

**MINUTES  
CITY OF ST. CHARLES, IL  
PLAN COMMISSION  
TUESDAY, JANUARY 20, 2015**

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Members Present: Chairman Todd Wallace  
Vice Chair Tim Kessler  
Steve Gaugel  
Brian Doyle  
Tom Pretz  
Sue Amatangelo  
Laura Macklin-Purdy

Members Absent: Tom Schuetz  
James Holderfield

Also Present: Russell Colby-Planning Division Manager  
Ellen Johnson-Planner  
Chris Tiedt-Development Engineering Manager

Court Reporter

**1. Call to order**

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

**2. Roll Call**

Chairman Wallace called the roll. A quorum was present.

**3. Presentation of minutes of the December 16, 2014 meeting.**

**Motion was made by Ms. Amatangelo, seconded by Mr. Kessler and unanimously passed by voice vote to accept the minutes of the December 16, 2014 meeting. Mr. Doyle abstained**

The Commission decided to hear agenda items #5 and #7, followed by items #4 and #6.

**PUBLIC HEARING**

- 5. Heritage Green (Foxwood Square PUD, 309 S. 6<sup>th</sup> Ave.) (JRD Development, Inc.)**  
Application for Map Amendment from RT-4 Traditional Single and Two Family Residential District to CBD-2 Mixed Use Business District  
Application for Special Use to amend Ordinance 2007-Z-4 (Foxwood Square PUD)  
Application for PUD Preliminary Plan

The attached transcript prepared by Chicago Area Real Time Court Reporting is by reference hereby made a part of these minutes.

**Motion was made by Mr. Kessler to close the public hearing. Seconded by Ms. Amatangelo**

**Minutes – St. Charles Plan Commission**

**Tuesday, January 20, 2015**

**Page 2**

Roll Call Vote:

Ayes: Wallace, Kessler, Gaugel, Doyle, Pretz, Amatangelo, Macklin-Purdy

Nays:

Absent: Schuetz, Holderfield

Motion carried: 7-0

**MEETING**

- 7. Heritage Green (Foxwood Square PUD, 309 S. 6<sup>th</sup> Ave.) (JRD Development, Inc.)**  
Application for Map Amendment from RT-4 Traditional Single and Two Family Residential District to CBD-2 Mixed Use Business District  
Application for Special Use to amend Ordinance 2007-Z-4 (Foxwood Square PUD)  
Application for PUD Preliminary Plan

The attached transcript prepared by Chicago Area Real Time Court Reporting is by reference hereby made a part of these minutes.

**Motion was made by Mr. Kessler, seconded by Mr. Pretz to approve the application for Map Amendment from RT-4 Traditional Single- and Two-Family Residential District to CBD-2 Mixed Use Business District, the application for Special Use to amend Ordinance 2007-Z-4 (Foxwood Square PUD), and the application for PUD Preliminary Plan, subject to resolution of all staff comments.**

Roll Call Vote:

Ayes: Wallace, Kessler, Gaugel, Doyle, Pretz, Amatangelo, Macklin- Purdy

Nays:

Absent: Schuetz, Holderfield

Motion carried: 7-0

**PUBLIC HEARING**

- 4. 1566 E. Main St.- Dunkin' Donuts (Kolbrook Design, Inc.)**  
Application for Special Use for a Drive-Through Facility

The attached transcript prepared by Chicago Area Real Time Court Reporting is by reference hereby made a part of these minutes.

**Motion was made by Mr. Doyle to close the public hearing. Seconded by Ms. Amatangelo**

Roll Call Vote:

Ayes: Wallace, Kessler, Gaugel, Doyle, Pretz, Amatangelo, Macklin-Purdy

Nays:

Absent: Schuetz, Holderfield

Motion carried: 7-0

**MEETING**

- 6. 1566 E. Main St.- Dunkin' Donuts (Kolbrook Design, Inc.)**  
Application for Special Use for a Drive-Through Facility

The attached transcript prepared by Chicago Area Real Time Court Reporting is by reference hereby made a part of these minutes.

**Motion made by Mr. Kessler, seconded by Mr. Pretz to approve the application for Special Use for a Drive-Through Facility, subject to resolution of staff comments.**

Roll Call Vote:

Ayes: Wallace, Kessler, Gaugel, Doyle, Pretz, Amatangelo, Macklin-Purdy

Nays:

Absent: Schuetz, Holderfield

Motion carried: 7-0

**8. Meeting Announcements**

a. Plan Commission

Tuesday, February 3, 2015 at 7:00 pm Council Chambers

Tuesday, February 17, 2015 at 7:00pm Century Station

Tuesday, March 3, 2015 at 7:00pm Council Chambers

b. Planning & Development Committee

Monday, February 9, 2015 at 7:00pm Council Chambers

Monday, March 9, 2015 at 7:00 pm Council Chambers

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

**10. Adjournment at 8:56 p.m.**



REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

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Report of proceedings held at the location of:

Century Station Training Room

112 North Riverside Avenue

St. Charles, Illinois 60174

630.377.4400

Before Jean S. Busse, a Certified Shorthand  
Reporter, Registered Professional Reporter, and a  
Notary Public in and for the State of Illinois.

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

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A P P E A R A N C E S

PRESENT:

- MR. TODD WALLACE, Chairman
- MS. SUE AMATANGELO, Member
- MR. BRIAN DOYLE, Member
- MR. STEVE GAUGEL, Member
- MR. TIM KESSLER, Member
- MS. LAURA MACKLIN-PURDY, Member
- MR. TOM PRETZ, Member

ALSO PRESENT:

- MR. CHRISTOPHER TIEDT, Development Engineering  
Manager
- MR. RUSSELL COLBY, Planning Division Manager
- MS. ELLEN JOHNSON, Planner

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

4

1 St. Charles, Illinois; Tuesday, January 20, 2015

2 7:00 p.m.

3 REPORT OF PROCEEDINGS

4 - - -

5 CHAIRMAN WALLACE: All right. This  
6 meeting of the St. Charles Plan Commission will come  
7 to order.

8 Tim, roll call.

9 MEMBER KESSLER: Amatangelo.

10 MEMBER AMATANGELO: Here.

11 MEMBER KESSLER: Doyle.

12 MEMBER DOYLE: Here.

13 MEMBER KESSLER: Pretz.

14 MEMBER PRETZ: Here.

15 MEMBER KESSLER: Gaugel.

16 MEMBER GAUGEL: Here.

17 MEMBER KESSLER: Wallace.

18 CHAIRMAN WALLACE: Here.

19 MEMBER KESSLER: Kessler, here.

20 MEMBER MACKLIN-PURDY: I'm here.

21 MEMBER KESSLER: Laura.

22 MEMBER MACKLIN-PURDY: Here.

23 MEMBER KESSLER: I'm sorry.

24 Macklin-Purdy.

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

5

1 CHAIRMAN WALLACE: Item 3, presentation  
2 of the minutes of the December 16, 2014, meeting.

3 Is there a motion to approve?

4 MEMBER AMATANGELO: So moved.

5 MEMBER GAUGEL: Second.

6 CHAIRMAN WALLACE: All in favor?

7 (The ayes were thereupon  
8 heard.)

9 CHAIRMAN WALLACE: Opposed?

10 (No response.)

11 CHAIRMAN WALLACE: Motion passes  
12 unanimately.

13 MEMBER DOYLE: I abstain. I was not  
14 here.

15 CHAIRMAN WALLACE: One abstention.  
16 Sorry.

17 Items 4 and 5 are public hearings, and 6 and  
18 7 are the regular meeting. On motion from the Plan  
19 Commission, unless there's an objection, we will take  
20 Item No. 5 first followed by -- would you like to take  
21 5 and then 7?

22 MEMBER KESSLER: Yes.

23 CHAIRMAN WALLACE: Okay. 5 and 7  
24 followed by 4 and then 6.

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

6

1 Is there any objection to doing it that way?

2 All right. Seeing none, the next item is  
3 No. 5, "Heritage Green (Foxwood Square PUD, 309 South  
4 6th Avenue) (JRD Development, Inc.) Application for  
5 Map Amendment from RT-4 Traditional Single- and  
6 Two-Family Residential District to CBD-2 Mixed Use  
7 Business District; Application for Special Use to  
8 amend Ordinance 2007-Z-4 (Foxwood Square PUD)" and  
9 "Application for PUD Preliminary Plan."

10 This item is a public hearing; and before we  
11 get started, I just want to say a few words. Thank  
12 you to everyone who has made it out here tonight.

13 The role of the St. Charles Plan Commission  
14 is to conduct public hearings. We are commissioned by  
15 the City Council to consider applications that come  
16 before the City for certain things.

17 In this case, there are three applications  
18 regarding this particular property. Tonight we will  
19 receive evidence from the applicant for the  
20 application. After we receive that evidence, Plan  
21 Commissioners will ask questions. After Plan  
22 Commissioners have, then any member of the public who  
23 wishes to may also ask questions of the applicant.

24 Following those questions, if anyone wishes

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

7

1 to give any additional testimony either for or against  
2 the application, they may do so at that time. At the  
3 end, the applicant may make a rebuttal statement.

4 If the Plan Commission determines that we  
5 have received enough evidence to make a recommendation  
6 to the City Council either for or against approval of  
7 these applications, then we will close the public  
8 hearing.

9 Now, this is also up for action on our  
10 agenda as well today as Item No. 7. So if we do close  
11 the public hearing, then we will take action on this  
12 tonight; and the action will be in the form of  
13 recommending approval or disapproval of the  
14 applications to the City Council.

15 Then later at a Planning and Development  
16 Committee meeting of the City Council -- and do you  
17 know when that PUD meeting is?

18 MS. JOHNSON: February 9th.

19 CHAIRMAN WALLACE: On February 9th the  
20 City Council will take our recommendation and will  
21 forward that to the Council as a whole to take action  
22 on.

23 Any questions regarding our procedure?

24 Okay. At this time anyone who wishes to

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

8

1 offer any testimony, including asking any questions, I  
2 ask that you be sworn in. Raise your right hand.

3 (Witnesses sworn.)

4 CHAIRMAN WALLACE: Thank you.

5 We have a court reporter here in the room  
6 tonight, and she's taking down every word that we say.  
7 Although she is talented, she is not talented enough  
8 to take four voices at a time. So I would ask that  
9 everyone refrain from talking, unless they're  
10 specifically recognized by me.

11 When you are recognized -- is there a  
12 microphone up here?

13 MR. COLBY: There is not.

14 CHAIRMAN WALLACE: There is not. Okay.

15 I would ask that you speak loudly enough for  
16 everyone in the room to hear as well as the court  
17 reporter; and before you make any comments or ask any  
18 questions, if you could state your name, spell your  
19 last name for the record and also state your address,  
20 please. Then each subsequent time if you make  
21 comments or ask questions, if could you state your  
22 name again just so the court reporter knows who is  
23 talking.

24 All right. Before we begin, Ellen or Russ,

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

9

1 is there anything?

2 MR. COLBY: No we'll turn it over to  
3 the applicant.

4 Okay. Is the applicant ready?

5 MR. RASMUSSEN: Yes.

6 CHAIRMAN WALLACE: All right. Go  
7 ahead.

8 MR. RASMUSSEN: I'm not exactly sure  
9 where to stand here, but I've got to run that  
10 computer.

11 CHAIRMAN WALLACE: Okay.

12 MR. RASMUSSEN: Can I just have you  
13 flip them maybe? That's going to be hard to look that  
14 way and not see the screen. So I'll try to do it from  
15 here, everybody, if you would.

16 THE COURT REPORTER: Can I have your  
17 name, please?

18 MR. RASMUSSEN: Robert Rasmussen, 409  
19 Illinois Avenue, St. Charles.

20 Russ, could you get the one with the parking  
21 configuration on it up there first?

22 I'm here tonight to present an application  
23 for zoning map amendment and special use in the PUD  
24 Preliminary Plan in hopes of completing the

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

10

1 development of the original Foxwood Square PUD.

2 We are looking to change the name of the PUD  
3 to Heritage Green. I blame Dan Marshall for that. He  
4 helped me name Heritage Square 1 and Heritage Square 2  
5 adjacent to the property. We just thought that might  
6 be appropriate.

7 When I looked at this property probably for  
8 ten years now, I tried to see different feasible ways  
9 to develop it; and a developer came in in 2006 or '07  
10 and created the existing PUD and began construction  
11 and constructed the very nice townhome on the corner  
12 there that exists adjacent to Heritage Square and  
13 Lincoln School.

14 The development at that time, when the  
15 economy went bad, it went bad as well. The bank has  
16 since taken over the property, and I think you folks  
17 and the Council and the Historic Commission have seen  
18 other presentations in trying to revitalize this  
19 development and try to make it work.

20 I looked at it for a long time. I'm one of  
21 the last people at this point to look at it because  
22 it's really a difficult project to try to make work.

23 As I did at Heritage Square, I think it's  
24 important to hang on to some of our historical nature

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

11

1 in our downtown Historic District, and we did that  
2 across the street. My intent was to do the same here.

3 So I first looked at the Judd mansion and  
4 said, "What is its best use today?" It's been a lot  
5 of things. It's been an assisted-care living home.  
6 It's been a single-family residence. It's been a  
7 church. It's been an office. It's done a lot of  
8 chores in its years, but it is a beautiful structure.

9 So I looked at it and said, "Well, you know,  
10 I have 29 for-rent residential units across the street  
11 adjacent. Four more would work real well with what I  
12 have going. It's easy for me to manage."

13 I'm a pretty good and successful landlord, I  
14 believe, in St. Charles, and we have a very good  
15 product, and we have very good tenants. We've been  
16 very lucky and blessed with that in this town.

17 So I created the concept to take the outside  
18 of the structure and remove the existing left curved  
19 part of the front porch, which to this date I haven't  
20 really got any confirmation from anybody that that  
21 was original anyhow -- the Historic Commission is on  
22 board with that and has agreed that that would be  
23 acceptable -- and then maintain the rest of the  
24 structure as is but bringing it to a new and good

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

12

1 state; in other words, repairing the exterior with new  
2 masonry parapets and new tuck-pointing and new  
3 inserted aluminum-clad windows within the redwood  
4 muntins to maintain the character that exists today.

