

**MINUTES
CITY OF ST. CHARLES, IL
PLANNING AND DEVELOPMENT COMMITTEE
MONDAY, JANUARY 12, 2015 7:00 P.M.**

Members Present: Silkaitis, Payleitner, Lemke, Turner, Bancroft, Martin, Krieger, Bessner, Lewis

Members Absent: Stellato

Others Present: Mayor Raymond Rogina; Mark Koenen, City Administrator; Rita Tungare, Director of Community & Economic Development; Russell Colby, Planning Division Manager; Chris Tiedt, Development Engineering Division Manager; Bob Vann, Building & Code Enforcement Division Manager; Matthew O'Rourke, Economic Development Division Manager; Fire Chief Schelstreet; Asst. Chief Christensen; Police Chief Keegan; Lynne Schwartz, Executive Director-Downtown St. Charles Partnership

1. CALL TO ORDER

The meeting was convened by Vice Chairman Bessner at 7:00 P.M.

2. ROLL CALLED

Roll was called:

Present: Silkaitis, Payleitner, Lemke, Turner, Bancroft, Martin, Krieger, Bessner, Lewis
Absent: Stellato

3. POLICE DEPARTMENT

- a. Recommendation to approve a Resolution and Amplification Equipment for the 2015 St. Patrick's Day Parade.

Chief Keegan said the parade would take place Saturday, March 14, 2015 and that there would be a slight increase in cost this year solely due to the fact that the parade has grown in size over the last number of years and the detail of police officers is about a ½ hour longer than it has been in past years, which used to be 2-hours and is now 2.5 hours. He said other than the increase in personnel cost there are no other substantial changes from last year's submission and the street closures would take place from 1:30PM to 3:30PM.

Aldr. Martin made a motion to approve a Resolution and Amplification Equipment for the 2015 St. Patrick's Day Parade. Seconded by Aldr. Turner. No additional discussion. Approved unanimously by voice vote. Motion carried. 8-0

4. DOWNTOWN PARTNERSHIP

- a. Recommendation to approve The Adirondack Chair Promotion "Chair-ity Event".

Lynne Schwartz-Director of the Downtown St. Charles Partnership-said information for this item was first presented in November 2014 and they are now looking for approval for the chairs to be placed on public property this upcoming summer 2015. She said the Chair-ity Event would invite participants from the community to purchase and decoratively paint an Adirondack chair

which would then be placed throughout the downtown area, with the main goal of drawing people downtown to view and enjoy the personalized public art. She said in looking at the most appropriate suggested locations for the chairs to be placed, the partnership staff worked with city staff to ensure that the placement would conform to all local, state and federal laws and would not interfere with any city projects. She said they also worked with IDOT to ensure the chair placements conform to all their regulations as well as the partnership staff and volunteers physically surveyed each suggested location to determine the maximum number of chairs that could be placed at each location. She said conformance to all laws were taken into considerations, such as handicapped accessibility clearance and also aesthetics. She then showed a map of suggested locations for the chairs and said to keep in mind that the estimates are conservative with more than adequate space to accommodate the chairs as recommended and the locations are:

- New Municipal Plaza-maximum 20-chairs.
- Riverwalk between Municipal Building and the Police Station-10 or more chairs (on pavement, not on grass, with adequate space for pedestrians).
- Deck outside Police Station-4-6 Chairs.
- Eckwabet Sculpture-6 Chairs.
- West side of Municipal Building by the Mayor's Office and further south facing the river.
- Gazebos-total of 8 Chairs.
- First St. Plaza-approximately 30 Chairs (far west side as well as the middle of the plaza).
- Bob Leanord walkway-20 Chairs (near the new sculpture).

Mayor Rogina commented that he would pay for a White Sox chair and he invites any Cubs fans to do the same to have a balance.

Ms. Schwartz said they were also working with the Park District to ensure final approval for the exact number of chairs and placement of chairs in Lincoln and Baker Memorial Park. She said there are also some places along Rt. 64 that have adequate clearance to place chairs on the sidewalk; however they would work on a case-by-case basis with the businesses to ensure that they would conform to IDOT, ADA and city regulations. Some examples: The Beehive, Pub 222 and the Filling Station. She said if those businesses chose to participate they may even choose to have the chairs on their property, specifically their patios. She said they would also be working with property owners to place chairs on private property, for example Blue Goose has already given permission to place chairs at their location and they would be looking for some other private property owners to do the same. She said another component to the event is the online auction and it has been determined that any proceeds from the auction of the chairs would be used towards an enhancement of the new municipal plaza just north of City Hall and that specifics would be determined after the final revenue is tallied and they would work with city staff.

