

**MINUTES  
CITY OF ST. CHARLES, IL  
PLAN COMMISSION  
TUESDAY, SEPTEMBER 22, 2015**

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Members Present: Chairman Todd Wallace  
Vice Chair Tim Kessler  
Jim Holderfield  
Tom Pretz  
Michelle Spruth  
Brian Doyle  
Laura Macklin-Purdy

Members Absent: Tom Schuetz, Dan Frio

Also Present: Matthew O'Rourke- Economic Development Manager  
Ellen Johnson-Planner  
Court Reporter

**1. Call to order**

Chairman Wallace called the meeting to order at 7:00 p.m.

**2. Roll Call**

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

**3. Presentation of minutes of the September 8, 2015 meeting.**

**Motion was made by Mr. Kessler, seconded by Mr. Doyle and unanimously passed by voice vote to accept the minutes of the September 8, 2015 meeting.**

Item #5 on the agenda was moved to be the next item for discussion.

**PUBLIC HEARING**

**5. General Amendment (City of St. Charles)**

Ch. 17.18 "Inclusionary Housing", Ch. 17.04 "Administration", Section 17.04.400 "Planned Unit Developments – Purpose and Requirements", and Appendix A "Application Checklists" (Remove the Inclusionary Housing provisions from the Zoning Ordinance for the purpose of relocating these provisions to a new title within the City Code)

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

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**Motion was made by Mr. Doyle, seconded by Mr. Kessler and unanimously passed by voice vote to continue the public hearing to October 20, 2015 at 7:00 p.m.**

Roll Call Vote:

Ayes: Spruth, Holderfield, Doyle, Macklin-Purdy, Pretz, Wallace, Kessler

Nays:

Absent: Schuetz, Frio

Motion carried: 7-0

**4. Delnor PUD, 975 N. 5<sup>th</sup> Ave. (Accurate Repro, Inc.)**

Application for Special Use requesting an amendment to PUD Ordinance 2001-Z-38 to allow an illuminated monument sign.

The attached transcript prepared by Planet Depos - 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. Holderfield and unanimously passed by voice vote to close the public hearing.**

Roll Call Vote:

Ayes: Spruth, Holderfield, Doyle, Macklin-Purdy, Pretz, Wallace, Kessler

Nays:

Absent: Schuetz, Frio

Motion carried: 7-0

**MEETING**

**6. Delnor PUD, 975 N. 5<sup>th</sup> Ave. (Accurate Repro, Inc.)**

Application for Special Use requesting an amendment to PUD Ordinance 2001-Z-38 to allow an illuminated monument sign.

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

**Motion was made by Mr. Kessler, seconded by Ms. Macklin-Purdy and unanimously passed by voice vote to recommend approval of the application for Special Use requesting an amendment to PUD Ordinance 2001-Z-38 to allow an illuminated monument sign.**

Roll Call Vote:

Ayes: Spruth, Holderfield, Doyle, Macklin-Purdy, Pretz, Wallace, Kessler

Nays:

Absent: Schuetz, Frio

Motion carried: 7-0

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**7 General Amendment (City of St. Charles)**

Ch. 17.18 “Inclusionary Housing”, Ch. 17.04 “Administration”, Section 17.04.400 “Planned Unit Developments – Purpose and Requirements”, and Appendix A “Application Checklists” (Remove the Inclusionary Housing provisions from the Zoning Ordinance for the purpose of relocating these provisions to a new title within the City Code)

**No Action; public hearing was continued to October 20, 2015.**

**8. Weekly Development Report**

Ms. Johnson noted that the applications reviewed by the Plan Commission that went to City Council on September 21 were approved.

**9. Meeting Announcements**

a. Plan Commission

Tuesday, October 6, 2015 at 7:00pm Council Chambers  
Tuesday, October 20, 2015 at 7:00pm Council Chambers  
Tuesday, November 3, 2015 at 7:00pm Council Chambers

b. Planning & Development Committee

Monday, October 12, 2015 at 7:00pm Council Chambers  
Monday, November 9, 2015 at 5:30pm Century Station Training Room – Joint meeting of Plan Commission and P&D Committee  
Monday, December 14, 2015 at 7:00pm Council Chambers

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

Ms. Johnson said that staff has withdrawn the General Amendment application filed by staff to amend the lot area requirements for the RT-4 and CBD zoning districts, based on the Plan Commission’s discussion at the public hearing on September 8. Staff has filed a new application with a modified proposal. The public hearing for that application will be held on October 6.

**11. Adjournment at 8:21 p.m.**

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BEFORE THE PLAN COMMISSION  
OF THE CITY OF ST. CHARLES

-----x  
In Re: :  
City of St. Charles Requests :  
a General Amendment to :  
Chapter 17.18, Inclusionary :  
Housing, et al. :  
-----x

HEARING  
St. Charles, Illinois 60174  
Tuesday, September 22, 2015  
7:01 p.m.

Job No.: 92995  
Pages: 1 - 62  
Reported by: Melanie L. Humphrey-Sonntag,  
CSR, RDR, CRR, CCP, FAPR

Hearing: General Amendment Chapters 17, 18  
Conducted on September 22, 2015

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Hearing held at the location of:

ST. CHARLES CITY HALL

2 East Main Street

St. Charles, Illinois 60174

(630) 377-4400

Before Melanie L. Humphrey-Sonntag, a Certified  
Shorthand Reporter, Registered Diplomate Reporter,  
Certified Realtime Reporter, and a Notary Public in  
and for the State of Illinois.

Hearing: General Amendment Chapters 17, 18  
Conducted on September 22, 2015

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PRESENT:

TODD WALLACE, Chairman

TIM KESSLER, Vice Chairman

BRIAN DOYLE, Member

JIM HOLDERFIELD, Member

LAURA MACKLIN-PURDY, Member

TOM PRETZ, Member

MICHELLE SPRUTH, Member

ALSO PRESENT:

ELLEN JOHNSON, Planner

MATTHEW O'ROURKE, Economic Development Manager

Hearing: General Amendment Chapters 17, 18  
Conducted on September 22, 2015

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P R O C E E D I N G S

CHAIRMAN WALLACE: Okay. So let's move on to Item 5.

Item 5 is a general amendment to the City of St. Charles, Chapter 17.18, "Inclusionary Housing"; Chapter 17.14, "Administration"; Section 17.04.400, "Planned Unit Developments, Purpose and Requirements"; and Appendix A, "Application Checklist"; in parentheses, "Remove the inclusionary housing provisions from the Zoning Ordinance for the purpose of relocating these provisions to a new title within the City Code."

MS. JOHNSON: Yes. This is a general amendment that staff is proposing at the recommendation of the Housing Commission to remove the provisions of the inclusionary housing chapter, which is known as the Inclusionary Housing Ordinance, or the IHO -- remove that from the Zoning Ordinance for the purpose of placing the IHO within its own title within City Code.

The IHO was added to the Zoning Ordinance in 2008. It requires new -- developers of new residential developments to provide a percentage of affordable units within the development or to pay a

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1 fee in lieu instead of providing units, and the fee in  
2 lieu payments go into the City's housing trust fund.

3 The Housing Commission was instrumental in  
4 creating the IHO back in 2008. They worked for  
5 several years to put it together. The Housing  
6 Commission is a nine-member citizen advisory  
7 commission charged with providing policy and program  
8 guidance to City Council, really to promoting housing  
9 affordability in the city.

10 The Housing Commission over the past several  
11 months has been discussing several amendments to the  
12 IHO. One of these amendments that they've recommended  
13 is to remove the IHO from the Zoning Ordinance and  
14 place it within a stand-alone title of the City Code.  
15 The inclusionary housing requirements would remain.  
16 They would continue to exist within the City Code.  
17 Developments would continue to be subject to the  
18 provisions. They just would not be located within the  
19 Zoning Ordinance title of the City Code.

20 So the reasoning behind this amendment is  
21 that the IHO -- first is that it really does not fit  
22 with the rest of the Zoning Ordinance in that the  
23 Zoning Ordinance governs more of the physical  
24 development of property while the IHO relates only to

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1 the cost of units.

2 The second reason is that, since the IHO is  
3 part of the Zoning Ordinance, the Plan Commission is  
4 required to review developments for compliance with  
5 the IHO as part of the development review process.  
6 The Plan Commission's role really is to review  
7 physical development of property, and it isn't  
8 required to have kind of the same knowledge of housing  
9 issues as the Housing Commission.

10 In the past this review by the Planning  
11 Commission in addition to the Housing Commission has  
12 kind of prolonged and complicated the development  
13 review process.

14 Third, since the IHO is part of the Zoning  
15 Ordinance, similarly, the Plan Commission must provide  
16 a recommendation to Council regarding amendments or  
17 changes to the IHO. Well, the Housing Commission  
18 really is the group tasked with providing that sort of  
19 policy guidance related to housing to the City  
20 Council. So the fact that there's two citizen  
21 advisory commissions involved in the process isn't  
22 particularly efficient.

23 Staff has consulted with the City attorney  
24 regarding moving the IHO from the Zoning Ordinance and

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1 placing it within a stand-alone title, and he is  
2 stating that doing so would be acceptable.

3 The Housing Commission voted unanimously to  
4 recommend approval of the proposal back in its --  
5 during its August meeting.

6 Any questions or -- there's a few Housing  
7 Commission members here tonight, too, that may wish to  
8 speak.

9 CHAIRMAN WALLACE: Okay.

10 Any questions?

11 MEMBER DOYLE: Yes. I have at least three  
12 questions.

13 The first concerns the proposal -- language  
14 of the proposal, Section IV, which includes to remove  
15 Chapter 17.04, "Administration," Section 17.04.400.C,  
16 "Limitations to Relief from the Minimum Requirements,"  
17 which states that the provisions and requirements  
18 established in Chapter 17.18 are not eligible  
19 deviations to the proposed PUD.

20 MS. JOHNSON: Yes.

21 MEMBER DOYLE: Does that mean that, if  
22 this -- if this is removed, that going forward the  
23 provisions of the IHO will be eligible deviations for  
24 a PUD?

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1 MS. JOHNSON: No, because only provisions  
2 that are within the Zoning Ordinance are eligible for  
3 deviations through a PUD. So that language will be  
4 taken out because it wouldn't really apply anymore.

5 So once the IHO is in a separate section,  
6 it's not in the Zoning Ordinance anymore, it's no  
7 longer eligible for deviations.

8 MEMBER DOYLE: Period?

9 MS. JOHNSON: Period.

10 MEMBER DOYLE: Okay.

11 Second question: So this -- this question  
12 may or may not be germane now, given what you just  
13 said. But is the Housing Commission required to  
14 review development applications where the IHO applies?

15 MS. JOHNSON: It is currently, yes, because  
16 it's part of the Zoning Ordinance. So it's one of the  
17 things that the Commission reviews and makes sure that  
18 it complies with the ordinance just like zoning bulk  
19 requirements or design standards.

20 MEMBER DOYLE: And moving forward, then,  
21 since those applications -- there's no -- there's no  
22 applicable -- there is no opportunity to recommend or  
23 deviation? There would be no review -- is that  
24 correct? --

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1 MS. JOHNSON: Well --

2 MEMBER DOYLE: -- of the application itself?

3 MS. JOHNSON: Right. It would kind of  
4 function like the school land cash -- school and park  
5 land cash work sheets. So there will be a line item  
6 within the staff report saying, "The proposal complies  
7 with the Inclusionary Housing Ordinance," and then  
8 we'll give information about how, like "They're  
9 providing the required fee in lieu" or "They're  
10 providing the required number of units."

