

**MINUTES  
CITY OF ST. CHARLES, IL  
PLAN COMMISSION  
TUESDAY, FEBRUARY 5, 2013**

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Members Present: Tim Kessler, Vice Chairman  
Brian Doyle  
Tom Schuetz  
Tom Pretz

Members Absent: Todd Wallace, Curt Henningson, Sue Amatangelo

Also Present: Russell Colby, Planning Division Manager  
Matthew O'Rourke, City Planner  
Rita Tungare, Director of Community Development  
Devin Lavigne, Houseal Lavigne Associates  
Comprehensive Plan Task Force members: Chairman Mark  
Armstrong, John Rabchuk

**1. Call to order**

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

**2. Roll Call**

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

**3. Presentation of minutes of the January 29, 2013 meeting.**

**A motion was made, seconded and unanimously passed by voice vote to accept the minutes of the January 29, 2013 meeting.**

**PUBLIC HEARING**

**4. General Amendment (Elgin Bancshares, Inc.)**

“Table 17.16-1 Office/Research, Manufacturing and Public Lands Permitted and Special Uses” pertaining to the addition of Personal Services, Limited as a permitted use in the OR-Office Research District  
Chapter 17.30 “Definitions” pertaining to the creation of a new use definition entitled Personal Services, Limited.

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

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

**MEETING**

**5. General Amendment (Elgin Bancshares, Inc.)**

“Table 17.16-1 Office/Research, Manufacturing and Public Lands Permitted and Special Uses” pertaining to the addition of Personal Services, Limited as a permitted use in the OR-Office Research District

Chapter 17.30 “Definitions” pertaining to the creation of a new use definition entitled Personal Services, Limited.

Mr. Schuetz said he does have reservations on how the decision was made for what is allowed and what is not allowed, but with that being said he feels each individual proposal that comes forward should be looked at.

Mr. Doyle asked the Commissioners if they would approve this if the applicant were a Great Clips. Commissioners said yes. Mr. Doyle said ok, because he feels that’s important because there is no distinction in the proposed language that would say yes to this, or no to that.

**Mr. Schuetz made a motion to approve the General Amendment to 17.16-1 Office/Research, Manufacturing and Public Lands Permitted and Special Uses” pertaining to the addition of Personal Services, Limited as a permitted use in the OR- Office Research District Chapter 17.30 “Definitions” pertaining to the creation of a new use definition entitled Personal Services, Limited. Mr. Doyle seconded the motion.**

Roll Call Vote:

Ayes: Scheutz, Doyle, Wallace, Kessler, Pretz

Nays: None

Absent: Wallace, Henningson, Amatangelo

Motion carried.

**6. Review and Discussion of Comprehensive Plan Draft**

- Chapter 4: Land Use Plan
- Chapter 5: Community Facilities Plan
- Chapter 6: Parks & Open Space Plan
- Chapter 7: Transportation Plan
- Chapter 8: Sub Area Plans
- Chapter 9: Culture & Identity Plan
- Chapter 10: Design Guidelines
- Chapter 11: Implementation

Mr. Colby said a list of comments was received from Mr. Doyle that has been distributed to the Commissioners. He said there was also a discussion table prepared that lists all items discussed at the previous meeting which staff is keeping track of for the purpose of revisiting them when the Commission decides they are ready to make a recommendation on the plan. He said staff is suggesting that once the Commission concludes their discussion, they decide on a date to place the recommendation for the plan draft on a future agenda so that staff can then prepare a recommendation based on discussion had thus far.

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Vice Chair Kessler said tonight's meeting would run through 9PM and at that time it would be decided as to whether or not it would continue. He asked Mr. Doyle to take the Commission through his comments. Mr. Doyle said some of his comments are pushing back a bit on both the Committee and the Task Force in consideration of comments heard from members of the community and he feels it's important for the Commission to be rigorous with themselves right now because once it's in the plan it's an adopted guideline. Mr. Armstrong agreed that this is the time for discussion, and to not have to clean it up after it's been adopted.

- First comment is on the Downtown Subarea Objectives-Chapter 8, Page 64, and last bullet point on page. This seems related to the discussion we had at Jan 29, meeting on enhanced connections between downtown and the Old St. Charles Mall site along Prairie Street. I think this is an important issue. Are there other specific "assets" with enhanced multi-modal mobility is especially important? If so, what are they and what routes should be prioritized for enhancement?

Mr. Armstrong said the reason the mall site is shown in the generic is to include not just that site but others, however the intention was not to go ahead and identify all of them or the routes but to be an objective look that would go forward out of the plan. He said if the Commission thinks it should be more specific, it should be part of the recommendations and he does not have an opposition to it, that is just how the Task Force ended up where it did.

Mr. Doyle said in reading this chapter and how dense it is, he pulled out things that were impressions that jumped out at him and he doesn't necessarily have a solution, but has questions. Mr. Armstrong said he questions using "multi-modal mobility" which maybe too much planner speak.

Mr. Doyle suggested 3 destinations outside of downtown that may be important; old mall site, proposed bicycle trail along the rail-line, downtown Geneva and connections to Randall Rd. if BRT becomes a reality. He said because he lives on the west side of town he doesn't have much of an opinion regarding the east side and he would rely upon people who know the east side better to contribute ideas. Mr. Armstrong suggested moving forward with the recommendation on this by listing those things as examples of types of places you want to go to, and he says examples because he is not certain that you would want to limit them to just those places. Mr. Pretz said he likes the idea of example versus being very specific because it allows for future direction in discussion as things change within the community. Mr. Doyle said an example would be the points of access that feed people into the downtown and to connect them up to those community resources and assets where there will be traffic including Randall Rd, Geneva and the Metra station and The Great Western Trail, and that even if there are not any specific answers tonight, it will be known that the discussion was captured by staff. Vice Chairman Kessler said creating examples is exactly what is being done but his fear in any of the plan is getting too specific because we do not know where the next destination will be 20 years from now and to highlight the importance is what should be recommended. Mr. Doyle said he does not have any objections or reservations regarding the bullet point as it is but just feels it's important to discuss and is an important objective.

