MINUTES
CITY OF ST. CHARLES, IL
PLANNING AND DEVELOPMENT COMMITTEE
MONDAY, APRIL 9, 2012 7:00 P.M.

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

Members Absent: None.

Others Present: Mayor Donald P. DeWitte; Brian Townsend, City Administrator; Rita Tungare, Director of Community Development; Matthew O'Rourke, Planner; Russell Colby, Planning Division Manager; Chris Aiston, Director of Economic Development, Chris Tiedt; Development Engineering Manager

1. CALL TO ORDER

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

2. ROLL CALLED

Roll was called:
Present: Stellato, Monken, Payleitner, Turner, Carrignan, Rogina, Martin, Krieger, Bessner, Lewis
Absent: None.

3. COMMUNITY DEVELOPMENT

a. Recommendation to approve the Valley Shopping Center Final Plat of Subdivision.

Mr. O'Rourke reviewed the staff report dated 3/28/12 and stated staff recommended approval.

Aldr. Martin made a motion to approve the Valley Shopping Center Final Plat of Subdivision. Motion was seconded by Aldr. Stellato and passed by unanimous vote.

b. Presentation of a Concept Plan for a golf driving range facility (510 S. Tyler Road).

Tony Hopkins-3619 Grandview Ct-St. Charles-of HD Golf Ventures, LLC said they are presenting the most advanced golf driving range family entertainment destination in the Midwest region. He said it would feature 70 range bays and an outdoor terrace patio. He said the facility would attract people from a 40 minute driving radius and would be an improvement for the existing eye sore that has been vacant. He said the economic impact to the City would be significant because the facility would hire over 50 people; it will drive new sales to local businesses and will create a new source of tax revenue for the City.

Ken Delisi-36W276 Oak Point Dr.-St. Charles-of HD Golf Venture, LLC said the facility is designed for players of all ages and talent to come and experience the fun of golf without the barriers of time, talent and cost that limit most from enjoying the sport. He said the facility uses a one-of-a-kind golf kiosk that will allow monitoring ball flight, playing games and analyzing swings all at the same time. He said it will be digital technology in the form of Doppler radar and high speed digital cameras that will provide real time ball flight and will map it onto the range showing speed, angle, direction, launch impact and more. He said there is also the ability to establish league play and have tournaments, as this is a traditional driving range with a bowling alley environment. He said this would be a neighborhood golf destination featuring food, drink and music all experienced outdoors. He said it would be a two-tier driving range with an upper deck and part of that would be the outdoor terrace. He also said there would be miniature golf available for families.

Mr. Hopkins then showed a PowerPoint presentation of how the facility would be laid out. He said they are looking for the help of the Mayor and City Council to figure out how the venue can work at the site regarding zoning, parking variance and a liquor license. He said the desired direction of the range is with the front of the building facing north-west. He mentioned that part of the range would be constructed over the corner of the retention pond, and after working with the Engineering dept., an elevated platform is proposed. The platform is constructed with trusses and decking and will be supported by pylons in the pond. The platform will be suspended above the high water line. He said the lighting used would be that of typical flood lights and placed 40ft. above the tee line. He said transparent black netting would be used for the range with poles varying from 75-115 ft. and that there is a distance of 125 ft. between the nets and Tyler Rd.

Mr. Delisi said the building will take up less than 5% of the property and for the most part it will be open space. He said there will 160-185 parking spots and that approximate traffic generation would be an additional 200 cars a day or 20 cars per hour using mainly Main St. and Tyler Rd. coming from the East, North and South. He said hours of operation would be March-November, 6am-12am, and December-February, 10am-10pm, weather permitting, but that the bays are heated.

Aldr. Stellato said he has driven by the area twice a day for 30 years and he never envisioned something like this being built there and he is disappointed to even be discussing it but he understands the process. He said he has several issues of concern, lighting being the least. He said he does not like the way the facility is orientated on the site and he wanted to be sure the applicant explored all options with using the detention pond and twisting the building so it would run more in an easterly direction and the retention pond used as a buffer between Tyler Rd. and the facility. He said he is concerned about the hours of operation and the use in general. He said as it's zoned right now there is not any activity at all on the weekends and to change zoning to a business that will be very weekend-focused is a concern. He said he cannot believe the Plan Commission did not ask for a Traffic Study in their report because he feels that is absolutely mandatory. Madison Ave. is a hot button in his district and he is very concerned about all the negative feedback he has received already. He said the applicants bought this property knowing what it was zoned and that it's a big risk, but that he has been in this business for a long time as well and he never thought he would see something such as this being proposed for the site.

