

AGENDA
CITY OF ST. CHARLES
PLANNING & DEVELOPMENT COMMITTEE
ALD. PAUL LENCIONI – CHAIR
MONDAY, NOVEMBER 11, 2024 - 7:00 PM
CITY COUNCIL CHAMBERS
2 E. MAIN STREET

1. CALL TO ORDER

2. ROLL CALL

3. OMNIBUS VOTE

Items with an asterisk (*) are considered to be routine matters and will be enacted by one motion. There will be no separate discussion on these items unless a council member/citizen so requests, in which event the item will be removed from the consent agenda and considered in normal sequence on the agenda.

4. COMMUNITY & ECONOMIC DEVELOPMENT

- a. Presentation of a Concept Plan for Emblem St. Charles.
- b. Presentation of a Concept Plan for River 504 Townhomes.
- c. Plan Commission recommendation to approve a PUD Amendment regarding rear porches for Munhall Glen PUD.
- d. Recommendation regarding the St. Charles Housing Trust Fund Allocation to the Kane County Affordable Housing Fund for Carroll Tower.
- e. Recommendation to approve a Sales Tax Sharing Agreement with GSI Piazza LLC
- *f. Recommendation to approve a Plat of Easement for Fox Haven Square.
- *g. Historic Commission recommendation to approve a Façade Improvement Grant for 605 W. Main St.

5. PUBLIC COMMENT

6. ADDITIONAL ITEMS FROM MAYOR, COUNCIL OR STAFF

7. EXECUTIVE SESSION


- **Personnel –5 ILCS 120/2(c)(1)**
- Pending, Probable or Imminent Litigation – 5 ILCS 120/2(c)(11)
- Property Acquisition – 5 ILCS 120/2(c)(5)
- Collective Bargaining – 5 ILCS 120/2(c)(2)

- Review of Executive Session Minutes – 5 ILCS 120/2(c)(21)

8. ADJOURNMENT

ADA Compliance

Any individual with a disability requesting a reasonable accommodation in order to participate in a public meeting should contact the ADA Coordinator, Jennifer McMahon, at least 48 hours in advance of the scheduled meeting. The ADA Coordinator can be reached in person at 2 East Main Street, St. Charles, IL, via telephone at (630) 377 4446 or 800 526 0844 (TDD), or via e-mail at jmcmahon@stcharlesil.gov. Every effort will be made to allow for meeting participation. Notices of this meeting were posted consistent with the requirements of 5 ILCS 120/1 et seq. (Open Meetings Act).

 <p>CITY OF ST. CHARLES ILLINOIS • 1834</p>	AGENDA ITEM EXECUTIVE SUMMARY		Agenda Item number: 4a
	Title:	Presentation of a Concept Plan for Emblem St. Charles	
	Presenter:	Ellen Johnson, Planner	
Meeting: Planning & Development Committee		Date: November 11, 2024	
Proposed Cost: \$		Budgeted Amount: \$	Not Budgeted: <input type="checkbox"/>
TIF District: None			
<p>Executive Summary (if not budgeted, please explain):</p> <p>A Concept Plan has been filed by Quatterra Multifamily Communities proposing a residential development on the 29-acre site located on the south side of Rt 38, west of Meijer. The property is part of the Bricher Commons PUD. The site is zoned Regional Commercial with a Comprehensive Plan land use designation of Corridor/Regional Commercial and Industrial/Business Park. The Concept Plan includes:</p> <ul style="list-style-type: none"> • Main entrance on Rt 38/Lincoln Hwy • Secondary access via cross-access drive to the east and emergency access at southeast corner • Stormwater detention facilities along west end • Multi-Family Portion – Developed by Quatterra: <ul style="list-style-type: none"> ○ 288 units in 12 buildings ○ Clubhouse with pool • Townhome Portion – Developed by Lennar: <ul style="list-style-type: none"> ○ 72 units in 18 buildings <p>If the applicant decides to move forward at the conclusion of the Concept Plan process, applications for rezoning and PUD Amendment would need to be submitted and approved by Council.</p> <p>Plan Commission Review: Plan Commission reviewed the Concept Plan on 10/22/24. Summary of feedback:</p> <ul style="list-style-type: none"> • Support for residential land use. • Support for residential unit density and building appearance. • Suggestions for more recreational opportunities including a park, walking paths internal to the site and pedestrian connections to neighboring properties. • Suggestions for positioning of buildings, roadways, and parking areas to improve site circulation and provide buffering. • The need for a traffic study was emphasized. <p>After the Plan Commission meeting, the St. Charles Park District provided a letter requesting a public park site be incorporated into the development. The park site would need to be publicly accessible. The developer has stated they are working on providing a park site towards the northern end of the site.</p>			
<p>Attachments (please list):</p> <p>Staff Report, Application, Plans, Public Comment Correspondence</p>			
<p>Recommendation/Suggested Action (briefly explain):</p> <p>Provide feedback on the Concept Plan. Staff suggests providing feedback regarding:</p> <ol style="list-style-type: none"> 1. Land use and compatibility with surrounding development 2. Density 3. Site layout and access 4. Parks and recreational amenities 5. Proposed zoning designation and whether a PUD is appropriate/desirable for this project. 			



Staff Report
Plan Commission Meeting – October 22, 2024

Applicant:	Quarterra Multifamily Communities
Property Owner:	Todd Dempsey
Location:	29 acres on south side of Rt 38, west of Meijer
Purpose:	Feedback on a proposed residential development
Application:	Concept Plan
Public Hearing:	Not required
Zoning:	BR Regional Business / PUD
Current Land Use:	Agriculture
Comprehensive Plan:	Corridor/Regional Commercial & Industrial/Business Park

