

**MINUTES
CITY OF ST. CHARLES, IL
PLAN COMMISSION
TUESDAY, JULY 21, 2015**

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

Members Absent: None

Also Present: Russell Colby- Planning Division Manager
Ellen Johnson- Planner
Court Reporter

1. Call to order

Chairman Wallace called the meeting to order at 7:02 p.m.

2. Roll Call

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

3. Presentation of minutes of the July 7, 2015 meeting.

Motion was made by Mr. Holderfield, seconded by Mr. Schuetz and unanimously passed by voice vote to accept the minutes of the July 7, 2015 meeting.

PUBLIC HEARING

4. 2312 W. Main St., Loyal Companions Animal Hospital (Loyal Companions, P.C.)

Application for Special Use for a Pet Care Facility

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 to close the public hearing. Seconded by Mr. Doyle

Roll Call Vote:

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

Nays:

Absent:

Motion carried: 9-0

The Commission decided to hear agenda item #6 next, followed by #5 and #7.

MEETING

- 6. 2312 W. Main St., Loyal Companions Animal Hospital (Loyal Companions, P.C.)**
Application for Special Use for a Pet Care Facility

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. Doyle, seconded by Mr. Schuetz to approve the application for Special Use for a Pet Care Facility for 2312 W. Main St., Loyal Companions Animal Hospital.

Roll Call Vote:

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

Nays:

Absent:

Motion carried: 9-0

PUBLIC HEARING

- 5. General Amendment (City of St. Charles)**
Chapter 17.16 “Office/Research, Manufacturing and Public Lands District”, Section 17.16.030 “Bulk Regulations” (landscape buffer yards in M-2 Limited Manufacturing District)

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 to close the public hearing. Seconded by Mr. Frio.

Roll Call Vote:

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

Nays:

Absent:

Motion carried: 9-0

MEETING

- 7. General Amendment (City of St. Charles)**
Chapter 17.16 “Office/Research, Manufacturing and Public Lands District”, Section 17.16.030 “Bulk Regulations” (landscape buffer yards in M-2 Limited Manufacturing District)

Minutes – St. Charles Plan Commission

Tuesday, July 21, 2015

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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. Schuetz to approve the application for General Amendment for Chapter 17.16 “Office/Research, Manufacturing and Public Lands District”, Section 17.16.030 “Bulk Regulations” (Landscape buffer yards in M-2 Limited Manufacturing District).

Roll Call Vote:

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

Nays:

Absent:

Motion carried: 9-0

8. Meeting Announcements

a. Plan Commission

Tuesday, August 4, 2015 at 7:00pm Council Chambers

Monday, August 10, 2015 at 5:30pm Century Station Training Room – Joint meeting with P&D Committee

Tuesday, August 18, 2015 at 7:00pm Council Chambers

b. Planning & Development Committee

Monday, August 10, 2015 at 7:00pm Council Chambers

Monday, September 14, 2015 at 7:00pm Council Chambers

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

There was no additional business.

10. Adjournment at 8:21 p.m.

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BEFORE THE PLAN COMMISSION
OF THE CITY OF ST. CHARLES

- - - - -x

In Re the Matter of: :
2312 West Main Street - :
Loyal Companions, PC, :
Application for Special :
Use for a Pet Care :
Facility. :

- - - - -x

REPORT OF PROCEEDINGS
St. Charles, Illinois
Tuesday, July 21, 2015
7:01 p.m.

Job No.: 74369A
Pages: 1 - 54
Reported By: Paula Quetsch, CSR

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Proceedings held at the location of:

CITY OF ST. CHARLES COUNCIL CHAMBERS
2 East Main Street
St. Charles, Illinois
(630) 377-4400

Before Paula Quetsch, CSR, and Notary Public in
and for the State of Illinois.

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PRESENT:

- TODD WALLACE, Chairman
- TIM KESSLER, Vice Chairman
- BRIAN DOYLE, Member
- DAN FRIO, Member
- JAMES HOLDERFIELD, Member
- LAURA MACKLIN-PURDY, Member
- TOM PRETZ, Member
- TOM SCHUETZ, Member
- MICHELLE SPRUTH, Member

ALSO PRESENT:

- RUSSELL COLBY, Planning Division Manager
- ELLEN JOHNSON, Planner

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P R O C E E D I N G S

CHAIRMAN WALLACE: St. Charles Plan
Commission come to order.

Tim.

MEMBER KESSLER: Holderfield.

MEMBER HOLDERFIELD: Here.

MEMBER KESSLER: Spruth.

MEMBER SPRUTH: Here.

MEMBER KESSLER: Doyle.

MEMBER DOYLE: Here.

MEMBER KESSLER: Schuetz.

MEMBER SCHUETZ: Here.

MEMBER KESSLER: Pretz.

MEMBER PRETZ: Here.

MEMBER KESSLER: Frio.

MEMBER FRIO: Here.

MEMBER KESSLER: Purdy.

MEMBER MACKLIN-PURDY: Here.

MEMBER KESSLER: Wallace.

CHAIRMAN WALLACE: Here.

MEMBER KESSLER: Kessler, here.

CHAIRMAN WALLACE: All right. Item 3,
presentation of the minutes of the July 7th, 2015,
meeting. Is there a motion to approve?

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1 MEMBER HOLDERFIELD: So moved.

2 MEMBER SCHUETZ: Second.

3 CHAIRMAN WALLACE: All in favor.

4 (Ayes heard.)

5 CHAIRMAN WALLACE: Opposed.

6 (No response.)

7 CHAIRMAN WALLACE: Item 4 on your agenda,
8 public hearing, 2312 West Main Street, Loyal
9 Companions Hospital, Loyal Companions, PC, application
10 for a special use for a pet care facility.

11 This being a public hearing, just so that
12 you all know, the St. Charles Plan Commission is
13 comprised of volunteers who conduct public hearings
14 for the City Council for certain applications that
15 come before it. Items 4 and 5 are both public
16 hearings, and Items 6 and 7 are on the agenda if we
17 find that we have enough information to make a
18 recommendation to the City Council for the
19 applications that are before us.

20 So what we'll do tonight is we will ask for
21 evidence and testimony from the applicant in favor of
22 the application, and if there's anyone who wishes to
23 ask questions or offer comments or offer any additional
24 testimony, they can do that, as well.

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1 If the Plan Commission feels they have
2 enough evidence to make a decision, then the public
3 hearing will be closed. After that point, we will
4 offer a recommendation either in favor of or against
5 the application to the City Council, and then these
6 applications will go before the City Council planning
7 and development committee meeting. Do they go the
8 next -- let's see -- the August 10th meeting?

9 MS. JOHNSON: Yes.

10 CHAIRMAN WALLACE: So both of these will be
11 up in front of the planning and development committee
12 August 10th.

13 Any questions regarding our procedure?

14 (No response.)

15 CHAIRMAN WALLACE: I'll point out that there
16 is a court reporter here in the room that's taking
17 down a record of these proceedings. Because of that,
18 I ask that only one person speak at a time and anyone
19 who wishes to speak please wait to be recognized by me
20 before speaking. When you do speak, I would ask that
21 you state your name, spell your last name for the
22 record, and also state your address.

23 Now, at this time anyone who wishes to offer
24 any testimony, including asking any questions, I would

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1 ask that you be sworn in. If you would raise your
2 right hands.

3 (Six witnesses were duly sworn.)

4 CHAIRMAN WALLACE: You may be seated.
5 Anyone who wishes to speak or ask questions, I would
6 ask that you please approach the lectern up here and
7 speak into the microphone.

8 MEMBER KESSLER: I just wanted to also point
9 out that there is a special use and we have -- the
10 Plan Commission, as you'll notice, we have in the
11 packet in front of us the finding of fact. There are
12 seven findings of fact that relate to the application
13 for the special use, and all findings must be in the
14 affirmative to recommend approval.

15 So as we listen to the applicant and ask our
16 questions, if we would just keep in mind the seven
17 findings that we have.

18 CHAIRMAN WALLACE: Six findings.

19 MEMBER KESSLER: Well, there are seven.

20 CHAIRMAN WALLACE: Well, regardless, they're
21 here. Is that right, Russ?

22 MEMBER HOLDERFIELD: Seven on the page.

23 CHAIRMAN WALLACE: I just want to make sure
24 we have the right findings of fact sheet in front of us.

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1 MR. RICHMOND: I've got seven.

2 CHAIRMAN WALLACE: All right. I just wanted
3 to make sure we all have the same findings of fact in
4 front of us.

5 MEMBER KESSLER: Those are the findings of
6 fact, Russ?

7 MR. COLBY: Yes. There's six, not seven.

8 CHAIRMAN WALLACE: All right. So what Tim
9 is saying is that in order for us to make an
10 affirmative recommendation, we have to find all of
11 these finding of fact in the affirmative. So if
12 there's anything that we find to be an issue that
13 would not meet our findings of fact, then we have to
14 recommend denial to the City Council based on that,
15 but we also have to actually make a finding regarding
16 that specific finding of fact. So keep that in mind.