5 So I think the exterior would be very  
6 similar to what you see. We're not doing the  
7 additions or expansions to the building that were  
8 presented in the existing Foxwood Square PUD. I  
9 didn't want to do that.

10 I'm making these for-rent residential units  
11 because there's no indoor parking. There's no garages  
12 at this point. So that's why I believe they'd be  
13 better for rent than for sale.

14 So that's one of my fundamental changes in  
15 the PUD. It was too large of units before. Now I'm  
16 trying to do two smaller units, two on the first  
17 floor, two on the second floor, kind of a pretty  
18 simple format.

19 Inside we're going to gut the place. We're  
20 going to get down to the studs that were originally  
21 there, save the fireplaces, and just do all new  
22 mechanicals and heating and cooling so the building is  
23 really in a brand-new state that will stand the test  
24 of time for me as a landlord and the tenants that will

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

13

1 be living there.

2 Then to go with that, we took the building  
3 pads. I believe one of the stumbling blocks in the  
4 existing PUD was not only to try to revitalize the  
5 mansion with the expansion and additions to it and  
6 selling it as a condominium when the condominium  
7 market died, but to take those pads and build pretty  
8 significant townhomes.

9 The building there was well built, probably  
10 built at twice cost-wise of its real value.

11 Obviously, that doesn't make sense.

12 So what I've looked at on the other three  
13 pads is keeping the configuration very similar, within  
14 a foot or two of the existing pads, and creating three  
15 more reasonable, more affordable units, still well  
16 built like everything I built across the street, not  
17 100 percent masonry. I can't afford to do that in  
18 this particular budget and plan.

19 So those three pads that you see would be  
20 three units as opposed to two that they were  
21 previously earmarked for. The same height, same  
22 everything on those, just smaller units.

23 The existing -- as I understand it from the  
24 tax records, the existing townhome unit, the one to

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

14

1 the east, is about 2,600 square feet, and the one to  
2 the west is about 2,000 square feet based on the  
3 Assessor's records. I don't know if they're accurate,  
4 but they probably are pretty close. Our units are  
5 about 2,000 feet. So they're not much different than  
6 the one that is on the west of that building.

7 So that's what we're proposing. There was a  
8 fourth building pad, if I could point out -- can you  
9 do that, Russell, on that thing?

10 There was a fourth building pad there that  
11 kind of enveloped the Judd mansion, and I removed it.  
12 I really think that looking at the Judd mansion as if  
13 it sat in the middle portion of this lot so you can  
14 see it from 5th Avenue, see it from 6th Avenue is  
15 appropriate.

16 Also, there's no reason to have that  
17 additional density. I think that's one of the reasons  
18 last year's plan for additional density failed is it  
19 was just a little too much. So I took that out and  
20 created more green space.

21 This concept that you see in front of you  
22 has in green space alone an additional 2 percent of  
23 green space over what it had previously in the PUD.  
24 It has about 8 percent less building footprint than

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

15

1 the previous PUD. So we have literally shrunk  
2 everything. Although density is going up, we've  
3 shrunk the actual mass, which I think is appropriate  
4 for the site.

5 When looking at the parking that we have put  
6 in here, I've overparked it. If there's one thing  
7 I've learned, it doesn't hurt to have more parking.  
8 That's something we can discuss tonight, you know, if  
9 it's appropriate or correct. I've spent some time  
10 with the Engineering Department and the Planning  
11 Department tweaking it a little bit.

12 In front of the building you'll see there  
13 are eight parking stalls coming in from each of the  
14 two sides, and those eight stalls are meant for the  
15 use of the four apartment units.

16 Behind the building you'll see an additional  
17 four stalls. I put those in just for overflow parking  
18 should somebody have an overnight guest, should  
19 somebody have a teenaged-driving child that they need  
20 to park without parking on the street. I just think  
21 it helps facilitate.

22 I'm open for discussion on those parking  
23 areas. I just felt it was appropriate, and that's why  
24 I designed it the way I did. I think it will function

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

16

1 real well. All of the townhomes have two-car garages  
2 within them. So they will be able to park themselves.

3 So I think the parking -- you know, we could  
4 take it right as is because it's overparked. I'm  
5 willing to listen if there's something somebody likes  
6 differently.

7 Looking at the zoning and why I believe this  
8 transitional area is appropriate, you know, we're  
9 looking across the street at Heritage Square 1, which  
10 is the same CBD-2 zoning that I'm looking for, which  
11 gives you the ability to do business and have offices  
12 there. We're not looking for that here. We've agreed  
13 with the City to restrict it to pure residential.

14 So I think the transition to having a  
15 similar density to across the street but a little less  
16 use as we head towards the residences across 6th and  
17 across Ohio is very appropriate.

18 I think with the fact that 5th Avenue is a  
19 truck route, it has significant traffic on it, I think  
20 if you read into what we're trying to do as a city,  
21 it's those types of roadways and stuff that we want to  
22 have a little more dense residential infill  
23 development on. It's right in the City guidelines.

24 So I believe that this transitions us from

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

17

1 the other blocks we did, from the school and the  
2 church and so on, getting us closer to the  
3 neighborhood feel that we want to have in our infilled  
4 areas. So that's why I feel it's appropriate to ask  
5 for that rezoning tonight in this PUD plan.

6 We have a couple things in the PUD that  
7 exist today. A couple of the driveways that are there  
8 were done in pavers. I'm proposing that all of the  
9 balance of the driveways are done in asphalt simply  
10 from a normalcy and affordability standpoint.

11 It's just cost-prohibitive to try to do that  
12 in this type development in today's economy, which I  
13 believe is our economy for good as it's been here for  
14 about seven years now. I don't see it changing like  
15 it was in '05 or '06. So that's one thing I've  
16 changed in the PUD.

17 We still have comments from Engineering that  
18 we need to address. The biggest one I think that  
19 Chris and Russ together we have to work on is the  
20 landscaping.

21 We're not 100 percent on the landscaping  
22 yet. We really focused on the buildings and the Judd  
23 mansion and the infrastructure and how we could put  
24 that together in a usable plan, and the last thing we

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

18

1 were working on was the landscaping. We do still need  
2 to tweak that.

3 I've read Chris Tiedt's comments and Russ'  
4 comments. I really don't disagree with any of them at  
5 all and will work diligently with those two  
6 departments to make sure we get what's right there  
7 that they're happy with.

8 Then I also believe you have in your packet  
9 the recommendation from the Historic Commission, which  
10 I think was very positive with quite of bit of  
11 excitement for what we're trying to do here on an  
12 historical site in town.

13 Let's jump to the architecture, if we could.  
14 Dan Marshall, who designed and did both lots with me  
15 across the street, came up with a project that,  
16 actually, he has done something similar in Wheaton and  
17 was very successful there. We've taken a three-unit  
18 townhome -- this would be the side of a unit. This  
19 could be facing 5th Avenue or it could be facing 6th  
20 Avenue, and that is the main entrance to the end unit  
21 of the building.

22 You can see the back where there's a balcony  
23 that goes out over the garage area, and the car would  
24 be coming down the driveway there.

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

19

1           Let's jump to the next elevation. The front  
2 elevation, kind of like we did in Heritage Square, we  
3 tried to make it look like one building there. Our  
4 concept here, in discussions with the Historic  
5 Commission, was to try to make these look like a  
6 fairly large structure or home that might have been  
7 built in that time and take the three different  
8 buildings and change the facades and the elevations  
9 slightly so they look one slightly different than the  
10 other.

11           Different than the project in Wheaton, I  
12 went ahead and I added the first floor in brick so I  
13 can try to transition to a fairly high-end community  
14 without going all brick. Then we did some porch  
15 changes and stuff to make this front entry -- you see  
16 the front entry is that middle unit. That's the  
17 second of three units.

18           Then the rear elevation I think you have in  
19 your packet as well. This you can still see when  
20 you're going down 5th or 6th Avenue because you'll be  
21 able to see through there, but that's the rear of the  
22 unit. We had to add the secondary access for the  
23 curved stairway to meet some fire codes, but you see  
24 the two-car garages and the elevation, a lot of

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

20

1 windows and all that on there.

2 Everything on the exterior is going to be  
3 Hardie Board with cedar accents. So it will be not  
4 aluminum-clad or vinyl or anything like that. We'll  
5 work hard on the colors with the Historic Commission  
6 and make sure we get that right on each of the  
7 buildings.

8 In a nutshell, that's what we're proposing  
9 tonight. I'd like to hear your feedback and comments  
10 and see what I can do for you.

11 CHAIRMAN WALLACE: All right. Tim?

12 MEMBER KESSLER: How big will the units  
13 be in the mansion? How big is that building?

14 MR. RASMUSSEN: Well, that's a pretty  
15 good question because we haven't field measured it  
16 yet, and I don't know the actual size of the mansion.

17 They will be two-bedroom units. I've walked  
18 it, and I kind of have a space plan. I'm going to  
19 guess they're going to be 1,200 to 1,300 square feet;  
20 but I haven't measured it, so don't count that as  
21 accurate.

22 MEMBER KESSLER: Okay.

23 MR. RASMUSSEN: My units across the  
24 street are anywhere from 900 to 1,450, just to give

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

21

1 you a reference.

2 MEMBER KESSLER: Just to clarify for  
3 me, how many excess parking spaces are there?

4 MR. RASMUSSEN: I believe per ordinance  
5 we have eight additional parking space.

6 Is that correct, Russ?

7 MR. COLBY: There's a table in the  
8 Staff memo.

9 MR. RASMUSSEN: There's only one  
10 required pursuant to this district, and we have two  
11 per unit plus eight extras. So actually, we're eight  
12 plus then some. The City recommended two per unit,  
13 although it is not a requirement in the district.

14 MR. COLBY: That's correct.

15 MR. RASMUSSEN: Is it correct?

16 MEMBER KESSLER: That entrance on the  
17 plan off of 5th Avenue, what is that? Is that a curb?

18 MR. RASMUSSEN: Hang on a second. I'll  
19 pull it up here, make sure we're talking about the  
20 same thing. There you go.

21 Which entrance?

22 MEMBER KESSLER: Right off of 5th  
23 Avenue, right up to the center of the house.

24 MR. RASMUSSEN: No, that's grass.

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

22

1 That's landscaping.

2 MEMBER KESSLER: Okay. So the pavement  
3 ends at each of those parking spaces?

4 MR. RASMUSSEN: Yeah. This is all  
5 green space in here, and this is the driveway coming  
6 down to these units as well as the additional parking.

7 MEMBER KESSLER: Can you show me, then,  
8 where is the pavers right now?

9 MR. RASMUSSEN: Right now the pavers  
10 are this section right here. This is their driveway.  
11 It will be shared if we come in this way, and then  
12 there's pavers coming into this driveway. I think it  
13 ends right in here.

14 MEMBER KESSLER: And you're proposing  
15 to asphalt to tie into that?

16 MR. RASMUSSEN: Asphalt this, asphalt  
17 this parking, and then asphaltting this right here.

18 MEMBER DOYLE: Are there rear entrances  
19 to the apartments on the west-facing side?

20 MR. RASMUSSEN: There will be a second  
21 access requirement, yes.

22 MEMBER DOYLE: Okay. And do you  
23 envision that the -- will the rear entrances be as  
24 useful to residents of -- to tenants in the mansion as

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

23

1 the front entrance would be?

2 MR. RASMUSSEN: Typically not because  
3 if you've been in the mansion, there's a big, nice  
4 staircase. That's going to be where you're going to  
5 want to come in, especially with guests. If you were  
6 walking home from downtown, yeah, you might go in that  
7 rear entrance.

8 MEMBER DOYLE: So I guess I just would  
9 like to ask -- you suggested that you -- you mentioned  
10 that you overparked the property and that you would be  
11 open to talking about that.

12 My question on the front of the mansion is:  
13 When you decided to put the eight parking stalls on  
14 the east-facing side, did you weigh that against, you  
15 know, the desirability of having a more majestic  
16 walkup to the front, a lawn in the front, you know,  
17 with the possibility of tenants having rear parking  
18 and coming into the rear, you know, on a regular  
19 basis?

20 I guess I'm wondering if the -- I mean, I  
21 understand exactly why you designed it as you have.

22 What is the landscaping and the approach to  
23 the mansion going to look like coming off of 6th  
24 Avenue?

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

24

1 MR. RASMUSSEN: Let me speak to that.  
2 I'm actually going to talk about something else, too,  
3 because the Gustafsons, who live in this unit -- and I  
4 believe she's here tonight. She's probably going to  
5 speak to this. So I was going to let her do that, but  
6 she had a thought that I'll bring up now, too. I may  
7 as well get it on the table, too.

8 We actually started with five stalls here on  
9 each side. We had 18-foot stalls, and then we  
10 shortened them and then we widened this.

11 This is actually a pretty significant area,  
12 which I think is pretty dramatic for the mansion  
13 coming up with a pretty good landscape bed. This is  
14 all landscaping up in here, all of this and all of  
15 this. So I think right now it's very prominent,  
16 probably more prominent than if it was just grass, in  
17 my opinion.

18 But what I am open to -- my main concern is  
19 I do need parking up front. People are lazy, and they  
20 just -- why do we put 50 parking stalls on First  
21 Street when we have a five-story deck? Because people  
22 are lazy. They want to park on the ground and walk  
23 across the street. I'm sorry to say that, but it's  
24 true.

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

25

1           So I need them up front. Otherwise, it's  
2 going to make rentals a little less viable.  
3 Obviously, if you can park here and bring your  
4 groceries it, it's a pretty nice deal. If you can  
5 park here and go to the back entrance, it's probably  
6 tolerable but not great.

7           Another option is to put parking in the  
8 street here similar to these two, and I can probably  
9 get five in here and eliminate these or cut them down  
10 to one or two or something or put four here and keep  
11 one side and open up the other side. If I just had  
12 four there, at least I got one per unit that I could  
13 designate.

