ST. CHARLES SINCE 1834	**PLAN COMMISSION AGENDA ITEM EXECUTIVE SUMMARY**			
	Project Title/ Address:	The Quad St. Charles/Charlestowne Mall PUD- PUD Preliminary Plan and Final Plat of Subdivision		
	City Staff:	Russell Colby, Planning Division Manager		
	Please check appropriate box (x)			
	PUBLIC HEARING		**MEETING 3/18/14**	X

APPLICATIONS UNDER CONSIDERATION:

PUD Preliminary Plan
Final Plat of Subdivision

ATTACHMENTS AND SUPPORTING DOCUMENTS

Staff Report	Developer response to Engineering Comments
Approval Process Summary	Application Materials
Engineering Review Comments	PUD Ord. #2013-Z-19

EXECUTIVE SUMMARY:

In November 2013, the City Council approved an amendment to the Charlestowne Mall PUD to create new zoning and development standards for the redevelopment of the mall property, which is to be known as The Quad St. Charles. The PUD Amendment approved the following documents:

- A **Concept Site Plan** meant to demonstrate the design intent of the project.
- A **PUD Standards exhibit** listing the zoning and subdivision requirements.

The developer is now commencing the PUD Preliminary Plan approval stage of the project. Documents being presented for approval at this time include:

- An overall **Site Plan** identifying the site and parking lot layout, pedestrian pathways, the proposed mall building footprint and locations for future outlot buildings.
- **Preliminary Engineering Plans** for:
  - Demolition of the former Sears anchor store, an adjacent portion of the west end of the mall, and the existing foodcourt wing.
  - Site grading and parking lot reconfiguration and reconstruction.
  - Site utility work.

Additional components of the PUD Preliminary Plan will be submitted for review in the coming months. These documents are being developed based on the final site and engineering plans. Plans will include architectural building elevations, landscape plans, lighting and photometric plans, and a sign plan. Plan review for the outlots will occur as each is proposed for development.

The developer has also submitted a Final Plat of Subdivision to create a building lot for the existing theater.

RECOMMENDATION / SUGGESTED ACTION *(briefly explain)***:**

Staff recommends approval of the Site Plan, Preliminary Engineering Plan and the Final Plat of Subdivision, subject to resolution of staff comments prior to City Council action.

Community & Economic Development
Planning Division
Phone: (630) 377-4443
Fax: (630) 377-4062

ST. CHARLES
SINCE 1834

Staff Report

TO: Chairman Todd Wallace
And the Members of the Plan Commission

FROM: Russell Colby
Planning Division Manager

RE: The Quad St. Charles (Charlestowne Mall PUD) – Site Plan, Preliminary Engineering Plan and Final Plat of Subdivision for Theater Building

DATE: March 14, 2014

I. APPLICATION INFORMATION:

Project Name: The Quad St. Charles

Applicant: SC 3800 Main, LLC

Purpose: a.) Approval of Site Plan and Preliminary Engineering Plan for the overall site (excluding the outlot building pads)

b.) Approval of a Final Plat to subdivide a lot for the theater anchor building

General Information:

Site Information	
Location	3700-3850 E. Main St.
Acres	82 acres

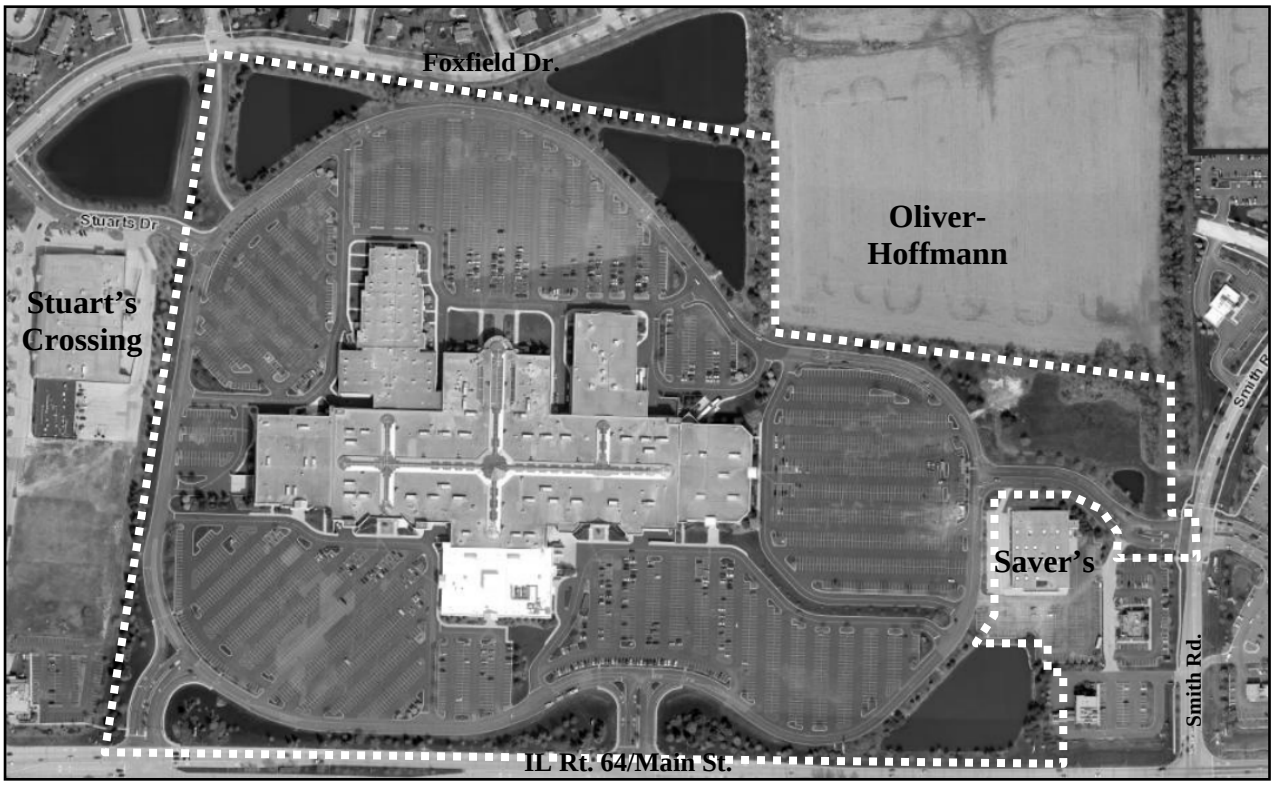
Applications	**PUD Preliminary Plan for overall site** **Final Plat of Subdivision for theater anchor building**
Applicable Zoning Code Sections/ Ordinances	Table 17.14-2 Business and Mixed-Use Districts Bulk Regulations Ordinance 2013-Z-19 – The Quad/Charlestowne Mall PUD Ordinance

Existing Conditions	
Land Use	Enclosed shopping mall
Zoning	BR – Regional Business (PUD)

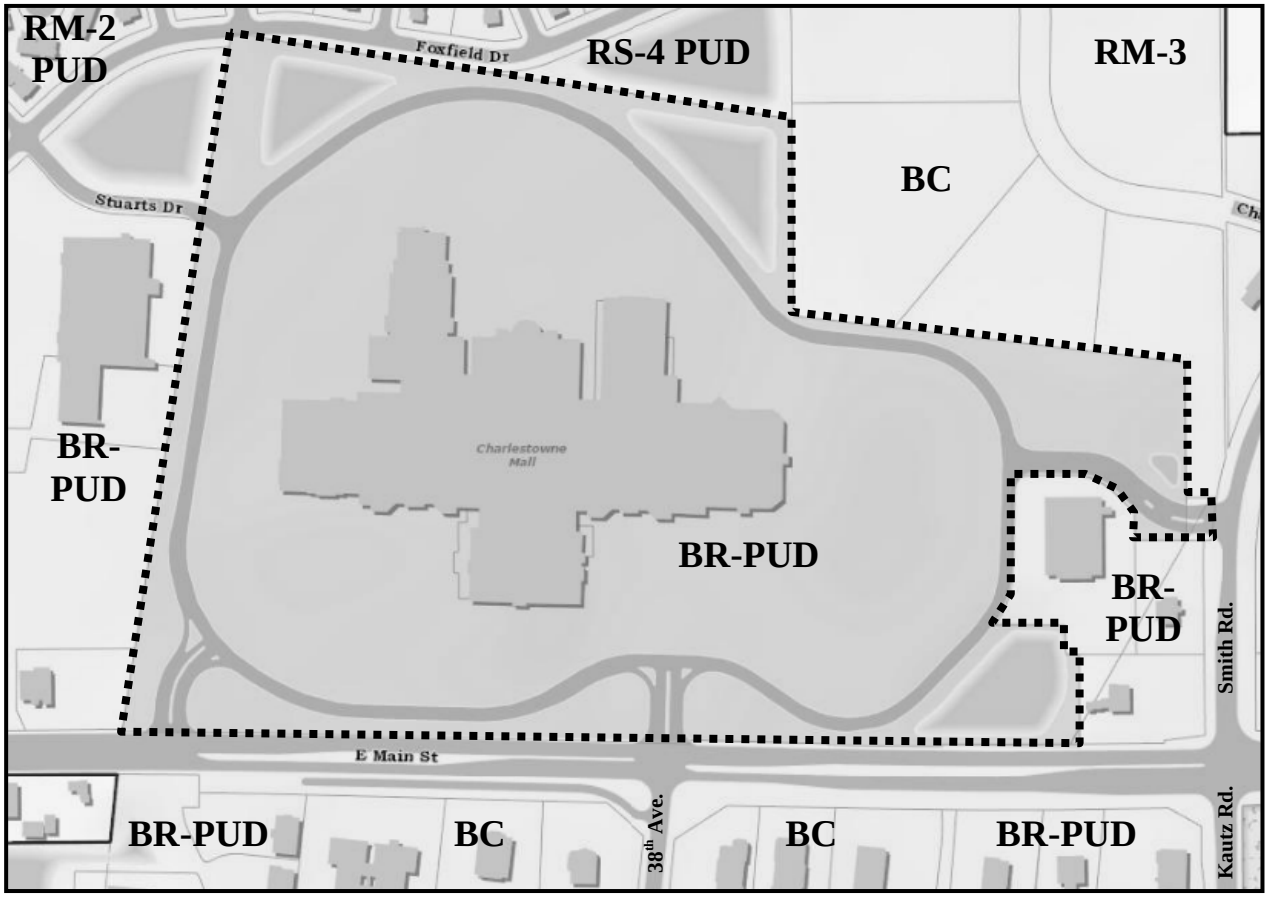
Zoning Summary		Current Land Uses
North	BC-Community Business (Oliver Hoffmann) RS-4 Residential PUD (Charlemagne Sub.)	Vacant/farmed Single Family Residential
East	BC-Community Business & BR Regional Business	Retail/Restaurant
South	BC-Community Business & BR Regional Business	Retail/Restaurant/Office
West	BR- Regional Business PUD (Stuart's Crossing)	Retail/Restaurant

Comprehensive Plan Designation
Corridor/Regional Commercial

Aerial Photograph



Location and Surrounding Zoning



II. PROJECT OVERVIEW:

BACKGROUND

In November 2013, the City Council approved an amendment to the Charlestowne Mall PUD to create new zoning and development standards for the redevelopment of the mall property, which is to be known as The Quad St. Charles. PUD Ordinance 2013-Z-19 is attached.