11 If the developer is requesting to deviate  
12 from the ordinance, it can only do so if it meets  
13 certain criteria, which is currently in the  
14 Inclusionary Housing Ordinance, like if there's a  
15 financial hardship, like if the development is on a  
16 brownfield site and it would be a financial hardship  
17 for the developer to also provide units because they  
18 have to do so much environmental cleanup. Then  
19 they're allowed to propose an alternative plan to meet  
20 the ordinance instead of a straight fee or per-unit  
21 requirement.

22 And those proposals, those alternative  
23 proposals, would be reviewed by the Housing  
24 Commission, and then the Housing Commission would

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1 provide the recommendation on whether or not they're  
2 appropriate to the City Council.

3 MEMBER DOYLE: Okay. So in those cases, do  
4 those reviews entail any public hearing?

5 MS. JOHNSON: No, they would not.

6 MEMBER DOYLE: So there's no public notice  
7 entailed?

8 MS. JOHNSON: No.

9 MEMBER DOYLE: Okay. And if the Housing  
10 Commission wishes to recommend an amendment -- well,  
11 let's say current state.

12 If an amendment to the IHO is proposed  
13 because it's an amendment to zoning and, therefore, a  
14 general amendment, it has to come before the Plan  
15 Commission and is subject to notification for public  
16 hearing?

17 MS. JOHNSON: Correct.

18 MEMBER DOYLE: Going forward, will proposed  
19 amendments to the IHO be subject to a public hearing  
20 and to notification?

21 MS. JOHNSON: No, they wouldn't. They would  
22 be reviewed by the Housing Commission, and there's no  
23 public hearing requirement for that.

24 MEMBER DOYLE: Okay. Thank you.

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1 CHAIRMAN WALLACE: Go ahead, Matt.

2 MR. O'ROURKE: All ordinance amendments are  
3 reviewed by the City Council, which -- so once the  
4 Housing Commission completes their review, it would  
5 still go to the Planning & Development Committee in  
6 front of the Council and be heard that way.

7 So it would --

8 MEMBER DOYLE: Are those reviews subject to  
9 public hearing notification?

10 MR. O'ROURKE: It's not a formal public  
11 hearing, but it is a public meeting where the public  
12 who is interested and available to attend can ask any  
13 questions that they would like.

14 VICE CHAIRMAN KESSLER: But -- so are  
15 Housing Commission meetings public meetings?

16 MS. JOHNSON: Those are -- the Housing  
17 Commission is public.

18 MR. O'ROURKE: They're public meetings.

19 VICE CHAIRMAN KESSLER: They are?

20 MR. O'ROURKE: Yes.

21 VICE CHAIRMAN KESSLER: But there's no  
22 public hearing required.

23 MS. JOHNSON: There would be a posted agenda  
24 on the website, but there wouldn't a mailing, although

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1 there wouldn't be a mailing anyway for ordinance  
2 amendment -- for Code amendments. There's only -- the  
3 only -- there's a legal notice published in the  
4 newspaper.

5 MEMBER DOYLE: But a public hearing, as  
6 opposed to public meeting, means that the public has  
7 an explicit opportunity to submit testimony before the  
8 body that is reviewing the amendment and making a  
9 recommendation; correct?

10 MS. JOHNSON: Correct.

11 MEMBER DOYLE: And at a public meeting, the  
12 reviewing body is under no obligation to provide an  
13 opportunity for public comment?

14 MS. JOHNSON: They're not statutorily  
15 required but it's their practice to do so. I mean,  
16 if a member of the public is there, they're going to  
17 allow them to speak.

18 MEMBER DOYLE: But not by statute?

19 MS. JOHNSON: No, not by statute.

20 MEMBER DOYLE: Okay.

21 CHAIRMAN WALLACE: Okay. Any other  
22 questions?

23 VICE CHAIRMAN KESSLER: Yes.

24 MEMBER PRETZ: Go ahead -- no.

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1 VICE CHAIRMAN KESSLER: I just have one.

2 You brought up the park and the school --

3 MS. JOHNSON: Uh-huh.

4 VICE CHAIRMAN KESSLER: -- fees and units.

5 I don't know.

6 Those are in the stand-alone section?

7 MS. JOHNSON: Yes. Those are in the  
8 subdivision chapter of City Code within a section  
9 called "Dedications," so those come into play during  
10 the subdivision review process although it's also  
11 required just for any residential development, which  
12 usually includes a subdivision.

13 VICE CHAIRMAN KESSLER: And who reviews  
14 those?

15 MS. JOHNSON: Staff. Staff reviews those.

16 VICE CHAIRMAN KESSLER: And if there's any  
17 changes made to the language in the ordinance, who  
18 proposes that?

19 Who reviews that?

20 MS. JOHNSON: Staff would provide  
21 amendment -- proposed amendment language to the  
22 Planning & Development Committee or another committee  
23 of the City Council.

24 And, also, I should say that the school and

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1 park dedications are reviewed by the school district  
2 and the park district, also, but it's the City's  
3 ordinance to enforce. But the Council considers if  
4 the school or park district has any comments.

5 VICE CHAIRMAN KESSLER: There's language in  
6 that ordinance for variations for that. Variations,  
7 who approves those?

8 MS. JOHNSON: Those would be -- the City  
9 Council approves those. Those are considered by City  
10 Council or a committee of the City Council.

11 VICE CHAIRMAN KESSLER: Okay.

12 MEMBER PRETZ: Mr. Chairman, I'm not  
13 familiar with the individuals that are on the Housing  
14 Commission, and there are some in the audience. If  
15 they could give me a name so I can put a name and a  
16 face together, to see those, is that appropriate?

17 CHAIRMAN WALLACE: Yeah. That's fine.

18 MS. JOHNSON: Would you --

19 CHAIRMAN WALLACE: Ellen, would you be able  
20 to do that so we don't have to swear everybody in?

21 MS. JOHNSON: Yes.

22 We have Rita Payleitner, who also is an  
23 Alderman. She's the City Council representative.

24 David Amundson, who is the chairman. And we have

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1 Corrine Pierog, who is a representative from the  
2 school district. And we have John Glenn, who is a  
3 citizen member.

4 MEMBER PRETZ: Thank you.

5 CHAIRMAN WALLACE: All right. Any other  
6 questions?

7 MEMBER DOYLE: I just have one more  
8 question.

9 The reference to the onerous nature of the  
10 current situation for developers, that applied or  
11 refers to the need for a developer to appear in front  
12 of two Commissions?

13 MS. JOHNSON: No. That is -- that pertains  
14 to the other amendments that the Housing Commission  
15 has been discussing. One of those is reducing the  
16 fee-in-lieu requirement so just making it less onerous  
17 financially to comply with the ordinance so that  
18 the --

19 MEMBER DOYLE: So this -- so is the pretext  
20 of this particular aspect of the proposed  
21 amendments -- that is, to remove it from the Zoning  
22 Ordinance -- is not to reduce the -- not to reduce  
23 that onerous nature or --

24 MS. JOHNSON: Not financially but it is to

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1 kind of streamline the process. Because right now  
2 there's -- it kind of goes through two citizen review  
3 commissions instead of only one, so it does prolong  
4 the process, the review process.

5 MEMBER DOYLE: But a developer only has to  
6 do that in the instance that they are requesting a  
7 deviation from the IHO under the auspices of a PUD;  
8 correct?

9 MS. JOHNSON: That is how it would be if  
10 this amendment goes forward. But currently, since  
11 it's part of the Zoning Ordinance, the Commission  
12 would review all proposals, even if they comply with  
13 the ordinance.

14 MEMBER DOYLE: But --

15 MS. JOHNSON: It wouldn't necessarily  
16 involve much discussion if they're compliant with the  
17 ordinance.

18 MEMBER DOYLE: But we don't typically  
19 receive -- like we don't typically receive an  
20 affordable housing application, per se. We receive a  
21 development application that invokes the IHO --

22 MS. JOHNSON: Right.

23 MEMBER DOYLE: -- and that has aspects  
24 that need to be, you know, attended to with regards to

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1 the IHO.

2 So if it comes before us, it's because it's  
3 a PUD application or because there's some other  
4 development request, like a map amendment or something  
5 that the developer can't do quite right, in which  
6 cases those applications have to come before the Plan  
7 Commission anyways.

8 MS. JOHNSON: Right.

9 MEMBER DOYLE: What -- can you cite an  
10 example of a case where a development application  
11 that would otherwise not need to be presented to the  
12 Plan Commission --

13 MS. JOHNSON: Uh-huh.

14 MEMBER DOYLE: -- will now no longer need to  
15 be presented to the Plan Commission because of the  
16 change?

17 MS. JOHNSON: Matt, do you -- when  
18 I started, the --

19 MR. O'ROURKE: I'm sorry.

20 MS. JOHNSON: The Housing -- for all of your  
21 reference, the Inclusionary Housing Ordinance is  
22 currently suspended, and it has been for the past  
23 two years because we're at a certain percentage of  
24 affordability. So that's why in recent times we

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1 haven't seen any affordable housing proposals.

2 But Matt was here when the ordinance  
3 applied, so he might have some direction.

4 MR. O'ROURKE: Yeah. If I understand your  
5 question, it's -- are you worried about situations  
6 currently where somebody would come through the PUD  
7 process and not have need to discuss the housing  
8 ordinance?

9 MEMBER DOYLE: No. I'm asking if there  
10 are -- right now we are to contemplate this on the  
11 basis of streamlined procedures and efficiency and  
12 making development -- facilitating development in the  
13 city.

14 MR. O'ROURKE: Okay.

15 MEMBER DOYLE: An application -- we don't  
16 get applications at the Plan Commission for an --  
17 an -- like "I'd like to submit an inclusionary housing  
18 application." We get a PUD application or a map  
19 amendment application or -- or, you know, any of those  
20 sorts of applications -- which may or may not  
21 reference the IHO, depending on -- on the  
22 characteristics of the proposed development.

23 Can you think of any kind of application  
24 that would not otherwise need to come before the Plan

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1 Commission as a matter of procedure that will now no  
2 longer need to come before the Plan Commission and,  
3 therefore, that one additional public meeting will be  
4 eliminated?

5 MS. JOHNSON: So any situations where they  
6 only need to come before the Plan Commission because  
7 of the inclusionary housing? Is that right?

8 MEMBER DOYLE: Yes. Correct.

9 MR. O'ROURKE: No, I can't think of any off  
10 the top of my head. It may be all-inclusive. But,  
11 generally, any subdivision, any application for  
12 residential subdivision PUD, any sort of plan like  
13 that will have to come to the Plan Commission.

14 It might not always be a public hearing, but  
15 all those applications are reviewed by the Plan  
16 Commission. So, really, the only time you're working  
17 on the inclusionary housing ordinance is when there's  
18 a request for subdivision. Or if somebody's building  
19 on a lot -- you know, a vacant lot; they're building a  
20 new home, something like that. So those applications  
21 wouldn't come here. They'll just be building permits.

22 So, really, the only ones I can think of are  
23 just existing lots that would be out there that would  
24 be building permits, and they would never come before

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1 the Plan Commission.

2 But the Inclusionary Housing Ordinance would  
3 apply now and still would if it's moved from the  
4 Title 17.

5 VICE CHAIRMAN KESSLER: And so now, if  
6 the -- if, in the current -- in its current state, the  
7 only time we really deal with inclusionary housing  
8 is -- well, we did it when the Inclusionary Housing  
9 Commission was formed or if there's any language  
10 changes.

11 MR. O'ROURKE: Right. And there were --

12 VICE CHAIRMAN KESSLER: That's the only time  
13 we're going to deal with it.

14 MR. O'ROURKE: Through the years, especially  
15 before the Inclusionary Housing Ordinance was  
16 suspended, there were a few applications that were  
17 subject to it, the town center application on the old  
18 mall site for one. There were very lengthy  
19 discussions. Lexington Club actually was able to  
20 apply for that development because it was approved.