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- Second Comment is on the Downtown Framework Plan, Chapter 8, Page 65, why isn't 5th Avenue designated as Gateway Corridor frontage? Rt. 25 does provide primary entry into the east side of downtown.

Mr. Lavigne said that's a great point, from the railroad overpass down to Indiana. Mr. Pretz said with the new bridge and the traffic to the north of town being able to hop from Rt. 31 to Rt. 25, the traffic on Rt. 25 seems to be a bit heavier than what it was prior to the bridge and becoming more so. Mr. Doyle said the function of these designations in terms of framework is to define what building massing, façade orientation and access patterns to encourage and is there a feeling that along 5<sup>th</sup> Ave. that a local frontage is more appropriate even though it does function as a gateway both north and south. Mr. Armstrong said the gateway frontage starts as buildings being generally located along the front lot line although a small setback can accommodate gateway landscaping. He said taking a look at 5<sup>th</sup> Ave frontage, and one way to look at it would be to take the gateway frontage and have it closer to Main St. and leave it local frontage farther away from Main St. He said it would have to be between the 2 columns, which one makes more sense and he is not sure one answer is needed for the whole length of the street. Mr. Doyle said he thinks Illinois would be a good southern boundary because of the bridge, otherwise it could be taken down to Riverside Ave. Mr. Lavigne said he was just looking at the existing built form and he thinks south of Indiana takes on a whole different form with transitioning to residential. Mr. Armstrong said the block between Illinois and Indiana does not have a high propensity for change right now because of the structures there are relatively new re-developments of the last decade. Mr. Lavigne said either Illinois or Indiana but he would not go any further south than that and on the north end either Cedar Ave. or the abandoned rail corridor. Mr. Armstrong said the future land use map on pg. 30 shows State Ave. the end of the mixed use and goes all the way up to the railroad right of way on the east side and some consistency with that plan might be appropriate as well. He said there is one house north of State Ave. before the railroad tracks and some residential south of that, with one being used as a business between State Ave. and Cedar Ave., and the east side there is a parking lot for a multi-family that's a bit further in. Mr. Kessler said if you start to consider the topography of the roadways like Cedar Ave., which is not a comfortable roadway, he is not sure he would even go past Main St. because that was the corridor years ago and he doesn't think it's much different now. Mr. Doyle said this struck him as a candidate for gateway frontage, at least a portion of it and he recommends the 2 block boundary and the function of the designation is to make certain that people have a sense of arrival in the downtown. Mr. Armstrong asked if on the 5<sup>th</sup> Ave. site if Mr. Doyle was looking for something closer to the street to create a street wall indicating downtown as you're driving down 5<sup>th</sup> Ave. or are you looking for something set farther back, more of a local street frontage. Mr. Doyle said if we were designing this from the ground up now, that we would want more of a streetscape with smaller setbacks for at least the 3-4 block area north and south of Main St. and recommended it be designated as gateway frontage from Cedar Ave. to Illinois Ave. Vice Chair Kessler said the sense there right now is its commercial for that span and once you pass Illinois you get into closer property lines to the roadway, for example Angel Kisses, and he asked if Mr. Doyle would set more of a setback for the gateway corridor. Mr. Doyle said probably, he then made a suggestion to explicitly invite members from the audience to comment as the Commission proceeds through the plan.

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Jake Wyatt-asked why gateway frontage would not be taken to 7<sup>th</sup> Ave. because the transition from development to highway stops right there and the gateway picks up the library and Lincoln School. He said the transition coming into the city on Rt. 64 going west, and once construction is complete there will be a 2-lane highway with a middle turn lane and then condenses back down at the red light. Mr. Armstrong said there is a special category for Main St. on its own which is called Main St. frontage and we are looking for gateways into town other than that, and we are talking about land use plans and massing rather than transportation routes. Kim Malay said south 7<sup>th</sup> Ave. is a corridor in a lot of ways because everyone is coming from Geneva, which is East Side Dr. Mr. Armstrong said the context of gateway is not talking about going from one place and going to another, its talking about the types of land plans in the areas around it and the question that needs to be answered is, do we want that kind of land massing in other locations? Mr. Lavigne said just because it is a route into downtown, is that the type of built form we are looking to have along East Side Dr? Mr. Doyle said probably not, but you can make the same argument for Rt. 25. Mr. Pretz said there's a portion of Rt. 25 that the gateway does apply but the rest it wouldn't. Ms. Malay said 7<sup>th</sup> Ave. historically at Main St. has always been considered in the same category as the beginning of downtown. Mr. Lavigne said the Main St. frontage stops at 5<sup>th</sup> Ave, so it could be extended to 7<sup>th</sup> Ave. and add the gateway frontage along 5<sup>th</sup> from Cedar to Illinois. Commission agreed.

Vanessa Bell-Lasota noted a typo for Fox River Frontage in Chapter 8.

- Third Comment is on the Downtown Framework Plan, Chapter 8, Page 66, Multi-family listed as possible land uses in Gateway and Local frontage areas.  
For Fox River frontage, first sentence in land use section is grammatically ambiguous: “Uses should include traditional downtown uses such as retail and restaurants, as well as multi-family and recreational activities.” Does that mean multi-family residential or some other kind of multi-family activities?  
In general, what principles determine where multi-family residential is appropriate and where it is not? I recognize that this may be difficult to answer, but given that multi-family residential is such a hot-button issue, I think some guidelines would be helpful. We mention multi-family quite a bit on pgs. 68-69.  
Personally, I need to be convinced that the river frontage is an appropriate place to locate multi-family residential. It's not exactly a “fringe area.” See also the very next page: “The Fox River corridor provides ... relief from the urban environment.”