17 Any questions before we begin?

18 (No response.)

19 CHAIRMAN WALLACE: All right. Mr. Richmond.

20 MR. RICHMOND: Thank you, Chairman Wallace.

21 Good evening, Members of the Plan Commission.

22 My name is Scott Richmond, 2000 McDonald Road,
23 Suite 200, South Elgin, Illinois. I'm an attorney for
24 the petitioners, Loyal Companions, PC, which is a veterinary

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1 business. I'm here tonight with the two principals of
2 that, Vicki Petsche and Mark Crootof, who are here to
3 answer your questions if necessary.

4 In sum, this is an application for a special
5 use to operate as a pet care facility. This facility
6 is planned to be a veterinary clinic with an adjoining
7 use of overnight dog boarding, training, grooming, and
8 services related to dog daycare and taking care of
9 people's pets.

10 The business itself is designed to be a
11 progressive health care facility for family pets.
12 With so many households having pets these days, this
13 is the facility that will serve to their every need.
14 And, therefore, we are asking for the Plan Commission
15 to make a recommendation regarding the special use for
16 the pet care facility.

17 In the packet that you were provided, it
18 shows the facility will be able to house up to 70 pets
19 for boarding, as well as the full veterinary clinic
20 capacity.

21 There will be a number of employees on the
22 facility -- at the facility, including full-time
23 veterinarians, full-time veterinarian technicians,
24 veterinary assistants, receptionists, caregivers,

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1 groomers, grooming assistants, and eventually a
2 trainer.

3 The facility will be located at 2312 West
4 Main Street in St. Charles just west of Randall Road
5 in a previously commercial building that has been
6 zoned commercial for some time that had, I believe a
7 wine business prior to this.

8 As part of the development of this building,
9 there will be two dog runs on the back side of the
10 building that will be built. Both of those will be
11 fully fenced in with a nonsee-through fence that will
12 be about 6 to 8 feet high, and that will be used for
13 letting the dogs out during the day from a period of
14 7:00 a.m. to no later than 7:00 p.m., and then
15 overnight the dogs would be kept inside.

16 When the dogs are outside, they will always
17 be fully supervised. They will never be out there
18 alone, and if there's any problem with a dog barking
19 or anything, they'll just bring it back inside.

20 So with regard to this project, obviously,
21 we have the six findings of fact. I'd like to just
22 walk through them briefly, if I may.

23 A is that the special use will serve the
24 public convenience at the proposed location.

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1 This use of the facility as a veterinary
2 clinic and pet care facility will provide area
3 residents with the opportunity to have care providers
4 for their dog and at the same time have a location for
5 a veterinarian, a groomer, trainer, and anything else
6 that they may need as a full-service pet care facility
7 which will meet the needs of the thousands of pets in
8 the general St. Charles area.

9 With regard to the infrastructure, the
10 adequate utilities, access roads, drainage, all the
11 necessary facilities have been or will be provided;
12 this site already has adequate utilities to it, sewer,
13 water, electric, heat, and everything like that.
14 There's no infrastructure improvements being made to
15 the site with regard to utilities. None are
16 necessary.

17 The effect on nearby --

18 CHAIRMAN WALLACE: Sorry. Let me interrupt
19 you for a second.

20 Can left turns be made in and out of the
21 site? That's not a curved entrance, is it, in front
22 of the drive?

23 MR. RICHMOND: I don't think so.

24 CHAIRMAN WALLACE: So nothing is needed in

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1 order to access the site for left turns?

2 MEMBER FRIO: Right across the street you
3 can get out of -- like at Costco.

4 MEMBER KESSLER: But out of this property
5 you can make a left and a right.

6 CHAIRMAN WALLACE: All right. Thanks.

7 MR. RICHMOND: With regard to the effect on
8 nearby property, that it will not be injurious to the
9 use and enjoyment of the property in the vicinity for
10 purposes already permitted nor substantially diminish
11 or impair property values within the neighborhood, the
12 use of a pet care facility would not be injurious to
13 the neighboring businesses.

14 It is already a commercial area. It is a
15 substantial distance away from any residential
16 development, and the special use portion of this use,
17 which is less than 50 percent of the use of the
18 facility, will be coupled with the veterinary clinic,
19 which is a very transient business. There's not a lot
20 of pets there for long periods of time. People come
21 in; they drop off their pets; they see the vet; they
22 leave.

23 So there's not a lot of substantial activity
24 that would adversely affect any of the other

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1 commercial businesses in the area, and there is
2 sufficient parking on-site for any of the use that may
3 be going on at that time. So it is our position that
4 there is no injurious use to any of the other
5 surrounding properties as a result of the operation of
6 the vet clinic and the boarding facilities.

7 Next, with regard to the effect on the
8 development of surrounding property, that the
9 establishment of the special use will not impede the
10 normal and orderly development and improvement of the
11 surrounding property for uses permitted in the
12 district, again, this will have no negative impact on
13 the development and improvement of the surrounding
14 property.

15 Most of the property around it has already
16 been developed. I believe there may be some
17 opportunity for development behind it, but this would
18 not do anything to affect that in any way. Even their
19 outdoor facilities will be fully screened and won't be
20 able to be viewed from the outside. So we believe
21 that this is complied with, as well.

22 With regard to the effect on the general
23 welfare, that the establishment maintenance or
24 operation of the special use will not be detrimental

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1 or endanger the public health, safety, comfort, or
2 general welfare, again, with regard to this, this will
3 actually enhance the public health, welfare, and
4 comfort because it will allow people to have their
5 pets cared for in a caring and professional manner.
6 It will allow people to have boarding in the same
7 facility where they're seeing their veterinary
8 medicine doctors, and all dogs will be cared for
9 inside, as well as when they're outside in the dog
10 runs in that 7:00 a.m. to 7:00 p.m. time frame.

11 Therefore, there will be no injurious
12 effects on the general public as a result of this.
13 These are professionals running it. They know how to
14 care for the animals; they know how to take care of
15 any waste product, and that will all be accounted for
16 within the confines of the building itself.

17 Finally, with regard to conformance with the
18 code, the proposed special use conforms to all
19 Federal, State, and local legislations and regulation
20 and meets or exceeds all applicable provisions of this
21 title except as may be varied pursuant to a special
22 use for a PUD. The proposed special use will conform
23 with all applicable laws and ordinances of the City of
24 St. Charles.

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1 The treating doctors and vet clinic will all
2 be fully licensed. It will be licensed as a dog care
3 clinic, as well as the boarding facility. So we don't
4 anticipate and nor is there any proof of any problems
5 with violating any Federal codes, any State codes, any
6 local codes. So we believe that this report would be
7 in full compliance if the special for the pet care
8 facility is approved -- recommended here and approved
9 by the City Council.

10 So at this time that's the gist of our
11 presentation. Certainly, if you have any questions
12 regarding the specifics of the operation of the
13 business, both Vicki and Mark are here to answer those
14 questions to the extent that I can't. If there's
15 anything with regard to the special use itself, I'm
16 happy to answer your questions.

17 CHAIRMAN WALLACE: Recently we implemented
18 new standards for pet care facilities regarding
19 operation to not create noise. There are certain
20 standards that are set up. What are the owners --
21 what types of procedures will they implement to ensure
22 that those standards are known and followed by their
23 employees?

24 MR. RICHMOND: I noticed that in the write-up

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1 that staff presented. There are four conditions
2 that they had and those are all fine. My clients are
3 well aware of that.

4 And if -- as I said before, there's two dog
5 runs outside. That's the only time the animals would
6 be outside, and they will be fully supervised. So if
7 an animal is barking or making noise, they will
8 immediately bring that animal back in.

9 CHAIRMAN WALLACE: So they'll have enough
10 staff to be able to handle that? If there's 10
11 animals out there, probably there will be two staff
12 people. One would be able to bring the animal in.

13 MR. RICHMOND: They don't let that many
14 animals out at a time because they don't want them to
15 start making noise. They only have a couple out at
16 a time.

17 CHAIRMAN WALLACE: Okay. Questions?

18 MEMBER SCHUETZ: I just have a few questions
19 on the parking. I know it's been addressed in our
20 information, but it says it requires 28. There's
21 currently 19, I believe on-site, and you have the
22 ability for 22.

23 Do we have a variance on this?

24 MS. JOHNSON: No. There's no additional

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1 parking required because the use prior to this use
2 required more parking spaces than they require based
3 on number of spaces per 1,000 square feet of gross
4 floor area for the type of use.

5 So it's considered a nonconforming parking
6 lot, and that nonconformity is allowed to continue.
7 And we also found an easement that allows this space
8 to use 16 spaces in the adjoining parking lot, as well.

9 MEMBER KESSLER: Say that last part again.
10 There's an existing what?

11 MS. JOHNSON: There's an existing shared
12 parking easement with the lot to the west, so this lot
13 is allowed to use 16 spaces in the adjoining lot,
14 as well.