The PUD Amendment approved the following documents:

- A **Concept Site Plan** meant to demonstrate the design intent of the project.
- A **PUD Standards exhibit** listing the zoning and subdivision requirements that will apply to future development proposals at the site.

PLANS CURRENTLY UNDER REVIEW

The developer is now commencing the PUD Preliminary Plan approval stage of the project. Documents being presented for approval at this time include:

- An overall **Site Plan** identifying the site and parking lot layout, pedestrian pathways, the proposed mall building footprint and locations for future outlot buildings.
- **Preliminary Engineering Plans** for:
  - Demolition of the former Sears anchor store, an adjacent portion of the west end of the mall, and the existing foodcourt wing.
  - Site grading and parking lot reconfiguration and reconstruction.
  - Site utility work.

PLANS TO BE SUBMITTED

Additional components of the PUD Preliminary Plan will be submitted for review in the coming months. These documents are being developed based on the final site and engineering plans.

- **Architectural building elevations** for the mall structure, including the newly constructed and reconstructed portions of the mall building.
- **Landscape plans** for the mall property, excluding the out lots.
- **Lighting and photometric plan**
- **Sign Plan** for mall freestanding signs and building signs.

These documents are scheduled to be submitted in June and would be before the Plan Commission in late June or early July.

FUTURE APPLICATIONS

Future PUD Preliminary Plans will be required as each outlot is proposed for development, and will include:

- Site Engineering
- Landscaping
- Building Architecture
- Freestanding and building signage for the outlot

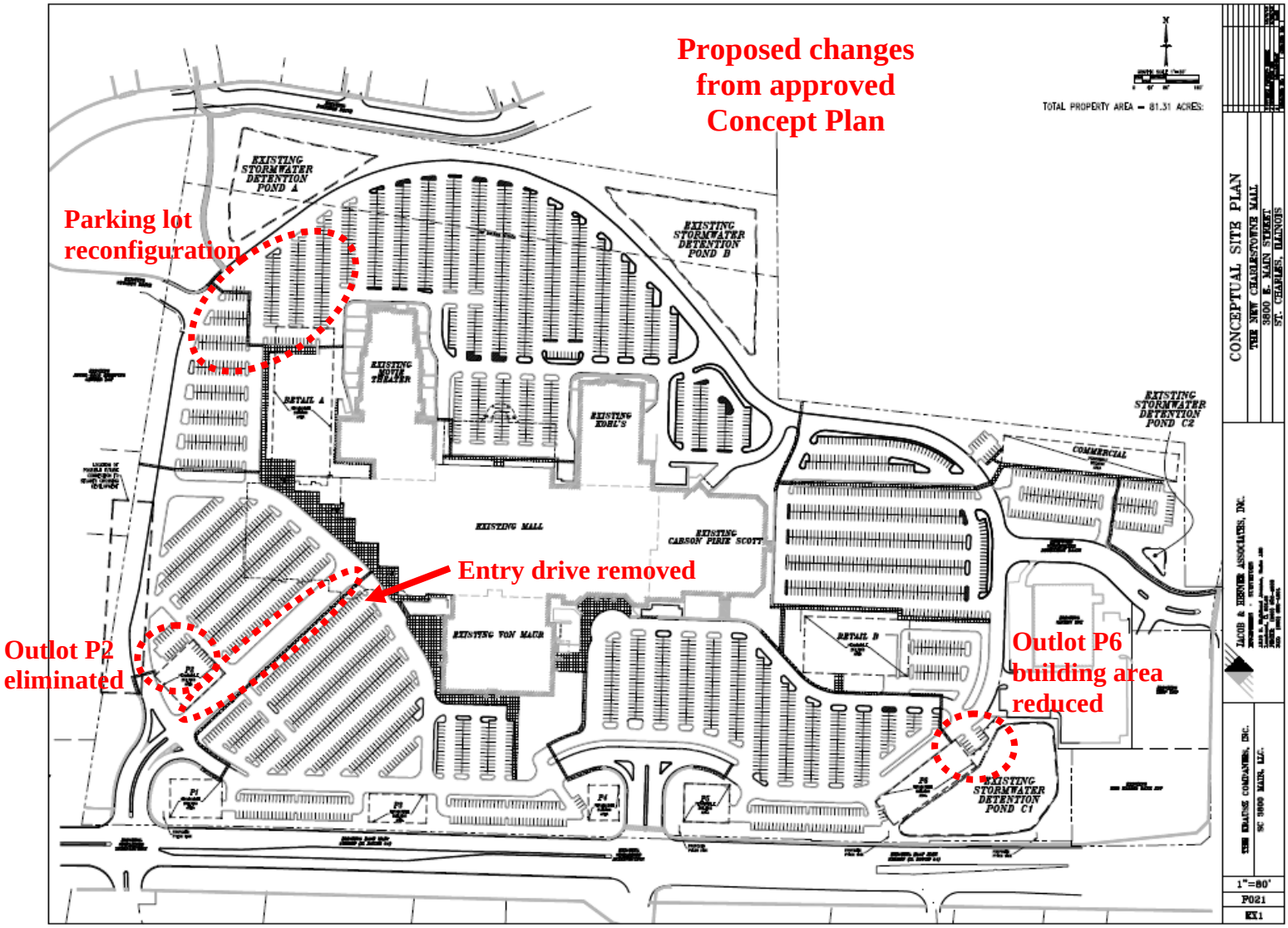
III. ANALYSIS OF PLANS

CONCEPT SITE PLAN

The overall site layout is substantially similar to the Concept Site Plan that was approved with the PUD ordinance. Changes to the site plan:

- Outlot building footprints and parking lots have been omitted from this plan, as these will be reviewed and approved later.
- Outlot building site P2, which was located inside the ring road at the southwest corner of the property, has been removed.
- The entry drive from the southwest entrance/ring road intersection to the mall building has been removed.
- Some areas of the parking lot have been slightly reconfigured.
- The permissible building area identified for outlot P6 adjacent to pond C1 has been reduced.

Approved Concept Site Plan with locations of changes:



PUD STANDARDS

The developer has provided the following preliminary data about the buildings sizes:

Building	Gross Leasable Square footage
Kohls	82,280
Classic Cinemas	77,300
Von Maur	141,808
Carson Pirie Scott	141,800
Retail A, B, C, D (estimate)	62,627
Mall & Food Court	267,850
Total	**773,665**

Staff reviewed the plans for compliance with the PUD Standards. The review is detailed in the table below.

PUD STANDARD PER ORD. 2013-Z-19		PROPOSED SITE PLAN
Permitted and Special Uses		
	Per Table 17.14-1 of the Zoning Ordinance (BR Regional Business District), except that 3 Drive-Through Facilities shall be Permitted Uses.	Per PUD Ordinance
Minimum Setbacks from Perimeter Property Lines		
Front/Rt.64 & Smith Rd.	Parking: 20 ft. for parking stalls; 15 ft. for circulation drives associated with drive-through uses. Buildings: 20 ft.	Per PUD Ordinance- applies to Main St. outlots
Rear/abutting Charlemagne Subdivision	Parking: Existing location per approved PUD Preliminary Plans. Buildings: 200 ft. to Charlemagne Subdivision property line	Per PUD Ordinance- No changes to existing setback
Sides/other property lines	Buildings: 15 ft. Parking: 0 ft.	Per PUD Ordinance
Maximum Building Size		
Maximum Building Height	Mall Building: Roofline maximum elevation: 829 ft. above sea level (existing mall skylight ridge) Parapets maximum elevation: 846 ft. above sea level (existing mall skylight peak) Feature elements maximum elevation: 854 ft. above sea level All other buildings: Building height shall not exceed 50 ft. from the average finished ground level measured 10 ft. out from exterior walls.	To be reviewed with Architectural Plans
Maximum Floor Area	1,200,000 square feet of Gross Floor Area (GFA) 925,000 square feet of Gross Leasable Area (GLA)	GFA: TBD GLA: 773,665 s.f. for mall, anchors, Retail A, B, C, D

PUD STANDARD PER ORD. 2013-Z-19		PROPOSED SITE PLAN
Minimum Parking Requirement		
Number of parking stalls required	4 spaces per 1,000 square feet of GLA, calculated over all buildings on the site (excluding internal hallways, corridors and courts in the mall building). Parking located outside of the ring road for outlot buidings shall be provided at 4 spaces per 1,000 square feet of GLA. Where outlot buildings share a parking lot, a parking reduction for shared parking may be requested in accordance with the procedures in the Zoning Ordinance.	3,850 spaces for mall building, anchors, and retail A,B,C,D buildings. Parking ratio of 4.88 per 1,000 s.f. Outlots will provide 4 spaces per 1,000 each.
Signs		
Freestanding/ Identification Signs	3 Shopping Center signs: Area: 225 sf Height: 30 ft. (To display shopping center name, anchor tenants, Retail A & B) 1 cinema readerboard sign, Area: 150 sf. Height: 15 ft. Outlot buildings (P1 to P6): 1 monument sign per building Area: 50 sf. Height: 8 ft. Existing off-site sign for 3880 E. Main St./ Lot 1of Charwil's Second Resubdivision/ Saver's store, may remain per approved PUD Preliminary Plans.	To be reviewed with Sign Plan and as outlots are proposed for development.
Wall Signs	Anchor stores: 1 per side. Retail A & B: 1 per business per side. Outlots: 1 per side. Anchor buildings located at the rear of the mall building (Cinema and Kohl's): Wall sign permitted on south mall elevation; cinema sign may be a marquee extending above the parapet/roofline. For other stores/restaurants in the mall building with exterior frontage/storefronts, 1 per business.	To be reviewed with Sign Plan and as outlots are proposed for development.
Directional Signs	2 at each access point into the site. At each intersections of an entrance drive and the ring road, 1 per leg of the intersection. Signs may contain mall name/logo and business name/logo of Anchors, Retail A or B, or Outlots.	To be reviewed with Sign Plan and as outlots are proposed for development.

