

**MINUTES  
CITY OF ST. CHARLES, IL  
PLANNING AND DEVELOPMENT COMMITTEE  
MONDAY, JULY 16, 2012 8:15 P.M.**

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

**Members Absent:** Stellato, Lewis

**Others Present:** Mayor Donald P. DeWitte; Kathy Livernois, Director of Human Resources; Rita Tungare, Director of Community Development; Matthew O'Rourke, Planner; Russell Colby, Planning Division Manager; Chris Tiedt, Development Engineering Manager; Gerry Gorski, City Attorney

**1. CALL TO ORDER**

The meeting was convened by Chairman Carrignan at 8:15 P.M.

**2. ROLL CALLED**

Roll was called:

Present: Monken, Payleitner, Turner, Carrignan, Rogina, Martin, Krieger, Bessner,

Absent: Stellato, Lewis

**3. COMMUNITY DEVELOPMENT**

- a. Recommend approval of a Special Use on a portion of the property located at 2900 Dukane Drive for Manufacturing, Heavy (Concrete Batch Plant).

Mr. O'Rourke reviewed the Staff Report dated July 3, 2012. He said it is a temporary batch plant constructed on a portion of the south west corner of the property to supply concrete for ongoing construction projects on Route 64. He said the plant will be operating 12 days in 2012 and 12 days in 2013.

Aldr. Rogina asked if the Plan Commission had any other concerns other than what was identified in the conditions. Mr. O'Rourke said no, just what was listed in the report.

Aldr. Turner said he finds it interesting that building the road will take 2 years and only 24 days of it will be used to actually pave the roads.

Chairman Carrignan asked if the agreement is for the property to be returned to original condition. Mr. O'Rourke said yes it will be restored by the applicant.

Chairman Carrignan said with the amount of trucks involved, will it be restored to its current condition, or improve the roads being used. Mr. O'Rourke said the agreement being drafted is for maintenance in its current condition and will not require be a complete reconstruction.

Chairman Carrigan asked for clarification on the approval for 15 days versus the 12 days. Mr. O'Rourke said it is for leeway for extenuating circumstances.

**Motion was made by Aldr. Turner for approval of the Special Use for Manufacturing, Heavy (Concrete Batch Plant) contingent upon satisfaction of any outstanding staff comments and subject to the following conditions:**

- 1. The Special Use shall terminate on December 31, 2013 and equipment shall be removed by December 31, 2013. Full restoration of the site shall be completed by April 30, 2014.**
- 2. The Special Use shall be limited to fifteen (15) days of concrete batch plant operation in the calendar years 2012 and 2013 respectively.**
- 3. Submittal of a detailed Final Stormwater Prevention Pollution Control Plan.**
- 4. All traffic related to the Special Use shall be limited to Stone and Dukane Drives.**
- 5. The applicant shall enter into a maintenance agreement for repair of Stone and Dukane Drives.**
- 6. The applicant shall enter into an agreement with the City to monitor dust, soil erosion, and cleaning.**
- 7. The Special Use shall only be utilized to supply the construction/reconstruction of Rt. 64 between 7<sup>th</sup> Avenue and Rt. 59.**

**Motion was seconded by Aldr. Rogina.**

Roll Call Vote:

Ayes: Monken, Payleitner, Turner, Rogina, Bessner, Martin, Krieger

Nays:

Absent: Stellato, Lewis

Motion Carried.

- b. Recommend approval of a Map Amendment, Amendment to a Special Use for a Planned Unit Development, and a PUD Preliminary Plan (Corporate Reserve Multi-Family Residential).

Paul Robertson-1930 N. Thoreau-JCF Real Estate-Owners and Developers of the Corporate Reserve of St. Charles-Showed a PowerPoint presentation explaining the project history for the 50.4 acre office and commercial development, which was approved in 2008 for phase I of the development on lots 5 and 6. He said 576,800 sf. of office was approved north of Woodward which is zoned OR, and south of Woodward which is zoned BC. He said what they are requesting is a change to the zoning of lot 8 which is 22.06 acres that will not impact the frontage on Route 64.

