

**MINUTES
CITY OF ST. CHARLES, IL
PLAN COMMISSION
TUESDAY, NOVEMBER 20, 2012**

Members Present: Todd Wallace, Chairman
 Tim Kessler, Vice Chairman
 Sue Amatangelo
 Curt Henningson
 Tom Pretz

Members Absent: Tom Schuetz
 Brian Doyle

Also Present: Matthew O'Rourke, Planner
 Russell Colby, Planning Division Manager
 Sonntag Court Reporter

1. Call to order

The meeting was called to order at 7:01 p.m. by Chairman Wallace.

2. Roll Call

Vice Chairman Kessler called the roll. A quorum was present.

3. Presentation of minutes of the August 21, 2012 meeting.

A motion was made, seconded and unanimously passed by voice vote to accept the minutes of the August 21, 2012 meeting.

Chairman Wallace suggested addressing item 5 prior to item 4 on the Agenda. **A motion was made, seconded and unanimously passed by voice vote to change the order of the Agenda.**

5. 1915 W. Main Street (McDonald's)

Application for a Concept Plan for the proposed demolition and reconstruction of the McDonald's restaurant located at 1915 W. Main Street.

Supporting Documents:

- Concept Plans dated 11/15/12
- Parking Analysis dated 11/14/12

The attached transcript prepared by Sonntag Reporting Service, Ltd., is by reference hereby made a part of these minutes.

PUBLIC HEARING

4. General Amendments (City of St. Charles).

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Chapter 17.04 “Administration”, pertaining to Planned Unit Developments and deviations from Chapter 17.18 “Inclusionary Housing”.

Chapter 17.18 “Inclusionary Housing” pertaining to the percentage of affordable units required to be constructed as part of residential developments and to create a process and requirements for an Alternative Affordable Housing Plan.

The attached transcript prepared by Sonntag Reporting Service, Ltd., is by reference hereby made a part of these minutes.

Ms. Amatangelo made a motion to close the public hearing. Mr. Kessler seconded the motion.

Roll Call Vote:

Ayes: Amatangelo, Henningson, Kessler, Wallace, Pretz

Nays:

Absent: Doyle, Schuetz

Motion carried.

MEETING

The attached transcript prepared by Sonntag Reporting Service, Ltd., is by reference hereby made a part of these minutes.

6. General Amendments (City of St. Charles).

Chapter 17.04 “Administration”, pertaining to Planned Unit Developments and deviations from Chapter 17.18 “Inclusionary Housing”.

Chapter 17.18 “Inclusionary Housing” pertaining to the percentage of affordable units required to be constructed as part of residential developments and to create a process and requirements for an Alternative Affordable Housing Plan.

Mr. Kessler made a motion to recommend approval of the application conditioned upon modification of the proposed wording in the financial hardship section from 10% to 15%. Mr. Wallace seconded the motion.

Roll Call Vote:

Ayes: Wallace, Kessler

Nays: Amatangelo, Henningson

Absent: Doyle, Schuetz, Pretz

Motion failed.

Mr. Henningson made a motion to recommend approval as presented. Ms. Amatangelo seconded the motion.

Roll Call Vote:

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Ayes: Wallace, Amatangelo, Henningson

Nays: Kessler

Absent: Doyle, Schuetz, Pretz

Motion carried.

7. Update on the Comprehensive Plan Project

Open House for Draft Plan, Wednesday, November 28, 2012 from 6:00pm to 7:30pm

8. Meeting Announcements.

Tuesday, December 4, 2012 at 7:00pm in the Council Chambers

Tuesday, January 8, 2013 at 7:00pm in Council Chambers

Tuesday, January 22, 2013 at 7:00pm **Century Station Training Room**

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

10. Adjournment at 9:13 p.m.

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STATE OF ILLINOIS)

) SS.

COUNTY OF K A N E)

BEFORE THE CITY OF ST. CHARLES PLAN COMMISSION

In Re the Matter of:)

)

Regular Meeting.)

REPORT OF PROCEEDINGS had in the
above-entitled matter, before the St. Charles
Plan Commission, taken in the offices of City of
St. Charles, 2 East Main Street, St. Charles,
Illinois, on November 20, 2012, at the hour of
7:01 p.m.

1 PRESENT:

2 MR. TODD WALLACE, Chairman;

3 MR. TIM KESSLER, Vice Chairman;

4 MS. SUE AMATANGELO, Member;

5 MR. CURT HENNINGSON, Member; and

6 MR. TOM PRETZ, Member.

7 ALSO PRESENT:

8 MR. RUSSELL COLBY, Planning Division Manager; and

9 MR. MATTHEW O'ROURKE, Planner.

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1 CHAIRMAN WALLACE: This meeting of
2 the St. Charles Plan Commission will come to
3 order.

4 Tim, roll call.

5 VICE CHAIRMAN KESSLER: Amatangelo?

6 MEMBER AMATANGELO: Here.

7 VICE CHAIRMAN KESSLER: Pretz?

8 MEMBER PRETZ: Here.

9 VICE CHAIRMAN KESSLER: Henningson?

10 MEMBER HENNINGSON: Here.

11 VICE CHAIRMAN KESSLER: Wallace?

12 CHAIRMAN WALLACE: Here.

13 VICE CHAIRMAN KESSLER: Kessler, here.

14 CHAIRMAN WALLACE: All right.

15 Presentation of the minutes of the last meeting
16 which was August 21st, 2012.

17 Is there a motion to approve?

18 VICE CHAIRMAN KESSLER: So moved.

19 MEMBER AMATANGELO: Second.

20 CHAIRMAN WALLACE: It's been moved
21 and seconded.

22 All in favor?

23 (The ayes were thereupon heard.)

24 CHAIRMAN WALLACE: Opposed?

1 (No response.)

2 CHAIRMAN WALLACE: The motion passes
3 unanimously.

4 Before we get to the next item on
5 our agenda, I would suggest that we address
6 Item 5 prior to Item 4, so the 1915 West Main
7 Street McDonald's concept plan would occur first,
8 and then we would conduct the public hearing and
9 take action on the other items.

10 Is there any objection from members of the
11 Plan Commission?

12 (No response.)

13 CHAIRMAN WALLACE: Okay. All right.

14 MEMBER PRETZ: Do we need a motion
15 for that?

16 MR. O'ROURKE: I think so, to
17 formally amend the agenda.

18 CHAIRMAN WALLACE: Okay. Is there a
19 motion for that?

20 VICE CHAIRMAN KESSLER: So moved.

21 MEMBER PRETZ: Second.

22 CHAIRMAN WALLACE: It's been moved
23 and seconded.

24 Any discussion on the motion?

1 (No response.)

2 CHAIRMAN WALLACE: Roll call.

3 VICE CHAIRMAN KESSLER: Amatangelo?

4 MEMBER AMATANGELO: Yes.

5 VICE CHAIRMAN KESSLER: Pretz?

6 MEMBER PRETZ: Yes.

7 VICE CHAIRMAN KESSLER: Henningson?

8 MEMBER HENNINGSON: Yes.

9 VICE CHAIRMAN KESSLER: Wallace?

10 CHAIRMAN WALLACE: Yes.

11 VICE CHAIRMAN KESSLER: Kessler, yes.

12 CHAIRMAN WALLACE: All right. The
13 next item on the agenda is Item 5, 1915 West Main
14 Street, McDonald's application for a concept plan
15 for the proposed demolition and reconstruction of
16 the McDonald's restaurant located at 1915 West
17 Main Street, supporting documents, concept plans
18 dated November 15, 2012, and parking analysis
19 dated November 14, 2012.

20 For those of you who are not familiar with
21 our process, the Plan Commission, at the request
22 of the Applicant, will conduct a concept plan
23 review. This is voluntary on the part of the
24 Applicant, but it's always encouraged before

1 applicants spend a great deal of money and time
2 doing an application for whatever it is they're
3 wanting to do. That's what we're doing tonight.

4 At this point in time, the Plan Commission
5 is not going to take any action because there is
6 no application that is pending before the Plan
7 Commission. Rather, we will allow you to present
8 the plans that you have, and we're hoping that
9 the Plan Commission will be able to give you our
10 thoughts, both favorable and not favorable, if
11 any, regarding the plan, and then at that point
12 you can make whatever revisions you feel
13 necessary before coming back before us with a
14 formal application.

15 As I said, there won't be any action that's
16 taken, and unless there's action by you, nothing
17 further will happen on this matter.

18 Are there any questions regarding procedure?

19 (No response.)

20 CHAIRMAN WALLACE: Okay.

21 MR. O'ROURKE: Todd, actually, if
22 you're requesting a PUD, if you know that that's
23 the process you're going to be pursuing, then a
24 plan is required.

1 CHAIRMAN WALLACE: Okay.

2 MR. O'ROURKE: I just wanted to
3 clarify that point so everybody knows that
4 they're here to meet that requirement, as well.

5 CHAIRMAN WALLACE: Okay. Got it.

6 All right. And so what we're doing tonight
7 is, if the Applicant would like to make a
8 presentation, then we will -- the Plan Commission
9 will ask questions. We'll allow the audience to
10 ask any questions that they may have, and then at
11 the end of the present -- or the end of this
12 item, Plan Commissioners will make comments
13 regarding the application.

14 All right. Anything further from staff
15 before we go to the Applicant?

16 MR. O'ROURKE: That's all.

17 CHAIRMAN WALLACE: All right. Is the
18 Applicant ready?

19 MR. STILLWELL: Yes.

20 Mr. Chairman, members of the Plan
21 Commission, thank you for indulging us this
22 evening and amending your agenda to allow us to
23 proceed ahead of schedule. We appreciate that
24 very much.

1 We'll try to be thorough but brief and give
2 you the essential elements with respect to what
3 the Applicant is proposing.

4 My name is Henry Stillwell. My address is
5 300 East Roosevelt Road, Wheaton, Illinois. I am
6 the attorney for the Applicant this evening,
7 McDonald's Corporation.

8 McDonald's, as you know, has an existing
9 store on the west side of town on Main Street on
10 the south side just west of 19th, and that would
11 be the store that is the subject of tonight's
12 discussion.

13 There are other individuals present with
14 the Applicant this evening that I'd like to
15 introduce briefly.

16 First of all, Mr. John Lardas, in the
17 second row. Mr. Lardas is the franchisee
18 operator of this store and other stores in the
19 community and the Fox Valley area.

20 Behind him is Mr. Ted Feenstra, who is
21 withV3 Engineering. He's the engineer and
22 designer on this site, and Keith Demchinski is
23 with Norris, and Norris Design is the landscape
24 consultant, and Keith will actually go through

1 some landscape plans a little bit later, but, to
2 begin with, I'll give the initial presentation
3 and then turn it over to Keith to finish it up.

4 As I indicated, we're seeking to demolish
5 the existing McDonald's located at the subject
6 property, as identified in the staff report, and
7 to rebuild that facility with a new, up-to-date
8 McDonald's restaurant, with a new restaurant
9 design, as well as a new drive-through system
10 that incorporates the most current technology
11 being utilized by McDonald's with respect to the
12 side-by-side order system, which has proven,
13 through a great deal of effort and
14 experimentation and implementation, to be an
15 extremely effective and efficient system that
16 immensely helps the operation and efficiency of
17 the store and the on-site circulation of the
18 shortening of the stacking and a better overall
19 environment for customer service and public
20 safety. So that's our goal.

21 To accomplish that we're asking for the
22 community to approve a special use for a planned
23 unit development. We do believe that we have
24 justification for that, and I'll get into those

1 discussions after we go through some of the
2 actual aspects of those standards in what
3 we're going to present this evening.

4 But in accordance or in a part of that PUD
5 application, we're also going to be requesting
6 certain specific deviations to your ordinance,
7 and I'll kind of briefly mention the categories
8 now and then we'll go through them more
9 specifically as I go through the plans.

10 First, we are seeking to reduce the parking
11 from a required 52 spaces to 49, and we have
12 submitted a traffic parking occupancy study that
13 supports that request, and I'll go through that
14 in a little bit.

15 Secondly, we are going to be requesting a
16 deviation to the width of the green space setback
17 or setback of the pavement on the south side of
18 the property immediately adjacent to the south
19 property line from 10 feet down to 5 feet.

20 We are asking for certain deviations to
21 landscape standards relative to certain numbers
22 of trees and plantings, and I'll let Keith go
23 into the specifics of that when he goes through
24 the landscape plan and the explanation as to why

1 that's necessary and the justification for those
2 requests.

3 And, finally, we'll be asking for a
4 deviation on your signage standards focused
5 specifically on wall signage, not on the
6 freestanding monument sign, with respect to
7 allowing more than one wall sign on the building,
8 and to allow on two of the elevations -- the east
9 and west -- signage that otherwise would not be
10 permitted and a size that we are specifically
11 requesting, and we'll go through the specifics of
12 that, as well.

13 The site, as currently is configured, is
14 1.13 acres in size. As I've indicated, it
15 already is improved and has been for many years
16 operating as a McDonald's restaurant with a
17 drive-through facility.

18 It is surrounded by -- well, it is adjoined
19 by commercial, rather extensive commercial uses
20 to the west, to the north, and to the east. To
21 the south is a large parking lot facility. It's
22 a grade-level parking area for multiple-family
23 uses.

24 There are no buildings immediately adjacent

1 to the rear property line. It's all basically
2 one large parking lot as I've observed. That is
3 screened by a fence with slatting that currently
4 exists along the entire south property line of
5 the subject property which would remain in place.

6 We have a site plan on the --

7 MR. O'ROURKE: Yes. Just scroll down
8 with the mouse. It's all in the PDF packet
9 there, I think.

10 MR. STILLWELL: Oh, great. Thank you.

11 The way that the site is currently
12 configured, the building is located on the
13 easterly portion of the site and is oriented in a
14 north-south fashion so that the narrow portion of
15 the building faces towards Main Street and then
16 the depth of the building runs north and south.
17 Then there's a large area of parking field, and
18 the drive-through system currently exists.

19 There is also a total of four access
20 locations on and off of Main Street serving the
21 existing facility.

22 The proposal is to incorporate the type of
23 site layout that you've seen previously with more
24 up-to-date McDonald's facilities, so I want to

1 walk through briefly with you this proposed site
2 plan.

3 First, the access location will be altered.
4 Two current access locations will be eliminated,
5 so that there will just be two full-access curb
6 cuts servicing the building following
7 redevelopment. Those are identified on the site
8 plan on the east side and on the west side.

9 Just for purposes of orientation, north is
10 to the top, Main Street is right along this north
11 side or this upper side of the property, and then
12 east, west, north.

13 The site will be laid out with the
14 traditional counterclockwise one-way rotation
15 circulation path for McDonald's, moving around
16 counterclockwise with a full through-clearance
17 circulation lane that is 20 feet wide on the
18 east, north, and west, and 18 feet wide on the
19 south.

20 The drive-through facility will be entered
21 in the northwest portion or area of the site, as
22 shown on the plan, and will divide and separate
23 into two order lanes. This is what we call the
24 side-by-side order system, which has two separate

1 menu boards, customer order display facilities
2 that allow two cars at one time to present their
3 order.

4 That's where the real efficiency of the
5 system is found. It avoids, for the most part, a
6 circumstance when a car with a large order or a
7 little bit of uncertainty as to what they want to
8 order takes more time than usually expected and a
9 line starts backing up and it gets really
10 congested and inefficient.