21 And so those are the only two examples I can  
22 think of where they've been -- and Corporate  
23 Reserve -- I apologize -- was the third one --  
24 I'm sorry -- that was not approved.

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1           They came through the process and, really,  
2 all three of them asked for deviations to just not do  
3 it in the PUD, which is language that Commissioner  
4 Doyle referred to earlier, to put it in. They  
5 couldn't do that any longer.

6           I kind of see what staff is requesting and  
7 what the Housing Commission has discussed as the next  
8 logical step in that evolution, wherein it's no longer  
9 going to -- you can't request a deviation through the  
10 PUD anymore. And so we're going to take it one step  
11 further and put it in a different title.

12           And one large part of that thought process  
13 Ellen outlined very well, and the other part of that  
14 is it maybe allows a little more flexibility because,  
15 as these development proposals came through, they came  
16 up with some unique ways to provide affordable housing  
17 opportunities that weren't allowed in the Zoning  
18 Ordinance.

19           And part of what the Housing Commission's  
20 thought process is -- they spent a lot of time trying  
21 to figure out how to make these interesting proposals.  
22 One I can think of is just providing units off-site  
23 instead of within the development itself, which you  
24 can't do now. It's not possible.

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1           It created a lot of extra work for the  
2           Housing Commission and staff to go through the Plan  
3           Commission process in a PUD just to review a proposal  
4           that ultimately didn't work because the Zoning  
5           Ordinance didn't allow it.

6           So it's that in combination with making it  
7           less onerous for the developer, is why these ordinance  
8           amendments are being proposed. And it's going to  
9           provide, I think, developers a little more flexibility  
10          in terms of being able to creatively come up with some  
11          new solutions that I don't think you could build into  
12          the framework of the Zoning Ordinance.

13           MEMBER DOYLE: But those amendments could be  
14          made to the Zoning Ordinance, couldn't they?

15           And reduce that? I mean --

16           MR. O'ROURKE: They could. But what the  
17          history of applying this ordinance has shown staff --  
18          and I think the Housing Commission -- I don't want to  
19          speak for those members -- is that everything -- every  
20          development that comes through the doors these days --  
21          because we're not much of a greenfield community  
22          anymore -- is a lot of redevelopment. There's  
23          environmental issues. There's things -- nothing fits  
24          into a mold at all.

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1           We found ourselves currently at least having  
2           to react, and we always had to bring a slew of  
3           ordinance amendments to the Plan Commission every time  
4           a project walked through the door to make it work.

5           I mean, it really -- it -- I understand  
6           where you're coming from, and you'd like to think you  
7           can make an ordinance flexible enough to adapt, but  
8           every -- it was just -- every situation was infinitely  
9           unapplyable to the ordinance, and that's one of the  
10          reasons this is being proposed.

11          VICE CHAIRMAN KESSLER: Isn't that the  
12          purpose of the Plan Commission?

13          MR. O'ROURKE: I'm sorry?

14          VICE CHAIRMAN KESSLER: Isn't that the  
15          purpose of the Plan Commission, though, to be that  
16          filter so that, when those types of things come before  
17          the City -- you know, I'm particularly interested in  
18          your comments about those -- the town center and those  
19          big developments that came through where it was an  
20          issue. And they were -- they were dealt with in a  
21          public hearing setting.

22          It -- I mean, it -- if you don't want to  
23          have any problems when somebody brings an application  
24          in, then remove it from any review process and you

1 won't have any problems.

2 But I think that that's -- I'm a little  
3 concerned that it's being removed from a review  
4 process that is created by statute that -- you know,  
5 I -- I brought this up before, too. We don't have to  
6 have a Housing Commission. You could easily -- you  
7 know, at some point the Housing Commission could  
8 become disbanded, and there's nothing in the law that  
9 says the City of St. Charles has to have a Housing  
10 Commission.

11 And in that case, then what becomes of this  
12 ordinance and what becomes of creating these  
13 alternative plans that you speak of or proposing them?  
14 Where does that go? Does it become staff then?

15 Is that just a function of staff at that  
16 point?

17 MR. O'ROURKE: I think staff will always be  
18 part of the review process, as it is now. And,  
19 ultimately, any of these questions get decided by the  
20 City Council. I mean, they become policy questions at  
21 some point, and they have to answer.

22 What the Plan -- I would say what the Plan  
23 Commission is is a body that has to review things  
24 within the framework of the Zoning Ordinance and those

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1 things that are considered reasonable deviations for a  
2 PUD, which you can't even do with the Inclusionary  
3 Housing Ordinance anymore. It's the Plan Commission's  
4 job to apply the Zoning Ordinance and serve the unique  
5 situations in that context.

6 And if this -- it just -- what staff and,  
7 I think, the Housing Commission found is that it  
8 just -- with this issue it just doesn't always work  
9 within the zoning framework.

10 MEMBER DOYLE: I don't understand -- I guess  
11 the thing I don't understand is -- so we are moving  
12 this out into a -- the proposal is to move it out into  
13 a separate section of the City Code.

14 In so doing -- and PUDs -- the deviation for  
15 a PUD -- actually, there's no opportunity for a  
16 developer to request a deviation whatsoever --

17 MR. O'ROURKE: Correct.

18 MEMBER DOYLE: -- through the PUD process.

19 So it's that -- in that regard it would seem  
20 to me that it's more rigid and more inflexible because  
21 a developer can't bring a creative solution forward  
22 through the PUD process.

23 MR. O'ROURKE: Sure.

24 MEMBER DOYLE: So if the ordinance can be

1 amended to make the provisions more flexible, those  
2 amendments can be rendered in Title 17 or a different  
3 title. The only difference is, if they're rendered in  
4 Title 17, the proposed amendments are subject to a  
5 public hearing by statute.

6 And to piggyback and just give the audience  
7 a glimpse of where I'm going with this, I -- I have  
8 serious concerns that this is really in the public  
9 interest because -- as Tim mentions, you know -- the  
10 review by the Plan Commission and the provisions of  
11 Plan Commission review and Plan Commission hearing  
12 guarantee that the public has a right to provide  
13 public testimony and to be a part of that process.

14 And, furthermore, I have to say that I think  
15 that some of the findings of fact in the pretext of  
16 this in relation to the title and purpose and  
17 interpretation of Chapter 17 are incomplete at best.

18 Chapter 17.02.020, "Purpose and Intent,"  
19 Section A, "Promoting the public health, safety,  
20 comfort, convenience, and general welfare."  
21 Section B, "Preserving and enhancing the quality of  
22 life for residents and visitors." C, "Protecting the  
23 character of established residential neighborhoods."  
24 K, "Implementing the goals and objectives of the

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1 St. Charles Comprehensive Plan."

2 There are lots of things in the purpose and  
3 intent of Chapter 17 that extend far beyond the  
4 physical form of developments, and this Commission  
5 regularly has to consider such -- consider such issues  
6 as public safety and the residential -- residential  
7 quality of life, the character of residential  
8 developments.

9 And so what I would say is that I don't  
10 think that having a review process that involves the  
11 Plan Commission in any way undermines the authority or  
12 expertise of the Housing Commission or the value of  
13 what they do. It simply adds a redundant layer to  
14 that advice that's given to the City Council.

15 And I'd like to submit an exhibit for the  
16 public hearing, which I'll pass out here to members of  
17 the Commission.

18 This comes from an update that Lazarus House  
19 recently posted to Facebook from the National -- it's  
20 a national organization regarding homelessness in  
21 children. And the title of the article is "Number of  
22 Homeless Students Grows More Than 70 percent since  
23 2007-2008," an increase of 8 percent from 2012-2013  
24 and more than 70 percent since 2007-2008, the point

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1 being that affordable housing, which we have -- we  
2 have arguably weakened the Inclusionary Housing  
3 Ordinance in the last couple of years to make it more  
4 flexible for the development community at the same  
5 time that there's a national affordable housing crisis  
6 in the United States. And so this is something that  
7 I have a great deal of concern about even as we weigh  
8 other economic factors.

9 I just want to be clear I -- I support the  
10 work of the Housing Commission and I value the advice  
11 of the Housing Commission members. I just want to be  
12 certain that our recommendation protects the public  
13 interest by maintaining a statutorily required public  
14 hearing process for amendments to this ordinance.

15 So -- I put that out there so that we could  
16 get feedback from members of the Housing Commission  
17 who have had a part in drafting this recommendation.

18 CHAIRMAN WALLACE: Okay. Is there anyone  
19 present who wishes to speak?

20 Okay. Come on.

21 All right. First of all -- if you can raise  
22 your right hand.

23 (One witness duly sworn.)

24 CHAIRMAN WALLACE: All right. Please state

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1 your name and spell your last name for the record.

2 MR. AMUNDSON: David Amundson. The spelling  
3 is A-m-u-n-d-s-o-n. I'm at 500 Cedar Street in  
4 St. Charles. I'm the chairman of the Housing  
5 Commission.

6 And I'm completely unprepared to make  
7 remarks tonight because I didn't think there would be  
8 much opposition to this. I wish I could reconstruct  
9 the meetings we had over the last couple months  
10 because in those meetings it made perfect sense to  
11 pull it out of the Zoning Code and set it in our own  
12 little code.

13 And there was some concern about redundancy;  
14 there was some concern about we were a nonbinding  
15 advisory commission recommending to another citizen  
16 commission, who then recommends to the City Council,  
17 and that started to get a little bit redundant. It  
18 slows down things and adds months.

19 And since time is money and developers like  
20 to see efficiency -- yes, this is friendly to  
21 development. I'm not going to -- this is a different  
22 side of the fence than I'm usually on, but I can be on  
23 both sides. I'm not going to be -- grr-r-r -- all the  
24 time. It made a certain amount of sense.

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1           And I -- one of my fellow Commission members  
2           may be able to help me out and remind me where it all  
3           went. But it was logical. And I wish Rita was here  
4           tonight and -- yeah.

5           VICE CHAIRMAN KESSLER: I understand what  
6           you're saying. I really do understand where you're  
7           coming from.

8           But I have to continue to point out that  
9           it's not just one citizen committee giving advice to  
10          another citizen committee who's giving advice to the  
11          City Council. It's a citizen committee who's giving  
12          advice to a statutory committee that gives advice to  
13          the City Council. There's a difference between the  
14          Housing Commission and the Planning Commission.

15          MR. AMUNDSON: Sure. Sure.

16          VICE CHAIRMAN KESSLER: I mean, whether --

17          MR. AMUNDSON: You have a stenographer at  
18          your meetings.

19          VICE CHAIRMAN KESSLER: Well, you could have  
20          one, too.

21          I guess the -- when the Plan -- when you  
22          come in front of the Plan Commission, you have a right  
23          to a public hearing based on certain criteria. It  
24          is -- there's an authority that the Plan Commission

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1 has that committees formed by the City Council don't,  
2 and we have to weigh in on these things.

3 I'm as concerned -- and I brought this up  
4 earlier tonight -- as Brian is, that I think we're --  
5 I don't think it's in the public interest to re -- to  
6 remove opportunities for the community to weigh in on  
7 issues that are as important as the Lazarus House  
8 seems to think they are.

9 You know, we've talked about the park, land  
10 cash for the parks, land cash for the schools. Those  
11 are issues that are legislated and are argued  
12 downstate. And believe me, I've been around the  
13 development community long enough to know that there  
14 have been forays into changing those, as well, but  
15 they only happen downstate. They don't happen in  
16 these -- in communities like ours.

17 Where this kind of issue is going to change  
18 and be corrected and be addressed is because we have  
19 an Inclusionary Housing Commission -- committee -- and  
20 we have a Plan Commission that reviews these issues  
21 and makes sure that the public gets to weigh in on  
22 them. We don't have that same opportunity with those  
23 other -- you know -- those other ordinances.