He mentioned for perspective that directly west is Remington Glen, east is Regency Estates, south is Renaux Manor and the north east corner is forest preserve. He then went over the history of Phase II of the office concept which consists of two 200,000 sf. five story office building at 500,000 sf. total office, with a three level parking structure plus two, two-level parking decks.

He said to date they have developed 2 single story office buildings on the eastern portion that total 40,000sf. and are all occupied, but that since the project was started there has been a reduction in office space demand and an increase for multi-family rental housing, and that to verify the demand for that, they engaged Tracy Cross and Associates to do a market study. The study identified a pent-up demand for rental housing in St. Charles and the TCAI report estimates absorption of 15-17 units per month for the property.

Mr. Robertson said the ten-year estimated tax benefit for the Lot 8 rental site only would be \$8.4 million with rental multi-family vs. \$1.3 Million without rental multi-family, and that the tax revenue is based on conversations with the tax assessor. The tax revenue without apartments is based on current tax payment.

Terry Smith -4046 N. Kennicott Ave.- BSB Design-showed a PowerPoint presentation with the initial site plan from 11/08/11 which included: Main Street entry with mixed use and club buildings, 3-story rental with attached garages, 4-story rental with subgrade parking, 407 rental units and 3,500 sf. commercial. Some of the feedback and concerns to that plan were: density, the 4-story building height, connectivity of open space and off-site views, viability of mixed use, traffic and dispersal of parking. He said in response to those concerns they have worked hard to make the plan better and the modifications include: reduction in density from 407 with commercial to 331 units with no commercial, elimination of 4-story buildings (3-story only), better linkage of open space areas and enhancement of the club area. He said the site plan amenities include a 5,790 sf. club, pocket parks and trails and direct access to adjacent Great Western Trail and Leroy Oaks Forest Preserve.

Mr. Smith said the detailed hardscape elevations include 2 types of signs at Woodward and Main St. Light fixtures would be modern light fixtures to match the proposed architecture. Nice detailed aesthetic trash enclosures are located throughout the project and 2 mailbox kiosks are located on both sides of the club building.

Mr. Smith said some adjustments are still in the process that were made per the Plan Commissions request, including adjustment of trash dumpster and maintenance building locations to avoid utility conflicts.

Jeff Mulcrone-3436 N. Kennicott Ave. - BSB Design-briefly went through the architecture for the 15 multi-family buildings comprised of 331 units which range in size and features from 1 bed, 1 bath units to 2 bed, 2 bath units. He said all units will have a fresh open layout, nice interior design schemes, and extra-large balcony spaces. He said each building will have 8 interior private garage spaces, individual storage units within the main corridors of each building, secure vestibules, and 8 corner units with good views of the neighborhood, forest preserve and pond. He said the exterior theme is classic forms and massing with contemporary flair with selections of various materials, textures, inviting colors and metal roofing. He said the clubhouse will have a leasing center, great room, reception room, 24-hour fitness center, in-door/out-door spaces with covered terraces looking over the pool deck, pond and forest preserve, and also a social deck for the residents. He said the architecture will be like that of the residential building, adding a lot of glass and stone and at night time will be lit up as the center of the community.

Michelle Retson-13821 S. Harrison-Kinsella Landscape-said one of the variances they are seeking involves the required trees and that due to the driveways being concentrated along the buildings, it will prevent trees from being planted in that location. She said in total throughout the site there will be 281

foundation trees of the required 400, but that they have tried to make up for that with shrubs and perennials, where the requirements are 4,000 and they will have close to 7,000. Ms. Retson then went over the landscape architecture for the building foundation planting, tree planting plan, club area, central park area, plant palette and the landscape character.

Mr. Robertson went over the summary statistics for the Traffic Study. He said in 2008 the projected count in the AM peak hour was 765 both coming and going and in the PM it was 870. He said for 2012 plan in changing Lot 8, the projected peak hour counts have gone down and are 354 in the AM and 585 in the PM.

John Fitzmaurice-JCF Real Estate-gave a summary of the project and said that the quality of the project is extremely cutting edge and the purpose of that is to retain a certain population within the community with a quality alternative as a place to reside. He said that if they get the Committee's approval that they could achieve some white tablecloth restaurants in front of the project and could complete the existing office outlots quickly and would serve the community well.