Mr. Lavigne said the land use plan dictates where multi-family can be located and all of downtown is designated as mixed use, so when seeing multi-family, it's as a component of a mixed-use development. He said this is a general guide which is not set in stone and is not supposed to be rigidly applied to every single parcel, it's not regulatory, it's a policy or a vision. Ms. Tungare said there is the use of the word “may” because it is a guide or suggestion not a regulation. Mr. Lavigne said the plan is not to be used to say “no”, but to take proposals which would be evaluated to see if it is within the intent of the Comprehensive Plan and see if everything else is consistent with the vision for the community because you cannot anticipate every possible development and redevelopment scenario. Mr. Doyle said those are excellent points and he understand the plan cannot be a regulatory document but he does feel there has to be some identifiable principles for applicants coming forward. He said he would like to have a

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sense of the functions of multi-family residential in the plan and when it is a desirable land use, and when is it not. Mr. Lavigne said the community may be well served by something like that but there are too many facets at play in any development and that every proposal needs to be evaluated on its merits.

Mr. Armstrong said the categories on pg. 66 match the catalyst sites on pg. 68 and there are a number of catalyst sites on the river but only one of them has multi-family suggested, which is Site J, which is already an approved multi-family development. He said he is not suggesting that we are automatically locked in to what's been approved in the past, however if we wanted to part from that we should be conscious and deliberate about whatever decision it is. He said the other sites are not identified as appropriate use, but other cases where multi-family is along the river frontage include Carroll Towers and Brownstone, where change is not called for. He said if we want to say "no multi-family at all", it at least needs to be considered what those implications would be regarding this type of map and suggest changes to those 2 properties. He said if we say it "may" be appropriate, it might be helpful to be a little more specific in that area because he feels that on pg. 68 we are saying we don't think multi-family is appropriate in a lot of areas but we have identified one where it might be and even there it's a little more narrowly defined. Mr. Rabchuk said he thinks the Task Force took into account that the entire downtown area has some potential but on a development by development basis. Mr. Armstrong said and that may be, but if it's the Commission's consensus to do something a bit different, that is one way to move forward with the recommendation. Mr. Doyle said it is always the prerogative of the property owner to bring forward an application and to receive a timely and fair hearing regardless of what the Comprehensive Plan says, but the reason why some principles would be beneficial to us is because there has been a pattern over the last 3-5 years of extremely controversial proposals coming forward with property owners spending years in front of Commission and the community and its grueling for everybody. He feels that a purpose of a document like this is to provide clarity to the entire community and he would be disappointed if at the end of this there isn't any where or why as to how to adjudicate applications. Mr. Pretz said in looking at a document like this, he has a hard time being very specific and that's because of looking at the economy over the last 4-years and the continual struggle, we do not know where the speculators or developers will come in to develop or give a proposal for the concepts that are workable at that time. He said in looking at this document, he feels it will be outdated in a very short time in comparison to the documents produced prior to last for many years and from his prospective, it gives some ideas, some direction and allows for some discussion, but that developers, redevelopers and speculators will have to continually come forth as they come before the Commission and he doesn't feel we can be that cookie cutter because the experience of how we are dealing with this is tainted by what's happened in the last 4-years.

Vice Chairman Kessler suggested moving on in an effort to get through this to take each comment, have a discussion and a read from the rest of the Commission and then move on to the next. He said there is some ambiguous language and these comments are Mr. Doyle's impressions which are being recorded and we have a sense of how the whole Commission feels about a particular issue, so that should allow us to move on to the next one.

Vice Chair Kessler asked if there was a strong feeling from the Commission that areas should be designated that would allow for multi-family use in the river corridor. Mr. Schuetz said it's

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already designated by what is currently on the plan, this is just a general statement that we “may” provide an opportunity to look at multi-family on the fringes, but also may not. Vice Chairman Kessler said he believes that is ambiguous enough that it could go either way to consider and/or not recommend multi-family on a particular site. Mr. Doyle said he is not asking to be specific as to say which parcels are appropriate and which are not, but there are principles that make certain areas of the city more appropriate for certain uses than others, but that is a debate that will be continuing. Mr. Wyatt said but we don’t want a document so ambiguous where an investor looks at the document and is led to believe they can put a multi-family in a location, then they go through the due diligence of paperwork and the Commission says that was not the intent, then we have just misled an investor, and he thinks it needs to be more detailed as to what the intent is for the downtown. Vice Chairman Kessler said he agrees and the fact that Mr. Doyle has brought up these specific points and zeroing in on areas that should be more specific, and for that he is grateful, but at the same time, there is a process for application being brought before Commission, they would have had a good indication from the Planning Dept. as to whether or not it is an intent or is even possible in an area. Ms. Malay said the idea of downtown is to bring the people in, so we do need to acknowledge that, we have to be open to the idea of multi-family, however we do not want 8-story buildings either, which is why past proposed developments were controversial. When it comes to downtown, multi-family needs to be mixed-use, and also revitalization of the existing multi-family, which we are not code-friendly to make that happen.

- Fourth comment is on the Downtown Improvement Plan, Chapter 8, Page 67, regarding gateways, I think improvements to Gateways on the north and south sides of downtown may be a higher priority than our east-west gateways. When approaching the downtown along Main Street, the elevated view of the river/bridge, looking down into the valley, naturally provides a sense of arrival. I also think we do a fairly decent job with street scaping and light-pole signage on this corridor.
- Conversely, as we discussed on Jan 29, the gateway at Rt. 31 and Prairie poses challenges that may warrant more intensive study. Likewise, on the east side of the river along Rt. 25, one doesn’t have that same sense of arrival when approaching from Geneva.

Mr. Lavigne asked if Mr. Doyle was asking for a designation of priority. Mr. Doyle said it’s a comment for staff that he would like them to come back with changes that are consistent with good practice. Ms. Tungare asked if he got the sense that one was being more prioritized than others. Mr. Doyle said no, he did not, but there is a lot of potential new public investment that’s contemplated by this plan and you have to start prioritizing. Mr. Kessler said so be aware of it and in the recommendation see if there is a place that staff can apply this. Mr. Doyle said yes.

