

**MINUTES
CITY OF ST. CHARLES, IL
PLAN COMMISSION
TUESDAY, DECEMBER 4, 2012**

Members Present: Todd Wallace, Chairman
 Tim Kessler, Vice Chairman
 Brian Doyle
 Tom Schuetz
 Curt Henningson
 Tom Pretz

Members Absent: Sue Amatangelo

Also Present: Russell Colby, Planning Division Manager
 Chris Tiedt, Development Engineering Division Manager
 Sonntag Court Reporter

1. Call to order

The meeting was called to order at 7:00 p.m. by Chairman Wallace.

2. Roll Call

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

3. Presentation of minutes of the November 20, 2012 meeting.

A motion was made, seconded and unanimously passed by voice vote to accept the minutes of the November 20, 2012 meeting.

PUBLIC HEARING

4. Delnor Woods Subdivision (Lannert Group)

Application for Map Amendment from BL Local Business District and RM-1 Mixed Medium Density Residential District to RE-2 Single Family Estate District

Supporting Documents:

Application for Preliminary Subdivision Plan

- Preliminary Engineering Plans; dated 10/19/12
- Tree Preservation and Landscape Plan; dated 4/18/12

Application for Final Plat of Subdivision

- Final Plat of Subdivision; received 11/2/12

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

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

MEETING

5. Discussion on Comprehensive Plan Project

Mr. Colby presented a PowerPoint presentation on the background and process for the Comprehensive Plan draft.

- Land Use and Development Policy Guide
- Drafted in 1990, updated in 1996 and 2003
- Role of Comprehensive Plan
- Why update the plan
- Benefits of updating the plan
- Request for Proposals
- Consultant Proposal
- Review and Approval Process
- Task Force
- Plan Process
- Plan Considerations
- The Plan Document sections

Mr. Pretz asked about the presentation of the plan. Mr. Kessler asked how many meetings are anticipated and will the consultant be in attendance. Mr. Colby said staff anticipates at least two meetings, and the consultant will present the plan and attend each meeting that the document is discussed.

The Commission asked how well attended the meetings have been. Mr. Colby stated that upwards of 80 to 100 people attended the last open house. The Commission asked what parts of the plan have generated the most interest. Mr. Colby stated that many who have attended the meetings have been interested in properties where developments are proposed or have been proposed over the past few years, such as the Lexington site, Corporate Reserve, and the former St. Charles Mall site. Mr. Henningson noted he has attended many of the Task Force meetings and events and there is considerable interest by neighborhood groups regarding these sites.

Mr. Doyle asked if it was appropriate to discuss the plan itself. Mr. Colby stated the intent was only to provide background on the project to the Commission tonight; the plan is not being presented. Mr. Doyle indicated that he has been the Plan Commission representative, but has been unable to attend the past couple of meetings and will not be able to attend at the next meeting on Dec. 12. Mr. Henningson suggested he could participate as the Plan Commission's representative. Chairman Wallace noted Mr. Henningson was not an appointed member of the Task Force.

Mr. Doyle explained some concern he had with the plan options for the former St. Charles Mall site and suggested more clarity or specificity could be needed. Mr. Colby suggested that Mr. Doyle provide his opinions in writing to the Task Force at the next meeting to enable to the Task Force to make a decision as to whether or not to include this information. The Commission discussed that

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Tuesday, December 4, 2012

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confusion can be created when different city bodies reach different conclusions about interpreting and applying the plan to certain development projects.

In response to Mr. Doyle, Mr. Colby clarified a comment from the presentation that some elements of the current Comprehensive Plan, such as density, suggest a wide range of acceptable densities, and there can be an overriding assumption that if a development fits within that range, it is automatically acceptable and in conformance with the plan, which may not be the case for other reasons.

Mr. Henningson suggested the Plan Commission meet for a workshop session on a Saturday. The Commission concluded this would be the same function of the meeting on Jan. 8.

6. Meeting Announcements

Tuesday, December 18, 2012 at 7:00pm in the Council Chambers – Potential Meeting

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

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

The Commission will meet on December 18. The January 22, 2013 meeting may be rescheduled to an alternate date.

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

8. Adjournment at 8:00 p.m.

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STATE OF ILLINOIS)
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COUNTY OF K A N E)

BEFORE THE PLAN COMMISSION
OF THE CITY OF ST. CHARLES

In the Matter of:)
)
Delnor Woods Subdivision,)
Application for)
Map Amendment.)