15 MEMBER KESSLER: So there is no parking
16 issue period?

17 MS. JOHNSON: Correct. It meets our
18 ordinance.

19 MEMBER KESSLER: Just as a point of
20 clarification, you said that it was an existing
21 nonconforming. Why was it nonconforming to begin
22 with? Was it a special -- was it given a variance?

23 MS. JOHNSON: The parking requirement may
24 have been different when the use was established.

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1 MEMBER KESSLER: All right.

2 MEMBER PRETZ: For staff, the land behind
3 their future location, what is that zoned, and can you
4 just refresh me on the name of the development that's
5 going to be behind there?

6 MR. COLBY: The property is zoned BC,
7 Community Business District, and it's a planned unit
8 development called Pine Ridge Park.

9 MEMBER PRETZ: Okay. That's residential
10 and --

11 MR. COLBY: The property that's immediately
12 to the north is zoned for commercial use, it's the
13 same zoning district as the subject property.

14 MEMBER PRETZ: Okay. And then residential --
15 the multiunit behind it, is that residential then?

16 MR. COLBY: The residential that's behind
17 there, I think you might be referring to the Regency
18 Estates.

19 MEMBER PRETZ: Thank you. I got a little
20 confused there.

21 MEMBER KESSLER: That's west.

22 CHAIRMAN WALLACE: Any other questions?

23 MEMBER DOYLE: We did have a -- to follow up
24 on that, we did have a concept plan in front of us

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1 recently. If I recall correctly, that concept plan
2 contemplated a MAP amendment for residential use. Is
3 that correct?

4 MR. COLBY: That's correct.

5 MEMBER DOYLE: Okay. But as of today the
6 zoning is BC?

7 MR. COLBY: That's correct.

8 MEMBER DOYLE: Okay.

9 MEMBER PRETZ: So it's zoned the same, but
10 then the recent MAP request was to change it to --

11 MR. COLBY: Just to clarify, there was a
12 concept plan that was presented for feedback from the
13 City. The best information we have is that that
14 developer is not pursuing the project. So we have no
15 application on file to change the zoning.

16 MEMBER PRETZ: Okay. That was the part I
17 was getting confused on.

18 MEMBER KESSLER: I just have a couple
19 questions, and it may be for the applicant, but I'm
20 just trying to wrap my head around the dual use here,
21 and it is a dual use, veterinary clinic/hospital,
22 which to me are kind of two different things because
23 not all veterinarian clinics are hospitals. Is what
24 makes it a hospital that you can treat multiple

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1 patients at a time as opposed to one or two?

2 MR. RICHMOND: I'm going to invite -- do you
3 want to come up?

4 MEMBER KESSLER: I'm asking just as a pet
5 owner.

6 MR. RICHMOND: I'll let them explain that
7 because they're the experts.

8 MEMBER KESSLER: I'm familiar with doggie
9 daycare, people drop the dog off in the day. And they
10 do have some kenneling facility, but mostly a daycare
11 to me is a place where people would drop their pet off
12 for a short period of time a day while they work and
13 then pick it up.

14 So go ahead.

15 MR. CROOTOF: My name is Mark Crootof,
16 C-r-o-o-t, as in "Tom," -o-f, as in "Frank." Do you
17 want my full address?

18 MEMBER KESSLER: Yes.

19 MR. CROOTOF: 1759 Robin Hood Road, Vista,
20 California 92084.

21 I'm a veterinarian. I practiced in upstate
22 New York for 37 -- well, 27 years. I came up with the
23 idea of luxury pet boarding by mistake 27 years ago to
24 help me pay for some extra land that I had bought, and

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1 there was an old barn on it, and I turned it into a
2 hospital, and I lived in the town of Milton, so I
3 called it the Milton Hilton for two days until Hilton
4 called me up and told me to shut it down. And then I
5 called it Milton Pet Resort & Spa, and it went from
6 having no animals in it to be completely full in two
7 weeks of changing the name of a boarding facility. I
8 put the word luxury in it, and I didn't do anything
9 different.

10 It was an old horse barn right outside of
11 Saratoga Springs where Secretariat actually used to
12 stay, and we took these 12-by-12 stalls and turned it
13 into a boarding facility and luxury facility and it's
14 still going strong. We have people coming from
15 150 miles away because we offer things that no one
16 else does.

17 When I build a luxury facility, it's luxury.
18 It's ridiculously luxury but that's what our clients
19 demand. I've done a total of 45 hospitals. I'm a
20 retired veterinarian; I do consulting around the
21 country; I help young vets like Vicki do start-up
22 hospitals, and sometimes if I'm impressed with the
23 person enough, I offer to join with them in a joint
24 venture.

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1 Basically, anyone who loves pets loves --
2 doesn't love going to a vet hospital, but we do
3 because it's part of what you do for your vets, and if
4 you have to go away, you need some place to leave your
5 pets. As a veterinarian, my clients used to come to
6 me all the time and say, "Can we leave our dog or cat
7 with you?" And you feel bad because if you have an
8 animal hospital, you have sick animals in there, so
9 you do not want to bring in healthy animals into a
10 sick environment.

11 So we need a separate place, and this will
12 be completely separate, separate air handling and a
13 complete section where you don't go unless you have
14 to, and we'll actually have things on the floor where
15 you clean your feet before you go from one area to the
16 next. Because the animal hospital, it's just like a
17 person hospital. It will have surgery; it will have
18 radiology. It will have dentistry. Because with
19 animals, we do anesthetize them; we'll do full physical
20 exams; we'll have cages; we'll have treatment areas.
21 It's everything that if you went to the hospital you
22 would find for a person, and that's 4,000-plus feet of
23 this 8,000-square-foot building.

24 On the other side is what we call the

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1 daycare boarding facility, and that is during the day
2 people will bring their animals to drop off on their
3 way to work. Because what has happened over the
4 years, most families at least one, but often both
5 spouses work, and the animals sit home. And people
6 feel bad for them, rightfully so, because it's been
7 proven that the animals are bored, and there's more
8 and more studies being done.

9 I'm chairman of hospital design for the
10 North American Veterinary Conference, which is the
11 largest vet conference in the world. And my job is to
12 put on a four-day conference where we bring in all
13 these speakers, architects, scientists, everyone to
14 come in there to help us build safer, better hospitals
15 for the animals.

16 That's where I met Vicki. She came there
17 and she said to me, she said, "I want to do one of
18 these. I don't want the typical hospital; I want
19 something called fear free." And what fear free is,
20 the hospital is designed not so much what we've done
21 in the past which is for the client, but now it's
22 taking into consideration the animal's view, which is
23 hard for a lot of people to understand. But animals
24 come in, and they're very scared. So we design it

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1 with the right kind of music, the right colors, and
2 there's a lot of scientific research that has recently
3 shown us what colors, what music to play, things
4 like that. So everything in that hospital is going to
5 be designed -- and she will be the only hospital in
6 this area that offers this.

7 The same thing with the boarding facility.
8 Everything is going to be so that not only is it good
9 for the clients in terms of ease of drop-off, ease of
10 picking up, but also to make the animals feel
11 extremely comfortable so that when they come in
12 they're not nervous.

13 As a veterinarian, my biggest fear is we're
14 bringing all these dogs for play together; it's like
15 putting 20 kids in a playground, and how are they
16 going to get long. We do something called temperament
17 testing. Every dog that comes into that boarding
18 facility has to pass a temperament test. Not every
19 dog can do that. They have to be able to socialize
20 well and play with other animals.

21 I will be bringing two of my managers in for
22 a week to two weeks to train the staff specifically.
23 Because in all of my facilities we stress odor free,
24 minimal noise, and exceptional customer service, and

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1 great staff training. Every one of my facilities has
2 been successful. I'm very lucky and very fortunate to
3 be able to say that, but it's all because of the
4 planning that goes into it. We don't rush it. We do
5 it right the first time because first impression is
6 what makes or breaks a new business.

7 I don't know. Did I answer your question,
8 or did I just go all over the place?

9 MEMBER KESSLER: That was pretty good.

10 MR. CROOTOF: I'm very passionate about it,
11 and I have a tendency to just go on.

12 MEMBER KESSLER: Anyway, you're from
13 California, you live in California. Ownership
14 on-site?

15 MR. CROOTOF: No, Vicki will be on-site.
16 Okay? I will be coming in and out. I will be hiring
17 our manager. We'll have a full-time manager and
18 assistant manager that will be managing the place.
19 I'm obviously available. Plus I actually have three
20 of these facilities. So we all communicate on a
21 regular basis anytime anything unusual comes up. And
22 it does. You can't put 50, 60 animals and not
23 occasionally have a fight or --

24 MEMBER KESSLER: My question is really

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1 around a facility that's owned by somebody somewhere
2 else that's just run by management. So I'm just
3 curious.