Aldr. Lewis asked how much participation in something like this would cost. Mr. Delisi said $6.00 per bucket to just hit golf balls, $9.00 for a medium bucket, and $12.00 for 125 golf balls. He said there would be a keycard system that would allow activation of the kiosk and there will be multiple levels starting at an extra $5.00 per hour to get live data. As far as the actual gaming aspect, it would be $10.00 per hour, and if there are multiple players they discount out and it would be $20.00 total for all players. He said they incentivize multiple-bay play. He said teenagers will be allowed and are encouraged to play. Aldr. Lewis asked if the other nearby facility has been successful. Mr. Delisi said very successful and has been in operation for 6 years.

Aldr. Bessner asked if the property would solely be used for the range, and if any out lots could be used for other businesses in the future. Mr. Delisi said that had not been discussed and the plan is to use the whole space for the range facility.

Aldr. Rogina asked what the distance for the closest resident to the facility is. Mr. Delisi said 1,500 ft. is the minimal impact to any residential community in the area. Aldr. Rogina asked since the site is zoned manufacturing if a plant or other facility could happen right away. Ms. Tungare said that is correct, they could go right in for a building permit.

Aldr. Turner asked if there are environmental issues on the site. Mr. Tiedt said not that they are aware of but when the site is developed there could be unknown issues discovered.

Chairman Carrignan asked if in regard to the lights being 40ft. above the tee line if that's above the upper deck or lower deck. Mr. Delisi said 40ft. total, and that they don't believe they need any lighting on any other side but the top. Chairman Carrignan said he understands the orientation from the northwest and southeast but that he is concerned at 115 ft. that people would be slicing balls over the top and on to Tyler Rd. and he would like to see that skewed as much as possible to the east to temper the lighting from the neighborhood. Mr. Delisi said in regard to rotating the range more on to the retention pond, the more that is taken of the pond the greater expense it is to build the decking and it would make the cost of the project prohibitive. He said studies have shown that not every ball will be retained by the netting, and yes some may be hit over but that is his job as an owner to be sure it doesn't happen.

Chairman Carrignan asked about the parking variances. Mr. Delisi said they would like to consolidate all their parking into one tight knit area allowing there to be landscaping on the other side of the driveway.

Chairman Carrignan asked the distance from Tyler Rd. and where the netting starts. Mr. Hopkins said 172-175 ft. on the south end from the left side.

Chairman Carrignan asked for more of an explanation of how the lighting would work.

David Miller-1150 Powis Rd.-West Chicago-Musco Lighting-Said the technology used for the facility will be the same as what is used at the East Side Sports Complex, he said there are 3 different sized visors which will come off the roof with a pole and then down the range. He said

they will know what the photometrics are at Tyler Rd., down the range and across the street, but that there will be such good cutoff down Tyler Rd. that you will see the lights are on but nothing will be glaring because it will go down the range and not toward the road. He said once the photometric engineering is done that it's not a problem to meet all Ordinance criteria.

Aldr. Rogina asked what the noise level would be for the outdoor speakers. Mr. Delisi said the decibel level from the terrace would be somewhere around 70-75 decibels which is a bit higher than conversation speech, and that the speakers are above head shooting down, not out. He said it will be comfortable background music and that at 1,500 ft., which is where the nearest residents are located, they would be at 14 decibels. He said he took some readings over the weekend on Madison Ave. and the ambient sound in the neighborhood is right around 44 decibels, not taking into consideration the car traffic, and Tyler Rd. would be right around 50 decibels. He said the noise is a non-issue.