11 When we first introduced to system -- and I
12 probably have said this to you in the past, so
13 I'm hoping you will indulge me -- we actually ran
14 a study, because I was doing a project in
15 Bensenville at the time, when the City fathers
16 had questions, "Does this really work?" And
17 my -- my client, who was a franchisee of that
18 particular area, had already done this in the
19 store on River Road in Rosemont that was having a
20 lot of problems with backup on River Road, and so
21 he implemented the side-by-side system.

22 We had a letter from the police department
23 and chief of police that said, "This is great."

24 We ran a test on the Thursday and the

1 Friday, closed it. Went through one facility or
2 one of the order systems on one day and then
3 double on the other day, and the day that we had
4 both lanes open, there was 25 percent greater
5 volume of activity and, yet, the stacking was
6 reduced 60 percent, so it is a very effective
7 system.

8 And it's really important for the
9 organization because what has happened with our
10 more convenience-oriented society is that the
11 amount of drive-through volume has grown
12 considerably over the last three decades; whereas
13 when McDonald's first introduced the drive-through,
14 they were doing, say, 20 to 30 percent. Then
15 they were going to 50 percent.

16 It is routine now to have 70 percent of
17 total sales volume at certain locations, 80 to
18 82 percent of total sales volume generated by the
19 drive-through facility.

20 That adds interesting impacts as far as
21 making sure you have an efficient system, and
22 that's why they poured so much money researching,
23 implementing this system.

24 But it also has an impact relative to some

1 of the observations pointed out in the parking
2 study that you received relative to the ability
3 of people to make a choice that does not require
4 them to park if they don't want to, and in the
5 past oftentimes during peak hours, if it got too
6 busy and the line was too long, people would opt
7 to park, if there was a space available, putting
8 greater demand to onsite parking, so that ties
9 together with some of the requests that we have
10 in this application.

11 Going back into the site plan, after the
12 two order points, there is a merge of the
13 different cars and a then circle around behind
14 the building on the south side and proceed first
15 to the pay window and then move forward secondly
16 to the pickup window.

17 And in this particular building they have
18 now incorporated -- and I'll go through this in
19 the elevations -- what's called a pull-forward
20 window, so there will actually be three windows
21 for the drive-through on this store, and the
22 pull-forward window is utilized when an order is
23 not quite ready, but rather than hold up the
24 line, the car is asked to pull forward and then

1 the order is brought out and will service that car.

2 And as a result of adding that, we now have
3 15 total stack spaces within the drive-through
4 facility. The staff report indicated that, as
5 originally submitted, there was only 14, so we
6 have cured that and we're only seeking a
7 deviation as to cars being capable of being
8 stacked in the drive-through system.

9 The trash corral is located in the
10 southwest corner of the site. We'll be in
11 compliance with your standards relative to the
12 appropriate enclosure, matching materials, gates
13 with materials that will be low maintenance, so
14 that should be an accommodation that would not be
15 inconsistent with your ordinance.

16 Parking, as I have alluded to, is provided
17 primarily along the perimeter of the site with,
18 also, some parking adjacent to the building on
19 both the north and south side.

20 We're showing a total of 49 spaces, which
21 do include 5 parallel spaces adjacent to the
22 north property line, and those are referred to in
23 the staff report.

24 With respect to these spaces, there are

1 certain spaces that will be identified for
2 employee parking, such as locations that affect
3 the trash enclosure pads, a conflict relative to
4 a garbage truck when it comes periodically,
5 which, I believe, is probably twice a week.

6 Is that right?

7 MR. LARDAS: Twice.

8 MR. STILLWELL: The -- the store is
9 serviced by on-site sidewalks that people access
10 out of the parking fields.

11 As you can see, they run -- there's a
12 customer entrance in the southeast corner of the
13 site that faces east and there's a sidewalk
14 looping around the entire east extension of the
15 outdoor space and running along the north side of
16 the building.

17 There is a customer access in the center of
18 the north side of the building shown on the site
19 plan. The sidewalk continues onto the back, to
20 the westerly portion of the building, the north
21 side, closer to the service doors which
22 accommodate off-loading for various types of
23 supplies for the restaurant.

24 And there's one third access that's a

1 service access also located in the southwest
2 corner of the building facing west. That's
3 utilized for access to -- from the trash corral.

4 The site plan does provide for the
5 opportunity for outdoor patio seating in that
6 large area to the east of the building, and Keith
7 will get into that in his plan presentation,
8 along with the landscape elements that would be
9 associated with that area and other planting
10 areas located throughout the site.

11 The lighting will be in compliance with
12 your ordinances. All of the photometric
13 requirements will be fully complied with.

14 Let me shift, if I could. I'll skip over
15 the landscape plan and leave that to Keith and go
16 to the exterior elevation.

17 This is what's called the Signature Series
18 prototype. This was first introduced in the
19 Chicago market with the Spring Road building in
20 Oak Brook near the corporate campuses of
21 McDonald's by Cermak Road, I believe, or
22 22nd Street and Spring Road.

23 This is literally the new brand image of
24 McDonald's. There is an enormous campaign that

1 has been rolled out now over the last few years
2 throughout the nation to rebrand the company with
3 a more up-to-date image that has more
4 architectural appeal.

5 As you know, for a long time McDonald's
6 buildings were primarily what we called the
7 double mansard design, and those clearly became
8 obsolete, out of date, and needed to be replaced.

9 This is the new look for McDonald's, and as
10 you travel throughout the country, you'll see
11 this routinely throughout a variety of communities.

12 I've just completed four buildings --
13 four McDonald's facilities in Naperville.
14 One was brand-new in the Design Pointe shopping
15 center on Route 59. Three of them were remodels,
16 where they take an existing store and they
17 totally remodel the building into this design so
18 it basically has a Signature Series appearance.

19 It has been warmly received in the
20 communities that we've dealt with. It is a brick
21 veneer facade on all four exterior elevations,
22 with accents on these cultured stone arcades
23 located -- as you look at the center drawing,
24 that's the north elevation facing Main Street.

1 It's labeled "Nondrive-through side" elevation,
2 and you can see that we have a cultured stone
3 arcade around the customer access, and then, at
4 the corner, the south -- I'm sorry -- the
5 northeast corner of the building, the wraparound
6 cultured stone arcade, as well.

7 That is also shown expansively on the front
8 elevation on the top line which faces to the
9 east, and then with the -- the arcade on the rear
10 elevation facing west, and then on the drive-
11 through side they're facing south in this
12 particular instance.

13 There is what we call the tower element,
14 which, again, is better seen -- excuse me -- from
15 the front elevation looking from the east to the
16 west.

17 Again, this is a cultured stone element
18 that provides some architectural relief. The
19 purpose of the design is to introduce shadow
20 lines with some indentation in the brick lines,
21 as well as some dual tones in the brick as
22 demonstrated on the drive-through side elevation
23 at the bottom of this exhibit.

24 This drawing also addresses or identifies

1 elements with respect to signage, and let me hand
2 out a more up-to-date drawing of this because,
3 actually, we did make a couple of changes to this.

4 Let me first just identify the changes that
5 we made since you had the other one you've
6 probably looked at, and this is where we get into
7 the wall signage issue I discussed earlier
8 where -- this is where there's some deviations
9 involved.

10 The difference between what you see on this
11 plan that's on the computer and what I just
12 handed out, if you go to the bottom elevation,
13 which was the drive-through side elevation facing
14 south, the arch sign which is located on that
15 drawing has been removed as required by the
16 ordinance. There's not allowed to be a sign on
17 that -- that facade.

18 Looking to the center drawing, which is the
19 nondrive-through side elevation facing north
20 toward Main Street, that has stayed the same,
21 with the arch sign by the main entry and the
22 McDonald's script sign located on the parapet
23 that screens the mechanical drawings.

24 The areas of deviation are located on the

1 top line of drawings, one front elevation facing
2 the east, the second rear elevation facing west.

3 The elevation facing to the east has
4 remained unchanged relative to the signage that
5 we're requesting.

6 We're requesting the arch sign on the
7 cultured stone arcade, as well as the script sign
8 reading "McDonald's" on the parapet.

9 On the rear elevation we have a new drawing
10 you'll see where we're still requesting the arch
11 on the stone arcade, but we're also -- we're also
12 requesting, again, the McDonald's script sign
13 facing to the west.

14 All of that that I just identified are
15 deviations to the ordinance.

16 As identified in the staff report, under
17 the existing ordinance, no wall signs are
18 permitted on the east or west elevations and only
19 one wall sign is permitted for the whole side
20 elevations.

21 We are requesting that you allow us to
22 increase the number of wall signs from one to a
23 total of six. That would be two on each of these
24 three facades: East, north, and west.

1 Again, north is in full compliance and, in
2 fact, it's well under what's allowed. If you
3 look at the staff report, the mass identified on
4 that facade, we would have a mass, I believe, of
5 177 square feet versus only the 45 that we've
6 provided.

7 We're asking for the indulgence and
8 consideration of the community to allow us to
9 also have a traditional-type signage on the east
10 and west.

11 Because of the nature of the environment
12 that we're in, it's really a fairly intensive
13 commercial area, and identification of the
14 facility is extremely important to McDonald's to
15 provide for identification and site recognition
16 as early as possible so that it's easy for people
17 to prepare to make the turn and to access the
18 facility before they get by it.

19 We believe that this is a -- a consistent
20 design that's been utilized by McDonald's
21 throughout most communities.

22 We recognize that the St. Charles community
23 has its own standards, and we are respectful of
24 your standards, but we believe at this particular

1 location that the economic commitment being made
2 by this owner/operator and McDonald's Corporation
3 with this reinvestment and the importance in this
4 economy and throughout the competitive
5 environment we deal with justifies the need to
6 provide for effective recognition of this store
7 by the passing public.

8 This is -- what people don't realize, this
9 is not a destination location. McDonald's
10 business is driven by impulse traffic, and it
11 varies with -- with location. But it is not
12 uncommon for impulse traffic to represent 60 to
13 70 percent of total sales volume, a very
14 important component of the business model for
15 this organization.

16 And that's why you always see the effort
17 made to make sure that there's good opportunity,
18 visibility, and customer recognition of the store
19 before it's too late because impulse traffic is
20 driven by convenience, convenience, first and
21 foremost, recognizing and easily accessing the
22 site, and, secondly, once upon the site, being
23 able to easily navigate the site and get in and
24 get out very quickly.

1 So that being said, we don't believe that
2 it creates any undue burden upon the public
3 interest, but serves a great benefit to the
4 property and the substantial investment that will
5 be made in this location by the organization and
6 the operator.

7 There is a proposed free-standing sign that
8 is in full compliance with your sign ordinance.
9 There will be a single sign that will be located,
10 naturally, towards Main Street, and it will comply
11 with the minimum setbacks and it's located, I
12 believe --

13 MR. LARDAS: It's in the middle.

14 MR. STILLWELL: It's in the middle.

15 MR. LARDAS: Right.

16 MR. STILLWELL: I can't see the
17 labeling. The print is so small.

18 I think it's right here. That's where we
19 would get the setback, so that's what I assume,
20 that's the sign, freestanding sign right there.

21 So when it comes to signage, the deviations
22 that we're seeking deal with the wall signage on
23 the east and west elevation.

24 What I'd like to do at this time is turn

1 the podium over to Keith and let him run through
2 the landscape drawing, and after he's done that,
3 then I will do a little summation relative to
4 your community standards and why we believe that
5 this is an appropriate request for PUD
6 consideration.

7 MR. DEMCHINSKI: Good evening. Keith
8 Demchinski with Norris Design, 540 Duane Street,
9 Glen Ellyn, Illinois.

10 We're a landscape architecture and
11 planning firm working with -- we've been working
12 with V3 Company and McDonald's for the last
13 approximately four years on roughly 50 McDonald's
14 renovations, and with each and every project,
15 we -- our goal is always to comply with or exceed
16 the local jurisdiction's landscape codes, and in
17 this case, I'll run through our concept and a few
18 of the design elements, and then go through the
19 few deficiencies in the landscape tree counts
20 that Hank spoke of earlier.

21 As you can see, this is a color rendering
22 here. In front of you is just the black-and-
23 white plan, but up along Main Street we're
24 currently showing adequate landscape shrubs and

1 perennials along the street frontage there and
2 also street trees, canopy trees. Those are
3 proposed to be maple, maple trees, and then along
4 the west side of the building we're also showing
5 a significant amount of landscape material, a mix
6 of evergreen trees, canopy, and also some other
7 ornamental trees.

8 You can see the landscape island. We're
9 currently proposing a mix of perennials,
10 ornamental grasses, drought-tolerant landscaping,
11 and some native landscaping, as well, and in the
12 elevations that you saw earlier, you noticed the
13 cultured stone, some of the natural elements that
14 McDonald's incorporates into their building
15 materials, and our goal, as landscape architect,
16 is always to complement the architecture, and so
17 that's our goal, is always to introduce as much
18 native and drought-tolerant landscape materials
19 as possible to complement the architecture.

20 On the east side of the building, we're
21 also providing a significant amount of
22 landscaping.

23 Up around the outdoor dining area we're
24 proposing some screening along the south edge

1 there and also along the west side.

2 We're proposing a water feature, which you
3 can see in the photo below. It's just a
4 character photo. We will be incorporating some
5 additional natural stone that complements and
6 matches the stone in the architecture of the
7 building, and that -- that water feature will
8 actually be visible from Main Street, but it will
9 also serve as an amenity for guests who decide to
10 dine outside.

11 And then along the south edge we're also
12 proposing some additional trees, columnar trees
13 and additional shrubs and landscape material.

14 So the few deviations that -- that we're
15 requesting at this point in time, there's
16 currently 12 trees that are required along --
17 within the foundation landscape, so on the west
18 side of the building, also the east side of
19 the -- of the building, currently we're 1 tree
20 short of that 12 -- of the 12 that are required.

21 And then along the public street frontage,
22 there are 6 shade trees that are required. We
23 are -- we're in compliance with the shade trees.
24 However, there are 12 ornamental and evergreen

1 trees that are required, and in order to meet
2 that requirement, we need to shift the landscape
3 buffer along Main Street approximately 20 to
4 30 feet to allow for 12 ornamental and evergreen
5 trees, so, unfortunately, that's just -- it's not
6 feasible to propose that amount of trees along
7 Main Street at this time.

8 So with that, if there are any questions --
9 or we'll take questions after Hank closes, but if
10 there are any questions regarding landscaping,
11 I'd be happy to answer them.

12 VICE CHAIRMAN KESSLER: I have
13 one question.

14 What is the landscaping along -- on the
15 southern boundary there? I mean, I see the
16 trees, but what is -- what's there?

17 MR. DEMCHINSKI: There is --
18 apparently, there is a -- there is a retaining
19 wall along the south side.

20 VICE CHAIRMAN KESSLER: But, I mean,
21 are you proposing any landscaping where that
22 retaining wall is right now?

23 MR. DEMCHINSKI: Currently, no.
24 There is an adequate space right now between the

1 sidewalk and the retaining wall for that.