4 So Vicki is --

5 MR. CROOTOF: Vicki lives in the community
6 and will be here on a daily basis.

7 MS. PETSCHKE: I'm the owner. I'm on-site,
8 yes.

9 MEMBER KESSLER: Other animal hospitals, I'm
10 not sure I understand what the difference between a
11 vet clinic and a hospital is. Are they the same
12 thing?

13 MR. CROOTOF: It actually varies from state
14 to state, town to town.

15 MEMBER KESSLER: I think on the east side
16 there's a hospital, but it's the only one around here
17 that I know of that's considered a hospital. Is that
18 the case?

19 MR. CROOTOF: I don't know what the actual
20 definition is here. I have done this in 30 states,
21 and what I have found is in some places hospital
22 signifies overnight boarding, whereas a clinic is a
23 daily -- almost the difference between a hotel and a
24 motel or something like that.

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1 MEMBER KESSLER: Russ will tell us.

2 Russ knows.

3 MR. COLBY: There's a use category in the
4 zoning ordinance that's veterinary office/animal
5 hospital. So it's considered the same use, and
6 there's a definition included in the staff memo.

7 MEMBER KESSLER: Okay. I did see that but
8 I'm just curious.

9 Very good. I have no other questions.

10 CHAIRMAN WALLACE: Okay. Any other questions?

11 MEMBER SPRUTH: I just had a question about --
12 you said you had three other facilities?

13 MR. CROTOF: I actually have -- I have the
14 one I originally started in Milton, New York, I
15 started 27 years ago and I own that. Then I partnered
16 with another person in Nashville, another doctor, and
17 we did a 10,000-square-foot facility; 5,000 for the
18 hospital and 5,000 for the boarding facility. And I
19 did one in Asheville, North Carolina, also.

20 And, again, as I said, I actually worked on
21 50 different hospitals and boarding facilities. I
22 came to Chicago four years ago to try and start a
23 boarding facility for a lady downtown, but we were
24 unable to fund a business.

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1 But I have done this all over the country,
2 30 states and, actually, one in the Caribbean, also.

3 MEMBER SPRUTH: So I guess from your
4 extensive experience, what have you found to be kind
5 of like the problems incurred in the start-up and
6 operation of this facility? How does this -- in
7 addition, how does this size compare to some your
8 other facilities?

9 MR. CROOTOF: This size is a little smaller
10 than my one in New York and a little smaller than the
11 one in Nashville. They're both bigger. The one in
12 New York is about 12,000 square feet.

13 Basically, the reason I like doing what I'm
14 doing here is because there are two business that are
15 symbiotic in the sense that each one helps the
16 other one.

17 When a client who owns a pet wants to take
18 it to a daycare facility or boarding facility, to know
19 that there is a veterinarian right there in case of
20 any problem is extremely soothing and helpful. If
21 anyone has had a pet, if you had a choice, you would
22 almost always go to the one that has a veterinarian
23 right there just on the off chance there is a problem.

24 That's why I like putting the two together,

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1 and I think in future years we're going to see more
2 and more of this.

3 Problems that we have? The biggest problem
4 of almost any new business is finding the right staff.
5 It takes a lot of time to interview and find the right
6 person, right persons to be able to work with the
7 animals, and they have to be intelligent; they have to
8 be willing to work long, hard hours, and they have to
9 be smart enough how to handle things. And we have to
10 teach them how to recognize when an animal -- we want
11 to prevent problems. When you put five dogs together,
12 you want to be able to look at them and know that you
13 know the warning signs.

14 So these are the things that we teach them.
15 You look for how the tail goes, whether the lips are
16 curling or not. There are all sorts of little
17 telltale signs and this takes time. We do a lot of
18 training with the staff.

19 Honestly, most people are worried about the
20 noise and the smell. Most of my hospitals and
21 boarding facilities are quieter than most of the other
22 commercial buildings in the area. Like I was sitting
23 here, and I couldn't hear you because of the truck
24 outside. We use a lot of soundproofing vents; we'll

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1 use acoustical blankets because we don't want anyone
2 who lives in the area hearing barking dogs. There's
3 going to be the occasional barking dog, but there's
4 always an occasional barking dog in any area.

5 In fact, at my property in New York, the
6 local utility wanted to buy three acres of my land to
7 put a substation on, and they had to do a noise
8 decibel study. And they basically came back and they
9 said, "It's amazing how reasonable it is considering
10 how many animals that you turn there." I think on
11 Thanksgiving we probably had 200 animals there.

12 Again, it's one of these things where it's
13 important to us because we want the community to like
14 us. We want the community to love us. So we're going
15 to go out of our way to do everything to impress.
16 First of all, again, it's your business. If you don't
17 impress them, it isn't going to be successful. And
18 we're both investing a lot of time and a lot of money,
19 we're going to hire a lot of people, provide a lot of
20 new jobs for the area, and I think it's a win/win for
21 everyone.

22 MEMBER DOYLE: I have two questions. I'm
23 looking at the architectural drawing of the space, and
24 in the two outdoor play areas there are noted "pier

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1 spaces to accommodate folding kennels." I guess I had
2 a question for you and also a question for staff.

3 Will the outdoor play areas be used as an
4 area to kennel animals or to house animals?

5 MR. CROOTOF: No.

6 MEMBER DOYLE: No, they will not?

7 MR. CROOTOF: No. The outdoor area is
8 strictly an area for dogs to go out, get some fresh
9 air, run around a little bit, and go to the bathroom.

10 MEMBER DOYLE: Okay. So what is the meaning
11 of those -- those markings and the folding kennels on
12 the drawing?

13 MR. CROOTOF: I'm not even sure where you're
14 looking.

15 MR. RICHMOND: Are you looking at the
16 schematic?

17 MEMBER DOYLE: This is -- it's "Loyal
18 Companions' Floor Plan, Animal Arts."

19 MR. RICHMOND: Right here?

20 MEMBER DOYLE: Yes. Correct.

21 MR. RICHMOND: I think this is just showing
22 the in/out door to get to the play area.

23 MEMBER DOYLE: Oh, Play 1 and Play 2, are
24 those outdoor or indoor areas?

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1 CHAIRMAN WALLACE: Those are indoor going to
2 the outdoor. Correct? The drawing is just the
3 interior.

4 MR. RICHMOND: The drawing is the interior.
5 So that's just showing the door that would exit out to
6 the play area behind it.

7 MEMBER DOYLE: I say Play 1 and Play 2, and
8 I thought those were the outdoor play areas. They're
9 indoor dog runs, indoor play areas?

10 MR. CROOTOF: That's where the kennels
11 actually are. They're collapsible runs so the dogs
12 can go in those for play time and a separation because
13 they play so hard, they get exhausted, and the owners
14 get mad when they bring them home and they go right to
15 sleep. So we have to give them a break during the day.

16 MEMBER DOYLE: Okay. And then the serenity
17 garden pictured on the east side of the building, what
18 is that?

19 MR. CROOTOF: That actually is going to be a
20 picnic table for the staff to go outside and get away
21 from the animals. It's not for the animals.

22 MEMBER KESSLER: Pilates classes.

23 MR. CROOTOF: They have Pilates classes for
24 the dogs.

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1 MEMBER DOYLE: Those are my questions.

2 CHAIRMAN WALLACE: Any other questions?

3 MEMBER FRIO: I have two. It's for staff.

4 Is there anything that states how many
5 animals per square foot of a location that it can
6 house?

7 MS. JOHNSON: No. We don't have a
8 requirement like that.

9 MEMBER FRIO: And then who would determine
10 height of the fence? Because what's being told is
11 6 to 8 feet. Is it 6 or 8?

12 MR. CROOTOF: I would prefer 8 feet. I was
13 told when I came in earlier to ask about this project
14 that you require a 6-foot fence, but I would love to
15 put an 8-foot fence. That's what I did at my other
16 ones. The higher you go, the less the noise.

17 CHAIRMAN WALLACE: All right. Anything else?

18 (No response.)

19 CHAIRMAN WALLACE: All right. Any questions
20 from members of the audience.

21 MR. KUNZER: My name is John Kunzer. I'm
22 with MCC Technology at 2422 West Main Street just west
23 of the subject property.

24 I was in front of the Plan Commission

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1 several months ago requesting a grant for landscaping
2 some of my property which you so graciously agreed to.
3 We just finished that landscaping and added a picnic
4 area for our employees and all the tenants in the
5 building.

6 There are between 68 and 90 people in that
7 building at any one time, and we are in direct line of
8 sight of the subject property if you're outside
9 enjoying the picnic table in those areas. So our
10 concern is peaceful enjoyment of the property, of our
11 property. There is nothing like it in the area. It
12 is business zoning, not industrial zoning. So we did
13 not expect that kind of zoning when we moved into that
14 property, and that would be my only concern, the noise
15 and odor affecting our property.