Emblem St. Charles



Summary of Proposal:	<p>Quarterra Multifamily Communities, represented by Jeff Woll, has filed a Concept Plan proposing a residential development consisting of apartments and townhomes on the 29 acres west of Meijer in the Bricher Commons PUD. Details:</p> <ul style="list-style-type: none"> • Main entrance on Rt 38/Lincoln Hwy • Secondary access via cross-access drive to the east • Emergency access at southeast corner behind Meijer • Stormwater detention facilities along west end • Multi-Family Portion – Developed by Quarterra: <ul style="list-style-type: none"> ○ 288 units in 12 buildings ○ 144 1-BR, 132 2-BR, 12 3-BR ○ Clubhouse with pool ○ Surface and garage parking • Townhome Portion – Developed by Lennar: <ul style="list-style-type: none"> ○ 72 units in 18 buildings ○ All 3 bedrooms with 2-car garages ○ Units access from single cul-de-sac
Info / Procedure on Application:	<ul style="list-style-type: none"> • Per Sec. 17.04.140, the purpose of the Concept Plan review is as follows: “to enable the applicant to obtain informal input from the Plan Commission and Council Committee prior to spending considerable time and expense in the preparation of detailed plans and architectural drawings. It also serves as a forum for owners of neighboring property to ask questions and express their concerns and views regarding the potential development.” • A formal public hearing is not involved, although property owners within 250 ft. of the property have been notified and may express their views to the Commission. • No recommendation or findings are involved.

Suggested Action:	Provide feedback on the Concept Plan. Staff has provided topics Commissioners should consider to guide feedback to the applicant.
Staff Contact:	Ellen Johnson, Planner

I. PROPERTY INFORMATION

A. History / Context

The subject property constitutes three parcels totaling 29-acres, located west of Meijer on the south side of Rt 38 / Lincoln Hwy. The subject property is part of the Bricher Commons PUD. When approved in 1999 under Ord. 1999-Z-11, the PUD included the subject property and the property to the south, what is now Prairie Winds. In 2017, Prairie Winds was removed from the Bricher Commons PUD and a new PUD was established for that development.

In 2006, prior to the removal of Prairie Winds, the Bricher Commons PUD was amended under Ordinance No. 2006-Z-7, “An Ordinance Amending Special Use Ordinance 1999-Z-11 (Second Amendment to Bricher Commons PUD)”. In addition to the commercial uses already permitted on the property, the amendment allowed for multi-family residential uses on up to 34.5 acres of the property, subject to a density limitation (maximum of 250 units) and that 20% of the residential units must be affordable. A conceptual site plan was included illustrating the intended residential and commercial land uses and internal circulation, including a roadway through the site connecting Bricher Rd. and Rt. 38. (The 2006 PUD Ordinance and site plan are attached.)

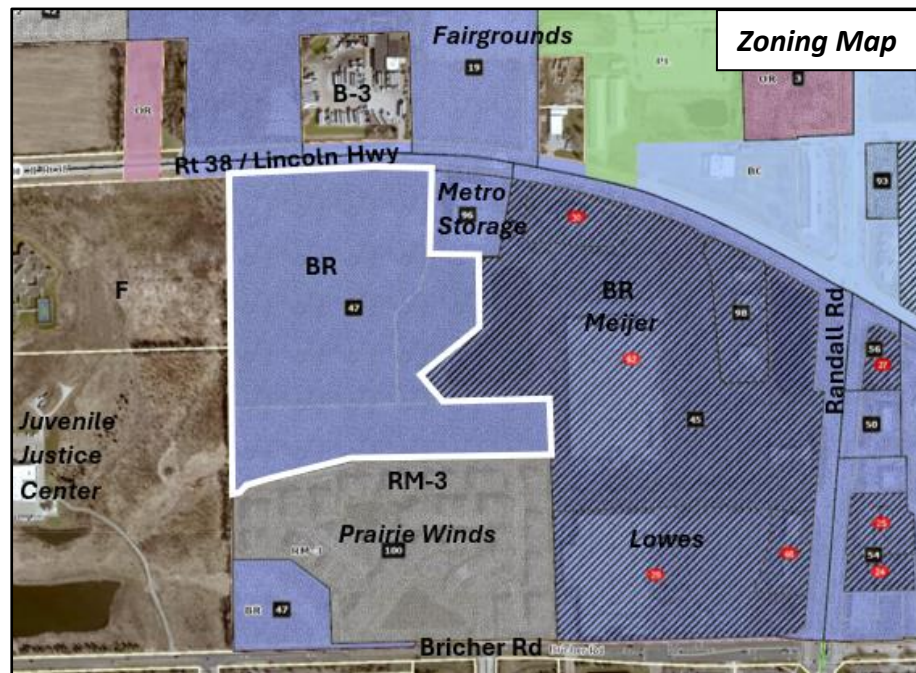
No preliminary plans were submitted for development of the property as contemplated under the 2006 PUD ordinance.

The subject property has been marketed for sale for several years. Over the years, staff has been approached by a number of developers interested in the property. In recent years, interest in the site has been predominately for residential development purposes.

B. Zoning

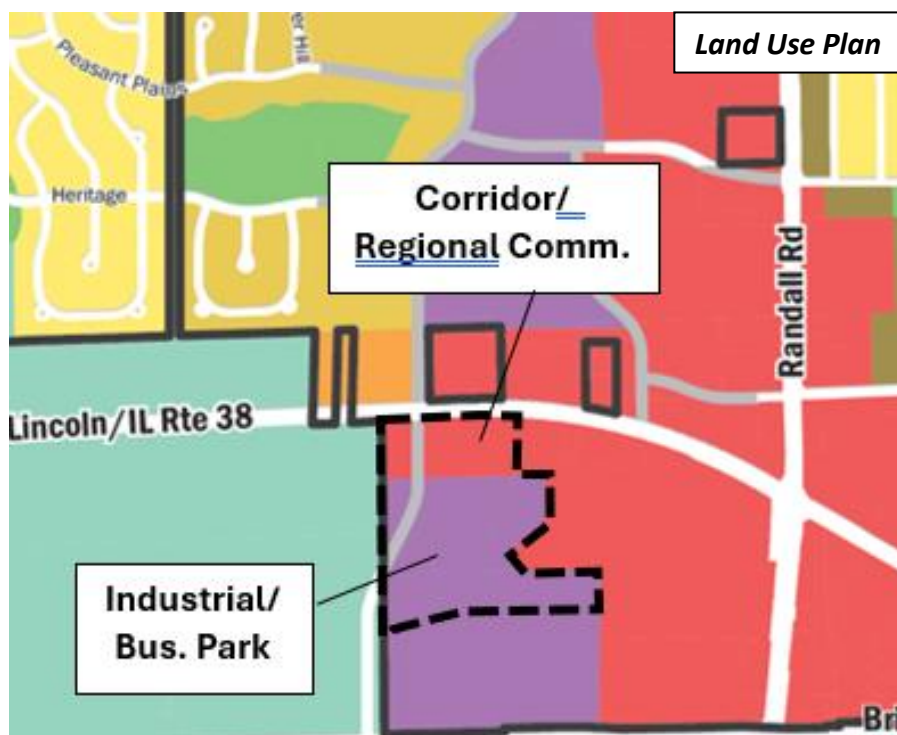
The subject property is zoned BR Regional Business and is located in the Bricher Commons PUD. Commercial zoning exists to the north and east, with multi-family residential to the south and Kane County Farming district to the west.