Aldr. Bessner asked why they would not want to implement the 50 units for affordable housing that the Ordinance call for, and what the rational was behind the \$50,000 that was decided to be donated. Mr. Robertson said the request to be exempt from the Inclusionary Ordinance came from the reduction of density and the revenue that supports the fees paid in lieu to have them be part of the Inclusionary Housing Ordinance, and comments heard from the concept plan was that it was not desired to have inclusionary housing on the site. He said the \$50,000 would offset the impact fees to the school district, park district, KDOT for any offsite improvement that will need to be done. Aldr. Bessner said the \$50,000 comes to approximately 2% of what's required for 25 units and that he sees it as possibly a very inexpensive way out. He said if there were rental units, wouldn't it be more cost effective for the developer, versus what the City's Ordinance requires, to have the units with the variance of rental ranges that would again, not cost as much as the City's Ordinance calls for. Mr. Robertson said he understands Aldr. Bessners point but that due to the amenities and the interior finishes, the rent will be relatively high and the difference between what market rent is and what is allowed by the Ordinance is over a magnitude that when the value is capitalized, it will get it back to around \$110,000 a unit. Aldr. Bessner asked what the rent would be. Mr. Robertson said based on the size, the average would be about \$1.55 per square foot, so about \$2,000 for a large unit.

Aldr. Krieger said there are so many developers statewide that have gone belly up and asked what made the developer so sure their development would work and if there was financing in place. Mr. Robertson said the market study looked at what is available currently in the City and what similar developments have done in similar communities like St. Charles as far as absorption and rent levels in comparable markets. He said they are confident the rent will be achieved and that they will do even better than what the report suggests. He said income levels are looked at in regard to affordability, which is usually a third of the income for rent, and he feels there is sufficient demand within the income profile to lease up to 331 units. He said as far as financing goes, it is impossible to finance a project that is not entitled, but that they are pursuing that aggressively the last 6 months and are very close, but banks will not commit without an approval. Mr. Fitzmaurice added that the way they are looking to achieve the financing would be for its entirety, so if they achieve a positive entitlement, result they will have commitment for the entire 331 units and the project will not be phased.

Aldr. Krieger said that the developer is comparing this project to AMLI, which she knows does not have \$2,000 rent. Mr. Fitzmaurice said AMLI's 1 bedroom runs about \$1.60 per sq. ft. which is about \$1,600 per month.

Aldr. Martin said he will not support this unless there is some provision other than a 2% or \$50,000 contribution on the Inclusionary Affordable Housing, and if they do not want to put it on site, the developer should pay the fee because he does not feel that \$50,000 is appropriate. He said he still feels 331 units is too dense. He said he has an issue with the Findings of Fact presented. He said just because the economy has a problem and it is no longer a good idea, that he feels if the City waits a short time, there will be a need for the original project that was proposed. He doesn't feel the current plan is an asset to the community. He said he has a problem with it not being compatible with the Comprehensive Plan, the setbacks, the landscape variations being requested and also the effect on the nearby properties.

Aldr. Rogina asked if there has been any change to the setback to Remington Glen being of adequate distance. Mr. Smith said there has been no change since November and as of right now there is a 30ft. setback and that the actual main portion of the building sits 5-6ft., which makes the tallest portion of the building set back about 35ft.

Aldr. Rogina confirmed that the Plan Commission vote was 4-3 and that the 3 dissenters' main concern is density. Mr. O'Rourke said correct and also how it coordinated with the current Comprehensive Plan.

Aldr. Rogina asked for an explanation for the dynamics behind the units going from, in July 1, 2011, 222 units, to November of 2011, 407 units, and then currently at 331. Mr. Smith said the original 407 units considered the entire property and that at the time there was a consideration on JCF's part of phasing in a portion of it, which is probably the reason for the fewer number of units.

Aldr. Turner said he still feels there is no need for affordable inclusionary housing but that the fee that is being proposed is way too low. He said density is an issue and that it seems the size of the buildings have increased and he would like to see it go back to 14 buildings versus the current plan for 15. He is not at all averse to the concept or changing the zoning. Mr. Smith said the 2,700 sq. ft. lot area per unit does fall within the lot area per unit as far as density is concerned. Aldr. Turner said yes, but that does not have to meet the threshold on the maximum of the criteria, and he would rather see lower density.