REPORT OF PROCEEDINGS had at the hearing of
the above-entitled matter before the Plan
Commission of the City of St. Charles in the
Council Chambers, 2 East Main Street, St. Charles,
Illinois, on December 4, 2012, at the hour of
7:01 p.m.

1 PRESENT:

2 MR. TODD WALLACE, Chairman;

3 MR. TIM KESSLER, Vice Chairman;

4 MR. BRIAN DOYLE, Member;

5 MR. CURT HENNINGSON, Member;

6 MR. THOMAS PRETZ, Member; and

7 MR. TOM SCHUETZ, Member.

8 ALSO PRESENT:

9 MR. RUSSELL COLBY, Planning Division Manager; and

10 MR. CHRISTOPHER TIEDT, Development Engineering
 Division Manager.

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1 CHAIRMAN WALLACE: The City of
2 St. Charles Plan Commission will come to order.

3 Tim.

4 MEMBER KESSLER: Schuetz.

5 MEMBER SCHUETZ: Here.

6 MEMBER KESSLER: Doyle.

7 MEMBER DOYLE: Here.

8 MEMBER KESSLER: Pretz.

9 MEMBER PRETZ: Here.

10 MEMBER KESSLER: Henningson.

11 MEMBER HENNINGSON: Here.

12 MEMBER KESSLER: Wallace.

13 CHAIRMAN WALLACE: Here.

14 MEMBER KESSLER: Kessler, here.

15 CHAIRMAN WALLACE: Item 3 on the
16 agenda is the presentation of the minutes of the
17 November 20th, 2012, meeting.

18 Is there a motion to approve?

19 MEMBER KESSLER: So moved.

20 MEMBER PRETZ: Second.

21 CHAIRMAN WALLACE: Moved and

22 seconded.

23 All in favor.

24 (The ayes were thereupon heard.)

1 CHAIRMAN WALLACE: Opposed.

2 (No response.)

3 CHAIRMAN WALLACE: Motion passes
4 unanimately.

5 Item 4 on your agenda is Delnor Woods
6 Subdivision, Lannert Group, application for a Map
7 Amendment from BL, Local Business District, and
8 RM-1, Mixed Medium Density Residential District,
9 to RE-2, Single-Family Estate District.

10 The Supporting documents: Application for
11 preliminary subdivision plan -- hang on one
12 second.

13 Do you want me to just read what they're
14 numbered on the list? Okay.

15 Scratch that. The exhibits for Delnor
16 Woods -- we have, A, which is application for Map
17 Amendment dated November 2nd, 2012; B,
18 application for preliminary subdivision plan
19 dated November 2nd, 2012; C, application for
20 final plat of subdivision dated November 2nd,
21 2012; D, staff memo dated November 30th, 2012; E,
22 engineering review comments dated November 20th,
23 2012; F, fire department review comments dated
24 November 29th, 2012; and G, letter from

1 St. Charles Park District dated December 3rd,
2 2012.

3 Are there any other exhibits? Okay.

4 This is a public hearing, and for those of
5 you who have not been here before, welcome.

6 The St. Charles Plan Commission is charged
7 by the City Council to conduct public hearings
8 for certain applications that are presented by
9 developers to the city.

10 In this case, this application is for a Map
11 Amendment. So they're asking us to change the
12 zoning map from one district to another.

13 The procedure that we follow is for the
14 Plan Commission to conduct a public hearing,
15 which is what we're doing tonight. The Applicant
16 will present testimony in the form of both
17 written and verbal.

18 The Plan Commission and any member of the
19 public will have the opportunity to cross-examine
20 or ask questions regarding any of the evidence
21 that's presented.

22 After that, anyone who wishes to can offer
23 additional evidence or testimony either for or
24 against the application, and then if anyone

1 wishes to cross-examine or question that
2 evidence, they can do so.

3 At the end of the public hearing, the Plan
4 Commission will hear any comments that come from
5 members of the public or the Applicant as well as
6 from the Plan Commission itself.

7 Any questions regarding that? All right.

8 As soon as the Plan Commission feels that
9 it has received enough testimony or evidence in
10 order to make an informed decision on this
11 application, a motion to close the public hearing
12 would be in order.

13 If we feel that that's happening tonight,
14 then we'll close the public hearing; and then at
15 some point in the future, this will be back on
16 our agenda to vote. When we vote on this matter,
17 it will either be to recommend approval or denial
18 to the City Council of this application.

19 If the Plan Commission feels that they
20 don't have enough testimony tonight, we can
21 always continue the matter to another date in
22 order to obtain more evidence.

23 So at this point in time, anyone who wishes
24 to present any testimony or ask any questions or

1 make any comments, you must be sworn in. I'd ask
2 that you raise your right hand.