24 So I guess I -- I don't see the redundancy

1 other than what you do point out, is a committee  
2 reporting to -- advising another committee who's  
3 advising a third committee. But I don't know that  
4 that's so bad, and I don't see where it is hurting the  
5 development community -- of which I'm a part of --  
6 which I'm a huge fan of streamlining -- other than to  
7 take away any teeth from the ordinance whatsoever that  
8 we have.

9 MR. AMUNDSON: Well, I -- because I think --  
10 your contention is that -- I think we pull it out --  
11 if I understand things correctly, the only time it --  
12 your concern is it would change the ordinance; it  
13 doesn't have a mandatory public hearing. Right?

14 MEMBER DOYLE: That's one concern, correct.

15 MR. AMUNDSON: That is one of the concerns.

16 And, yes, the counter to that is it is done  
17 through the City Council process and the City Council,  
18 by just the way they operate, always allows for public  
19 testimony.

20 And so it might not be statutorily  
21 mandated -- Rita whispered something in my ear about  
22 the Open Meetings Act and there has to be -- before  
23 any City ordinance is amended, it has to see the light  
24 of day there. It has to be debated and fleshed out in

1 public in the bright sunshine where everybody can see  
2 it and talk about it and anybody who's interested can  
3 chime in.

4 It is not done under the bright sunshine of  
5 the committee that's devoted discretely to  
6 development. I will grant you that. And maybe that  
7 gives a slightly different tenor to the conversation  
8 but it's still there.

9 And, certainly, nobody on the Housing  
10 Commission -- because we toil in the boiler room for,  
11 you know, very little recognition -- is going to want  
12 to see any changes made that are going to not result  
13 in something happening.

14 I'll speak very bluntly and honestly with  
15 you here. I've been on that Commission for 10 years  
16 now, and I just assumed the chairmanship of it this  
17 past year. We have yet to see a single unit get  
18 built.

19 MEMBER DOYLE: Uh-huh.

20 MR. AMUNDSON: That makes me crazy.

21 For somebody who's spent all of my college  
22 years and all of my young adult years volunteering for  
23 Habitat for Humanity left and right -- thousands of  
24 hours of volunteer time -- I saw houses getting built

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1 and built and built and built and families being put  
2 in houses, and that gave me a sense of purpose. And  
3 I appreciated that and that's what motivated me to  
4 keep working.

5 And I thought, "I'll come over and help the  
6 City do the same thing." 10 years later we've done a  
7 little bit of rehab and some help on -- assistance on  
8 remodeling, so keeping people in place, but we have  
9 yet to build a single unit.

10 And I don't want a framework in place that  
11 is so ridiculous that everybody who comes through  
12 tries to deviate or move around or say, "Well, I'll  
13 build them over here" because, essentially, all that's  
14 going to do is create slums in our own community  
15 because there's only one cheap place in town that  
16 they're going to build off-site. Affordable housing  
17 has to build off-site.

18 And part of the thing of removing it from  
19 the development and treating it more like land cash is  
20 to take away the political football, to take away  
21 the -- this neighborhood rose up and screamed --  
22 because I thought it was very, very, very interesting  
23 how, when -- the neighborhood I'm from, when Lexington  
24 came through -- and there was a lot of push-back on

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1       Lexington. We rose up with, you know, petitions with  
2       literally more than a thousand signatures on it, and  
3       Council said, you know, "Whatever. We're going to do  
4       what we want to do."

5                 Corporate Reserve, I think 20 people signed  
6       a petition and everybody backed off. And so it  
7       becomes a very political game.

8                 MEMBER DOYLE: But let's also look at what  
9       happened at Lexington Club. The first thing that came  
10      off the plans was the town houses.

11                And the -- and the -- and I --

12                MR. AMUNDSON: Oh, and that was --

13                MEMBER DOYLE: -- and I sat there and  
14      argued --

15                THE COURT REPORTER: Wait, wait.

16                MR. AMUNDSON: Sorry.

17                MEMBER DOYLE: And I sat there and argued  
18      that we should -- because at that time the IHO hadn't  
19      been amended yet. And I argued against my conscience  
20      that we should provide a deviation because of the  
21      environmental factors there, and I really, you know,  
22      sort of struggled with that.

23                MR. AMUNDSON: Yeah.

24                MEMBER DOYLE: But politically, you know,

1 the -- despite all the petitions that came forward,  
2 you know, what happened -- if you watch that from  
3 beginning to end -- was the most affordable units all  
4 came out, and we ended up with a, you know --

5 MR. AMUNDSON: -- a less affordable  
6 development, granted.

7 MEMBER DOYLE: Yeah.

8 So what I would say is I totally get where  
9 you're coming from about, you know, feeling like  
10 you're sort of relegated to the basement. Right?

11 And I think that -- I think that it would be  
12 really helpful for the Plan Commission and the Housing  
13 Commission to talk about ways to collaborate to make  
14 this issue -- to bolster this issue and make it  
15 stronger.

16 And what we're cautioning is that the  
17 inclusion of the IHO in Chapter 17 is a way to  
18 maintain that robust strength because, regardless of  
19 what current practice is today, parliamentary  
20 procedure dictates that, if the presiding officer says  
21 that the order of business will be X and it does not  
22 include public comment, it does not include public  
23 comment, period.

24 MR. AMUNDSON: Sure.

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1 MEMBER DOYLE: So, you know, right now  
2 public comment is invited at the pleasure of the  
3 presiding officer, not by right of the community --

4 MR. AMUNDSON: Okay.

5 MEMBER DOYLE: -- and those are two very  
6 different things.

7 MR. AMUNDSON: Okay.

8 MEMBER DOYLE: So I would be interested in  
9 seeing proposed amendments to IHO that strengthen this  
10 issue and that address the concern that you have and  
11 that even then maybe give the Housing Commission more  
12 weight in terms of these deliberations, if there's  
13 some way to do that.

14 I just want to say that the title and  
15 purpose of Chapter 17, of zoning, I think is inclusive  
16 of issues like economic viability and character and  
17 public welfare.

18 And the Plan Commission can be an ally to  
19 the Housing Commission in this and not need to be  
20 looked at as a -- as somehow some -- a group that  
21 obstructs the process or --

22 MR. AMUNDSON: That's not -- no, don't --  
23 don't --

24 THE COURT REPORTER: Excuse me.

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1 MEMBER DOYLE: -- somehow --

2 CHAIRMAN WALLACE: Hold on. One at a time.

3 MEMBER DOYLE: -- or somehow muddies the  
4 process up and -- gums up the works. Right?

5 So I feel very strongly about this, the same  
6 as you do. So, you know, I just -- if we make a  
7 recommendation that is contradictory to the proposal  
8 in front of us or that you've made, it's really  
9 important to me that you understand where it's coming  
10 from.

11 MR. AMUNDSON: Understood.

12 And just so you understand, we don't regard  
13 you as, you know, opponents in any capacity. That's  
14 not at all the case.

15 I think the effort was genuinely wanting to  
16 streamline things and to want to make things move  
17 along to the point that inclusionary housing and the  
18 land cash, whatever we do, just becomes sort of a  
19 perfunctory part of development in this town and that  
20 way it actually happens.

21 And that, I think, is where a lot of our  
22 conversations revolved around, is just trying to  
23 automate this and get it over -- you know, instead of  
24 pre-Lexington, "Well, we're just going to ask for a

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1 deviation"; post-Lexington, "We're going to say you  
2 can't deviate unless XYZ" -- to now trying to move to  
3 a "This is what it is. Here's a work sheet. Fill it  
4 out. We're done." And make it just very easy,  
5 straightforward, mechanical, no alarm bells going off.

6 VICE CHAIRMAN KESSLER: And I think that we  
7 feel the same way.

8 And I will say this -- and I'm going  
9 to bring this up one more time. Your passion and the  
10 work that the Housing Commission has done is something  
11 that not only do I applaud -- I'm hoping to get to a  
12 meeting because I -- because I'm on the Housing  
13 Commission, as well, and I want to see this come --  
14 I want to see a house built for you.

15 But if you're not there or this group isn't  
16 there, that's my point. And what if the presiding  
17 officer decides not to, you know, take comment?

18 MR. AMUNDSON: Fair enough.

19 VICE CHAIRMAN KESSLER: I think what we're  
20 proposing might be a little too far, in that, under  
21 current conditions with the passion of the Housing  
22 Commission and with the way -- the practice of our  
23 City Council committees and City Council right now,  
24 this could work.

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1           But we're moving it into a place that it's  
2           not coming back from. And if the Housing Commission  
3           disbands and we have a Planning & Development  
4           Committee chair that's pressed for time, we're not  
5           going to have any of those protections at all.

6           MR. AMUNDSON: Thank you.

7           VICE CHAIRMAN KESSLER: That's why I'm a  
8           little concerned about taking -- I think we're trying  
9           to take it a little too far.

10          MR. AMUNDSON: Okay.

11          Well, Ellen, anything else you want to add?

12          You've got a valid point. You've got a very  
13          valid point, and I think that's something that didn't  
14          come up in our conversations --

15          VICE CHAIRMAN KESSLER: I think --

16          MR. AMUNDSON: -- so --

17          VICE CHAIRMAN KESSLER: -- it would be  
18          better if we figured out a way that we can work to  
19          streamline this between the Plan Commission and the  
20          Housing Commission. I think that would be a better  
21          idea.

22          MR. AMUNDSON: Yeah. Because just the way  
23          you have to stage even the meetings and the public  
24          hearing and -- you know, they have to see us and then

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1 you and then P&D, then City Council -- you know,  
2 things get backed up.

3 Because we started looking at -- "Okay. We  
4 want to change the ordinance. How many months out is  
5 it going to be before it shows up for the City  
6 Council?" Quite a lot. You know, the ability to move  
7 and change is -- you know, the wheels of justice grind  
8 slowly, that whole thing, like we've been watching it  
9 happen in realtime.

10 VICE CHAIRMAN KESSLER: But we move  
11 ordinances through really quickly. You know, if  
12 you're making language changes, it's not a very long  
13 process if it comes to us. I mean -- you know, I will  
14 say this: If -- maybe if those things have to come  
15 through the Housing Commission -- the Housing  
16 Commission only meets once a month and not every  
17 month.

18 MR. AMUNDSON: Yes.

19 VICE CHAIRMAN KESSLER: That's a problem.

20 MR. AMUNDSON: Yes. Yes.

21 VICE CHAIRMAN KESSLER: You know, if you  
22 want to move something through the Housing Commission,  
23 it could take months. But we meet twice a month. You  
24 know, if there's something on the agenda, you know,

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1 we're here to move it through.

2 So maybe -- you know, this is the first time  
3 this discussion between the Council -- the Plan  
4 Commission and the Housing Commission has occurred.  
5 And to discover that we do have -- there's an issue  
6 that we should work on fixing instead of -- we just  
7 need to work together to figure out how we can  
8 streamline the process for you and for -- for the  
9 Housing Commission and for the Plan Commission.

10 MR. AMUNDSON: Okay.

11 Okay. I will yield the floor.

12 CHAIRMAN WALLACE: Thanks.

13 MS. PIEROG: Corrine --

14 CHAIRMAN WALLACE: Here. Come on up.

15 MS. PIEROG: Just briefly.

16 CHAIRMAN WALLACE: Sure.

17 MS. PIEROG: Hi. Corinne Pierog.

18 CHAIRMAN WALLACE: I need to swear you in.

19 MS. PIEROG: I swear.

20 (One witness duly sworn.)

21 MS. PIEROG: Is there anything else, any  
22 other way to talk?

23 I do represent the school district, and --  
24 but I also represent myself and, likewise, a passion

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1 for equitable housing. And what are our concerns?  
2 And I'll speak for the whole Housing Commission, if  
3 I may. You'll notice that in 10 years nothing has  
4 been done.