	Zoning	Land Use
Subject Property	BR Regional Business / PUD	Farmland
North	BR Regional Business / PUD Kane County B-3 Business District	Kane County Fairgrounds; Black Sea Transportation
East	BR Regional Business / PUD	Metro Self Storage; Meijer
South	RM-3 General Residential / PUD	Prairie Winds Apartments
West	Kane County Farming District	Open space/Kane County Juvenile Justice Center



C. Comprehensive Plan

The Land Use Plan adopted as part of the 2013 Comprehensive Plan identifies the northern third of the subject property, along Lincoln Hwy, as “Corridor/Regional Commercial” and the southern two-thirds “Industrial/Business Park”.



The Corridor/Regional Business land use is described as follows:

Areas designated as corridor/regional commercial are intended to accommodate larger shopping centers and developments that serve a more regional function, drawing on customer base that extends beyond City limits. These areas often have a mix of “big box” stores, national retailers, and a “critical mass” of multiple stores and large shared

parking areas. Areas designated for corridor/ regional commercial are located primarily in larger consolidated areas along the City's heavily traveled corridors and intersections. Commercial service uses can also have an appropriate place in corridor/regional commercial areas, but must be compatible with adjacent and nearby retail and commercial shopping areas and be located as to not occupy prime retail locations.

The Industrial/Business park land use is described as follows:

Areas designated for industrial/business park are intended to accommodate a variety of uses ranging from light assembly, storage and distribution, low intensity fabrication operations, research and "tech" industry applications, intense commercial service uses, and more. These areas are also intended to provide for business park/office park uses, which could include "stand alone" office buildings and complexes or several buildings incorporated into a "campus like" setting.

Light industrial uses in St. Charles are concentrated in industrial parks, but they can also be found in commercial and office areas. As a distinct land use, these areas can provide significant employment opportunities, tax revenue generation, and, if developed correctly, can help establish a positive community image.

While these uses create significant jobs and tax revenue, care must be taken to ensure they don't become a source of blight for surrounding uses. At times, their externalities are unpopular with community members, but heavy industrial uses are generally treated as assets as long as care is taken to eliminate their negative effects.

Chapter 8 of the Comprehensive Plan contains the West Gateway Subarea Plan. The subject property is located within the West Gateway Subarea which focuses on the Randall Road corridor (p.94).

Subarea Goals

The West Gateway subarea provides unique opportunities within a specific context of a corridor capable of competing with other commercial areas of the City, including Down - town. These opportunities and goals are not meant to create competition with Downtown; rather, they strive to complement each other. The overall vision for the subarea includes the following elements:

- *An economically competitive corridor that capitalizes on its unique advantages and regional position and complements downtown.*
- *Redevelopment and repositioning to include the next generation of regional development and services.*
- *An attractive environment that is distinguishable from adjacent communities and respectful of surrounding neighborhoods.*
- *A multi-use area that provides a balance in and ease of access between residential, commercial, and retail activities.*

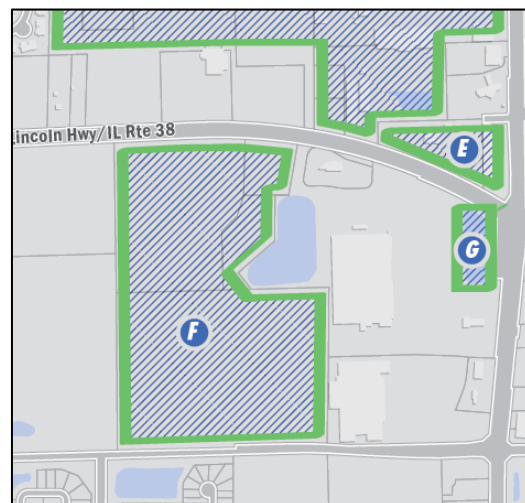
Subarea Objectives

- *Improvement of the appearance of the Randall Road Corridor and the identity of the St. Charles community through installation of streetscaping, wayfinding, and gateway elements.*
- *Enhancement of the character of both existing and new development through on-site landscaping, attractive building design and materials, and more consistent signage regulation.*
- *Improved mobility and access throughout the corridor, including between adjacent development sites or blocks.*

- *Comprehensive bicycle, pedestrian, and transit access through infrastructure and technology improvements.*
- *Preservation of surrounding neighborhoods through the use of screening and buffering from commercial development.*
- *Redevelopment of the St. Charles Mall site with activities and a character that complement Randall Road and maintain an appropriate relationship with adjacent neighborhoods.*
- *Creation of market-responsive development parcels that can accommodate projects of an appropriate scale and phasing over time.*
- *A transitioning land use pattern that is supportive of Bus Rapid Transit (BRT) along Randall Road.*
- *Achieve balance by promoting connections between the Downtown and the West Gateway area without competing with the Downtown.*

The subject property, along with what is now Prairie Winds to the south, is identified as Catalyst Site “F” within the West Gateway Subarea (p.97):

Situated between the Meijer on Randall Road and the Kane County Government Center is a 55-acre site known as Bricher Commons. Portions of the site have excellent visibility and frontage to Lincoln Highway, however not all of the site can capitalize on the visibility and access that IL Route 38 provides. The northern areas of the site should develop with commercial uses fronting Lincoln Highway with either multifamily, single-family attached, or offices and commercial services, in the rear and interior of the site.