2 VICE CHAIRMAN KESSLER: What is going
3 to be the demarcation between the parking lot to
4 the south on this property?

5 MR. DEMCHINSKI: There's a curb but
6 then there will be either turf or mulching
7 between the curb and the wall.

8 VICE CHAIRMAN KESSLER: Will this be
9 at the same grade?

10 MR. DEMCHINSKI: It will be the same
11 grade.

12 VICE CHAIRMAN KESSLER: Will you be
13 able to go from one to the other; not legally,
14 but you can?

15 MR. DEMCHINSKI: There is a fence at
16 the top of the retaining wall.

17 VICE CHAIRMAN KESSLER: And is
18 there -- whose fence is that?

19 MR. DEMCHINSKI: That would be
20 McDonald's.

21 VICE CHAIRMAN KESSLER: Oh, okay.
22 Okay. Thank you.

23 CHAIRMAN WALLACE: I have a question
24 on landscaping, as well.

1 One of the things that was mentioned that I
2 think might be a general concern is the parking
3 space reduction, and comment was made of sharing
4 the parking lot, or at peak hours there are a
5 number of cars that are parking in the McDonald's
6 lot and walking across to the Beef Shack, and
7 one of my questions would be, was there any
8 thought into putting some type of a landscape or,
9 you know, even just minimal landscaping on the
10 west side of the property to try to prevent that
11 cross-over?

12 MR. DEMCHINSKI: I believe there's
13 been discussion as to proposing something along
14 that edge to deter people from walking over to
15 the adjacent property. However, we haven't -- we
16 haven't looked at any alternatives at this point
17 in time.

18 CHAIRMAN WALLACE: Is there any
19 proposal to change the elevation from that lot --
20 I mean, I've seen numerous people drive literally
21 from McDonald's lot into --

22 VICE CHAIRMAN KESSLER: That's the
23 thing.

24 CHAIRMAN WALLACE: -- the Beef Shack

1 lot over the curb.

2 So, I mean, that will be one of my comments
3 at the end regarding the landscaping, some type
4 of an -- even if it's a minimal landscape buffer
5 there, I think it would be advantageous.

6 All right? That's all I have for
7 landscaping.

8 MR. DEMCHINSKI: Okay. Thank you.

9 MR. STILLWELL: Well, let me just
10 take a few minutes, if I could, and address the
11 community standards that were identified or
12 referenced by the staff report relative to
13 Section 17.04.400 of the zoning ordinance.

14 And I think the important aspects of what's
15 being sought through that section of the
16 ordinance is to look at a variety of different
17 things that can provide benefit and
18 justification. It's not a list of mandates but,
19 rather, are there elements that are consistent
20 with what's sought or looked at and located in
21 the certain circumstances, and I believe that we
22 do that in more than one instance.

23 First of all, and most importantly, I
24 believe that one of your objectives with the PUD

1 is to help promote economic development,
2 redevelopment, and to help to eliminate or remove
3 obsolete buildings, and that's really what we
4 have here.

5 This building is -- and the purpose of
6 today's activities -- it is obsolete. It is out
7 of date. Technologically it's a dinosaur.
8 Architecturally it's not up to speed with what
9 the expectations of the company or of the public
10 or the community are, so we believe that, from a
11 standpoint that this will facilitate the ability
12 to redevelop this site and to make a major
13 economic commitment to the site with millions and
14 millions of dollars, that it is appropriate for
15 the PUD.

16 In addition to that we have tried to
17 incorporate into the site some amenities which we
18 believe will provide a benefit to our customers,
19 but, also, the public because the public are our
20 customers, and that is being addressed through
21 the outside patio dining areas identified in the
22 plan.

23 We have also looked at incorporating a
24 water feature, as identified on the landscape

1 plan by Keith, trying to find ways to actually
2 make this an integrated component of the area and
3 to be attractive and harmonious with the
4 objectives of the City as its community continues
5 to redevelop.

6 This is a pretty intense area. It's, I
7 guess, best described as that portion of the
8 commercial component of the city that's really
9 strip shopping, so it's pretty intense. It
10 doesn't have as much character, as much
11 architectural and landscape beauty as you find in
12 your downtown area, and we believe that, with
13 this redevelopment, we are inserting elements
14 that are more consistent with the type of look
15 and quality that the community has grown to
16 respect of its citizens, its corporate citizens.
17 Again, the PUD helps to promote and enable that
18 to be accomplished.

19 Your standards actually provide specifically
20 for this encouragement of redevelopment. So
21 given that, being a specifically stated objective,
22 we think it's appropriate to rely upon.

23 I also believe that the landscaping that
24 will be provided -- McDonald's, I think, has

1 earned a reputation justifiably of providing
2 enhanced landscaping. We normally provide
3 overdensity of landscaping. We have some issues
4 relative to deviations under your ordinance with
5 respect to certain components which Keith has
6 addressed, but, for the most part, as you look at
7 the way the island around the drive-through, the
8 back of the building, the front of the building,
9 and those perimeter areas are landscaped, they
10 are intense and they are very attractive with a
11 lot of color and foliage that provides nice site
12 appeal.

13 Also, the PUD standards make reference to
14 buildings which offer high-quality architectural
15 design. And I realize architecture is in the
16 eyes of the beholder, and anyone could take issue
17 with it, a given design. I will say that we have
18 found the reception warm with this architectural
19 design in most communities, and we do believe
20 that it's a culmination of a number of efforts to
21 test what would be the most attractive and
22 effective image for the corporation. That's why
23 it's being rolled out in such a broad fashion
24 throughout the nation.

1 So, again, the PUD, I think, will help to
2 implement the utilization of our superior or
3 high-quality architectural design on the site.

4 The site will also incorporate appropriate
5 stormwater management requirements, bring us up
6 to compliance under your ordinance, so, again,
7 meeting one of the objectives of your PUD
8 standards.

9 So given those positive elements and what I
10 believe to be a dearth of negative impacts to the
11 public, I believe that the PUD does serve a
12 purpose and that it is appropriate, and the
13 deviations, I believe, are, in fact, consistent
14 with those objectives.

15 The traffic study or the parking study that
16 has been done by V3 and submitted as a part of
17 the application goes through an analysis basically
18 of three components.

19 One, what does the City's Code require?
20 Which is 52 spaces for this 5,200-square-foot
21 building.

22 What is the current building demand as
23 currently exists, with the less efficient -- far
24 less efficient drive-through system as in place

1 at this time, which is 48 spaces, based upon
2 peak-hour operation, which includes some of that
3 borrowed parking from adjacent users, and what's
4 happening, what's been the experience with other
5 facilities that have incorporated this far more
6 efficient system and similar types of store with
7 similar capacity, what have they needed to
8 effectively operate in the marketplace, and what
9 have studies demonstrated during peak hours that
10 the parking occupancy consists of?

11 When we did those four stores in Naperville
12 over the last 12 months, we did a number of studies
13 associated with each of those applications to
14 address all of those same questions, and
15 consistently, based upon extensive examination on
16 a large number of existing stores where there's
17 been redevelopment -- new development or
18 redevelopment with the side-by-side drive-through
19 system, consistently the required number of
20 spaces, depending on the size of the buildings,
21 ranged anywhere from 32 up to 42 spaces. 32 to 42.

22 The only time -- the only time that we have
23 experienced the need to get a 50-space count is
24 if there's a Play Place associated with that

1 store, and the reason for that is that the Play
2 Place changes the demographic and the customer
3 preference and orientation. There's a larger
4 component that comes at lunch that has an intent
5 with children to stay longer.

6 The average turnaround per customer at a
7 McDonald's restaurant ranges from 15 to 20 minutes.
8 That changes with the Play Place, and that means
9 that cars stay in the parking lot longer
10 associated with that component of the customer
11 base that utilize the Play Place with their
12 children, and as a result of that, we found
13 through studies that is when we start pushing
14 into the 50-car count range and only then.

15 But there's not a single store, whether it
16 be stores we have studied in West Chicago, at
17 Washington and 59, or the Wheaton stores on
18 County Farm and Danada and Naperville Road, the
19 Glen Ellyn store, we've studied no less than
20 12 different stores to make sure that our data is
21 reliable and consistent, because as much as you
22 might not want to accept this, it's very
23 important for McDonald's that they be accurate,
24 in tune with their customers.

1 We do want these stores to operate
2 effectively. We want to make sure that we hit
3 the amount of parking that's reasonably needed to
4 address the normal peak hour.

5 There is no question that occasionally you
6 can get an unexpected surge, whether it be a
7 special event, a holiday, kids are out for
8 teacher conferences and all of a sudden a lot of
9 people come. Those kinds of surges can sometimes
10 create an overcapacity or undercapacity situation.

11 That's the rare exception. Our studies
12 have clearly demonstrated, consistent with what
13 V3 has identified in their report, the
14 appropriate demand for this type of store, this
15 size of store, is around 41 spaces.

16 So the 49 spaces we propose will, in fact,
17 accommodate and will also provide for a bit of a
18 buffer for surge times or in the event that we
19 are not able to effectively control some of that
20 off-site utilization as identified in the report.

21 With respect to the signage deviation, it's
22 not the deviations -- clearly they're not the
23 variations solely. Technically it's not really
24 the variation standards that are applicable, but

1 I do think that there's a component of -- of how
2 you analyze variation standards as appropriate
3 for consideration with deviations, and one of the
4 key things, when you talk hardship associated
5 with variations, that certainly is not a
6 deviation standard, but one of the elements of
7 how you determine hardship is, there is a -- it's
8 a weighting, it's a weighting effect. You weight
9 and consider the public benefit to be served by
10 enforcing the ordinance versus the private
11 detriment to be experienced if it's not varied or
12 deviated from.

13 And what we're seeing here, in our opinion,
14 is that, given the nature of this environment,
15 the type of traffic volumes that exist in this
16 location and the intensity of the commercial
17 development that's around this site, that the
18 proposed signage is -- is attractive; it's
19 consistent; it's justified; it's serving an
20 important purpose for the Applicant, and there's
21 not an offsetting public interest to be
22 accomplished or achieved by strictly enforcing
23 the letter of the ordinance with respect to the
24 east and west elevations in this instance, so we

1 believe it's appropriate to allow this signage
2 for this particular fact and circumstance.

3 That concludes our presentation this
4 evening. We'll all be very happy to answer any
5 questions that you might have relative to the
6 plans or the other elements that we've addressed
7 this evening.

8 CHAIRMAN WALLACE: All right.

9 Thank you.

10 Questions from Plan Commissioners?

11 VICE CHAIRMAN KESSLER: I have a few.

12 CHAIRMAN WALLACE: Go ahead.

13 VICE CHAIRMAN KESSLER: Hank, I
14 probably mentioned this at the beginning, but I
15 know we talked about eliminating curb cuts, but I
16 don't think I saw where they were going to occur.

17 MR. STILLWELL: Let me show you those.

18 Currently what you'll see is, I believe --

19 VICE CHAIRMAN KESSLER: There's
20 four now.

21 MR. STILLWELL: Yes. There's four cuts.

22 I'm not sure -- Ted, are these actually --

23 VICE CHAIRMAN KESSLER: Where are
24 they?

1 MR. STILLWELL: Are they currently
2 located -- so you've got one, two, three, four,
3 or something like that currently.

4 These are being closed in in the middle, so
5 those two are lost, and then you just have the
6 remaining two on each extreme on the east and the
7 west.

8 VICE CHAIRMAN KESSLER: Okay.
9 Each end?

10 MR. STILLWELL: Right.

11 VICE CHAIRMAN KESSLER: Okay. I'm
12 curious -- and I may be jumping around a little
13 bit but allow me.

14 What is the -- do you have a percentage of
15 the business that's drive-through at this location?

16 MR. LARDAS: 72 percent.

17 VICE CHAIRMAN KESSLER: 72 percent.

18 And you're anticipating that may increase
19 as a result of this?

20 MR. LARDAS: Yes.

21 VICE CHAIRMAN KESSLER: Okay. All
22 right. And I thought you mentioned -- did you
23 mention a third pull-up window, a pull-ahead
24 window? But I only see two.

1 MR. STILLWELL: Let me show you on --
2 well, you know what? Look at the new elevation.

3 VICE CHAIRMAN KESSLER: Oh, it's on
4 the new?

5 MR. STILLWELL: I'm sorry. I failed
6 to mention that. I didn't point that out when I
7 handed that out.

8 VICE CHAIRMAN KESSLER: Okay.

9 MR. STILLWELL: When you look at the
10 bottom drawing, you'll see it's added on the east
11 side of that elevation.

12 VICE CHAIRMAN KESSLER: Oh.

13 MR. STILLWELL: The east of that
14 elevation.

15 VICE CHAIRMAN KESSLER: And 49 is the
16 reduction that you're looking for. I notice it's
17 also in here -- it says "50."

18 MR. STILLWELL: We -- we had to
19 eliminate a space because we were in violation of
20 our stacking requirement. We couldn't have the
21 stacking behind it so we took a space out.

22 VICE CHAIRMAN KESSLER: Okay. Okay.

23 And then -- oh, this was curious.

24 I noticed somewhere it said that there was

1 reduction in the impervious surface because of
2 the size of the building on the property.

3 What -- why is there a reduction in
4 impervious surface?

5 MR. STILLWELL: Well, if you go to
6 the site right now, it's a huge parking lot.

7 VICE CHAIRMAN KESSLER: Right.

8 MR. STILLWELL: So it's a sea of
9 asphalt currently.

10 So with the redevelopment of this site and
11 redesign relative to -- the building is bigger,
12 going from 4,500 to 5,200 square feet, but
13 there's a more efficient design relative to the
14 layout of the circulation, parking, and exterior
15 drive-up facilities which then results in
16 actually more open space than currently exists
17 today.

18 VICE CHAIRMAN KESSLER: So -- so
19 there's -- I mean, there's still parking.
20 There's still asphalt so because of the size of
21 the building, you're reducing impervious space?

22 MR. STILLWELL: Well, it's not
23 because of the size of the building, but the
24 building is larger.

1 The reason that there's more --

2 VICE CHAIRMAN KESSLER: Less
3 impervious.

4 MR. STILLWELL: -- there's less
5 impervious space, and that really relates into
6 more of the up-to-date standards that you're
7 seeing implemented here than you see routinely,
8 which is, there's lot more emphasis on green
9 space and landscaping today than there ever was.

10 We all embrace it. We all like to go a
11 place that feels comfortable because it's
12 attractive and that's -- I mean, that's a very
13 important component for the Applicant, as well,
14 believe me. Those are dollars well spent, and
15 the Applicant wants to enhance the aesthetics of
16 the site with landscaping, so that's why you're
17 seeing, as much as possible, greater emphasis on
18 that in this redevelopment.

19 VICE CHAIRMAN KESSLER: And I think I
20 have a couple of questions for staff.

21 I understand the discussion about why you
22 might make this a PUD, but -- or why it might fit
23 into the PUD ordinance, but I want to know why
24 would you do that? I mean, I understand that you

1 could say --

2 MR. STILLWELL: Why are we asking?

3 VICE CHAIRMAN KESSLER: Why are we
4 asking for it?

5 MR. STILLWELL: I'll tell you why
6 we're asking for it, and I -- I have to tread
7 lightly on this because I think that there's more
8 to why we're asking than just that we're trying
9 to circumvent a provision of the ordinance.
10 There's more to it. I want to preface those
11 comments with that statement.

12 But there is a dilemma under your existing
13 zoning ordinance, and I will say this is fairly
14 unique. I haven't run across this in other
15 communities, and I have been in an awful lot of
16 communities, but under your zoning ordinance, you
17 cannot vary the parking count requirement.

18 VICE CHAIRMAN KESSLER: Unless it's
19 in a PUD.

20 MR. STILLWELL: Unless it's in a PUD.

21 It's a deviation; it's not a variation. So
22 you structured your Zoning Ordinance and you all
23 made the decision as to what was appropriate, but
24 you very narrowly defined what can be varied, and

1 parking is not part of it, and I'll tell you the
2 problem with that.