5 And, Mr. Doyle, you also mentioned the need  
6 for affordable housing. It impacts our students  
7 greatly. We have many students in our schools who  
8 live at Lazarus House who do not have a home. They're  
9 shipped in cars. They may live in a car. And it's  
10 unfair for us to delay this action and not move as  
11 quickly as we possibly can.

12 So, Mr. Kessler, I support what you're  
13 saying. I like to work collaboratively. I think it's  
14 critically important that we are all on the same team.  
15 But instead of saying to us -- well, we go back and we  
16 take a look at it and we spend several months in  
17 thoughtful preparation to bring this back again --  
18 let's put together a time line.

19 Let us know, staff, exactly what the needs  
20 are. We can review it and we move it forward within a  
21 month's time. Because the longer we all delay, the  
22 longer those children are going to spend Christmas not  
23 in their home. And Christmas is coming.

24 So I hate to be emotional with this, but

Hearing: General Amendment Chapters 17, 18  
Conducted on September 22, 2015

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1 I think 10 years is enough to wait.

2 VICE CHAIRMAN KESSLER: I agree. I think  
3 the time line is a good idea. And I think that, since  
4 this is the first meeting this issue has come up  
5 before us, that we could move quickly --

6 MS. PIEROG: Good.

7 VICE CHAIRMAN KESSLER: -- because we're  
8 going to -- we weren't aware that you were having  
9 these problems, that there was a problem getting  
10 streamlining through the Plan Commission.

11 And now that we know it, let's figure out  
12 what we can do.

13 MS. PIEROG: Perfect. So how do we handle  
14 that technically?

15 VICE CHAIRMAN KESSLER: Technically?

16 CHAIRMAN WALLACE: Well --

17 MR. O'ROURKE: I would think there's -- from  
18 staff's perspective there's probably three options.

19 One, you could continue the public hearing  
20 and possibly refer this conversation back to the  
21 Housing Commission. You know, that is probably the  
22 longer option.

23 The other one would be to close the public  
24 hearing, make a recommendation, either denying the

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1 amendments based on the conversation tonight or  
2 approving them with modification, you know, as the  
3 Plan Commission sees fit.

4 I think any three of those would work.

5 MEMBER DOYLE: So the only -- I just want to  
6 look at the proposal, the language of the proposal.

7 So the only thing that we have in front of  
8 us right now is to remove Chapter 17.18, "Inclusionary  
9 Housing," from the Zoning Ordinance --

10 MS. PIEROG: I'll sit down, let you talk.

11 MEMBER DOYLE: Yeah.

12 -- to remove references within the Zoning  
13 Ordinance to Chapter 17.18, "Inclusionary Housing," to  
14 remove Chapter 17.04, "Administration," limitations  
15 and relief and, in Appendix A, "Application  
16 Checklists," remove reference -- again, remove  
17 reference to Chapter 17.18, "Inclusionary Housing."

18 So we don't have any -- I mean, basically,  
19 all we're being asked to consider tonight and approve  
20 tonight is removal from the Zoning Ordinance.

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

22 MEMBER DOYLE: And any other changes to the  
23 IHO or even creation of a -- of a new chapter in the  
24 City Code and further amendments would happen under a

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1 separate -- separate motion to City Council.

2 MS. JOHNSON: Correct. If the Plan  
3 Commission recommends to deny this ordinance, that  
4 recommendation would go forward to the Planning &  
5 Development Committee, and they would consider that.

6 And then a separate -- and if they were to  
7 agree with your denial -- recommendation for a  
8 denial -- and recommend to deny, then we would bring  
9 through the next batch of general amendment -- another  
10 general amendment, which will include all of the  
11 changes to the Inclusionary Housing Ordinance that the  
12 Housing Commission has discussed in the past.

13 MEMBER DOYLE: I think -- I mean, if we had  
14 those -- if we had the language of those text  
15 proposals in front of us tonight, we could make  
16 two recommendations, one to keep it within the --  
17 within Chapter 17 and the other to consider and make  
18 those recommendations expeditiously. You know, we  
19 would consider it. We just don't have them in front  
20 of us tonight.

21 MS. JOHNSON: Right. It wasn't noticed;  
22 the -- we didn't do a public hearing notice for the  
23 others, the other amendments.

24 MEMBER DOYLE: So the two options -- the

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1 options that you said we can consider, one would be to  
2 continue the public hearing. And if we did that --  
3 you said that would be the longer route?

4 Because --

5 MR. O'ROURKE: Yeah. I mean, obviously, you  
6 have to move it to another date of the Plan  
7 Commission, but, also, we'd have to wait for the  
8 Housing Commission meetings -- meet -- so the Housing  
9 Commission can discuss this conversation if we decide  
10 to go that route.

11 VICE CHAIRMAN KESSLER: And that would be  
12 the only way, though, that we could have that  
13 discussion with the Housing Commission? Because if it  
14 moves to the City Council, then this discussion is  
15 over.

16 MEMBER DOYLE: Right. But if the -- if --  
17 let's just walk out the alternative.

18 If we recommend denial of the application  
19 and the P&D agrees with it, then we're back to this  
20 square one. Then the Housing Commission has to meet  
21 again, has to bring forward an alternate  
22 recommendation to the Plan Commission to consider  
23 those amendments and put them forward to P&D.

24 MR. O'ROURKE: And it sounds like, based on

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1 Ellen's comments, either way it has to be renoticed  
2 because the appropriate chapters were not noticed.

3 MEMBER DOYLE: So --

4 MS. JOHNSON: I believe that -- if you  
5 recommend for denial tonight and it goes to P&D,  
6 I think another -- at the next Plan Commission meeting  
7 we would meet the notice requirements, we'll be able  
8 to bring forward the rest of the amendments to the  
9 Inclusionary Housing Ordinance which the Housing  
10 Commission has already voted on. They're ready to  
11 bring -- to present those, so we would not necessarily  
12 need to go back to the Housing Commission to get their  
13 recommendation.

14 MEMBER DOYLE: So just to reiterate, the  
15 most expeditious way -- if we want -- if we believe  
16 that we want -- if our position is that we want them  
17 to see those proposed amendments, consider -- and  
18 consider them, to send them on to P&D, the fastest way  
19 to get them in front of us is to recommend denial of  
20 this application?

21 MS. JOHNSON: Are you referring to the  
22 proposed amendments that they -- that I've --  
23 pertaining to making the ordinance less onerous than  
24 the Housing Commission has discussed in the past? Or

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1 are you talking about making changes to this proposal?

2 MEMBER DOYLE: I'm talking about the  
3 additional changes that -- this proposal doesn't do  
4 anything to address the concerns that Corrine just  
5 expressed. All it does is -- it's just a matter of  
6 moving language from one section of the City Code to  
7 another so --

8 MR. O'ROURKE: And I guess I'll just  
9 buttress that by saying that this amendment -- the  
10 proposed amendments tonight did come out of a much  
11 larger conversation that was somewhat an overhaul of  
12 the Inclusionary Housing Ordinance, not in its  
13 entirety by any means, but there were certainly  
14 provisions that were being reexamined.

15 MEMBER DOYLE: So those other -- those other  
16 provisions would have to be noticed. And if we  
17 continued this public hearing, could the -- could they  
18 be noticed and brought back to the next public  
19 hearing, a revised application?

20 MR. O'ROURKE: I'd have to see the notice.

21 VICE CHAIRMAN KESSLER: And when is the next  
22 Housing Commission --

23 MR. O'ROURKE: You didn't notice 17.18?

24 (An off-the-record discussion was held.)

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1 MR. O'ROURKE: I don't think that notice  
2 would be sufficient to go over those amendments based  
3 on how the wording was in the notification. So we'd  
4 have to -- we'd have to renotice it regardless.

5 MEMBER DOYLE: So there's no -- there's  
6 nothing -- if our inclination is to -- if our desire  
7 is to see those other provisions, those other  
8 recommended amendments, then there's nothing to be  
9 gained by proposing to continue this public hearing?  
10 It won't serve to get them in front of us?

11 VICE CHAIRMAN KESSLER: Yes.

12 MR. O'ROURKE: Yeah. I think you could  
13 continue this and then renotice appropriately. It  
14 might not be -- we might not have time by the next  
15 Planning Commission meeting on the calendar.

16 VICE CHAIRMAN KESSLER: But we -- is the  
17 Housing Commission meeting before the next Plan  
18 Commission meeting?

19 MS. JOHNSON: It is not. But I don't  
20 believe that they would necessarily need to discuss  
21 because if they -- the amendments that you would be  
22 reviewing are amendments they've already discussed.

23 VICE CHAIRMAN KESSLER: But we're still  
24 talking about the discussion about moving this title

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1 to its own title, moving this ordinance to its own  
2 title.

3 MEMBER DOYLE: Well, what -- procedurally  
4 what we're talking about is continuing this public  
5 hearing --

6 VICE CHAIRMAN KESSLER: Right.

7 MEMBER DOYLE: -- so that we can receive  
8 additional information on the things that are really  
9 motivating this application.

10 VICE CHAIRMAN KESSLER: And perhaps even  
11 change the application -- have them change the  
12 application.

13 MEMBER SPRUTH: But if you change, it's a  
14 new application.

15 MS. JOHNSON: What we could do, I believe,  
16 is continue this public hearing, renote it to  
17 include both this proposal and the other amendments,  
18 and then we would be able to have this discussion  
19 again.

20 VICE CHAIRMAN KESSLER: When is the next  
21 plan -- or Housing Commission meeting?

22 MS. JOHNSON: It is in October -- it's in  
23 about a month.

24 MR. GLENN: We -- John Glenn --

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1 CHAIRMAN WALLACE: Hold on.

2 MR. GLENN: -- Housing Commission member.  
3 I swear to tell the truth. 820 King Henry Lane,  
4 St. Charles.

5 We'd have nothing to discuss at another  
6 meeting because we already have a decision on the  
7 recommendation. So you can review it and then act  
8 accordingly, in my opinion.

9 And at the appropriate time I'd like to  
10 speak, also, like they did.

11 VICE CHAIRMAN KESSLER: I'm not sure  
12 I understood what he said.

13 CHAIRMAN WALLACE: What was that?  
14 I'm sorry, John.

15 MR. GLENN: I'm sorry. What?

16 VICE CHAIRMAN KESSLER: Say that again.

17 MR. GLENN: Well, it seems to me that you  
18 want to see the meat as well as say, "Yes, move it  
19 over."

20 We were thinking the City Council would see  
21 the meat, the -- in its process, and so we -- with  
22 that being -- taking our recommendations to the  
23 committee and to the Council. But you've expressed a  
24 desire to see, "Well, what's going to change?" not

1 just to remove it.

2 So what I'm saying is, if they renote it,  
3 provide you the information, you could approve it at  
4 your next meeting. It doesn't change our stance. We  
5 still want it moved and we want it changed. So we  
6 don't need to have a meeting, is what I'm saying.

7 THE COURT REPORTER: And you wanted to speak  
8 about something else, too.

9 MR. GLENN: Oh, you want me to follow just  
10 right now?

11 I'd like to just -- in the sense of I'm the  
12 newest Plan Commission member -- not Planning, Housing  
13 Commission member. I was appointed, I believe,  
14 earlier this year.

15 The former president stepped away after the  
16 period of about 10 years, and I believe she'd been on  
17 the whole time. Due to some kind of conflict of  
18 interest, she had to step down, and that's when  
19 I stepped on and the current chairman -- I'm sorry;  
20 the chairman not the president -- the chairman came  
21 into play.

22 So I'm trying to still figure out what's  
23 going on with this Commission. My role is I'm a  
24 citizen member. I'm a Realtor. I'm a board member

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1 for Lazarus House. I'm a president of a homeowners  
2 association. So my whole life is housing.

