

**MINUTES
CITY OF ST. CHARLES, IL
PLAN COMMISSION
TUESDAY, JULY 2, 2013**

Members Present: Brian Doyle
Tim Kessler
Sue Amatangelo
Curt Henningson
Tom Schuetz
Tom Pretz

Members Absent: Todd Wallace, Chairman

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

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 May 7, 2013 meeting.

A motion was made, seconded and unanimously passed by voice vote to accept the minutes of the May 7, 2013 meeting. Mr. Doyle abstained.

PUBLIC HEARING

4. General Amendment (City of St. Charles)

Section 17.08.060 "Nonconforming Signs" pertaining to the removal of nonconforming signs mounted on a pole, pylon, foundation, or other supporting structure, and all signs other than freestanding that do not conform to the standards of Title 17 within eight (8) years of the effective date of Title 17.

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

Mr. Henningson made a motion to close the public hearing. Mr. Doyle seconded the motion.

Roll Call Vote:

Ayes: Henningson, Kessler, Scheutz, Pretz, Amatangelo, Doyle

Nays: None

Absent: Wallace

Motion carried.

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5. General Amendment (City of St. Charles)

Chapter 17.24 “Off-Street Parking, Loading & Access”, Section 17.24.070 “Design of Off-Street Parking Facilities” pertaining to requirements for access drives (driveways) for one/single and two-family dwellings.

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

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

Roll Call Vote:

Ayes: Henningson, Kessler, Scheutz, Pretz, Amatangelo, Doyle

Nays: None

Absent: Wallace

Motion carried.

MEETING

6. General Amendment (City of St. Charles)

Section 17.08.060 “Nonconforming Signs” pertaining to the removal of nonconforming signs mounted on a pole, pylon, foundation, or other supporting structure, and all signs other than freestanding that do not conform to the standards of Title 17 within eight (8) years of the effective date of Title 17.

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

Mr. Henningson made a motion to recommend approval of the application for the General Amendment as per item No. 6 on the Agenda for Section 17.080.060, Nonconforming Signs. Mr. Schuetz seconded the motion.

Roll Call Vote:

Ayes: Henningson, Kessler, Scheutz, Pretz, Amatangelo, Doyle

Nays: None

Absent: Wallace

Motion carried.

7. General Amendment (City of St. Charles)

Chapter 17.24 “Off-Street Parking, Loading & Access”, Section 17.24.070 “Design of Off-Street Parking Facilities” pertaining to requirements for access drives (driveways) for one/single and two-family dwellings.

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

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Mr. Doyle made a motion to recommend approval of the General Amendment to Title 17 of the City Code regarding residential driveways as proposed in the staff memo dated July 2, 2013. Mr. Pretz seconded the motion.

Mr. Doyle made a motion to amend the recommendation with modifications by staff to allow lot coverage for three-car garages to be up to 33% of the lot size, but to maintain the 25% lot coverage for new construction, and to limit the 33% to zoning districts determined by staff. Mr. Pretz seconded motion.

Roll Call Vote on the motion to amend:

Ayes: Doyle, Pretz, Kessler

Nays: Amatangelo, Scheutz, Henningson

Absent: Wallace

Motion to amend failed.

Roll was then called on the original motion made by Mr. Doyle and seconded by Mr. Pretz.

Roll Call Vote

Ayes: Amatangelo, Schuetz, Doyle, Pretz, Henningson, Kessler

Nays: None

Absent: Wallace

Motion carried.

8. Meeting Announcements

Tuesday, July 16, 2013 at 7:00pm Council Chambers

Tuesday, August 6, 2013 at 7:00pm Council Chambers

Tuesday, August 20, 2013 at 7:00pm Council Chambers

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

10. Adjournment at 8:08pm

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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:)
)
City of St. Charles)
Petitions for General)
Amendments Regarding)
Nonconforming Signs and)
Off-Street Parking.)

REPORT OF PROCEEDINGS had at the
hearing of the above-entitled matter before the
City of St. Charles Plan Commission in the
St. Charles City Hall, 2 East Main Street,
St. Charles, Illinois, on July 2, 2013, at the
hour of 7:00 p.m.

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PRESENT:

MR. TIM KESSLER, Acting Chairman;
MS. SUE AMATANGELO, Member;
MR. BRIAN DOYLE, Member;
MR. CURT HENNINGSON, Member;
MR. TOM PRETZ, Member; and
MR. TOM SCHUETZ, Member.

ALSO PRESENT:

MR. RUSSELL COLBY, Planning Division Manager; and
MR. MATTHEW O'ROURKE, Planner.

**REPORT OF PROCEEDINGS -- 07/02/2013
NONCONFORMING SIGNS, SECTION 17.08.060**

3

1 CHAIRMAN KESSLER: Okay. It's
2 seven o'clock -- it's a little after -- so this
3 meeting of the St. Charles Plan Commission is
4 called to order.

5 And -- oh, do I gavel?

6 MEMBER SCHUETZ: Yes.

7 CHAIRMAN KESSLER: Amatangelo.

8 MEMBER AMATANGELO: Here.

9 CHAIRMAN KESSLER: Schutz.

10 MEMBER SCHUETZ: Here.

11 CHAIRMAN KESSLER: Doyle.

12 MEMBER DOYLE: Here.

13 CHAIRMAN KESSLER: Pretz.

14 MEMBER PRETZ: Here.

15 CHAIRMAN KESSLER: Henningson.

16 MEMBER HENNINGSON: Here.

17 CHAIRMAN KESSLER: Kessler, here.

18 Okay. So first on our agenda -- I'm sorry.

19 We also have -- No. 3 is a presentation of
20 minutes of the May 7th meeting.

21 Is there a motion?

22 MEMBER AMATANGELO: So moved.

23 MEMBER SCHUETZ: Second.

24 CHAIRMAN KESSLER: All in favor?

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NONCONFORMING SIGNS, SECTION 17.08.060**

4

1 (The eyes were thereupon heard.)

2 MEMBER DOYLE: Doyle abstains.

3 CHAIRMAN KESSLER: Okay. Item 4 on
4 our agenda is a public hearing for
5 Section 17.08.060, nonconforming signs,
6 pertaining to the removal of nonconforming signs
7 mounted on a pole, pylon, foundation, or other
8 supporting structure and all signs, other than
9 freestanding, that do not conform to the
10 standards of Title 17 within eight years of the
11 effective date of Title 17.

12 Okay. This being a -- are there any
13 documents, any supporting documents?

14 MR. O'ROURKE: No, just the staff
15 report.

16 CHAIRMAN KESSLER: No exhibits?

17 MR. O'ROURKE: No exhibits.

18 CHAIRMAN KESSLER: Okay. It's a
19 public hearing. I'm sure everybody here knows
20 how it works.

21 We're going to -- you'll present the
22 evidence. When we feel that the Plan Commission
23 has enough evidence to make a judgment, we will
24 either vote to close the public hearing or

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NONCONFORMING SIGNS, SECTION 17.08.060**

5

1 continue.

2 And -- is there any reason why we wouldn't
3 close the public hearing today?

4 Did you --

5 MR. O'ROURKE: No. I don't see any
6 reason not to.

7 CHAIRMAN KESSLER: All right. Then
8 any questions on the procedure?

9 (No response.)

10 CHAIRMAN KESSLER: None. Good.

11 And so you're giving out -- is anybody else
12 giving evidence?

13 Raise your right hand.

14 (Two witnesses were thereupon
15 duly sworn.)

16 CHAIRMAN KESSLER: Okay. Oh, you do,
17 too. Thank you.

18 Thank you, Russell.

19 Okay. So everybody's sworn in.

20 And so why don't you start, Applicant.

21 MR. O'ROURKE: Thank you.

22 In 2006, when the current Zoning Ordinance
23 was approved, there was included in that this
24 amortization clause which basically said all

**REPORT OF PROCEEDINGS -- 07/02/2013
NONCONFORMING SIGNS, SECTION 17.08.060**

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1 nonconforming signs should come into conformance
2 with the standards of our current ordinance
3 within three years; at that time it was 2009.

4 Since then, due to certain economic
5 conditions and, also, the anticipated -- now
6 started -- construction of the Route 64/East
7 Main Street widening, that had been pushed back
8 for up to four years at this point.

9 The current amortization, all signs would
10 have to be brought into compliance in October of
11 this year, 2013, but we're not anticipating that
12 construction will be complete until later, after
13 that date.

14 So at this point staff is proposing a
15 one-year extension of that amortization period to
16 make sure the construction's done. That way,
17 we'll know exactly where the work is finished,
18 and the property owners will be able to place
19 their signs appropriately based on those
20 completed work conditions.

21 That's really all the staff has on this.
22 We are recommending that the public hearing be
23 closed and that the items be placed on the agenda
24 for a vote this evening. Staff is recommending

**REPORT OF PROCEEDINGS -- 07/02/2013
NONCONFORMING SIGNS, SECTION 17.08.060**

7

1 approval of that amendment.