PUD STANDARD PER ORD. 2013-Z-19		PROPOSED SITE PLAN
Landscaping Standards		
Overall % of landscaped area	Per Ordinance requirements: 20% landscape area over entire site.	More than 20% of site remains to be landscaped.
Bufferyards	Existing setback and landscaping along Charlemagne Subdivision to be maintained in conformance with the approved PUD Preliminary Plan.	No changes to existing landscaping on north property line.
Building foundation	Building foundation areas to be landscaped, but flexibility is granted to provide a comparable alternative design, including a "streetscape" design along walkways (trees in grates and/or planter islands etc.) or providing landscaping on the opposite side of a drive-through lane.	To be reviewed with Landscape Plan for mall building and outlots.
Public Street frontage	Per Ordinance requirements along Main St. frontage; flexibility to provide lower plantings in lieu of some trees.	To be reviewed with Landscape Plan for outlots.
Parking Lot Screening	Per Ordinance requirements: 30" screening of 50% of the parking lot frontage.	To be reviewed with Landscape Plan for outlots.
Interior Parking Lot	No percentage requirement. All rows shall end with landscape islands, except where truck circulation is impeded. All islands shall be planted with shade trees and/or low shrubs/ groundcover.	To be reviewed with Landscape Plan for mall building.
Building Design and Material Requirements		
Building Design & material requirements	Per Ordinance requirements contained in Section 17.06.030, and: • EIFS may exceed 10% per façade, but shall not be used on the lower 10 ft. of any building. EIFS will generally be used for accent features and not as a primary façade material. • Screening of existing loading docks shall be improved to the extent possible, but full screening shall not be required. • Exterior Design elements of the reconstructed and new portions of the project, though varied, shall be complementary with the existing anchor buildings.	To be reviewed with Architectural Plans.
Access Locations		
Access Locations	Existing access points shown on the Concept Site Plan, plus future cross access to west (Stuart's Crossing) and east (Oliver Hoffmann) shall be permitted.	Access points will be constructed when access to other sites is provided.
Subdivision Standards		
Number & Configuration of Lots	PUD shall be considered a single zoning lot, regardless of subdivision. Subdivision shall be permitted for any anchor stores, Retail A or B, and any outlot buildings, provided adequate easements are provided.	Subdivision for theater building anchor meets PUD criteria.
Min. Lot Width	None	-
Min. Lot Area	None	-

STAFF REVIEW OF PLANS

Preliminary Engineering Plan

Staff has conducted a review of the Preliminary Engineering Plans and has provided comments to the developer. The outstanding comments are minor and primarily relate to design or placement of underground utilities. Resolution of the comments will not significantly alter the site plan. The developer's engineer has provided a response letter stating that they will address the comments in the next plan submittal prior to City Council action.

Landscape and Lighting Plans

Staff provided the following comments for the developer to consider in preparation of the Landscape and Lighting Plans:

1. The Landscape Plan will need to identify what landscaping is remaining, with an assessment of the condition of the landscaping. Some plantings along the buildings are overgrown or crowded.
2. Landscaping in the islands and medians at the entry points is unattractive and can limit visibility. This landscaping should be replanted with lower perennials or groundcovers.
3. The landscape plan should provide more detail on the design of the pedestrian walkways at the mall entrances and the use of the open spaces between the sidewalks and the building.
4. Landscaping at the southwest corner of the site (west of the westerly entrance) is dense and blocks the view of the mall from traffic traveling east on Rt. 64. This landscaping should be thinned out (remove some or all evergreens). The westerly most pylon sign might have better visibility in this location.
5. The area at the southeast corner of the Von Maur building may provide an opportunity for some type of focal point feature that can take advantage of the visibility and grade change. (This could be a structure, sign, or landscape feature, with a walkway connecting the adjacent sidewalks)
6. A decorative pedestrian scale light could be used in certain locations, such as along the mall building and potentially at site entrances or along pedestrian paths.
7. The overhead lighting on the pedestrian pathway from Foxfield Rd., if replaced, should be replaced with a pedestrian scale fixture.

Final Plat of Subdivision

The developer has requested approval of a Final Plat of Subdivision to create a new lot for the existing theater anchor building. The developer intends to sell the building and lot to the operators of the theater, Classic Cinemas.

The PUD Ordinance allows a lot to be created for the anchor stores, as was done for the Kohl's and Von Maur buildings, which are under separate ownership from the rest of the mall property. The existing COREA document for the mall (Construction, Operation, and Reciprocal Easement Agreement) provides for parking, access and utilities to service the building lot.

Staff has determined that perimeter utility easements for the lot, which are typically required when a new lot is created, are not required for this type of subdivision, as appropriate utility easements already exist around the building.

IV. RECOMMENDATION

Staff recommends approval of the Site Plan, Preliminary Engineering Plan and the Final Plat of Subdivision, subject to resolution of staff comments prior to City Council action.

V. ATTACHMENTS

- The Quad St. Charles Review and Approval Process Summary
- Development Engineering Review comments dated 3/12/14
- Response letter from Developer's Engineer, Jacob & Heffner dated 3/14/14
- Application materials
- PUD Ord. 2013-Z-19

The Quad St. Charles – Plan Approval Process

3/14/14

PUD Amendment- Approved on 11/4/13 (Ordinance #2013-Z-19)

- Approved a **Concept Site Plan** to demonstrate design intent of the project
- Approved new **PUD Standards** for the site (zoning and subdivision requirements)

PUD Preliminary Plans for the Overall Site and Mall Building

Preliminary Engineering Plan – For Plan Commission Review 3/18/14

- Overall site and parking lot layout, excluding outlot properties
- Engineering design for the site improvements

Preliminary Landscape Plan – In process (to be reviewed by Plan Commission and City Council)

- Landscape Plan for all portions of mall property, excluding outlot properties

Preliminary Architectural Plans – In process (to be reviewed by Plan Commission and City Council)

- Building elevations and materials for the newly constructed and reconstructed portions of the mall building

Preliminary Signage Plan – In process (to be reviewed by Plan Commission and City Council)

- New freestanding signs for the mall

PUD Preliminary Plans for the Outlots (Retail A, B , C, D and Main St. outlots)

To be submitted and reviewed as each outlot is proposed for development, to include:

- Site Engineering
- Landscaping
- Building Architecture
- Freestanding and building signage for the outlot

Subdivisions for Anchors or Outlots

- Final Plat for Theater Anchor Building – For Plan Commission review 3/18/14
- Final Plat for other anchors/outlots – May be submitted as outlots are developed
    - (A subdivision to create new building lots for each outlot building is not required but may be requested by the property owner)

Community & Economic Development
Development Engineering Division
Phone: (630) 443-3677
Fax: (630) 377-4062

ST. CHARLES
SINCE 1834

Memo

Date: 3/12/2014

To: Russell Colby,

From: Christopher Tiedt, P.E.

RE: The Quad St. Charles

I have reviewed the submittal for The Quad St. Charles project located at 3800 E. Main Street The following documents were reviewed.

- Plat of Resubdivision The Quad St. Charles- Unit 1 prepared by Jacob and Hefner dated February 25, 2014 (2-pages)
- Preliminary Site Improvement Plans for The Quad St. Charles prepared by Jacob and Hefner dated February 26, 2014 (25-pages)

I have reviewed the above documents for conformance with the City of St. Charles Ordinances, Kane County Stormwater Ordinances and general engineering and construction practices. The following comments are offered up for your consideration:

Plat of Resubdivision:

1. Title 16 requires that perimeter easements are to be granted around each created lot. Given that the proposed lot lines appear to be the edge of the existing building, it would be appropriate that a variance is granted so that these easements are not required.
2. Title 16 requires that two permanent monuments be installed per City standards and that locations of these monuments are shown on the plat. Given that the proposed lot lines appear to be the edge of the existing building, it would be appropriate that a variance is granted so that these monuments are not required.

Preliminary Engineering Plans:

3. Sheet C2.6-C3.0: Please identify how watermain abandonments will be accomplished. (ie plugged, cut and cap, etc.)
4. Sheet C2.7: There is a note that calls out for 20' of watermain to be abandoned at the north end of the existing Sears store, but that portion of watermain to be abandoned is not depicted. Please revise accordingly.

5. Sheet C3.0: A sidewalk is suggested along the NW edge of Pond C2 to connect the proposed crosswalk to the permissible building area on the west side of Pond C2.
6. Sheet C3.4: Paving of the bike path has not been included even though it is shown as be partially removed to accommodate new pavement on Sheet C2.4. Please revise accordingly.
7. Sheet C4.0-C4.4: It is understood that plans will be submitted for the construction on the proposed building pads, but temporary grading of the building pads shall be identified on these pages until that construction takes place.
8. Sheet C4.0-C4.4: Existing topography a minimum of 50', 100' preferred, on neighboring properties, particularly in the area of the Oliver-Hoffman property and along the north property line, needs to be delineated to insure overland drainage routes and surrounding properties are not adversely impacted by the proposed grading.
9. Sheet C4.0-C4.4: Please identify the emergency overland flow routes throughout the site and for the detention ponds.
10. Sheet C4.0-C4.4: Please identify proposed grading changes that will be made to the detention ponds to accommodate the additional detention volumes.
11. Sheet C4.2: Please identify how this detention pond will be modified as the permissible building area encroaches into the HWL area of the existing detention pond.
12. Sheet C4.3: Consideration needs to be given to the design of the sidewalk along the west side of the property in the area where overland flows will cross the sidewalk and along the edge of the existing drainage swale.
13. Sheet C5.0-5.4: All existing and proposed watermain and appurtenances shall have a minimum of 20' separation from all structures.
14. Sheet C5.0-5.4: All proposed buildings will require a separate domestic and fire service that is tapped off of a public watermain. Please add a note that calls this out and show these services and service sizes.
15. Sheet C5.1-C5.4: Please revise "General Utility Notes" to reflect City standards.
    a. CA-7 (virgin crushed limestone) shall be used within 3' of all paved areas and shall be and FA-6 (clean brown sand) used in all unpaved areas for trench backfill.
    b. All storm sewer 15" or smaller shall be PVC SDR 26.
16. Sheet C5.1: The 8" watermain extension across the east access drive needs to be terminated with a valve and fire hydrant for flushing purposes.
17. Sheet C5.2: Please remove the note calling out a proposed pressure connection at the NE corner of Savers.
18. Sheet C5.2: Please call out flared end sections with grates on the storm pipes being placed in the detention pond.
19. Sheet C5.2 and C5.3: The proposed 6" valve near fire hydrant 5A & 6A should be moved to the south side of the fire hydrants so the hydrants can remain publicly owned and maintained. In the current configuration, these hydrants would be considered private.
20. Sheet C5.3: Where will the services for Retail C come from? Please identify these services. It might be best to redirect these sanitary services to the west to

for Retail A and Retail C to remove the privately owned sanitary service located under the theater.

Stormwater Comments:

21. A stormwater permit application, application fee and afull stormwater report with calculations will need to be submitted. This report must demonstrate that post-development runoff conditions for the proposed project on the property are equal to or less than the pre-developed, existing conditions of the property.
22. An exhibit identifying the post-development drainage basin areas and the pre-development drainage basin areas will need to be included with the report.