16 CHAIRMAN WALLACE: All right. Any other --
17 go ahead.

18 MR. FALKENTHAL: Hello. Good evening. My
19 name is Craig Falkenthal. She can see my spelling on
20 my business card. I represent Mercedes-Benz of
21 St. Charles. I'm the general manager of the
22 dealership. I live in this community and built my
23 home here in 1992 and brought my business here to this
24 beautiful community.

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1 I don't know if I'm looking at the same
2 things you folks are looking at. I got this from you-
3 all; you mailed this to me to let me know about this
4 meeting this evening.

5 And my major concern is the noise level.
6 The very northern part of the property actually
7 overlaps the southern part of my business, and the
8 service department is where I have about 25 employees
9 working on Mercedes-Benz cars, sport utility vehicles,
10 Sprint commercial vans, and Smart vehicles, plus other
11 preowned vehicles.

12 The Mercedes-Benz vehicles are extremely
13 difficult to work and service on, and it takes a lot
14 of thinking power and focus. In these very warm days,
15 we have our service doors completely open, and, again,
16 my only concern is the noise level. Their hours are
17 going to be 7:00 a.m. to 7:00 p.m. My hours are
18 7:00 a.m. to 8:00 p.m. So I am there all the time.

19 And these folks are very nice people, and I
20 respect what they're trying to do, but I would be the
21 one that can best judge the noise level because I will
22 be there all the time, and barking dogs can be a very,
23 very high level of distraction. And then, of course,
24 depending on the amount of barking, you can also get

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1 concerned for the animals.

2 So that's why I'm here this evening, to tell
3 you how I feel about that noise level situation.

4 CHAIRMAN WALLACE: All right. Thank you.

5 Any other questions or comments?

6 MEMBER PRETZ: Can I just ask the gentleman
7 that came up first -- you don't have to get up -- your
8 property is right next door?

9 MR. KUNZER: It's not next door. They're
10 about 220 or -30 feet away from the property. There
11 is property between us, but it's clear line of sight
12 other than some parking and a detention area for
13 groundwater runoff and things behind there.

14 MEMBER PRETZ: Okay. Thank you.

15 MR. KUNZER: We just finished a picnic area
16 for all of our employees and other tenants. When
17 you're sitting there having coffee, clear sight of
18 that property, no obstructions whatsoever.

19 CHAIRMAN WALLACE: All right. Yes.

20 MR. COLEMAN: Good evening, gentlemen --
21 ladies and gentlemen. My name is Mark Coleman,
22 C-o-l-e-m-a-n, 703 East Main Street in St. Charles.
23 I'm a Realtor commercial broker. Resnick Automotive
24 is my client. I work with them currently in a couple

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1 of different aspects both here and in Schaumburg.

2 I have the lot that's for sale immediately
3 to the north of the Mercedes store that's been on the
4 market for quite some time. We've struggled with the
5 marketing of that because of the economy just like
6 Pine Ridge, the business park right behind Mercedes.

7 We're coming into a period of economy where
8 things are improving and they're improving rapidly.
9 We've seen the new Buona Beef go up on East Main
10 Street. Things are starting to change, and I can tell
11 you without specifics but within the immediate near
12 term there will be some announcements that will have a
13 major impact on that area of St. Charles involving not
14 only the lot that I have for sale but also Pine Ridge,
15 and I happen to think that that will have a major
16 impact positive on the future of that sector of
17 St. Charles.

18 So as we consider community uses that come
19 into that area, I would ask that this Commission keep
20 those things in mind. I think within a week, possibly
21 two, those revelations will become public, and you'll
22 understand what I'm speaking of tonight.

23 Thank you very much.

24 CHAIRMAN WALLACE: All right. Yes.

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1 MR. FALKENTHAL: I just wanted to add one
2 last thing. Most automobile dealerships use a PA
3 system for outside use, and because of the townhomes
4 to the north of us, we elected not to do a PA system.
5 So we spent a lot of money with internal communication
6 devices. It's more professional and there's no noise.

7 CHAIRMAN WALLACE: All right. Thank you.
8 Anything further?

9 MR. RICHMOND: If I may, Mr. Chairman, just
10 to address the concerns.

11 As Mark Crootof said, the building is going
12 to be soundproofed. That's what their desire is, not
13 only for the outside but also for the inside. They
14 don't want noise resonating within the facility to
15 affect the other animals that are there if one is
16 barking.

17 In addition, the purpose for the 8-foot
18 fence or 6-foot, whatever it ends up being --
19 preferably 8-foot -- will help contain that noise. I
20 can tell you I'm a trustee in the Village of
21 South Elgin, and we had a similar facility come before
22 us, and that was a concern was noise, and there was
23 some testimony at that point that when you contain the
24 dog runs like that with the higher fence, it fully

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1 contains the noise. And we investigated it and there
2 were no complaints, and there were restaurants right
3 next door in that area of South Elgin along Randall
4 Road.

5 So I would -- I would venture to guess that
6 an air hammer going off in the Mercedes dealership is
7 going to make more noise than the dogs will. They're
8 not out for a long time, and they're brought in if
9 there is any problem. They have control over that,
10 and I really don't think it will be a big problem,
11 particularly because the dealership is quite a
12 distance away from where the actual facility is here,
13 as well as the other building that the gentleman was
14 referring to. His line of sight won't be altered.
15 He'll be looking at a fence. He's not going to be
16 looking at a bunch of animals running around or
17 something like that.

18 So we really think it will enhance the
19 neighborhood because it will provide a full-service
20 facility for people looking to have pets cared for.

21 So thank you.

22 MEMBER HOLDERFIELD: I have a question. In
23 regard to the play areas, we're talking about an
24 8-foot fence -- earlier 6 but you said 8 foot would be

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1 even better. I understand from our past experience
2 with these day care centers for dogs that they need to
3 be screened so you can't see the animals. Beyond
4 that, can any soundproofing be incorporated into the
5 screening that would absorb, cut down on any barking
6 that would be within the screening of this 8-foot-tall
7 fence?

8 MR. CROOTOF: Usually, what I try to do is --
9 a smooth surface is going to reflect sound. So on
10 those fences we'll put an acoustical blanket which
11 actually absorbs the sound. Actually, we'd go even
12 higher if you'd let us. I don't mind going higher,
13 but 8 foot is a fairly good size height for a fence,
14 and you put something that absorbs sound on them.

15 We're not putting 40 animals out there and
16 letting them play around by themselves. We're going
17 to put, you know, 15 animals but we have two staff
18 members. You want to have one -- 8 to 10 animals per
19 staff member is what is recommended by the boarding
20 guidelines for the United States.

21 We try to keep it as small as we can so that
22 there are no -- we don't want barking for a variety of
23 reasons. Number one, it doesn't look good. It's not
24 good for our staff; it's not good to get other -- you

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1 know, when our clients are picking up, if the dogs are
2 sitting there barking like crazy, our business won't
3 be there.

4 MEMBER HOLDERFIELD: Okay. Just so I
5 understand -- and I understand hard surfaces -- you go
6 into a restaurant, you can't even talk. But what
7 you're saying is these acoustical blankets would be in
8 between the posts?

9 MR. CROOTOF: They'd be scattered around the
10 top part. If you put them too low, the animals would
11 chew on them.

12 MEMBER HOLDERFIELD: But they're not running
13 8 feet tall?

14 MR. CROOTOF: If we did that, the animals
15 would try to chew them up or urinate on them. You've
16 got to put them at a certain level.

17 MEMBER HOLDERFIELD: So 2 to 3 feet up?

18 MR. CROOTOF: I've worked with dogs all my
19 life. If you put something too low, they'll go and
20 start to mark it. So you've got to have a very
21 resilient surface on the bottom part.

22 MEMBER HOLDERFIELD: But you're going to
23 have people out there supervising?

24 MR. CROOTOF: Everyone is always supervised

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1 outside. They're never, ever going to be out there
2 without a person. You will get an occasional bark.
3 That I can't help. It's just like when you're in a
4 neighborhood, some person walks a dog, the dog sees a
5 squirrel and starts barking. It happens. You're
6 going to get occasional noise, but it's not going to
7 be repetitive by any means.

8 MEMBER KESSLER: You talk about these
9 acoustic blankets. Are you saying you hang acoustic
10 blankets from the top of an 8-foot fence down to about
11 about 5 feet --

12 MR. CROOTOF: Down to about -- well, there
13 will be about 3 to 4 feet of blankets.

14 MEMBER KESSLER: Completely surrounding the
15 interior of that fence?

16 MR. CROOTOF: Yeah. They come in a 4-foot
17 roll and 200 feet long.

18 MEMBER SPRUTH: You said you had existing
19 facilities that use this noise blanket. Have you done
20 any noise assessments on a particular facility where
21 you could provide some reassurance of the decibels
22 recorded outside?

23 MR. CROOTOF: The one that I have in
24 New York is on a 50-acre horse farm, so I don't have

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1 any neighbors complaining about it.