2 CHAIRMAN KESSLER: Any questions?

3 MEMBER SCHUETZ: I kind of have a
4 general question.

5 CHAIRMAN KESSLER: Go ahead.

6 MEMBER SCHUETZ: IDOT's supposed to
7 finish October or November, isn't it?

8 MR. O'ROURKE: I believe around
9 Thanksgiving but I'm not a hundred percent sure
10 on that.

11 MEMBER SCHUETZ: So let's just say by
12 the first of the year.

13 MR. O'ROURKE: Correct.

14 MEMBER SCHUETZ: So we're -- we're
15 talking moving this until October of 2014; is
16 that correct?

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

18 MEMBER SCHUTZ: How about June 1st
19 of '14?

20 Because my concern is you're probably not
21 going to do it by October of '14 and then we're
22 going to lose another year or two.

23 You know, we've already lost three. And --

24 MR. O'ROURKE: Sure.

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NONCONFORMING SIGNS, SECTION 17.08.060**

8

1 MEMBER SCHUETZ: I don't know. It's
2 just a thought. I thought -- can we have a
3 discussion?

4 CHAIRMAN KESSLER: I think that makes
5 sense.

6 But I will say that, you know, construction
7 not being an exact science, even though there is,
8 you know -- there are plans to have it completed
9 this fall, winter could hit and we could be doing
10 this in the spring --

11 MEMBER SCHUETZ: Can you do -- can
12 we --

13 CHAIRMAN KESSLER: -- maybe have
14 another hearing or something.

15 MEMBER SCHUETZ: Or what about just
16 six months after the completion?

17 MR. O'ROURKE: It's kind of hard, the
18 way the ordinance is phrased, to have a kind of
19 indiscriminate date like that.

20 MEMBER SCHUETZ: Yeah, I know.

21 MR. O'ROURKE: I think staff's
22 thinking is, you know, you won't be able to
23 really start on anything until April anyway
24 with -- given the winter construction season --

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1 MEMBER SCHUETZ: Because of the
2 weather.

3 MR. O'ROURKE: -- so this would give
4 almost the whole construction season to complete
5 any sign revisions.

6 CHAIRMAN KESSLER: To actually do --
7 for the --

8 MR. O'ROURKE: To do the work. So
9 you'd have most of the spring, summer, and part
10 of fall.

11 MEMBER SCHUETZ: So they would have
12 to be completed by October of 2015?

13 MR. O'ROURKE: Correct.

14 MEMBER SCHUETZ: Okay. I'm thinking
15 that's when they start --

16 CHAIRMAN KESSLER: That's what I
17 thought.

18 MEMBER SCHUETZ: -- "Let's not start
19 to think about it until October 15th."

20 MR. O'ROURKE: No. They have up
21 until October of 2014 to be done.

22 MEMBER PRETZ: Are there many
23 nonconforming? If you were just guessing.

24 MR. O'ROURKE: Currently there's

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NONCONFORMING SIGNS, SECTION 17.08.060**

10

1 around 50 and some change. I don't know the
2 exact number off the top of my head.

3 I did look that up, and I don't -- I forgot
4 it in the last week.

5 MEMBER PRETZ: Okay.

6 MEMBER SCHUETZ: Five-zero?

7 MR. O'ROURKE: Probably closer to
8 60 at this point.

9 CHAIRMAN KESSLER: Would you say that
10 they're concentrated in the east corridor?

11 MR. O'ROURKE: A lot of them. There
12 are some on Randall Road and some on West Main
13 Street.

14 MEMBER DOYLE: So this revision
15 passed in 2006 originally and with a three-year
16 amortization schedule. During that initial
17 three-year period and then through the initial --
18 the earlier extensions, were there opportunities
19 for these businesses to bring their signs into
20 conformance or was there construction?

21 Were there other mitigating factors that
22 would have -- would have prevented the businesses
23 from coming into compliance?

24 MR. O'ROURKE: There -- I mean,

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NONCONFORMING SIGNS, SECTION 17.08.060**

11

1 anytime a business wants to take this on, they
2 certainly can. They're just required to do it by
3 this date that's identified.

4 I think there have been some -- this list
5 was a lot bigger in 2006, and just as people come
6 in and their signs are nonconforming, they
7 still -- if you're going to redo your sign, at
8 that point you still have to come into
9 conformance with the current ordinance, so there
10 have been some properties where that's happened.

11 It's only -- you know, if you're just
12 maintaining your sign, you're not altering it, it
13 can stay until the amortization runs out.

14 MEMBER DOYLE: I guess the -- I guess
15 the question is -- and I'm inclined to support
16 the proposal, but based on the events that
17 occurred, was there opportunity for these
18 businesses -- given that there have been several
19 extensions already, was there opportunity for
20 them to come into compliance with the ordinance?

21 MR. O'ROURKE: I think the -- the one
22 thing that staff has done -- and this is more the
23 building and code enforcement -- is they've been
24 notifying these property owners continually.

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12

1 When the amortization was first put in place,
2 they were -- received a letter.

3 The first time this came up, they received
4 letters about the extension, so they have been
5 notified about this process. This isn't the
6 first time they're hearing about it.

7 In terms of opportunity, it's really --
8 that would be up to the property owner's
9 discretion until the amortization's over.

10 MEMBER DOYLE: I -- correct.

11 But in this case, we're granting the
12 extension because we're viewing the construction
13 as a mitigating condition that sort of
14 complicates the ability of the property owner to
15 come into compliance during construction --

16 MR. O'ROURKE: Right.

17 MEMBER DOYLE: -- correct?

18 MR. O'ROURKE: Yes.

19 MEMBER DOYLE: And there wasn't
20 construction during the previous extensions or
21 the initial three-year amortization.

22 The reason -- the mitigation in that case
23 was the economy.

24 MR. O'ROURKE: Correct.

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13

1 MEMBER DOYLE: Okay.

2 Okay. That's all my questions.

3 CHAIRMAN KESSLER: Any other
4 questions?

5 MEMBER SCHUETZ: Well -- sorry.

6 CHAIRMAN KESSLER: Keep it
7 interesting.

8 MEMBER SCHUETZ: Keep it interesting?

9 CHAIRMAN KESSLER: That's good.

10 MEMBER SCHUETZ: Okay. I can dance.

11 Who -- I think I know, but as far as
12 enforcement -- I mean, when it gets to October,
13 what happens then, those that are nonconforming?

14 MR. O'ROURKE: There will be letters
15 sent back out about the upcoming amortization,
16 and that period's coming up.

17 And if property owners are not doing what
18 they're supposed to do, they will receive, you
19 know, code enforcement notices from the building
20 code enforcement division.

21 Eventually, that could become fines and/or
22 adjudication, but let's hope it doesn't get to
23 that point.

24 MEMBER SCHUETZ: Right. And is that

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14

1 a process of -- like six weeks, six weeks,
2 six weeks, six weeks type of thing?

3 MR. O'ROURKE: I don't know all the
4 details of the timing. There is a process in
5 place. It would be similar to any other code
6 violation on a property, you know, tall grass,
7 cars.

8 MEMBER SCHUETZ: It's just -- you
9 know, my -- my -- what's the right word here? --
10 antsyness -- that's a bad word but -- you know,
11 it's just that it looks like heck down there all
12 over the place and, you know, the quicker we can
13 get it done is my concern.

14 And I know what you're dealing with, Matt.
15 I'm not trying to be a dope. But, you know, it's
16 just not -- come on. Let's move on.

17 CHAIRMAN KESSLER: You mean the
18 east side?

19 MEMBER SCHUETZ: Just -- yeah. All
20 of it, yeah. It just looks, you know, terrible.

21 Are most of them on the east side? I know
22 Tom or Brian asked.

23 MR. O'ROURKE: I don't have the list
24 in front of me. It would be hard for me to say.

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NONCONFORMING SIGNS, SECTION 17.08.060**

15

1 I mean, there are a number on the east side.
2 I can confirm that.

3 MEMBER SCHUETZ: Because, the west
4 side, they can go ahead and do it.

5 MR. O'ROURKE: Some of them can,
6 yeah.

7 MEMBER SCHUETZ: But since we extend
8 it, they don't have to?

9 MR. O'ROURKE: Yeah. You can't
10 really extend it for only half, and you have to
11 be partial -- or impartial. Excuse me.

12 MEMBER SCHUETZ: Right. All right.
13 Thank you.

14 CHAIRMAN KESSLER: Sue?

15 MEMBER AMATANGELO: How long have
16 these businesses known that this construction was
17 going to be happening?

18 MR. O'ROURKE: Boy, you know, I don't
19 know if I could state. I know before the
20 construction started there were certainly
21 meetings, public hearings, about what was going
22 to happen before that.

23 Some of the property owners were contacted
24 because there were right-of-way acquisitions,

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NONCONFORMING SIGNS, SECTION 17.08.060**

16

1 things that -- they -- it was out there for a
2 while.

3 MEMBER AMATANGELO: So is it safe to
4 say that perhaps some of them may have held off
5 until they knew construction was over?