Staff Comments

- ✓ The Catalyst Site F description recommends commercial uses along Rt 38, with either multi-family, townhomes, or offices/commercial services on the remainder of the property. The Industrial/Business Park land use designation for the southern two-thirds of the property may reflect the office park suggestion. Based on the Catalyst Site description, residential would also be acceptable.
- ✓ The West Gateway Improvement Plan within the Comprehensive Plan (p.96) indicates an intended street connection stretching from Bricher Road, north along the west side of Prairie Winds and the subject property, through the Fairgrounds, behind Costco, connecting to Oak Street and ultimately Rt 64. Prairie Winds was approved without the southern portion of the street connecting down to Bricher. Without that southern portion, the street connection through the subject property would not make sense.

II. PROPOSAL

Quarterra and Lennar are under contract to purchase the subject property. A Concept Plan has been submitted for feedback, proposing the following:

- Rezoning to RM-3 General Residential District with Planned Unit Development (PUD)
- Main site entrance on Rt 38/Lincoln Hwy
- Secondary access via cross-access drive to the east, running south of Metro Self Storage and connecting to Rt 38 and Meijer
- Emergency access at southeast corner behind Meijer

- Stormwater detention facilities along west end
- Internal network of sidewalks
- Quatterra Portion – Multi-Family Portion:
 - 288 units in 12 buildings; 24 units per building
 - 144 1-BR, 132 2-BR, 12 3-BR
 - 3 stories
 - Clubhouse with pool
 - Surface and garage parking
 - Dog park
 - To be rentals
- Lennar Portion – Townhomes
 - 72 units in 18 buildings; 4 units per building
 - 3-stories
 - Rear loaded 2-car garages
 - All units have 3 bedrooms and
 - Units are arranged along a single street ending in a cul-de-sac
 - Exterior maintenance provided
 - To be for-sale

III. CONCEPT PLAN REVIEW PROCESS

The purpose of the Concept Plan review is to enable the applicant to obtain informal input on a concept prior to spending considerable time and expense in the preparation of detailed plans and architectural drawings. The Concept Plan process also serves as a forum for citizens and owners of neighboring property to ask questions and express their concerns and views regarding the potential development. Following the conclusion of the Concept Plan review, the developer can decide whether to formally pursue the project.

IV. PLANNING ANALYSIS

Staff has analyzed the Concept Plan to determine the ability of future plans based on the Concept Plan to meet applicable standards of the Zoning and Subdivision ordinances. Staff have also evaluated the Concept Plan for good design and best planning practices beyond the specific requirements of our codes and ordinances. The plan was reviewed against the following code sections and documents:

- Ch. 17.06 Design Review Standards & Guidelines
- Ch. 17.12 Residential Districts
- Ch. 17.26 Landscaping & Screening

A. Proposed Zoning

The applicant has identified that a zoning designation of RM-3 General Residential District would be requested for this development. The purpose of the RM-3 District is as follows:

To accommodate a range of housing densities, including higher density residential up to approximately twenty (20) units per acre, at locations that will provide efficient use of land and infrastructure. The RM-3 District also provides for limited institutional uses that are compatible with surrounding residential neighborhoods.

Proposed net density based on the Concept Plan is 12.4 units per acre. This includes the townhome portion, multi-family portion, and open space. This density is below the 20 units per acre maximum permitted in the RM-3 District, but higher than the RM-2 District which is

10 units per acre. Looking at each portion separately, density of the 13.8-acre multi-family portion is 20.9 units per acre. Density of the 7-acre townhome portion is 10.3 units per acre.

Based on proposed density and bulk regulations (discussed later), the RM-3 District is most appropriate for this development. A Map Amendment would be required to rezone the property from BR to RM-3.

The subject property is within the Bricher Commons PUD. The 2006 PUD approval for this property would not accommodate this proposal, and therefore would need to be amended to allow the proposed development. It may be that a new PUD for the project is deemed necessary to accommodate the development, depending on whether the project can be modified to meet all Zoning and Subdivision requirements. If a new PUD is deemed necessary, it would need to be approved alongside the Map Amendment.

B. Zoning Bulk Standards

The tables below compare the Concept Plan with the RM-3 District bulk standards. The first table is for the Lennar townhome portion. The second table is for the Quarterra multi-family portion. Note- for the purpose of applying zoning bulk standards, the property is being considered a single zoning lot. It has not yet been identified how the property will be platted.

Plans for the development should comply with the RM-3 District standards to the greatest extent possible. Any deviations from RM-3 standards would need to be requested and approved through a PUD.

Lennar Townhomes:

Category	RM-3 District (proposed zoning)	Concept Plan
Min. Lot Area	4,300 sf/unit	4,235 sf / unit
Min. Lot Width	24 ft. / unit	TBD based on platting
Max. Building Coverage	40%	TBD; appears to meet
Max. Building Height	3 stories / 35 ft.	3 stories
Front Yard	30 ft.	60 ft. from Rt 38 (Bldg 1)
Interior Side Yard	10 ft.	East: 30 ft. West: TBD; exceeds
Rear Yard	30 ft.	South: TBD; exceeds
Parking	2 per unit	2 per unit in driveways & 2 per unit interior garage spaces

Quarterra Multi-Family:

Category	RM-3 District (proposed zoning)	Concept Plan
Min. Lot Area	2,200 sf / unit	2,087 sf / unit
Min. Lot Width	65 ft.	TBD; Entire Rt 38 frontage is approx. 865 sf
Max. Building Coverage	40%	TBD; appears to meet
Max. Building Height	4 stories / 45 ft.	3 stories
Front Yard	30 ft.	31 ft. (clubhouse setback from Rt 38)
Interior Side Yard	25 ft.	East: 23 ft.