Ben Adams-865 Munhall Ave.-St. Charles-asked why alcohol needs to be involved if it is a family destination and who will be responsible for the person who gets overly intoxicated. He said between 4pm-7pm on Tyler Rd. and Madison people drive fast to get home from work and asked the City to take a close look at that because traffic will be a real issue. He is concerned about his privacy due to cars pulling out of the south entrance of the range and the headlights continuously shining on his property. Mr. Delisi said he does share Mr. Adams concerns and he cannot be a good business if he's not a good neighbor. He said it's not in his best interest to have negative publicity and that it is his job to police the alcohol and be sure this will be maintained as a family establishment. He said that is the reason they have limited the hours because nothing good happens after midnight. Mr. Delisi said in regard to traffic that 20 cars per hour is what is anticipated, it will be a slow traffic pattern and that they would be more than happy to have a traffic study done. He said the main entrance is on the far north side and not near Mr. Adams house.

John Glenn-820 King Henry Lane-St. Charles-asked if the developers were aware that IDOT would be working on North Ave. for the next 2 years and if they had considered what the construction may do to their business plan. Mr. Hopkins said yes they are aware and that this will be a destination place and that people from around the area will know of other routes to get to the facility. He said the facility will generate extra business for surrounding businesses.

Jayme Muenz-1562 Madison Ave-St. Charles-said she has concerns in regard to sound from not only the patio but also the bays including the golf clubs, cars doors and cars themselves. She suggested getting a professional sound study proving that during the summer with windows open that the noise from the facility will not preclude her from living her life as she currently is. She said her other concern is traffic on North Ave. and people using cut-throughs and now having to get around an additional 200 cars destined for the facility. She said she map-quested the facility from the west and south and it suggests coming down 7th Ave. to Madison or Division to get to the facility, none of the navigation systems suggest taking major roads. She said her smallest concern is the lighting and how it will affect their quality of life as far as coming into their backyards and windows. Mr. Delisi said he drove the area and there is no physical way their lighting will shine directly into anyone's home. He said no matter what the noise zone used for

the study the decibel reading based on distance from the facility to any home in the area will still be below a 25 threshold and studies have proven that it will not be a concern.

Fred Alfred-1572 Madison Ave.-St. Charles-asked why from a tax basis the City hasn't looked at businesses to occupy the property versus something that the zoning will need to be changed for. He said a facility like this could be placed in an area zoned for outdoor recreation like out on Kirk Rd., but now the neighborhood will be forced to consider this because the applicant put the cart before the horse and bought the property already and now needs a variance. He said because of where he lives it will definitely affect him. He asked if the applicant had considered how this would affect other bars in restaurants in the area. He mentioned Billy Biru's and said it was advanced technology for the time that didn't work out. He asked if there are other courses like this to see what the financial arrangements are and that the site is an eye sore now but will be even worse if the project goes forward.

Aldr. Lewis said she appreciated the presentation but that her concerns are about changing the zoning and she suggested the applicants have a meeting with the neighbors.

Aldr. Bessner said he thinks it's a compatible land use and that the way it's presented at this time would bring new folks to the City. He said he would be open to retaining M2 zoning with amendments or rezoning to Public Lands and he advised in regard to the Special Use to proceed with that so they are not overly restrictive, but that if the project moves along that it works for everyone in the area. He said he has no problem with the liquor license and he feels all measures should be taken to limit golf balls on Tyler Rd. and to address the traffic analysis.

Aldr. Krieger said her concerns are lighting, sound and traffic and she feels that the City should require at the very least some turn lanes coming around the curve and up and down the hill near the property on Tyler Rd. She said at this point she is not sure it's the best use for the land.

Aldr. Martin said the alcohol is a big no from him right off the bat and everyone knows that, he said he has a problem with the traffic and that a study need to be done. He said he has a problem believing it will only be 200 additional cars a day, and he objects to the noise, the lighting and it disrupting the neighborhood. His biggest concern outside the alcohol is the netting along Tyler Rd because it is not conducive to a good neighborhood policy. He also does not like the hours of operation. He said he is a no vote.

Aldr. Rogina said for him the re-zoning is not an issue. He said the concerns made by residents regarding traffic and sound are valid, but he would like to see the process move forward and play itself out. He said he would like to see the findings of fact analyzed as well as a sound study. He would be willing to grant the liquor license because if competitors have one, he would feel if the City didn't grant one the facility may be at a disadvantage. He said he is not a yes or no vote but he would like to see the process play out and address the concerns of the residents.