- Fifth Comments is on the Downtown Improvement Plan, Chapter 8, Page 67, add future bike trail on Prairie Street.
- Sixth comment is on the Downtown Catalyst Sites, Chapter 8, Page 68, Site C: More intensive, mixed use development on this site poses questions about traffic capacity. Ingress and egress on Rt. 31 is difficult and the intersection at Rt 31 and Main is also very congested. Are we confident that these obstacles can be mitigated? For example, what would it take to get a warrant for a traffic signal at State St. and Rt 31?

Vice Chairman Kessler asked if that question would come up if there was a development proposed. Mr. Doyle said absolutely. Vice Chairman Kessler said it's not really a question but an observation and he asked what the question is. Mr. Doyle said the main question is, can the traffic impacts of such a development on that site be mitigated effectively, because if they cannot be mitigated, then they should not be contemplated. Mr. Scheutz said there may not be any impacts because we do not know what the traffic impacts are, we cannot mitigate what we do not know. Mr. Doyle said the uses contemplated for that site, it's a flag for him because it will create traffic issues in the area. Mr. Lavigne said a signal would be beneficial to Sites A, B and C, which would also help pedestrians get across Rt. 31 and to make a note of it for Site A, which is the largest opportunity site, but that a traffic analysis would be needed by IDOT. Mr. Doyle said it frustrates him that an intersection has to fail before a signal is warranted. Mr. Rabchuk said if site A were developed it would eliminate nearby curb cuts, which could impact traffic and the need for a light.

Vanessa Bell-Lasota asked if the Task Force took into consideration the "top ten crash sites report" in St. Charles; it wouldn't give you a warrant, but would be good due diligence because it does relate to developing Site C because right now Rt. 31 and Main St. is #2 and Illinois and Rt. 31 is either #1 or #2. She said staff taking a look at this might help set something up in the language that Mr. Lavigne is looking for because it's relatable to that corridor's development. Mr. Armstrong said the Task Force did have a discussion regarding that and there was some concern regarding the frontage because there are some challenges with the curb cuts along Site A. He said one of the reasons it was expanded west was because there are commercial uses going all the way up to 4<sup>th</sup> and they wanted to at least allow for the idea of having other ways of vehicular ingress and egress than Rt. 31 because the site lines from Rt. 31 are not ideal. Mr. Lavigne said the information was provided to him and given to the transportation consultant.

- Seventh comment is on the Downtown Catalyst Sites, Chapter 8, Page 69, Site I: Straight multi-family residential? This is not a fringe area of downtown? (See page 66.)

Mr. Lavigne said he does not know if there is enough depth in some of this area to get adequate retail space and you may end up with multi-family only; just because you cannot force retail shouldn't mean it sits vacant. Mr. Armstrong said on Site L there is a gap talked about and if you create multi-family on Site I you are perpetuating a gap stopping people from coming down the street wall and we do not want gaps, but if there were to not be retail there, he is not sure we would be any better off than if we had the parking. Having said that, he thinks it's a good point because the whole "contingent on finding a place for the parking" is kind of a tall order and there are not a lot of places to relocate that without putting it in a structure that has parking with it. Mr. Lavigne suggested striking "multi-family". Mr. Kessler suggested "or to include multi-family", he said it's about the language and that would solve the problem.

- Eighth comment is on the West Gateway Subarea Objectives, Chapter 8, Page 72, Add an objective regarding Bus Rapid Transit on Randall Road—i.e, continue to work with other local/regional agencies and maintain contingency plans to support development of a BRT line.

Mr. Doyle said he would like to keep this topic front and center when dealing with that corridor



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Vice Chairman Kessler agreed. Mr. Lavigne said it is in the transportation plan on page 59, but to reinforce it in this subarea plan is a good idea.

- Ninth comment is on the West Gateway Catalyst Sites Chapter 8, Page 75, Site F: Designated multifamily for interior and southern portions of parcel. As I've argued previously, I don't favor more intense land uses west of Randall Road. I prefer to focus on in-town in-fill development. A big part of this is my belief that "smart" development must entail a definable edge of town if we're to avoid urban sprawl. For those reasons, I have some reservations about this. More, to the point, perhaps, why is this site catalytic—especially the interior and rear portions?

Mr. Doyle asked what about Site F makes it a catalytic, especially the interior and rear portions of the site. Mr. Lavigne said the size of it and its single ownership and in the terms of thinking of future land use, if you think residential in the interior, he doubts there would be a petition for single-family detached residential between Meijer and the Judicial center, and to be realistic about it, it would probably be townhomes. Mr. Doyle asked if townhomes are considered multi-family because he thinks of them as single-family attached. Mr. Lavigne said that would need to be a clarification made in Site F, but he wouldn't think apartment there or anywhere west of Randall. Mr. Doyle said maybe that is something that needs to be clarified throughout the document. Mr. Kessler said to him single-family is a single house on a lot. Mr. Schuetz agreed and said townhomes, condos and apartment are all multi-family to him. Mr. Armstrong said it's defined in the document itself as "single-family attached" as units that are attached horizontally but not vertically, and multi-family tends to be attached vertically, and perhaps the definitions need to be made more clear. He said it was discussed at a Task Force meeting and a concern was that a uniform terminology be used throughout the document, and that a clear distinction should be made so that someone's impression is the one we are intending to convey. Mr. Lavigne said for the most part in saying multi-family that is what is meant but this is an instance where it probably should read "single-family attached" and he doesn't know that there would be many more instances. Mr. Doyle said it's an important distinction. Vice Chairman Kessler agreed because a development will be more dense than a single-family, but less than a multi-family. Mr. Doyle said he doesn't think the definitions are set up that way in the document and in looking at the landuse plan they are defined as single-family detached, single-family attached and multi-family. Ms. Malay said originally there was a proposal for special needs housing on a small part of that site and she thinks that is something that should still be considered. Mr. Armstrong suggested using the term "adaptive housing".