3 That's probably one of the examples of
4 something on the standard that should be far more
5 dynamic than static because of the changes that
6 are occurring routinely in various types of uses.

7 It's awfully hard to put these activities
8 in a box and say they apply evenly to all comers
9 no matter what the circumstances, and it probably
10 should have more flexibility relative to whatever
11 the established experience and norms based upon
12 the methodologies used and implemented by that
13 particular user.

14 McDonald's has spent a lot of money to
15 design a system that is so much more efficient
16 than used to be. And just so you understand --
17 and I hope I'm not repeating things I've said
18 before -- but this side-by-side drive-through
19 system goes far beyond what you see outside with
20 two order locations. It's a total revamp of all
21 of the technology associated with it: New
22 computer systems, new hardware and software that
23 helps them make sure that all of the cars get the
24 correct order relative to the picture-taking

1 of -- of the car when it takes the order, and,
2 also, redesigning the whole kitchen so that,
3 based upon the geometric analysis and distance
4 between the pickup window and the order point,
5 they will have, on balance, a great majority of
6 the time the food will be ready because the food
7 is made to order. It's not made -- prepared in
8 advance.

9 So there was a tremendous amount of
10 technological evolution that went into that whole
11 redevelopment of their image and how their system
12 works, and that's why there's so much more and so
13 much more efficiency in this than you would
14 expect just by adding that second order location.

15 MR. O'ROURKE: Hank, if I can just
16 ask this, too. I think this serves Mr. Kessler's
17 questions very well.

18 Could you explain to me the conversation
19 you had with staff regarding the size of the
20 building and how you're not -- there's really no
21 flexibility as to how big it can be, because I
22 think that's very important to what can fit on
23 this site and what can't, in terms of there's the
24 prototypes and there's really no variation in

1 between. I think that might help explain a
2 little bit of --

3 MR. STILLWELL: As I mentioned earlier,
4 the -- the company is involved in extremely,
5 extremely extensive and expensive rebranding
6 throughout the nation.

7 As a result of that, they took extreme
8 steps to protect what they were doing, including
9 trademarking all of these designs.

10 That's good in some ways; it's bad in some
11 ways because it creates much less flexibility in
12 what the organization can do without violating
13 its trademark protections, and so we have
14 specific standard prototypes, architectural
15 designs, elements within those architectural
16 designs that through trademarking have to be
17 protected.

18 And what happens whenever there's an
19 attempt or request for a change, I literally have
20 to submit that request back through the corporate
21 legal team because they have to determine whether
22 or not it can even be done without violating
23 trademark protection which would then erode the
24 statutory protection.

1 And I'm not using that as an excuse. It's
2 just a fact. There is such a major economic
3 investment that the company found it necessary to
4 protect what it was doing, and it did create a
5 little bit less flexibility than we used to have
6 relative to changing certain things, so we're
7 pretty well committed relative to what this
8 building consists of at this location.

9 VICE CHAIRMAN KESSLER: That still
10 doesn't answer my question about parking, the
11 overflow lane, because they didn't actually meet
12 the on-site parking standard at that other
13 location.

14 MR. O'ROURKE: They -- they did not
15 meet the stacking space requirements. They --
16 they were not in the PUD, so they had to meet the
17 on-site parking.

18 VICE CHAIRMAN KESSLER: I thought
19 they reduced the adjoining properties. They used
20 shared parking.

21 MR. O'ROURKE: They may have done
22 that. I'd have to -- I don't recall but that's
23 something that is allowed through the Code.

24 VICE CHAIRMAN KESSLER: And how would

1 we treat these other deviations if it wasn't
2 a PUD?

3 MR. O'ROURKE: Certain ones that are
4 being proposed -- the landscape buffer yard
5 requirement on the south property line, for
6 instance -- can be varied by the Zoning Board of
7 Appeals. There are very limited items that are
8 allowed to be.

9 VICE CHAIRMAN KESSLER: Signage.

10 MR. O'ROURKE: Signage is one of the
11 things that is allowed to be varied through these
12 four things, limited to setbacks, lot area, lot
13 width --

14 VICE CHAIRMAN KESSLER: And a PUD is
15 not just for parking, but for the signage, as well?

16 MR. O'ROURKE: Pretty much every
17 deviation that's been requested, except for that
18 setback deviation request, that could be handled
19 as a variance; but the other ones, it could not be.

20 VICE CHAIRMAN KESSLER: All right.
21 Thank you.

22 MEMBER HENNINGSON: Earlier you were
23 asked a question about the three windows.

24 That's a similar system that is shown at

1 Burger King, as well.

2 CHAIRMAN WALLACE: All right. Any
3 other questions?

4 Sorry. Sue.

5 MEMBER AMATANGELO: Mr. Stillwell,
6 the space -- spaces that we're counting for,
7 there are supposed to be 49 of them.

8 Does that include spaces across the front
9 along the North Avenue street?

10 MR. STILLWELL: It does.

11 MEMBER AMATANGELO: The parallel
12 parking?

13 MR. STILLWELL: Five spaces are
14 included in that.

15 MEMBER AMATANGELO: Okay. Very good.

16 Then, also, where exactly are the -- the --
17 is the lighting going, the posts for the lighting
18 and so forth?

19 MR. STILLWELL: Well, this is really
20 a concept plan, so we haven't really done
21 preliminary engineering.

22 Have we located the light standard or is
23 that coming at the preliminary level?

24 MR. FEENSTRA: It would be located at

1 the preliminary level. We do have a board with
2 that.

3 MR. STILLWELL: There's a preliminary
4 photometric plan.

5 MEMBER AMATANGELO: Well, actually,
6 it's part photometric and part landscaping that
7 I'm after here.

8 MR. STILLWELL: Okay. Well,
9 understand -- I'll pull this down so you can see
10 it a little bit and I'll get by the microphone.

11 It looks like we do have some photometric
12 analysis based upon some projected locations for
13 the free-standing monument within the parking
14 area, but you can see the standards that are
15 called out.

16 Their height will be consistent with the
17 Code. Their -- their wattage, illumination, and
18 the whatever intensity is allowed at the property
19 line will be complied with.

20 MEMBER AMATANGELO: Is this going to
21 be a 24-hour --

22 MR. STILLWELL: Yes.

23 MEMBER AMATANGELO: -- location?

24 Okay.

1 MR. STILLWELL: Now, one of the
2 things that McDonald's is doing and what we would
3 like to have for this location -- I believe,
4 John, the drive-through and --

5 MR. LARDAS: -- and dining room
6 weren't all open right now.

7 MR. STILLWELL: McDonald's is now
8 moving to a 24-hour, not just drive-through, but,
9 also, inside seating operation.

10 MEMBER AMATANGELO: Okay. And then,
11 that way, the lighting will have to be on all
12 night long, I take it.

13 MR. STILLWELL: Correct.

14 MEMBER AMATANGELO: Okay. All right.

15 If you had only three places that you could
16 put signage on the building, where would they be?

17 MR. STILLWELL: Three places.

18 MEMBER AMATANGELO: You're asking for
19 six; right?

20 MR. STILLWELL: Right.

21 Well, we -- we would -- I'd have to turn
22 that over to John and corporate because that's
23 not my call. I mean, I can speculate on where I
24 think it would be appropriately located.

1 MEMBER AMATANGELO: Certainly.

2 MR. STILLWELL: You have to remember
3 that, of those six, three of them are just the
4 arch logos, so they are -- it's not like they are
5 imposing signage because there's more elements,
6 but I can't honestly find out -- where is John --
7 whether you have a smile right now.

8 MR. FEENSTRA: It's very hard.

9 MEMBER AMATANGELO: Sure.

10 MR. STILLWELL: I think we would have
11 to sit down internally and analyze that and
12 determine where would those signs most effectively
13 be utilized and what signs would be appropriate.

14 MEMBER AMATANGELO: And how many signs
15 are on the building today?

16 MR. STILLWELL: John?

17 MR. LARDAS: Pardon me?

18 MR. STILLWELL: How many signs are on
19 the current building?

20 MR. LARDAS: Four or five. I'm not
21 sure.

22 MEMBER AMATANGELO: Okay.

23 MR. STILLWELL: Four or five.

24 MR. LARDAS: But the building is set,

1 the new building, this is going sideways.

2 MEMBER AMATANGELO: Right.

3 MR. STILLWELL: Yes. It is an
4 east-west.

5 MR. LARDAS: It's an east-west.

6 MEMBER AMATANGELO: But the position
7 of the signage on the building today, is it
8 somewhat like what you're proposing here, where
9 there's one on each elevation? Is that -- is
10 that the way it's set up today?

11 MR. STILLWELL: Why don't you come up.

12 MEMBER AMATANGELO: Come on up.

13 MR. LARDAS: John Lardas.

14 MEMBER AMATANGELO: The signage on
15 the building today, is this set up the same way
16 as you're proposing, to have it on the new
17 building where there's one on each -- each
18 elevation?

19 MR. LARDAS: There's a large -- we've
20 got the sign "McDonald's" in the front, and I
21 think there's arches on both sides of the building,
22 but now, by turning it around, we are trying to
23 get the arches -- I mean, the "McDonald's" to
24 face 64, but, also, the front of the building

1 sort of faces east, so I think that's where the
2 dilemma is that we're in, but we're trying to put
3 the building sideways. It will be facing 64. We
4 need signage over there on 64.

5 MEMBER AMATANGELO: So -- so you
6 don't think that the -- the sign right up on the
7 street sign itself will be enough, sufficient
8 enough?

9 MR. LARDAS: No. We're going to
10 monument signs for the big sign, and those
11 monument signs, you probably see them when you're
12 on -- basically, on the sign, and that's one of
13 the problems that we run into with the monument
14 signs.

15 MEMBER AMATANGELO: All right.
16 Thank you.

17 Also, I was curious as to if there was a
18 reason why you chose not to go with the
19 two-colored bricking on the other side of the
20 building, as well.

21 MR. STILLWELL: The reason that it
22 has normally been done that way is that, on the
23 drive-through side, there's no opportunity for a
24 foundation landscaping at all, and so to break up

1 the horizontal nature of it and create some
2 verticality, they used a different shading of
3 brick, whereas on the nondrive-through elevation,
4 there's more opportunities for landscaping and
5 vertical relief through landscaping components.

6 MEMBER AMATANGELO: Okay. All right.
7 And one more.

8 I don't know if you actually pointed out
9 where the fountain will go.

10 MR. STILLWELL: I was hoping that
11 Keith would identify that. I think that that's
12 really something that's still in process that
13 will have to be designed into the preliminary
14 plans which will be the next step --

15 MEMBER AMATANGELO: Okay.

16 MR. STILLWELL: -- if the concept
17 makes sense.

18 MEMBER AMATANGELO: All right. Very
19 good.

20 MR. O'ROURKE: Right now, it's just
21 to the west of the outdoor seating area, so to
22 clarify that, but the property will move a
23 little bit.

24 MEMBER AMATANGELO: Okay. Thanks.

1 CHAIRMAN WALLACE: Tom.

2 MEMBER PRETZ: Well, my question
3 pertains to the signage.

4 You had in your presentation spoken about
5 the prototype and then the protection that the
6 AT&T corporation has to protect their image, and
7 I am -- I understand concerning the McDonald's
8 and the arch because those are very -- you know,
9 from -- that design and protection of that, but
10 getting away from the prototype of the building
11 and the Signature Series here, do you have
12 flexibility as it relates to the amount of signs
13 that are placed on the building or is there a
14 directive in the -- in -- in the prototype itself
15 which says signs should be on the various
16 elevations? Or do you have freedom to be able
17 to --

18 MR. STILLWELL: There is. That is
19 not mandated by the trademark protection, this
20 specific -- particularly the signs in those
21 locations. There's some tie-in relative to the
22 arch sign element with the arcades and the roof
23 cap element, but -- but with respect to --
24 directly to your question, we are not

1 specifically locked into the exact sign plan that
2 we have shown you.

3 MEMBER PRETZ: Okay. Thank you.

4 CHAIRMAN WALLACE: Anything else?

5 MEMBER AMATANGELO: I do have one more
6 question.

7 CHAIRMAN WALLACE: Yeah.

8 MEMBER AMATANGELO: On the outdoor
9 seating area, it looks like there's parking.
10 There is some landscaping but there's also
11 parking around that.

12 MR. STILLWELL: Yes.

13 MEMBER AMATANGELO: Are there going
14 to be planned provisions to have some sort of a
15 fencing or something to protect the diners there?

16 MR. STILLWELL: Well, you do have the
17 curb element.

18 Whether or not -- I mean, they do --
19 actually, quite frankly, I wouldn't be surprised.
20 They intend to use that with that outdoor patio.

21 John, what do you have with that guard
22 type --

23 MR. LARDAS: If we put an outdoor
24 patio, there will be a fence around it.

1 MEMBER AMATANGELO: Okay. Good
2 enough. Thank you.

3 MEMBER HENNINGSON: I did have another
4 question on the signage.

5 On your location in Naperville, do you have
6 any locations where the building is parallel to
7 the street like this one is --

8 MR. STILLWELL: Yes.

9 MEMBER HENNINGSON: -- and you've
10 done signage on all three sides on those?

11 MR. STILLWELL: I'm thinking of --

12 MR. LARDAS: Randall Road is facing
13 the one side street, where we sort of -- it's
14 facing Randall Road, but the sign has the
15 McDonald's sign plus the sign in the front plus
16 the Play Place in the back.

17 MR. STILLWELL: I would have to look
18 at that Naperville store. It's on Route 59 in a
19 shopping center called Design Pointe. It's a
20 little bit south of I-88 past Diehl Road. I
21 would have to check.

22 Their sign ordinance on wall signage -- our
23 normal sign package, which this is pretty much
24 it, was in full compliance with their Code. We

1 didn't have to have any deviations. You're far
2 more restrictive.

3 Wall sign -- I'll tell you where you're
4 really restrictive is really shocking to me --
5 that's probably an overstatement. It's
6 surprising to me -- sorry about that.

7 I was very surprised to see one wall sign.
8 That's really surprising in today's climate,
9 especially with a business like this. We're not
10 the only one where you have logo elements which
11 are considered signs. They are not imposing like
12 these arches, and suddenly you've got three right
13 off the bat just using the logos, so that's
14 pretty surprising.

15 But we have, I would guess, on that
16 building -- I would say we have five or six wall
17 signs easily, but I'd have to go back and look at
18 the plan to give you an honest answer. I just
19 know we had no problems with our standard package
20 at that location.

21 CHAIRMAN WALLACE: All right. Anyone
22 else?

23 (No response.)

24 CHAIRMAN WALLACE: All right. Any

1 members of the audience wish to ask any questions
2 of the Applicant or offer any comments?

3 (No response.)

4 CHAIRMAN WALLACE: I have just a --
5 you know, one of the things that I've noticed --
6 and this wasn't in the report but I just want
7 to -- maybe the owner would know about this.

8 I've noticed quite often in the current
9 parking lot, the way it's configured, we have a
10 lot of commercial trucks and buses.

11 MR. LARDAS: Right.

12 CHAIRMAN WALLACE: Buses parking.

13 Has that become an issue as of late? And
14 I'm assuming that, hopefully, setting the parking
15 up this way will serve to eliminate this issue.

16 MR. LARDAS: Right now, it's no
17 issue. It's no issue.

18 But a lot of times, like I say, we get
19 commercial trucks or landscapers pulling the
20 trailer, they'll take three or four parking
21 spaces, and lot of times, when you go down to
22 41 spaces, that starts really hurting you at that
23 point.