3 (The witnesses were thereupon
4 duly sworn.)

5 CHAIRMAN WALLACE: Thank you.

6 As far as procedure in this room goes, we
7 have a court reporter who is here taking down all
8 of the proceedings, and therefore, only one
9 person can talk at a time, and I get to be in
10 charge of who that person is. So I would ask
11 that you wait until you're recognized before you
12 speak or ask any questions.

13 When you do speak, the lectern up here has
14 a microphone, I would ask that you speak into the
15 microphone so everyone can be graced with your
16 voice. Also when you speak, please state your
17 name and spell your last name for the record and
18 also state your address.

19 Any questions?

20 (No response.)

21 CHAIRMAN WALLACE: All right. First
22 of all, before we go with the Applicants, Staff,
23 do you have anything for us?

24 MR. COLBY: I do not.

1 CHAIRMAN WALLACE: Okay. Is the
2 Applicant ready?

3 MR. LANNERT: Yes, Chairman.

4 CHAIRMAN WALLACE: You may proceed.

5 MR. LANNERT: Good evening. My name
6 is Chris Lannert, L-a-n-n-e-r-t. I'm here this
7 evening with John Collins, who represents the
8 trust part of this petition, and also John
9 Spenader, who has done the engineering.

10 I understand from the agenda that you're
11 looking mostly tonight at the rezoning. The
12 rezoning was brought about because this has been
13 a consolidation of a number of different plans
14 that we've approved over the last decade or so.

15 Most recently in front of you was the PUD,
16 which Russell mentioned in his letter, and we
17 sold -- the Collins family sold approximately 19
18 acres of that planned unit development, which
19 included new townhouses, duplexes, and a
20 mixed-use building along Route 25 to the park
21 district.

22 Now that that has closed, we have a
23 housekeeping issue this evening because some of
24 the properties within that PUD had a special use

1 provision on it because that was the underlying
2 zoning. Some of those properties had office uses
3 underneath, and that was the Delnor properties,
4 and with the sale, we only have a remainder
5 parcel which is going to be the large estate
6 single-family.

7 So those housekeeping issues as shown on
8 the exhibit that you've got where the little
9 triangles are shown, that's probably a much
10 easier way to look at what we're trying to
11 quantify as opposed to reading the legal
12 description.

13 The legal description was prepared by
14 excepting out those triangles which had different
15 zonings than the RE-2, which is what we're in
16 front of you this evening to zone those remainder
17 parcels to. So I can explain that to you or
18 point it to you on a map, but basically, that's
19 what we're trying to do.

20 The original cul-de-sac which was part of
21 the original plan, the six lot cul-de-sac,
22 Collins Court, remains the same. We do have in
23 the proposal of the plan three lots along Route
24 25. The original proposal only had two lots.

1 The reason for the third lot is because
2 when the mixed-use medical building and
3 affordable housing building was facing and
4 fronting along Route 25, there was more office
5 land, and part of this rezoning gives us back the
6 single-family land, the RE-2 land, and that's why
7 there's three lots now as opposed to just the two
8 in the previous plan.

9 But other than that, hopefully, you've had
10 a chance to look at the packet. I can answer any
11 questions you have. John Collins can answer
12 questions historically, and if you have any other
13 questions of the engineer, you can ask them now,
14 or we can modify the plans as requested by the
15 staff, the recommendations, and we'll be back in
16 front of you.

17 CHAIRMAN WALLACE: Okay. Thank you.

18 Any questions from members of the Plan
19 Commission? No?

20 (No response.)

21 CHAIRMAN WALLACE: Okay. Any
22 questions from members of the public?

23 Yes, ma'am, if you can just approach the
24 lectern. Were you sworn in initially?

1 THE WITNESS: No, I wasn't.

2 CHAIRMAN WALLACE: Okay. If you
3 would raise your right hand.

4 (The witness was thereupon duly
5 sworn.)

6 CHAIRMAN WALLACE: Thank you. If you
7 could just pull that down towards you.

8 MS. CREGIER: My name is Joyce
9 Cregier, C-r-e-g-i-e-r. I live at 838 North
10 Fifth Avenue.

11 I just have two questions. What are the
12 dimensions of the three homes on 25 -- the
13 dimensions of the lots?

14 MR. LANNERT: The minimum width is
15 140 feet, and the depth, I believe, is about 310.

16 MS. CREGIER: 140 each?

17 MR. LANNERT: 140 frontage each,
18 correct.

19 MS. CREGIER: And the setback, would
20 that be similar to our home?

21 MR. LANNERT: The requirement is for
22 30 feet of front-yard setback, but in many cases
23 we have 50 feet or more.

24 MS. CREGIER: Is that similar to what

1 we have? I'm not sure.