2 MEMBER SPRUTH: Yeah. No, I'm talking about
3 some of the other ones.

4 MR. CROOTOF: In Nashville is -- there are
5 houses but we have yet to have a single complaint. So
6 I haven't done any studies because no one has
7 complained, and we've been there for 4 1/2 years now.

8 MEMBER SPRUTH: It might be useful to
9 consider for the future as you develop facilities.

10 MR. CROOTOF: When I was younger, I decided
11 to build a hospital, and it was right next to a
12 retirement community, and they fought me in a town
13 board like this for a year before they finally allowed
14 me to put it up, and a year later the residents of the
15 place came in and apologized and took us out to dinner
16 and said, "You're actually quieter than the bank next
17 door."

18 MEMBER SPRUTH: So that's why sometimes
19 numerical data of an existing facility is helpful when
20 demonstrating to your neighbors. Because, otherwise,
21 all they have is your word, and they're not used
22 to this.

23 MR. CROOTOF: I understand. But it's in
24 everyone's best interest that we be quiet and odor

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1 free or as odor free as possible. And, again, this
2 course I put on, this four-day thing, gives lectures
3 all day long. We actually have chemical engineers
4 come in and talk about noise control, sound control,
5 odor control because these are the things that make or
6 break our businesses.

7 MEMBER SPRUTH: Is there an opportunity to
8 put some additional landscaping on the outside of the
9 fence?

10 MR. CROOTOF: I don't see any reason why
11 not. If that's going to help his line of sight, I
12 don't think we'd have any problem with doing something
13 like that.

14 MEMBER SPRUTH: But it also provides
15 noise --

16 MR. CROOTOF: If it's on the outside of the
17 fence, it's not going to do too much.

18 MEMBER SPRUTH: But above, you know --

19 MR. CROOTOF: It's not going to go higher
20 than that. I don't think we'll put in a 20-foot tree.

21 We're willing to do anything that you guys
22 want as long as it's reasonable because it's in our
23 best interest to make everyone happy.

24 MEMBER KESSLER: I have a question for

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1 staff. Russ or Ellen, have we had any complaints that
2 you're aware of at F.Y.D.O. Land on the east side?

3 MR. COLBY: No.

4 MEMBER KESSLER: Have you had any complaints
5 on Ruffner's on the west side?

6 MR. COLBY: I'm not aware of any recently.
7 Over the years there have been complaints from
8 residents north of that area.

9 MEMBER DOYLE: I have a procedural question.
10 Looking at the use standards for this special use,
11 there's a criteria here that specifies that, "The
12 operation of the pet care facility shall not allow
13 creation of noise by any animal or animals under its
14 care" and goes on. This is in the staff packet.

15 Russ and Ellen, by -- if the Plan Commission
16 contemplates recommending for approval, by definition
17 we can only recommend for approval for a facility that
18 does not violate this ordinance in the City code;
19 correct?

20 MR. COLBY: Correct. This is a use standard
21 that's performance based that applies to this business
22 regardless.

23 MEMBER DOYLE: Okay. So we can't contemplate
24 a special use that would generate noise in contradiction

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1 to this standard?

2 MR. COLBY: Correct.

3 MEMBER DOYLE: Okay. And if -- if after the
4 facility is built it is found that it does violate
5 that standard, what is the remedy?

6 MR. COLBY: It would be cited as a zoning
7 violation of the special use approval and of the
8 zoning ordinance. So there would be enforcement
9 action taken to correct the issue. In this, case,
10 because it's based on performance and the noise being
11 generated, the business would need to demonstrate that
12 they are changing their practice relating to that
13 violation to occur.

14 MEMBER DOYLE: Thank you.

15 MR. RICHMOND: If I may, Commissioner Doyle,
16 with regard to the use standard, it talks about
17 excessive noise. What it refers to is noise --
18 creation of noise by animal or animals under its care
19 repeatedly over at least a 7-minute period of time and
20 an average at least 12 animal noises per minute or
21 repeatedly over a 15-minute period of time.

22 That goes back to what he was saying and I
23 was saying; if an animal starts to bark, they're going
24 to go inside. So we're very confident, the owners are

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1 very confident that will not be a problem whatsoever.

2 MEMBER DOYLE: Thank you.

3 MR. KUNZER: You mentioned the boarding
4 place off of Dean Street. For nine years I was about
5 1,000 feet from that facility, and while I never heard
6 anything inside our building, our front door faced
7 that facility, and when you went outside, you
8 frequently heard loud parking at that facility, and
9 that was over 1,000 feet away. They have a 7- or
10 8-foot fence on their property.

11 CHAIRMAN WALLACE: All right. Any other
12 questions, comments as far as the Plan Commission?

13 (No response.)

14 CHAIRMAN WALLACE: The audience?

15 (No response.)

16 CHAIRMAN WALLACE: All right. If the Plan
17 Commission feels they have enough evidence to make a
18 recommendation, it would be in order to close the
19 public hearing.

20 MEMBER KESSLER: So moved.

21 MEMBER DOYLE: Second.

22 CHAIRMAN WALLACE: It's been moved and
23 seconded. Any discussion on the motion?

24 (No response.)

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1 CHAIRMAN WALLACE: Tim.
2 MEMBER KESSLER: Holderfield.
3 MEMBER HOLDERFIELD: Yes.
4 MEMBER KESSLER: Spruth.
5 MEMBER SPRUTH: Yes.
6 MEMBER KESSLER: Doyle.
7 MEMBER DOYLE: Yes.
8 MEMBER KESSLER: Schuetz.
9 MEMBER SCHUETZ: Yes.
10 MEMBER KESSLER: Pretz.
11 MEMBER PRETZ: Yes.
12 CHAIRMAN WALLACE: Frio.
13 MEMBER FRIO: Yes.
14 MEMBER KESSLER: Purdy.
15 MEMBER MACKLIN-PURDY: Yes.
16 MEMBER KESSLER: Wallace.
17 CHAIRMAN WALLACE: Yes.
18 MEMBER KESSLER: Kessler, yes.
19 CHAIRMAN WALLACE: All right. The hearing
20 is now closed.
21 Is Item 5 on the agenda just staff
22 presentation?
23 MR. COLBY: Yes. So it might be appropriate
24 for the Commission to move to Item No. 6.

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1 CHAIRMAN WALLACE: If there's no objection,
2 I would suggest we go ahead with Item 6 and come back
3 to Item 5.

4 All right. Then Item 6 on our agenda is
5 2312 Loyal Companions Hospital, Loyal Companions, PC,
6 application for special use for pet care facility.

7 Is there a motion or discussion, Plan
8 Commission.

9 MEMBER KESSLER: Is there a motion?

10 MEMBER DOYLE: I'll make a motion. I move
11 to recommend approval for special use of a pet care
12 facility at 2312 East Main Street submitted by Loyal
13 Companions Animal Hospital.

14 CHAIRMAN WALLACE: All right. Is there a
15 second.

16 MEMBER SCHUETZ: Second.

17 CHAIRMAN WALLACE: All right. It's been
18 moved and seconded. Discussion on the motion?

19 MEMBER DOYLE: Mr. Chairman, my comment is
20 that -- so if we turn to the findings of fact, I
21 believe that Finding of Fact A as submitted is
22 reasonable and true, as is B, as is E, and F.

23 Findings of Fact C and D are those that have
24 been questioned by members of the public and by

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1 surrounding property owners, particularly that the use
2 of the pet care facility will not be injurious to the
3 use and enjoyment of property owners.

4 My opinion is that as far as visual impact
5 there is -- our ordinance requires a privacy fence
6 with opaque screening, and the applicant has also
7 indicated they would be willing to consider additional
8 landscaping to divide the appearance of the outdoor
9 dog run, and I don't believe that the privacy fence
10 screening visually would be injurious to other
11 surrounding commercial uses.

12 Noise is the point that we discussed at
13 length, and as we discussed during the public hearing,
14 our ordinance prohibits, exclusively prohibits the
15 generation of excessive noise and provides a remedy to
16 surrounding property owners to submit complaints and
17 to trigger subsequent action by the City if the
18 applicant does not comply with that ordinance.

19 So I think the applicant has really taken
20 upon themselves the risk to assess their ability to
21 comply with the ordinance as written, and there's a
22 framework for us to assess what injurious means in
23 this context, which is what excessive noise would be.

24 So we can't contemplate recommending

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1 approval of a special use that contradicts that use
2 standard, and we're not doing so. We are recommending
3 approval of a special use that would comply with that
4 standard, which is, in fact, what Finding of Fact F
5 says, the proposed special use will conform with
6 applicable law and ordinances.

7 So since there's a remedy in the City code,
8 I think it's reasonable for us to -- and since the
9 surrounding properties are all commercial use, I think
10 that the fact that we have a luxury amenity that's
11 going to provide conveniences to the surrounding
12 community would be an asset to this business district
13 and would bring customers in and possibly even cross-
14 pollinate with other surrounding businesses.