Aldr. Lewis-commented that the city would be entering the "America in Bloom" contest and a project like this fits into that 100% as far as community involvement and participation and she is fully in support of it.

Vice Chairman Bessner asked if there would be a flow of how the chairs would be put in as far as a numerical basis as to when businesses come along and decide to participate, would they have options as to where they can be. Ms. Schwartz said the partnership would work with downtown businesses to be sure they had options either adjacent to their business or if they choose elsewhere to have cross promotion; but other than that due to the numbers and the

different school clubs, they could make requests but the partnership would have to have the final determination of chair placement to be aesthetically pleasing with a good flow.

Aldr. Payleitner asked if there would be a design submittal for approval. Ms. Schwartz said yes, all will be made aware that it is subject to design approval, so anything inappropriate will not be included.

Aldr. Lewis asked if the chairs are wood or plastic. Ms. Schwartz said that people can purchase any type of chair they would like but that the partnership has negotiated a deal with the east side Ace Hardware who will provide the wooden chair at a very reasonable cost of approximately \$40; but that the chairs could be purchased from anywhere they would like, or even if they have an existing chair, but the wooden chairs is what they are recommending. Aldr. Lewis confirmed that there could be all different sorts of styles of chairs then. Ms. Schwartz said correct, but that they are generally a similar size and style being that it's an Adirondack chair; and once painted they will all look a lot more alike. Aldr. Lewis asked if there would be a way to keep them anchored in a wind storm, especially the plastic ones. Ms. Schwartz said they are on the heavier side and they will not be securing them due to issues of damaging the pavement surface, but if someone wanted to anchor theirs they could try to work them but they do not see it being issue based on Elgin doing the same program with no anchors and not having any issues.

Aldr. Turner made a motion to approve The Adirondack Chair Promotion “Chair-ity Event”. Seconded by Aldr. Lewis. No additional discussion. Approved unanimously by voice vote. Motion carried. 8-0

5. COMMUNITY & ECONOMIC DEVELOPMENT

- a. Recommendation to approve a Proposed Downtown Business Economic Incentive Program.

Mr. O'Rourke said over the last several years staff has worked with retailers, commercial businesses, brokers; there are some really great spaces in town that are older and need some help, either from code deficiencies or other items that can be cost prohibitive for businesses to locate in some of these existing locations in town and this would really assist them to do so. He said it also serves a number of other purposes, such as attracting new businesses and approving the viability of downtown through filling vacant spaces, and staff has generated a program they feel can help accomplish those goals. He said staff is looking at a 2-tiered approach where the basic program would be a 50/50 matching award of up to \$10,000 for businesses that have to be located in the Downtown SSA 1B area, which is the core of downtown where the retail focus would be. He said they would be looking to limit the amount of uses even further than what is permitted in the Downtown Overlay and the downtown zoning areas, where they are really trying to attract and make interested retail sales, personal services and restaurant uses; those that are really activity generators that will fulfil the goals of the policy documents. He said there are also some uses that will not be eligible including: Laundry, funeral homes, tanning salons and taverns/bars; those that generally have a lower amount of traffic. He said they are also requiring that these new businesses be located on the first floor and the street level of the building so the activity can be seen and is encouraging to fill those vacant street level spaces. He said the merchandise has to be sold on premises and should any larger spaces in downtown be demised or have several spaces in there, each space individually could be eligible for the award; it's not just per building. He said the second tier of the program is geared toward if there were a unit that really needs a lot of help that there would be an additional \$15,000 being a total of \$25,000

available to those businesses; but they would have to meet one of the extra criteria which are: money has to be used for updating building and fire code deficiencies; vacant for 6-months; could be located in the retail overlay; large space that needs to be demised; or some other extraordinary cost. He noted that they would only have to meet one of those criteria, not all, to be eligible for that additional funding amount. He said the approval process that staff has envisioned: tier 1 awards up to the \$10,000 would be by staff approval process, and if the improvements merited the additional \$15,000, staff would always bring that in front of City Council for input; but regardless of which program is utilized Council would be notified that these awards are going out and the program is being utilized.

Mr. O'Rourke said the eligible improvements would be things to permanently improve the building to have a lasting effect, such as fire sprinklers; things that could be used for numerous businesses to invest in the building stock of the city, not certain things that would transfer from tenant to tenant. He said there is also a list of the ineligible improvements, those things that would not contribute to ongoing efficiency or upgrades of the buildings such as paying rent or window displays etc.