General Comments:

23. Will the outlots and retail lots be owned by separate owners, or will they remain under one ownership? This information will be needed to determine what utilities will be publicly owned and maintained and what utilities will be privately owned and maintained. Once this is determined, we will require that all utilities be labeled accordingly during Final Engineering.
24. Anticipated sewer flows should be provided to insure that there is adequate capacity in the existing mains that proposed sanitary sewers are being connected to and to demonstrate whether or not there is an overall increase from the mall property.
25. IEPA permits will be required for the construction of the proposed water and sanitary main. No work on either of these utilities will be allowed until permits are obtained.
26. Demolition of existing utilities and the installation of proposed utilities will need to be closely coordinated to insure system reliability and minimum utility service requirements for the remaining stores located throughout the site.
27. It appears that there currently is no work being proposed in the Route 64 ROW. If this should change, and IDOT permit will be required for any/all work performed in the Route 64 ROW.
28. An Engineer's Estimate for the proposed improvements will need to be prepared and submitted to the City for review.
29. Easements will be required over all new publicly owned utilities. These easements must be in place prior to public acceptance of public utilities.

PW Comments:

Water

30. The existing 16" water main along the west side of the mall is extremely deep. Verify depths to determine if relocation of this section is even required.
31. Add note that the contractor is responsible for passing pressure tests when using existing valves.
32. Additional valves will be required to be installed along water main relocations sections to allow for pressure testing, chlorination and sampling of the newly installed pipe. This can be discussed and revised during Final Engineering.
33. Plan for hydrants to be installed within 75' of buildings which have fire department connections.
34. Valve vaults cannot be located under parking stalls.

35. Pressure connections cannot be built in-line. Pressure connections require two 90 degree bends which will affect hydraulic flow. Hydra-Stops of the existing water main may allow for inline relocation of water mains. Care must be taken to decide if this is the correct method because the section of water main will be out of service for the complete installation and testing period.
36. Pressure taps cannot be made at bends.
37. Provide numbering system for all valves and pressure taps.

Sheet C5.2:

38. FH4, specify pressure connection not 'cut-in'.

Sheet C5.3:

39. Relocating hydrant FH8 to the south side of the proposed water main will help meet the 75' fire department connection spacing requirement.

Sheet C5.4:

40. Relocated hydrant FH13 cannot have a 'cut-in' connection.
41. The existing service lines cannot be extended without taking them out of service for the construction and testing time period.

Environmental:

42. All new commercial buildings are to have inspection manholes placed within 10 to 15 feet of the foundation.

Public Works Engineering:

43. There are historical flooding issues with Pond A that should be taken into consideration during the engineering.

The applicant's design professionals are responsible for performing and checking all design computations, dimensions, details and specifications in accordance with all applicable codes and regulations, and obtaining all permits necessary to complete this work. In no way does this review relieve the applicant's design professionals of the duties to comply with the law and any applicable codes and regulations, nor does it relieve the Contractors in any way from their sole responsibility for the quality and workmanship of the work and for strict compliance with the permitted plans and specifications.

JACOB & HEFNER
ASSOCIATES

1910 S. Highland Avenue, Suite 100
Lombard, IL 60148
P 630-652-4600
F 630-652-4601

March 14, 2014
F021

Christopher Tiedt, P.E.
Development Engineering Division Manager
City of St. Charles
2 E Main Street
St. Charles, Illinois 60174

Re: **Preliminary PUD**
The Quad – St. Charles
St. Charles, Illinois

Dear Mr. Tiedt,

After reviewing the comments presented in your March 12, 2014 memorandum and discussing them with you and City staff, we do not take exception to any of the comments. All comments presented will be addressed with the submittal of the final construction documents for this phase of the project. The final construction documents will be submitted on or before April 15, 2014 for your further review.

Please call if you have any questions.

Sincerely,
JACOB & HEFNER ASSOCIATES, INC.

William L. Bohne, P.E.
President

Cc: Mr. Charles H. May II – SC 3800 Main, LLC.

CITY OF ST. CHARLES

TWO EAST MAIN STREET
ST. CHARLES, ILLINOIS 60174-1984

COMMUNITY DEVELOPMENT/PLANNING DIVISION PHONE: (630) 377-4443 FAX: (630) 377-4062

PUD PRELIMINARY PLAN APPLICATION

Received Date
St. Charles, IL
FEB 27 2014
CDD
Planning Division

CITYVIEW
Project Name: Charlestowne Mall
Project Number: 2013 -PR- 013
Application Number: 2014 -AP- 010

Instructions:

To request approval of a PUD Preliminary Plan, complete this application and submit it with all required plans and attachments to the Planning Division. Normally this application will track with an application for Special Use for a PUD, unless a Special Use for a PUD has previously been granted and no amendment is necessary.

When the application is complete staff will distribute the plans to other City departments for review. When the staff has determined that the plans are ready for Plan Commission review, we will place the PUD Preliminary Plan on a Plan Commission meeting agenda.

The information you provide must be complete and accurate. If you have a question please call the Planning Division and we will be happy to assist you.

1. Property Information:	Parcel Number (s): 09-25-200-032; 09-25-200-027; 09-25-200-025; 09-25-200-016; 09-25-200-017; 09-25-200-031	
	Proposed Name of PUD: 3800 E. Main Street Saint Charles, Illinois 60174	
2. Applicant:	Name: SC 3800 Main, LLC Contact: David Pyle	Phone 415-732-5600
	Address: 44 Montgomery Street, Suite 3300 San Francisco, CA 64104	Fax: 415-732-5699
		Email : david@tkcre.com
3. Record Owner:	Name: Same as Applicant	Phone
	Address	Fax
		Email
4. Billing: *Who is responsible for paying application fees and reimbursements?*	Name: Same as Applicant	Phone
	Address	Fax
		Email

Attachment Checklist

Note: The City Staff, Plan Commission, or City Council, may request other pertinent information during the review process.

- ❑ **APPLICATION:** Completed application form signed by the applicant
- ❑ **APPLICATION FEE:** Application fee in accordance with Appendix B of the Zoning Ordinance.
- ❑ **REIMBURSEMENT OF FEES AGREEMENT:**

  An original, executed Reimbursement of Fees Agreement and deposit of funds in escrow with the City, as provided by Appendix B of the Zoning Ordinance.
- ❑ **PROOF OF OWNERSHIP and DISCLOSURE:**

  a) a current title policy report; or

  b) a deed and a current title search.

  If the owner is not the applicant, an original letter of authorization from the owner permitting the applicant to act on his/her behalf is required. If the owner or applicant is a Trust, a disclosure of all beneficiaries; if the owner or applicant is a Partnership, a disclosure of all partners; if the owner or applicant is a Corporation, a disclosure of all owners with an interest of at least ten percent (10%).
- ❑ **LEGAL DESCRIPTION:** For entire subject property, on 8 ½ x 11 inch paper
- ❑ **PLAT OF SURVEY:**

  A current plat of survey for the Subject Realty showing all existing improvements on the property, prepared by a registered Illinois Professional Land Surveyor.
- ❑ **SOIL AND WATER CONSERVATION DISTRICT APPLICATION:**

  Copy of completed Land Use Opinion application as required by state law, as submitted to The Kane-Dupage Soil and Water Conservation District. http://www.kanedupageswcd.org/
- ❑ **ENDANGERED SPECIES REPORT:**

  Copy of Endangered Species Consultation Agency Action to be filed with the Illinois Department of Natural Resources. http://dnrecocat.state.il.us/ecopublic/
- ❑ **PLANS:**

  All required plans shall be drawn on sheets no larger than 24" x 36", unless the Director of Community Development permits a larger size when necessary to show a more comprehensive view of the project. All required plans shall show north arrow and scale, and shall be drawn at the same scale (except that a different scale may be used to show details or specific features). All plans shall include the name of the project, developer or owner of site, person or firm preparing the plan, and the date of plan preparation and all revisions.

  Copies of Plans:

  - Initial Submittal - Fifteen (15) full size copies, Three (3) 11" by 17", and a PDF electronic file on a CD-ROM.
  - Revision Submittal for Plan Commission - Twenty-Two (22) full size copies, Three (3) 11" by 17" and a PDF electronic file on a CD-ROM.
- ❑ **SITE/ENGINEERING PLAN:**

  A plan or plans showing the following information:

  1. Accurate boundary lines with dimensions
  2. Existing and proposed easements: location, width, purpose

3. Streets on and adjacent to the tract: Name and right-of-way width, center line elevation, and culverts
4. Location, size, shape, height, and use of existing and proposed structures
5. Location and description of streets, sidewalks, and fences
6. Surrounding land uses
7. Legal and common description
8. Date, north point, and scale
9. Existing and proposed topography
10. All parcels of land intended to be dedicated for public use or reserved for the use of all property owners with the proposal indicated
11. Location of utilities
12. Building/use setback lines
13. Location of any significant natural features
14. Location of any 100-year recurrence interval floodplain and floodway boundaries
15. Location and classification of wetland areas as delineated in the National Wetlands Inventory
16. Existing zoning classification of property
17. Existing and proposed land use
18. Area of property in square feet and acres
19. Proposed off-street parking and loading areas
20. Number of parking spaces provided, and number required by ordinance
21. Angle of parking spaces
22. Parking space dimensions and aisle widths
23. Driveway radii at the street curb line
24. Width of driveways at sidewalk and street curb line
25. Provision of handicapped parking spaces
26. Dimensions of handicapped parking spaces
27. Depressed ramps available to handicapped parking spaces
28. Location, dimensions and elevations of freestanding signs
29. Location and elevations of trash enclosures
30. Provision for required screening, if applicable
31. Provision for required public sidewalks
32. Certification of site plan by a registered land surveyor or professional engineer
33. Geometric plan showing all necessary geometric data required for accurate layout of the site
34. Grading plans showing paving design, all storm sewers, and detention/retention facilities including detention/retention calculations) and erosion control measures
35. Utility plans showing all storm sewers, sanitary sewers, watermains, and appropriate appurtenant structures
36. Exterior lighting plans showing:
    - Location, height, intensity and fixture type of all proposed exterior lighting

- Photometric information pertaining to locations of proposed lighting fixtures

37. Typical construction details and specifications
38. Certification of site engineering plans by a registered professional engineer
39. Proof of application for Stormwater Management Permit

❑ **SKETCH PLAN FOR LATER PHASES OF PUD:**

For phased PUD's, where a sketch plan is permitted, it shall include, at minimum, the following:

- General location of arterial and collector streets
- Location of any required landscape buffers
- Location of proposed access to the site from public streets
- Maximum number of square feet of floor area for nonresidential development
- Maximum number of dwelling units for residential development
- Open space and storm water management land

❑ **ARCHITECTURAL PLANS:**

Architectural plans and data for all principal buildings shall be submitted in sufficient detail to permit an understanding of the exterior appearance and architectural style of the proposed buildings, the number, size and type of dwelling units, the proposed uses of nonresidential and mixed use buildings, total floor area and total building coverage of each building.