		West: 91 ft.
Rear Yard	30 ft.	South: approx. 5 ft for parking; 60' buildings
Parking	1-bedroom: 1.2 spaces/unit 2-bedroom: 1.7 spaces/unit 3-bedroom: 2 spaces/unit 421 spaces required	503 spaces

Staff Comments:

- ✓ The City's adopted density limits are exceeded within the 13.8-acre Quarterra portion, with only 2,087 sf of lot area per unit (2,200 sf/unit required). Density is also slightly over for the Lennar portion, with 4,235 sf/unit (4,300 sf/unit required). When the property is considered as a whole, including open space, per unit lot area is 3,630 sf/unit (for both townhomes and multi-family).
- ✓ The Quarterra buildings do not meet the 25 ft. setback requirement from the east property line.
- ✓ The Quarterra parking lot does not meet the 30 ft. setback requirement from the south lot line.
- ✓ Standard size for parking stalls is 9'x18', however parking spaces for multi-family spaces are required to be 9.5' in width.
- ✓ A zoning deviation would be needed to allow more than one principal building on a single lot, if the property is platted as such.

C. Site Access / Site Plan / Street Network

Staff has reviewed the site plan based on City Code requirements and good planning practice. Proposed is a primary access point on Rt. 38. Secondary access into the site is provided via a cross-access drive at the east end, which runs behind Metro Storage and connects to the Meijer site. Two additional access points on Rt 38 are accessible with this cross-access connection. An existing roadway easement over this driveway was put into place in 2003 to allow for future cross-access to this property.

The third access point into the property is via an emergency access at the southeast corner, behind Meijer. This would be available for use only by emergency vehicles.

The townhomes are arranged along a street ending in a cul-de-sac, with a total length of about 800 feet. The apartments are arranged within parking lots, with the clubhouse near Rt 38 and the main site entrance.

Sidewalks are shown interior to the development.

Staff Comments – Street Network

- ✓ Staff has concerns about the proposed roadway configuration, particularly in the northeast quadrant of the overall site. Staff would like to work with the applicant on revisions to the layout to allow for a safer, more efficient and better-designed street network.
- ✓ Staff contemplates that two publicly dedicated streets should be provided. These streets would need to meet City standards for width, parkway, streetlights, street trees, etc.
 1. The townhome roadway.
 2. A roadway running from the Rt 38 site entrance, connecting to the east lot line at the secondary access point.

Currently, access between the townhomes and the secondary access point is shown as a parking lot design through the apartment development. An access route should be provided and designed as a public street. No parking spaces should abut the street to avoid vehicular conflicts. Building placement may need to be adjusted to allow for a more direct routing of the street.

- ✓ The Fire Dept is requiring a full access point at the southeast corner, in the location currently shown as emergency access only (see Fire Dept review). This will allow for better connectivity to Randall Road via the drive between Lowes and Meijer. Easement agreements with Meijer will need to be obtained.
- ✓ Maximum length of a cul-de-sac allowed per City Code is 500 ft. the proposed street through the townhomes is approx. 800 ft. The Fire Dept recommends a secondary access at the south end, connecting to the Quatterra site (see Fire Dept review).

Staff Comments – Parking

- ✓ Parking appears to meet requirements.
- ✓ Staff recommends that multiple designated ‘Guest Parking’ areas be created in the ‘Quatterra’ portion of the proposal.

Staff Comments – Traffic

- ✓ IDOT approval will be required for the proposed new access on Rt 38.
- ✓ A Traffic Impact Study will be required should the project move forward. The study should estimate trip generation and assess impacts to the surrounding roadway network, need for turn lanes, deceleration lanes, new signals and/or signal optimization, etc. The study should also assess circulation internal to the proposed development.

Staff Comments – Pedestrian Connectivity & Recreation

- ✓ Sidewalk along the full Rt 38 frontage (within IDOT ROW) will be required.
- ✓ A walking path around the proposed western-2 detention ponds shall be provided.
- ✓ Pedestrian connectivity within the Quatterra portion of the proposal is needed between all buildings.
- ✓ A paved and ADA-compliant pedestrian connection is needed at the south end of the Quatterra portion shall be provided alongside the emergency access point.
- ✓ The north-south pedestrian path east of building T-5 should be extended to and beyond the north lot line to provide access to the drive aisle south of the Metro Self Storage.
- ✓ A pedestrian sidewalk to the south (Prairie Winds) should be provided, if agreement can be made with the neighboring property owner.
- ✓ A dog park is proposed. A playground or other park for children should be provided, to be accessible to Lennar and Quatterra residents.

D. Landscaping

A landscape plan will be required for all common areas for this development should the project move forward. This includes landscaping around the buildings, detention ponds, street frontage, and within parking lots. Overall, at least 20% of the site needs to be landscaped.

The apartment buildings and clubhouse will be subject to building foundation landscaping requirements. Foundation planting beds, 5 ft. in depth, will be needed along 50% of the building walls (excluding doorways), with adequate plantings provided per Section 17.26.080. It appears there is adequate space to provide the required foundation landscaping.

Street frontage landscaping requirements will apply along Rt 38, with 1 tree required per 50 ft. and planting beds along at least 75% of the street frontage.

Staff Comments:

- ✓ Landscape buffering is suggested along the south lot line adjacent to Prairie Winds.

E. Building Design

Multi-family buildings and townhomes in the RM-3 District are subject to the Design Review standards and guidelines contained in Ch. 17.06.

Renderings of the apartment buildings and townhomes been provided. The apartment buildings are 3-stories with masonry used on the first floor and horizontal siding on floors 2 and 3. Wide trim is shown around doors and windows. Punched-in balconies are shown.

Renderings of the townhomes depict a farmhouse-type design. Masonry is shown on the first level, with a mixture of horizontal and vertical siding on the upper floors.

Staff Comments:

- ✓ Variety between buildings within a unifying design is encouraged. At a minimum, there should be variation in color scheme among the buildings.
- ✓ Façade materials are not indicated. Vinyl siding is prohibited in the RM-3 District.

V. DEPARTMENTAL REVIEWS

A. Engineering Review

Staff has provided engineering comments to the applicant, advising on items that will need to be addressed in a future preliminary engineering submittal, should the project move forward.

Water modeling will need to be conducted to confirm adequate water pressure and fire flow requirements. Capacity of the existing sanitary sewer running along the east end of the property will need to be evaluated.

Detention ponds are proposed on the west side of the development. The development will need to comply with the Kane County Stormwater Ordinance. Wetlands exist on the property. A wetland delineation report will be required to determine jurisdictional authority for wetland regulation.