14           The minute I put them in the street, they're  
15 public. I did that at Heritage Square, and the City  
16 takes their snowplow -- Thursday night this week,  
17 they'll go like this. They'll plow right through it.  
18 I plow it. Guess who parks in there that morning?  
19 Everybody at Lincoln School, not my tenants because I  
20 don't own it.

21           I pay to put it in; I pay to maintain it;  
22 and I don't own it. So it's a bit frustrating for me  
23 as an owner or landlord, but that would work. I think  
24 you're far enough from the school the teachers

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

26

1 wouldn't park there or the parents, you know, because  
2 the parents do fill up -- you know, before and after  
3 school, this is completely parked here, here, and  
4 here.

5 So that was my logic. I'm not sure if it's  
6 right or wrong. I am open to that. That's why I  
7 mentioned it tonight. You know, in talking to the  
8 Gustafsons, I'd seriously consider that. I'd probably  
9 consider more so doing four on the street and four on  
10 the other side and opening up the other side maybe.

11 MEMBER PRETZ: I'm not asking so much  
12 out of an interest in more square footage for green  
13 space.

14 As an architectural detail when you're  
15 walking up to this historic property, does the walk-up  
16 feel majestic? Does it feel that it fits this  
17 historic property?

18 MR. RASMUSSEN: Right.

19 MEMBER PRETZ: I'm not saying it  
20 doesn't. I can't tell from the aerial. How wide is  
21 that walkway?

22 MR. RASMUSSEN: The walkway?

23 MEMBER PRETZ: How many feet is that?

24 Do you remember?

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

27

1 MR. RASMUSSEN: I think it ended up  
2 at -- is it about 12 feet right now? I apologize, but  
3 we've changed this plan a lot in the last ten days as  
4 we've made some changes. I believe it's -- is that  
5 11' or 12'?

6 But this area here, when you see the other  
7 picture, this is where they show landscaping. We've  
8 actually expanded it all the way to here now. So I  
9 think -- I don't think. I know that it could be made  
10 very prominent.

11 The mission is to pull up and see the  
12 stately home, not a whole lot different than if it was  
13 a museum, if you will. They put the parking in front;  
14 you walk up a prominent sidewalk and go see the  
15 building.

16 So I think it works either way is my point.  
17 This is probably my preference, but I'm open to try to  
18 meet the community's needs and see what we can do.

19 MEMBER PRETZ: The Historic Commission  
20 felt comfortable with that design?

21 MEMBER DOYLE: Was this discussed at  
22 the Commission?

23 MEMBER PRETZ: Yes.

24 MEMBER DOYLE: Yes.

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

28

1 MEMBER PRETZ: And that was a change  
2 from his initial plan that he had mentioned?

3 MR. RASMUSSEN: Yeah. Actually,  
4 initially, being the developer I am, I had all this  
5 flat. So you came in here and you parked this way.  
6 So we got feedback from the Commission, feedback from  
7 Engineering and Planning, you know. This is about our  
8 fourth revision of that parking right now.

9 CHAIRMAN WALLACE: All right. Other  
10 questions?

11 MEMBER GAUGEL: Can you talk a little  
12 more about the parking in back?

13 You envision that for the rental units --  
14 the four rental units, is that correct, as opposed to  
15 the townhomes?

16 MR. RASMUSSEN: No.

17 I mean, the whole development would be an  
18 association. So those parking stalls would not be  
19 designated. They would be for use of anybody.

20 MEMBER GAUGEL: Okay. But each of  
21 those townhomes has a two-car attached garage?

22 MR. RASMUSSEN: Correct. Steve, that  
23 is where we're overparked.

24 MEMBER GAUGEL: Yeah.

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

29

1 MR. RASMUSSEN: Again, to the CBD-2  
2 District, we need one per unit. So in this case, the  
3 new part of the development would require 13. Okay?  
4 We have two in each townhome. So right there alone is  
5 18. So we're already at five excess.

6 The City recommends two. So even if we meet  
7 that, we still have that. With the parking in front,  
8 we could eliminate all eight of those. I put them in  
9 because they seemed to make logical sense. I'm more  
10 than happy to take them out, but that's what I did.

11 MEMBER GAUGEL: The parking that you  
12 have in front as well, is there going to be some kind  
13 of permit, or are you going to have signs up, you  
14 know, for residents only?

15 I'm one of those Lincoln parents who parks  
16 out front. So I'm guilty of street parking.

17 MR. RASMUSSEN: Well, that is your  
18 parking. That angled parking that I put in there,  
19 that is for the parents. That's what it was put in  
20 there for.

21 MEMBER GAUGEL: I guess in this scheme,  
22 the way you're going to prevent them from even pulling  
23 into this front parking lot that you have, is it by  
24 permit, by sticker, by sign?

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

30

1 MR. RASMUSSEN: I'll have a similar  
2 sign like I have at Heritage Square that simply says  
3 "Private Parking Inside." I cannot do that out in the  
4 street, but I can do that internally.

5 You know, for the most part, most of the  
6 parents over there at Lincoln do abide by that. Our  
7 tenants watch, and once in while I get the call. I'll  
8 run over there, but everybody seems pretty good. It's  
9 just tight because when they added that addition on  
10 Lincoln, they took away the parking lot. It used to  
11 be a parking lot where that was.

12 MEMBER GAUGEL: I know.

13 CHAIRMAN WALLACE: Other questions?

14 Did you have something?

15 MEMBER MACKLIN-PURDY: Are these trees,  
16 then, that you're putting here?

17 MR. RASMUSSEN: Yes. Those are all  
18 parkway trees.

19 MEMBER MACKLIN-PURDY: And these used  
20 to be parking spaces; right?

21 MR. RASMUSSEN: In the old plan, you  
22 know, I don't recall.

23 MEMBER MACKLIN-PURDY: No. But like  
24 currently, weren't they parking spaces? There's two

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

31

1 here.

2 MR. RASMUSSEN: Yeah, right there there  
3 are.

4 MEMBER MACKLIN-PURDY: But that's it.  
5 You're not going to be able to park here or  
6 nowhere, like if you --

7 MR. RASMUSSEN: Across the street would  
8 be it, yeah, on the other side of the same street.

9 MS. KOIVULA: You can come down that  
10 street --

11 CHAIRMAN WALLACE: Hold on. Hold on.

12 Because it's a public hearing, anyone who  
13 says anything has to be on the record. Okay? So I  
14 would ask that, please, let's not make comments.

15 Thank you. I know you're just trying to be helpful.

16 MEMBER MACKLIN-PURDY: I just know from  
17 back-to-school night, you know, you can't park on this  
18 side.

19 MR. RASMUSSEN: That's a no-parking  
20 area?

21 MEMBER MACKLIN-PURDY: No, you can't.

22 And I know that there used to be. So  
23 they're just going to be gone. It's just going to be  
24 a little bit harder to park for Lincoln parents, which

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

32

1 is fine.

2 Are you going to allow people from across  
3 the street at Indiana and Heritage Square 1 to park --

4 MR. RASMUSSEN: No, no.

5 MEMBER MACKLIN-PURDY: -- in there at  
6 all?

7 MR. RASMUSSEN: No; because it will be  
8 an association, and these are going to be  
9 independently owned. So the association will be  
10 controlled by the townhome owners, and I think they'd  
11 frown pretty heavily if we had other people parking  
12 there.

13 MEMBER MACKLIN-PURDY: Okay. I think  
14 it looks good.

15 MEMBER AMATANGELO: On the -- is it the  
16 Ohio side? Yes, the Ohio side.

17 When someone pulls into that driveway and  
18 realizes that they're in the wrong place, I mean, it's  
19 set up so it looks like they'll have to go all the way  
20 down to the end to turn around.

21 MR. RASMUSSEN: If they pull in here?

22 MEMBER AMATANGELO: Right.

23 MR. RASMUSSEN: Yes.

24 MEMBER AMATANGELO: Say, for instance,

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

33

1 there are cars parked up in front there and there are  
2 cars parked all the way at the end.

3 What is the other option?

4 MR. RASMUSSEN: There will be enough  
5 room to pull in here and turn around.

6 MS. AMATANGELO: Okay. All right.

7 MR. RASMUSSEN: This distance here plus  
8 this is enough for a turning radius.

9 MS. AMATANGELO: And when it comes to  
10 any type of emergency vehicles, is there an issue at  
11 all with getting in there?

12 MR. RASMUSSEN: No not at all.

13 MEMBER AMATANGELO: Okay.

14 CHAIRMAN WALLACE: Any other questions  
15 from the Plan Commission?

16 All right. Members of the audience, any  
17 questions?

18 MR. IOZZO: Did you purchase the  
19 property already?

20 CHAIRMAN WALLACE: Hold on.

21 Were you sworn?

22 MR. IOZZO: Yes, I was.

23 CHAIRMAN WALLACE: If you could just  
24 state your name, spell your last name, and state your

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

34

1 address.

2 MR. IOZZO: Vito Iozzo, I-o-z-z-o, 1506  
3 South Luther, Lombard, Illinois.

4 CHAIRMAN WALLACE: Go ahead.

5 MR. IOZZO: Did you purchase the  
6 property already?

7 MR. RASMUSSEN: It's under contract.

8 MR. IOZZO: Under contract.

9 I was doing something different. I've been  
10 looking at ten years just like you were. I was going  
11 to make it a single-family home, keep it all  
12 historical, but see how it goes.

13 CHAIRMAN WALLACE: All right. Other  
14 questions?

15 Sir?

16 MR. PHILLIPS: My name is Steven  
17 Phillips. I live at 20319 Streit Road, S-t-r-e-i-t  
18 Road, Harvard, Illinois.

19 I'm one of the owners of the current duplex  
20 that was built there. We own 565 Indiana. And I  
21 hadn't had a lot of opportunity to go over all the  
22 changes to the PUD, but Bob was gracious enough a  
23 couple hours ago to go over some of them.

24 The questions I would have for him are why

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

35

1 we have to have such a substantial difference between  
2 the existing PUD and the one you're trying to get now  
3 if it looks like you could be causing some property  
4 value harm to the existing people that bought in the  
5 original one.

6 We're under the impression that we would  
7 have the same thing going forward.

8 MR. RASMUSSEN: Well, I believe it is  
9 not possible to economically develop the property with  
10 the buildings that were originally approved. The  
11 market has changed. Our economy has changed. It is  
12 not going to change back.

13 So I believe that existing structure that  
14 was built for 565 and 595 was in excess of a million  
15 and fifty or a million and one in tax records at cost.  
16 The Unit 595, is that -- so 595 sold for \$323,000.

17 That is about where the market was a couple  
18 years ago when it sold. The market is a little bit  
19 better now but not a whole lot better. So what I'm  
20 trying to do is build for what St. Charles market will  
21 accommodate and make it viable.

22 I think we need to take a parcel that has  
23 laid dormant for quite some time, and we need to get  
24 it fixed and get it completed. We need to have

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

36

1 reasonably priced housing for young families, for  
2 empty nesters in our communities. This will add nine  
3 more units that will be reasonably priced.

4 I am 100 percent confident that my  
5 completion of this development will add value to the  
6 two existing units that are there, no question in my  
7 mind. Unfortunately, they were a bit overbuilt, but  
8 that correction was made when the unit was sold to the  
9 Gustafsons.

10 And the correction probably hasn't been  
11 made, so I think you guys traded that unit for some of  
12 the work you did on the property, I think, and,  
13 unfortunately, are into it for a lot of money. That  
14 happened to a lot of us in the economy.

15 I 100 percent believe that what we're doing  
16 will help the neighborhood around it as well as the  
17 two individual owners that are there today, and  
18 obviously it's very important to me as well.

19 CHAIRMAN WALLACE: Yes?

20 MR. PHILLIPS: In terms of the density,  
21 10 percent, maybe one or two more units, couldn't you  
22 have done the same?

23 In terms of the land cost that you're  
24 paying, couldn't there be an adjustment made there to

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

37

1 more fulfill the existing PUD?

2 MR. RASMUSSEN: Well, the existing PUD  
3 actually had more square footage, less green space.  
4 So what I did is I looked at it and said, "What makes  
5 the most sense to this particular parcel?" And I  
6 believe close to what it was but giving a little more  
7 green space and all was appropriate.

8 So then I looked at what the St. Charles  
9 market would be. There's two homes that were just  
10 built and sold just south on 5th Avenue this year by  
11 South Hampton Homes, very similar in size to these  
12 townhomes, very successful, nice infill situations on  
13 both of those homes. I think you all can picture  
14 where those are.

15 So I looked at that and said, "That's what  
16 this area is about," and that's about this size and  
17 the pads were there. So that's why I did what I did.

18 CHAIRMAN WALLACE: Yes?

19 MR. PHILLIPS: I do like some of the  
20 ideas that were brought forward. It looks like the  
21 mansion was handled very nicely, I would say, but I  
22 would still hope that the Commission and others would  
23 look at the existing building that was built, the  
24 brick pavers, and at least try to match it a little

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

38

1 better.

2 I know it looks like fine architecture.  
3 Maybe it even looks better if he colors it, but it  
4 just seems like a very big change from the existing  
5 PUD that I think would in the end reasonably end up  
6 impairing the property values for the people not only  
7 in the neighborhood, but we're in the existing PUD  
8 already.

9 So I don't think that that's an appropriate  
10 use.

11 MEMBER KESSLER: I'm not clear. I'm  
12 not understanding completely what you're saying.

13 Are you talking about the pavers? Are you  
14 talking about the building size? Are you talking  
15 about the tenants, the number of units?

16 I'm not real clear.

17 MR. PHILLIPS: To answer the first one,  
18 from my point of view, I believe that having brick  
19 pavers carries a nice continuity through the whole  
20 thing, as it was intended.

21 Also, I would like to see a little bit  
22 better architecture than what I've seen drafted here,  
23 but then again it is -- right now we're just looking  
24 at just parts of it.

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

39

1 MEMBER KESSLER: So your questions are  
2 related to the architecture and the pavers?

3 MR. PHILLIPS: Oh, yes.

4 I recognize that the green space is very  
5 equivalent. I'm hoping the original landscape plan  
6 would be fulfilled, too. They might have to move a  
7 few things around, but certainly the same amount  
8 of trees and shrubs and everything that gives green --  
9 that's green should be in there.