❑ **TREE PRESERVATION PLAN:**

Tree Preservation Plan when required in accordance with Chapter 8.30 of the St. Charles Municipal Code. The information required for this plan may be included as part of the Landscape Plan set.

❑ **LANDSCAPE PLAN:**

Landscape Plan showing the following information:

1. Delineation of the buildings, structures, and paved surfaces situated on the site and/or contemplated to be built thereon
2. Delineation of all areas to be graded and limits of land disturbance, including proposed contours as shown on the Site/Engineering Plan.
3. Accurate property boundary lines
4. Accurate location of proposed structures and other improvements, including paved areas, berms, lights, retention and detention areas, and landscaping
5. Site area proposed to be landscaped in square feet and as a percentage of the total site area
6. Percent of landscaped area provided as per code requirement
7. Dimensions of landscape islands
8. Setbacks of proposed impervious surfaces from property lines, street rights-of-way, and private drives
9. Location and identification of all planting beds and plant materials
10. Planting list including species of all plants, installation size (caliper, height, or spread as appropriate) and quantity of plants by species
11. Landscaping of ground signs and screening of dumpsters and other equipment

- ❑ **PUBLIC BENEFITS, DEPARTURES FROM CODE:**

  A description of how the PUD meets the purposes and requirements set out in Section 17.04.400 of the Zoning Ordinance. Any requests for departures from the requirements of Title 16, "Subdivisions and Land Improvement," and Title 17, "Zoning," shall be listed and reasons for requesting each departure shall be given.

- ❑ **SCHEDULE:** Construction schedule indicating:

  a. Phases in which the project will be built with emphasis on area, density, use and public facilities, such as open space, to be developed with each phase. Overall design of each phase shall be shown on the plat and through supporting material.

  b. Approximate dates for beginning and completion of each phase.

  c. If different land use types are to be included within the PUD, the schedule must include the mix of uses to be built in each phase.

- ❑ **INCLUSIONARY HOUSING SUMMARY:** For residential developments, submit information describing how the development will comply with the requirements of Chapter 17.18, Inclusionary Housing, including:

  - The number and rental/for sale status of Market-Rate Units and Affordable Units to be constructed including type of dwelling, number of bedrooms per unit, proposed pricing, and construction schedule, including anticipated timing of issuance of building permits and occupancy certificates.
  - Documentation and plans regarding locations of Affordable Units and Market-Rate Units, and their exterior appearance, materials, and finishes.
  - A description of the marketing plan that the Applicant proposes to utilize and implement to promote the sale or rental of the Affordable Units within the development; and,
  - Any proposal to pay fees in lieu of providing the required Affordable Unit, per section 17.18.050.

- ❑ **SUBDIVISION PRELIMINARY PLAN CHECKLIST:**

  If the PUD Preliminary Plan involves the subdivision of land, a completed Subdivision Preliminary Plan Checklist must be submitted. This Subdivision Checklist may reference the same set(s) of plans as the preceding checklists for Site/Engineering, Sketch Plan, Tree Preservation, and Landscape Plans, but the additional information required by the Subdivision Preliminary Plan Checklist must be included, where applicable.

- ❑ **APPLICATION FOR SPECIAL USE FOR A PUD**:

  The application for PUD Preliminary Plan must be accompanied by an application for a Special Use for a PUD, unless the Special Use was previously granted and no amendment is needed. Documentation required for both applications need not be duplicated.

- ❑ **HISTORIC DESIGNATION:** Is the property a designated Landmark or in a Historic District? _____

I (we) certify that this application and the documents submitted with it are true and correct to the best of my (our) knowledge and belief.

_____

Record Owner — Date

F. Ron Krausz, Manager of its Manager

_____

Applicant or Authorized Agent — Date

F. Ron Krausz, Manager of its Manager

CITY OF ST. CHARLES

TWO EAST MAIN STREET
ST. CHARLES, ILLINOIS 60174-1984

ST. CHARLES SINCE 1834

COMMUNITY DEVELOPMENT/PLANNING DIVISION PHONE: (630) 377-4443 FAX: (630) 377-4062

FINAL PLAT APPLICATION

Received Date
RECEIVED
St. Charles, IL
FEB 27 2014
CDD
Planning Division

CITYVIEW
Project Name: Charlestowne Mall
Project Number: 2013 -PR- 013
Application Number: 2014 -AP- 011

Instructions:

To request approval of Final Plat for a Subdivision or Planned Unit Development (PUD), complete this application and submit it with all required attachments to the Planning Division. For PUDs, a PUD Final Plan Application should normally be submitted at the same time. For all other subdivisions, a Subdivision Final Engineering Plan Application should normally be submitted at the same time.

When the application is complete and the engineering plans are substantially in compliance with requirements, the final plat will be placed on a Plan Commission agenda for review.

1. Property Information:	Parcel Number (s):	
	Proposed Subdivision Name:	
2. Applicant Information:	Name: SC 3800 Main LLC (Contact: David Pyle)	Phone:415-732-5600
	Address: 44 Montgomery Street, Suite 3300 San Francisco, CA 64104	Fax415-732-5699
		Email: david@tkcre.com
3. Record Owner Information:	Name: SC 3800 Main LLC	Phone: 415-732-5600
	Address: 44 Montgomery Street, Suite 3300 San Francisco, CA 64104	Fax: 415-732-5699
		Email: david@tkcre.com
4. Billing: *To whom should costs for this application be billed?*	Name: SC 3800 Main LLC	Phone 415-732-5600
	Address: 44 Montgomery Street, Suite 3300 San Francisco, CA 64104	Fax: 415-732-5699
		Email: david@tkcre.com

Attachment Checklist

- ❑ **APPLICATION:** Completed application form signed by the applicant
- ❑ **APPLICATION FEE:** Refer to attached Schedule of Application Fees
- ❑ **REIMBURSEMENT OF FEES AGREEMENT:** An original, executed Reimbursement of Fees Agreement and deposit of funds in escrow with the City, as provided by Appendix B of the Zoning Ordinance.
- ❑ **PROOF OF OWNERSHIP and DISCLOSURE:**
  a) a current title policy report; or
  b) a deed and a current title search.
  If the owner is not the applicant, an original letter of authorization from the owner permitting the applicant to act on his/her behalf is required. If the owner or applicant is a Trust, a disclosure of all beneficiaries; if the owner or applicant is a Partnership, a disclosure of all partners; if the owner or applicant is a Corporation, a disclosure of all owners with an interest of at least ten percent (10%).
- ❑ **LEGAL DESCRIPTION:** For entire subject property, on 8 ½ x 11 inch paper
- ❑ **FINAL PLAT SUBMITTAL CHECKLIST (Completed)**
- ❑ **PLANS:**

All required plans shall be drawn on sheets no larger than 24" x 36", unless the Director of Community Development permits a larger size when necessary to show a more comprehensive view of the project. All required plans shall show north arrow and scale, and shall be drawn at the same scale (except that a different scale may be used to show details or specific features). All plans shall include the name of the project, developer or owner of site, person or firm preparing the plan, and the date of plan preparation and all revisions.

Copies of Plans:

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- Revision Submittal for Planning Commission - Twenty-Two (22) full size copies, Three (3) 11" by 17" and a PDF electronic file on a CD-ROM.

- ❑ **COVENANTS**: One copy of proposed agreements, provisions, or convents which will govern the use, maintenance, and continued protection of the planned development and any of its common open space.
- ❑ **WORKSHEETS (For residential developments):**
  - Park and School land/cash worksheets in accordance with Title 16 of the St. Charles Municipal Code with population projections establishing anticipated population and student yields.
  - Inclusionary Housing Worksheet
- ❑ **ADDITIONAL APPLICATION:**
  - For Planned Unit Developments, a PUD Final Plan Application has been submitted.
  - For all other Subdivisions, a Subdivision Final Engineering Plan Application has been submitted.

ITEMS TO BE SUBMITTED PRIOR TO CITY COUNCIL APPROVAL:

- ❑ Guarantee for completion of Land Improvements, consisting of proposed form, amount and provider of completion guarantee collateral (bond, cash, or letter of credit)
- ❑ Illinois EPA Water Pollution Control Permit for sanitary sewer extension
- ❑ Illinois EPA Division of Public Water Supplies Permit for water mains
- ❑ Notice of Intent (NOI) letter/permit for NPDES Stormwater Discharge for sites 5 acres and larger
- ❑ IDNR Office of Water Resources Permit (for work in flood plain)
- ❑ Wetlands Permit from Army Corps of Engineers
- ❑ Kane County DOT and/or IDOT signature on Final Plat (if applicable)
- ❑ Offsite easements and right of way necessary to construct the required Land Improvements

I (we) certify that this application and the documents submitted with it are true and correct to the best of my (our) knowledge and belief.

Record Owner — Date

F. Ron KRAUSZ, Manager of its Manager

Applicant or Authorized Agent — Date

F. Ron KRAUSZ Manager of its Manager

City of St. Charles, Illinois

Ordinance No. 2013-Z-19

An Ordinance Amending a Special Use for Planned Unit Development (Charlestowne Mall PUD – 3800 E. Main St.)

Adopted by the

City Council

of the

City of St. Charles

November 4, 2013

Published in pamphlet form by authority of the City Council of the City of St. Charles, Kane and Du Page Counties, Illinois, November 8, 2013

Nancy Garnson

City Clerk

(SEAL)

City of St. Charles, IL
Ordinance No. 2013-Z-19

An Ordinance Amending a Special Use for Planned Unit Development (Charlestowne Mall PUD – 3800 E. Main St.)