- Tenth comment is on West Gateway Catalyst Sites, Chapter 8, Page 75, As discussed, add a new site for parcels on the northeast corner of Rt 64 and Randall Road, extending at least up to the anticipated extension of Woodward Drive—and possible all the way up to Dean Street.
- Eleventh comment is on St. Charles Mall Redevelopment Alternatives, Chapter 8, page 76; looking at the Local Town and Comprehensive Mixed Use Center options, what I like about both is the introduction of a new street leading east from Randall Road into the Tri-City Center property. If drivers can easily access the site from Randall via a highly visible route, I think that large-scale developments (including those north of Rt. 38) will

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stand the best chance of success. That being said, I wonder if we could push the envelope farther in terms of that access road. For example, could we have a signalized, double-lane point of ingress and egress that would marry up with the boulevard that leads to the “Central Park” in Option 3? What if there was a twin park on the Tri-City Center parcel? The Towne Centre proposal used building height as the lure to draw the attention of motorists on Randall Road. Could create street scaping possibly achieve the same thing?

Mr. Doyle said he thinks this is a strength of the 2 alternatives that the first alternative of repositioning does not offer and it may be worth considering and having the street curve up toward Rt. 38. As it crosses over to the parcel to the north, the traffic can easily then move off of Randall Rd. into that parcel and the businesses there. He said he liked the idea of the central park off of the boulevard and what if there was a twin park on the south parcel that mirrored it and tied the parcels together as a single coordinated development.

Art Lemke-said he finds it particularly annoying to get in and out of the Meijer site due to all of the right in and right outs and to be able to tie the gas station in with the parcel across the street and make it a coordinated traffic light boulevard arrangement, that he cannot say enough in favor of that.

Mr. Doyle said he knows getting the signal on Randall Rd. will not be easy but he thinks the size of the parcel and the type of development that can go on it could be a make or break thing. Vice Chairman Kessler said what Mr. Doyle is explaining is a hybrid between the local town center and the comprehensive center and he is not sure what Mr. Doyle’s point is. Mr. Doyle said there are more differences in the alternatives than just the road structure, but the reasons the differences exist is due to the traffic patterns and so some of the things he feels are weaker about the first 2 alternatives. He said he thinks if this idea was something that has merit and is achievable and has the consensus of the property owner and the community, it could lead us to a couple solutions as to what is the best option for the site. Vice Chairman Kessler suggested that as a goal for this particular section to explore the possibility of making it a more user friendly intermodal center to town and he feels a big box is a poor use. Ms. Malay said a lot of residents would love to have more shopping to keep up with the commons, like an Oakbrook. Mr. Lavigne said it’s a good thought but he would hate to see people circumvent the signal at Randall and Rt. 38 to use the new road as a cut through. Mr. Lemke said he goes through there all the time and he would not go that way, he would use Bricher. Mr. Doyle said he doesn’t think vehicular traffic would be a bad thing. Mr. Lavigne said either option allows for it but this option allows for traffic to stop and make it more walkable, but that these are just landuse bubbles that can be drawn on that road for the alternatives. Vice Chairman Kessler asked for a recommendation to add a language in option 3 to extend the boulevard connecting Randall to Rt. 38 and the traffic signal, and to put a highly visible business on the corner to entice motorists to turn off onto right Rt. 38 and take a right or left into the businesses. Mr. Schuetz said he thinks motorists would come Randall to Rt. 38 and go north or south on the boulevard.

Vice Chairman Kessler asked Mr. Doyle about building height and streetscapes within the development having to do the traffic pattern. Mr. Doyle said the problem is motorists on Randall cannot see the property with Jewel in the way and what will grab the attention of motorists is a

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tall building, but if that is not in the cards then could better streetscaping and a sort of mini-gateway with marquee signage draw the attention of motorists.

Mr. Lavigne asked for clarification on the twin park, because there is a twin park in the tri-center parcel. Mr. Doyle said for the 3<sup>rd</sup> alternative, if there were a complimentary park with the boulevard wrapping around it would grab people attention and maybe mitigate concerns of high speed traffic and walkability. Vice Chairman Kessler thinks that's a good suggestion.

- Twelfth comment is on East Gateway Subarea Goals, Chapter 8, Page 80, Typo in first paragraph, second column: "...revitalization and stabilization with for..."
- Thirteenth comment is on Chapter 8, Page 81, Larger street names would be helpful on the map.
- Fourteenth comment is on Chapter 8, Page 82, Typo (missing space) in text for Site B: "...exposure and access"
- Fifteenth comment is on Charlestowne Mall Framework Plan, Chapter 8, Page 83, Neighborhood Open Space is listed in the legend but doesn't appear on the map. I think we should consider this in combination with the complete infill of currently existing open space. To echo the community's oft-stated concerns, are we planning for too many rooftops?

Mr. Lavigne said the map was more detailed and they switched to a different style, but that the legend would be updated.

- Sixteenth comment is on Charlestowne Mall Repositioning, Chapter 8, Page 84, For the Entertainment and Events Center alternatives, I think we may want to consider the possibility that the high berms off of Main Street might continue to serve a useful function. Would the atmosphere an outdoor entertainment complex be comprised by landscaping reductions and increased traffic noise?
- Do we want to consider another name for the third option? We've previously discussed our discomfort with the application of the phrase "Town Center" to sites outside of downtown.

Mr. Rabchuk said landscaping is the strongest factor working against the mall property. Mr. Doyle said it's a more recreational function and would it still serve a function if that portion is not retail. Mr. Rabchuk mentioned the Downtown Partnership had an idea of moving the concert in the park elsewhere but a survey results did not support this.

- Seventeenth comment Main Street Subarea Improvement Plan, Chapter 8, Page 91, What is the rationale behind "push-button phasing" for pedestrian crossings? This is a pet peeve, but I'm always irritated when I arrive at an intersection 5 seconds late but can't cross with the light because I missed my window to push the button.
- Include details on new catalyst site on northeast corner of Main and Randall (e.g., cross-access road north towards Dean Street on east side of Randall.) Include new roadway connections for Valley Shopping Center site.

**Minutes – St. Charles Plan Commission**

**Tuesday, February 5, 2013**

**Page 12**

Mr. Rabchuk said it's a safety feature to give you an idea with the countdown how long you have to cross.