6 I mean, if you're going to put up a new
7 sign, you want to make sure that it's not going
8 to get damaged, and you have no idea sometimes
9 where the curb is going to be or -- it just --
10 for many reasons, you'd probably want to wait
11 until it was all done.

12 MR. O'ROURKE: Right. And that's
13 certainly what is a part of what the staff has
14 been recommending on this.

15 MEMBER AMATANGELO: Plus the economy.

16 MR. O'ROURKE: Right.

17 MEMBER AMATANGELO: So I have no
18 problem with this.

19 CHAIRMAN KESSLER: Okay.

20 Any other questions from the Commission?

21 (No response.)

22 CHAIRMAN KESSLER: Audience?

23 (No response.)

24 CHAIRMAN KESSLER: Very quiet tonight.

**REPORT OF PROCEEDINGS -- 07/02/2013
OFF-STREET PARKING, SECTION 17.24.070**

17

1 MEMBER HENNINGSON: I move we close
2 the public hearing.

3 MEMBER DOYLE: Second.

4 CHAIRMAN KESSLER: All in favor?

5 (The ayes were thereupon heard.)

6 CHAIRMAN KESSLER: All right. Let's
7 go to the next public hearing.

8 MR. O'ROURKE: Thank you.

9 CHAIRMAN KESSLER: Item No. 5 on our
10 agenda is a general amendment, Chapter 17.24,
11 "Off-Street Parking, Loading and Access,"
12 Section 17.24.070, "Design of Off-Street Parking
13 Facilities" pertaining to requirements with
14 access drives, driveways, for one/single and
15 two-family dwellings.

16 And -- oh, we've got Russell.

17 MR. COLBY: Thank you.

18 And I have a presentation just to
19 facilitate the discussion, but this is a general
20 amendment regarding residential driveways.

21 Prior to the 2006 ordinance update, the
22 City did not heavily regulate residential
23 driveways. Essentially, we set the maximum width
24 at the property line, which was 24 feet, and then

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OFF-STREET PARKING, SECTION 17.24.070**

18

1 you could do whatever you choose -- whatever you
2 chose to do in terms of paving your property
3 prior to that requirement.

4 In 2006 these requirements were put into
5 place. We -- the 24-foot requirement was added
6 into the Zoning Ordinance. Previously, it was
7 elsewhere in the City Code.

8 There's also a maximum percentage of yard
9 coverage that was put into the Zoning Ordinance.
10 That was 25 percent for a single driveway or, if
11 you had a circular driveway, you could go up to
12 50 percent coverage within your front yard, and
13 you're allowed at least the 16-foot-wide driveway
14 per lot in case you have a wide lot, and these
15 percentages don't have a lot of width.

16 What we have found in dealing with these
17 requirements in the past few years is that, you
18 know, they worked great if you were starting from
19 scratch and building a new neighborhood. But
20 what we have in St. Charles are a lot of existing
21 conditions that are common in neighborhoods that
22 don't quite meet these requirements, and so what
23 we're trying to do is adjust the requirements to
24 be more reflective of what exists today in

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OFF-STREET PARKING, SECTION 17.24.070**

19

1 St. Charles.

2 And here's a diagram which just shows how
3 the regulations work. Basically, as I mentioned,
4 we're regulating the driveway width at the
5 property line. We're also regulating the
6 percentage of the front yard that's covered by
7 paving.

8 And the way the ordinance works, it only
9 regulates it in the front yard, or in the case of
10 a corner lot, it's also regulated in the exterior
11 side yard and corner side yard that's along the
12 street, so these restrictions are really only in
13 the area in front of the house.

14 There's three different changes that are
15 being proposed. The first one deals with
16 circular driveways. The ordinance as it's
17 written now allows that 24-foot-wide driveway
18 width at the property line, but it is not clear
19 as to whether that is for multiple drives.

20 If you have a single driveway, you're
21 allowed 24 feet. If you have two driveways --
22 two driveway access points -- and you have that
23 24-foot to work with, that's been applied by
24 staff as 12 feet per driveway access point.

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OFF-STREET PARKING, SECTION 17.24.070**

20

1 What we've found in surveying many of the
2 neighborhoods -- like the one shown here, where
3 circular driveways are common -- 12 feet is
4 narrower than you'll find on most of these lots.
5 Typically they're in the range of 14 to 16 to
6 18 feet of width at the point that they cross the
7 property line.

8 So what we're proposing to do is clarify
9 the requirements for circular driveways so you
10 can have that 18-foot width for both access
11 points, which we think will reflect more of the
12 existing conditions in a lot of the neighborhoods
13 where circular drives exist.

14 And here's a photo just sort of showing
15 what that size driveway looks like on an -- in a
16 neighborhood that has circular driveways. And
17 this is just sort of representative of some of
18 them that are around 18 feet wide.

19 The second amendment deals with narrow
20 lots. In the older parts of town, particularly
21 lots that are in the 50- to 60-foot-wide range
22 and trying to fit a driveway on those lots that
23 provides access to a two-car garage, the
24 ordinance was written so that, in any situation

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OFF-STREET PARKING, SECTION 17.24.070**

21

1 where you have unlimited front yard such as this,
2 you're allowed at least the 16-foot-wide
3 driveway. And 16 feet was chosen because that's
4 a minimum width you need for two vehicles to pass
5 each other in a driveway.

6 What we've found, though, is that, if you
7 have a house that has a two-car garage on this
8 narrow a lot, 16 feet doesn't provide a lot of
9 width for accommodating, you know, much activity
10 in the driveway. It's basically just two cars
11 parked next to each other. As you're getting out
12 of the car, you're basically stepping on the
13 lawn.

14 So this is a picture of houses that are
15 built on narrow lots that have 18-foot-wide
16 driveways. You can see they sort of lead into
17 the same size as the garage door.

18 And I think the premise of trying to limit
19 the pavement on these narrow lots was to keep the
20 driveways in character with what exists in some
21 of the older neighborhoods, but we still allow
22 two-car garages to be constructed.

23 So staff's thought was that we needed to at
24 least allow for a functional driveway leading to

**REPORT OF PROCEEDINGS -- 07/02/2013
OFF-STREET PARKING, SECTION 17.24.070**

22

1 the garage, so we're proposing that that 16-foot
2 allowance be brought up to 18 feet.

3 And the last amendment deals with a
4 front-loaded three-car garage and the percentage
5 of yard it would cover.

6 We have some neighborhoods in St. Charles
7 that are built with almost entirely three-car,
8 front-loaded garages on fairly narrow lots, such
9 as the one pictured here. This is Majestic Oaks.

10 And if you look at the percentage of yard
11 coverage that's common there, it does exceed the
12 25 percent that's allowed for single driveway
13 access, and, in fact, there are some that even
14 exceed what we're proposing, which is 33 percent
15 yard coverage.

16 But we think this increased yard coverage
17 for a three-car garage makes sense because what
18 we frequently find are situations where, if
19 you're needing to actually access these
20 three doors and you're limited to a 24-foot width
21 at the property line, on a narrow lot there's
22 only so much of the yard you can cover to not
23 exceed -- or you can cover to not exceed that
24 percentage, and it would make it difficult to

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1 actually access the three doors of the garage
2 because you'd essentially be sort of tapering all
3 the way in to the garage doors.

4 And this is a common condition in
5 neighborhoods with three-car garages. There's
6 another example here. I think this is in
7 Charlemagne.

8 What we're proposing to do is allow this
9 coverage for -- these specific situations be
10 brought up to 33 percent because that seems to be
11 what's common in neighborhoods with relatively
12 smaller suburban lots but also three-car garages.

13 So this is the summary of those three
14 changes: The change for circular drives to the
15 18 feet per driveway; increasing the minimum
16 allowed width for a narrow lot from 16 feet to
17 18 feet; and then changing the coverage for a
18 three-car, front-loaded garage up to 33 percent.

19 With that, I'll take questions.

20 CHAIRMAN KESSLER: Tell me again
21 about corner lots, side-load -- what about
22 detached?

23 MR. COLBY: Well, these regulations
24 only apply within the front yard or the corner

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1 side yard.

2 So if your garage is on the corner
3 side yard, you're still limited to 25 percent of
4 that yard. If you have --

5 CHAIRMAN KESSLER: Of what yard?

6 MR. COLBY: Of the yard that the
7 driveway goes through. So you --

8 CHAIRMAN KESSLER: But you're
9 saying -- I don't mean to interrupt you.

10 MR. COLBY: No, go ahead.

11 CHAIRMAN KESSLER: But you're saying
12 it's 25 percent of the front yard. What's the
13 front yard? From the front of the house to the
14 front property line?

15 MR. COLBY: It's from the front
16 property line to the front yard setback line. So
17 that would depend on what zoning district
18 you're in.

19 But in most situations it is -- basically,
20 it's in the front of the house if the house is
21 built right up to the front yard setback. So in
22 that area that's hatched in blue here, that's the
23 area where the percentage is regulated.

24 CHAIRMAN KESSLER: Okay. What about

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1 a side yard?

2 MR. COLBY: If it's -- only if it's a
3 corner side yard, then it's regulated the same
4 way as here. You'd basically be -- the driveway,
5 if it was going through the side yard, it would
6 be regulated based on the 25 percent.