WHEREAS, on or about September 19, 2013, SC 3800 Main, LLC. ("the Applicant"), with authorizations from Charlestowne Mall Investments, LLC., Von Maur, Inc., and the City of St. Charles, filed a petition for a Special Use for Planned Unit Development for the purpose of amending an existing Special Use for Planned Unit Development to establish new Planned Unit Development standards for the real estate described in Exhibit "A"; said Exhibit being attached hereto and made a part hereof, (the "Subject Realty"); and,

WHEREAS, on or about September 19, 1988, the City passed and approved Ordinance No.1988-Z-10, being an "Ordinance Granting a Special Use as a Planned Unit Development for Charles Towne Mall" which ordinance approved a planned unit development, which was subsequently amended by Ordinance Nos. 1989-Z-8, 1991-Z-2, 1994-Z-8, and 1995-Z-16; and

WHEREAS, from and after the date of passage and approval of this Ordinance, Ordinance No.1988-Z-10 and all subsequent amendments shall be null, void and of no further force or effect with respect to the Subject Realty; and,

WHEREAS, the required Notice of Public Hearing on said petition for Special Use for Planned Unit Development was published on or about September 21, 2013, in a newspaper having general circulation within the CITY, to-wit, the Kane County Chronicle newspaper, all as required by the statutes of the State of Illinois and the ordinances of the CITY; and,

WHEREAS, pursuant to said notice, the Plan Commission conducted a public hearing on or about October 8, 2013 and October 22, 2013 on said petition in accordance with the statutes of the State of Illinois and the ordinances of the CITY; and,

WHEREAS, at said Public Hearing, the Applicant presented testimony in support of said petition and all interested parties were afforded an opportunity to be heard; and,

WHEREAS, the Plan Commission recommended approval of said petition on or about October 22, 2013; and,

WHEREAS, the Planning & Development Committee of the City Council recommended approval of said petition on or about October 28, 2013; and,

WHEREAS, the City Council of the City of St. Charles has received the recommendation of the Plan Commission and has considered the same:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES, KANE AND DUPAGE COUNTIES, ILLINOIS, as follows:

1. That passage of this Ordinance shall constitute approval of a Special Use for Planned Unit Development pursuant to the provisions of Title 17 of the St. Charles Municipal Code, as amended, and based upon the Applicant's petition and the evidence presented at the Public Hearing, the City Council hereby finds that the Planned Unit Development is in the public interest and adopts the Findings of Fact for Special Use for Planned Unit Development, set forth on Exhibit "B", which is attached hereto and incorporated herein.

2. That Special Use for Planned Unit Development heretofore granted with respect to the Subject Realty by Ordinance No.1988-Z-10, being an "Ordinance Granting a Special Use as a Planned Unit Development for Charles Towne Mall" which ordinance approved a planned unit development, which was subsequently amended by Ordinance Nos. 1989-Z-8, 1991-Z-2, 1994-Z-8, and 1995-Z-16, shall be null, void and of no further force or effect with respect to the Subject Realty; except that all previously approved PUD Preliminary Plans and Final Plats of Subdivision approved pursuant to Ordinance No. 1988-Z-10 and its subsequent amendments shall remain valid under the Special Use for Planned Unit Development approved under Section 1 of this Ordinance.

3. That passage of this Ordinance shall constitute approval of the Concept Plan entitled "Conceptual Site Plan" (The New Charlestowne Mall); Jacob & Hefner Associates, Inc., dated 10/9/2013, attached hereto and incorporated herein as Exhibit "C", such that this document is hereby approved to depict the design intent for future PUD Preliminary Plan applications to be submitted for review and approval in accordance with the procedures outlined in the St. Charles Municipal Code.

4. Application and approval of new PUD Preliminary Plan(s), pursuant to the procedures in Title 17 of the St. Charles Municipal Code, Section 17.04.410(F), "PUD Preliminary Plan process for lots within an existing PUD", shall be required prior to any demolition or reconstruction of any portion of the mall building, modifications to the configuration of the parking lot, or construction of any additional buildings on the subject property. Subsequent to the approval of a new PUD Preliminary Plan(s), future changes to the PUD Preliminary Plan(s) plans may be reviewed and approved in accordance the procedures contained in Title 17 of the St. Charles Municipal Code, Section 17.04.430, "Changes in Planned Unit Developments."

5. A Construction, Operation, and Reciprocal Easement Agreement ("COREA") has been entered into by the owners of the subject property. The City shall have no responsibility with respect to the COREA and may approve PUD Preliminary Plans or issue permits without regard to the COREA. The owners shall be jointly responsible for amending the COREA in any manner necessary to modify the site, or otherwise securing the joint authorization of the owners, prior to constructing any improvements to the site. The owners shall provide to the City notice and copies of any amendments to the COREA.

6. The Subject Realty shall be developed only in accordance with all ordinances of the City as now in effect and as hereafter amended (except as specifically varied herein), and subject to the terms, conditions and restrictions set forth herein, as follows:

a. Zoning: The property shall be subject to the requirements of the BR Regional Business Zoning District, as amended, and all other applicable requirements of the St. Charles Zoning Ordinance, as amended, except as specifically varied in the "PUD Standards" attached hereto and incorporated herein as Exhibit "D".

b. Subdivision: The subject property shall be considered a single PUD zoning lot for the purpose of Zoning Ordinance compliance. The subject property may be subdivided to create separate parcels for the anchor stores or any other freestanding building constructed on the site. Such subdivision shall require the submission of a Final Plat of Subdivision application, pursuant to the procedures and requirements of Title 16 of the St. Charles Municipal Code, for review by the City. At the time of application, the applicant shall demonstrate that all necessary easements (including, but not limited to, access, parking and utilities) have been provided to adequately serve the proposed lot.

7. That after the adoption and approval hereof, the Ordinance shall (i) be printed or published in book or pamphlet form, published by the authority of the Council, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation within the City of St. Charles.

PRESENTED to the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 4th day of November 2013.

PASSED by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 4th day of November 2013.

APPROVED by the Mayor of the City of St. Charles, Kane and DuPage Counties, Illinois this 4th day of November 2013.

Raymond P. Rogina, Mayor

Attest:

City Clerk

COUNCIL VOTE:

Ayes: 10
Nays: 0
Absent:
Abstain:

APPROVED AS TO FORM:

_____
City Attorney

DATE: _____

Exhibit "A"

Legal Description (Subject Property)

The subject property is located at 3700, 3740, 3800, 3810, 3840, & 3850 E. Main Street (Illinois Route 64), St. Charles, Illinois, 60174, and is legally described as follows:

THAT PART OF LOT 1, CHARLESTOWNE CENTRE MALL ST. CHARLES, KANE COUNTY, ILLINOIS ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT 2017857 AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWESTERLY CORNER OF SAID LOT 1; THENCE EASTERLY ALONG A NORTHERLY LINE OF SAID LOT 1461.93 FEET TO A NORTHEASTERLY CORNER OF SAID LOT; THENCE SOUTHERLY ALONG AN EASTERLY LINE OF SAID LOT 505.23 FEET TO AN ANGLE IN SAID EASTERLY LINE; THENCE EASTERLY ALONG A NORTHERLY LINE OF SAID LOT 1015.80 FEET TO A NORTHEASTERLY CORNER OF SAID LOT; THENCE SOUTHERLY ALONG AN EASTERLY LINE OF SAID LOT 357.09 FEET TO A POINT THAT IS 110.0 FEET NORTHERLY OF THE NORTH LINE OF LOT 1, ILLINOIS ROUTE 64 - SMITH ROAD SUBDIVISION, ST CHARLES, KANE COUNTY, ILLINOIS (MEASURED ALONG SAID EASTERLY LINE EXTENDED); THENCE EASTERLY AT RIGHT ANGLES TO THE EAST LINE OF SAID NORTHEAST QUARTER 78.35 FEET TO THE WESTERLY LINE OF SMITH ROAD AS ESTABLISHED BY DOCUMENT 90K59922; THENCE SOUTHERLY ALONG SAID WESTERLY LINE, BEING A CURVE TO THE LEFT HAVING A RADIUS OF 995.0 FEET, 110.91 FEET TO THE NORTHEAST CORNER OF LOT 1 IN SAID ILLINOIS ROUTE 64-SMITH ROAD SUBDIVISION; THENCE WESTERLY ALONG A NORTH LINE OF SAID SUBDIVISION 197.34 FEET TO A NORTHWEST CORNER THEREOF; THENCE SOUTHERLY ALONG A WEST LINE OF SAID SUBDIVISION 293.27 FEET TO AN ANGLE IN SAID WEST LINE; THENCE WESTERLY ALONG A NORTH LINE OF SAID SUBDIVISION 148.48 FEET TO A NORTHWEST CORNER THEREOF; THENCE SOUTHERLY ALONG A WEST LINE OF SAID SUBDIVISION 242.05 FEET TO THE SOUTHWEST CORNER OF LOT 2 IN SAID SUBDIVISION; THENCE WESTERLY ALONG THE NORTH LINE OF ILLINOIS STATE ROUTE NO. 64 AND THE SOUTH LINE OF LOT 1 IN SAID CHARLESTOWNE CENTER MALL 2463.67 FEET TO THE SOUTHWEST CORNER OF LOT 1 IN SAID CHARLESTOWNE CENTRE MALL; THENCE NORTHERLY ALONG THE WESTERLY LINE OF SAID CHARLESTOWNE CENTRE MALL 1816.74 FEET TO THE POINT OF BEGINNING (INCLUDING LOT 1 OF CHARWIL'S FIRST RESUBDIVISION OF PART OF LOT 1 CHARLESTOWNE CENTRE MALL, IN THE CITY OF ST. CHARLES, KANE COUNTY ILLINOIS, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT 93K15081); (ALSO INCLUDING LOT 1 CHARWIL'S THIRD RESUBDIVISION OF CHARLESTOWNE MALL, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT 2001K007611); (EXCEPT LOT 1 OF CHARWIL'S SECOND RESUBDIVISION OF CHARLESTOWNE CENTRE MALL, ST. CHARLES, KANE COUNTY, ILLINOIS ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT 94K067871); AND (EXCEPT THAT PART OF LOT 1, CHARLESTOWNE CENTRE MALL, BEING PART OF THE NORTHEAST 1/4 OF SECTION 25, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT 201857, BOUNDED AND DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHWEST CORNER OF LOT 2 IN ILLINOIS ROUTE 64-SMITH ROAD SUBDIVISION, BEING A SUBDIVISION OF THAT PART OF THE NORTHEAST 1/4 OF SECTION 25, TOWNSHIP 40 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 11, 1991, AS DOCUMENT 91K55800, THENCE NORTHWESTERLY 698.41 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 20162.06

FEET (CHORD BEARS NORTH 89 DEGREES 22 MINUTES 06 SECONDS WEST, 698.38 FEET), SAID CURVE BEING THE NORTH RIGHT OF WAY LINE OF ILLINOIS ROUTE 64 (NORTH AVENUE) PER DOCUMENT NO. 92K04278, THENCE NORTH 88 DEGREES 22 MINUTES 33 SECONDS WEST ALONG SAID NORTH RIGHT OF WAY LINE OF ILLINOIS ROUTE 64, FOR A DISTANCE OF 301.20 FEET; THENCE NORTH 01 DEGREES 37 MINUTES 27 SECONDS EAST, 9.00 FEET; THENCE SOUTH 88 DEGREES 22 MINUTES 33 SECONDS EAST, 301.20 FEET; THENCE SOUTHEASTERLY 49.72 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 20153.06 FT (CHORD BEARS SOUTH 88 DEGREES 26 MINUTES 48 SECONDS EAST, 49.72 FEET); THENCE SOUTH 01 DEGREES 28 MINUTES 58 SECONDS WEST, 3.00 FEET; THENCE SOUTHEASTERLY 294.32 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 20156.06 FEET, (CHORD BEARS SOUTH 88 DEGREES 56 MINUTES 08 SECONDS EAST, 294.31 FEET. THENCE NORTH 00 DEGREES 38 MINUTES 46 SECONDS EAST, 6.50 FEET; THENCE SOUTHEASTERLY 354.05 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 20149.56 FEET, (CHORD BEARS SOUTH 89 DEGREES 51 MINUTES 26 SECONDS EAST, 354.04 FEET TO THE POINT ON THE WEST LINE OF SAID LOT 2; THENCE SOUTH 00 DEGREES 06 MINUTES 12 SECONDS EAST ALONG SAID LINE, 12.50 FEET TO THE POINT OF BEGINNING, IN KANE COUNTY, ILLINOIS.