**7. Meeting Announcements**

Tuesday, February 26, 2013 at 7:00pm Council Chambers

Tuesday, March 5, 2013 at 7:00pm Council Chambers

Tuesday, March 19, 2013 at 7:00pm Council Chambers

Mr. Colby stated the Feb. 19 meeting would be rescheduled to the following Tuesday, Feb. 26 due to a room conflict with the City Council meeting.

**8. Additional Business from Plan Commission Members, Staff, or Citizens.-None.**

**9. Adjournment at 8:59 p.m.**

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

BEFORE THE PLAN COMMISSION  
OF THE CITY OF ST. CHARLES

In the Matter of: )  
 )  
 )  
General Amendment, )  
Elgin Bancshares, )  
Inc. )

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 February 5th, 2013, at the hour of  
7:00 p.m.

1           **PRESENT:**

2                   **MR. TIM KESSLER, Vice Chairman;**

3                   **MR. BRIAN DOYLE, Member;**

4                   **MR. THOMAS PRETZ, Member; and**

5                   **MR. TOM SCHUETZ, Member.**

6

7           **ALSO PRESENT:**

8                   **MR. RUSSELL COLBY, Planning Division Manager;**

9                   **MR. MATTHEW O'ROURKE, Planner; and**

10                  **MS. RITA TUNGARE, Community Development Director.**

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

4                   Roll call. Schuetz.

5                   MEMBER SCHUETZ: Here.

6                   VICE CHAIRMAN KESSLER: Doyle.

7                   MEMBER DOYLE: Here.

8                   VICE CHAIRMAN KESSLER: Pretz.

9                   MEMBER PRETZ: Here.

10                  VICE CHAIRMAN KESSLER: Kessler,  
11                  here.

12                  Presentation of minutes for the  
13                  January 29th meeting, Item 3 on the agenda, is  
14                  there a motion to approve?

15                  MEMBER DOYLE: Move to approve the  
16                  minutes.

17                  MEMBER PRETZ: Second.

18                  VICE CHAIRMAN KESSLER: All in favor.

19                                 (The ayes were thereupon heard.)

20                  VICE CHAIRMAN KESSLER: All right.

21                  Item No. 4 on our agenda is a public hearing on a  
22                  General Amendment for a change in  
23                  Office/Research. The General Amendment, Table  
24                  17.16-1 Office/Research, Manufacturing and Public

1           Lands permitted and Special Uses pertaining to  
2           the addition of Personal Services, Limited, as a  
3           permitted use in the OR, Office Research  
4           District.

5                     Chapter 17.30, Definitions, pertaining to  
6           the creation of a new use definition entitled  
7           "Personal Services, Limited."

8                     Just a little housekeeping. This is a  
9           public hearing. If there is anybody in the  
10          audience giving testimony, any testimony, would  
11          you raise your right hand.

12                                     (The witnesses were thereupon  
13                                     duly sworn.)

14                     VICE CHAIRMAN KESSLER: We will hear  
15          from the Applicant first, then we'll have  
16          questions from the Plan Commission, and finally,  
17          we'll ask for testimony from the public.

18                     We have just two exhibits. Exhibit A is  
19          the general amendment application for Personal  
20          Services, Limited, received 1/10/2013, and the  
21          staff report from Matthew O'Rourke, Planner,  
22          dated 2/1/2013.

23                     Are you ready?

24                                     MR. O'ROURKE: I'm ready.



1 VICE CHAIRMAN KESSLER: All right.

2 MR. O'ROURKE: The Applicant is Elgin  
3 Bancshares. They own the property located at 551  
4 through 559 Dunham Road. To help orient  
5 everybody, it's right on Dunham Road just north  
6 of Route 64. Across Dunham Road, there's a Taco  
7 Bell and then there's kind of a grouping of  
8 office buildings right there. This is the  
9 property that we are discussing this evening.

10 They had a tenant named Instyle Salon  
11 basically that purchased one of the condo units,  
12 they'd like to go into this building, and what  
13 they do is rent basically individual cubicles to  
14 salons, stylists, you know, beauty personnel,  
15 that sort of thing.

16 They basically rent this whole unit to  
17 them. It's not like a line of chairs in the  
18 front area, as I understand it. Each one gets an  
19 individual space, and it is kind of like an  
20 office use where you have this salon activity  
21 happening.

22 Currently, it would fit into what's called  
23 the Personal Services Use category. This is not  
24 a permitted use in the OR Zoning District, which

1           this property is currently zoned.

2           So staff has worked with the Applicant to  
3           come up with a solution here. We worked  
4           together, and what we've come up with is  
5           basically an amendment, one, to create a new use  
6           category called "Personal Services, Limited."  
7           What this is is it's meant to be a subset of the  
8           Personal Services category, basically a more  
9           limited sort of scope of what would be allowed in  
10          the OR Zoning District.

11          We looked for uses that would be compatible  
12          with other activities you would see in an office  
13          park and also what's already permitted in the OR  
14          Zoning District.

15          There are a few uses that are similar such  
16          as indoor amusement, which allows personal  
17          fitness facilities, some of which I think have  
18          tanning beds and some even do hair cutting,  
19          massage, juice bars. There is some sort of  
20          synergy between this proposed use and what's  
21          already allowed, so staff thought it probably  
22          made some sense to go this way.

23          With that, we also just proposed that the  
24          table that shows permitted uses in the zoning

1 ordinance, Table 16 -- 17.16-1, excuse me, be  
2 amended to permit the new Personal Services Use  
3 category.

4 Staff is recommending approval of this  
5 general amendment application. We have included  
6 the findings of fact to support this  
7 recommendation, and staff is here to answer any  
8 questions that you have about the general  
9 amendment, and also representatives of the  
10 Applicant are here as well.

11 MEMBER SCHUETZ: I have a couple  
12 questions for staff. As far as the length of  
13 time that -- this Personal Services would be a  
14 new zoning; is that correct?

15 MR. O'ROURKE: Essentially, it's a  
16 category that exists, and it's allowed in a  
17 number of other zoning districts, mostly  
18 commercial in the downtown area.