B. Electric Utility

The applicant has been in communication with the St. Charles Electric Utility to discuss requirements for this project. Cost estimates have been provided.

C. Fire Dept. Review

Fire Prevention Bureau staff has reviewed the Concept Plan. Fire Department access to this site does not appear to be adequate. Access to the east section of the development shall require two separate and approved fire apparatus access roads as outlined in section D106 of the 2021 IFC. The emergency access near the southeast corner will need to be a full, open access point.

The Fire Dept. also recommends connecting the road servicing the townhomes to the road

servicing the apartments at the southwest corner, to provide 2 fire access roads into the townhomes.

Additional fire hydrants at approved locations will be required throughout the site.

VI. DEVELOPER CONTRIBUTIONS

A. Inclusionary Housing

This development will be subject to the Inclusionary Housing Ordinance, Title 19 of the City Code. The affordable unit requirement for 360 units is 36 (10%). A fee worksheet has been submitted indicating the applicant's intent to pay a fee in-lieu of providing 36 affordable units. Based on a fee in-lieu amount of \$52,454 per required affordable multi-family unit and \$36,719 per required affordable townhome unit, a total fee in-lieu amount of \$1,775,045 would be due at the time of building permit. Staff strongly encourages providing affordable units on-site. One option could be to provide a portion of the required affordable units and provide fee in-lieu for the remainder.

B. School District

This development will be subject to Ch. 16.10 "Dedications" of the Subdivision Code and will be required to provide either a land or cash contribution to St. Charles CUSD 303. The Concept Plan and a land-cash worksheet prepared by the developer have been provided to the School District for review. It is anticipated a cash contribution would be accepted. Based on the anticipated unit type/bedroom count, a total contribution of \$499,975 would be due to D303 prior to issuance of building permit.

C. Park District

Also per Ch. 16.10 of the Subdivision Code, a land or cash contribution will be required for the St. Charles Park District. The Concept Plan and a land-cash worksheet prepared by the developer have been provided to the Park District for review. Staff is awaiting feedback on whether the Park District would be agreeable to the cash contribution as proposed by the developer, or if a public park site will be requested. Note that when asked to comment on a residential proposal for this same property last year, the Park District indicated a preference for parkland rather than cash in-lieu of parkland. If a cash contribution is accepted, it will total \$1,719,575, due prior to issuance of building permit. Staff recommends that if cash is accepted rather than parkland, the developer should be required to incorporate multiple park-like features throughout the development as suggested above under "Staff Comments—Pedestrian Connectivity and Recreation".

VII. FUTURE APPROVAL PROCESS

If the applicant chooses to move forward with the proposed development at the conclusion of the Concept Plan process, the following would need to be approved in order to entitle the development as proposed in the Concept Plan:

1. Map Amendment: To rezone the property from BR to RM-3.
2. Special Use for PUD: To amend the Bricher Commons PUD to accommodate the project. This may involve removing the property from the Bricher Commons PUD and establishing a new PUD for the project; OR removing the property from the PUD and processing the project as a subdivision/by-right development, which would have to meet all Zoning and Subdivision standards.

3. PUD Preliminary Plan: If a new PUD is requested- To approve the physical development of the property, including site, engineering, and landscape plans.
4. Final Plat of Subdivision: To plat the property and establish easements.

VIII. SUGGESTED ACTION

Review the Concept Plan and provide comments to the applicant. Staff recommends the Commission provide feedback on the following:

- ✓ Proposed land use and compatibility with surrounding development and with the Comprehensive Plan's direction for the site.
- ✓ Proposed density.
- ✓ Site layout and access, with particularly attention to the roadway network (see staff comments).
- ✓ Park and recreational amenities, and specifically the provision of park-like features if no park is dedicated.
- ✓ Zoning:
 - a. RM-3 District designation.
 - b. Planned Unit Development – Is a PUD appropriate or desirable for this project? Does the plan adequately advance one or more of the purposes of the PUD procedure:
 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.*
 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.*
 3. *To encourage a harmonious mix of land uses and a variety of housing types and prices.*
 4. *To preserve native vegetation, topographic and geological features, and environmentally sensitive areas.*
 5. *To promote the economical development and efficient use of land, utilities, street improvements, drainage facilities, structures and other facilities.*
 6. *To encourage redevelopment of sites containing obsolete or inappropriate buildings or uses.*
 7. *To encourage a collaborative process among developers, neighboring property owners and residents, governmental bodies and the community*

IX. ATTACHMENTS

- Application for Concept Plan; received 9/27/24
- Plans
- Excerpts from Ord. 2006-Z-7

City of St. Charles
Community Development Division
2 E. Main Street
St. Charles, IL 60174



Phone: (630) 377-4443
Email: cd@stcharlesil.gov

CONCEPT PLAN APPLICATION

For City Use

Project Name: Emblem St. Charles
Project Number: 2024 -PR- 016
Cityview Project Number: PLCP202400034

Received Date
RECEIVED

SEP 27 2024

City of St. Charles
Community Development

- File this application to request review of a Concept Plan for a property.
- Complete the application and submit with all required attachments to the Community Development Division.
- The information you provide must be complete and accurate. If you have any questions please contact the Community Development Division.
- City staff will review the submittal for completeness prior to scheduling a Plan Commission review, followed by review by the Planning & Development Committee of the City Council.

1. Property Information:	Location: Lincoln Hwy (Route 38) / West of Randall Rd	
	Parcel Number (s): PIN:09-32-400-029 & PIN:09-32-400-031	
	Proposed Name: Emblem St Charles	
2. Applicant Information:	Name: Quarterra Multifamily Communities	Phone: 312-342-7704
	Address 300 Park Blvd., Suite 355, Itasca IL 60143	Email: Jeff.Woll@Quarterra.com
3. Record Owner Information:	Name: Dempsey, Todd L DCLRN of TR, Trustee	Phone: 630-879-3680
	Address: Batavia Enterprises Inc, 140 First St. Batavia, IL 60510	Email: ADempsey@beicre.com

4. Identify the Type of Application:

- ☒ **PUD Concept Plan** Proposed PUD Name: TBD
- ☐ **Subdivision Concept Plan** Proposed Subdivision Name:
- ☐ **Other Concept Plan**

5. Zoning & Use Information:

Current zoning of the property: BR Regional Business District - PUD

Current use of the property: Farmland / Agriculture

Comprehensive Plan designation of the property: Industrial/Business Park

Is the property a designated Landmark or in a Historic District? No

Proposed zoning of the property: RM-3 General Residential District

PUD? Yes

Proposed use of the property: 72-For Sale-Townhomes (Lennar) & 288 For-Rent Flats (Quarterra)

6. Required Attachments:

Provide 1 copy of each required item, unless otherwise noted.