7 If it's just an interior side yard, there
8 is no regulation of that.

9 CHAIRMAN KESSLER: So it actually
10 could be considerably more pavement on a
11 side yard corner lot because a side yard would
12 typically be 150 feet long as opposed to 70 feet
13 or so.

14 MR. COLBY: Correct.

15 CHAIRMAN KESSLER: So you could have
16 a lot more pavement in a side yard.

17 MR. COLBY: Correct.

18 CHAIRMAN KESSLER: Okay. That's what
19 I wanted to know.

20 MR. COLBY: Yeah.

21 MEMBER SCHUETZ: I have two questions.
22 Currently it's 16 feet wide; correct?

23 MR. COLBY: Yes.

24 MEMBER SCHUETZ: And you're finding

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1 that most driveways are 18; right?

2 MR. COLBY: Correct. And 18 feet
3 is -- you know, if you think of a parking stall,
4 they're typically 9 feet wide, so it's like
5 two parking stalls wide.

6 MEMBER SCHUETZ: Right.

7 MR. COLBY: And 16 feet, you can
8 basically just fit the cars; right?

9 MEMBER SCHUETZ: No, I get that.

10 But my only -- my concern -- my first
11 question is, if we make it 18 feet, then the
12 builders are going to go to 20 for a two-car
13 garage, you know, instead of 18, just because
14 they're pushing the envelope, is my point.

15 MR. COLBY: Yeah.

16 MEMBER SCHUETZ: And --

17 MR. COLBY: You know -- previously,
18 you know, before 2006 we didn't even regulate
19 these by permits. People sort of did whatever
20 they wanted to do.

21 MEMBER SCHUETZ: Right.

22 MR. COLBY: Now we do require permits
23 for these, so we always do review the width and
24 the yard coverage, so they will be limited by

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1 that, and there are inspections that will take
2 place in connection with the permit so it is
3 controlled.

4 MEMBER SCHUETZ: What happens on --
5 this is a more personal level, but what happens
6 if you have a three-car garage that's a front-
7 load and the lot is over an acre; however, the
8 front yard's very small?

9 And it's going to be bigger than this -- it
10 already is. And those people are going to
11 replace the driveway this summer.

12 What happens?

13 CHAIRMAN KESSLER: What are those
14 people going to use for material?

15 MEMBER SCHUETZ: What happens?

16 MR. COLBY: Well, we think this
17 standard of 33 percent for front-loaded three-car
18 garages will accommodate most situations with
19 some reasonable level of being able to get into
20 the garage doors.

21 Not all neighborhoods that have three-car,
22 front-loaded garages are pushing up to this
23 maximum. It's really only these areas that have
24 sort of smaller lots and shorter front yard

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1 setbacks that complicate things because there's
2 less space to work with.

3 But we think this -- this 33 percent will
4 make it possible to replace those driveways and
5 still provide reasonable access.

6 MEMBER SCHUETZ: Okay.

7 MEMBER DOYLE: On page -- the
8 first page of your staff report, the second
9 bullet, bottom of the page, you say "Regardless
10 of the pavement coverage, all residential
11 properties are entitled to at least a 16-foot-
12 width driveway in the front yard. This is an
13 issue primarily for smaller lots in older
14 neighborhoods where 25 percent results in a very
15 narrow driveway for a 50- or 60-foot-wide lot."

16 Are there older neighborhoods with narrow
17 lots with predominantly one-car garages?

18 And . . . where I'm going with this --
19 maybe you could just help me sort of think this
20 through -- is I'm concerned that, by expanding
21 this -- already a 16-foot-width driveway opens
22 the door to a two-car, front-loading garage.

23 Our -- you know, what -- in traditional,
24 older neighborhoods with small lots that are

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1 historically one-car garages, are we loosening
2 this to the point that we're going to be
3 essentially encouraging two-car, front-loading
4 garages in these older, traditional
5 neighborhoods?

6 MR. COLBY: I don't think so.

7 And the reason I say that is we have other
8 incentives built into the Zoning Ordinance that
9 encourage detached garages.

10 You're given a bonus for the amount of
11 square footage you can build on the lot for
12 having a detached garage, so there's an incentive
13 to not do a front-loading garage.

14 And if you're on a lot with an alley,
15 you're actually required to have your garage
16 access off of the alley, so you're not able to
17 have the access in the front.

18 But the ordinance does allow someone to
19 construct a house in those older neighborhoods
20 with a two-car-wide garage, so we wouldn't
21 necessarily be changing what they're allowed
22 to do.

23 MEMBER DOYLE: Uh-huh.

24 MR. COLBY: I think this would make

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1 it a little more functional to accommodate a
2 driveway for that, but based on the configuration
3 of those lots, there's already an incentive built
4 in to try to find another arrangement, like the
5 detached garage in the rear yard, which I think
6 is probably more common in older neighborhoods
7 versus just the one-car garage in the front.

8 MEMBER DOYLE: Are there -- what's --
9 within this category of what are called smaller
10 lots, what's the range in terms of width, lot
11 width? What's the narrowest width lot that we
12 have and what's the upper end of what you would
13 regard as a small lot in terms of width?

14 MR. COLBY: Well, in the older areas
15 of town, 50 feet is the smallest --

16 MEMBER DOYLE: Okay.

17 MR. COLBY: -- standard-size lots.
18 There are lots that are smaller than that, but
19 they may have been subdivided sometime after, you
20 know, the original town was platted. There were
21 50-foot lots. On the west side of town, there
22 are 66-foot-wide lots, and those are ones I would
23 consider to be the narrow lots.

24 When you go into the areas that are more

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1 suburban in style, they're generally 70, 75 feet
2 and go up from there.

3 MEMBER DOYLE: Uh-huh. Are there
4 any -- so are there any properties that -- you
5 know, the 50 or maybe even less -- where it would
6 be reasonable to restrict that width to 16 feet?

7 Because it -- if it's an -- if it's a very
8 narrow lot where we would say, you know, "If your
9 lot width is less than 50 feet, it's limited to
10 16 feet and, if it's over 50 feet, it's up to
11 18 feet"?

12 CHAIRMAN KESSLER: But what would it
13 be? If you have a 50 -- if you have a 40-foot
14 lot, what's the -- if you have a 40-foot-wide lot
15 with a 25-foot setback, what's the -- how wide
16 would that be? That would be 40 times 25 to --
17 40 times 25 would be 2,000, so you could have
18 500 square feet, which would be -- so you could
19 have a 25 -- or 20-foot-wide driveway,
20 50-foot lot.

21 Did I do the math right?

22 MR. COLBY: I don't know.

23 MEMBER DOYLE: I guess what I --

24 CHAIRMAN KESSLER: Okay. I've got a

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1 25-foot setback, and I have a 50-foot-wide lot.
2 How wide can my driveway be?

3 What's the maximum?

4 MR. COLBY: Let's see if I can --

5 CHAIRMAN KESSLER: How can I get to
6 Excel?

7 MEMBER DOYLE: Well, typically on
8 the --

9 MEMBER PRETZ: Having a little
10 experience with a very narrow lot and a
11 single-car garage, 16 foot, based on the size of
12 the lot, the 20,000-square-foot lot, it would
13 be -- you could not park two vehicles in your
14 driveway because you have a sidewalk, also.

15 So you're prohibited enough ability to
16 function with one vehicle, and that would --
17 unless you always had it in the garage -- and
18 you'd have to move your other vehicle every time.

19 So a little larger for that size lot
20 makes it functional to be able to operate with
21 two vehicles. 16 foot is a little too narrow.

22 MEMBER DOYLE: Okay.

23 MEMBER PRETZ: And that's assuming
24 you have parking on your street.

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1 MEMBER DOYLE: So I guess I'll rest
2 on the point that Russ made earlier, which is
3 that there are incentives to encourage owners
4 to -- to use more traditional building styles.

5 I have another question about the three-car
6 garages. Is it possible -- so you're saying
7 there are some older neighborhoods where there
8 are many three-car garages and we're looking to
9 expand the coverage to accommodate those older
10 homes.

11 MR. COLBY: Actually, it's more newer
12 homes where this condition exists.

13 MEMBER DOYLE: I'm sorry. I don't
14 mean older homes. I mean existing homes --
15 existing -- preexisting construction.

16 Is it possible -- and is it advisable to
17 consider an ordinance that would restrict that
18 ability to preexisting construction and keep it
19 to what it's at for new construction?

20 MR. COLBY: It's possible to do. But
21 we've shied away from doing that only because we
22 have a lot of existing conditions in town that
23 maybe are not desirable and, you know, exceed
24 these standards we have in place considerably.

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1 And if they were -- we would like to see
2 them brought into compliance. If we base things
3 on existing conditions, it's -- can be seen as
4 unfair to owners who have, you know, an existing
5 driveway that exceeds their neighbor's and, you
6 know, we're allowing them to keep that.