10 I don't think he's shown us that change yet.  
11 I think that's part of the same PUD, too, that  
12 exhibit, and that would have to be worked out.

13 MEMBER KESSLER: The landscape?

14 MR. PHILLIPS: Yes. It's very  
15 important, too, I feel.

16 So I'm just saying does it have to be all  
17 one way, or should there be a way to merge the best  
18 ideas from the last one with this one? That's the  
19 point of view I'm bringing to this audience.

20 CHAIRMAN WALLACE: All right. Thank  
21 you.

22 MEMBER MACKLIN-PURDY: I have a  
23 question.

24 So currently in the existing building, the

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

40

1 driveway, that's pavers?

2 MR. RASMUSSEN: Yes, that two sections  
3 there.

4 MEMBER MACKLIN-PURDY: Okay. And are  
5 you tearing that up and putting --

6 MR. RASMUSSEN: No, no.

7 MEMBER MACKLIN-PURDY: You're leaving  
8 that, but the other ones are just going to be asphalt?

9 MR. RASMUSSEN: Correct.

10 MEMBER MACKLIN-PURDY: I mean, there is  
11 the option of what you did with Heritage Square 1 and  
12 just put the entrance as pavers, which kind of --

13 MR. RASMUSSEN: There would be one more  
14 entrance that that could be done at. The two are  
15 already done. Yeah, that's a possibility.

16 MEMBER MACKLIN-PURDY: I mean, it does  
17 give it a nicer entrance.

18 MR. RASMUSSEN: Uh-huh.

19 MEMBER MACKLIN-PURDY: I mean, I know  
20 that that's maintenance and weeding and all that kind  
21 of stuff, but, I mean, that is an option, I guess.

22 CHAIRMAN WALLACE: All right. Other  
23 questions? Were you done?

24 MR. PHILLIPS: I'm not sure of the

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

41

1 procedure.

2 Is there an opportunity to discuss it after?

3 MEMBER KESSLER: Yes. We're just  
4 asking questions of his presentation right now.

5 MR. PHILLIPS: Okay. I'm done.

6 CHAIRMAN WALLACE: Any another  
7 questions? Yes, ma'am?

8 MS. KOIVULA: My name is Nona Koivula,  
9 K-o-i-v-u-l-a, N-o-n-a. The address is 407 South 6th  
10 Avenue.

11 Sir, what percentage will be green space?

12 MR. RASMUSSEN: 38.42 percent.

13 MS. KOIVULA: 38?

14 MR. RASMUSSEN: Yes, open space.

15 MS. KOIVULA: Okay. I'm asking for  
16 green space, not open space. I would like to know  
17 what will be grass or trees, what will be green. I  
18 don't want the asphalt in there, please.

19 MR. RASMUSSEN: The only calculation I  
20 have with me tonight is the comparison from open space  
21 prior to now, and prior to it was at 36.89, and now  
22 it's at 38.42.

23 MS. KOIVULA: But that's just open  
24 space and includes the parking?

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

42

1 MR. RASMUSSEN: So I can only tell you  
2 it's more than before. I'm sorry.

3 MS. KOIVULA: Okay. How much will you  
4 be selling the townhomes for?

5 MR. RASMUSSEN: Hang on. Let me make  
6 sure.

7 Oh, no. That is grass. That is green  
8 space.

9 MS. KOIVULA: 38 percent?

10 MR. RASMUSSEN: That's what his  
11 calculation tells me here, yes.

12 MS. KOIVULA: I sure don't see 38  
13 percent green space on that block. That would be  
14 like -- that's over a third? You're saying over a  
15 third?

16 I just don't see it. I would really like  
17 for you to come back and paint it green.

18 MR. RASMUSSEN: This is from my  
19 engineer. So that's all I can tell you. I thought it  
20 was open space, but he's telling me that it is --  
21 "Impervious areas include all new rooftops, driveways,  
22 walkways, existing mansion, and any of its proposed  
23 modifications."

24 That's at 61.58 percent. So what's left of

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

43

1 open, nonasphalted, nonconstruction-oriented space is  
2 38.42. I will confirm that and find out.

3 MR. MARSHALL: My name is Dan  
4 Marshall, and I'm at 812 East Main Street.

5 There's green space between the buildings  
6 and in front of the buildings and along the side. So  
7 it adds up.

8 CHAIRMAN WALLACE: Any other questions?

9 MS. KOIVULA: Yes.

10 CHAIRMAN WALLACE: Okay.

11 MS. KOIVULA: How much will you be  
12 selling the townhomes for?

13 MR. RASMUSSEN: Well, as much as  
14 possible.

15 MS. KOIVULA: What's the market?

16 MR. RASMUSSEN: I think the market is  
17 somewhere between \$320,000 and \$350,000, depending on  
18 the amenities for a 2000-square-foot townhome.

19 MS. KOIVULA: What amenities are you  
20 planning?

21 MR. RASMUSSEN: Well, I mean,  
22 everything I build -- I do a lot of work in  
23 St. Charles. It's always higher end with larger  
24 moldings and granite countertops and hardwood flooring

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

44

1 and so on. So my sister company is Midwest Custom  
2 Homes. That's my main residential construction  
3 company. We do a lot of work in St. Charles and the  
4 surrounding area building fairly significant homes.

5 MS. KOIVULA: Where will the people  
6 park who park on 6th Avenue right now? Where are they  
7 going to park?

8 MR. RASMUSSEN: I'm not sure who parks  
9 on 6th Avenue.

10 MS. KOIVULA: Well, the teachers do.  
11 We have tenants that do. We have neighbors that do.

12 MR. RASMUSSEN: Well, the only change  
13 is going to be that second entrance, about one parking  
14 stall right now as this is proposed, possibly two.

15 MS. KOIVULA: So there will be cars  
16 that can park in between the two entrances on 6th  
17 Avenue? Is that what you're saying? Because right  
18 now it looks like an island there.

19 MR. RASMUSSEN: Under this current  
20 plan, yes.

21 MS. KOIVULA: But you are thinking  
22 about possibly putting that into parking spaces for  
23 the public?

24 MR. RASMUSSEN: It was just put up for

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

45

1 discussion tonight. Not necessarily. I don't know  
2 yet.

3 MS. KOIVULA: You don't know yet?

4 MR. RASMUSSEN: Right.

5 MS. KOIVULA: Those are all my  
6 questions. I would like to make comments later.

7 CHAIRMAN WALLACE: Any other questions?

8 MEMBER AMATANGELO: Mr. Rasmussen, if  
9 you could just kind of outline quickly the differences  
10 between the existing unit and what the new units will  
11 look like.

12 What is the height, the facades, you know,  
13 the materials you'll be using, just so that we have a  
14 clearer understanding of that?

15 MR. RASMUSSEN: Yeah. The size of the  
16 structure is virtually the same. So you can see this  
17 structure here and this structure here. This is a  
18 little smaller than what that structure is. So the  
19 size of the structure is very similar. The height is  
20 very similar as well, almost identical.

21 The difference in the existing building is  
22 it is 100 percent brick. It has a first level of a  
23 manufactured block, and then the upper levels are  
24 brick, the top two floors. So it's solid masonry.

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

46

1           Our buildings that we're proposing are  
2 first-level brick and then Hardie Board and cedar  
3 corner boards and window surrounds, soffit and fascia  
4 as well. So that's what we're proposing, very similar  
5 to what I built across the street.

6           MEMBER AMATANGELO: So do you believe  
7 that the units will blend together nicely, or will  
8 they really stand out from one another?

9           MR. RASMUSSEN: I think it's no  
10 different than most every single subdivision where  
11 somebody comes in and builds an all-brick house where  
12 most homes have a brick facade and they have three  
13 sides of siding, you know, in most communities that we  
14 have in St. Charles, not dissimilar.

15           MEMBER AMATANGELO: Just as a thought,  
16 although the size is just slightly different, would it  
17 be better to have one of those other three units match  
18 on the outside, the look of the original unit, just so  
19 that it almost kind of looks like it's not one unit  
20 sitting all by itself that has one look and the other  
21 three are completely different?

22           This almost makes it look like it was  
23 planned that way, like it blends in.

24           MR. RASMUSSEN: I think we can

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

47

1 accomplish that by the color of that building.

2 MEMBER AMATANGELO: Okay.

3 MR. RASMUSSEN: That existing brick is  
4 more of a brown and cream facade on Building 1 here.  
5 It's a good thought. You do want one or the other.  
6 I've got to go to the Historic on that. You either  
7 try to make them look similar or you try to make them  
8 look completely different.

9 I believe Dan Marshall's thought is they  
10 should look completely different, but it's something  
11 that we could consider. If it was a tan and cream  
12 look with a similar brick and tan siding like that and  
13 cream, it would blend it pretty nice. There's no  
14 question.

15 MEMBER PRETZ: We spent a lot of time  
16 discussing the very subject, and what he's proposing  
17 is really what the Preservation Commission felt was  
18 best --

19 MEMBER AMATANGELO: Okay.

20 MEMBER PRETZ: -- based on the two  
21 existing buildings.

22 MEMBER AMATANGELO: Thank you.

23 CHAIRMAN WALLACE: Any other questions?

24 MEMBER DOYLE: On Page 8 of the Staff

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

48

1 memo under "Landscape Plan" regarding the paver  
2 bricks, there's a parenthetical remark that reads,  
3 "For consistency, paver brick could be used for the  
4 drive aisle portion of the new entry driveway in front  
5 of the Judd house."

6           Could you -- I guess the first question is:  
7 Could you just describe what that would look like for  
8 consistency?

9           Are we talking about mirroring what's on the  
10 north side on south side?

11           MR. COLBY: Correct, in this area here.

12           MEMBER DOYLE: On the north side, how  
13 far back does the paver brick extend?

14           MR. COLBY: It's this full area here.

15           MEMBER DOYLE: And then once you're  
16 west of sort of the western edge of that paver brick,  
17 that white area there --

18           MR. COLBY: This is grass. Right now  
19 there's the covering over the sidewalk that's there,  
20 and that is being proposed to be removed from the side  
21 of the Judd house building.

22           MR. RASMUSSEN: Can I jump on that  
23 really quick?

24           It's not really being proposed. What we

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

49

1 left at Historical is that it's okay to keep it or  
2 leave it. So I kind of went to the neighbors who are  
3 adjacent to it in the existing townhomes and put it in  
4 their hands to get their input because I'm okay with  
5 keeping that porte cochere or removing it.

6 MEMBER DOYLE: The entrance to the  
7 parking stalls on the northwest side, actually, is off  
8 of Indiana?

9 MR. RASMUSSEN: Correct.

10 MR. COLBY: Correct.

11 MEMBER DOYLE: And it's existing?

12 MR. RASMUSSEN: It's existing.

13 MEMBER DOYLE: And that is pavers?

14 MR. RASMUSSEN: Correct.

15 MEMBER DOYLE: And the Staff comment  
16 here about consistency, you know, adding paver bricks  
17 on the -- what is it -- southeast side there, that's  
18 something that's been discussed that you considered?

19 MR. RASMUSSEN: Not really.  
20 Personally, I don't like that thought. I do like  
21 Laura's recommendation like I did at Heritage Square,  
22 and that's possibly doing this because that brings  
23 that entrance in.

24 I've done a lot of residential homes, a

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

50

1 million-and-a-half dollars, no paver driveways. The  
2 only thing sometimes we do is border the asphalt with  
3 pavers. We do a lot of paver driveways, but they get  
4 into the real high end.

5 I just don't think it looks great when  
6 you're mish-mashing it. When you do an entrance, I  
7 think that looks good. So we did that at Heritage  
8 Square, and the reason we did it at Heritage Square is  
9 those were the original bricks that were there. We  
10 used them.

11 That would be an option here, but I don't  
12 think going further in because where do you delineate  
13 it between that first garage or two or, you know,  
14 cutting it off? How do you -- I just don't think it  
15 would look great.

16 MEMBER DOYLE: I wasn't clear on what  
17 the break was on the other side. Now I understand  
18 it's grass.

19 MR. RASMUSSEN: Over here, yes. This  
20 is a walkway, and these are all pavers here.

21 MEMBER DOYLE: All right.

22 CHAIRMAN WALLACE: Other questions?

23 Yes, ma'am?

24 MS. GUSTAFSON: My name is Melissa

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

51

1 Gustafson, 595 Indiana Avenue, G-u-s-t-a-f-s-o-n.

2 Just for the purpose of clarification, can  
3 you point out the proposed grass areas? Because I'm  
4 also having trouble reconciling the 38 percent.

5 MR. RASMUSSEN: Well, you know,  
6 everything on this site here, you know, is grass, all  
7 these white areas through here, all this, some here,  
8 some here, in front of each of the buildings, of  
9 course.

10 MS. GUSTAFSON: For example, right  
11 adjacent to the existing building. It's behind it.

12 MR. RASMUSSEN: Your building?

13 MS. GUSTAFSON: There's no grass.

14 MR. RASMUSSEN: This right in through  
15 here.

16 MS. GUSTAFSON: There's grass there,  
17 but there is no grass touching the building.

18 MR. RASMUSSEN: And what do you have  
19 here? Do you have pavers here?

20 MS. GUSTAFSON: No. That's  
21 landscaping.

22 MR. RASMUSSEN: That's landscaping?

23 MS. GUSTAFSON: Correct.

24 MR. RASMUSSEN: So that would be part

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

52

1 of the green area, too --

2 MS. GUSTAFSON: Okay.

3 MR. RASMUSSEN: -- not your pavers,  
4 though.

5 CHAIRMAN WALLACE: Mr. Marshall, I  
6 wondered if I can ask you about the overhang that is  
7 currently existing.

8 What is your opinion on that, leaving it or  
9 taking it down?

10 MR. MARSHALL: The porte cochere? I  
11 would prefer to see it gone. I think it looks awkward  
12 the way it's so jammed up against your building. I  
13 think it looks clumsy right now.

14 CHAIRMAN WALLACE: Thank you.

15 MR. MARSHALL: And if you take it off,  
16 the porch will look symmetrical on the front of the  
17 existing building. To me that just looks resolved and  
18 would look better than that porte cochere.