Aldr. Payleitner said she is on the Housing Commission and if she went back to them with the variance proposed with an explanation that dropping the density by 76 units justifies going from \$2.6 million to \$50,000, it will be a tough sell. She said until she sees an increase in that or some units offered she cannot agree to the variance.

Chairman Carrigan asked for an explanation of the term "the absorption of 12-15 units per month". Mr. Robertson said Tracey Cross and Assoc. market study estimates what the absorption per month will be, which is 15-17 units per month. He said all of the financing will be in place for the entire project, but because each building is between 21-25 units, they approximately match up with the absorption schedule, but that 331 units would not be delivered to the market all at once, that they would start with the clubhouse and 3 buildings near the entrance. They would isolate the construction because of there being a 2<sup>nd</sup> entrance.

Chairman Carrigan asked if there is a berm on the western side near the Nicor line. Mr. Robertson said no, but the bike path that is in place is down about 3 ft. from the grade and the detention is wet.

Chairman Carrigan asked if they were looking for the rezoning and then also the PUD. Mr. Robertson said just change the underlying zoning as part of the PUD. Mr. O'Rourke clarified that it is a change in the underlying zoning and an amendment to the PUD.

Chairman Carrigan stated that like the rest of the Committee he has a significant issue with the Inclusionary Housing. The City has an Ordinance and he feels it would be very detrimental to start waiving things, especially at the amount proposed. He said the Comprehensive Plan is there for a reason and that he understands apartments are in demand right now, but that he is not sure the City needs more apartments and that he is unsure about leaving the corporate office research zoning because the market had a shift.

Aldr. Rogina asked for clarification on the additional through lane along with traffic signal on Route 64, and if that would be a guarantee. Alex Garbe-HLR-380 Shepard Dr.-said their report states that ultimately that will be an improvement needed, but that the intersection of Route 64 and Peck Rd. is already operating below acceptable levels and there is no known timetable, but that IDOT is already working on an improvement. He said in regard to the additional through lane and signal at Route 64 and Corporate Reserve Blvd., it is not a guarantee.

Aldr. Krieger asked if the developer will be required to set any money aside for future road improvements. Mr. O'Rourke said yes, that was part of the original approval and that will not change.

Patrick Edgerton-181 Remington Dr.-asked if there are any guarantees that the trees near the west side of the property on the Nicor easement will be used as a buffer or will remain and not be cut down. Mr. Stillwell clarified that the applicant is in no way claiming that the Nicor gas right of way is a buffer to the project. Mr. Edgerton noted that the drawings include a tree line that is on the easement which is not a tree line provided by The Corporate Reserves.

Mr. Edgerton asked how long they anticipate the project will take from beginning to end, starting from ground break on the east side to the west. Mr. Robertson said they anticipate about 5 months building the clubhouse and for each individual apartment building, with 15 buildings, about 17-20 months, and with weather considerations, about 2 years.

Mr. Edgerton asked about the office buildings on the east side of Lot 8, what was the anticipated development period for the rest of the offices. Mr. Robertson said originally it was projected as an 8-10 year build out, and are now somewhere around 10-12 year build out, 4 years down the road.

Mr. Edgerton asked what type of market they would be directing the apartment complex to. Mr. Robertson said the market study examined resident profile throughout the area which would appeal to a broad spectrum of potential residents including young professionals, empty nesters, families in transition, people in between selling their homes, and people waiting for executive housing. He said the report identified a number of different resident types. Mr. Edgerton asked if, as mentioned in previous meetings, the primary purpose is to market toward the single people and younger professionals. Chairman Carrigan advised Mr. Edgerton not to ask speculative questions, but to ask questions about the development. Mr. Edgerton said that his questions were all issues raised at prior meetings and have now been abandoned for some reason.

Mr. Edgerton said that in the Findings of Fact a conclusion was made that the property values would not be affected and he asked if there is any sort of report or study indicating that there would be no impact on property values of adjoining properties. Chairman Carrigan asked how the Plan Commission would go about finding and discussing impact on properties. Mr. O'Rourke said when the Plan Commission looks at the Finding of Fact, it is based on zoning practices, and there is no dollar for dollar study done.