7 But that being said, you know, there are
8 only specific zoning districts that these
9 neighborhoods are found in, and if there were an
10 interest in limiting where this lot -- to zoning
11 districts where this condition is common, that's
12 something we could do.

13 MEMBER DOYLE: Let me just clarify
14 what my intent is here.

15 Your suggestion -- proposal is that we
16 increase the coverage to 33 percent to
17 accommodate preexisting construction that is
18 common in these districts where three-car garages
19 are present because, otherwise, there would be no
20 way for them to reconstruct their existing
21 driveways.

22 MR. COLBY: Right. And there's
23 also some vacant lots in some of these
24 neighborhoods, too.

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1 MEMBER DOYLE: Okay. And be in
2 compliance.

3 My point is that, not -- not that we should
4 just say "Whatever you've got preexisting you can
5 do that, rather than come into compliance," but
6 if your proposal is to expand it to 33 percent,
7 can we limit that expansion either to preexisting
8 construction that has a three-car -- a three-car
9 garage and a front-loading driveway or to the
10 zoning districts where these are common?

11 Because I'm -- I don't want to encourage
12 this kind of streetscaping for future
13 construction.

14 And I don't want to deter or place an undue
15 burden on existing homeowners who already have
16 it, but I don't want a developer coming in and
17 repeating this because I think it -- I think it's
18 just a -- it's poor streetscaping. I think it's
19 not the kind of development that we want to
20 encourage.

21 MEMBER HENNINGSON: You don't want
22 them to repeat what?

23 MEMBER DOYLE: Drive -- front-
24 loading -- three-car, front-loading driveways

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1 that cover 33 percent of the front yard.

2 MEMBER HENNINGSON: If we get out of
3 the percentages --

4 MEMBER DOYLE: Uh-huh.

5 MEMBER HENNINGSON: -- can . . .
6 I mean, if you've got a three-car garage, you
7 need to get access to all three spaces.

8 MEMBER DOYLE: Well, the -- if you
9 have -- right.

10 So if you say for new construction that the
11 original -- what -- Russ made a comment earlier,
12 that the existing ordinance is appropriate and
13 workable if you're starting from scratch, that
14 the guidelines that are there are good guidelines
15 and functional guidelines that encourage the kind
16 of development we want to encourage.

17 The problem is --

18 MEMBER HENNINGSON: For new
19 construction.

20 MEMBER DOYLE: -- for new construction.

21 MEMBER HENNINGSON: Will this apply
22 to PUDs? Or will PUDs be exempt from this?

23 MR. COLBY: For the most part, this
24 would apply to PUDs because we generally don't

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1 regulate driveways in PUDs, so they fall under
2 our standard requirements.

3 So, yes, it would apply to most PUDs.

4 MEMBER DOYLE: So I think what I'm
5 saying is that, if we have, basically, a good
6 framework here and that the problem is that
7 it's -- it's complicated for those property
8 owners who already have streetscaping that is in
9 compliance with sort of the old way of doing
10 things, we don't want to deter them from
11 improving their property.

12 I'm inclined to say, if there is a way to
13 recommend this that allows those property owners
14 in those zoning districts where this is common to
15 maintain their properties in keeping with the way
16 the property was originally designed but to
17 adhere to the guidelines that were established in
18 2006 for new construction and not basically open
19 the gates up again, that would be, I think --
20 I think that would be worth trying to achieve.

21 CHAIRMAN KESSLER: I think -- and I
22 understand what you're saying.

23 And I actually think Russell may have
24 pointed out that there are incentives in place to

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1 deter or to try to not have that streetscape
2 three-car driveway and attempts to put attached
3 garages and narrower walks, and I think -- and I
4 agree with you.

5 We don't want that -- you know, people to
6 say, "Oh, we can have, you know, a 20-foot-wide
7 driveway here with 33 percent," and I agree that
8 it's something that we would like to control.
9 But I believe that the incentives that we have in
10 place are such that they answer that question
11 for you.

12 It's not something that we need to -- that
13 our ordinance tries to encourage, but at the same
14 time, what this ordinance -- what this proposed
15 ordinance does, in my mind, accommodates those
16 people whose properties were built previously and
17 do have to deal with realities of a 3-foot -- or
18 three-car garage but then the other incentives in
19 the ordinance that encourages detached garages
20 with narrower driveways and drive streetscapes
21 accommodates your -- and my -- concern for
22 encouraging that sort of streetscaping.

23 MEMBER DOYLE: I think that the --
24 I would agree with you except that I think the

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1 market provides a stronger incentive for this
2 kind of construction to continue to take place.

3 CHAIRMAN KESSLER: And you --

4 MEMBER DOYLE: We saw that on
5 Lexington -- Lexington Club. You know, they
6 brought forward the traditional design, and it
7 just flopped because no one in the community
8 supported it and the market didn't support it.

9 And maybe that, by itself, is an argument
10 against what I'm proposing, you know, but I just
11 think that the market will continue to push
12 developers in this direction, and there are --
13 there are hidden costs to this kind of a
14 development when -- you know, that I think are
15 contrary to what -- and it may be splitting hairs
16 here in terms of whether it's 25 percent,
17 33 percent.

18 I guess what I'm asking is -- and if the
19 answer is no -- what I'm asking is, is it
20 possible to grant the leniency for existing
21 properties, encourage them to maintain their
22 property, but keep it contained in a way that
23 doesn't say to any developer anywhere in town,
24 "Yeah, this is perfectly acceptable -- a

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1 perfectly acceptable development pattern and
2 we're okay with it."

3 CHAIRMAN KESSLER: And so your
4 question is to Russ, could we do something like
5 that?

6 MEMBER DOYLE: With -- is that -- is
7 there a way to do it that staff would say, "Yes,
8 that conforms with good practice," it -- you
9 know, whether it's by zoning district or
10 something -- that staff would say "We can
11 recommend that"?

12 MR. COLBY: Yeah. If we did it by
13 zoning district, then, you know, we could have
14 new subdivisions built in that zoning district
15 that would be allowed to do the same thing.

16 But we could limit it to zoning districts
17 that have this type of pattern, and that would
18 limit its application to the other areas, like
19 older neighborhoods where three-car garages are
20 not common.

21 MEMBER DOYLE: Are not common?

22 MR. COLBY: Correct.

23 The other thing to keep in mind is, with a
24 three-car garage on a narrow lot, you know, the

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1 33 percent may not even get you enough pavement
2 or you may not have enough lot width to fit a
3 three-car garage there.

4 So it's not like "Oh, we'll do the
5 three-car garage on a smaller lot just because of
6 the limitations" but -- you know, that's
7 something to keep in mind in terms of regulating
8 by zoning district.

9 If we did regulate it by who already had an
10 existing driveway, I think what we would probably
11 do is actually regulate it by the date of
12 construction of the house because that would give
13 us a more firm timeline that we can verify.
14 Because we often keep track of how things have
15 changed on properties like driveways when people
16 go get permits or something like that.

17 So if that was put into the ordinance, we
18 probably would set a date after which any new
19 ones would need to comply with -- any new houses
20 constructed would need to comply with the
21 25 percent versus 33, and that's probably the
22 cleanest way to do that.

23 CHAIRMAN KESSLER: Go ahead, Tom.

24 MEMBER SCHUETZ: I have a quick

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1 question. I think it's kind of simple.

2 If a builder's going to build a house or a
3 current homeowner is going to get a permit to put
4 a driveway in, are those permits reviewed as far
5 as what the design looks like of the driveway?

6 How does that work?

7 MR. COLBY: In terms of how it's
8 laid out?

9 MEMBER SCHUETZ: Right.

10 MR. COLBY: No. There's really no
11 review of how it's laid out, only that it doesn't
12 exceed these maximum limitations.

13 MEMBER SCHUETZ: But who makes sure
14 that happens? Meaning when you -- when they
15 apply for a permit, what -- I mean, do they
16 provide the dimensions?

17 MR. COLBY: Yes. Yes. They have to
18 provide the dimensions on the plat of survey,
19 showing where it's going to be located, how big,
20 and it's something that's reviewed in connection
21 with the permit.

22 MEMBER SCHUETZ: And that's for new
23 construction and replacement construction?

24 MR. COLBY: Yes. In replacement

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1 you're dealing with a separate permit
2 specifically for the driveway.

3 MEMBER SCHUETZ: So -- I don't know.
4 It seems like that would be taken care of there.

5 CHAIRMAN KESSLER: Well --

6 MEMBER HENNINGSON: In follow-up to
7 that in your original question, if a homeowner
8 has an existing driveway right now and it's
9 asphalt and he wants to replace that with some
10 kind of aggregate, can he go in and -- can he go
11 in and just replace the same width and depth, or
12 does he have to come in with a whole new plan?
13 And may his driveway change as a result of that?

14 MR. COLBY: Well, you're allowed to
15 basically patch or resurface.

16 So if you are taking off part of the layer
17 of asphalt and recovering it or if you are
18 digging up a part of it that's failed and
19 repairing it, you're allowed to do that.

20 But if you're completely reconstructing the
21 driveway where you're taking all the pavement
22 out, then when the new driveway is put in, it
23 needs to meet the current standards of the Code.