19 I love porte cocheres. So I was sorry to  
20 see the building built so close to it. The existing  
21 PUD also had -- you asked about it. There was major  
22 problems with that. You couldn't back a car out of  
23 those ones down here on the southwest corner.

24 Anything that backed up to the building that

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

53

1       faced 25, they only had 16 feet of cars. Longer than  
2       16 feet, so you couldn't get out of your garage. So  
3       there was some miscalculations from the beginning on  
4       that plan that showed a lack of understanding.

5                   MEMBER PRETZ: Just to point out again,  
6       the Historic Commission left it in the hands of the  
7       applicant whether to keep that up or to remove it. We  
8       were either way with it based on the way the building  
9       looks.

10                   CHAIRMAN WALLACE: Okay. Any another  
11       questions? Okay. How about comments?

12                   Do you want to go?

13                   MR. PHILLIPS: Sometimes I'm a good  
14       closer, but I'll start.

15                   MS. GUSTAFSON: I'll go.

16                   CHAIRMAN WALLACE: Go ahead.

17                   MS. GUSTAFSON: My only point of  
18       contention is really the -- I'm sorry. Melissa  
19       Gustafson -- green space that currently exists in  
20       front of the mansion.

21                   I think as it is right now, it really  
22       enhances, like you talked about, the regal walk-up to  
23       the mansion. I think, conversely, turning those into  
24       parking spaces is going to be a disservice to the

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

54

1 entrance.

2 I understand that we're overparked or  
3 there's ample parking for the development. So it  
4 would seem natural that we could remove those eight  
5 parking spaces or I'd encourage the City to consider  
6 opening up that easement to parking as it is further  
7 down on 6th Avenue.

8 The landscaping beds in front of the mansion  
9 right now to me just -- to scale they appear to be  
10 about the size of one parking space. So we're talking  
11 about maybe the size of two parking spaces  
12 overshadowed by eight parking space right in front of  
13 the entrance of the mansion.

14 I just think that the way that it exists  
15 with the grass, it enhances the historic nature of the  
16 existing building. So I would just encourage the City  
17 and Bob to revisit the parking right directly in  
18 front. That's really my only comment.

19 CHAIRMAN WALLACE: Okay. All right.  
20 Other comments? Yes, ma'am?

21 MS. KOIVULA: I have three concerns.

22 CHAIRMAN WALLACE: If you could state  
23 your name again.

24 MS. KOIVULA: Nona, N-o-n-a, Koivula,

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

55

1 K-o-i-v-u-l-a.

2 I have three concerns. The first, of  
3 course, is the density. I understand the economics of  
4 the situation; but when you look at the property and  
5 you look at the property just south of that, which is  
6 where I live, there are six residences on that block.  
7 If you go southwest, there's five residences; and if  
8 you go due west, there's seven residences.

9 So we go from five, six -- seven residences  
10 to 15 on that same space. So that is very high  
11 density. It's a high population, and the school.

12 My other two concerns are primarily safety.  
13 My husband and I spend a lot of time sitting on our  
14 porch. We wave at all the children going to Lincoln  
15 School. On a rainy day, a snow day, there is so much  
16 traffic going to 6th Avenue. It's not just for the  
17 Lincoln School. It's for the high-schoolers and  
18 middle-schoolers because all of their bus stops are  
19 right at -- almost at your corner, right at the corner  
20 of 6th and Indiana.

21 So I'm concerned about the children walking  
22 and the increased traffic because of the increased  
23 density, and I'm also just concerned about traffic.  
24 There are a lot of people who park on 6th Avenue right

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

56

1 now. So 6th Avenue becomes a one-lane street. It's  
2 one lane. So people have to pull over to let someone  
3 pass.

4 Like for festivals when there is a festival  
5 in town, they park all along 6th Avenue. So it is a  
6 one-way street. They have to basically block the  
7 intersection in order to have the one-way street if a  
8 car is coming at you.

9 So those are my three concerns but  
10 particularly the children who are walking to school.  
11 Like now they are walking to school in the dark. It's  
12 black at 6:30 when they are walking to school. So  
13 those are my concerns.

14 I can't offer suggestions as to how to make  
15 it completely safe, but I just am very concerned  
16 because I've lived there for 28 years and because Ohio  
17 was under construction this summer, I didn't get my  
18 windows cleaned because I was waiting for Ohio to get  
19 completed before dust and the dirt and everything. So  
20 now I'll have to wait again.

21 When do you possibly expect to start the  
22 construction?

23 MR. RASMUSSEN: We would hope this  
24 spring.

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

57

1 MS. KOIVULA: Would you begin at the  
2 mansion?

3 MR. RASMUSSEN: Yes.

4 MS. KOIVULA: Would you begin there and  
5 then build out from there?

6 MR. RASMUSSEN: Yes.

7 MS. KOIVULA: How long do you guess the  
8 construction would take?

9 MR. RASMUSSEN: It depends on the  
10 market, obviously. We'd have to build a building and  
11 sell some units before we'd build them all. The  
12 market seems to be good. That's why we're trying to  
13 do it.

14 MS. KOIVULA: I sure hope it stays  
15 strong.

16 CHAIRMAN WALLACE: Any other comments?  
17 Yes, sir.

18 MR. PHILLIPS: Steven Phillips.

19 I think Bob has done a great job with the  
20 mansion. I mean, in the end, it is good to see  
21 something happening. I think that the mansion was the  
22 biggest problem, from my point of view, to try to  
23 incorporate that with both architecture and the  
24 existing engineering in terms of whether you put brick

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

58

1 pavers down, where you put the trees, how you see the  
2 views. So I think that's a real good thing.

3 I would just hope that there could be  
4 something in between because it's a very radical  
5 change from the existing PUD; and when I read just the  
6 Findings of Fact, it just says, No. 3, "The new  
7 revised one should not substantially diminish or  
8 impair property values within the neighborhood, much  
9 less my existing unit."

10 So I would hope that you would take that  
11 into account because we all can have opinions of what  
12 "substantial" is. I certainly know what "impair"  
13 means, and I don't think having -- was it a  
14 \$115-square-foot product? -- next to a \$220 does not  
15 impact that \$220. This is a good attempt, I feel, at  
16 revising the PUD, but I think it does certainly  
17 diminish. It's one of the most important Findings of  
18 Fact.

19 CHAIRMAN WALLACE: Well, let me ask a  
20 question. What's your basis for saying the property  
21 next door has a value of \$220 a square foot?

22 MR. PHILLIPS: My opinion when I bought  
23 it.

24 CHAIRMAN WALLACE: What did the

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

59

1 property sell for three years ago?

2 MR. PHILLIPS: We took a loss selling  
3 because we were in a cash-poor position. We sold it.  
4 I think it was fair. I mean, I don't think there's  
5 anything wrong with people taking advantage of market  
6 conditions. From my point of view, I don't feel like  
7 I want to get taken advantage of again by market  
8 conditions.

9 I think things are getting better. I  
10 realize Bob has already told everybody here he doesn't  
11 see the future changing. Let me say the future --  
12 look at oil. A lot of things change that people can't  
13 see.

14 So I would just hope you're open to finding  
15 another way not to diminish my property to enable him  
16 to be profitable.

17 CHAIRMAN WALLACE: Well, I think that  
18 the Findings of Fact go towards someone using the land  
19 in such a way that diminishes property value; but if  
20 the market has resulted in a diminishment of property  
21 value already, I don't know if we can make a Finding  
22 of Fact that says that what they are proposing is  
23 going to diminish property values.

24 So I'm just -- I'm asking you --

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

60

1 MR. PHILLIPS: In terms of past  
2 experience of owning the really nice mansion on the  
3 block, when the block gets downgraded from what you  
4 thought -- say you were buying regular residential;  
5 and in terms of the covenants and what you were  
6 promised when you bought -- even Planned Urban  
7 Development said, "This is going to be the  
8 architecture."

9 And you built that architecture; and when  
10 you bought that in good faith, you thought your  
11 neighbor was going to have to. You thought the next  
12 person was.

13 CHAIRMAN WALLACE: But then the  
14 alternative is to sit and wait until somebody is  
15 willing to come in and build the same thing.

16 MR. PHILLIPS: Or not the same thing.

17 Like I said, I like what he did with the  
18 mansion. I'm wide open to -- I think that there's  
19 something in between what he's proposing today, from  
20 what I've seen. I did bring up the fact I hadn't seen  
21 this revised. I think I saw it at 5:00 o'clock a  
22 little bit. The packet that was sent out didn't show  
23 this exact configuration.

24 So I think he is willing to change things.

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

61

1 I'm just hoping that process can continue because I  
2 don't think, from my point of view, that we're here  
3 yet.

4 MR. RASMUSSEN: To speak to the current  
5 value of the existing units, in 2012 Unit 595 was sold  
6 at \$124 per square foot of what the Assessor shows at  
7 2,600 square feet.

8 The current assessment on those units -- and  
9 I had this written down. I grabbed the wrong folder  
10 tonight. I apologize. I'm going to try to do it off  
11 of memory.

12 I believe the current tax assessment on the  
13 Unit 595 was assessed at just over \$90,000. I believe  
14 it's \$90,800. Multiply that times three. The market  
15 value per the Assessor is \$270,000, about \$105 a  
16 square foot.

17 The market assessment on Mr. Phillips' unit  
18 right now was \$84,000. The Assessor's number, take  
19 that times three. It's \$252,000, and his unit was  
20 smaller. It's about 2,000 feet per the Assessor's  
21 office. So that's at about \$125 assessment-wise.

22 To speak to our general economy, I put my  
23 personal residence on the market in June of '07 for  
24 \$2.99 million in St. Charles. I sold it a year ago

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

62

1 February for \$1,025,000.

2 That's what's happening. So now I have to  
3 find a way to build the neighbors at \$1,025,000  
4 because that's where the market is in that  
5 neighborhood, and that's exactly what happened here.

6 So I believe the product that we're bringing  
7 to the table today is better than anybody else will be  
8 able to bring to this PUD and as close an  
9 approximation as we can to the true value of the units  
10 that are there today and enhance them as opposed to  
11 hurt them.

12 We're not talking aluminum siding. We're  
13 not talking vinyl siding. We're not talking a  
14 developer who is not known for quality and what's  
15 done. So that's what I stand here to say today. I  
16 believe we're doing more than we can to try to help  
17 the Findings of Fact and better the community.

18 CHAIRMAN WALLACE: So what is the value  
19 of the units that you're proposing? What do you  
20 anticipate the value to be per square foot?

21 MR. RASMUSSEN: Well, you know, the  
22 market tells me right now that those units should sell  
23 for around 3-. I'm hoping that by the time they get  
24 built by summer, there's been a quietness in the

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

63

1 market for about eight months.

2 Those two homes down the street sold for  
3 \$324,000 or \$342,000 between the two of them, I  
4 believe. They're a tiny bit bigger. I'm not sure  
5 that their single-family nature is better than the  
6 fact these aren't directly on Route 25. So, you know,  
7 if I get what I want, I'll get \$340,000.

8 CHAIRMAN WALLACE: What is that per  
9 square foot?

10 MR. RASMUSSEN: On 2,000 square feet,  
11 it would be \$170.

12 CHAIRMAN WALLACE: Okay. All right.  
13 Any other comments? Okay.

14 Anything from the Plan Commission? All  
15 right.

16 Anything, Staff?

17 Oh, there was one more question that I had.  
18 Staff comments, regarding the front entry stairs to be  
19 extended to the sidewalk to the north and south to  
20 provide a path for pedestrians to access park stalls,  
21 what are your thoughts on that?

22 MR. RASMUSSEN: We agreed that that  
23 needed to be done.

24 CHAIRMAN WALLACE: You agree?

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

64

1 MR. RASMUSSEN: Yes.

2 CHAIRMAN WALLACE: Okay. All right.

3 Go ahead.

4 MEMBER KESSLER: I do have a couple  
5 comments.

6 I think that whole paver-asphalt issue is  
7 still kind of up in the air. The demarcation of that,  
8 you've got an undulating sidewalk that the pavers come  
9 up to, and the other side of it is asphalt. Laura  
10 suggested the entrance perhaps.

11 I just think that there's got to be a better  
12 way to blend that. It really does -- I mean, as stark  
13 as that porte cochere is, so are the pavers right  
14 there in front of those garages. It's like they got  
15 some special favor or something or they have a buddy.  
16 It needs to blend a little better somehow.

17 I still think that -- you know, we were  
18 talking about moving or eliminating those eight spaces  
19 in front and maybe putting a couple out on the street.  
20 You're eight spaces over. Maybe you only reduce it  
21 four. Maybe it is only four spaces that is reduced so  
22 you do make that front entrance a little more  
23 massive.

24 It doesn't look massive enough to me. it

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

65

1 looks like a museum that you can pull into. It's a  
2 beautiful building with a nice reason to go there; and  
3 pull right up into the entrance, and you're on top of  
4 it. So I think that needs to be opened up a little  
5 bit more.

6 You know, one thought: You could possibly  
7 even -- you have that grass in the back here. If you  
8 removed some of the spaces in the front on 5th Avenue,  
9 you could figure out a way to squeeze a couple spots  
10 in there if you really felt you needed to.

11 MR. RASMUSSEN: What was the last part?

12 MR. KESSLER: You squeeze a couple  
13 spots in the green space there, replace -- put more  
14 green space in the front and take it out of the back.  
15 You can get a couple spots there.

16 MR. RASMUSSEN: I did have seven stalls  
17 in there originally on that side, and we reduced that  
18 to try give an open picnic table or recreational area  
19 for, you know, the units that back up to there.

20 MEMBER KESSLER: It's a trade-off, I  
21 know.

22 MR. RASMUSSEN: We had that at one  
23 point in time. We've kind of gone back and forth.

24 MEMBER KESSLER: That's all.

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

66

1                   CHAIRMAN WALLACE: Any other comments?  
2 Brian?

3                   MEMBER DOYLE: My recollection is that  
4 when -- there's a couple comments that rang true with  
5 me. One is that the original PUD had some problems.  
6 I was not on the Plan Commission when the original PUD  
7 was presented and the application was considered by  
8 the Plan Commission. I recall that the Plan  
9 Commission recommended for disapproval to the City  
10 Council, and the City Council overrode that  
11 recommendation.