15 MEMBER KESSLER: I'd like to speak to D,
16 "Effect on development of surrounding property," and
17 Mark Coleman brought up the fact that there is
18 something in the works for that area directly to the
19 north, and I suspect along Randall Road there.

20 Given the parameters of the zoning for that
21 property, the use that's being proposed, it's going to
22 be difficult for us to -- or inappropriate for us to
23 consider something that might come there in the
24 future. We don't know what that could be. If this

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1 was something that was completely -- a complete
2 special use for the underlying zoning, I might
3 question it a little more but it's not. As Brian
4 points out, we do have remedies in place for noise and
5 actual visual complaints on the property.

6 So I would have difficulty finding D as a
7 negative, as well.

8 CHAIRMAN WALLACE: Any other comments? Any
9 other discussion?

10 (No response.)

11 CHAIRMAN WALLACE: All right. Tim.

12 MEMBER HOLDERFIELD: Yes.

13 MEMBER KESSLER: Holderfield. Never mind,
14 you already said yes.

15 Spruth.

16 MEMBER SPRUTH: Yes.

17 MEMBER KESSLER: Doyle.

18 MEMBER DOYLE: Yes.

19 MEMBER KESSLER: Schuetz.

20 MEMBER SCHUETZ: Yes.

21 MEMBER KESSLER: Pretz.

22 MEMBER PRETZ: Yes.

23 MEMBER KESSLER: Frio.

24 MEMBER FRIO: Yes.

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MEMBER KESSLER: Purdy.

MEMBER MACKLIN-PURDY: Yes.

MEMBER KESSLER: Wallace.

CHAIRMAN WALLACE: Yes.

MEMBER KESSLER: Kessler, yes.

CHAIRMAN WALLACE: All right. That motion passes unanimously, and that concludes Item No. 6 on the agenda. Thank you.

(Off the record at 8:04 p.m.)

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CERTIFICATE OF SHORTHAND REPORTER

I, Paula M. Quetsch, Certified Shorthand Reporter No. 084-003733, CSR, RPR, 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 26th day of July, 2015.

My commission expires: October 16, 2017



Notary Public in and for the
State of Illinois

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BEFORE THE PLAN COMMISSION
OF THE CITY OF ST. CHARLES

- - - - -x

In Re the Matter of: :
General Amendment - :
Chapter 17.16 :
"Office/Research, :
Manufacturing, and :
Public Lands District." :

- - - - -x

REPORT OF PROCEEDINGS
St. Charles, Illinois
Tuesday, July 21, 2015
8:05 p.m.

Job No.: 74369B
Pages: 1 - 18
Reported By: Paula Quetsch, CSR

General Amendment
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Proceedings held at the location of:

CITY OF ST. CHARLES COUNCIL CHAMBERS
2 East Main Street
St. Charles, Illinois
(630) 377-4400

Before Paula Quetsch, CSR, and Notary Public in
and for the State of Illinois.

General Amendment
Conducted on July 21, 2015

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PRESENT:

- TODD WALLACE, Chairman
- TIM KESSLER, Vice Chairman
- BRIAN DOYLE, Member
- DAN FRIO, Member
- JAMES HOLDERFIELD, Member
- LAURA MACKLIN-PURDY, Member
- TOM PRETZ, Member
- TOM SCHUETZ, Member
- MICHELLE SPRUTH, Member

ALSO PRESENT:

- RUSSELL COLBY, Planning Division Manager
- ELLEN JOHNSON, Planner

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P R O C E E D I N G S

CHAIRMAN WALLACE: Moving on to Item 5 on the agenda, General Amendment (City of St. Charles) Chapter 17.16, "Officer/Research, Manufacturing, and Public Lands District," Section 17.16.030 "Bulk Regulations" (Landscape buffer yards in M-2 Limited Manufacturing District.)

MEMBER KESSLER: Russ, I don't know what it was that Todd said but they all left.

CHAIRMAN WALLACE: I guess they all didn't want to hear it.

MR. COLBY: I'm going to bring up the maps that were included in the staff materials, but what we're discussing is a general amendment that's being proposed to the Limited Manufacturing District, which is the industrial district that covers the East Side Industrial Park; we're looking at amending a requirement that's called a "Landscape buffer yard." A landscape buffer yard is a setback distance that applies in lieu of or in addition to a regular building setback.

So, for example, on a piece of industrial property is a front yard setback requirement of 40 feet. On certain properties where landscape buffer

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1 yard is required, that setback becomes effectively
2 100 feet.

3 The landscape buffer here is intended to
4 separate incompatible uses. So you have a situation
5 where you have a residential adjoining industrial
6 property. The buffer yard is intended to provide a
7 barrier in terms of separation of uses and also a
8 screening in the form of fences, landscaping, or
9 berming to separate the uses.

10 Previous to the City's adoption of a new
11 zoning ordinance in 2006, the only setback requirement
12 that applied where there was an M-2 property adjacent
13 to residential property -- I should say adjacent or
14 across the street -- the only requirement that applied
15 before was a 40-foot setback, which is front yard
16 setback requirement for that zoning district.

17 As part of the new zoning ordinance that was
18 adopted, a concept of a landscape buffer yard was
19 incorporated into the ordinance, and this applied to
20 all future development in the M-2 District, and that
21 100-foot requirement for a lot of properties changed
22 what had previously been a 40-foot setback to a
23 100-foot setback.

24 Although this requirement has been in place

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1 since 2006, we have not seen any industrial
2 development occur along the perimeter of the zoning
3 district where the requirement applies. And the maps
4 that were included in the packet show its locations.
5 It applies along Kirk Road where there's industrial
6 property to the east. It also applies along Tyler
7 Road where there's industrial property north and east
8 of there. Then it applies to a common property line
9 that's located west of Tyler Road where the M-2
10 property actually abuts residential lots.

11 The inquiries we've received have been
12 primarily lots that are along Tyler Road or along
13 Kirk Road where developers are looking at options for
14 how to configure a site plan on those lots and have
15 questioned the need for maintaining a 100-foot
16 landscape buffer yard requirement.

17 In response to this, staff went back and
18 looked through some of the materials that were put
19 together when the zoning ordinance was written to see
20 where this requirement came from, and there was no
21 specific explanation for what the distance was. There
22 were buffer yards incorporated in a number of zoning
23 districts, and I think the 100-foot distance was
24 applied here because it was something that was larger

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1 than the building setback.

2 In looking at all of the properties that
3 exist along the boundary, one thing that's unique is
4 that the M-2 District is separated from the
5 residential zoning by a collector and arterial street,
6 Kirk Road being an arterial street and Tyler Road
7 being an industrial collector street, both of which
8 have fairly wide street rights-of-way, which I believe
9 are on the maps, that are anywhere from 80 feet to
10 some portions along Tyler Road it's 200 feet. That's
11 just the distance that is included in the street
12 right-of-way.

13 So if you were building on one of these
14 industrial properties with a 40-foot front yard
15 setback and there's a right-of-way, the street area in
16 front of the lot, the effective separation distance at
17 a minimum would be 80 feet at the short section of the
18 right-of-way plus 40 feet on the lot. So you're
19 already 120 feet back from the residential property.

20 So based on the configuration of these lots
21 and the unique condition that exists along most of the
22 boundary of the zoning districts, staff felt it would
23 be appropriate to consider modifying the requirements
24 to continue to require a landscape buffer yard but

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1 allow the buffer yard to be reduced down to the
2 previously existing 40-foot front yard setback in
3 situations where the property is abutting a collector
4 or arterial street. In this case that would only
5 apply to Tyler Road and Kirk Road.

6 So there would still be a landscaping
7 screening requirement, but the setback distance would
8 only be the 40 feet that had previously been required.
9 And we would propose to not change the requirement
10 where the M-2 property directly abuts a residential,
11 which would be these properties located west of Tyler
12 Road because in those situations that 100-foot
13 separation would be the only distance separating the
14 back of a residential yard from where the portion of
15 the industrial property is developed. So we think
16 maintaining a 100-foot setback distance there is
17 appropriate.

18 Additionally, one of the other mitigating
19 factors that I can mention with these collector
20 arterial streets is that both of these streets that
21 are impacted have a high volume of traffic. It's fast
22 moving traffic, so you have a lot of activity that's
23 occurring at all hours on the street that is
24 generating some noise, and definitely the presence of

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1 traffic within that street area to some extent
2 mitigates the need to set back the development across
3 the street further than we would typically require
4 setback in its own district, which is the 40 feet.

5 So that concludes my presentation. I'd be
6 happy to take questions.

7 CHAIRMAN WALLACE: All right. Questions?

8 MEMBER SCHUETZ: I just have a general
9 question. So you're saying when it abuts a street, it
10 would be 40 feet. So Tyler is 40 feet, Kirk is
11 40 feet, and I forget the other name of the street,
12 but they're all 40 feet?