3 And at the interview I had with staff to see  
4 if I was interested in participating in the Commission  
5 and if they were interested in bringing me on to be  
6 appointed by the mayor, we just discussed how complex  
7 this whole process is and how it's kind of just like  
8 dragging feet and meetings and nothing happens and how  
9 we almost need to just move things -- streamline  
10 things.

11 So I don't have a dog in this race.  
12 I haven't been doing it long enough to know what works  
13 and what doesn't. All I'm hearing is that nothing's  
14 been happening, this is a time to -- if you want to  
15 put it in some kind of terms, you know -- be the  
16 champions of our own domain.

17 And to my mind, we do have a big housing --  
18 affordable housing problem, particularly with respect  
19 to actually seniors, and we haven't discussed any of  
20 that. We're thinking -- we think of, you know,  
21 cheaper apartments, cheaper homes within existing  
22 developments.

23 I think -- in terms of your -- your stance  
24 or your goals and our goals, collectively, we need

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1 to -- we need to look at the housing in St. Charles  
2 and say, "What do we need 5 or 10 years from now?"  
3 because it's not being built.

4 We know what's being built. It's not  
5 serving those needs. And part of that is the funding  
6 and probably where the profits come from.

7 So if you want to address this, that's  
8 great. I just don't know what the process is because  
9 we can't speak except when we're in a meeting; you  
10 can't speak except when you're meeting. How do we get  
11 together to talk about it?

12 And I -- I asked staff to come up with some  
13 ideas on that.

14 MS. JOHNSON: What we could do in the future  
15 is set up a joint meeting, kind of like we had with  
16 the Plan Commission and Planning & Development  
17 Committee. And staff can work on organizing that,  
18 kind of just at the -- an opportunity to just meet  
19 each other and discuss housing and what each  
20 Commission really does. If you're all interested in  
21 that, I think that would be beneficial.

22 VICE CHAIRMAN KESSLER: Absolutely. But  
23 beyond that we could put a -- it could be on our  
24 agenda. It could be.

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1 MR. GLENN: It could be what?

2 VICE CHAIRMAN KESSLER: It could be an  
3 agenda item --

4 MEMBER SPRUTH: Yeah.

5 VICE CHAIRMAN KESSLER: -- that we have a  
6 discussion with the Housing Commission on these  
7 issues.

8 MR. GLENN: Okay.

9 VICE CHAIRMAN KESSLER: But as I pointed out  
10 to Corrine, this is the first time that this has come  
11 before us and --

12 MR. GLENN: And the only reason it's come  
13 before you is because it has to be -- sorry.

14 THE COURT REPORTER: Okay. Go ahead.

15 MR. GLENN: The reason it's come before you  
16 is because of our request to change things, to make  
17 things better, actually, is what I'm hearing.

18 I don't know whether it will make it better  
19 or not.

20 MEMBER DOYLE: So, Mr. Chairman, I'd like to  
21 first make an observation and then make a motion.

22 The motivating factors behind this  
23 application are not actually included in the  
24 application, the need for streamlining, the need to --

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1 the obstacles to actually developing affordable  
2 housing in St. Charles, and so I think that the Plan  
3 Commission doesn't have full visibility into the  
4 rationale for the application. What we've talked  
5 about is strictly questions of statute and questions  
6 of process and procedure.

7 And it would be beneficial for the  
8 Commission to know what those other factors are, be  
9 able to review the language so that we can reconsider  
10 the application in front of us in that context.

11 And on that basis I would motion that we  
12 continue this public hearing --

13 MS. JOHNSON: Can I note that we have not  
14 closed the public hearing?

15 MEMBER DOYLE: This public hearing.

16 MS. JOHNSON: Oh, I'm sorry. I thought you  
17 were about to make a motion.

18 MEMBER DOYLE: I'm making a motion to  
19 continue this public hearing --

20 MS. JOHNSON: Sorry.

21 MEMBER DOYLE: -- to October 12th, 2015.

22 CHAIRMAN WALLACE: October 6th.

23 MEMBER DOYLE: Thank you.

24 -- October 6th, 2015.

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1 VICE CHAIRMAN KESSLER: Second.

2 CHAIRMAN WALLACE: All right. Any further  
3 discussion on the motion?

4 (No response.)

5 CHAIRMAN WALLACE: Tim.

6 VICE CHAIRMAN KESSLER: Spruth.

7 MEMBER SPRUTH: I just have a -- sorry. One  
8 question as I'm thinking about this.

9 This is then a motion for the same  
10 application? So if there needs to be any amendments  
11 to this application or a new application, are we then  
12 suggesting a new application be submitted  
13 concurrently?

14 MEMBER DOYLE: Well, I think that that --  
15 I think that -- I'm not saying that explicitly, but  
16 I think everything that we've said makes it pretty  
17 clear that that's -- we're asking staff to do whatever  
18 it's able to do, according to existing procedures and  
19 noticing, to put the full language in front of us and  
20 preferably in a way that the Commission -- this  
21 Commission -- could make the recommendation -- maybe  
22 make two recommendations to the City Council, one  
23 recommendation that addresses the content of this  
24 proposal regarding where the IHO exists in the City

1 Code and one or more other recommendations regarding  
2 material changes to the substance of the amendments to  
3 the IHO.

4 I really don't want to be in a position of  
5 contradicting the Housing Commission in front of the  
6 City Council. I'd rather put forward a recommendation  
7 that supports what the Housing Commission really  
8 needs.

9 MR. O'ROURKE: I would just offer, based on  
10 State notification requirements, we wouldn't be able  
11 to get the amended application/notice by the time of  
12 the 6th.

13 I think we could certainly bring the  
14 amendments back because they're material to the  
15 application under consideration for -- just for you to  
16 see, but you wouldn't be able to take any action on  
17 them on the 6th.

18 VICE CHAIRMAN KESSLER: So to do what Brian  
19 is suggesting, we would have to continue this to the  
20 next meeting?

21 MR. O'ROURKE: Yeah, to the next meeting.

22 MR. GLENN: That would be fine.

23 MEMBER DOYLE: To October 20th? If we  
24 continued it to October 20th, would that provide you

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1 sufficient time?

2 MS. JOHNSON: Yes.

3 MR. O'ROURKE: Yeah. It's 14 calendar days,  
4 is what we need to be able to notice something, and  
5 we're just past it. We're at like 11 right now for  
6 the 6th.

7 MEMBER DOYLE: Tim, would you accept a  
8 friendly amendment to my motion?

9 VICE CHAIRMAN KESSLER: I would.

10 MEMBER DOYLE: Then I amend it so that it's  
11 continued to October 20th.

12 CHAIRMAN WALLACE: So the motion on the  
13 table is to continue the public hearing to  
14 October 20th, 2015, at 7:00 p.m. in Council chambers;  
15 correct?

16 MEMBER DOYLE: That's correct.

17 CHAIRMAN WALLACE: All right. Any --

18 VICE CHAIRMAN KESSLER: At this time.

19 CHAIRMAN WALLACE: Any discussion on this  
20 motion?

21 (No response.)

22 CHAIRMAN WALLACE: Tim.

23 VICE CHAIRMAN KESSLER: Spruth.

24 MEMBER SPRUTH: Yes.

Hearing: General Amendment Chapters 17, 18  
Conducted on September 22, 2015

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VICE CHAIRMAN KESSLER: Holderfield.

MEMBER HOLDERFIELD: Yes.

VICE CHAIRMAN KESSLER: Doyle.

MEMBER DOYLE: Yes.

VICE CHAIRMAN KESSLER: Macklin-Purdy.

MEMBER MACKLIN-PURDY: Yes.

VICE CHAIRMAN KESSLER: Pretz.

MEMBER PRETZ: Yes.

VICE CHAIRMAN KESSLER: Wallace.

CHAIRMAN WALLACE: Yes.

VICE CHAIRMAN KESSLER: Kessler, yes.

CHAIRMAN WALLACE: All right. That motion passes unanimously, and that concludes Item 5 on the agenda.

Thank you. Thank you all.

MS. PIEROG: Thank you very much. Appreciate it.

MR. GLENN: Thank you.

(Off the record at 8:02 p.m.)

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BEFORE THE PLAN COMMISSION  
OF THE CITY OF ST. CHARLES

-----x  
In Re: :  
Accurate Repro, Inc., :  
Requests a Special Use to :  
Allow an Illuminated Monument :  
Sign; Property Located at :  
975 North Fifth Avenue. :  
-----x

HEARING  
St. Charles, Illinois 60174  
Tuesday, September 22, 2015  
7:00 p.m.

Job No.: 92995  
Pages: 1 - 27  
Reported by: Melanie L. Humphrey-Sonntag,  
CSR, RDR, CRR, CCP, FAPR

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Hearing held at the location of:

ST. CHARLES CITY HALL

2 East Main Street

St. Charles, Illinois 60174

(630) 377-4400

Before Melanie L. Humphrey-Sonntag, a Certified  
Shorthand Reporter, Registered Diplomate Reporter,  
Certified Realtime Reporter, and a Notary Public in  
and for the State of Illinois.

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PRESENT:

TODD WALLACE, Chairman

TIM KESSLER, Vice Chairman

BRIAN DOYLE, Member

JIM HOLDERFIELD, Member

LAURA MACKLIN-PURDY, Member

TOM PRETZ, Member

MICHELLE SPRUTH, Member

ALSO PRESENT:

ELLEN JOHNSON, Planner

MATTHEW O'ROURKE, Economic Development Manager

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P R O C E E D I N G S

CHAIRMAN WALLACE: This meeting of the  
St. Charles Plan Commission will come to order.

Tim, roll call.

VICE CHAIRMAN KESSLER: Okay.

Spruth.

MEMBER SPRUTH: Here.

VICE CHAIRMAN KESSLER: Holderfield.

MEMBER HOLDERFIELD: Here.

VICE CHAIRMAN KESSLER: Doyle.

MEMBER DOYLE: Here.

VICE CHAIRMAN KESSLER: Pretz.

MEMBER PRETZ: Here.

VICE CHAIRMAN KESSLER: Wallace.

CHAIRMAN WALLACE: Here.

VICE CHAIRMAN KESSLER: Kessler, here.

Macklin-Purdy.

MEMBER MACKLIN-PURDY: Here.

CHAIRMAN WALLACE: All right.

Item 3 on the agenda is presentation of the  
minutes of the September 8th, 2015 meeting. Is there  
a motion?

VICE CHAIRMAN KESSLER: So moved.

MEMBER DOYLE: Second.

Hearing: 975 N. Fifth Avenue  
Conducted on September 22, 2015

5

1 CHAIRMAN WALLACE: It's been moved and  
2 seconded.

3 All in favor?

4 (Ayes heard.)

5 CHAIRMAN WALLACE: Opposed?

6 (No response.)

7 CHAIRMAN WALLACE: Motion passes  
8 unanimously.

9 Items No. 4 and 5 are public hearing, Item 4  
10 first because it comes first alphabetically -- or  
11 numerically.

12 VICE CHAIRMAN KESSLER: Numerically.

13 CHAIRMAN WALLACE: And alphabetically. Look  
14 at that.

15 Item 4 is Delnor PUD, 975 North Fifth  
16 Avenue, Accurate Repro, Inc., application for special  
17 use requesting an amendment to PUD Ordinance 2001-Z-38  
18 to allow an illuminated monument sign.

19 Before we go to that, staff, did you have  
20 anything?

21 MS. JOHNSON: Well, the Applicant isn't  
22 here.

23 CHAIRMAN WALLACE: Okay.

24 MS. JOHNSON: He confirmed that he was going

Hearing: 975 N. Fifth Avenue  
Conducted on September 22, 2015

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1 to be here, so maybe we could move this item to after  
2 the other public hearing.