24 CHAIRMAN WALLACE: Yeah.

1 MR. LARDAS: I know, with that
2 parallel parking, I think will help with those,
3 with the trucks or trailers. They will use those
4 right away if they're open.

5 CHAIRMAN WALLACE: Yes.

6 By the way, who -- who will use them?

7 MR. LARDAS: The trucks, stuff like
8 that, because they're -- they're longer spaces at
9 that point.

10 CHAIRMAN WALLACE: Okay. Well, I
11 guess what my concern is, I mean, I've noticed
12 buses -- you know, school buses coming in and
13 taking up eight spaces.

14 When we drop down to 48 spaces, does that
15 mean that we're going to have 40 spaces because
16 we have a --

17 MR. LARDAS: If there's a school bus
18 that's parking along there --

19 MR. STILLWELL: That's the kind of
20 dynamic that we obviously can only so much -- if
21 we -- if we actually came in with 75 spaces,
22 people we say, "Wait a minute. We're paving the
23 landscape unnecessarily."

24 But I understand what you're saying, and

1 just -- this is not particularly relevant here,
2 but that does happen.

3 For example, at the Danada store in Wheaton,
4 on Naperville Road, there's an Aldi's just to the
5 west of that store. There's a private access
6 road and an Aldi's, and all the school bus
7 drivers go over to Aldi's and they park over
8 there and they walk over.

9 Normally these sites -- and this one will
10 be the same as we develop it -- do not
11 accommodate school bus parking on them, and you
12 will not see school buses being bold enough to
13 come onto this site. I've never seen a school
14 bus on a redeveloped site.

15 It doesn't mean it doesn't happen because
16 I'm not there all the time, but when the site has
17 the one integrated circulation system like this
18 does, with the perimeter parking as opposed to
19 the multiple parking aisle configuration that
20 exists today which invites -- especially with the
21 number of curb cuts there -- it invites a large
22 vehicle to pull in off that curb cut without
23 having to negotiate anything, that you just park
24 right there because it's an oversized parking

1 field.

2 That's going to go away with this new design.

3 CHAIRMAN WALLACE: Okay. That's
4 exactly what I wanted to know.

5 Everything else was answered. Okay.

6 Oh. There isn't any type of a shared
7 parking agreement in effect now with Beef Shack
8 or --

9 MR. LARDAS: No.

10 MR. STILLWELL: No. There is no
11 joint parking.

12 CHAIRMAN WALLACE: All right. All
13 right. If there aren't any other questions, then
14 what I'll do is poll the Plan Commission --
15 anything from staff?

16 MR. O'ROURKE: Just -- just a
17 highlight that there were some things in the
18 staff memo, the end of the memo, some particular
19 questions that I think the Applicant would like
20 to answer; for staff, as well, so just to
21 highlight those, in your summation, if you can
22 comment on those, that would be a big help for
23 us. In particular, they are on page 8 of the
24 staff memo.

1 VICE CHAIRMAN KESSLER: I'll answer
2 those questions. I'll run through them and tell
3 you what I think.

4 I think it does advance one or more of
5 the -- where is that? Page 1 of this?

6 CHAIRMAN WALLACE: Yes.

7 The questions are, "Does the proposal
8 advance one or more of the purposes established
9 in Section 17.04.400.A," as in, "Is this an
10 appropriate project for the use of a PUD."

11 VICE CHAIRMAN KESSLER: And I think
12 that -- I think that it advances a few of them.

13 Without going through them all, it's a
14 creative approach to site improvements, preserving
15 some native vegetation, promote economic
16 development, encourage redevelopment of the site,
17 and it encourages a collaborative process.

18 I, frankly, you know, don't have a problem
19 with the deviation from 52 to 50 parking spaces.
20 I can't see that that's going to change the
21 course of events, but, you know --

22 CHAIRMAN WALLACE: What is this,
23 "Should the Applicant remove the proposed
24 parallel off-street parking spaces?"

1 MR. O'ROURKE: That was an idea
2 promoted by staff in the staff memo.

3 Basically, when we looked at that, we
4 thought there could be some problems with folks
5 entering the site from that easternmost curb cut
6 off Route 64 and some conflicts of interest of
7 people backing out of those spaces, maybe taking
8 some time.

9 What we were suggesting is, if the parking
10 study shows that those are not needed, do you
11 have any comments on whether you feel they're
12 needed? Would you rather see them or not? We're
13 just looking for some --

14 CHAIRMAN WALLACE: How many are there?

15 MR. O'ROURKE: I believe five total.
16 So instead of reducing it to 49 spaces, there
17 will be a reduction to 44 total or some
18 combination thereof, and maybe a couple of them
19 go away.

20 VICE CHAIRMAN KESSLER: We don't have
21 a potential reduction in the drive-through
22 facility because you addressed that with your
23 window.

24 I do -- I don't have an issue, but the

1 proposed deviation of the landscape buffer yard,
2 I'm not -- Todd brought up one, and that's to the
3 west, and that's between the Beef Shack, and I
4 think there needs to be some sort of --

5 CHAIRMAN WALLACE: I think there is a
6 demonstrated need.

7 VICE CHAIRMAN KESSLER: There's a
8 demonstrated need.

9 And in addition to that, I'm not really
10 thrilled with the south having a concrete wall
11 with a fence on top of it. I'm not sure what you
12 can do there, but I think we need to have some
13 sort of -- it doesn't look great. I mean, it's
14 got a beat-up fence, so somehow we could
15 incorporate, perhaps, a, you know, planting,
16 planter-type demarcation between that and the
17 south lot.

18 CHAIRMAN WALLACE: Let me ask you
19 this, Tim.

20 VICE CHAIRMAN KESSLER: Sure.

21 CHAIRMAN WALLACE: If there was a
22 determination that those parallel parking spaces
23 are not necessary --

24 VICE CHAIRMAN KESSLER: Well, you

1 know --

2 CHAIRMAN WALLACE: -- and the building
3 would be moved --

4 VICE CHAIRMAN KESSLER: I thought of
5 that, again.

6 CHAIRMAN WALLACE: -- and a landscape
7 buffer on the south side --

8 VICE CHAIRMAN KESSLER: Well, I also
9 said at the beginning a reduction of two spaces,
10 to me, doesn't -- isn't going to change things
11 much, but now you're talking about seven spaces,
12 and now you're starting to get a little bit --

13 CHAIRMAN WALLACE: Yes.

14 VICE CHAIRMAN KESSLER: That's
15 starting to take --

16 MR. STILLWELL: Eight spaces.

17 CHAIRMAN WALLACE: Pardon me?

18 MR. STILLWELL: Actually, eight spaces.
19 We're out at 49 right now, not 50, because we had
20 to remove one more space so there was no conflict
21 with the drive-through.

22 VICE CHAIRMAN KESSLER: Right.

23 Even 49.

24 CHAIRMAN WALLACE: Removing the

1 parallels bring us to what?

2 MR. O'ROURKE: 44.

3 CHAIRMAN WALLACE: 44.

4 VICE CHAIRMAN KESSLER: Yes.

5 And now you think we're starting to run
6 into some problems.

7 MEMBER PRETZ: And I think you had
8 mentioned that there -- in your studies, 41 is
9 what this store probably would -- definitely needs?

10 MR. STILLWELL: Right.

11 We would not even consider going below
12 41 spaces. We feel that that's really our peak
13 demand need based upon the projections and the
14 analysis done by the traffic consultant.

15 But we also feel that 49 is a much more
16 comfortable number simply because there are those
17 special occasions when we get spikes in activity
18 beyond the normal peak, or if we have some
19 problems, we'll look at that west side.

20 Clearly we prefer not to have people
21 utilize our site for off-site facilities. That's
22 going to be challenging almost to the point of
23 looking at maybe a fence or something. I don't
24 know how that plays out, whether you get rid of

1 maybe some type of adaptive-type fence, but
2 there's definitely room for something there.

3 CHAIRMAN WALLACE: One of the
4 McDonald's that I'm thinking of -- and I don't
5 know if -- I mean, I'm sure that you're familiar
6 with it. Maybe I'm thinking of it wrong -- but I
7 believe it's in Glen Ellyn on Route 38, and they
8 have a black wrought-iron fencing which actually
9 is attractive, and it has plantings along it.

10 The reason I thought of it is, the buffer
11 is probably -- it's probably wider than that. It
12 seems like it's only that wide, but it's -- you
13 know, they have just tall plantings along the --
14 the fence and I don't think --

15 MR. STILLWELL: That's the one.

16 CHAIRMAN WALLACE: -- it's a stockade
17 fence or something like that.

18 MR. STILLWELL: Right.

19 I think the challenge here is that to have
20 any kind of viability in the back would probably
21 need at least 3 feet.

22 Is that about right, Keith?

23 MR. DEMCHINSKI: Yes.

24 MR. STILLWELL: We just don't have

1 3 feet of plantable area in that portion of the
2 site plan.

3 We're looking -- we'll definitely look to
4 what possibly could be done that would be
5 attractive that helps create what -- the effect
6 you're trying to achieve, but landscaping is
7 going to be really challenging for that.

8 MEMBER AMATANGELO: You know, you
9 could even try a mural of some sort. Of course,
10 that would have to be kept up every so many years
11 and, you know, it's not a blank, ugly wall. You
12 can paint a mural on there.

13 You could even do -- and this is getting a
14 little fancy -- but I think it's called an
15 espalier, where it's a type of planting that is
16 almost like a tree, that is specifically grown to
17 go that way, you know, just flat.

18 VICE CHAIRMAN KESSLER: Vertical
19 garden.

20 MEMBER AMATANGELO: Like vertical
21 gardens, right.

22 VICE CHAIRMAN KESSLER: Right up the
23 wall.

24 CHAIRMAN WALLACE: Or spike strips.

1 VICE CHAIRMAN KESSLER: Or promote --

2 MR. STILLWELL: Remember, they won't
3 see the store from the street. You have to --

4 VICE CHAIRMAN KESSLER: And I want --
5 and just I asked that because I know we're
6 talking about that western boundary. I think we
7 should -- you should consider something similar
8 along this southern boundary, something to
9 beautify the southern boundary somehow. Perhaps
10 it isn't --

11 MR. STILLWELL: We'll look at that.
12 Right now it's a chain link with slats.

13 VICE CHAIRMAN KESSLER: Right.

14 MR. STILLWELL: We'll take a look
15 at it.

16 CHAIRMAN WALLACE: The slats
17 regularly come out and dangle and --

18 VICE CHAIRMAN KESSLER: They're bent.

19 CHAIRMAN WALLACE: They don't look
20 great.

21 MR. LARDAS: We'll have to change it
22 because it's falling down anyway.

23 MR. STILLWELL: That's really not up
24 to current standards, and so I think that's --

1 that fence is going to go and we'll look at what
2 are good options relative to that, but the thing
3 is there it's not just a decorative fence. You
4 want some real screening benefits there. Even
5 though it's just a parking lot, I think you want
6 to screen it.

7 VICE CHAIRMAN KESSLER: So instead
8 of, you know, perhaps in those locations
9 landscape buffers, come up with some sort of
10 attractive buffer between them.

11 I think the architecture of the building is
12 appropriate. I think it's nice looking.

13 My only concern with the proposed signage
14 is, what happens when the next guy comes along
15 and wants to do the same thing? I mean --

16 MR. O'ROURKE: They'd have to -- from
17 a staff perspective, they would have to also make
18 the case that their site and their particular
19 redevelopment project is worthy of a PUD. You
20 know, it's a case by case kind of consideration,
21 so it depends on what they're doing and how it
22 goes at that time.

23 I don't -- you know --

24 VICE CHAIRMAN KESSLER: I think one of

1 the issues that you have to deal with is, this
2 sign is looking so nice; it's going to stick out
3 like a sore thumb.

4 MR. STILLWELL: Actually, our signage
5 is so attractive that actually it becomes an
6 architectural element.

7 MEMBER HENNINGSON: You know, in
8 mind, as to the signage, of course, it's to the
9 benefit of McDonald's to have signage, but it's
10 also a benefit to the community because people
11 can see signs prior to pulling in at the last
12 minute.

13 You know, if you have just one on the north
14 side, you know, all of sudden you don't realize
15 it's a McDonald's and then you try and get in.

16 VICE CHAIRMAN KESSLER: Who of us
17 here doesn't drive down the road looking so far
18 ahead so they can find a McDonald's? Everybody
19 here does it.

20 No, we don't.

21 CHAIRMAN WALLACE: All right. Any
22 other comments?

23 VICE CHAIRMAN KESSLER: No.

24 CHAIRMAN WALLACE: Okay. Did you

1 want to make a comment or --

2 MEMBER HENNINGSON: I like the
3 proposal. I like the concept as proposed by the
4 owner. I think it's a very attractive building.
5 I think it's going to be an addition to the west
6 side of St. Charles.

7 CHAIRMAN WALLACE: All right. Sue.

8 MEMBER AMATANGELO: I just wanted to
9 comment that I like the new design. I like the
10 way that you've utilized the property itself. I
11 think the way it was set up before was a big tar
12 and cement area, it felt like, more than anything
13 else.

14 Now it's -- it looks like it's going to be
15 a destination, a place where you want to go and
16 just kind of hurry up and get through the
17 drive-through and get out.

18 It's an attractive design. I think it will
19 complement the west side beautifully, and I do
20 agree with the landscaping along the side by the
21 Beef Shack. I think that that would really be
22 very, very beneficial if we could. You know, it
23 doesn't have to be a lot, just something, and I
24 think that that would be a nice addition.

1 I have no issues with the 49 versus
2 52 spaces. It looks like you've done a great job
3 of fitting them in and, you know, there is a
4 little caution with those that would be parallel
5 parking, parking in the front and the potential
6 for those backing out to have -- you know, to run
7 into someone that's trying to parallel park. It
8 could be a little bit of confusion there, but --
9 but, all in all, I think I'm okay with that.

10 MR. STILLWELL: Could I just
11 interject one thing? Because I've heard it
12 mentioned twice, people backing out.

13 With the parallel, there actually is a
14 protected barrier. If you look at the plan at
15 the end of the space, you have landscaping here.
16 So with respect to that east entry, there will be
17 no backing. The area is protected.

18 MEMBER AMATANGELO: No. But I was
19 talking about the spaces right across -- right up
20 against the building there.

21 MR. STILLWELL: These right here?

22 MEMBER AMATANGELO: Right.

23 MR. STILLWELL: Oh. I'm sorry.

24 MEMBER AMATANGELO: That would be my

1 only concern there.

2 I don't have an issue with the -- the green
3 space setback from 10 to 5 feet on the south side
4 of the building. Again, I think there are
5 alternatives.

6 You know, there is a company in West
7 Chicago called the Ball Horticultural Company,
8 and they have cleverly put up a fence that is
9 very unique. It's kind of like a box-type fence,
10 although it's made out of wrought iron, I
11 believe, and it -- it serves two purposes.

12 One, it will help to -- to encourage the
13 growth of, say, put a vine or an ivy or something
14 on it, but in addition to that, when nothing is
15 going on, it's still a very unique and
16 attractive-looking fencing so -- and it doesn't
17 take up a lot of space and could very easily be
18 put along that wall.

19 So there are a lot of different
20 alternatives, I think, Tim, to your point of what
21 you could do to take care of that wall there,
22 and -- and I'm sure you will do that.