Aldr. Silkaitis said he likes the idea a lot but he's concerned in regard to making certain properties ineligible, mostly taverns/bars. He said there are a lot of bars in the city but they are viable businesses and he doesn't know why they would be treated differently than another established viable business and he has a problem with that. He said if we are out to make the building safe and look good than he doesn't understand why any properties would be ineligible. He said if a tavern/bar has had an issue with violations then he would be comfortable with those establishments not qualifying for a certain amount of years based on how many violations, but to exclude them from the beginning is not a level playing field.

Aldr. Martin said he likes the idea but wanted to know where the money was coming from. Ms. Tungare said at this point staff is proposing to budget \$100,000 in the upcoming fiscal year from the General Fund.

Aldr. Turner asked if the tax for the parking deck would be paid off this year and if the money could come from there because he thought he heard there was only 1-payment left. Mr. Koenen said the deck was built in 1997/1998 and he knows it's very close but that he would verify with Chris Minick.

Aldr. Lewis asked if the business owner or the building owner would be applying for this. Mr. O'Rourke said either one could be the applicant but they would want a business going into the space before they would be eligible to receive the funding; it would generally be for any sort of permit that had already been submitted to the city for say a build out or an upgrade to the building. Aldr. Lewis confirmed that it can't be an empty building and the owner says, in order for me to rent this, these upgrades need to be made; someone has to want to rent it first. Mr. O'Rourke stated that is how the program is currently envisioned, yes.

Aldr. Bancroft asked how this program compares to other programs out there in surrounding communities. Mr. O'Rourke said staff did some research but they were all pretty similar and they used that information to help form this program. He said the biggest difference is other communities programs are funded through TIF, or loan based and funding amounts go up and down with how much each business is eligible for. He said this policy was basically set up to be somewhere in the middle in terms of funding amounts and thought the grant would be more of an incentive to help people come into downtown. Ms. Tungare said the matching grant concept is

aligned with how the city does the Façade Improvement and the Corridor Improvement Grant Program.

Aldr. Lewis asked if the business will be eligible for all the grants the city offers; corridor, signage and landscape, because at the end of the day there could be quite a bit of incentive funds coming from the city. Mr. O'Rourke said there could be; there is nothing written into the program description that would prohibit that and the only caveat to that is there has been a sort of contingency in this current program description for the Façade Grant, that funds from this program could be used should the Façade Grant program not have any funding left for that year. Aldr. Lewis asked if this would be just a trial, just a length of time or permanent. Mr. O'Rourke said staff envisioned that there would be some period to see how it would work and what the interest is; they weren't planning on putting a sunset clause on the program, unless Council wanted to entertain that. Ms. Tungare said this would be budgeted on a year-by-year basis so it would be the Councils' prerogative as to adjusting the budgeted amount on an annual basis, and that would be approved as part of the budget process every year.

Aldr. Bancroft said in them being eligible for other grants depending on those particular grant criteria, this doesn't really have any limiting effect on anything else that could be done. He said what is running through his mind is what was done for Clarke. Mr. O'Rourke said sure, that was a single time incentive that went through the incentive policy similar to the mall or anybody else. He said this would be more of a pre-set one-on-one consideration when they are needed.

Aldr. Lemke said if something were budgeted and it were to become wildly successful he would want feedback as to whether the incremental grant exceeds the budget. He said it sounds like the program wouldn't start until the budget year or people could be advised that in April that if they start the process they could qualify. He asked if the entire amount were a 50/50. Mr. O'Rourke said it's meant to be 50/50; if an applicant were requesting \$25,000 it would be a total investment of \$50,000 to get all the way up to that.

Aldr. Payleitner commented that she had an architect/acquaintance complain to her that he thought the city's codes were deterrent so she thinks this is a wonderful option to hold our standards but still can help a business out.

Aldr. Silkaitis clarified that they perform the work and pay the bills and the city then reimburses them. Mr. O'Rourke said yes, the program is a reimbursement based program just like all the other incentives that staff administers.

Aldr. Martin made a motion to have staff prepare a resolution for City Council. Seconded by Aldr. Lemke.

Mayor Rogina said he was not sure if the motion and the second was for the program as-is or to include Aldr. Silkaitis' comments.

Aldr. Martin said the motion is to have staff prepare a resolution authorizing it based on the comments and suggestions heard by Committee that evening. Mr. O'Rourke said Aldr. Silkaitis' comment would be incorporated.

Aldr. Lewis said in 1-spot it states "only taverns who requested a 2 am license". Mr. O'Rourke said it's a clarification; they are different uses, one being restaurant and one being tavern bar, and the big difference is whether they serve food or not. He said they also had restaurants serving liquor until 2am. Aldr. Lewis said as of right now it would include any restaurant or bar that would only be open until 1am. Mr.