3 CHAIRMAN WALLACE: Okay.

4 MS. JOHNSON: Unless --

5 CHAIRMAN WALLACE: Is there any objection  
6 from Planning Commissioners to changing the order for  
7 our agenda?

8 VICE CHAIRMAN KESSLER: No.

9 CHAIRMAN WALLACE: Okay. It -- just you.  
10 Anyone else?

11 VICE CHAIRMAN KESSLER: Did you hear any  
12 complaints?

13 CHAIRMAN WALLACE: No. You said it very  
14 authoritatively.

15 (A recess was taken from 7:01 p.m. to  
16 8:02 p.m.)

17 CHAIRMAN WALLACE: And moving back to Item  
18 No. 4, this is Delnor PUD, 975 North Fifth Avenue,  
19 Accurate Repro, Inc., an application for special use  
20 requesting an amendment to PUD Ordinance 2001-Z-38 to  
21 allow an illuminated monument sign.

22 Ellen.

23 MS. JOHNSON: Yes. We have -- the Applicant  
24 is here. I believe he'd like to address the

Hearing: 975 N. Fifth Avenue  
Conducted on September 22, 2015

7

1 Commission on this item.

2 CHAIRMAN WALLACE: All right. And just to  
3 let you know, this is a public hearing. We conduct  
4 public hearings on behalf of the City Council for  
5 certain applications that come before the City.

6 And I don't have to go through the entire  
7 procedure, but if you could just raise your hand and  
8 swear that you will tell the truth.

9 MR. LADENDORF: I swear to tell the truth.

10 CHAIRMAN WALLACE: Okay. If you could go  
11 ahead and approach and state your name, spell your  
12 last name for the record.

13 MR. LADENDORF: Scott Ladendorf,  
14 L-a-d-e-n-d-o-r-f.

15 THE COURT REPORTER: Thank you.

16 CHAIRMAN WALLACE: And also your address,  
17 please.

18 MR. LADENDORF: 2368 Corporate Lane,  
19 Naperville.

20 Accurate Repro, we're the sign company for  
21 Northwestern Medicine. Basically, they've got the  
22 property right across the street at 965 -- I think it  
23 is -- with the exact same sign, exact same lighting.  
24 The Delnor Glen property was not allowed because of

1 the PUD that was set in place. There wasn't any  
2 opportunity for illuminated signage because it fell  
3 into some residential area back there. Ellen knows  
4 more about that than I do.

5 But we're just trying to make it consistent  
6 with the other side right across the street, kitty-  
7 corner from the property.

8 CHAIRMAN WALLACE: Okay.

9 And as far as evidence goes in a public  
10 hearing, our rules require that evidence be basically  
11 subject to cross-examination, similar to in a trial.

12 The reason I bring this up, there was an  
13 e-mail that was received from a citizen today  
14 regarding this matter, and our practice in the past  
15 has been -- well, I guess before we go into this,  
16 does anyone have any questions of the Applicant, first  
17 of all?

18 VICE CHAIRMAN KESSLER: I would just have a  
19 question of staff.

20 It meets all Code requirements for a  
21 monument sign?

22 MEMBER HOLDERFIELD: What are you saying,  
23 Tim? I can't hear you.

24 VICE CHAIRMAN KESSLER: I said, it meets all

1 Code requirements for a monument sign?

2 MS. JOHNSON: It does. It meets the size  
3 requirements and the base, the masonry base  
4 requirement, and it is the existing sign that is  
5 proposed to be illuminated.

6 VICE CHAIRMAN KESSLER: Okay.

7 CHAIRMAN WALLACE: And it's only because  
8 it's amending the PUD that we have a special use  
9 application; correct?

10 MS. JOHNSON: Right. The property is  
11 zoned -- it is in a residential zoning district, and  
12 internally illuminated signage is not allowed in  
13 residential districts.

14 Because it is located in a PUD, there's an  
15 opportunity to amend the PUD since deviations from  
16 Zoning Ordinance requirements can be granted through a  
17 PUD ordinance.

18 CHAIRMAN WALLACE: What's the property  
19 across the street zoned that has the same sign?

20 MS. JOHNSON: It is zoned BL, Local  
21 Business. So illuminated signage is allowed in that  
22 district.

23 CHAIRMAN WALLACE: Okay.

24 MEMBER DOYLE: And immediately sort of north

1 of that and across from the same parcel, it looks like  
2 there's an Office Research.

3 MS. JOHNSON: Yes. That's a church property  
4 and then there's -- I believe behind that is office.  
5 And illuminated signage is allowed there, also.

6 MEMBER DOYLE: So how far north and south of  
7 the sign location do you have to go before you  
8 actually come to a residence?

9 CHAIRMAN WALLACE: It's right -- I think  
10 it's right there, within this parcel.

11 VICE CHAIRMAN KESSLER: No. Well,  
12 there -- no.

13 MS. JOHNSON: There's townhomes within  
14 the PUD.

15 And then if you look on the surrounding  
16 zoning map, the intersection of Delnor and  
17 Fifth Avenue, there's residential right at the north  
18 end of the Delnor PUD.

19 MEMBER DOYLE: Okay. So there are  
20 residences within the parcel?

21 MS. JOHNSON: Yes. There are townhomes and  
22 then assisted living.

23 MEMBER DOYLE: Okay.

24 MEMBER PRETZ: This particular sign is --

1 it -- if I'm looking at this correctly -- is right at  
2 the entrance going into -- right into the front.  
3 Right?

4 MR. LADENDORF: Correct.

5 MEMBER PRETZ: So there's plenty of space  
6 between -- I mean, skipping the residents -- the  
7 residential living on the complex, the other -- any  
8 other residents, it's a considerable distance in  
9 either direction from the entrance.

10 MEMBER DOYLE: Uh-huh. It's a full block at  
11 least.

12 MEMBER PRETZ: I'm sorry?

13 MEMBER DOYLE: At least a full block that  
14 I can see, north or south.

15 MEMBER PRETZ: Uh-huh.

16 VICE CHAIRMAN KESSLER: Can I point out,  
17 though, it's not? It's not a full block.

18 There's residences -- this 450, 480, those  
19 are owned.

20 MEMBER DOYLE: At where?

21 VICE CHAIRMAN KESSLER: If you -- are you --  
22 I'm looking at page 3, and it's the aerial map.

23 MEMBER DOYLE: Uh-huh.

24 VICE CHAIRMAN KESSLER: And if you look just

1 south of the proposed sign location, 450, those are  
2 owned residences. Those aren't owned by Delnor.

3 MEMBER DOYLE: You have to go south of the  
4 parcel though; right? Almost down to -- to --

5 CHAIRMAN WALLACE: No. It's on the parcel  
6 itself.

7 VICE CHAIRMAN KESSLER: No. No. Here.  
8 (Indicating.)

9 Those are residences. They're owned  
10 individually, privately.

11 MEMBER DOYLE: They're within the PUD?

12 VICE CHAIRMAN KESSLER: They are.

13 CHAIRMAN WALLACE: Correct.

14 VICE CHAIRMAN KESSLER: But they're  
15 privately owned residences.

16 MEMBER DOYLE: Okay. All right.

17 All right.

18 CHAIRMAN WALLACE: Any other questions of  
19 the Applicant?

20 (No response.)

21 CHAIRMAN WALLACE: Okay. What I started to  
22 say before is that in the past, if we received  
23 correspondence or materials from people who are not  
24 here subject to cross-examination, then we will

1 present that with the caveat that the Plan Commission  
2 should assign weight accordingly.

3 So there was an e-mail that was received  
4 today. It was sent from Gloria Klimek, K-l-i-m-e-k,  
5 to Ellen Johnson. And I will read it for the record,  
6 but as I said, because it's not subject to  
7 cross-examination, Plan Commissioners can assign  
8 weight accordingly.

9 "Ms. Johnson, I don't know if I can attend  
10 this evening's hearing or if my e-mail reply is  
11 acceptable, but I have a few comments for your  
12 consideration.

13 "I have lived at my current address for  
14 30 years." Doesn't say what the address is. "The  
15 hospital was a good neighbor until it closed its  
16 location, and I don't recall a lighted sign for it.  
17 I totally object to this request from the current  
18 property owner and ask it to be a good neighbor.

19 "I respectfully ask the Planning Commission  
20 to decline the owner's request. I think a lighted  
21 sign at the entrance to a residential neighborhood is  
22 totally inappropriate and offensive and, quite  
23 honestly, tacky.

24 "I must ask why. Why do the owners think it

1 is needed? Delnor Glen is a residential community on  
2 a prominent corner fronting on a major thoroughfare  
3 and with nothing like it nearby. You can't miss it.

4 "Thank you for your consideration. Gloria  
5 Klimek."

6 So there you go. All right.

7 Any other questions or comments from Plan  
8 Commissioners?

9 (No response.)

10 CHAIRMAN WALLACE: And if there are none,  
11 then a motion to close the public hearing would be in  
12 order.

13 MEMBER DOYLE: I have a question for staff.

14 Is there any precedent for another  
15 residential PUD making this -- making this allowance?

16 MS. JOHNSON: Not that I'm aware of.

17 I believe a lot of the entrance signs to  
18 subdivisions have, you know, like external  
19 illumination -- you know, goose lighting or something  
20 like that -- but I'm not aware of any internal.

21 I don't know if Matt has any.

22 MR. O'ROURKE: Yeah, I don't think of one  
23 off the top of my head where it is internally  
24 illuminated.

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1 MEMBER DOYLE: Okay.

2 CHAIRMAN WALLACE: What is the building next  
3 to the brownstones, across the street from the Blue  
4 Goose, across First Street?

5 MR. O'ROURKE: The Milestone Row building?

6 CHAIRMAN WALLACE: Milestone Row. Now, they  
7 have an internally lit sign on their building.

8 MS. JOHNSON: That's downtown --

9 MR. O'ROURKE: That's a downtown zoning  
10 district. It's zoned CB-1 zoning, 1 or 2.

11 CHAIRMAN WALLACE: Is it?

12 MR. O'ROURKE: It's in one of those two  
13 zoning districts, but it's definitely a downtown  
14 zoning district.

15 VICE CHAIRMAN KESSLER: There's a lighted  
16 sign on West Main Street, right on West Main.

17 It's at -- you know, it's like 900 -- it's  
18 right past the Dairy Queen, just past the Dairy Queen  
19 on the north side of the street. It's a brick ranch  
20 house. Steve Fox had it years ago. It was a mortgage  
21 company.

22 CHAIRMAN WALLACE: Oh.

23 VICE CHAIRMAN KESSLER: It's a lighted sign.

24 MR. O'ROURKE: That was probably allowed as

1 either a change of zoning to allow a business to be  
2 there or it could have been put in a business  
3 transitional district.

4 VICE CHAIRMAN KESSLER: It's a layover  
5 again.

6 MR. O'ROURKE: Yeah. So --

7 VICE CHAIRMAN KESSLER: It's still  
8 residential. It's a residential neighborhood, though.

9 MR. O'ROURKE: It is. But if the property's  
10 zoned commercial, then it would be allowed to have an  
11 internally illuminated sign.

12 But without knowing the address -- I'd have  
13 to be able to look that up.

14 CHAIRMAN WALLACE: Salvation Army.

15 VICE CHAIRMAN KESSLER: Salvation Army.

16 MEMBER HOLDERFIELD: I need a clarification  
17 here.

18 CHAIRMAN WALLACE: But they're zoned  
19 residential, aren't they?

20 MR. O'ROURKE: Yeah, I don't know the  
21 research on that property. I know it's been there for  
22 a long time.

23 CHAIRMAN WALLACE: But they have a new sign  
24 that's illuminated internally.

1 MR. O'ROURKE: Sure.

2 VICE CHAIRMAN KESSLER: They do?

3 CHAIRMAN WALLACE: Okay.

4 MEMBER HOLDERFIELD: Having visited this  
5 site in the day, I'm a bit confused.

6 Is the issue here whether to allow the sign  
7 to be internally illuminated as opposed to floodlights  
8 on the outside?