23 The signage, going -- going from what you
24 have now, I know it will feel like a loss if you

1 don't have equal to the number of signs that you
2 have now. McDonald's is a very well-known name.
3 The Golden Arches all by themselves will stand
4 alone.

5 My -- my concern is that, you know, we do
6 right now say one. I might be willing to find a
7 compromise at three with you, meeting you halfway,
8 but -- and -- and I -- I applaud going from
9 four curb cuts to two. That was well designed.

10 I have to tell you there, pulling into that
11 lot in days past, it's been, you know, which --
12 which lot or which -- which driveway am I pulling
13 into? And it was just very confusing, so -- but
14 I do like the design, again, and I do like the
15 way you've positioned it, and I look forward to
16 seeing this go forward so thank you.

17 MR. STILLWELL: Thank you.

18 CHAIRMAN WALLACE: All right. Tom.

19 MEMBER PRETZ: Can I just add
20 two comments?

21 One was as it related to the signage, and I
22 did understand the argument, and I do believe
23 that the signage is attractive, but I do have --
24 I would prefer to see less, so I would hope that

1 you would be able to consider that as you're
2 moving forward with that.

3 And the other thing is in relation to the
4 buffers. With the -- with the effort that you've
5 put in here in the -- the overall beauty, the
6 architecture and that, and the amount of money
7 that you're going to be putting into this, I
8 think it's in your best interest to help continue
9 the beautification of your entire property, which
10 would be the buffer areas and to put that effort
11 into there and -- and to come up with something
12 that is both attractive to the new building and
13 the property, as well as then provide that
14 separation between the property and the
15 neighbors, but the rest of it I'm fine with.

16 CHAIRMAN WALLACE: All right.

17 Thank you.

18 We like to kind of go through everything
19 because I think a lot of applicants, as we're
20 going through the presentation, only hear
21 negatives, but I just want to make sure that you
22 hear the -- you know, the positives, and even
23 though the majority of the time may be spent on
24 certain things, in general, we're happy with

1 what's before us. I think that's what is being
2 communicated here, and I certainly feel the same.

3 I don't -- my only concerns I've already
4 voiced, which is regarding the landscape buffer,
5 and I also agree with Tim regarding the south --
6 the south side of the property.

7 The one other thing that I did want to make
8 a comment on, though, was I know that there's
9 another fast food establishment that recently
10 came in through the approval process in town that
11 may be located near Lowe's, but one of the things
12 with their drive-through, it seems like maybe
13 there's some conflicts that were not a hundred
14 percent anticipated there because of parking on
15 both sides of the entry into the drive-through,
16 and that's one of the things, when you made the
17 comment about the parallel parking on the site, I
18 may tend towards not having the parallel parking,
19 not for the reason of a conflict of people
20 turning in, but, you know, when people are going
21 into the drive-through, if there's only people
22 parking on one side, it's less confusing than
23 people parking on both sides and having to kind
24 of shoot down the middle of it.

1 MR. STILLWELL: Let me just identify
2 one thing, and Mr. Lardas just reminded me of this.

3 Because that raised a question on that, we
4 would be willing to actually limit it to employee
5 parking. That would give that no movement for
6 several hours at a time per shift. That would
7 eliminate some of your concerns just voicing
8 relative to potential conflict with the
9 drive-through, and that would be beneficial.

10 We -- we normally find that about
11 70 percent -- we'll get into the details in the
12 preliminary presentation, but about 70 percent of
13 the -- of the employees -- staff -- per shift
14 bring vehicles, and it varies with different
15 stores and location and that type of thing.

16 So generally speaking, with an average
17 shift of about 15 --

18 MR. LARDAS: 15.

19 MR. STILLWELL: -- 15 employees.

20 MR. LARDAS: 15 is a good number.

21 MR. STILLWELL: So you're shooting
22 for 10 to 11 spaces for on-site employee parking.
23 So those five spaces, plus the two spaces back by
24 the trash corral, we would tend to focus in on

1 employee parking because we know we're going to
2 need that anyway, and that allows for a more
3 flexible utilization, and so it will resolve
4 those conflicts.

5 CHAIRMAN WALLACE: Okay. All right.
6 Then I think that's everything I have.

7 Nothing else from staff?

8 MR. O'ROURKE: No.

9 CHAIRMAN WALLACE: All right. Then
10 that concludes Item No. 5 on the agendas.

11 And thank you, gentlemen.

12 MR. STILLWELL: Thank you.

13 CHAIRMAN WALLACE: We appreciate it.
14 Good luck.

15 MR. DEMCHINSKI: Thank you.

16 CHAIRMAN WALLACE: All right.

17 Item 4 on the agenda, then, is a public
18 hearing. This is general amendments, City of
19 St. Charles, to two chapters.

20 The first is Chapter 17.04,
21 "Administration," pertaining to Planned Unit
22 Developments and deviations from Chapter 17.18,
23 "Inclusionary Housing," and Chapter 17.18,
24 "Inclusionary Housing," pertaining to a

1 percentage of affordable units required to be
2 constructed as part of a residential development
3 and to create a process and requirements for an
4 alternative affordable housing plan.

5 This is a public hearing, and for those of
6 you who aren't familiar with our process, the
7 Plan Commission is charged by the City Council
8 to conduct public hearings for certain purposes,
9 one of which is this one, which is an amendment
10 to our Zoning Ordinance.

11 The Plan Commission conducts the public
12 hearing. Notice is sent out for this hearing,
13 and our purpose is to gather as much information
14 as we deem necessary in order to make a
15 recommendation to the City Council to either
16 approve or deny the application.

17 Tonight we actually have both the public
18 hearings as well as the action items on our
19 agenda, so what we will be doing tonight is, we
20 will be taking evidence in the form of written
21 and verbal evidence from the Applicant, which is
22 the City of St. Charles, as well as questions or
23 additional evidence from members of the public,
24 if necessary, and once we feel that we have

1 enough evidence, there will be a motion to close
2 the public hearing, at which time we will move on
3 to -- or if we don't feel we have enough
4 evidence, we will continue the public hearing to
5 another date in order to get that evidence.

6 If we feel we have enough, then we will
7 address the item for action and we will make a
8 recommendation tonight to the City Council to
9 either recommend or deny these applications.

10 Does anyone have a question regarding the
11 process?

12 (No response.)

13 CHAIRMAN WALLACE: Okay. All right.
14 At this time I would ask anyone who intends to
15 give testimony or ask any questions, that you
16 raise your right hand and be sworn in.

17 (One witness was thereupon duly
18 sworn.)

19 CHAIRMAN WALLACE: Thank you.

20 And for anyone else, if you decide that
21 you're going to ask questions or offer any
22 testimony, I would ask that you let me know and I
23 will swear you in, and for anyone who wishes to
24 speak, please approach the lectern and speak into

1 the microphone, state your full name, including
2 the spelling of your last name for the record,
3 and also state your address, and please just
4 keep in mind that there is a Court Reporter
5 that's here in the room, and so we can only have
6 one person talking at a time. He's not that
7 talented.

8 You don't have to put that down.

9 So at this point in time, we will go ahead
10 with the Applicant, and then, following that, we
11 will continue with the rest of our procedure.

12 Is the Applicant ready?

13 MR. O'ROURKE: I am.

14 CHAIRMAN WALLACE: All right. You
15 may proceed.

16 MR. O'ROURKE: Thank you, Mr. Chairman.

17 The City of St. Charles staff is bringing
18 forward tonight a general amendment application
19 basically to work around two chapters in the
20 existing Zoning Ordinance; one for
21 administration, more particularly as it involves
22 PUDs and approval of the PUDs and, what can be
23 varied through PUDs as specifically relates to
24 the other chapter we're looking at variances for,

1 which is Chapter 17.18, "Inclusionary Housing,"
2 inclusionary housing and our zoning Code.

3 Just to provide a little bit of background
4 on what's involved with this, the Housing
5 Commission was formed in 2005.

6 After a few years of work and a lot of
7 effort, they brought forward the inclusionary
8 housing ordinance that was approved and adopted
9 by the City Council in February 2008.

10 What this ordinance does is basically
11 requires, for all new residential developments,
12 that a certain percent -- and that is based on
13 size -- have to be considered affordable, and we
14 use ISD, the Illinois Housing Development
15 Authority's standards to establish what that
16 affordable rate is, and so this ordinance has now
17 been on record for a few years, and since then we
18 have had a few sort of high-level residential
19 development applications come forward, and they
20 were both in PUDs. They were both proposing to
21 utilize a PUD, I should say, and they both
22 requested deviations through the PUD to not
23 conform to the inclusionary housing, basically
24 waiving the entirety of the requirement because

1 they thought that that's what they needed to do,
2 and this is about a year to a year and a few
3 months ago, and the Housing Commission responded
4 to these developments as they were going through
5 the process, and it kind of sparked a bit of a
6 question on, "Well, these requests are coming in,
7 and what does that mean? And is the ordinance
8 really properly equipped to address those when it
9 happens?"

10 And after some evaluation we realized, you
11 know, there probably is some items of this that
12 have some merit, but we'd like to vet those out
13 and maybe come up with something that makes it a
14 little more usable in terms of the Zoning
15 Ordinance.

16 So after that effort we've come up with the
17 ordinances that are being presented here tonight.

18 In particular, we talked about amending the
19 Zoning Ordinance -- so this is the administration
20 chapter of the Zoning Ordinance -- to basically
21 eliminate the inclusionary housing portion of the
22 Zoning Ordinance as being an ineligible deviation
23 for the PUD.

24 When we examined it, particularly the

1 purposes of the PUD, I think one of them
2 specifically says, "Are you providing affordable
3 housing?"

4 It's kind hard to weigh the deviation
5 request for affordable housing against the fact
6 that you're supposed to use that as a reason to
7 establish a PUD, so that's one of the items we
8 looked at.

9 But, you know, I think the Housing
10 Commission, through the discussions, really
11 looked at this and said, "There are times when
12 maybe that has some merit. You know, there are
13 properties out there that are problems, and maybe
14 the financials or some other circumstances on
15 those don't work out."

16 So rather than just saying, "Let's get rid
17 of this and say it can't be deviated through the
18 PUD," what the Housing Commission has done is
19 come up with an alternative housing plan, so
20 instead of the deviations through the PUD, they
21 go through more of a set process that's
22 specifically for housing and how affordable
23 housing can impact through this whole process.

24 And then, finally, what's come out of these

1 discussions between the Housing Commission and
2 also presenting this concept to the Planning and
3 Development Committee of the City Council, is
4 that there's been this idea of, you know, times
5 have changed since this has been put in place,
6 and now that there's kind of a need maybe to come
7 up with some way to have the ordinance ebb and
8 flow with the market.

9 So what we've also come up with is
10 something called the "sliding scale." I'll get
11 to a little more detail as we go through the
12 presentation.

13 So I think the first amendment is pretty
14 straightforward, and I detail these at a higher
15 level in the staff report, and it was just
16 distributed last week.

17 Essentially we're just amending the
18 Ordinance to say, you know, "PUDs, you can vary
19 certain things through them" or -- excuse me --
20 "deviate from the Ordinance for certain
21 standards, but Chapter 17.18, "Inclusionary
22 Housing," not one of them.

23 So it's pretty straightforward. It's just
24 not eligible for a PUD.

1 The next part is instead of that, we have
2 come up with this alternative housing process,
3 and, basically, what the Housing Commission tried
4 to do was come up with something that sort of
5 wove into the fabric of the existing Ordinance,
6 maybe come up with an alternative to any great
7 extent. We wanted to find something that really
8 kind of interacts with it.

9 So, basically, what -- what we've come up
10 with is, you have to have this alternative
11 housing plan in mind from Day 1. You know you
12 have a problem site. You come to us and first
13 thing you have to look at is, there's going to be
14 some criteria that are established in the
15 Ordinance.

16 You have to justify the fact that you can't
17 provide affordable housing, for whatever that
18 reason is, and the criteria that have been come
19 up with are, one is a financial hardship and
20 there's some costs that are out of the control of
21 the developer, so we're talking about blight or
22 environmental remediation, you know, outdated
23 buildings that have to be removed, something that
24 amounts to 10 percent of the total project cost,

1 so something that's kind of clearly defined, and
2 it's easier to have to say -- you know, this
3 isn't somebody just coming into the city and
4 saying, "I don't want to do affordable housing."
5 There has to be a reason for it.

6 So that -- that's the first one.

7 The second one is that there's no density
8 bonus available. Part of the methodology of the
9 existing Ordinance is you provide affordable
10 units on-site. The Ordinance allows you or
11 permits you to go and build more units than the
12 underlying zoning district would allow.

13 There's times when that's not possible.
14 You know, maybe it's a very unique parcel with a
15 lot of steep slopes and just can't fit that many
16 houses on there, or there -- you know, there's
17 other situations.

18 Maybe there's a wetland on the site that
19 can't be developed on, so there's something
20 limiting you from going over the density that
21 would be allowed in the Zoning Ordinance, so
22 we -- so that's one of the ideas you can use.

23 There's some other alternative City policy
24 or goal that's been established that you're

1 trying to establish -- you know, work with, such
2 as a vacant or underutilized parcel.

3 And the fourth criteria that we came up
4 with, somehow you're doing something that's
5 better than the Ordinance. So instead of
6 providing rental units that are at 60 percent of
7 the area median income, maybe you're providing at
8 40. You know, you might not be able to provide
9 all the units that you need to per the standard
10 of the Ordinance, but you're doing something
11 above and beyond the minimums of the ordinance,
12 so in this case you're providing, instead of
13 moderately affordable housing, very affordable
14 housing.

15 Do you have a question?

16 VICE CHAIRMAN KESSLER: I don't quite
17 get that.

18 I understand you're providing homes that
19 are -- that are 40 percent median, 40 percent
20 median, but does that mean the whole project is
21 that, so you don't have to meet the inclusionary?
22 I don't understand that.

23 MR. O'ROURKE: It's not quite that
24 specific.

1 It's -- it's one of the criteria that can
2 be used to examine this alternative affordable
3 house plan.

4 VICE CHAIRMAN KESSLER: I don't
5 understand the criteria. Explain it to me.

6 MR. O'ROURKE: Basically, right now,
7 if you're doing a rental project --

8 VICE CHAIRMAN KESSLER: Okay.

9 MR. O'ROURKE: -- the Ordinance would
10 require you to build affordable units.

11 VICE CHAIRMAN KESSLER: Okay.

12 MR. O'ROURKE: And that price point
13 is 60 percent of the area median income, and
14 there's a formula that calculates what rent is
15 affordable for that parcel.

16 We're saying what you -- you make it
17 affordable to people who only are earning
18 40 percent of the area median income, and that is
19 just an example. There could be other ways to do
20 this. That's the one that -- that we examined.

21 So, basically, instead of meeting the bare
22 minimum of the Ordinance at 60 percent affordable,
23 meaning, to families that earn 60 percent of the
24 area median income, that you're going to have

1 units that are affordable to people that earn
2 40 percent of the area median income so that --

3 VICE CHAIRMAN KESSLER: But then you
4 have met the requirement.

5 MR. O'ROURKE: Well, you might not be
6 providing all the units.

7 VICE CHAIRMAN KESSLER: Oh, got you.
8 So that's what I didn't understand. Okay. I
9 understand. Go on.

10 MR. O'ROURKE: In addition to these
11 criterias, you actually -- it's going to be
12 required that the Applicant submit information
13 that proves what these hardships are. You know,
14 it's not really a face value, "We can't do it."

