we need to have that done before this starts because it would be challenging and difficult to allow this special use without it. He said he wants a condition for the re-timing of that signal.

Mayor DeWitte questioned exactly how many jobs would be produced, and of that how many positions have already been filled, and also would local residents have precedence. Mr. O'Brien stated that at least 35% of those positions are still open, but that local residents would not get precedence but that living local would be a positive in terms of being punctual and dependable.

Tom Good-City Attorney-Reviewed the terms and conditions of a Special Use.

Chairman Carrignan expressed more traffic concerns; he was under the impression that the eastbound traffic would be less. Two concerns he has are going east bound on Dean and having to turn on 15th street, he thinks it would be an amiable solution for the short term, the other one is that Route 64 between Dunham and 7th Ave. in the next year and a half is going to be challenging due to the widening of Route 64.

Mr. Keating pointed out that a big fact overlooked is that the bus operation does not operate in the summer, or weekends and most holidays.

Aldr. Lewis questioned where the buses would purchase gas. Matt Finn-Illinois Central School Bus replied that they would be putting in a thousand gallon tank on site.

Aldr Krieger asked about the hiring procedure as far as proper licensing and background checks for the drivers. Mr. O'Brien replied absolutely all protocols are followed and we take that very seriously.

Mark Herzog -Olcott Plastics-spoke on behalf of Joseph Brodner the President of Olcott Plastics who is in full support of this project and feels comfortable based on their experience working with Mr. Keating. Mr. Herzog stated that Mr. Keating has made it possible for their small company to grow in a very aggressive manner, permitting us to upgrade the building and that Mr. Keating has always delivered on what he has promised. Mr. Herzog stated that Olcott Plastics is generally in support and does not see any conflict between their shift change and the bus schedule, however the left hand turns on 17th Street may be something to look at.

Chris Aiston stated that for the record, in working with the brokers and the property owners, it has been extremely difficult and not possible, as the results have shown, to place retail on this site, as there are ample retail spaces that are vacant now and highly more visible and ready to be moved in to and we cannot seem to rent. Mr. Aiston feels that until a traffic light is in place at Woodward Dr. with the extension this will not be an operational retail site. Mr. Aiston also pointed out the importance of the value that the property owner will bring to the property now,

and there is a psychological impression as you come through that corner, that there is value and that the City Council has considered a development, although it's not perhaps the highest and best use for the future but a use now and not another vacancy.

Chairman Carrigan asked the applicant about the recommendation by staff with the conditions applied, plus having approval of the light timing changes before this becomes operational. Mr. Corcoran stated that the conditions would be taken care of.

Ald. Monken made a motion to recommend approval of a Special Use for a Transportation Operations Facility at 220 N. Randall, subject to the conditions listed in the Staff Report and the Rt. 64/Randall Road traffic signal being retimed before the use is in operation.

Ald. Stellato seconded the motion.

Ayes: Stellato, Monken, Payleitner, Turner, Krieger, Bessner, Lewis

Nays: Rogina, Martin

Absent: None

Motion Carried.

Ald. Monken made a motion to recommend approval of a Special Use for a Transportation Operations Facility at 300 N. Randall, subject to the conditions listed in the Staff Report and the Rt. 64/Randall Road traffic signal being retimed before the use is in operation.

Ald. Stellato seconded the motion.

Ayes: Stellato, Monken, Payleitner, Turner, Krieger, Bessner, Lewis

Nays: Rogina, Martin

Absent: None

Motion Carried.

b. Recommend approval of Special Use for a Drive-Through Restaurant Facility (Culvers Restaurant-East Main Retail Subdivision)

Mr. O'Rourke reviewed the staff report dated 7/29/11

A motion was made, seconded, and passed by unanimous vote to recommend approval of Special Use for a Drive-Through Restaurant Facility (Culvers Restaurant-East Main Retail Subdivision).

c. Update on the Comprehensive Plan project.

Mr. Colby gave a brief update on the Comprehensive Plan and announced the Community Workshop on August 31 at 7:00pm in the Council Chambers.

4. FIRE DEPARTMENT

- a. Recommend approval of an ordinance authorizing the Disposal of Surplus Property owned by The City of St. Charles.**

Chief Mullen said we are asking to declare this a surplus because we no longer operate it, no longer need it and are no longer maintaining it.

A motion was made, seconded, and passed by unanimous vote to approve of an ordinance authorizing the Disposal of Surplus Property owned by The City of St. Charles.

5. ADDITIONAL BUSINESS

The meeting adjourned at 8:30 p.m.