9 They can have lights on the outside now, but  
10 if they want to put it on the inside, they need to --

11 CHAIRMAN WALLACE: Correct.

12 MEMBER HOLDERFIELD: Well -- okay. That's  
13 all I wanted to know.

14 So it is lit externally?

15 CHAIRMAN WALLACE: Do you know if it's  
16 currently lit, the sign?

17 MR. LADENDORF: Externally lit right now.

18 CHAIRMAN WALLACE: With floodlights?

19 MR. LADENDORF: Yes, which is actually  
20 brighter than the internal illumination.

21 MEMBER HOLDERFIELD: That's what I --

22 CHAIRMAN WALLACE: Yes.

23 MR. LADENDORF: Yes.

24 CHAIRMAN WALLACE: Anything else?

1 MR. O'ROURKE: Just the only other example  
2 I can think of is the church on Route 25 is zoned  
3 residential. It has an LED sign. That's the only  
4 other sign I can think of in a residential district  
5 that's -- Bethlehem Church.

6 MEMBER MACKLIN-PURDY: Bethlehem Lutheran.

7 CHAIRMAN WALLACE: Oh, Bethlehem?

8 MR. O'ROURKE: Yeah. That's actually zoned  
9 residential. But that's the only other example that  
10 I can think of that's an internally illuminated sign  
11 that's on residential property.

12 CHAIRMAN WALLACE: Okay.

13 VICE CHAIRMAN KESSLER: Well, I make a  
14 motion to close the public hearing.

15 MEMBER HOLDERFIELD: Second.

16 CHAIRMAN WALLACE: All right. It's been  
17 moved and seconded.

18 Any discussion on the motion?

19 (No response.)

20 CHAIRMAN WALLACE: Tim.

21 VICE CHAIRMAN KESSLER: Spruth.

22 MEMBER SPRUTH: Yes.

23 VICE CHAIRMAN KESSLER: Holderfield.

24 MEMBER HOLDERFIELD: Yes.

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1 VICE CHAIRMAN KESSLER: Doyle.

2 MEMBER DOYLE: Yes.

3 VICE CHAIRMAN KESSLER: Purdy.

4 MEMBER MACKLIN-PURDY: Yes.

5 VICE CHAIRMAN KESSLER: Pretz.

6 MEMBER PRETZ: Yes.

7 VICE CHAIRMAN KESSLER: Wallace.

8 CHAIRMAN WALLACE: Yes.

9 VICE CHAIRMAN KESSLER: Kessler, yes.

10 CHAIRMAN WALLACE: All right. That  
11 concludes Item No. 4, and we've already discussed  
12 Item 5.

13 Moving on to Item 6, Delnor PUD, 375 [sic]  
14 North Fifth Avenue, Accurate Repro, Inc., application  
15 for special use requesting an amendment to PUD  
16 Ordinance 2001-Z-38 to allow an illuminated monument  
17 sign.

18 Is there a motion?

19 VICE CHAIRMAN KESSLER: I would make a  
20 motion to recommend approval of the application for  
21 special use requesting an amendment to PUD  
22 Ordinance 2001-Z-38 to allow an illuminated monument  
23 sign.

24 CHAIRMAN WALLACE: Is there a second?

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1 MEMBER MACKLIN-PURDY: Second.

2 CHAIRMAN WALLACE: All right. It's been  
3 moved and seconded.

4 Any discussion on the motion?

5 (No response.)

6 CHAIRMAN WALLACE: Okay. Tim.

7 VICE CHAIRMAN KESSLER: Spruth.

8 MEMBER SPRUTH: Yes.

9 VICE CHAIRMAN KESSLER: Holderfield.

10 MEMBER HOLDERFIELD: Yes.

11 VICE CHAIRMAN KESSLER: Doyle.

12 MEMBER DOYLE: Yes.

13 VICE CHAIRMAN KESSLER: Purdy.

14 MEMBER MACKLIN-PURDY: Yes.

15 VICE CHAIRMAN KESSLER: Pretz.

16 MEMBER PRETZ: Yes.

17 VICE CHAIRMAN KESSLER: Wallace.

18 CHAIRMAN WALLACE: Yes.

19 VICE CHAIRMAN KESSLER: Kessler, yes.

20 CHAIRMAN WALLACE: All right. That  
21 concludes Item 6.

22 Thank you.

23 MR. LADENDORF: Thank you.

24 CHAIRMAN WALLACE: And Item 7 I don't think

1 is necessary since it's action on a continued public  
2 hearing --

3 VICE CHAIRMAN KESSLER: Oh, right. Yeah.

4 CHAIRMAN WALLACE: -- so we'll take care of  
5 that next time.

6 And Item 8 is the weekly development report,  
7 which -- we have that in the online agenda.

8 Any comments or questions on that?

9 (No response.)

10 CHAIRMAN WALLACE: I think we're pretty much  
11 at the same -- same as we were last time.

12 MS. JOHNSON: Yeah. That was from last  
13 week. And all the items that note "Council meeting on  
14 the 21st," all of those items were approved yesterday,  
15 last night.

16 CHAIRMAN WALLACE: Okay. All right.

17 Any -- let's see.

18 Item 9 is meeting announcements. Planning  
19 Commission meetings October 6th, October 20th,  
20 November 3rd.

21 Does anyone know if they are or are not  
22 going to be able to be present at any of those  
23 meetings?

24 (No response.)

1 CHAIRMAN WALLACE: Okay. If that comes up,  
2 please let staff know as soon as possible. We haven't  
3 had any quorum issues for quite a while, which is  
4 good.

5 Planning & Development Committee. Note that  
6 there is the joint meeting of Plan Commission,  
7 Planning & Development in the Century Station training  
8 room on November 9th at 5:30 to continue our  
9 discussion from last time.

10 Any additional business from Plan Commission  
11 members?

12 MEMBER SPRUTH: Is there -- perhaps maybe is  
13 there an opportunity to invite the Housing Commission  
14 to the Plan Commission and Develop --

15 MS. JOHNSON: To the joint P&D?

16 MEMBER SPRUTH: Yeah.

17 MS. JOHNSON: Potentially. It might be more  
18 appropriate to have it just with the Plan Commission  
19 and the Housing Commission. But I can talk to them  
20 about that.

21 MEMBER SPRUTH: Do we have an agenda?

22 MS. JOHNSON: They can always be invited to  
23 be present.

24 MEMBER SPRUTH: Yeah.

1 VICE CHAIRMAN KESSLER: Do you have an  
2 agenda for the October 12 Planning & Development  
3 Committee meeting?

4 MR. O'ROURKE: We just -- I was thinking  
5 about that last comment. I think we have to notice it  
6 as a meeting of all three bodies in that case because  
7 if there's a quorum with the Housing Commission,  
8 they're discussing business, I think that they would  
9 have to be -- the meeting would have to be noticed  
10 sufficient --

11 CHAIRMAN WALLACE: They could come as  
12 citizens, but they can't come --

13 MR. O'ROURKE: Right.

14 CHAIRMAN WALLACE: -- for discussion  
15 relating to Housing Commission matters.

16 MEMBER SPRUTH: And that would be one person  
17 or a representative?

18 MR. O'ROURKE: That would be more feasible.  
19 I get a little nervous about doing things like that,  
20 to be honest.

21 MEMBER DOYLE: They could sit on opposite  
22 sides of the room. There's only four corners in the  
23 room.

24 MR. O'ROURKE: Yeah.

1 VICE CHAIRMAN KESSLER: I actually  
2 would look forward to an open discussion with the  
3 entire group rather than have just one or  
4 two representatives.

5 MEMBER SPRUTH: I was just trying to make it  
6 easy for the undertaking. But if there's, you know,  
7 an easy way --

8 MR. O'ROURKE: There's Open Meetings Act  
9 issues with not noticing. If the Commission's going  
10 to be there with a quorum, there could obviously be  
11 discussion of Housing Commission matters at that  
12 point, then it would be -- we'd have to notice it as  
13 such.

14 And if that's a continuation of another  
15 meeting, I wouldn't want to muddy that up at this  
16 point.

17 MS. JOHNSON: And I do have one --

18 MEMBER DOYLE: Before --

19 MS. JOHNSON: Oh, I'm sorry.

20 MEMBER DOYLE: I was just going to say,  
21 before I saw the agenda, I was going to actually ask,  
22 No. 10 here, about the reports that we get in, reports  
23 about affordable housing and the rates, because it  
24 occurs to me that we haven't seen one in at least

1 a year, if not a year and a half.

2 MR. O'ROURKE: Yeah. The quick answer is  
3 that -- in the transition and since Ellen took over my  
4 former role as Housing Commission liaison and, also,  
5 there were substantive changes that came through the  
6 State which triggered a lot of the conversation that  
7 the Housing Commission has been having, in particular  
8 regarding Inclusionary Housing Ordinances, and so in  
9 trying to react and adapt to those changes, a lot of  
10 these conversations started. And that's why -- there  
11 had been conversations about it, but there hasn't been  
12 a new -- a report released because we were still  
13 trying to figure out what it all meant. It took us a  
14 lot longer than our annual turnaround.

15 MEMBER DOYLE: Well, I just mention that by  
16 way of saying that I was sort of thinking about that  
17 prior to this meeting and wondering when we're going  
18 to see that, and I was prepared to request it. Now we  
19 have some other, bigger IHO issues to sort of grapple  
20 with, but I do think it's pertinent to what this  
21 Commission does so -- that's it.

22 CHAIRMAN WALLACE: All right.

23 MS. JOHNSON: And one more item, please.

24 Regarding the RT-4 and CBD lot size general

1 amendment which we continued at the last meeting, just  
2 letting you all know staff has withdrawn that  
3 application based on the discussion. We plan to  
4 renotice and bring a new proposal forward, which will  
5 include another section of the ordinance. We have a  
6 little bit of tweaking there, and that will be for the  
7 next meeting.

8 VICE CHAIRMAN KESSLER: Great.

9 CHAIRMAN WALLACE: All right. Thank you.  
10 Anything else?

11 (No response.)

12 CHAIRMAN WALLACE: Is there a motion to  
13 adjourn?

14 VICE CHAIRMAN KESSLER: I would make a  
15 motion to adjourn.

16 CHAIRMAN WALLACE: Second?

17 MEMBER DOYLE: Second.

18 CHAIRMAN WALLACE: All right. All in favor?  
19 (Ayes heard.)

20 CHAIRMAN WALLACE: Opposed?

21 (No response.)

22 CHAIRMAN WALLACE: This meeting of the  
23 St. Charles Plan Commission is adjourned at 8:21 p.m.

24 (Off the record at 8:21 p.m.)

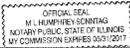
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CERTIFICATE OF SHORTHAND REPORTER

I, Melanie L. Humphrey-Sonntag, Certified  
Shorthand Reporter No. 084-004299, CSR, RDR, CRR, CCP,  
FAPR, and a Notary Public in and for the County of  
Kane, State of Illinois, the officer before whom the  
foregoing proceedings were taken, do certify that the  
foregoing transcript is a true and correct record of  
the proceedings, that said proceedings were taken by  
me stenographically and thereafter reduced to  
typewriting under my supervision, and that I am  
neither counsel for, related to, nor employed by any  
of the parties to this case and have no interest,  
financial or otherwise, in its outcome.

IN WITNESS WHEREOF, I have hereunto set my  
hand and affixed my notarial seal this 29th day of  
September, 2015.

My commission expires: May 31, 2017

Notary Public in and for the  
State of Illinois