12                   I'd have to say if I was sitting on the Plan  
13 Commission at that time, I would probably recommend it  
14 for disapproval of that PUD because it's encircled the  
15 entire house. You couldn't see it from the river.  
16 The last application we had in front of us made a  
17 mockery of the historical landmark status.

18                   Right or wrong, the City has boxed in  
19 whoever is going to be the owner of this property. If  
20 you put the landmark status there, then the PUD that  
21 exists today does not really honor the fact that  
22 there's an historic landmark in the middle of this  
23 proposed series of townhomes around the perimeter.

24                   So I think that what we have in front of us

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

67

1 is a vast improvement over what is currently law in  
2 terms of the PUD because it does -- yes, it does  
3 increase residential density, but it decreases  
4 residential massing; right?

5 We have fewer pads that are being developed.  
6 We have more open space around the mansion. I think  
7 that the things that we've been discussing tonight  
8 here are really very minor, minor points.

9 I mean, you know, I could list -- the paver  
10 bricks or the walk-up to the front, these are things  
11 that, you know, if I had a financial stake in the  
12 property, I'd say, "I'd want this or I'd want that,"  
13 but I don't have a financial stake in it. All I have  
14 to do is determine what I think is an appropriate land  
15 use.

16 I think that what we have in front of us --  
17 we can disagree on the particulars, but on the whole,  
18 I think it's an excellent proposal. I think that it  
19 makes a good faith effort to honor an historical  
20 landmark, to develop a very difficult piece of  
21 property, and to do it in a way that is both  
22 respectful of the surrounding community and  
23 economically viable.

24 So, you know, I guess my comment is that I

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

68

1 really commend you for what you've brought forward.

2 MR. RASMUSSEN: Thank you.

3 CHAIRMAN WALLACE: I think -- and I  
4 just want to make a comment on that because I was on  
5 the Plan Commission. I think I may have made the  
6 motion to recommend denial of the application  
7 because, well, in my opinion, it was an awful plan.

8 I remember saying to the builder, "If you  
9 really want to completely hide it, why don't you just  
10 tear the mansion down and build what you're  
11 proposing?" Because it has nothing to do with what's  
12 there, but whatever.

13 Anyway, any other comments? Okay. Do you  
14 have anything else?

15 MR. RASMUSSEN: No. Thank you.

16 CHAIRMAN WALLACE: All right. If Plan  
17 Commission feels they have enough evidence to make a  
18 recommendation to the City Council on these  
19 applications, then at this point in time it would be  
20 in order to close the public hearing.

21 Is there such a motion?

22 MEMBER KESSLER: There is a motion to  
23 close the public hearing.

24 CHAIRMAN WALLACE: Second.

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

69

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MEMBER AMATANGELO: Second.

CHAIRMAN WALLACE: Okay. Any  
discussion on the motion?

Tim?

MEMBER KESSLER: Amatangelo.

MEMBER AMATANGELO: Yes.

MEMBER KESSLER: Doyle.

MEMBER DOYLE: Yes.

MEMBER KESSLER: Macklin-Purdy, Laura.

MEMBER MACKLIN-PURDY: Yes.

MEMBER KESSLER: Gaugel.

MEMBER GAUGEL: Yes.

MEMBER KESSLER: Pretz.

MEMBER PRETZ: Yes.

MEMBER KESSLER: Wallace.

CHAIRMAN WALLACE: Yes.

MEMBER KESSLER: Kessler, yes.

Can I ask a question? Is this applicant  
here?

CHAIRMAN WALLACE: Yes.

That concludes Item No. 5 on the agenda.

Pursuant to the discussion at the beginning  
of the meeting, we're going to now have Item 7, which  
is "Heritage Green (Foxwood Square PUD, 309 South 6th

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

70

1 Avenue (JRD Development, Inc.), Application for Map  
2 Amendment from RT-4 Traditional Single- and Two-Family  
3 Residential District to CBD-2 Mixed Use Business  
4 District, Application for Special Use to amend  
5 Ordinance 2007-Z-4 (Foxwood Square PUD)" and  
6 "Application for PUD Preliminary Plan."

7 Is there a motion?

8 MEMBER KESSLER: I would make a motion  
9 to recommend approval to Planning Development for the  
10 application for the map amendment from RT-4  
11 Traditional Single- and Two-Family Residential  
12 District to CBD-2 Mixed Use Business District and the  
13 application for -- recommended approval for the  
14 application for special use to amend Ordinance  
15 2007-Z-4, Foxwood Square PUD, and to recommend  
16 approval for the application for PUD Preliminary Plan  
17 subject to resolution of all Staff comments prior to  
18 City Council action.

19 MEMBER PRETZ: I'll second that.

20 CHAIRMAN WALLACE: Okay. Discussion on  
21 the motion?

22 Did you want to add any other conditions?

23 MEMBER KESSLER: No.

24 CHAIRMAN WALLACE: Okay. Brian?

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

71

1 MEMBER DOYLE: I think the most  
2 significant testimony that we heard tonight that needs  
3 to be discussed is the assertion that this application  
4 for a map amendment diminishes existing property  
5 values.

6 The first thing I would point out is that  
7 the Findings of Fact, the requirement is that we find  
8 a preponderance of evidence in support of the  
9 findings; correct, Russ?

10 MR. COLBY: Which set of findings are  
11 you referring to?

12 MEMBER DOYLE: The Findings of Fact for  
13 the map amendment.

14 MR. COLBY: Correct.

15 MEMBER DOYLE: And not every finding  
16 needs to be found in the affirmative.

17 I mentioned earlier in my comments that  
18 there are a number of other factors here that make  
19 this property difficult to develop and difficult to  
20 zone, including the fact that we have an historical  
21 landmark and a precedent in the previous Council  
22 decision to develop around it -- to develop townhomes  
23 around it.

24 So I think the fact that we have notes from

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

72

1 the Historic Commission that finds that it is  
2 appropriate, that it has support from the Historic  
3 Commission, the fact that it's been dormant for seven  
4 years, my feeling is that it makes improvements to the  
5 existing PUD in terms of visibility of the mansion and  
6 some sort of prominence of place.

7 I appreciate the testimony that was given by  
8 the current property owner regarding fair certainty  
9 about when you buy a piece of property, that you  
10 expect that you're entering into a covenant, that the  
11 environment is going to be that environment.

12 Having said that, it's not clear to me how  
13 the proposed properties diminish the value of the  
14 existing townhomes. The existing townhomes are  
15 beautiful homes. It's not like someone is building a  
16 gas station next to it. That would diminish the  
17 property of the existing townhome.

18 So I think that -- I'm not persuaded. I  
19 guess I'm asking the question to the Plan Commission.  
20 In other cases we have members of the public come to  
21 us and say, "Everything is too cookie-cutter.  
22 Everything looks the same. We need variation in the  
23 plan. We need to have differences in the  
24 neighborhood, you know, so it has an organic feel."

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

73

1           Here we have difference, and it seems to me  
2           like in other cases that's what members of the  
3           communities are asking for. In this case I just don't  
4           see that it really diminishes the existing property  
5           owner.

6                         MEMBER KESSLER: Well, I have a feeling  
7           about that. I don't believe that we've ever -- unless  
8           you're building a Coke plant next door, I don't think  
9           we've ever had any definitive evidence that a similar  
10          development reduces the value of a property.

11                        It's difficult -- I mean it's almost  
12          impossible to prove that a property that you think  
13          should sell for \$250 a square foot and they build  
14          these units next door and now it sells for \$220, it  
15          could be the market. It could be many things. It's a  
16          difficult thing.

17                        I guess what I'm saying, in our Findings of  
18          Fact, particularly for a map amendment, we have to  
19          find a preponderance of those findings in the  
20          affirmative; and if we don't, then we would recommend  
21          not to approve.

22                        But the fact that that Finding of Fact is in  
23          a group of Findings of Fact that don't have to be  
24          found in each one of them, it somewhat diminishes its

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

74

1 argument simply because you can't prove it. I could  
2 say to you -- I understand. I don't want that kind of  
3 stuff going on. I live in town. I don't want  
4 something that is definitely going to diminish my  
5 property, but I don't know what that is. There is no  
6 definite.

7 The fact that the property is vacant right  
8 now and it has been, your property was diminished in  
9 value because it's been sitting the way it has been  
10 sitting for so long in addition to the market, I would  
11 say. Am I right?

12 It's one of the Findings of Fact that is  
13 more blended into a preponderance than specific.  
14 There are other groups of Findings of Fact that we  
15 have to find in the affirmative for every single one  
16 of them because each one of them carries that much  
17 weight; but in this one, it's hard to prove.

18 I echo what Brian said. They've come to us  
19 with a plan. I know you want something there. You  
20 want something nice. You probably wanted it since the  
21 beginning. They've come to us with something.

22 It's an incredibly difficult piece of  
23 property to try and develop based on its history and  
24 what's gone on there. You know that. So to have

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

75

1 something that is attractive, that fits the  
2 neighborhood, again, we're finding not in the  
3 affirmative for every one of them. All of these  
4 factors have to make our decision.

5 I think it's the best thing that we've had  
6 coming forward. I don't know if things are going to  
7 change dramatically like you might think or they're  
8 not going to change at all like he might think. I  
9 think it's going to be somewhere in between. I think  
10 it's going to be difficult to say that this isn't  
11 going to work.

12 I can't, based on the facts that we have in  
13 front of us, make another decision, a different  
14 decision.

15 MEMBER MACKLIN-PURDY: Sorry that I  
16 interrupted.

17 As a person who has lived in that  
18 neighborhood for -- I lived in that neighborhood for  
19 12 years. I lived across the street from this mansion  
20 for two. The empty field was an eyesore.

21 I've been in both those units. They're  
22 beautiful, beautiful units, and I have every  
23 confidence in the world, because I know Bob very well,  
24 that he will do everything possible to blend as much

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

76

1 as he can and make these all cohesive. I have every  
2 confidence in the world because he's a man of his  
3 word. So I think there's -- and he builds a beautiful  
4 product.

5 So I think if anything, it will keep your  
6 value the same or increase it, to be honest. I don't  
7 think anybody in that neighborhood is more tired of  
8 looking at open space and nothing being done with all  
9 this. Everyone walks by and shakes their head, "Why  
10 hasn't anyone done anything?"

11 I think this is great. It's a great use of  
12 the property.

13 CHAIRMAN WALLACE: I want to comment on  
14 my reading of the Findings of Fact because I don't  
15 read them the same way. I'm reading No. 2.

16 We "shall consider: The extent to which  
17 property values are diminished by the existing zoning  
18 restrictions," and that means the property value of  
19 the subject property.

20 MEMBER DOYLE: Uh-huh.

21 CHAIRMAN WALLACE: I think that goes  
22 exactly to what you're talking about. Property value  
23 is being diminished by the current zoning restriction  
24 because no one can build what the current zoning says

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

77

1 should be built there.

2 MEMBER MACKLIN-PURDY: Right.

3 CHAIRMAN WALLACE: "The extent to which  
4 the reduction of the property's value under the  
5 existing zoning restrictions promotes the health,  
6 safety, morals, or general welfare of the public."

7 Well, it's an empty lot. If something is  
8 being built there, then obviously that's enhancing not  
9 only the property values of the subject property but  
10 the general welfare of the area.

11 I read No. 5, "The length of time that the  
12 property has been vacant, as presently zoned,  
13 considered in the context of the land development in  
14 the area where the property is located."

15 I mean, I think that it's pretty --

16 MEMBER KESSLER: "Compare the value of  
17 the subject property under current zoning for the  
18 potential value under the zoning proposed."

19 CHAIRMAN WALLACE: Yeah, under the  
20 proposed zoning.

21 MEMBER DOYLE: I would just said add  
22 that as far as the map amendments Findings of Fact are  
23 concerned, you know, strictly speaking, we're only  
24 voting on -- or recommending for a map amendment --

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

78

1 CHAIRMAN WALLACE: Correct.

2 MEMBER DOYLE: -- not for the amendment  
3 to the PUD, which is a separate motion. So I don't  
4 see any reason to believe that amending the -- I mean,  
5 basically what we're considering here is whether or  
6 not moving to CBD-2, which allows for some different  
7 land uses, is going to impact the surrounding property  
8 values.

9 I guess, you know, we need to distinguish  
10 between the map amendments and the concept plan that's  
11 in front of us here; right? I mean, I'm impressed by  
12 the concept plan.

13 Are there other potential uses -- well, the  
14 PUD is going to override the underlying zoning. So  
15 it's not like you'd be able to come in by right and do  
16 what's allowed in the underlying zoning of CBD-2 if  
17 the PUD is on top of it.

18 Tim, your motion is for all three  
19 applications at once under this motion?

20 MEMBER KESSLER: Yes.

21 MEMBER DOYLE: I have no further  
22 comments on the Findings of Fact for the map  
23 amendment. I think that it would be prudent to just  
24 take a look at the Findings of Fact for the PUD.

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

79

1 MEMBER GAUGEL: If I can make one  
2 comment on the map amendment.

3 CHAIRMAN WALLACE: Yes.

4 MEMBER GAUGEL: The very first question  
5 in the Findings of Fact for the map amendment is the  
6 existing uses and zoning of nearby property. To your  
7 point, I think this remains consistent. That's one of  
8 the driving ones that I have after looking at this  
9 whole application.

10 I understand your concern of the potential  
11 that your property value will be diminished by that;  
12 but in maintaining consistent with what is currently  
13 in that neighborhood, I think the goal there is to --  
14 you know, Tim's point -- not have something completely  
15 different that's going to diminish it.

16 What's proposed, I think, is representative  
17 and is consistent with the existing zoning of the  
18 nearby property. This is the one to me at least that  
19 I -- not weighed more heavily but just looked at in  
20 the most depth. I think what he has proposed is very  
21 much consistent with what the neighborhood is  
22 currently set up as.