AND (EXCEPT THAT PART OF LOT 1, CHARLESTOWNE CENTRE MALL, BEING PART OF THE NORTHEAST 1/4 OF SECTION 25, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT 201857, DESCRIBED AS FOLLOWS:: COMMENCING AT THE SOUTHWEST CORNER OF LOT 2 IN ILLINOIS ROUTE 64-SMITH ROAD SUBDIVISION, BEING A SUBDIVISION OF THAT PART OF THE NORTHEAST 1/4 OF SECTION 25, TOWNSHIP 40 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 11, 1991, AS DOCUMENT 91K55800, THENCE WESTERLY ON THE SOUTH LINE OF SAID LOT 1, AND ON A 20162.06 FOOT RADIUS CURVE CONCAVE TO THE NORTH, 698.41 FEET, THE CHORD OD SAID CURVE BEARS AN ASSUMED BEARING NORTH 89 DEGREES 22 MINUTES 06 SECONDS WEST, 698.38 FEET TO A POINT OF TANGENCY OF SAID CURVE ON SAID SOUTH LINE; THENCE NORTH 88 DEGREES 22 MINUTES 33 SECONDS WEST ON SAID SOUTH LINE, 301.20 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 88 DEGREES 22 MINUTES 33 SECONDS WEST ON SAID SOUTH LINE, A DISTANCE OF 157.62 FEET; THENCE NORTH 01 DEGREES 36 MINUTES 21 SECONDS EAST, 53.15 FEET; THENCE SOUTH 88 DEGREES 23 MINUTES 39 SECONDS EAST, 169.44 FEET; THENCE SOUTH 01 DEGREES 36 MINUTES 21 SECONDS WEST, 44.21 FEET; THENCE NORTH 88 DEGREES 22 MINUTES 33 SECONDS WEST, 11. 82 FEET; THENCE SOUTH 01 DEGREES 37 MINUTES 27 SECONDS WEST, 9.00 TO THE POINT OF BEGINNING IN KANE COUNTY, ILLINOIS.

Exhibit "B"

Findings of Fact

SPECIAL USE FOR PLANNED UNIT DEVELOPMENT

From the St. Charles Zoning Ordinance, Section 17.04.410.D.3:
The Plan Commission shall not favorably recommend, and the City Council shall not approve, a Special Use for a PUD or an amendment to a Special Use for a PUD unless they each make findings of fact based on the application and the evidence presented at the public hearing that the PUD is in the public interest, based on the following criteria:

1. The proposed PUD advances one or more of the purposes of the Planned Unit Development procedure stated in Section 17.04.400.A:

    1. To promote a creative approach to site improvements and building design that results in a distinctive, attractive development that has a strong sense of place, yet becomes an integral part of the community.

       The mall property is obsolete in design. The property lacks character/uniqueness, has no visual presence from Main Street, and does not have clearly designated front entrances. The PUD Amendment will establish standards to enable a more modern, distinctive development to establish a new sense of place for a facility that is already integral to the community.

    2. To create places oriented to the pedestrian that promote physical activity and social interaction, including but not limited to walkable neighborhoods, usable open space and recreational facilities for the enjoyment of all.

       The mall property was designed primarily for customers arriving by automobile and has very limited facilities to accommodate pedestrians. The PUD amendment will provide an opportunity for the property to be redeveloped with improved building entrances and pedestrian infrastructure. A continuous pathway system will be established on the site to facilitate pedestrian movement into the site and between buildings. New landscaping and new outlot buildings around the mall will help reduce the scale of the parking lot.

    3. To encourage a harmonious mix of land uses and a variety of housing types and prices.

       Not applicable.

    4. To preserve native vegetation, topographic and geological features, and environmentally sensitive areas.

       Not applicable.

    5. To promote the economical development and efficient use of land, utilities, street improvements, drainage facilities, structures and other facilities.

       The PUD amendment will facilitate the redevelopment of an underutilized commercial site.

The redevelopment will utilize existing utilities and site improvements to the extent possible.

6. To encourage redevelopment of sites containing obsolete or inappropriate buildings or uses.

   The PUD amendment will facilitate the redevelopment of a property that is obsolete in terms of building and site design.

7. To encourage a collaborative process among developers, neighboring property owners and residents, governmental bodies and the community.

   The City engaged in a Comprehensive Plan rewriting process from June 2011 to September 2013, with a focus on both the mall property itself and the larger East Gateway commercial area that the mall anchors. The community had an opportunity to provide input and ideas for revitalizing the mall, and those ideas were incorporated into the plan document that was adopted by the City.

   The developer used the Comprehensive Plan as reference for developing the concept site plan submitted in support of this application. The developer also has taken steps to engage the community, including hosting a neighborhood meeting at the mall.

2. The proposed PUD and PUD Preliminary Plans conform to the requirements of the underlying zoning district or districts in which the PUD is located and to the applicable Design Review Standards contained in Chapter 17.06, except where:

   A. Conforming to the requirements would inhibit creative design that serves community goals, or
   B. Conforming to the requirements would be impractical and the proposed PUD will provide benefits that outweigh those that would have been realized by conforming to the applicable requirements.

   Factors listed in Section 17.04.400.B shall be used to justify the relief from requirements:

   1. The PUD will provide community amenities beyond those required by ordinance, such as recreational facilities, public plazas, gardens, public art, pedestrian and transit facilities.

      New outdoor public spaces will be created at the reconstructed entrances to the mall.

   2. The PUD will preserve open space, natural beauty and critical environmental areas in excess of what is required by ordinance or other regulation.

      Not applicable.

   3. The PUD will provide superior landscaping, buffering or screening.

      The PUD amendment will facilitate an update to the site's landscaping, which is sparse within the site but is heavy and overgrown along the site's Main St. frontage. The Comprehensive Plan has called for a reduction of landscaping along the Main St. frontage. The existing landscaping and buffering along the north property line will be maintained.

   4. The buildings within the PUD offer high quality architectural design.

      The PUD amendment will facilitate an improved, modernized architectural design for the building, including better screening of existing loading docks, incorporating complementary architecture in the reconstructed portions of the building, and establishing new, prominent front entrances with pedestrian-oriented streetscaping.

   5. The PUD provides for energy efficient building and site design.

      Not applicable.

6. The PUD provides for the use of innovative stormwater management techniques.

   The proposed site improvements will include naturalizing the existing stormwater detention basins and introducing bioswales and rain gardens into some parking lot islands.

7. The PUD provides accessible dwelling units in numbers or with features beyond what is required by the Americans with Disabilities Act (ADA) or other applicable codes.

   Not applicable.

8. The PUD provides affordable dwelling units in conformance with, or in excess of, City policies and ordinances.

   Not applicable.

9. The PUD preserves historic buildings, sites or neighborhoods.

   Not applicable.

3. The proposed PUD conforms with the standards applicable to Special Uses (section 17.04.330.C.2):

   From the Charles Zoning Ordinance, Section 17.04.430.C.2:
   No Special Use or amendment to Special Use shall be recommended by the Plan Commission unless it finds that the proposed Special Use or amendment to Special Use will conform with each of these standards. The Plan Commission shall submit its written findings together with its recommendations to the City Council after the conclusion of the Public Hearing, and also may recommend such conditions as it may deem necessary to ensure conformance with these standards.

   On the basis of the evidence presented at the public hearing, the Plan Commission shall record its reasons for recommending approval or denial of the petition (findings of fact) in accordance with the following standards:

   A. Public Convenience: The Special Use will serve the public convenience at the proposed location.

      The PUD will remain primarily an enclosed retail shopping mall that will continue to serve the public with a shopping location.

   B. Sufficient Infrastructure: That adequate utilities, access roads, drainage and/or necessary facilities have been, or are being, provided.

      The proposed redevelopment will utilize existing infrastructure, which was installed based upon a development of similar land use and intensity. A Traffic Memorandum prepared by HLR demonstrates that the proposed redevelopment will generate a comparable volume of traffic compared to the mall as approved by the City in 1995. Additionally, much of the infrastructure around the site has been enhanced in recent years, including Route 64, which has been widened to increase capacity.

   C. Effect on Nearby Property: That the Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood.

The proposed redevelopment of the mall site will not constitute a change in land use or an increase in intensity of land use; therefore the amended Special Use will not have a new a negative effect on nearby property. Existing buffering of the site from residential properties to the north will be maintained.

D. Effect on Development of Surrounding Property: That the establishment of the Special Use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

The mall site serves as an anchor for the East Gateway business district and the mall's existing condition has been a detriment to the viability of businesses in the area. The proposed redevelopment to modernize the mall site will encourage new investment in underutilized and undeveloped sites around the mall.

E. Effect on General Welfare: That the establishment, maintenance or operation of the Special Use will not be detrimental to or endanger the public health, safety, comfort or general welfare.

The proposed redevelopment of the mall site will not constitute a change in land use or an increase in intensity of land use; therefore the amended Special Use will not have a new a negative effect on the general welfare.

F. Conformance with Codes: That the proposed Special Use conforms to all existing Federal, State and local legislation and regulation and meets or exceeds all applicable provisions of this Title, except as may be varied pursuant to a Special Use for Planned Unit Development.

The proposed redevelopment will comply with all code requirements, except for PUD deviations identified in the PUD Development Standards document.

4. The proposed PUD will be beneficial to the physical development, diversity, tax base and economic well-being of the City.

The mall site serves as an anchor for the East Gateway business district and the mall's existing condition has been a detriment to the viability of businesses in the area. The proposed redevelopment to modernize the mall site will encourage new investment in underutilized and undeveloped sites around the mall.

Redevelopment and modernization of the mall is strategically important for the City as the East Gateway business district contributes significantly to the City's tax base and economic well-being.

The concept plan being presented in support of the PUD amendment proposes substantial changes to the mall property that will be beneficial to the physical development of the East Gateway business district.

5. The proposed PUD conforms to the purposes and intent of the Comprehensive Plan.

The PUD amendment will facilitate site improvements that further the goals of the Comprehensive Plan.