Aldr. Turner said changing the zoning doesn't bother him because there is plenty of vacant land for manufacturing east of Kirk Rd. He said he feels the use is acceptable but he would like to see a traffic study done, and he is open to the liquor license but he would like to see what the hours of operation would be and he would like to see it go forward.

Aldr. Payleitner said she lives in the area and she hears all sorts of noises currently from the High School and trains etc. and that it's all part of living in town and is not an issue as far as keeping her up at night. She said she has no problem changing the zoning, and serving food and alcoholic beverages is a compliment to the experience and she is enthusiastic about the project.

Aldr. Monken said he appreciates the presentation and he feels the overall concept looks like an outstanding project, but living in the district himself he has some concerns in regard to lighting and traffic and that it all comes down to a location situation with established residents. He said he can deal with the zoning amendment but that he would like to see the communication expanded with the residents and a more thorough traffic study needs to be done before this goes forward.

Aldr. Stellato said the use itself is not anything he finds offensive, but that the use on the site is his concern. He said he is not going to change his mind on this project, but that no matter what is done with the development, a traffic study must be done to include Madison Ave. from Tyler all the way to 7th Ave. He said the scope of the study is sometimes overlooked and that the addition of 200 cars a day, along with the lighting study and the sound study, all have to be proven, and more time needs to be taken with Staff to find out about reorienting the site to use the retention pond to move it over. He said the applicant bought the property knowing what the zoning was and what the hurdles would be to get the site developed. He feels it was a mistake and should have been bought with a contingency knowing beforehand whether zoning could be changed or not. He said the alcohol license will be an uphill battle because there has to be a majority vote from the Council and right now counting heads it will be tough. He said he lives very near to the location and has no problem with what it is zoned for today and he has no concern if an M2 replaces it. The traffic study will have to compare M2 versus the proposed use because the traffic patterns are different on the weekends. He said the Special Use should be considered to allow restrictions to be placed on the businesses. Hours of operation are way too long, alcohol is a concern, and he is a no for the liquor license. He said this is going to be an uphill battle for the applicant and he is a no vote.

Chairman Carrignan said he thinks it's a creative use for a distressed piece of property, and that looking at revenue generation for the City it's an improvement in the EAV by improving the property. He said he also sees it as a sales tax and alcohol tax revenue stream. He said last year alcohol taxes brought almost a million dollars to the City, so it's a very important. He said he would keep this an M2 and do a PUD on top of it to allow the City to work with the applicant on variances and parking. He noted that the rear entrance is at a critical point at the apex of the hill, and suggested either pushing it back or just having one entrance at the far side. He said he is familiar with industrial lighting and that it has come a long way and feels that the management of light, glare and sound is doable. He said he is very happy that local owners are looking at this property, but recommended for them to work more with staff and reaching out to the neighbors by holding a couple meetings with them.

Aldr. Rogina said while a lot of questions still need to be answered that he doesn't feel this is an uphill battle, but just a challenge, and he hopes the applicants move forward and work with the neighbors.

c. Presentation of a proposed comprehensive update to Title 16 of the City Code (Subdivision and Land Improvement).

Mr. O'Rourke reviewed the staff report dated March 30, 2012. He then showed a PowerPoint presentation regarding the overview of the proposed modifications of Title 16 (Subdivision and Land Development) of the City's Code of Ordinances.

Aldr. Turner asked if the changes would be more geared toward re-development. Mr. O'Rourke said it's a function of the majority of the projects that the City anticipates seeing in the next 10-20 years. He said the current Ordinance is very much geared toward new development, and that Staff is trying to make it more generalized so it applies to both new and re-development.

d. Recommendation to approve General Amendments to Title 17 of the City Code (Zoning Ordinance).

Mr. O'Rourke reviewed the staff report dated March 28, 2012. He then showed a PowerPoint presentation regarding the overview of the proposed Amendments of Title 17 of the City's Zoning Ordinance.

Chairman Carrignan asked a question regarding re-orientating a house on its property and for clarification on what would then become the front yard. Mr. O'Rourke said the zoning Ordinance defines the smallest linear frontage as the front yard, but that there is language that if it makes sense it allows Staff to interpret it differently.