Mr. Edgerton said in changing the zoning, this can be increased to 19.8 dwelling units per acre. Mr. O'Rourke said yes that is the maximum of RM3. Mr. Edgerton asked if it could be proposed for a higher density level than what is it is currently under the new proposed zoning. Chariman Carrigan said sure. Mr. Edgerton asked if future possible developments that have been proposed at prior meetings could be added to this apartment complex. Mr. Robertson said they have never submitted anything for apartments on the frontage on Main St. and the frontage is still BC zoning.

Mr. Edgerton asked in regard to the anticipated property tax revenue, with rental units \$8.4 million over 10 years, why last meeting, it was indicated that it would be \$10.8 million over 10 years with rented dwelling units. Mr. Robertson said when that information was presented at Plan Commission, all the undeveloped lots were looked at and the impact on real estate tax revenue for all of them, which clouded the issue a bit, but the information presented tonight is strictly Lot 8. Mr. Edgerton said at the last meeting it was said that revenue would be at \$15 million over 10 years. Mr. Robertson said the question came up at Plan Commission as to what would the tax revenue be if Lot 8 were developed with 500,000 sq. ft. today and it is approximately \$3 a sq. ft. in real estate taxes for office, which is \$15 million.

Chairman Carrigan said that if the developer came in at lower density and it was approved and it came back to Committee to raise the density that it would be frowned on quite a bit by the Committee. Mr. Edgerton said he understands that and knows that once the Committee makes up their mind, they cannot be manipulated, but that the current members may not be on the Committee next year. Mr. Stillwell clarified that it is not just the raw zoning but is also a PUD and the actual density would be established by the PUD plan that would have to be materially amended for any increase in density.

Mr. Edgerton said the traffic analysis was done for the rush-hour in the morning and the afternoon for both the office and residential project. He said that a family development with 331 units would have a different traffic pattern which would exceed the traditional rush hour for morning and afternoon Monday through Friday. He asked if there was a traffic pattern studied to the effects of having residential units other than the traditional Monday through Friday AM and PM rush-hour. Mr. Garbe said no. Mr. Edgerton said then there is no indication of what the impact would be on weekends or evenings. Chairman Carrigan said we all live in neighborhoods and understand how traffic flows.

Mr. Edgerton asked how many units dwelling per acre are allowed for RM2. Chairman Carrigan said about 12.5 but that he did not know about RM1.

Linda Radford-283 Remington Dr.-asked what kind of activities would be planned on the large patio because her home is right there. Mr. Robertson said they planned the building to take advantage of the view over the pond and that any noise would be directed the other way. He said there is no bandstand or outdoor bar, it is an open space and there is no plan to have organized activities there. Ms. Radford said she would hold him to it. She then asked why the townhomes to the east on the south end are so much lower than the property and wanted to know about the drainage. Kevin Matray-Mackie Constltants-575 Rosemont-said the property was previously developed under the overall concept scheme where existing detention ponds are and there was a tributary area map that was developed in order to drain certain areas

of the site to the ponds. He said with the redevelopment of the site, some of those lines will slightly move based on the configuration of the new buildings but that the ponds under the previous design were overdesigned to compensate for future development. He said under the current concept, all the drainage is able to be detained in those 3 ponds. He said with the parkways and the green space there is more pervious area than there previously was. Ms. Radford asked about the traffic study and how you have 354 cars in the AM when there will be well over 300 units and 1.6 cars per unit is planned. Mr. Garbe explained the process in which the numbers are estimated based on Institute of Traffic Engineers study data.

Diane Eden-218 Remington-commented in regard to what will become of this property as the economy improves and that she hopes consideration is being given to what will happen to this property which is in her backyard.