2 MR. LANNERT: I'm not familiar with
3 your house, so I don't know.

4 MS. CREGIER: It's the one adjoining
5 the woods on 25.

6 MR. LANNERT: It will probably not
7 quite be set back as far as yours.

8 MS. CREGIER: Okay. The trees that
9 have all the red tape around them, are they all
10 coming down?

11 MR. COLLINS: Yes.

12 MS. CREGIER: Even the ones back --
13 all those big beautiful --

14 CHAIRMAN WALLACE: Sorry. I can't
15 quite hear you.

16 MS. CREGIER: Excuse me. I'm asking
17 about the trees that have the red tape around
18 them.

19 CHAIRMAN WALLACE: Do you want to
20 just come on up so we can both hear -- or all
21 hear.

22 MS. CREGIER: I just look out my
23 window, and I see these trees, these big
24 beautiful trees with the red tape around them and

1 was concerned that they're coming down.

2 MR. COLLINS: Yeah. They're --

3 MS. CREGIER: They're in the way of
4 the houses?

5 MR. COLLINS: No. No.

6 CHAIRMAN WALLACE: Sorry, John. If
7 you can just state your name for the record.

8 MR. COLLINS: John Collins. I'm the
9 trustee of the property.

10 Those are --

11 MS. CREGIER: Those are just the two
12 questions I had. So the trees that have the red
13 around them, are they --

14 MR. COLLINS: They're --

15 MS. CREGIER: -- Ash trees?

16 MR. COLLINS: -- Ash.

17 MS. CREGIER: Okay. Then I'm not too
18 upset about that. They're going to go anyway;
19 right?

20 MR. COLLINS: Right.

21 MS. CREGIER: Okay. Thank you.

22 It says that the final plan was submitted
23 already on November 2nd.

24 CHAIRMAN WALLACE: Yes. The

1 application for final plat of subdivision.

2 MS. CREGIER: Is that the one that
3 was mailed to us?

4 CHAIRMAN WALLACE: That's on the
5 Web site, isn't it?

6 MR. COLBY: Yes. The plan you
7 received is just the site plan, but we have more
8 detailed plans available in our office, or they
9 are posted on the Web site. But if you'd like to
10 look at them in person, you can call our office.

11 MS. CREGIER: All right. Thank you.

12 CHAIRMAN WALLACE: Thank you, ma'am.

13 All right. Any other questions from
14 members of the public?

15 (No response.)

16 CHAIRMAN WALLACE: All right. Any
17 comments or additional testimony to be offered?

18 Yes, ma'am. Absolutely.

19 MS. CREGIER: I just thought of it.
20 I think my main concern has been the drainage.
21 Have we addressed that? Because our property is
22 low. We have two large drains on our property.
23 One comes from the highway, and the other comes
24 kind of from the woods where you're planning

1 those homes.

2 Has that been addressed?

3 MR. LANNERT: Our engineering plans
4 are under review, and we're still reviewing those
5 plans with the engineering staff as well as with
6 the park district, but I know the topographic
7 that you're talking about. We will be picking
8 that up with the drains that will be part of the
9 storm sewer system.

10 MS. CREGIER: Will we have any input
11 on that? I mean, I am concerned that that could
12 affect our property because we already get a lot
13 from the woods when it really rains.

14 MR. LANNERT: We'll be happy to
15 review those plans with her if she doesn't
16 want -- she can come to our office and work with
17 John and myself, John Spenader or myself, or she
18 can work with the engineering department here in
19 the city, but we can explain those plans to her.

20 CHAIRMAN WALLACE: Do you want to
21 maybe tell her generally as far as water flow
22 goes when there's a development on an adjoining
23 piece of land, what the requirements are.

24 MR. TIEDT: Chris Tiedt, development

1 engineering officer with the City of St. Charles.

2 Generally speaking, this proposed
3 development would comply with the Kane County
4 Stormwater Ordinance. They would be providing
5 stormwater detention for this development as well
6 as -- part of that is not to impact the
7 surrounding properties with drainage, you know,
8 overflows, and generally speaking, where your
9 home is located, yourself with the three homes,
10 the proposed homes.

11 Generally speaking, the grading plan will
12 take any runoff from those lots, send it to the
13 east behind the homes, and then in a southerly
14 direction down towards the detention pond to the
15 south.