- ☒ **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.
- ☒ **REIMBURSEMENT OF FEES INITIAL DEPOSIT:** Deposit of funds in escrow with the City. Required deposit is based on review items (number of applications filed) and the size of the subject property:

Number of Review Items	Under 5 Acres	5-15 Acres	16-75 Acres	Over 75 Acres
1	\$1,000	\$2,000	\$3,000	\$4,000
2 or 3	\$2,000	\$4,000	\$5,000	\$7,000
4 or more	\$3,000	\$5,000	\$7,000	\$10,000

- ☒ **PROOF OF OWNERSHIP:** a) A current title policy report; or
b) A deed and a current title search

NOTE: Private covenants and deed restrictions can limit private property rights with respect to the use of land even though the City's Zoning Ordinance may authorize the use or a less restrictive use. We strongly advise that you perform a title search on the property to determine if there any private covenants containing use restrictions or other deed restrictions. As those private covenants and deed restrictions may conflict with the City's Zoning Ordinance, it is further recommended that you consult with an attorney to obtain an opinion with respect to whether your intended use is compatible with those restrictions.

- ☒ **OWNERSHIP DISCLOSURE:** Use the appropriate disclosure form (attached), if the owner or applicant is a Partnership, Corporation, Trust, or LLC.

- ☒ **LETTER OF AUTHORIZATION:** If the property owner is not the applicant, an original letter of authorization from the property owner permitting the applicant to file the Concept Plan application with the City of St. Charles for the subject property.
- ☒ **LEGAL DESCRIPTION:** For entire subject property, on 8 ½ x 11 inch paper and Microsoft Word file.
- ☒ **PLAT OF SURVEY:** A current plat of survey for the subject property showing all existing improvements on the property, prepared by a registered Illinois Professional Land Surveyor.
- ☒ **SUMMARY OF DEVELOPMENT:** Written statement describing the proposed development. Include the following information:
 - Proposed land use(s), number of type(s) of residential units, building coverage, building height, and floor area for nonresidential uses.
 - Planning objectives to be achieved and public purposes to be served by the development
 - Explanation of the rationale behind the proposal
 - Anticipated exceptions or departures from zoning and subdivision requirements, if any
- ☒ **PARK AND SCHOOL LAND/CASH WORKSHEETS:** *For residential developments only.* Use the attached worksheet to calculate the estimated population and student yields and resulting land/cash contributions in accordance with Title 16 of the St. Charles Municipal Code.
- ☒ **INCLUSIONARY HOUSING WORKSHEET:** *For residential developments only.* Use the attached worksheet to calculate the affordable unit requirement and indicate how the development will comply with Title 19 of the St. Charles Municipal Code.
- ☒ **LIST OF PROPERTY OWNERS WITHIN 250 FT.:** Fill out the attached form or submit on a separate sheet. The form or the list must be signed and notarized. Property ownership information may be obtained using Kane County's interactive GIS mapping tool: http://gistech.countyofkane.org/gisims/kanemap/kanegis4_AGOx.html
- ☒ **AERIAL PHOTO:** Aerial photo of the subject property and surrounding property at a scale of not less than 1"=400', preferable at the same scale as the Concept Plan.
- ☒ **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.

Copies: Ten (10) full size copies, one (1) 11" by 17", and PDF electronic file emailed to: cd@stcharlesil.gov

Concept Plans shall show the following information:

1. Existing Features:
 - Name of project, north arrow, scale, date
 - Property boundaries with approximate dimensions and acreage
 - Existing streets on and adjacent to the subject property
 - Natural features including topography, high and low points, wooded areas, wetlands, other vegetative cover, streams, and drainage ways.
 - General utility locations or brief explanation providing information on existing sanitary sewer, storm sewer, water, and other utilities necessary to serve the development.
2. Proposed Features:
 - Name of project, north arrow, scale, date
 - Property boundaries with approximate dimensions and acreage

- Site plan showing proposed buildings, pedestrian and vehicular circulation, proposed overall land use pattern, open space, parking, and other major features.
- Architectural elevations showing building design, color and materials (if available)
- General utility locations or brief explanation providing information on existing sanitary sewer, storm sewer, water, and other utilities necessary to serve the development.

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.

Todd Dempsey as Agent for Todd Dempsey 9/23/24 Todd Dempsey
Record Owner Date

Signed by: Jeffrey Woll 9/25/2024 Jeff Woll
Applicant's Authorized Agent Date



September 27, 2024

Russell Colby
Director of Community Development
City of St. Charles
2 E. Main Street,
St. Charles, Illinois, 60174-1984
rcolby@stcharlesil.gov

RE: Concept Plan Review – Emblem St Charles

Dear Mr. Colby,

Quarterra Multifamily Communities, a Lennar Company, (“Quarterra”) hereby requests concept review of its proposed development to be known as Emblem St. Charles pursuant to Section 17.04.140 of the Municipal Code of the City of St. Charles. In addition to this summary letter, please find the following materials which comprise our concept review application for St. Charles:

1. Concept Plan Application form;
2. Letter of Authorization(s) from owner the Property;
3. Disclosure of Beneficiaries (owner and petitioner);
4. Proof of Ownership (vesting deeds)
5. Legal Description of the Property;
6. Plat of Survey for the Property;
7. Park and School Land/Cash Worksheets;
8. Inclusionary Housing Worksheet;
9. List of Property owners within 250’ of the Property;
10. Aerial Photo of the Property;
11. Concept Plan for Emblem St Charles (“Site Plan”);
12. Proposed Building Elevations Emblem St Charles

Quarterra is the contract purchaser of the approximately 30-acre property generally located south of Lincoln Highway (IL Route 38) and west of Randall Road, located in Kane County, Illinois (the “Property”). The Property is currently within the City’s corporate boundary and is a part of the previously approved Bricher Commons PUD. Despite the original Bricher Commons PUD approval back in 1999 allowing for commercial uses, the Property does not appear viable for commercial purposes due to lack of visibility and competition from other properties better suited for commercial uses with frontage on Randall Road. As a result, the Property has been sitting vacant, underperforming and contributes very little to the surrounding area. Accordingly, in 2006 the City amended the Bricher Commons PUD to allow for residential uses.