15 So our concept is that we've come up with
16 some specifics. You know, "Here's the items of
17 how the affordable housing will be identified,
18 and you have to tell us right up front what your
19 plan is to do that."

20 Instead of just saying, you know, "We'll go
21 out and we'll try to build some homes that are
22 affordable," you have to show us exactly what
23 you're planning to do.

24 So if you're going to go out and chase

1 grants, you know, from State and Federal agencies
2 that provide funding to do affordable housing, we
3 want to know what ones you're going to apply for,
4 how you're going to do it, what your timetable
5 requires. You have to submit those to us up
6 front before the project even is taken through
7 the process.

8 You have -- so if you're going to do --
9 purchase off-site units, you have to give us some
10 sort of indication of where these units are, how
11 many you're going to be able to purchase, how
12 you're going to rehab them and/or you can do a
13 combination of any of these or other -- you know,
14 other items. But the point is we want to know up
15 front what you're doing and, you know, it's
16 not -- we -- the whole of this is that you have a
17 well thought-out problem and you're coming up
18 with a well thought-out solution, and we want to
19 know that right from the get-go.

20 More of these requirements are the front
21 end. You know, if somebody said they have a
22 financial hardship, the Housing Commission feels
23 "You should tell us what that is and prove it, so
24 we want to see project pro formas, purchase price

1 of the property. We want to know what these
2 financial hardships are and how much it's going
3 to cost to mitigate them," just so there's some
4 real numbers to kind of put together with this
5 request.

6 So, again, it's all about -- you know,
7 this -- this isn't a work around the Ordinance.
8 You have to have a legitimate problem and we are
9 trying to figure out what that is and the best
10 way to address it.

11 These are just kind of some more detail on
12 what the different funding sources are. I don't
13 think I need to go through all these.

14 If you do an alternative affordable housing
15 plan, if you choose to do external funding sources,
16 these are the items you have to go -- these are
17 the items that you have to give us.

18 So just to name a few, you have to show us
19 copies of the grant applications you'll be using.

20 If you're going to purchase resale and
21 resale off-site units at an affordable price,
22 show us where they are, what are the anticipated
23 costs of the renovations, the timing of purchase,
24 when you're going to be able to get them back on

1 the market. You know, it's all this idea that we
2 want to know up front what your plan is.

3 And then the final portion of the proposed
4 amendment is what's called the "sliding scale."

5 Just a refresher, for units or -- excuse
6 me -- developments that are 10 units or less,
7 5 percent of that development is required to be
8 affordable.

9 You can pay 100 percent of this as a fee-in-
10 lieu-option, but typically with that many units,
11 you're not going to get -- your whole unit
12 requirement isn't going to be one whole unit
13 anyway. You'll be using a fraction, so we have a
14 per-unit fee-in-lieu-of that you can meet that
15 requirement a hundred percent.

16 As we move up the scale and more units are
17 required, as a development gets larger, and for
18 the top two categories, you can only use
19 50 percent of your requirement, so there's no
20 option to do completely no units on-site and pay
21 all fee in lieu.

22 The sliding scale affects this. It's,
23 basically, the concept, as proposed, is every
24 year staff puts together an analysis that

1 estimates where St. Charles is in terms of
2 affordable housing in their housing stock, so
3 there's a number out there: What are the homes'
4 rent in St. Charles and what is that number?

5 So if we have 10 percent, which is what the
6 State would mandate, are we higher than that?
7 Are we below that? That is an important number
8 to know as we go through the process.

9 So what we've come up with is -- you know,
10 right now in the Ordinance there's a hard
11 25 percent. You know, the community development
12 director can say, "All right. We have a lot of
13 affordable housing. Something has happened in
14 the market where one out of every four units in
15 town is affordable. We're not sure if we need to
16 require new units be created because of this. We
17 have a lot."

18 And then anything -- if we're not at
19 25 percent, you have to meet the ordinance.

20 What this idea is, you know, there's a lot
21 of area between 10 percent and 25 percent in the
22 real world and as the market ebbs and flows.

23 What this concept is, for different levels
24 of the City's housing stock, existing being

1 affordable, we've come up with kind of percentage
2 requirements, so if the current housing stock of
3 St. Charles that is considered affordable is
4 13.75 percent or less, you have to meet the
5 Ordinance 100 percent, and as that total housing
6 stock requirement increases, based on these
7 categories, you would only have to meet 75 percent
8 of the requirements, so if you had 10 units,
9 you'd only be required to meet 7 1/2 if the
10 City's affordable housing stock is at 16 percent.

11 And it would basically kind of scale back
12 the requirement until that 25 percent number is
13 ever reached, if it is ever reached, and then --
14 then the Ordinance, just as it sits now, you
15 know, the community development director could
16 expand those requirements.

17 And this is also in your packet of
18 materials, but I put together these tables to
19 just kind of highlight what all that means.

20 So if, let's say, you have a medium-size
21 development in an 11-to-49 unit area, and the
22 City's housing stock is currently at 20 percent,
23 so the normal requirement would have been, you
24 know, you have to do 3 units on-site or -- excuse

1 me -- a 30-unit development, you would have to do
2 10 percent of them as affordable. That would
3 have been three units.

4 If you come down here and we're at
5 16 affordable, that would reduce your unit
6 requirement to .3, and then this just kind of
7 goes through the whole process, so you could only
8 use half of that, being, you know, you have
9 on-site, et cetera, and it kind of works through
10 the math there.

11 So that's -- what we're trying to show is
12 that, as the percentage of St. Charles housing
13 stock increases on its own or through the
14 development of these affordable units, you know,
15 the need maybe isn't as great, so this is
16 designed to kind of add a little more flexibility
17 and create a little bit more of a tradeoff
18 between where the City's currently at and what
19 the Ordinance requires.

20 So that's -- that's the majority of the
21 concept there, and just -- I put this slide in
22 here just to show you where the report that staff
23 creates every year is at.

24 Right now we're currently at 18.01 percent,

1 and that really summarizes all the Ordinance
2 amendments that staff is proposing this evening.

3 I will take any questions and comments.

4 And so there are members of the Housing
5 Commission here in the audience, as well, if you
6 have any questions.

7 VICE CHAIRMAN KESSLER: Don't we have
8 a member on our Commission here?

9 MR. O'ROURKE: I'm sorry. I didn't
10 hear you.

11 MEMBER HENNINGSON: (Indicating.)

12 VICE CHAIRMAN KESSLER: We have him
13 right here.

14 Yeah, I have a question.

15 First of all, it's a lot of math. Geez,
16 it's a lot of math.

17 How do you administer that? I don't know
18 how you guys do it.

19 MR. O'ROURKE: You should have been
20 there when we wrote the amendment.

21 VICE CHAIRMAN KESSLER: Well, see,
22 that was another one of my questions, and this is
23 somewhat procedural.

24 Why is this coming before us? If it has

1 been -- if it has been hammered out and, you
2 know -- well, it hasn't been totally agreed to,
3 but, as you say, the Planning and Development
4 Committee, which is the entire City Council, so
5 everybody has already gotten together, figured
6 out a plan here, and I just -- I'm curious why.

7 MR. O'ROURKE: And I probably failed
8 to mention that in my presentation.

9 There has been joint meetings between the
10 Housing Commission and the Planning and
11 Development Committee, and part of the reason is
12 that this was very conceptual in those meetings.
13 You know, it wasn't put into a hard ordinance for
14 formal review, but the technical answer is, this
15 is a requirement in the Zoning Ordinance, and it
16 has to go through the required, you know, public
17 hearing process and amendment process as any
18 other general amendment would.

19 So, I mean, more than anything, it's to
20 give you a chance, because you folks do look at
21 the Zoning Ordinance, and that's the Plan
22 Commission's -- you know, it's an ordinance that
23 they refer to a lot, but it is also the duty of
24 the Plan Commission to review these amendments.

1 VICE CHAIRMAN KESSLER: Okay. What's
2 the likelihood of us coming back and saying, "Not
3 recommending"? It's probably slim to none but
4 regardless --

5 MR. O'ROURKE: We definitely want to
6 hear any comments to make it better.

7 VICE CHAIRMAN KESSLER: I do have a
8 question, and at the very beginning you talked
9 about -- can you go to the very first?

10 MR. O'ROURKE: Sure.

11 VICE CHAIRMAN KESSLER: 10 percent.

12 MR. O'ROURKE: This?

13 VICE CHAIRMAN KESSLER: No. No. All
14 the way up. All the way. All the way.

15 MR. O'ROURKE: That?

16 VICE CHAIRMAN KESSLER: That
17 10 percent of the total project cost and purchase
18 price.

19 What exactly does that 10 percent mean?
20 What is that?

21 MR. O'ROURKE: Basically, if -- you
22 know, some of the -- from the development
23 proposals that have been reviewed, one of the
24 comments was, you know, "We have this extra cost

1 that we can't control ourselves, such as
2 environmental remediation."

3 What this is is basically a hard number
4 that says, you know, "If you have a financial
5 hardship, whatever that might be, it has to be at
6 least 10 percent of the overall project cost of
7 the project based on estimates."

8 VICE CHAIRMAN KESSLER: Okay. I want
9 to know what the "10 percent of the project cost
10 and purchase price" means.

11 Does that mean you paid, you know, a
12 million dollars for the property, and that
13 project is estimated at \$2 million, so it's
14 10 percent of \$3 million?

15 MR. O'ROURKE: Yes.

16 VICE CHAIRMAN KESSLER: That's what
17 you're saying?

18 MR. O'ROURKE: The financial hardship
19 would have to be equivalent to 10 percent of that
20 \$3 million.

21 VICE CHAIRMAN KESSLER: It would have
22 to be equivalent to 10 percent of the total
23 project cost plus the purchase price of the
24 property?

1 MR. O'ROURKE: Well, the purchase
2 price would be included in the part of that total
3 project cost.

4 VICE CHAIRMAN KESSLER: Well, you
5 don't say that. You say "Total project cost and
6 purchase price." That's two things.

7 MR. O'ROURKE: Yeah.

8 VICE CHAIRMAN KESSLER: Which is --

9 MR. O'ROURKE: This -- this was kind
10 of a bigger discussion at the Housing Commission
11 level, so I wanted to make sure I highlighted
12 that the cost of the land does -- is being
13 incorporated into that 10 percent. It's not
14 being left out.

15 VICE CHAIRMAN KESSLER: Okay.

16 MR. O'ROURKE: That was kind of a
17 matter of discussion at one point.

18 VICE CHAIRMAN KESSLER: Then to --
19 and I think what you put together here really
20 keeps the teeth in it, and I'm actually glad to
21 see it because I was -- I was more than a little
22 put out by an Applicant who was here recently who
23 blithely decided that they didn't want anything
24 to do with inclusionary housing, and it's their

1 right not to want to do that, but then they need
2 to go and get the Ordinance changed. They can't
3 just say no, so this does address that.

4 I would say that I think that 10 percent of
5 the total project cost plus the purchase price --
6 which are two different things to me -- but is
7 low. I think that, you know, to -- in
8 construction, 10 percent of the total cost in
9 unexpected -- 10 percent of unexpected costs is
10 not uncommon. It's a pretty common thing.

11 MR. O'ROURKE: Sure.

12 VICE CHAIRMAN KESSLER: So to save
13 10 percent, people could easily say, "Well, I
14 don't have to do it."

15 I think it should be higher.

16 MR. O'ROURKE: I think they do have
17 to -- there's a couple points, that they still do
18 have to go through this whole plan process being
19 proposed to prove that that's what their hardship
20 is, and I can just state that was an item that
21 was talked about a lot. It was discussed a lot
22 at the Housing Commission level, and I think the
23 conclusion that was basically formed is, at that
24 10 percent level is really close to where you're --

1 you're not hedging. You know, there's no margin
2 for error in the development anymore, and that --
3 that's the point to where your -- your profits
4 and your margins are probably almost depleted,
5 and that's why the number was chosen. You know,
6 there's no failsafe for the developer at that
7 point to make a profit was the rationale that was
8 discussed.

9 VICE CHAIRMAN KESSLER: Well, I'm in
10 construction and I don't agree with that. I
11 think it should be higher in large projects,
12 though, so I would still think it should be
13 higher.

14 But I really I think you've done a lot of
15 nice work here. I do think there's an awful lot
16 of matters for you guys to keep track of so you're
17 good.

18 That's all I have.

19 CHAIRMAN WALLACE: All right. Any
20 other questions from Plan Commissioners?

21 (No response.)

22 CHAIRMAN WALLACE: Okay. Any
23 questions from members of the audience?

24 UNIDENTIFIED SPEAKER: Woo-hoo.

1 CHAIRMAN WALLACE: All right. Any
2 other comments or testimony to be offered?

3 (No response.)

4 CHAIRMAN WALLACE: Anything further
5 from the Plan Commission?

6 (No response.)

7 CHAIRMAN WALLACE: Any rebuttal from
8 the Applicant?

9 MR. O'ROURKE: No.

10 CHAIRMAN WALLACE: Is there a motion
11 to close the public hearing?

12 MEMBER AMATANGELO: So moved.

13 VICE CHAIRMAN KESSLER: Second.

14 CHAIRMAN WALLACE: All right. It's
15 been moved and second.

16 Any discussion on that motion?

17 (No response.)

18 CHAIRMAN WALLACE: Seeing none, Tim?

19 VICE CHAIRMAN KESSLER: Amatangelo?

20 MEMBER AMATANGELO: Yes.

21 VICE CHAIRMAN KESSLER: Henningson?

22 MEMBER HENNINGSON: Yes.

23 VICE CHAIRMAN KESSLER: Wallace?

24 CHAIRMAN WALLACE: Yes.

1 VICE CHAIRMAN KESSLER: Kessler, yes.

2 CHAIRMAN WALLACE: All right. This
3 public hearing is now closed.

4 Which moves us on to Item No. 6 on the
5 agenda, general amendment, the City of
6 St. Charles, Chapter 17.04, Chapter 17.18.

7 Do we have any motion in regards to -- is
8 it -- yes, it's all contained as one application
9 logistically; correct?

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

11 CHAIRMAN WALLACE: Okay. Is there
12 any motion? The Chair would entertain a motion
13 for approval of the application.

14 Just make it easy.

15 VICE CHAIRMAN KESSLER: Well, I know.

16 But they have to come back and talk to -- I
17 think -- well, no, I'm not going to make a motion.

18 CHAIRMAN WALLACE: Okay. All right.
19 Well, the Chair will entertain any motion.

20 VICE CHAIRMAN KESSLER: Well -- well,
21 let me put it this way: I think this has come to
22 us and you're -- you're looking for a
23 recommendation based on the way it's written
24 right now?

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

2 VICE CHAIRMAN KESSLER: Okay.

3 MR. O'ROURKE: Unless you have any
4 comments or modifications that you would like.

5 VICE CHAIRMAN KESSLER: I'd like to
6 have that 10 percent changed because I think it's
7 really easy for that -- a -- for a developer or a
8 contractor to come to you and say, "I have a
9 15 percent remediation cost," and there's nothing
10 that they can prove or disprove to you.

11 MR. O'ROURKE: I would just state
12 that, I mean, part of it is they have to prove
13 it. They have to give us their pro formas and
14 they have to -- they have to show us their
15 numbers ahead of time and they have to justify
16 that number to us. I mean, that's part of what's
17 being proposed.