19 What we're proposing is to take a more  
20 limited kind of subset of those permitted uses  
21 and then include that limited subset into the OR.  
22 So it's not a new zoning category or district.  
23 It's just adding some additional permitted uses  
24 to an existing zoning district.

1                   MEMBER SCHUETZ: Are there any  
2                   specifics as far as things that could not be  
3                   allowed in that personal use? I have one  
4                   concern, but I'm going to wait and see what there  
5                   might be.

6                   MR. O'ROURKE: The Personal  
7                   Services -- the existing Personal Services  
8                   definition does have some uses that are  
9                   specifically excluded, such as tattoo parlors, I  
10                  believe, are one of them --

11                  MEMBER SCHUETZ: All right.

12                  MR. O'ROURKE: -- and a few other  
13                  types of uses. They're called out in other use  
14                  categories that are special uses in some  
15                  districts, things like that.

16                  MEMBER SCHUETZ: Okay.

17                  MR. O'ROURKE: Really, the new  
18                  definition is very specific in what would be  
19                  allowed. It's basically beauty salons and those  
20                  kind of uses. Tanning salons was one of the ones  
21                  we're proposing. Those very limited kind of  
22                  scope of just personal services.

23                  MEMBER SCHUETZ: All right. Thanks.

24                  MEMBER PRETZ: Am I under the

1 impression that from -- there's no stress on the  
2 parking requirements. It's identical --

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

4 MEMBER PRETZ: -- as existing.

5 MR. O'ROURKE: Your typical office  
6 use requirement is three spaces per 1,000.  
7 That's the same as the Personal Services for the  
8 most part. In fact, some office uses are more.  
9 They have a higher parking requirement. Medical,  
10 for instance, is four spaces per 1,000, and those  
11 are already permitted in the OR District.

12 VICE CHAIRMAN KESSLER: Brian.

13 MEMBER DOYLE: So what I notice is  
14 that -- it seems to me that the major difference  
15 between Personal Services and Personal Services,  
16 Limited, beyond the limited categories of use, is  
17 by appointment only; correct?

18 MR. O'ROURKE: That was one of the  
19 criteria we used to sort of gauge which uses got  
20 put into this new use category. Even though it's  
21 impossible to just say appointment only because I  
22 think some barber shops can do walk-ins or, you  
23 know, an occasional spot opens up and somebody  
24 happens to walk in. So we didn't put that in the

1 use definition, but, yeah, essentially, that was  
2 kind of what we were seeing.

3 MEMBER DOYLE: I'm sorry. I want to  
4 read the language of the actual proposed  
5 amendment because I thought that that was part of  
6 the proposal.

7 The requested text amendment listed on  
8 page 2, 17.304, Personal Services, Limited, an  
9 establishment where the following personal  
10 services are provided directly to the customer by  
11 appointment only, beauty parlor, and this use may  
12 include, et cetera, et cetera.

13 MR. O'ROURKE: Yeah. I think I can  
14 clear that up.

15 MEMBER DOYLE: Okay.

16 MR. O'ROURKE: I think you're reading  
17 the definition that was proposed by the Applicant  
18 in the application.

19 MEMBER DOYLE: Okay.

20 MR. O'ROURKE: There's a different  
21 definition that staff is proposing in the staff  
22 report itself that did not include that  
23 appointment-only language.

24 MEMBER DOYLE: Okay. Yeah. I'd like

1 to see that exact page.

2 MR. O'ROURKE: It is on page 3 of the  
3 staff report dated February 1st.

4 MS. TUNGARE: If I can interject, the  
5 by appointment only would be very difficult for  
6 us to regulate anyway. So I would not recommend  
7 doing that.

8 MEMBER DOYLE: Okay. So the  
9 limitation really is just on the types of uses  
10 that are included in this new category.

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

12 MEMBER DOYLE: So why the decision --  
13 why these categories? Why are those categories  
14 appropriate for OR and others are not?

15 MR. O'ROURKE: Part of it was the --  
16 what the Applicant was requesting. We were  
17 working within the framework of the original  
18 application.

19 Also there are other categories of Personal  
20 Services that I think are more high turnover that  
21 were -- when staff looked at this and evaluated  
22 it, like dog grooming, or, you know, there could  
23 be some other uses that maybe don't fit the  
24 nature of an office park necessarily. Some

1 retail -- not retail uses, but just those uses  
2 that have a little bit more of an in-and-out.  
3 They're not quite as appointment based even  
4 though we didn't make that one of the criteria.

5 MEMBER DOYLE: Yeah.

6 MR. O'ROURKE: The turnover rate was  
7 what we were looking at.

8 MEMBER DOYLE: That's what I'm trying  
9 to understand because when I looked at what OR  
10 is, the sort of rationale for OR, it's a buffer  
11 zone between commercial and residential use.

12 So I'm just trying to understand sort of  
13 what would qualify a particular use, a limited  
14 personal service use for inclusion in OR and what  
15 would disqualify another personal service use for  
16 inclusion in OR.

17 MR. O'ROURKE: I think, you know,  
18 staff looked at that, and we spent a lot of time  
19 talking about that, and that's why we -- the way  
20 the definition is written, it is very specific  
21 about which uses are allowed in the Personal  
22 Services, Limited, because, you know, you could  
23 make an argument for or against certain uses. So  
24 we only looked at -- we had to draw the line



1            somewhere, and we based it around these kind of  
2            uses.

3                        MEMBER DOYLE: Okay. So is it fair  
4            then to infer that staff would not recommend  
5            simply adding Personal Services as a use to OR?

6                        MR. O'ROURKE: That's correct. We  
7            did discuss that possibility. There are some  
8            uses that are allowed in Personal Services that  
9            staff did not feel fit the character of an office  
10           development.

11                       MEMBER DOYLE: Why did you rule out  
12            Personal Services as a special use in OR?

13                       MR. O'ROURKE: When we examined --  
14            that's another item we did talk about. It just  
15            seemed like for these type of uses to go through  
16            that special use process seemed a little onerous  
17            just to put one of these uses in a building where  
18            the parking requirements are the same.