23 CHAIRMAN WALLACE: Do you want to  
24 discuss the criteria for planned unit developments?

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

80

1 It's fairly straightforward.

2 MEMBER DOYLE: I'm just reviewing them.  
3 I don't know that I have any comments.

4 CHAIRMAN WALLACE: It says that "The  
5 proposed PUD advances one or more purposes of the  
6 Planned Unit Development procedure."

7 Basically there are seven of them here. I'm  
8 guessing from the circles that the developer thinks  
9 that six of them are being advanced. So, you know,  
10 hang your hat on any of those six.

11 And conforming to the requirements of the  
12 existing PUD would be impractical.

13 "The proposed PUD would provide benefits  
14 that outweigh those that have been realized by  
15 conforming to the applicable requirements for the  
16 following reasons."

17 MEMBER DOYLE: I would say that on  
18 No. 9 for that section, we have an historic landmark  
19 that is, you know, languishing in front of us, that is  
20 deteriorating year by year.

21 So to have that landmark renovated and all  
22 the improvements that are being proposed I think is in  
23 the public interest.

24 CHAIRMAN WALLACE: And then in

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

81

1 Section 3 of the PUD criteria are the different  
2 factors: Public convenience, efficient  
3 infrastructure, effect on nearby property, effect on  
4 development of surrounding property, effect on general  
5 welfare, conformance with codes.

6 So I guess -- I don't know. My opinion is  
7 rather than going through every single one of these, I  
8 think that we've pretty much discussed everything  
9 that's here in the affirmative.

10 So any further discussion?

11 MEMBER MACKLIN-PURDY: No.

12 CHAIRMAN WALLACE: And Staff, was there  
13 something in the Staff memo regarding the parking?

14 MR. COLBY: There was a comment that if  
15 the Commission wanted to see more green space, some of  
16 the parking could be eliminated or reduced without  
17 violating the code requirement.

18 We'll be recommending that at least two  
19 spaces per unit be provided in the development.

20 CHAIRMAN WALLACE: So that would be 8  
21 total spaces instead of 16 outside of the garage area?

22 MR. COLBY: Correct.

23 CHAIRMAN WALLACE: Okay. And I know it  
24 wasn't a part of the motion. My own opinion would be

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

82

1 that if eight spaces are required, you know, based on  
2 our discussion, getting rid of the eight spaces in  
3 front of the mansion and preserving that green space  
4 and grand entry into that building, I mean, if I was  
5 the developer, that's what my preference would be.  
6 That's just a comment.

7 MEMBER DOYLE: This was one of the  
8 reasons why I asked about the rear entrance into the  
9 mansion and whether it is a serviceable entrance for  
10 tenants.

11 I mean, myself, if I'm coming in and  
12 bringing groceries -- do you know where the kitchens  
13 are going to be located on these properties? Are they  
14 going to be in the back?

15 MR. RASMUSSEN: Currently it is in the  
16 back on the northwest corner in the old house, and I  
17 guess one would probably be there, probably in the  
18 back of the other.

19 The challenge is I don't know what those  
20 rear staircases will be. I have to add a second  
21 entrance for fire access to all four units. I also  
22 have to try to keep the rear entrance of the building  
23 historically intact.

24 I have to find a way to do that that may not

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

83

1 be super user-friendly but might look good, if that  
2 makes sense to you; in other words, keep it within the  
3 existing corridors and keep it tight where it's not  
4 really accessible but yet it meets fire code, because  
5 I don't want to alter the rear of the building too  
6 much, except to clean it up.

7 So my challenge there is I personally do not  
8 want a building that doesn't have some parking in  
9 front.

10 Would I be willing to get rid of eight  
11 spaces? Yes. I'd probably tell you I'd like to have  
12 four in front and four in back, and that would be a  
13 reasonable compromise to increase that green space.

14 I'm a landlord. Between Heritage Square and  
15 First Street we have 54 residential units. People  
16 will need to park or they won't rent. I've got to  
17 have that ability.

18 MEMBER DOYLE: Are the spaces in back  
19 for use of anybody in the complex?

20 MR. RASMUSSEN: Right now that's the  
21 designation, yes. They're overflow.

22 MEMBER DOYLE: I have to say if I was a  
23 prospective purchaser of a townhome and I had two  
24 spots and I knew that there was overflow parking for

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

84

1 guests, I think that would be an asset.

2 Again, I think that a grander approach in  
3 the front would be desirable. I guess I would be  
4 inclined to make a nonbinding recommendation to B & B  
5 and to the developer that every effort should be made  
6 to do that, but I don't feel that I'm in a position  
7 to -- that I have the knowledge of managing properties  
8 to dictate to the applicant what should and should not  
9 be done in front. I would defer to the Historic  
10 Commission or --

11 CHAIRMAN WALLACE: City Council?

12 MEMBER DOYLE: Yeah, on that one and  
13 state our opinion that we have reservation about it.

14 MEMBER MACKLIN-PURDY: I do have  
15 experience. I do have experience, and it is a huge  
16 issue, parking.

17 I mean, my girlfriend lives at Whittington  
18 Course, and there is no place to park. I've almost  
19 been towed twice visiting her. It's not fun.

20 But having lived at Heritage Square, it is  
21 an issue. Parking is an issue. I know what Bob is  
22 saying. People come visit. They want to have a place  
23 to park.

24 MEMBER DOYLE: And I think moving

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

85

1 parking to the street just --

2 MR. RASMUSSEN: The mission, Brian, is  
3 to keep the residents of this community parking within  
4 the site because there is such a need for the street  
5 parking. As Nona said earlier, it's crystal clear.  
6 People need to park there.

7 I'll tell you exactly what time those  
8 streets are full of cars, and they are. My mission is  
9 to keep everybody internal because right now folks can  
10 go park out there that live here and block out the  
11 students, parents, and the overflow teachers'  
12 assistants or whoever parks there.

13 I don't want to do that. So that's why I  
14 created what I did. I believe it's in the best  
15 interest of everybody in the surrounding community.

16 MEMBER GAUGEL: One comment.

17 You just indicated you would be willing to  
18 reduce to four in front and four in back. If you put  
19 the four in front, it doesn't alleviate the issue of a  
20 grand entrance because you're still going to have two  
21 on each side. I don't know if that would necessarily  
22 solve the problem.

23 I think what you were initially getting at  
24 was have them park in the rear and then leave that

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

86

1 whole front as green space, which I think would look  
2 nice; but if you were to do it as four and four, I  
3 don't think that solves anything.

4 MR. RASMUSSEN: I get messed up.

5 I believe the estate has had a curved  
6 driveway in front forever. So it's already got almost  
7 as much asphalt as we're talking, and that's how it  
8 would have been done. Whether it's a horse and buggy  
9 or a Model T, there was a lot of gravel in front of  
10 that place, and that's where they parked.

11 CHAIRMAN WALLACE: Any other comments?

12 Okay. Should we take a vote?

13 MEMBER KESSLER: Yes.

14 Amatangelo.

15 MEMBER AMATANGELO: Yes.

16 MEMBER KESSLER: Doyle.

17 MEMBER DOYLE: Yes.

18 MEMBER KESSLER: Macklin-Purdy.

19 MEMBER MACKLIN-PURDY: Yes.

20 MEMBER KESSLER: Gaugel.

21 MEMBER GAUGEL: Yes.

22 MEMBER KESSLER: Pretz.

23 MEMBER PRETZ: Yes.

24 MEMBER KESSLER: Wallace.

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

87

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CHAIRMAN WALLACE: Yes.

MEMBER KESSLER: Kessler, yes.

CHAIRMAN WALLACE: All right. That  
concludes Item 7 on the agenda.

Thank you, Gentlemen.

(Proceedings concluded at  
8:36 p.m.)

REPORT OF PROCEEDINGS HERITAGE GREENS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

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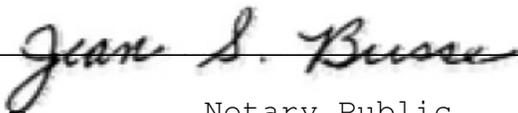
STATE OF ILLINOIS )

) SS.

COUNTY OF DU PAGE )

I, Jean S. Busse, Certified Shorthand Reporter No. 84-1860, Registered Professional Reporter, a Notary Public in and for the County of DuPage, 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 26th day of January, 2015.

  
Notary Public

My Commission Expires  
July 25, 2017.

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STATE OF ILLINOIS )

) SS.

COUNTY OF K A N E )

BEFORE THE CITY OF ST. CHARLES

PLAN COMMISSION

-----X

In Re the Matter of: :

1566 East Main Street, :

Dunkin' Donuts (Kolbrook :

Design, Inc.) :

-----X

REPORT OF PROCEEDINGS

St. Charles, Illinois

Tuesday, January 20, 2015

8:36 p.m.

Job No. 74058

Pages: 1 - 22

Reported by: Jean S. Busse, CSR, RPR

Notary Public, DuPage County, Illinois

REPORT OF PROCEEDINGS DUNKIN' DONUTS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

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Report of proceedings held at the location of:

Century Station Training Room

112 North Riverside Avenue

St. Charles, Illinois 60174

630.377.4400

Before Jean S. Busse, a Certified Shorthand  
Reporter, Registered Professional Reporter, and a  
Notary Public in and for the State of Illinois.

REPORT OF PROCEEDINGS DUNKIN' DONUTS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

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A P P E A R A N C E S

PRESENT:

- MR. TODD WALLACE, Chairman
- MS. SUE AMATANGELO, Member
- MR. BRIAN DOYLE, Member
- MR. STEVE GAUGEL, Member
- MR. TIM KESSLER, Member
- MS. LAURA MACKLIN-PURDY, Member
- MR. TOM PRETZ, Member

ALSO PRESENT:

- MR. CHRISTOPHER TIEDT, Development Engineering  
Manager
- MR. RUSSELL COLBY, Planning Division Manager
- MS. ELLEN JOHNSON, Planner



REPORT OF PROCEEDINGS DUNKIN' DONUTS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

5

1           We went back and forth with Staff to make  
2 adjustments per their comments, picking up everything,  
3 we believe, that makes sense, accommodating the  
4 traffic study that was put together for the site. We  
5 think it's a very good use for this current location,  
6 and it suits our franchisee very well.

7           You've got the elevations in front of you.  
8 We're proposing extensive remodeling for the exterior  
9 to meet the Dunkin' branding, adding some landscaping  
10 that was never there before, and trying to soften the  
11 edges of the building where we're bringing this  
12 drive-through and turning the -- making it a one-way  
13 between the two existing buildings to accommodate a  
14 smooth transition of traffic from the drive-through  
15 window out back to the parking lot.

16           One of the things that we worked with Staff  
17 in reference to parking, they brought to our attention  
18 that the current site is underparked and bringing in  
19 the concept of shared parking, as we've presented to  
20 this Commission for another Dunkin' site previously.

21           The Dunkin' peak hours are from 6:00 to  
22 10:00. After 10:00 o'clock, business drops off  
23 significantly. We've provided a spreadsheet that  
24 shows that most of the tenants in this space don't

REPORT OF PROCEEDINGS DUNKIN' DONUTS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

6

1 open until 9:00, 10:00, or 11:00. So we feel shared  
2 parking would work very well.

3 In fact, for this particular size store,  
4 actual parking, probably ten spots, will be for actual  
5 in-store use. Most of it is, obviously,  
6 drive-through. At very peak hours, there will be a  
7 maximum of probably four employees. So the impact is  
8 minor to the site, particularly since our peak hours  
9 are before anybody else opens.

10 I think that's basically it in a nutshell.  
11 We're here to answer any questions that you have  
12 regarding this.

13 CHAIRMAN WALLACE: I have a question.  
14 Whose is this?

15 Have we had any -- this whole thing with the  
16 drive-throughs crossing an opposite-heading lane of  
17 traffic, I mean, this seems to be a new thing here  
18 because I don't remember ever having a proposal like  
19 this. Then all of a sudden we have the Starbucks on  
20 the west side just east of Randall Road on the  
21 northwest side that has the same drive-through  
22 configuration.

23 How does -- I know what our zoning ordinance  
24 says, but what type of feedback have we had to that

REPORT OF PROCEEDINGS DUNKIN' DONUTS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

7

1 arrangement? Like maybe that's more of a -- I don't  
2 know.

3 MR. TIEDT: We really haven't had a lot  
4 of feedback as far as operational concerns. That  
5 Starbucks has been there -- Chris Tiedt.

6 CHAIRMAN WALLACE: Because it's kind of  
7 an alley.

8 MR. TIEDT: At least my understanding  
9 as to why that ingress-egress easement exists is  
10 because back as this area developed, you have your  
11 signal further to the east on the corner there, and to  
12 the west you may not have that.

13 So I believe that this ingress-egress  
14 easement really exists just to serve so people can get  
15 out to that signal. I mean, it's not necessarily a  
16 two-lane road that's traveled or used as a two-lane  
17 road in the sense of driving down, you know, Tyler or  
18 something like that.

19 CHAIRMAN WALLACE: So from a practical  
20 standpoint, what do you think of any type of traffic  
21 conflict, I mean, just based on what we're looking at  
22 right here?

23 MR. TIEDT: I really don't see a lot of  
24 issues.

REPORT OF PROCEEDINGS DUNKIN' DONUTS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

8

1           Based on what's happened at Starbucks, I  
2           have heard of no concerns. I haven't consulted with  
3           the Police Department to see if there's been any  
4           issues there.

5           This area, too, it's pretty wide open. It's  
6           pretty visible. You're not looking at like quickly  
7           turning in to get into the drive through and you have  
8           a bunch of arbor vitae blocking something. I mean,  
9           when you're behind the Gino's East and you're heading  
10          west to get in line at Starbucks, you can see a  
11          quarter mile ahead of you straight-line distance, I  
12          mean, as far as oncoming traffic.

13           CHAIRMAN WALLACE: Well, what I'm  
14          wondering is if there's a line of cars -- you have  
15          one, two, three, four, five, six, seven -- eight shown  
16          there; but if you have nine and ten, are you blocking  
17          traffic that is coming from that other direction?