Vanessa Bell-Lasota-1610 Howard St.-asked about the statistics from the study that shows the demand for rental. There is a reference to the Chicago market and asked if they are saying that the proposed property will be able to compete with the Chicago rental market even though there is indirect transit. Mr. Robertson said the reference was made to compare favorably with the amenities that are offered with properties in the City. Ms. Bell-Lasota asked how wide the net is and what the radius is. Mr. Robertson said a project approved in Wheaton for 306 units, projects in Naperville, Lisle and Lombard. Ms. Bell-Lasota said those are all on major arteries to Chicago. Ms. Bell-Lasota asked about the quality, retention, and transitional types of residents, and asked how they would balance the idea of encouraging that retention when a lot of the market being talked about is transitional. Mr. Fitzmaurice said looking at the industry, the average occupant lasts about a year and a half anywhere. Ms. Bell-Lasota noted that it was said by the developer that the quality was going to make people stay longer. She then voiced her concern on how long it would take for a traffic signal to be placed, and mentioned the post office because it is a dangerous intersection as it is. Chairman Carrigan said that is an IDOT issue.

Aldr. Krieger asked for a copy of the study done by Tracy Cross and Associates because it had been referred to so many times. Mr. Stillwell said some of that information is proprietary and they would have to ask Tracy Cross which information could be shared.

Mr. Burrell-283 Birch Lane-said back in 2006/2007 the vision and market study that was done showed such great impact for the City and with the change in the zoning, it's not only changing the feel of the City but also the western gate of how it will look. He said in regard to possible restaurants coming onto Route 64, the cars will have to come into the subdivision because there will not be a curb cut on Route 64. He asked that Committee, as they evaluate the project, consider the density, the traffic, change of the make up of the community, and what the long term effect will be on the residents and also the community, and he hopes to keep the vision that occurred.

Aldr. Turner noted that he lives in the ward and has spoken to a lot of the residents that were present at the meeting. He asked Mr. Burrell if he would rather have 2 5-story buildings and a bunch of parking decks and double the traffic than the proposed development. Mr. Burrell explained that office buildings and parking deck people will come in the morning and leave at 5 o'clock and will not be there on the weekends. During the week those individuals would be spending money in the area on meals and such, and people that will live there are going in the opposite direction of that.

Aldr. Rogina noted that with Lot 8 under the office plan, there will be 2 5-story office buildings and wanted to know if Mr. Burrell approved of that size-wise. Mr. Burrell said they would not be backing

up to the trail and he is fine with that. And he doesn't feel anyone in his area is in favor of the proposed project.

Pat Watson-318 Remington Dr.-asked if there had been any type of impact study done as far as resources comparing residential as opposed to office for the usage of water, water table and result in sewage, and as far as density goes the impact on the forest preserve park. She asked if the 2 office buildings are 100% occupied right now, why is there no future for other offices here. She asked if when the economy changes will the City end up with a bunch of half started communities such as hers and the other ones throughout the City. Chairman Carrignan said in regard to the resources, the City infrastructure has to be able to handle it before the project even begins, the studies have been done and it works whether its office complex or housing. He said it is the developer's land and they are trying to develop it but that the Forest Preserve District has been notified since the beginning.

Mr. Edgerton said he lives within 200 ft. and received notice of the existing plan, he said nothing is perfect but as fellow homeowners they must evaluate how this will impact the surrounding community. He said nobody he knows of has objected to the existing plan. Chairman Carrignan said that people have objected to the plan. Mr. Edgerton said ok, he hadn't heard about that to the extent of the objection to the proposed plan, but that he did not object to the existing as opposed to the current one and it has already been started, so time, money and energy by the City has been spent on the existing plan and now part way through the scheme, we want to change roads. He said that has already happened with Remington right down the road and only 2/3 of that is done and he asked where does this stop. He said he and people in his surrounding community think long term and thinks this is a reaction to preserve a short term issue. He asked that the Committee stick with the existing plan because the economy will turn around.

Chairman Carrignan said there will not be a motion at this time and some issues need to be addressed, first and foremost is the inclusionary housing issue and also the density. He said there would be a continuance for August 13<sup>th</sup>, with this item being first on the agenda. Mr. Stillwell was ok with that.

Aldr. Turner asked if the 2 issues were having to change the zoning and the approval of the project. Mr. O'Rourke said there are actually 3 applications, change in the underlying zoning, amendment to the PUD and the PUD Preliminary Plan.

**Aldr. Turner made a motion to continue this meeting on August 13<sup>th</sup> with this being the first item on the agenda. Motion was seconded by Aldr. Krieger.**

**4. ADDITIONAL BUSINESS**

**5. ADJOURNMENT-9:50 P.M.**