O'Rourke said it would include all restaurants, but not something the Zoning Ordinance would define as a Tavern or Bar. Ms. Tungare said it could be done either way, it's the Council's preference; it could be left as establishments open till 1am, or establishments open till 2am could be included as well.

Vice Chairman Bessner said if other businesses are included where would the line be drawn in regard to tanning salons, funeral homes, etc.

Aldr. Martin said he would assume with his motion that it would not apply to those with a 2 am license. Mr. O'Rourke said other than that they could rely straight on the use requirements of the zoning for the downtown zoning district.

Aldr. Turner asked if tanning salons pay sales tax. Mr. O'Rourke said he knows they do on the merchandise but not sure about the service. Aldr. Turner said he is trying to get around "if the person is paying sales tax into the city why should they be excluded from the program".

Aldr. Silkaitis said in regard to the 2 am; why are we differentiating between 1 am and 2 am; what was the logic. Mr. O'Rourke said that when staff looked at those requirements it was more about trying to focus the program on what would be considered as activity generators that have a bigger impact on the hours being targeted for pedestrian activity. Aldr. Silkaitis said there are some vapor bars in town and according to these they would be eligible too; but the way its written bars would not be, and he finds that interesting.

Roll Call:

Ayes: Lewis, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Martin, Krieger

Nays:

Absent: Stellato

Abstain:

Motion Carried. 8-0.

- b. Recommendation to approve a Minor Change to PUD Preliminary Plan for Remington Glen (Foxwood PUD).

Mr. Colby said the minor change is to revise the building plans for the 8 remaining townhome lots; the architectural designs would be changed to reflect a different unit design to be constructed by the applicant and contract purchaser, Ryland Homes. He said staff provided review comments to the applicant recommending the use of design elements to match the existing units constructed there, including similar siding and materials, and the applicant submitted a revised plan and has addressed staff comments. He said the only outstanding item was the addition of windows on the side elevations because they were concerned about the interior wall space inside of the units; but they have otherwise adequately addressed comments and staff recommends approval.

Aldr. Turner said some residents were presents and they wanted to ask when the project would start. Omar Rodriguez-Vice President of Land for Ryland Homes – said if they receive Committee approval and board approval they anticipate closing on the property this month and would expect to be in for a master plan review and model permit application sometime next month-February. Aldr. Turner clarified that if all went by plan construction would start this summer. Mr. Rodriguez said sooner than that, if all goes well and we can get building permits through the approval process a model building could start in February. Aldr. Turner asked what they would sell for in relation to what the residents paid when they first moved in. Mr. Rodriguez said he could not speak to what the residents paid but he thinks because today is a different market from when the community was built in 2006-2007-2008, but they would be

selling the typical unit to close in the \$240,000-250,000 with options and some may go above that, but that's a good rough estimates which is slightly above the average resale transaction is in the community today.

Aldr. Silkaitis made a motion to approve a Minor Change to PUD Preliminary Plan for Remington Glen (Foxwood PUD). Seconded by Aldr. Turner.

Roll Call:

Ayes: Lewis, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Martin, Krieger

Nays:

Absent: Stellato

Abstain:

Motion Carried. 8-0.

- c. Recommendation to approve a Plat of Easement Release for part of parcel 1 Pine Ridge Park by and between the City of St. Charles and Real Property Holding – St. Charles, IL, LLC.

Mr. Tiedt said that in 2011 a resubdivision plat was approved by Council to create what's commonly known as Lot 19 in Pine Ridge Park and at the time the original Pine Ridge Park subdivision plat was subdivided there were conservation and utility easements over a good portion of the wetland areas including parcel 1 which lot 19 came from. He said the easement document currently is required to release the conservation easements on the property and will also release utility easements that were originally dedicated at the time of the original Pine Ridge Park subdivision plat; however the utility easement put in place with the Lot 19 subdivision will remain in place. He said to facilitate any future development on Lot 19, the conservation and wetland easements need to be released and Nicor and SBC have already approved the document and he is waiting to hear back from Comcast, but he didn't anticipate any comments from them.

Aldr. Turner made a motion to approve a Plat of Easement Release for part of parcel 1 Pine Ridge Park by and between the City of St. Charles and Real Property Holding – St. Charles, IL, LLC. Seconded by Aldr. Bancroft.

Roll Call:

Ayes: Lewis, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Martin, Krieger

Nays:

Absent: Stellato

Abstain:

Motion Carried. 8-0

6. **ADDITIONAL BUSINESS-None.**
7. **ADJOURNMENT - Aldr. Turner made a motion to adjourn at 7:35PM. Motion was seconded by Aldr. Bancroft. No additional discussion. Approved unanimously by voice vote. Motion carried.**