24 What we typically see with residential

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1 driveways is that it's usually a total
2 replacement because they're usually not
3 constructed to the degree that someone's just
4 repairing them. So that's what we see the most
5 often, but it would need to meet current Code
6 requirements.

7 MEMBER HENNINGSON: Mr. Schuetz, does
8 that answer your question?

9 MEMBER SCHUETZ: Yes, it does --
10 thank you -- and I didn't like you over there.

11 CHAIRMAN KESSLER: You have to have a
12 permit to do that --

13 MEMBER SCHUETZ: Oh, I knew that.

14 CHAIRMAN KESSLER: -- and it will be
15 inspected.

16 MEMBER SCHUETZ: I already know that.

17 All right.

18 CHAIRMAN KESSLER: Okay. Any other
19 questions?

20 MEMBER DOYLE: Yes.

21 CHAIRMAN KESSLER: Go ahead.

22 MEMBER DOYLE: One more question.

23 I noticed that you have a table in Part 4
24 in your analysis that shows driveway widths

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1 according to other communities.

2 Have you done a similar analysis in terms
3 of lot coverage?

4 MR. COLBY: No, we haven't, because
5 it's not a common regulation in every community
6 to do that.

7 So, for example, some of the communities
8 listed here where there's a width limitation,
9 they'll either plat a width limitation the entire
10 length of the front yard or else they'll only put
11 the limitation on the property line, pointing out
12 what will be allowed to be constructed on the
13 lot, however the builder sees fit.

14 We could find data on other communities,
15 but from what I've seen, 33 percent is actually
16 fairly common. 25 percent is probably a little
17 more on the restrictive side --

18 MEMBER DOYLE: Okay.

19 MR. COLBY: -- but it's not something
20 every community regulates.

21 MEMBER DOYLE: I just want to get
22 confirmation before we close -- before we, you
23 know, maybe consider closing the public hearing
24 or continuing it.

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1 Is it your opinion that staff could come
2 back with an alternate proposal that would do
3 what I had been requesting a couple minutes ago,
4 which is to -- which is to allow the leniency for
5 a certain class of properties -- however you
6 define it -- but -- but maintaining adhering to
7 the existing standard for new development?

8 MR. COLBY: What I would recommend
9 is, instead of coming back with a proposal,
10 include that as part of the recommendation for
11 something for the Planning and Development
12 Committee to consider.

13 MEMBER DOYLE: Okay.

14 MR. COLBY: Because I think we could
15 certainly structure some changes in response to
16 that pretty easily and see if that's the
17 direction they'd want to go.

18 MEMBER DOYLE: So you would -- we
19 wouldn't need to continue the hearing? You could
20 just make a recommendation --

21 MR. COLBY: No, I don't think so, as
22 long as it's included in the motion of what your
23 intent is and how you'd like to see that
24 structured.

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1 MEMBER DOYLE: Okay.

2 MEMBER PRETZ: Are you thinking a
3 date or specific areas?

4 A date of -- you know, construction
5 starting after, let's say, hypothetically, today.

6 MR. COLBY: Well, I guess that's up
7 to the Commission as to what they think is more
8 appropriate because we could do it either way.

9 My opinion is, if we work with zoning
10 districts, that's easier for us to apply because
11 we don't have to explain why someone's subject to
12 something different than their neighbor.

13 But either way could work in the ordinance.

14 MEMBER SCHUETZ: So I'm confused.

15 So you see that as more lenient or more
16 strict?

17 MEMBER DOYLE: I see it as -- what
18 I -- compared to what we have in front of us,
19 it's more conservative to -- or more strict -- to
20 act -- to make a recommendation that says "Find a
21 manageable, workable way to allow existing
22 properties that have this pattern to go up to
23 33 percent but adhere to the 25 percent standard
24 for new construction."

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1 MEMBER HENNINGSON: I disagree with
2 that.

3 MEMBER SCHUETZ: I don't agree.

4 MEMBER DOYLE: You don't see that as
5 more strict, more conservative, or you disagree
6 with the recommendation?

7 MEMBER HENNINGSON: I disagree with
8 the recommendation.

9 MEMBER SCHUETZ: I don't think it
10 will work.

11 CHAIRMAN KESSLER: I'm trying to
12 think how, if you have a three-car garage and
13 you --

14 MEMBER SCHUETZ: Are 25 percent?

15 CHAIRMAN KESSLER: -- you're only
16 allowed --

17 MEMBER DOYLE: If it's new
18 construction, you don't have any garage.

19 CHAIRMAN KESSLER: Pardon me?

20 MEMBER DOYLE: If it's new
21 construction, you don't have any garage yet.

22 MEMBER SCHUETZ: So they're putting a
23 three-car garage in --

24 MEMBER PRETZ: He wants it restricted

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1 on new construction.

2 CHAIRMAN KESSLER: So you want to
3 restrict --

4 MEMBER DOYLE: I want to adhere to
5 the current standards for new construction and
6 allow existing construction where this pattern is
7 common to use the proposed relaxed standard.

8 CHAIRMAN KESSLER: Is there any case
9 that would, at 25 percent -- I suppose -- I'm
10 trying to do -- I can't do the math that quickly
11 in my head.

12 But are there cases where it would -- where
13 25 percent would allow a three-car garage?
14 I mean, what are -- what is that? 16 and 8,
15 that's 20 -- that's 24 so you need 25 -- you need
16 a 24-foot-wide driveway.

17 MR. COLBY: Yeah. It can be done,
18 certainly, on some lots.

19 You probably need enough setback that you
20 have enough space for a vehicle to be able to
21 back out of the garage, and then the driveway
22 would need to potentially narrow down.

23 CHAIRMAN KESSLER: Or a very wide
24 lot -- or a very wide lot, yeah.

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1 MR. COLBY: But the situation that
2 we've identified here -- you know, it could be
3 problematic in a situation like this to make that
4 work.

5 CHAIRMAN KESSLER: Right. Right.

6 You know, I actually kind of like the idea
7 except for one thing. I think it becomes
8 incredibly restrictive on what somebody can do
9 with their piece of property. It seems very
10 restrictive to me.

11 MEMBER SCHUETZ: Meaning the current
12 or no --

13 CHAIRMAN KESSLER: I mean maintaining
14 that 25 percent. Because you -- it would -- it
15 would take a more exceptional lot to be able to
16 build a three-car garage if you wanted a
17 three-car garage.

18 MEMBER DOYLE: I would argue that the
19 P&D committee and the Council have already
20 approved that standard and it must have -- it
21 probably -- I don't know -- I mean, I'm assuming
22 that the Plan Commission in the past recommended
23 for approval, as well.

24 MR. COLBY: Well, I will say, though,

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1 that, you know, at the time that standard was
2 written, we didn't have as good of data as we do
3 now or access to information to determine how
4 well, you know, it would apply.

5 I don't know if there necessarily was an
6 understanding that we had in certain
7 neighborhoods where it was common to have
8 nonconforming driveways.

9 MEMBER DOYLE: And that's why I think
10 the correct answer is grandfathering those in,
11 you know, basically saying, "Yeah, that's your
12 property; that's how it was designed; that's how
13 it was built; maintain it."

14 And I don't mean to zero in on one
15 offhanded comment, but I'm going to make my --
16 mention it again. Russ said at the beginning of
17 his presentation that he thought that the
18 existing standards in the ordinance are good and
19 are workable if you're starting from scratch.

20 And so all I'm suggesting is that I -- I'm
21 not suggesting anything more restrictive than
22 what we currently have and what's already been
23 approved by our City Council.

24 And I would reiterate that, you know, we

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1 saw it in the Lexington Club discussion,
2 discussion about the need for social space,
3 discussion about the fact that people -- you
4 know, in my block they're all front-loading
5 garages. And young parents, all their kids, we
6 spend time in the backyards. We don't spend time
7 in the front any longer because it's all cars,
8 you know.

9 And it's just not -- I just don't think
10 that this is a development pattern that
11 ultimately enhances the quality of life. And I
12 don't want to see us place an undue burden on
13 existing property owners, but I don't want to see
14 us encourage this kind of development in the
15 future.

16 So if it's workable and if the standard
17 is -- that we have -- has been upheld as a good
18 standard, if it's from -- if it's used from
19 scratch, then I just want to adhere to what we
20 have.

21 CHAIRMAN KESSLER: And -- right. I
22 believe that -- two things. First of all, that
23 we could make that recommendation with -- a
24 recommendation on future -- as coming-up agenda

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1 items. But, secondly, that you could do that
2 in -- it would be easier for you to do by zoning
3 district than by saying "These people that are
4 grandfathered in."

5 MR. COLBY: Correct. Correct.

6 CHAIRMAN KESSLER: That makes me
7 really nervous.

8 MEMBER DOYLE: Correct. And I want
9 it to be workable.

10 CHAIRMAN KESSLER: Yeah, something
11 that's workable.

12 Okay.

13 MEMBER SCHUETZ: I have a question.
14 I mean, the 33 percent to me -- I'm sorry. Maybe
15 I started the whole thing in the wrong direction.