13 MR. COLBY: Yes. Those would be the only
14 two streets affected based on how the M-2 District is
15 laid out.

16 MEMBER SCHUETZ: But it would remain
17 100 feet where it abuts residential?

18 MR. COLBY: Correct. And the screening
19 requirement would still apply regardless. So it would
20 still require screening of -- it can be in the form of
21 berms, landscaping.

22 MEMBER SCHUETZ: And I remember reading in
23 your notes that everything right now is 40 feet anyway
24 along Tyler and Kirk. That's how it's built out?

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1 MR. COLBY: Yes. Under the 2006 zoning
2 requirements it was generally at 40 feet.

3 MEMBER SPRUTH: And you said in 2006 is when
4 the 100-foot setback was put in place. What was the
5 reason for that?

6 MR. COLBY: Well, at that time the entire
7 zoning ordinance was rewritten, so the landscape
8 buffer yard concept was put into the ordinance, and
9 there were buffer yard distances assigned to each of
10 the zoning districts. And I think what was done is
11 those distance that were chosen were proportional to
12 the buffer yard requirement.

13 So say the M-2 District required 40-foot
14 setback, so the buffer yard was increased to 100 feet,
15 which is a little more than double. If you look at
16 some of the commercial districts, they have a similar
17 buffer yard requirement that is in excess of the
18 setback requirement.

19 So I think it was looked at as proportional.
20 That's the best information I can come up with. It
21 could have just been a situation where someone said
22 that looked like a good number.

23 MEMBER SPRUTH: And you said, there's been a
24 number of inquiries in regards to the lots. Can you

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1 put a number to them? I mean, have there been
2 discussions? Are there certain areas that there's
3 been more inquiries?

4 MR. COLBY: I would say it's on the full
5 extent of the undeveloped property because there's a
6 number of properties there that are being marketed for
7 sale and different types of users for those sites. We
8 don't know specifically who would develop which
9 property in which way, but we think that it makes
10 sense at this point given the existing development
11 pattern that changing the requirement to something
12 more consistent with what exists there would be
13 appropriate versus looking at each individual
14 situation where we have a zoning setback variance or
15 PUD because we don't think it's necessarily warranted
16 to require that process if they're still meeting that
17 40-foot requirement.

18 MEMBER KESSLER: According to your report,
19 you've heard nothing from any owners of these
20 properties? I mean, you've notified them; right?

21 MR. COLBY: No. It's a general amendment.
22 So the City is changing its code requirements that
23 apply to all properties in the district, so we haven't
24 specifically consulted any of the property owners

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1 impacted by this. Some of the developers who have
2 inquired with us are aware that we're intending to
3 pursue this.

4 MEMBER SCHUETZ: If we do 40 feet, which
5 then going south is Geneva, what is Geneva's ordinance
6 along Kirk?

7 MR. COLBY: I don't know what that
8 requirement is.

9 MEMBER SCHUETZ: I'd ask if that's
10 significantly different. That would be a question I
11 have because it would look so different.

12 MR. COLBY: The property -- the industrial
13 property that's immediately south of Division Street,
14 which would be Geneva, is also undeveloped. So
15 there's a lot of that frontage there that's still to
16 be developed.

17 CHAIRMAN WALLACE: Any other questions?

18 (No response.)

19 CHAIRMAN WALLACE: All right. If the Plan
20 Commission feels that they have enough information to
21 make a recommendation for or against this application,
22 I will entertain a motion to close the public hearing.

23 MEMBER KESSLER: Move to close the public
24 hearing.

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1 MEMBER FRIO: Second.
2 CHAIRMAN WALLACE: It's been moved and
3 seconded. Any discussion on the motion?
4 (No response.)
5 MEMBER KESSLER: Holderfield.
6 MEMBER HOLDERFIELD: Yes.
7 MEMBER KESSLER: Spruth.
8 MEMBER SPRUTH: Yes.
9 MEMBER KESSLER: Doyle.
10 MEMBER DOYLE: Yes.
11 MEMBER KESSLER: Schuetz.
12 MEMBER SCHUETZ: Yes.
13 MEMBER KESSLER: Pretz.
14 MEMBER PRETZ: Yes.
15 MEMBER KESSLER: Frio.
16 MEMBER FRIO: Yes.
17 MEMBER KESSLER: Purdy.
18 MEMBER MACKLIN-PURDY: Yes.
19 MEMBER KESSLER: Wallace.
20 CHAIRMAN WALLACE: Yes.
21 MEMBER KESSLER: Kessler, yes.
22 CHAIRMAN WALLACE: All right. Public
23 hearing is now closed, and that concludes Item No. 5
24 on the agenda.

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1 Following that will be Item 7, General
2 Amendment (City of St. Charles) as listed on the
3 agenda. Is there a motion?

4 MEMBER KESSLER: I would move to recommend
5 approval to the planning and development committee of
6 the application for General Amendment (City of
7 St. Charles) Chapter 17.16, "Officer/Research,
8 Manufacturing, and Public Lands District," Section
9 17.16.030 "Bulk Regulations" (Landscape buffer yards
10 in M-2 Limited Manufacturing District.)

11 CHAIRMAN WALLACE: Is there a second?

12 MEMBER SCHUETZ: Second.

13 CHAIRMAN WALLACE: It's been moved and
14 seconded. Any discussion on that motion?

15 (No response.)

16 MEMBER KESSLER: Holderfield.

17 MEMBER HOLDERFIELD: Yes.

18 MEMBER KESSLER: Spruth.

19 MEMBER SPRUTH: Yes.

20 MEMBER KESSLER: Doyle.

21 MEMBER DOYLE: Yes.

22 MEMBER KESSLER: Pretz.

23 MEMBER PRETZ: Yes.

24 MEMBER KESSLER: Frio.

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1 MEMBER FRIO: Yes.

2 MEMBER KESSLER: Purdy.

3 MEMBER MACKLIN-PURDY: Yes.

4 MEMBER KESSLER: Wallace.

5 CHAIRMAN WALLACE: Yes.

6 MEMBER KESSLER: Kessler, yes.

7 CHAIRMAN WALLACE: Item 8 is Meeting
8 Announcements, Plan Commission.

9 Our next meeting will be on August 4th in
10 this location followed by the joint meeting with
11 Planning and Development, which will be on August 10
12 at 5:30 p.m. in the Century Station building, which is
13 next to the fire station, but it's the entrance on the
14 other side up State Street, and then just proceed into
15 the basement to the training room.

16 And have you heard from everyone whether
17 we'll have a quorum at that meeting?

18 MR. COLBY: Yes. We will have a quorum on
19 the Plan Commission. We're still awaiting to confirm
20 a quorum from Planning and Development.

21 CHAIRMAN WALLACE: Is there anyone here that
22 you haven't heard from?

23 MEMBER FRIO: I won't be there.

24 CHAIRMAN WALLACE: Is there anyone else

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1 that's not going to be able to be there on August 10th?

2 MEMBER MACKLIN-PURDY: I will try very hard
3 to be here.

4 CHAIRMAN WALLACE: And note that it is at
5 5:30 p.m.

6 MEMBER KESSLER: Is there anything on the
7 agenda from our meeting, will there be?

8 MR. COLBY: That agenda hasn't been set yet,
9 but these two items that were heard tonight will be on
10 that agenda.

11 MEMBER SPRUTH: For the joint meeting on
12 August 10th, is there an agenda or format?

13 MR. COLBY: There will be an agenda. The
14 format basically will be to do some initial
15 introductions and a short staff presentation, but the
16 intent is to provide the Plan Commission members an
17 opportunity to communicate and discuss roles and
18 perspectives. So we're working on that, but there
19 will be an agenda.

20 MEMBER DOYLE: And to be clear, the joint
21 meeting runs until 6:45, and then the subsequent
22 meeting is a separate meeting?

23 MR. COLBY: Correct. That's the regular
24 Planning and Zoning committee meeting.

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1 MEMBER SCHUETZ: So we're free to leave
2 at 6:45?

3 MR. COLBY: Yes. Unless you'd like to
4 attend the committee meeting.

5 CHAIRMAN WALLACE: Any additional business
6 from Plan Commission members?

7 MEMBER DOYLE: I just want to -- I will not
8 be able to attend the August 4th meeting.

9 CHAIRMAN WALLACE: Anything additional from
10 staff?

11 MEMBER SCHUETZ: Are we having August 4th?
12 Because last time you weren't sure.

13 MR. COLBY: Yes. We have items scheduled.

14 CHAIRMAN WALLACE: Is there a motion to
15 adjourn?

16 MEMBER KESSLER: So moved.

17 MEMBER SCHUETZ: Second.

18 CHAIRMAN WALLACE: All in favor.

19 (Ayes heard.)

20 CHAIRMAN WALLACE: Opposed.

21 (No response.)

22 CHAIRMAN WALLACE: The St. Charles Plan
23 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, Paula M. Quetsch, Certified Shorthand Reporter No. 084-003733, CSR, RPR, 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 26th day of July, 2015.

My commission expires: October 16, 2017



Notary Public in and for the
State of Illinois