19                       You know, you're looking at the existing  
20            impact of these uses that are proposed in this  
21            use category, and they're very similar to some of  
22            the other uses that are already permitted uses in  
23            the OR. It didn't seem to make sense to make  
24            this a special use in that case.

1                   MEMBER DOYLE: Okay. Those are all  
2 my questions.

3                   VICE CHAIRMAN KESSLER: Okay. We  
4 have --

5                   MR. RADOVICH: Good evening. My name  
6 is Charles Radovich. I'm an attorney in Geneva.  
7 I represent Elgin Bancshares.

8                   With me tonight is Jill Markowski, who is  
9 the portfolio manager for Elgin Bancshares, and  
10 also Jeff Hrusk, who is one of the owners of  
11 Instyle Salons, the proposed occupant of the  
12 building in the St. Charles -- the Courtyards of  
13 St. Charles Condominiums.

14                   I just wanted to amplify a couple things  
15 Mr. O'Rourke had stated and maybe clarify some of  
16 the questions Mr. Doyle had presented.

17                   In our application, we were looking mostly  
18 at beauty salons. The staff enlarged that to  
19 barber shops, which is fine, but our view was  
20 that beauty salons is a destination-oriented  
21 place. Women make appointments, and they go to  
22 that location. You very rarely get any walk-in  
23 traffic, and that would be similar to many of the  
24 other uses that are permitted in the OR

1 classification.

2 You have medical and dental clinics. You  
3 have professional training centers, even a  
4 veterinary animal hospital, day care centers.  
5 These are all -- and general office as well,  
6 where you're not getting a lot of walk-in  
7 traffic. It's more or less, as I said,  
8 destination oriented and usually done by  
9 appointment by the customer or the patient.

10 In this particular setting of the  
11 Courtyards of St. Charles Condominiums, it's a  
12 freestanding building. There's five separate  
13 buildings that constitute the condominium  
14 complex, and the -- for example, the parking  
15 ratio is 4.6 spaces per 1,000. So it's greater  
16 than the OR minimum requirements, and I think  
17 it's suitable for this kind of use.

18 MEMBER DOYLE: A question for either  
19 you, Mr. Radovich -- Radovich?

20 MR. RADOVICH: Radovich, yes.

21 MEMBER DOYLE: -- and/or for staff.

22 Would this limited use preclude a Great  
23 Clips from setting up shop in the OR District?

24 MR. O'ROURKE: Based on the way the

1 definition is written, it probably would not.

2 MEMBER DOYLE: Okay.

3 MR. O'ROURKE: That would be  
4 considered beauty salon, barber shop, very  
5 similar, so we would interpret that as a  
6 similar-type business.

7 MEMBER DOYLE: Okay.

8 VICE CHAIRMAN KESSLER: Anything else  
9 from staff? From the Commission?

10 MEMBER DOYLE: Not a question.

11 VICE CHAIRMAN KESSLER: Anything  
12 from the audience?

13 (No response.)

14 VICE CHAIRMAN KESSLER: All right.  
15 Do you want discussion, Brian?

16 MEMBER DOYLE: Yeah. I had just a  
17 comment.

18 I'm inclined to approve the application.  
19 My concern however is sort of how we delineate  
20 what is not appropriate. For example, I think  
21 the same logic could also be used to apply to a  
22 tattoo parlor. I think the rationale for  
23 excluding tattoo parlors from Personal Services  
24 to me is kind of a throwback to -- maybe it's

1 generational.

2 MR. O'ROURKE: I can appreciate that  
3 except it's already in the zoning ordinance --

4 MEMBER DOYLE: Of course.

5 MR. O'ROURKE: -- as a completely  
6 different use.

7 MEMBER DOYLE: But my point is that  
8 when you consider what's the impact of a  
9 business, you know, in terms of foot traffic, in  
10 terms of aesthetics, in terms of, you know,  
11 number of cars, you know, et cetera, if I were a  
12 business owner who was looking at this and  
13 saying, well, I operate a business which is very  
14 similar to this, but it's not defined as a barber  
15 shop or a beauty parlor, why can't I set up shop  
16 in OR but they can? We don't have a clear  
17 answer.

18 That to me is a little bit of a  
19 reservation, but I'm inclined to agree with all  
20 the arguments that you made, and I think even if  
21 I can't make it airtight and watertight, I would  
22 still approve it because it makes sense for this  
23 use, but I think that if we think about more  
24 generally what other uses might be appropriate --

1 are we establishing a precedent here? -- what  
2 other uses might be appropriate or what other  
3 uses are not appropriate and why.

4 Is it simply a matter of when someone comes  
5 forth and says I'd like to have this use  
6 available, you know, we consider the arguments  
7 and say, okay, that makes sense, and then we  
8 amend the zoning or the ordinance, and it's  
9 incumbent on a potential applicant to come  
10 forward and say, I'd like the zoning amended, you  
11 know, or I'd like the ordinance amended.

12 It's sort of a reactive way of legislating,  
13 and I think I'd like to be a little bit more  
14 proactive.

15 VICE CHAIRMAN KESSLER: Any  
16 discussion?

17 (No response.)

18 VICE CHAIRMAN KESSLER: If there's  
19 nothing else, I would entertain a motion to close  
20 the public hearing.

21 MEMBER SCHUETZ: I motion that we  
22 close the public hearing. I think we've heard  
23 enough information on this topic.

24 VICE CHAIRMAN KESSLER: Is there a

1 second?

2 MEMBER PRETZ: I will second.

3 VICE CHAIRMAN KESSLER: Okay. All in  
4 favor.

5 (The ayes were thereupon heard.)

6 VICE CHAIRMAN KESSLER: That  
7 concludes the public hearing portion of Item  
8 No. 4.

9 (Which were all the proceedings  
10 had in the above-entitled matter  
11 ending at the hour of 7:18 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 7th day of February, 2013.



*Joanne E. Ely*  
\_\_\_\_\_  
Certified Shorthand Reporter

My commission expires  
May 16, 2016.