Aldr. Lewis asked in regard to window signage if that includes neon beer signs. Mr. O'Rourke said yes any sort of advertising of a product or business would be encompassed under that as long as it's on the inside of the window and not permanently affixed.

Aldr. Turner made a motion to approve the General Amendments to Title 17 of the City Code (Zoning Ordinance). Motion was seconded by Aldr. Rogina and passed by unanimous vote.

4. ECONOMIC DEVELOPMENT

a. Recommendation to consider economic development incentive for former Richards Chrysler location at 1845 E. Main Street - St. Charles Toyota.

Mr. Aiston said that Mr. Alf and his son of St. Charles Toyota have approached the City to acquire and develop the former Richards Chrysler facility at 1845 E. Main St., and that their intent is to expand his existing business and to open a certified pre-owned auto facility at the former Chrysler property. They will also make several hundred thousand dollars of improvements to the property. In doing so and under taking the investment, Mr. Alf is asking the City to reimburse 100% of his incremental sales tax from his joint venture, throttling down to 90%. He said it would be a 15-year deal at 100% for 5 years, 90% for 5 years, and completing

the last 5 years at 75%, and is associated only with the incremental new sales tax that the City will take from the expanded business. He said dollar amount of the $300,000 sales tax was based on 2011 and that once this amount comes in, sales tax revenue coming in for the joint businesses, the increment, will then be subject to the reimbursement.

Mr. Alf thanked the Council for 22 years of being in business and said that looking back in history from 1990-2000 that St. Charles was king for all the dealers in the market and from 2008 till now the rankings of the all Chicagoland Toyota dealers have dropped. He said this is because other cities have taken the sales tax revenue and poured it back in. He said he purchased this property because he was not happy with what was being proposed by the developer and that the owner of AAMCO and himself worked it out so that he could buy the property and give AAMCO some frontage so his business could succeed. Mr. Alf said he plans to create two separate businesses because of the two show room atmosphere and putting certified used cars in one section and AAMCO's business in the other. He said it will look just like his current Toyota building and as business expands he may use the whole space and relocate AAMCO along Main St. somewhere. He said that Toyota came out and gave him all the requirements for the image of the new store. He said he feels AAMCO will succeed along with the City and himself as long as they can all work together. The average car on the road is 10.8 years old so people will be buying cars.

Mr. Aiston emphasized the importance of controlling and enhancing the City's automobile sales district and he feels this is a critical juncture for St. Charles Toyota and the City.

Aldr. Turner asked if moving the present Toyota dealership into the new location would be allowed. Mr. Alf said he would not want to ever do that.

Aldr. Martin said he feels the Alfs have been a great asset to the community and that he would like to see the numbers and go forward.

Chairman Carrignan said this is an incentive investment in our City's future for automotive.

Aldr. Martin made a motion to direct staff and legal counsel to draft a formal sales tax reimbursement agreement with St. Charles Toyota. Motion was seconded by Aldr. Stellato and passed by unanimous vote.

b. Recommendation to retain Professional Services to undertake Market Study, evaluate current and future Retail Demand and develop Alternative Use Scenarios for Charlestowne Mall.

Mr. Aiston said that staff feels strongly that something needs to be done and that status quo is not an acceptable position to take as the Charlestowne Mall continues to go vacant. He said information is needed to try and turn the property around, and that a proactive approach with or without the owner needs to be taken. Mr. Aiston suggested seeking outside consulting services from Melaniphy and Associates. He said John Melaniphy is recognized as a top shelf consultant in the world of market analysis particularly in retail and restaurant. He said they are looking to

do a land use consideration with alternative uses for the site once the marketing study is conducted. He said the effort is to study the market place, both now and future market dynamics, and get a better understanding of what is wanted at the site and what is realistically possible and then come back to Council with a report.

Aldr. Turner asked if it will not only be the retail aspect discussed, and if a housing complex could be considered. Mr. Aiston said he thinks all bets are off and that the City needs to figure out if there is a viable retail center or a mixed use, but that the key is to find out if the City has the buying power and if so what type of retail components will succeed.