The City recently adopted a new Comprehensive Plan that addresses the Charlestowne Mall site in detail. The site is discussed in the East Gateway Subarea Plan located in Chapter 8 of the document. The East Gateway area was subject to considerable discussion during the comprehensive planning process, including a visioning workshop designed specifically to gather input on how the mall site could be redeveloped. Feedback from that workshop was used to draft the Charlestowne Mall Framework Plan (p. 105) and Repositioning Alternatives (p. 106). The plans presented in support of the PUD amendment request incorporate some of those recommendations including: the introduction of outlot buildings around the mall property, the demolition and reconfiguration of vacant portions of the mall building, and façade improvements to the mall building.

Additionally, the East Gateway Improvement Plan (p. 103) identifies other potential improvements that have been incorporated into the concept site plans for the mall property, including: a landscaping reduction along Main St.; better pedestrian connections to commercial sites; and cross access between commercial sites.

Exhibit "C"

Concept Site Plan

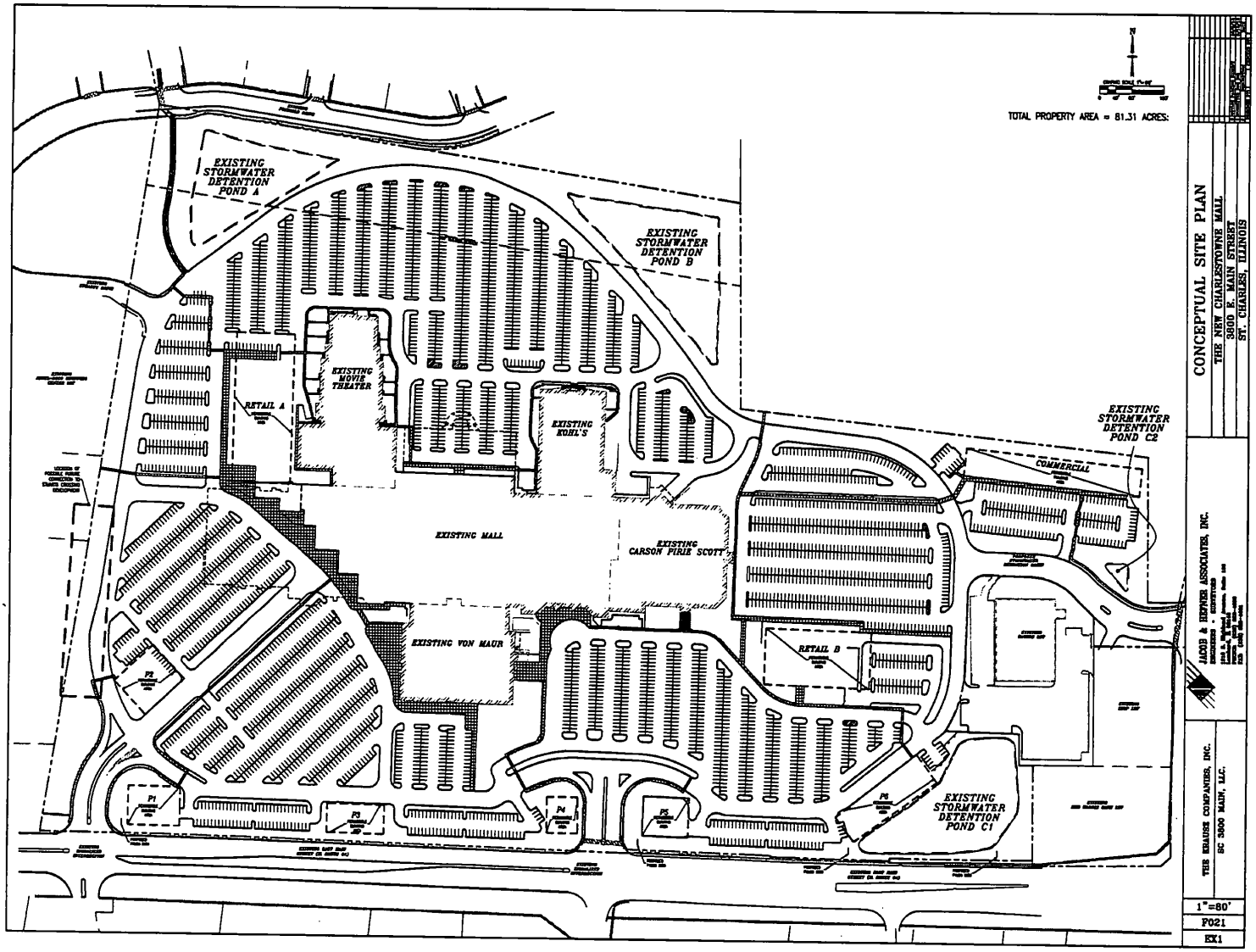
TOTAL PROPERTY AREA = 81.31 ACRES:
EXISTING STORMWATER DETENTION POND A
EXISTING STORMWATER DETENTION POND B
EXISTING STORMWATER DETENTION POND C2
EXISTING STORMWATER DETENTION POND C1
EXISTING MOVIE THEATER
RETAIL A
EXISTING KOHL'S
EXISTING MALL
EXISTING CARSON PIRIE SCOTT
EXISTING VON MAUR
RETAIL B
COMMERCIAL
P1
P2
P3
P4
P5
P6
CONCEPTUAL SITE PLAN
THE NEW CHARLESTOWNE MALL
3800 E. MAIN STREET
ST. CHARLES, ILLINOIS
JACOB & HEFNER ASSOCIATES, INC.
THE EDAUSE COMPANIES, INC.
DC 3800 MAIN, LLC.
1"=80'
F021
EX1

Exhibit "D"

PUD Standards

Permitted and Special Uses	
	Per Table 17.14-1 of the Zoning Ordinance (BR Regional Business District), except that 3 Drive-Through Facilities shall be Permitted Uses.
Minimum Setbacks from Perimeter Property Lines	
• **Front/Rt.64 & Smith Rd.**	Parking: 20 ft. for parking stalls; 15 ft. for circulation drives associated with drive-through uses. Buildings: 20 ft.
• **Rear/abutting Charlemagne Subdivision**	Parking: Existing location per approved PUD Preliminary Plans. Buildings: 200 ft. to Charlemagne Subdivision property line
• **Sides/other property lines**	Buildings: 15 ft. Parking: 0 ft.
Maximum Building Size	
Maximum Building Height	Mall Building: Roofline max. elevation: 829 ft. above sea level (existing mall skylight ridge) Parapets max. elevation: 846 ft. above sea level (existing mall skylight peak) Feature elements max. elevation: 854 ft. above sea level All other buildings: Building height shall not exceed 50 ft. from the average finished ground level measured 10 ft. out from exterior walls.
Maximum Floor Area	1,200,000 square feet of Gross Floor Area (GFA) 925,000 square feet of Gross Leasable Area (GLA)
Minimum Parking Requirement	
Number of parking stalls required	4 spaces per 1,000 square feet of GLA, calculated over all buildings on the site (excluding internal hallways, corridors and courts in the mall building). Parking located outside of the ring road for outlot buildings shall be provided at 4 spaces per 1,000 square feet of GLA. Where outlot buildings share a parking lot, a parking reduction for shared parking may be requested in accordance with the procedures in the Zoning Ordinance.
Signs	
Freestanding/ Identification Signs	3 Shopping Center signs (To display shopping center name, anchor store business names, Retail A & B business names) Area: 225 sf Height: 30 ft. 1 cinema readerboard sign, Area: 150 sf. Height: 15 ft.

	Outlot buildings (P1 to P6): 1 monument sign per building Area: 50 sf. Height: 8 ft. Existing off-site sign for 3880 E. Main St./ Lot 1of Charwil's Second Resubdivision/ Saver's store, may remain per approved PUD Preliminary Plans.
Wall Signs	Anchor stores: 1 per side. Retail A & B: 1 per business per side. Outlots: 1 per side. Anchor buildings located at the rear of the mall building (Cinema and Kohl's): Wall sign permitted on south mall elevation; cinema sign may be a marquee extending above the parapet/roofline. For other stores/restaurants in the mall building with exterior frontage/storefronts, 1 per business.
Directional Signs	2 at each access point into the site. At each intersections of an entrance drive and the ring road, 1 per leg of the intersection. Signs may contain mall name/logo and business name/logo of Anchors, Retail A or B, or Outlots.
Landscaping Standards	
• **Overall % of landscaped area**	Per Ordinance requirements: 20% landscape area over entire site.
• **Bufferyards**	Existing setback and landscaping along Charlemagne Subdivision to be maintained in conformance with the approved PUD Preliminary Plan.
• **Building foundation**	Building foundation areas to be landscaped, but flexibility is granted to provide a comparable alternative design, including a "streetscape" design along walkways (trees in grates and/or planter islands etc.) or providing landscaping on the opposite side of a drive-through lane.
• **Public Street frontage**	Per Ordinance requirements along Main St. frontage; flexibility to provide lower plantings in lieu of some trees.
• **Parking Lot Screening**	Per Ordinance requirements: 30" screening of 50% of the parking lot frontage.
• **Interior Parking Lot**	No percentage requirement. All rows shall end with landscape islands, except where truck circulation is impeded. All islands shall be planted with shade trees and/or low shrubs/ groundcover.

Building Design and Material Requirements	
Building Design & material requirements	Per Ordinance requirements contained in Section 17.06.030, and: • EIFS may exceed 10% per façade, but shall not be used on the lower 10 ft. of any building. EIFS will generally be used for accent features and not as a primary façade material. • Screening of existing loading docks shall be improved to the extent possible, but full screening shall not be required. • Exterior Design elements of the reconstructed and new portions of the project, though varied, shall be complementary with the existing anchor buildings.
Access Locations	
	Existing access points shown on the Concept Site Plan, plus future cross access to west (Stuart's Crossing) and east (Oliver Hoffmann) shall be permitted.
Subdivision Standards	
Number & Configuration of Lots	PUD shall be considered a single zoning lot, regardless of subdivision. Subdivision shall be permitted for any anchor stores, Retail A or B, and any outlot buildings, provided easements as determined essential by the City are provided.
Minimum Lot Width	None
Minimum Lot Area	None

State of Illinois)
) **ss.**
Counties of Kane and DuPage)

Certificate

I, NANCY GARRISON, certify that I am the duly elected and acting Municipal City Clerk of the City of St. Charles, Kane and DuPage Counties, Illinois.

I further certify that on November 4, 2013, the Corporate Authorities of such municipality passed and approved Ordinance No. 2013-Z-19, entitled

"An Ordinance Amending a Special Use for Planned Unit Development (Charlestowne Mall PUD – 3800 E. Main St.),"

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2013-Z-19, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on November 8, 2013, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at St. Charles, Illinois, this 4th day of November 2013.

(S E A L)

Nancy Garrison
Municipal Clerk