16 But I was just trying to clarify -- right
17 now it's 25 percent. And the ones you showed us
18 in Majestic Oaks, are those predominantly
19 33 percent, or are they 35 or 40 percent?

20 MR. COLBY: This one, for example --
21 this is on Sherman -- this is 30 percent.
22 A couple of these I would guess, because they're
23 nearing a cul-de-sac, they're probably in excess
24 of 33 percent.

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1 But . . . 33 percent would accommodate most
2 lots in Majestic Oaks based on my research, but
3 it varies because -- it depends on the dimensions
4 of the lots. You can have a pie-shaped lot on
5 which end of the pie --

6 MEMBER SCHUETZ: Right. So
7 33 percent is very lenient, basically -- I mean,
8 actually, it is.

9 CHAIRMAN KESSLER: It is.

10 MEMBER SCHUETZ: Yeah.

11 CHAIRMAN KESSLER: Just so I'm clear
12 on this, what we're discussing -- because this
13 isn't what Russ is saying -- if you went by
14 zoning district and you said, if it was an
15 existing zoning district that already so many --

16 MEMBER DOYLE: Where it's common.

17 CHAIRMAN KESSLER: -- where it's
18 common -- may not be noncompliant right at this
19 second but could be -- if you replaced it, would
20 use the 33 percent.

21 MEMBER DOYLE: Yes. Yes.

22 CHAIRMAN KESSLER: Okay.

23 MEMBER PRETZ: Can I just ask what
24 zoning districts would be recommended?

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1 MR. COLBY: Well, the suburban
2 residential districts, likely the ones that have
3 larger lots, the RS1, RS2 Zoning Districts, are
4 probably the ones where you see driveways like
5 these on lots of this size.

6 MEMBER SCHUETZ: So the neighborhoods
7 you mentioned in here?

8 MR. COLBY: Yes.

9 MEMBER AMATANGELO: So are we seeing
10 more of an issue here -- like in this photograph
11 right here, you can definitely see that it's more
12 than 33 percent.

13 Is that just because maybe it's on a
14 cul-de-sac and, as you said, they're pie-shaped
15 type of lots? And that is an unusual situation.

16 So is there an opportunity maybe to point
17 out cul-de-sacs or -- as the exception?

18 MR. COLBY: Well, these probably
19 exceed the 33 percent because of the cul-de-sac,
20 but situations like this lot, which is basically
21 a square lot, you still have the same issue.

22 MEMBER AMATANGELO: Still exceeds 33?

23 MR. COLBY: Yeah, if it's -- the
24 lot's narrow enough. This one's about

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1 30 percent.

2 So, certainly, it's a bigger issue on a
3 cul-de-sac lot. It makes it more complicated.

4 MEMBER AMATANGELO: It just seems to
5 really stand out on a cul-de-sac more.

6 MR. COLBY: Yeah.

7 MEMBER HENNINGSON: Russ, in that
8 previous diagram, that is a 30 percent coverage?

9 MR. COLBY: Yes.

10 MEMBER HENNINGSON: So that's
11 acceptable?

12 MR. COLBY: Yes.

13 MEMBER HENNINGSON: Okay.

14 MEMBER AMATANGELO: Okay.

15 MEMBER HENNINGSON: See, that works.

16 MEMBER AMATANGELO: Right.

17 MEMBER HENNINGSON: As a potential
18 homeowner or a -- or a builder, that works
19 because you can get a straight shot from anywhere
20 on the stalls.

21 And if you have something less than that,
22 it's very difficult to do in the driveways.

23 MEMBER AMATANGELO: But even the
24 Majestic Oaks picture --

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1 MEMBER HENNINGSON: Yeah.

2 MEMBER AMATANGELO: The next one,
3 I think it is -- no. It's the one -- the
4 overhead -- there you go.

5 You can see how it accommodates the
6 three-car garage and then it narrows down.

7 MEMBER SCHUETZ: Right. That's what
8 ours does.

9 MEMBER AMATANGELO: And that's what
10 ours does, too.

11 It just -- you know, by the time you hit
12 the sidewalk and the street level, that entire
13 driveway has just, you know, reduced itself
14 already, but it needed to be wider to accommodate
15 that third-car garage.

16 MEMBER HENNINGSON: And how does that
17 work?

18 MEMBER SCHUETZ: Well, you can't all
19 three back out at the same time. You just back
20 out like this and --

21 MEMBER AMATANGELO: Right. You have
22 to cut the corner.

23 MEMBER SCHUETZ: -- you know.

24 MEMBER AMATANGELO: Already, to me,

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1 that's limiting.

2 That's -- that could be an issue.

3 MEMBER DOYLE: Russ, do you -- can
4 you bring up a map that shows the zoning
5 districts in question -- you said R1, R2 -- so
6 that we can get a sense of how much of the city
7 we're talking about, you know -- basically, all
8 the other zoning districts that are outside of
9 those that you're saying, you know, are where
10 this is common, the ones that -- the ones where
11 we would be maintaining, potentially, the more
12 restrictive standard.

13 MR. COLBY: Yeah. I'm loading a
14 zoning map.

15 CHAIRMAN KESSLER: Okay. Any other
16 questions?

17 Oh. He's trying to get the map here.

18 MR. COLBY: So this is the northeast
19 side.

20 The areas that are shown in orange, that's
21 the RS2 District, so that includes Hunt Club.

22 MEMBER AMATANGELO: Oh.

23 MR. COLBY: The -- it also includes
24 part of Majestic Oaks, part of Charlemagne, part

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1 of Royal Fox.

2 And I'm not sure if I mentioned the
3 RS3 District. That one probably also should be
4 thrown in. That would include Kingswood, part of
5 Majestic Oaks.

6 MEMBER AMATANGELO: But not all of
7 these have three-car garages.

8 MR. COLBY: Hm-m?

9 MEMBER AMATANGELO: But not all of
10 these have three-car garages.

11 MR. COLBY: No. There are some
12 neighborhoods where it's -- there's a variety,
13 and then we have some that are nothing but the
14 same garage.

15 There's probably not much on the southeast
16 side.

17 And then on the northwest side, it would
18 include Red Gate, River's Edge, The Reserve.

19 One thing we didn't look at is whether it
20 would include the RS3 District, and I think there
21 are some examples there, as well.

22 I'm probably inclined to say that would be
23 included, but I would need to verify that, if
24 that's a common condition in some of these

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1 neighborhoods.

2 CHAIRMAN KESSLER: Okay.

3 MEMBER HENNINGSON: I have a
4 question.

5 There seems to be a lot more conversation
6 about this than I expected. Do you guys think we
7 should leave the public hearing open, or should
8 we close it?

9 MEMBER PRETZ: No.

10 MEMBER DOYLE: I think the -- I think
11 the information that we'd need to collect has
12 been collected.

13 I think the information that we need to
14 collect -- I think that the committee --
15 Commission -- has all the information that we
16 need to -- I mean, I think the question is, is
17 there any more information that you feel that you
18 need to make a decision?

19 MEMBER HENNINGSON: No.

20 MEMBER DOYLE: I don't feel
21 there's --

22 CHAIRMAN KESSLER: Are there any
23 other questions from the Plan Commission?

24 MEMBER HENNINGSON: No.

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1 I propose we close the public hearing.

2 MEMBER AMATANGELO: Second.

3 CHAIRMAN KESSLER: Any other
4 information from the Applicant?

5 MR. COLBY: No.

6 CHAIRMAN KESSLER: Okay. So there is
7 a motion and a second -- premature but
8 nonetheless -- a motion and second.

9 All in favor?

10 (The ayes were thereupon heard.)

11 CHAIRMAN KESSLER: So moved.

12 All right. Let's go to the next item on
13 our agenda.

14 That would be Item No. 6. This is
15 regarding the public hearing on Item 4, general
16 amendment to the City Council -- general
17 Amendment to the City of St. Charles,
18 Section 17.08.060, "Nonconforming Signs,"
19 pertaining to the removal of nonconforming signs
20 mounted on a pole, pylon, foundation, or other
21 supporting structure and all signs, other than
22 freestanding, that do not conform to the
23 standards of Title 17 within eight years of the
24 effective date of Title 17.

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1 Is there any discussion?

2 MEMBER PRETZ: The eight years takes
3 us to October of 2014?

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

5 MEMBER PRETZ: Okay.

6 MR. O'ROURKE: If you were to read
7 your ordinance right now, it says "seven years."

8 MEMBER PRETZ: I just couldn't do
9 the math.

10 MR. O'ROURKE: Sure.

11 CHAIRMAN KESSLER: Here.

12 Okay. Any other discussion? Any other
13 comment from the Applicant?

14 (No response.)

15 CHAIRMAN KESSLER: Okay. Is there a
16 motion?

17 MEMBER AMATANGELO: So moved.

18 CHAIRMAN KESSLER: Well, you have to
19 make the motion first.

20 MEMBER AMATANGELO: Go ahead.

21 MEMBER HENNINGSON: I recommend
22 approval of the application for a general
23 amendment.

24 CHAIRMAN KESSLER: As per Item No. 6

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1 on the agenda?