16 So they're going to be basically taking any
17 runoff from that property and bypassing around
18 your homes.

19 MS. CREGIER: That could be better
20 than it is now.

21 MR. TIEDT: It most certainly should
22 be, yes.

23 MS. CREGIER: Thank you.

24 CHAIRMAN WALLACE: All right. Thank

1 you.

2 Any other questions or comments?

3 MEMBER HENNINGSON: Yes.

4 CHAIRMAN WALLACE: Sure.

5 MEMBER HENNINGSON: You know, I might
6 suggest that you get ahold of the staff and talk
7 to them about your concerns because I'm sure they
8 have plats that show your property in accordance
9 with the other property and where your setbacks
10 are, and that might be a good idea.

11 MS. CREGIER: All right. Thank you.

12 MEMBER HENNINGSON: Talk to either
13 Chris Lannert or the staff here to answer your
14 questions.

15 MS. CREGIER: Thank you.

16 MEMBER HENNINGSON: I'm sure that
17 they've got answers for all of them.

18 CHAIRMAN WALLACE: There's actually
19 also a helpful topographic map that is on -- I'm
20 looking at it right now, it's online, which shows
21 the proposed changes and how the ground would be
22 changed in order to direct the flow behind the
23 property, and that's something that you can view
24 in the planning office as well.

1 MS. CREGIER: Thank you.

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

4 MEMBER PRETZ: My comment would be to
5 Mr. Collins and Mr. Lannert, that since you do
6 have a neighbor and there aren't that many
7 neighbors in the area there, that you do take
8 time and consideration to make sure that they're
9 fully aware of what's going on, you know, for any
10 potential -- to avoid any problems based on your
11 property and the effect on them. That would be
12 appreciated.

13 CHAIRMAN WALLACE: All right.
14 Anything else?

15 MEMBER DOYLE: The only application
16 that we're looking at is the Map Amendment --

17 CHAIRMAN WALLACE: Correct.

18 MEMBER DOYLE: -- correct?

19 CHAIRMAN WALLACE: Yes.

20 MEMBER DOYLE: And that Map Amendment
21 is for these yellow areas to be rezoned to RE-2?

22 CHAIRMAN WALLACE: Yes. Correct.

23 It's actually just for the three areas and

24 that --

1 MEMBER DOYLE: I see four of them.

2 CHAIRMAN WALLACE: Is it four? I'm
3 sorry. I switched from there.

4 Yeah. Four of them, two larger ones at the
5 north end of the property and two smaller ones
6 along the east side of the property. Correct.

7 And just to clarify as well, the public
8 hearing was already conducted -- when was the
9 original public hearing on the remainder of the
10 property? I recall several meetings.

11 MR. COLBY: 2007.

12 CHAIRMAN WALLACE: 2007 for the rest
13 of the property.

14 All right. Anything else? Any other
15 questions? Comments?

16 (No response.)

17 CHAIRMAN WALLACE: Does the Applicant
18 have anything else before we entertain a motion
19 at this time?

20 MR. LANNERT: Not at this time.

21 MEMBER KESSLER: I'd make a motion to
22 close the public hearing.

23 MEMBER PRETZ: I'll second that.

24 CHAIRMAN WALLACE: Okay. It's been

1 moved and seconded.

2 Any discussion on that motion?

3 (No response.)

4 CHAIRMAN WALLACE: All right. Tim.

5 MEMBER KESSLER: Schuetz.

6 MEMBER SCHUETZ: Yes.

7 MEMBER KESSLER: Doyle.

8 MEMBER DOYLE: Yes.

9 MEMBER KESSLER: Pretz.

10 MEMBER PRETZ: Yes.

11 MEMBER KESSLER: Henningson.

12 MEMBER HENNINGSON: Yes.

13 MEMBER KESSLER: Wallace.

14 CHAIRMAN WALLACE: Yes.

15 MEMBER KESSLER: Kessler, yes.

16 CHAIRMAN WALLACE: All right. That
17 concludes Item No. 4, and the public hearing is
18 closed.

19 (Which were all the proceedings
20 had in the above-entitled matter
21 ending at the hour of 7:17 p.m.)
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STATE OF ILLINOIS)
) SS.
COUNTY OF K A N E)

I, JOANNE E. ELY, Certified Shorthand Reporter No. 84-4169, CSR, RPR, and a Notary Public in and for the County of Kane, State of Illinois, 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 and affixed my Notarial Seal this 6th day of December, 2012.



Joanne E. Ely

Certified Shorthand Reporter

My commission expires
May 16, 2016.