Aldr. Martin asked what good a $35,000 study will be if the owner will not cooperate. Mr. Aiston said he does not know that the owner will not cooperate and that he thinks the owner is dragging their feet with the respect to understanding the viability of the mall. He said they have made overtures that they are interested in investing and that he feels it's on the City to take action because it correlates in timing with the Comprehensive Plan, which is taking place and is looking at land use all across the town. The City is not asking for ownership at every parcel for consent, the City is taking the bull by the horns and taking a leadership approach and that he doesn't feel it's unprecedented for the City to strategize and create long term planning for a given property whether the owner is a participant or not. Aldr. Martin said that's a $35,000 bull. Mr. Aiston said its $25,000 that relates to Mr. Melaniphy and $10,000 that relates to the land use component but that he feels it's money well spent because the information has power and without it, the City will continue to watch and be passive.

Aldr. Krieger said the City continues to survey different areas and that this property has been surveyed before and she feels the City is surveying itself to death without doing a thing and that she does not know how the owners can be forced to participate. She said that First St. is a grand example.

Mayor Dewitte said he feels Mr. Aiston is right and that the goal is to figure out if the City has options with the property. He said the owner is on the west coast and has been inactive in promoting and redeveloping as had been promised. He mentioned an example of a possible scenario of another developer coming forward with a contrary proposal and needing the City's help to convey to the present owner that they had a better idea. This survey will help find options and what is capable and possible and that this process will create options for Council to look at for a very distressed property that he is not willing to just let fade away.

Aldr. Rogina mentioned the turnaround of Streets of Woodfield and that he suspects that some surveys and investigations were done as a prelude to the successful development it is now, and that he supports the study.

Aldr. Stellato said he supports the study but that two points need to made clear, one being that the neighbors need to be careful what is wished for because the study may show a use that may not be liked, and second is just because the study is done does not guarantee that the property will be redeveloped. Mr. Aiston said that is true, that there are many things written and not implemented. He said part of the process is that when the report is done that there will be a workshop conducted through Houseal Lavigne that will involve the neighborhood and public.

Ms. Tungare said the timing could not be better to embark on the this initiative and that it comes at a time of critical juncture with the Comprehensive Plan process that will be engaging in the development of focus area plans for the East Gateway, West Gateway and Downtown areas. She said as part of the East Gateway plan is an extension of the Houseal Lavigne contract and they are willing to conduct some additional visioning workshops and create two concept plans for Charlestowne Mall.

Aldr. Turner said he would like to make sure that whoever studies this property has the option to say that it is not viable. Mr. Melaniphy-6333 N. Milwaukee Ave.-Chicago- said they will define what the alternatives may be and one of them will always be to knock it all down. He said another option may be another use. He said he walked through the mall recently and that it is rare to have three viable department stores sitting in a mall with that type of vacancy present. He said part of the problem is Randall Rd. and the orientation to big box stores. He said there is a lot of vacancy but some good stores, a good location, a great community and it needs to be figured out how to capitalize on it.

Aldr. Rogina suggested looking into the alternative for an educational facility.

Chairman Carrignan said he does not feel that Charlestowne is unique and that the Council are not experts in the field and that he feels the sales tax revenue decline seen out of the mall is a serious problem. He said he feels it is imperative to understand the options available. The owner is getting a free ride on the City and there should be nothing off the table. He asked due to this study not being budgeted if unused money could be used while staying in the Economic Development Dept. Mr. Aiston said that is correct there was money that went unspent associated with professional services and marketing and background work to sell surplus property so the money is in the budget and would be directed toward the study.

Aldr. Lewis asked if once the study is done would it be shared with the owner. Mr. Melaniphy said that would be the Council's decision but that they would like to talk to the owners and look at the sales, performance and vacancy so they have all the facts.

Aldr. Turner made a motion to approve the contract to undertake Market Study, evaluate current and future Retail Demand and develop Alternative Use Scenarios for Charlestowne Mall. Motion was seconded by Aldr. Rogina and passed by unanimous vote.

5. ADDITIONAL BUSINESS

a. Update on the Comprehensive Plan Project-Information only.

Mr. Colby gave a brief update on the Comprehensive Plan Project.

6. ADJOURNMENT 8:50PM