2 MEMBER HENNINGSON: Yes.

3 CHAIRMAN KESSLER: That would be
4 Section 17.08.060, "Nonconforming Signs."

5 All in favor?

6 (The ayes were thereupon heard.)

7 CHAIRMAN KESSLER: Opposed?

8 (No response.)

9 CHAIRMAN KESSLER: Okay. That motion
10 passes unanimously.

11 Next on our agenda is No. 7, general
12 amendment to the City of St. Charles,
13 Chapter 17.24, "Off-Street Parking, Loading and
14 Access," Section 17.24.070, "Design of Off-Street
15 Parking Facilities," pertaining to requirements
16 for access drives, driveways, for one/single and
17 two-family dwellings.

18 Is there any discussion?

19 (No response.)

20 CHAIRMAN KESSLER: Okay. Is there
21 a motion?

22 MEMBER DOYLE: I'll make a motion.

23 I'll start by moving to recommend approval
24 of the general amendment to Title 17 of the

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1 City Code regarding residential driveways as
2 proposed in the staff memo dated July 2nd, 2013.

3 MEMBER PRETZ: I second.

4 CHAIRMAN KESSLER: Okay. Any
5 discussion on the motion?

6 (No response.)

7 CHAIRMAN KESSLER: Is there --

8 MEMBER DOYLE: I have a motion to
9 amend, as well.

10 MR. O'ROURKE: You can just make it
11 all in one motion.

12 MEMBER DOYLE: I'd like to have a
13 vote on the motion to amend, and then -- if the
14 motion to amend fails, then we have to make a
15 motion on the old amendment.

16 CHAIRMAN KESSLER: Sure.

17 MEMBER DOYLE: So I would now like to
18 make a motion to amend that the recommendation go
19 forward with modifications by staff -- to allow
20 lot coverage for three-car garages to be -- to go
21 up to 33 percent of the lot size according to
22 staff recommendations and a workable plan but to
23 maintain the 25 percent lot coverage for new
24 construction.

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1 I'll leave the wording at that.

2 CHAIRMAN KESSLER: Okay.

3 MEMBER DOYLE: Yeah. So . . . staff
4 recommendation regarding -- to limit it to zoning
5 districts to be determined by the staff.

6 CHAIRMAN KESSLER: Okay. So
7 let's . . . we'll vote on the amended motion.

8 MEMBER HENNINGSON: Are we going to
9 discuss it first?

10 CHAIRMAN KESSLER: Sure.

11 MEMBER HENNINGSON: I'm opposed to
12 the amendment.

13 CHAIRMAN KESSLER: Okay. Any other
14 discussion?

15 MEMBER SCHUETZ: I just want to make
16 sure I understand it.

17 CHAIRMAN KESSLER: Okay.

18 MEMBER SCHUETZ: So what I think
19 you're proposing is the existing homes be at
20 33 percent in those staff-recommended zoning
21 districts and the new construction, wherever that
22 might be --

23 MEMBER DOYLE: Outside of those -- of
24 the zoning districts that staff is proposing.

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1 So it would be strictly by -- by zoning
2 district.

3 MEMBER SCHUETZ: So you're amending
4 and adding whatever -- that the new construction
5 be the old amendment, which is 25 percent?

6 MEMBER DOYLE: The old rule.

7 MEMBER SCHUETZ: I mean the old --
8 excuse me -- the old ordinance.

9 Is that correct?

10 MEMBER DOYLE: Yes. That, basically,
11 we maintain the current standard in those
12 districts where this land use pattern is not
13 common.

14 MR. O'ROURKE: Just a point of
15 clarification for staff as I sit here and think
16 about that.

17 Would that be on teardowns, as well? If
18 they're in -- let's say somebody tears down a
19 house and wants to put a three-car garage in.

20 Do they go at 33 percent --

21 MEMBER DOYLE: If they tear down in
22 one of the zoning districts that is not being
23 recommended by staff where this land use pattern
24 is common -- so, for instance, in RS3 -- you

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1 know, if RS3 is not one of those districts where
2 this land use pattern is common and, according to
3 staff's sort of research and recommendation,
4 staff is comfortable to say that the existing
5 standard is workable in RS3, then I'm not -- I'm
6 recommending that the -- that that 25 percent
7 standard be maintained in those districts.

8 MR. O'ROURKE: Okay. So date of
9 construction wouldn't really play -- okay.
10 I just wanted to clarify that.

11 MR. COLBY: Zoning district only.

12 MEMBER DOYLE: Zoning district only.
13 And, frankly, even new/old construction is not
14 even part of it. It's just based on the zoning
15 district.

16 CHAIRMAN KESSLER: By the district.
17 Okay.

18 MEMBER HENNINGSON: I think what
19 Brian is -- has proposed is difficult.

20 I don't think there should be separate
21 standards for the two product types. I would
22 support the plan -- or the staff memo, you know,
23 but not the amendment.

24 CHAIRMAN KESSLER: Okay.

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1 MEMBER HENNINGSON: So do we vote on
2 the amendment first or --

3 CHAIRMAN KESSLER: Yes.

4 MEMBER PRETZ: I just have one more
5 question.

6 Do you understand what he --

7 MR. COLBY: Yes.

8 MEMBER PRETZ: Okay. I just wanted
9 to make sure that you understand.

10 Does he need a second for his amendment?

11 CHAIRMAN KESSLER: Let's get --
12 I believe Brian made the -- yes, he does need a
13 second.

14 MEMBER PRETZ: I'll second it.

15 CHAIRMAN KESSLER: Okay. Let's take
16 a -- call a vote.

17 Amatangelo.

18 MEMBER AMATANGELO: No.

19 CHAIRMAN KESSLER: Schutz.

20 MEMBER SCHUETZ: For the whole thing?
21 Is that what you're saying?

22 CHAIRMAN KESSLER: No, for the
23 amendment.

24 MEMBER SCHUETZ: The amendment.

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1 No.

2 CHAIRMAN KESSLER: Doyle.

3 MEMBER DOYLE: Yes.

4 CHAIRMAN KESSLER: Pretz.

5 MEMBER PRETZ: Yes.

6 CHAIRMAN KESSLER: Henningson.

7 MEMBER HENNINGSON: No.

8 CHAIRMAN KESSLER: Kessler, yes.

9 Okay. Then that amendment -- wait.

10 MR. O'ROURKE: That's a tie.

11 MEMBER HENNINGSON: But in -- but the
12 Chairman -- on all other City committees, the
13 Chairman does not vote.

14 CHAIRMAN KESSLER: Oh, he does on
15 this one and always has.

16 MEMBER HENNINGSON: Really? Always
17 has?

18 MEMBER SCHUETZ: Yeah. Todd's always
19 voted.

20 MEMBER HENNINGSON: So it's a 3-3.
21 What do we do?

22 CHAIRMAN KESSLER: I don't know.

23 MEMBER DOYLE: Motion to amend, what
24 happens on a tie?

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1 MR. COLBY: Well, it fails because it
2 doesn't have enough votes to --

3 CHAIRMAN KESSLER: Oh, it doesn't
4 have a majority. Sure. It fails. Okay.

5 MEMBER SCHUETZ: 101.

6 CHAIRMAN KESSLER: All right. So --

7 MEMBER DOYLE: So we're back to the
8 main motion.

9 CHAIRMAN KESSLER: Back to the main
10 motion, and that was to recommend approval as
11 stated in the staff memo dated --

12 MEMBER HENNINGSON: July 2nd.

13 CHAIRMAN KESSLER: -- July 2nd of
14 2013.

15 MEMBER PRETZ: Sue, did you vote no?

16 MEMBER AMATANGELO: I did.

17 MEMBER PRETZ: Oh.

18 CHAIRMAN KESSLER: What -- don't
19 write her name down.

20 All right. Let's vote on the main motion.
21 Amatangelo.

22 MEMBER AMATANGELO: Yes.

23 CHAIRMAN KESSLER: Schutz.

24 MEMBER SCHUETZ: Yes.

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1 CHAIRMAN KESSLER: Doyle.

2 MEMBER DOYLE: Yes.

3 CHAIRMAN KESSLER: Pretz.

4 MEMBER PRETZ: Yes.

5 CHAIRMAN KESSLER: Henningson.

6 MEMBER HENNINGSON: Yes.

7 CHAIRMAN KESSLER: Kessler, yes.

8 Okay. That motion passes unanimously.

9 All right. The next item on our agenda is
10 meeting announcements.

11 We have meetings on July 16, August 6th,
12 and August 20th. Anybody know they can or
13 cannot?

14 (No response.)

15 CHAIRMAN KESSLER: I will -- I'm a
16 little surprised at how many people actually did
17 make it tonight. I thought we'd have more
18 absences.

19 MR. COLBY: Yeah.

20 CHAIRMAN KESSLER: And it's been --
21 it's been a lively meeting and great subject
22 matter.

23 Thank you, Russ and Matt.

24 MEMBER DOYLE: Motion to adjourn.