18           MEMBER KESSLER: There is no traffic  
19          back there.

20           CHAIRMAN WALLACE: I go to north Tyler.  
21          That's where my parents live, up there.

22           MEMBER KESSLER: That's not a through  
23          street.

24           MEMBER DOYLE: I guess I kind of had

REPORT OF PROCEEDINGS DUNKIN' DONUTS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

9

1 the same question, technically speaking, if the queue  
2 extended to 11 cars, would that violate the easement?

3 Does the easement require that there be  
4 space for two lanes of traffic all the way to the east  
5 portion of the lot at Tyler Road?

6 MR. TIEDT: The easement does not go  
7 into great detail as to the design or layout of the  
8 ingress and egress easement area. Really, a 40-foot,  
9 35-foot ingress/egress easement is granted over this  
10 area.

11 MEMBER KESSLER: And how far is it east  
12 to west?

13 MR. TIEDT: It's literally from the  
14 east side of the entire property all the way over to  
15 behind Advance Auto and all the way through there.

16 MEMBER KESSLER: Really? Okay.

17 CHAIRMAN WALLACE: Then the cars  
18 that are shown in the picture right here parked  
19 alongside --

20 MEMBER KESSLER: They're late models.

21 CHAIRMAN WALLACE: -- is that a curb  
22 where the dashed line is? I mean, those cars are  
23 parked where the car is shown going westbound.

24 MS. JOHNSON: Yeah. They're basically

REPORT OF PROCEEDINGS DUNKIN' DONUTS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

10

1 parked in that northern -- the westbound lane right  
2 now, and those aren't official parking spaces.

3 CHAIRMAN WALLACE: And these are people  
4 that are at the apartments that are parking in the  
5 alley here?

6 MS. JOHNSON: Maybe, or maybe staff.

7 MEMBER MACKLIN-PURDY: Yeah. I was  
8 back there today. They're not parking spaces. I  
9 don't even know -- yeah. I was back there today  
10 looking around. There's no lines, nothing. It almost  
11 seems like they shouldn't be parked there.

12 CHAIRMAN WALLACE: Yeah. Well, I know  
13 it's not our job to police that. The market will  
14 figure it out because if that's disturbing your  
15 drive-through, you're going to take care of it with  
16 your landlord.

17 MR. KOLBER: And we have had  
18 discussions with the landlord as to policing that area  
19 a little bit better and locating dumpsters tighter  
20 because of this configuration.

21 MEMBER KESSLER: That would be my  
22 question because I noticed in these photographs that's  
23 a pretty -- I'm sure you'll want to -- I'm not going  
24 to look at a Dumpster after I sit in line next to

REPORT OF PROCEEDINGS DUNKIN' DONUTS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

11

1 that. I assume you'll be cleaning that up.

2 I mean, there's no traffic study back there;  
3 right? It's an alley. So we don't know if there's a  
4 lot of traffic. I assume there's not.

5 MEMBER PRETZ: Just me.

6 MEMBER KESSLER: Just you and Todd.

7 MEMBER DOYLE: Worst-case scenario, if  
8 a problem emerged and you had to post a sign on the  
9 back of the building there that said "Do not block the  
10 access lane," I mean, we're granting a drive-through  
11 of up to nine cars -- right? -- or eight cars.

12 So the drive-through does not technically  
13 extend into the easement lane. If vehicles do, if  
14 they are there, then you would be able to -- I mean,  
15 you don't expect that because your study shows that  
16 the maximum queue is nine.

17 MR. KOLBER: Right.

18 MEMBER DOYLE: But if you had to post a  
19 sign that said "Don't block the lane" --

20 MR. KOLBER: As we mentioned, we had  
21 discussions with the landlord about no parking back  
22 there. We want to put more signage to enforce to keep  
23 that lane as open as possible, and Staff brought to  
24 our attention the easement.

REPORT OF PROCEEDINGS DUNKIN' DONUTS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

12

1           Initially we were proposing to change it to  
2 one-way to alleviate that. Then the easement was  
3 brought to our attention. So that's why we had to  
4 work on the two-way configuration.

5           MEMBER DOYLE: I have a question  
6 regarding shared parking. Do you want me to wait?

7           CHAIRMAN WALLACE: Well, no.

8           Did I miss it? Are those diagonal spots  
9 existing right now?

10           MR. KOLBER: They're facing the other  
11 direction right now. We're just restriping it and  
12 turning it to accommodate the one-way traffic we're  
13 proposing.

14           MEMBER DOYLE: So we have a letter and  
15 data that shows that the shared parking can be  
16 accommodated right now based on current tenant uses.

17           This is a question really probably for  
18 Staff. What if in a year or two there's a different  
19 tenant on this property whose hours are not -- you  
20 know, who does operate during Dunkin' Donuts' peak  
21 hours? What would be the remedy?

22           If I'm now a new tenant and I don't have  
23 sufficient parking because the situation has changed  
24 since we approved this special use, what would be the

REPORT OF PROCEEDINGS DUNKIN' DONUTS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

13

1 remedy there?

2 MR. COLBY: Well, the City really only  
3 is consulted when there's a tenant change and there's  
4 a building permit required.

5 So if there's someone who is moving in their  
6 space who is requesting a building permit, then we'll  
7 need to verify that the use that they are requesting  
8 the building permit for is adequately served by  
9 parking; but because we don't have a business  
10 licensing program, we don't keep track of all the  
11 different businesses that exist in shopping centers.

12 So to some extent, that responsibility falls  
13 back on the landlord to manage the availability of  
14 parking, obviously, within our code requirements as  
15 much as possible. We do have the flexibility to grant  
16 the shared parking approval based on existing uses at  
17 the time it's requested, but we don't have a tool to  
18 keep track of it on a consistent basis.

19 MEMBER DOYLE: I guess to follow up, in  
20 terms of due diligence, we don't need to consider  
21 future possible conditions, right, in terms of finding  
22 that -- for the special use, we can just look at  
23 existing conditions and sort of stop at that point?

24 MR. COLBY: Correct.

REPORT OF PROCEEDINGS DUNKIN' DONUTS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

14

1 MEMBER DOYLE: Is that consistent with  
2 past practice?

3 MR. COLBY: We can't make assumptions  
4 about what other uses may go in there or what their  
5 hours might be.

6 But in all likelihood, if other uses were to  
7 move in there, if they had a higher parking demand,  
8 they would likely be a restaurant use or something  
9 like that that requires a higher permit. So we end up  
10 catching those.

11 If it's a use that's comparable to a retail  
12 use that changes in the space, the parking demand  
13 doesn't usually change.

14 MEMBER AMATANGELO: Is it your thought  
15 to put in a curb to kind of self-direct the traffic  
16 into that lane and around the building in the  
17 drive-through, or is it just going to be open striped?

18 MR. KOLBER: It's just going to be open  
19 striped.

20 We are proposing that the pork chop at the  
21 end be a curbed element, though, to force the turn to  
22 the left.

23 MEMBER GAUGEL: Question for Staff.

24 I guess historically there used to be two

REPORT OF PROCEEDINGS DUNKIN' DONUTS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

15

1 banks in there. Back in the '80s or late '70s, it  
2 used to be a Dunham Bank that had a drive-through in  
3 that facility. Then I think Corporate America, the  
4 credit union that was in there, I believe they had a  
5 drive-through window there as well. I can't remember  
6 if it was removed before they were there.

7 What was the requirement back then? Because  
8 this would have flowed right into that same scenario.

9 Back when Dunham Bank was in there -- now  
10 I'm dating myself -- it was busy. There was no  
11 vacancy in that property at all. That property was  
12 very busy. I would imagine that the same scenario  
13 would have had to play out at that point.

14 Is there any history on that?

15 MR. COLBY: Are you talking in terms of  
16 parking?

17 MEMBER GAUGEL: The stacking spaces,  
18 the drive-through.

19 MS. JOHNSON: Yeah. We looked for a  
20 record of that drive-through because we heard about  
21 that, also. We couldn't find any City approvals for  
22 that.

23 The previous iterations of the zoning  
24 ordinance allowed drive-throughs as a permitted use.

REPORT OF PROCEEDINGS DUNKIN' DONUTS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

16

1 So that was probably the case back then. So it  
2 probably didn't need a special approval from the City.

3 MEMBER DOYLE: One more question for  
4 the applicant.

5 On Pages 5 and 6 of the Staff memo, in  
6 Sections B through E there are a number of bulleted  
7 Staff comments for site layout and engineering,  
8 landscaping, architectural elevations, and signage.

9 First, I assume you've had a chance to  
10 review the Staff comments?

11 MR. KOLBER: Uh-huh.

12 MEMBER DOYLE: Are any of those  
13 comments, the recommendations -- or implied  
14 recommendations issues that would give you pause or  
15 that you would be unable or unwilling to work with  
16 Staff to resolve?

17 MR. KOLBER: No. There's nothing here  
18 that we haven't considered ourselves. We've been  
19 working with the landlord on trash enclosures, things  
20 like that.

21 MEMBER DOYLE: Signage as well?

22 MR. KOLBER: Signage as well.

23 MEMBER DOYLE: Okay.

24 CHAIRMAN WALLACE: Any other questions?

REPORT OF PROCEEDINGS DUNKIN' DONUTS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

17

1 Comments?

2 MEMBER MACKLIN-PURDY: I don't even  
3 know if I'm on target here, I have talked to other  
4 tenants in that Tin Cup Pass, and the lighting and the  
5 safeties of that has been a huge concern.

6 So I would just hope that when you do  
7 discuss with the landlord, that all the lights are  
8 working throughout the entire place because it's been  
9 a little sketchy.

10 MR. KOLBER: Sure. We're going to  
11 being adding lights along the drive-through lanes, as  
12 you can imagine. We can bring that up to the  
13 landlord.

14 MEMBER MACKLIN-PURDY: It's a huge  
15 issue.

16 CHAIRMAN WALLACE: Use your leverage.

17 MR. KOLBER: Yes.

18 MEMBER MACKLIN-PURDY: I think I  
19 mentioned that to you.

20 CHAIRMAN WALLACE: All right. Anything  
21 else? All right. Anything from the public? All  
22 right.

23 MEMBER DOYLE: I would recommend that  
24 we close the public hearing.

REPORT OF PROCEEDINGS DUNKIN' DONUTS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

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MEMBER AMATANGELO: Second.

CHAIRMAN WALLACE: Moved and seconded.

Discussion on the motion?

Tim?

MEMBER KESSLER: Amatangelo.

MEMBER AMATANGELO: Yes.

MEMBER KESSLER: Doyle.

MEMBER DOYLE: Yes.

MEMBER KESSLER: Pretz.

MEMBER PRETZ: Yes.

MEMBER KESSLER: Macklin-Purdy.

MEMBER MACKLIN-PURDY: Yes.

MEMBER KESSLER: Gaugel.

MEMBER GAUGEL: Yes.

MEMBER KESSLER: Wallace.

CHAIRMAN WALLACE: Yes.

MEMBER KESSLER: Kessler, yes.

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

Next on your agenda is Item 6, "1566 East  
Main Street, Dunkin' Donuts (Kolbrook Design, Inc.)  
Application for Special Use for a Drive-Through  
Facility."

Is there a motion?

REPORT OF PROCEEDINGS DUNKIN' DONUTS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

19

1 MEMBER KESSLER: I would move that we  
2 recommend approval to the Planning and Development  
3 Committee for the application for special use for a  
4 drive-through facility subject to any outstanding  
5 Staff comments.

6 MEMBER PRETZ: Second.

7 CHAIRMAN WALLACE: It's been moved and  
8 seconded.

9 Discussion on the motion?

10 Tim?

11 MEMBER KESSLER: Amatangelo.

12 MEMBER AMATANGELO: Yes.

13 MEMBER KESSLER: Doyle.

14 MEMBER DOYLE: Yes.

15 MEMBER KESSLER: Pretz.

16 MEMBER PRETZ: Yes.

17 MEMBER KESSLER: Wallace.

18 CHAIRMAN WALLACE: Yes.

19 MEMBER KESSLER: Macklin-Purdy.

20 MEMBER MACKLIN-PURDY: Yes.

21 MEMBER KESSLER: Gaugel.

22 MEMBER GAUGEL: Yes.

23 MEMBER KESSLER: Kessler, yes.

24 CHAIRMAN WALLACE: All right. It

REPORT OF PROCEEDINGS DUNKIN' DONUTS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

20

1 passes unanimously, and that concludes Item 6 on your  
2 agendas.

3 Thank you, Gentlemen.

4 MR. KOLBER: Thank you.

5 CHAIRMAN WALLACE: Item 8, "Meeting  
6 Announcements." We have meetings of our Commission in  
7 two weeks and then four weeks and two weeks after  
8 that.

9 MEMBER KESSLER: You said, Ellen, that  
10 the Heritage Square --

11 MS. JOHNSON: Yeah. Both of these will  
12 be on February 9th, most likely.

13 MR. COLBY: Also, we anticipate the  
14 First Street project will be on that agenda as well.

15 MEMBER KESSLER: What was that you just  
16 said?

17 MR. COLBY: The First Street project  
18 will likely be on that agenda as well.

19 CHAIRMAN WALLACE: The Planning and  
20 Development Committee on the 9th.

21 MEMBER KESSLER: That will be a busy  
22 night.

23 CHAIRMAN WALLACE: All right. Any  
24 additional business?

REPORT OF PROCEEDINGS DUNKIN' DONUTS  
CONDUCTED ON TUESDAY, JANUARY 20, 2015

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Do we foresee our meetings going?

MR. COLBY: February 3rd, yes.

CHAIRMAN WALLACE: Okay.

MR. COLBY: Beyond that, I don't know.

I'm not sure.

CHAIRMAN WALLACE: Additional business  
from Planning Commission Members? Staff? Citizens?

All right. Is there a motion to adjourn?

MEMBER AMATANGELO: So moved.

MEMBER GAUGEL: Second.

CHAIRMAN WALLACE: It's been moved and  
seconded.

All in favor?

(The ayes were thereupon  
heard.)

CHAIRMAN WALLACE: This meeting of the  
St. Charles Plan Commission is adjourned at 8:56 p.m.

(Proceedings concluded at  
8:56 p.m.)