18 VICE CHAIRMAN KESSLER: But, I
19 guess -- I guess I'm not making myself -- I'm not
20 making myself clear.

21 When -- when a developer puts together a
22 pro forma, it's based on estimates, and there are
23 no hard costs until the project has been completed,
24 and so to rely on a pro forma that says

1 "10 percent of my cost is being eaten up by
2 remediation," or something else, that's easy to do.

3 It's a lot less easy to come up with a pro
4 forma that says, "20 percent of my costs are
5 being eaten up by one of these criteria" that you
6 laid out, and, I mean, I just -- I know how this
7 business works and that's how it works.

8 MR. O'ROURKE: I do know that the
9 Housing Commission shares that concern. There
10 was a lot of deliberation back and forth on that
11 number, and, I mean, I will say the development
12 community was represented at the Housing
13 Commission. The representative was actually
14 there, and I think that they thought that this
15 number was pretty accurate where it was.

16 I mean, they really -- it was originally
17 proposed by staff at 15 percent, and the Housing
18 Commission said that they felt that was a little
19 too high. I mean, they collectively, as a group,
20 that it came out that way. I would just offer
21 that.

22 VICE CHAIRMAN KESSLER: Okay.

23 CHAIRMAN WALLACE: Well, would you
24 like to make a motion?

1 VICE CHAIRMAN KESSLER: Yeah. I
2 would -- I would make a motion to recommend, with
3 the exception of increasing the percentage of
4 identified additional cost from 10 to 15 percent.

5 CHAIRMAN WALLACE: So the -- I just
6 want to make sure I'm clear.

7 VICE CHAIRMAN KESSLER: Yes. Clear
8 it up for me.

9 CHAIRMAN WALLACE: The motion that's
10 on the table would be a recommendation for
11 approval of the application conditioned upon
12 modification of the proposed wording from
13 "10 percent" to "15 percent" in the section
14 relating to -- tell me.

15 MR. O'ROURKE: Financial hardship.

16 CHAIRMAN WALLACE: -- financial
17 hardship.

18 Is that clear? Is that clear?

19 VICE CHAIRMAN KESSLER: Yes. I'm
20 clear.

21 CHAIRMAN WALLACE: Okay. And is that
22 accurate?

23 VICE CHAIRMAN KESSLER: That's
24 accurate.

1 CHAIRMAN WALLACE: Is there a second
2 to that motion?

3 (No response.)

4 CHAIRMAN WALLACE: I'll second the
5 motion.

6 All right. So the motion has been moved
7 and seconded.

8 Is there discussion on the motion?

9 MEMBER HENNINGSON: You know, I sat
10 in on the Housing Commission meetings regarding
11 this, and they were pretty set on 10 percent, and
12 there is plenty of experience on that Commission,
13 and I think we should follow -- follow their lead.

14 Matt's already described it, but, I mean,
15 10 percent was the number, and I can tell you
16 there were some long discussions.

17 John Hall is a member of the Housing
18 Commission. Tom Hanson is a member of the
19 Housing Commission. Cindy Holler, who is a
20 developer, is a member of the Commission, so I
21 would like to go with their numbers.

22 Cindy, do you have any comments about this?

23 THE COURT REPORTER: Your name,
24 please? Could you give me your name? Could you --

1 CHAIRMAN WALLACE: If you wouldn't
2 mind just stating your name and spelling your
3 last name.

4 MS. HOLLER: Cindy Holler, H-o-l-l-e-r.
5 Just let me clarify.

6 So the comment is that we want to create
7 the hardship -- make it a little higher,
8 15 percent? You have to prove there's a
9 15 percent hardship before we start to make --

10 MR. O'ROURKE: Before they can apply,
11 show they have no alternative to --

12 MS. HOLLER: We're at 10 percent now.

13 Well, you know, I -- I don't -- I don't
14 really know. I'm trying to -- I don't know that
15 I was in the meeting when the 10 percent, but I
16 will tell you that, you know, the whole
17 Commission was there.

18 I would agree with Kurt that the folks are
19 really experienced people on that Commission.

20 Typically a builder's profit on a
21 development is around 15 percent, if I'm
22 recalling now the conversation right, and that's
23 kind of where we came in.

24 If they went up to 15 percent, they would

1 be basically at a point where there would be no
2 profit at all; right?

3 MR. O'ROURKE: That's right.

4 MS. HOLLER: At 10 percent they're
5 going to make a little bit of money but still
6 it's going to hurt, so I guess that would be my
7 comments in terms of responding to it.

8 I'm not sure you would even get a developer
9 to do the work of coming before the Commission or
10 applying if they were at 15 percent hardship.
11 They would probably walk away all together and
12 just say, "Why would I even go through a public
13 process?"

14 So I think that sounds right, Curt.

15 MEMBER HENNINGSON: Yes, it does.

16 MS. HOLLER: And among the Commission
17 members, I think that was where the number is.

18 MEMBER HENNINGSON: Right. That's
19 how I remember it, and it was discussed on a
20 couple of different -- during a couple of
21 different meetings so --

22 CHAIRMAN WALLACE: All right.

23 VICE CHAIRMAN KESSLER: Well, I hear
24 that whole discussion went through the City

1 Council and the Housing Commission before it came
2 here, so I guess I -- I --

3 MEMBER HENNINGSON: We met with the
4 Housing Commission and the Planning and
5 Development Committee.

6 VICE CHAIRMAN KESSLER: Which is the
7 City Council.

8 MEMBER HENNINGSON: Yes.

9 VICE CHAIRMAN KESSLER: Right.

10 MEMBER HENNINGSON: We met once for
11 probably 50 minutes, and this kind of thing was
12 not -- this was not discussed.

13 VICE CHAIRMAN KESSLER: Oh.

14 MR. O'ROURKE: But this was presented
15 at a Planning and Development Committee meeting
16 by staff in this form to them just for comments.

17 MEMBER HENNINGSON: I'm sorry.

18 MR. O'ROURKE: That's where the
19 sliding scale -- actually, what the genesis of
20 that idea was at that meeting, so they have seen
21 these facts, but they didn't discuss it at great
22 length.

23 MEMBER HENNINGSON: Yes.

24 The major thing that was discussed was

1 this sliding scale, but the 10 percent issue I
2 don't believe was.

3 MR. O'ROURKE: That was something
4 from staff they saw.

5 CHAIRMAN WALLACE: All right.
6 Further discussion?

7 (No response.)

8 CHAIRMAN WALLACE: All right.

9 MEMBER HENNINGSON: I would -- you
10 know, I'd like to support it as is, as proposed.

11 VICE CHAIRMAN KESSLER: Do you want
12 to amend the motion?

13 CHAIRMAN WALLACE: There's a motion
14 on the table.

15 MEMBER HENNINGSON: Do you want to
16 change the motion?

17 CHAIRMAN WALLACE: I would prefer to
18 vote on the motion.

19 MEMBER AMATANGELO: Okay. Let's vote.

20 VICE CHAIRMAN KESSLER: Okay.

21 CHAIRMAN WALLACE: So, Tim.

22 VICE CHAIRMAN KESSLER: Okay.

23 Amatangelo?

24 MEMBER AMATANGELO: No.

1 VICE CHAIRMAN KESSLER: Henningson?

2 MEMBER HENNINGSON: No, because of
3 the fact that it is 15 percent.

4 VICE CHAIRMAN KESSLER: Okay.

5 Wallace?

6 CHAIRMAN WALLACE: Yes.

7 VICE CHAIRMAN KESSLER: Kessler, yes.

8 CHAIRMAN WALLACE: The motion does
9 not pass.

10 So would you like to propose a new motion?
11 Or anyone?

12 MEMBER HENNINGSON: Yes, to recommend
13 approval as is.

14 CHAIRMAN WALLACE: Okay. So the
15 motion is to recommend the City Council approve
16 the application for general amendment as -- as
17 presented in the application?

18 MEMBER AMATANGELO: Second.

19 MEMBER HENNINGSON: Thank you, Todd,
20 far much better than I did.

21 CHAIRMAN WALLACE: It wasn't what I
22 was thinking about but way to go.

23 And, Sue, did you second that?

24 MEMBER AMATANGELO: Yes, I did.

1 CHAIRMAN WALLACE: All right. It's
2 been moved and seconded.

3 Discussion?

4 (No response.)

5 CHAIRMAN WALLACE: Okay.

6 VICE CHAIRMAN KESSLER: Amatangelo?

7 MEMBER AMATANGELO: Yes.

8 VICE CHAIRMAN KESSLER: Henningson?

9 MEMBER HENNINGSON: Yes.

10 VICE CHAIRMAN KESSLER: Wallace?

11 CHAIRMAN WALLACE: Yes.

12 VICE CHAIRMAN KESSLER: Kessler, no.

13 CHAIRMAN WALLACE: All right. That
14 motion passes three-to-one, and that concludes
15 Item No. 6 on our agendas. Thank you.

16 Thank you, ladies.

17 MS. HOLLER: You're welcome.

18 CHAIRMAN WALLACE: Item 7 on the
19 agenda is an update on the Comprehensive Plan
20 Project.

21 It this just on here just to say that
22 there's an open house?

23 MR. COLBY: Yes.

24 And, also, just to inform the Commission

1 that the Comprehensive Plan draft will likely be
2 before you for review and recommendation in
3 January.

4 CHAIRMAN WALLACE: Okay.

5 MR. COLBY: So if you are available
6 next Wednesday to attend the open house, it would
7 be a good opportunity to see where things are at
8 at this point.

9 We expect that there will be an updated
10 draft posted right before that open house at the
11 Web site, but you can also read it there.

12 If the Plan Commission wants any kind of
13 background information on the project and the
14 process we have gone through or in terms of, you
15 know, the Comprehensive Plan, what its function
16 is, what the Plan Commission does, we are
17 available, as staff, to provide you with any kind
18 of information, just have an informal discussion
19 about it before we formally consider the
20 document.

21 We can do that so we can sort of get some
22 of those discussions out of the way since there's
23 a lot of information to be presented in the
24 actual plan document, so we can certainly have

1 some preliminary discussion before that. I think
2 that would be beneficial.

3 Or if there's any individual members that
4 want to meet and just sort of go through some of
5 the basics of, you know, what's up for
6 consideration, we are available for that, as well.

7 VICE CHAIRMAN KESSLER: What is the
8 location of the open house?

9 MR. COLBY: It will be right here.

10 CHAIRMAN WALLACE: Okay.

11 MR. COLBY: From 6:00 to 7:30.

12 CHAIRMAN WALLACE: All right.

13 MR. COLBY: But I think what I'll do
14 is, our next meeting, which is December the 4th,
15 I'll just have an item on there for us to discuss
16 the project, and if Commission members have
17 topics they want to bring up, let me know
18 beforehand and we can discuss it then.

19 CHAIRMAN WALLACE: All right.

20 Thank you.

21 Next upcoming meetings, December 4th,
22 January 8th, January 22nd.

23 I'm assuming that the December 4th -- are
24 there items other than that?

1 MR. COLBY: Yes.

2 CHAIRMAN WALLACE: Okay.

3 January 8th, do we have any idea of how --

4 MR. COLBY: January 8th is likely the
5 first meeting to consider the plan.

6 CHAIRMAN WALLACE: Got it. Okay.

7 MR. COLBY: We did -- one thing on
8 that.

9 There was an application for development
10 that came in just today that, of course, we would
11 like to get on the agenda.

12 Typically the Plan Commission cancels that
13 second meeting which this year would be the 18th.
14 We just -- I don't think there's enough review
15 time to get them here by the 4th.

16 We are wondering if you anticipated being
17 able to have that meeting or if you even want to
18 reschedule that meeting.

19 If everybody's out of town --

20 CHAIRMAN WALLACE: Which one?

21 MR. O'ROURKE: December 18th.

22 MR. COLBY: It's typically during the
23 week of Christmas anyway. This year, it's not.

24 VICE CHAIRMAN KESSLER: It's a week

1 early.

2 MR. O'ROURKE: It's a week early.

3 MEMBER AMATANGELO: I'm gone.

4 MR. O'ROURKE: You're gone.

5 CHAIRMAN WALLACE: Well, I mean, I'm
6 available kind of.

7 VICE CHAIRMAN KESSLER: I am, too. I
8 have no problem with it.

9 MR. COLBY: Okay. We'll make sure we
10 have a quorum before we schedule anything.

11 CHAIRMAN WALLACE: All right. You're
12 going to be somewhere warm?

13 MEMBER AMATANGELO: It wasn't on the
14 schedule so I planned accordingly.

15 CHAIRMAN WALLACE: It's on my
16 calendar. It was scheduled, I think, at the
17 beginning of the year.

18 MR. COLBY: I don't think it was
19 because we never had the --

20 CHAIRMAN WALLACE: It's on my
21 calendar so it had to be on some schedule. I
22 don't know.

23 MR. COLBY: I don't believe it's on
24 the official schedule.

1 MEMBER HENNINGSON: Sue, maybe you
2 can take your computer along and use Skype.

3 MEMBER AMATANGELO: I'd be glad to.
4 It would be very cool.

5 MR. COLBY: You cannot do that,
6 actually. When we looked into that --

7 CHAIRMAN WALLACE: Oh, whatever.

8 MR. COLBY: -- the Comprehensive Plan
9 Task Force has to have an established policy to
10 have people --

11 CHAIRMAN WALLACE: Jim Martin did it
12 in the hospital.

13 MR. COLBY: That was before the
14 current version of the Open Meetings Act.

15 CHAIRMAN WALLACE: What if she
16 doesn't constitute a quorum?

17 MR. COLBY: She's not supposed to
18 participate.

19 MEMBER HENNINGSON: I couldn't even
20 call in?

21 CHAIRMAN WALLACE: You can watch.

22 MR. COLBY: You could listen.

23 MEMBER AMATANGELO: Phone a friend.

24 CHAIRMAN WALLACE: All right.

1 Anyway, any additional business for Plan
2 Commission members?

3 (No response.)

4 CHAIRMAN WALLACE: Staff?

5 (No response.)

6 CHAIRMAN WALLACE: Citizenry?

7 (No response.)

8 VICE CHAIRMAN KESSLER: I make a
9 motion. Oh, I'm sorry.

10 MEMBER AMATANGELO: I wish you all a
11 happy Thanksgiving.

12 VICE CHAIRMAN KESSLER: Oh.

13 CHAIRMAN WALLACE: Thanks to you.

14 All right. Item 10, adjournment.

15 VICE CHAIRMAN KESSLER: So moved.

16 CHAIRMAN WALLACE: Second?

17 MEMBER AMATANGELO: Second.

18 CHAIRMAN WALLACE: All in favor?

19 (The ayes were thereupon heard.)

20 CHAIRMAN WALLACE: Opposed?

21 (No response.)

22 CHAIRMAN WALLACE: This meeting of
23 the St. Charles Plan Commission is adjourned at
24 9:13 p.m.

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(Which were all the proceedings
had in the above-entitled matter
at 9:13 p.m.)

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STATE OF ILLINOIS)
) SS.
COUNTY OF K A N E)

I, Glenn L. Sonntag, Certified Shorthand Reporter No. 084-002034, Registered Diplomate Reporter, do hereby certify that I reported in shorthand the proceedings had in the above-entitled matter, and that the foregoing is a true, correct, and complete transcript of my shorthand notes so taken as aforesaid.

In testimony whereof I have hereunto set my hand on this 30th day of November, 2012.



Glenn L. Sonntag

Certified Shorthand Reporter
Registered Diplomate Reporter
Certified Legal Video Specialist