Looking at the character of the area, the surrounding land uses consist of commercial uses to the east (Meijer and Lowe’s), residential uses to the south (Prairie Winds Apartments), Kane County services to the west, and the Kane County Fairgrounds to the north. Given the nature of the surrounding area, this

property is transitional in nature as it serves as a buffer area from the high intensity commercial uses to the east to the residential to the south and west. Therefore, incorporating residential uses at this location would serve several important functions, including enhancing the City's housing supply to appeal to a wider range of future residents, providing more housing options to existing residents as well as creating additional local spending to support the commercial areas along Randall Road and preserve the vibrancy of this important corridor while also increasing the city's real estate tax base and creating economic opportunities.

The proposed development would include two distinct, but complementary areas including for-sale townhomes and for-rent apartments to serve a broad range of potential residents which will include young professionals looking to move to the St. Charles community as well as active adults who are looking for maintenance-free options and many in between. The new community will be a collaborative venture between Quarterra and Lennar as both companies are under the Lennar umbrella. By way of background, Quarterra is a well-respected multi-family developer, builder, and manager that has been building multi-family communities in the Midwest for thirteen years, completing ten Chicagoland communities, including in Oswego, Naperville, and Bolingbrook. Quarterra's vertical integration with in-house development, construction and property management is critical to long term quality of each of its communities. Lennar, who will build the townhomes, has been building homes since 1954, is a publicly traded company, and was largest national home builder by revenue in 2023 as well as the largest builder in the Chicagoland market. Together, Quarterra and Lennar bring a wealth of experience, quality reputation and ability to this new endeavor in St. Charles.

Lennar Townhomes – 72 Urban Style Homes

The townhome area will consist of seventy-two townhomes designed to appear more urban in style as a transition from the nearby commercial areas. The townhome area will be comprised of approximately 7 acres of land on the west side of the Property. All townhomes will be three-stories and will offer a designer level of finishes, which features include vinyl plank flooring, quartz countertops, 42" cabinets among other features that are consistent with current consumer trends. The rear loaded townhomes provide for attractive streetscapes with a variety of materials featured in the façade along with other design features such as non-linear roof pitches and non-uniform plan setbacks. The townhomes feature a finished lower level and open floorplans which appeal to young professionals as well as young professionals with children who can use the flex space in a variety of manners. Lennar's townhomes are also maintenance free for homeowners resulting in an elegant and well-maintained community. Each townhome will range from 1,764 to 2,221 square feet, will have 3-bedrooms, 2 ½ bathrooms and 2 car garages standard.

Quarterra – 288 Residential Flats

The multi-family area will consist of 288 homes and will be comprised of approximately fourteen (14) acres on the east side of the property. There will be a total of twelve (12) residential buildings with twenty-four (24) homes per building. The goal is to combine attractive architectural design,

on-site amenities and active management. Accordingly, the development will appeal to a variety of individuals looking to live in a safe and well-regarded suburb that offers high quality residences in an intelligently designed work, play and live environment. This area is appealing to the

renters by choice segment which is composed of predominantly young professionals and empty nesters or young seniors looking to avoid the daily responsibilities of home ownership, but who require an upscale living environment and associated amenities in close proximity to employment opportunities and transportation systems. The proposed development is ideal for these renters by choice due to Randall Road being one of the City's major arterial roadways, and the variety of retail, entertainment, and convenience uses in the area. On-site recreational amenities, including activity areas, health facilities, and a pool are central to the operation of the community and will be located in the resident center adjacent to Route 38 which also will be a social hub for the community. The residences will consist of one hundred forty-four (144) one-bedroom units, one hundred thirty-two (132) two-bedroom units, and twelve (12) three-bedroom units.

The proposed architecture, examples of which are enclosed, will ensure lasting value utilizing quality materials that all require low-maintenance and will withstand the test of time. Landscape treatments will also be utilized to enhance the visual appeal. Landscape buffers will be incorporated throughout the perimeter of the community to create the feel of a separate residential enclave. The landscape design enhancements will also include foundation plantings, common area plantings and decorative plantings around the on-site stormwater management facility along the west property line. An upscale entrance monument is anticipated at the entrance along Route 38. Public sidewalks, including along Route 38, and path connections are also anticipated to offer future residents both a recreational and social opportunity. Other open space areas as well as a gazebo feature on the west side of the property are anticipated. The development will comply with all applicable Kane County Stormwater management requirements.

Collectively, the proposed townhomes and multi-family community will create an optimum use of the Property by providing a quality housing opportunity appealing to many demographics, enhancing the local economy, supporting local business, enhancing the City's real estate tax base, and infusing the local economy with additional income and improving the work force. We appreciate the City's time and consideration of what we believe is an exciting development and a very positive addition to the St. Charles community. We look forward to your feedback.

Sincerely

Jeff Woll, Senior Director, Midwest
312-342-7704
Jeff.Woll@Quarterra.com
Quarterra

OWNER'S CONSENT TO DEVELOPMENT APPLICATION

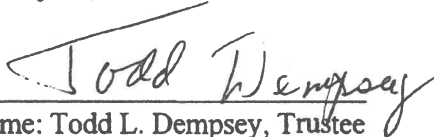
To: City of St. Charles, Illinois

Re: Concept Plan Application
Applicant / Petitioner: Quarterra Multifamily Communities

The undersigned Todd L. Dempsey, as Trustee under The Todd L. Dempsey Declaration of Trust dated May 15, 1992 ("**Owner**"), and being the owner of record of the property which is legally described on Exhibit A attached hereto (the "**Subject Property**"), hereby consents to the filing and processing of the said Concept Plan Application by the applicant, Quarterra Multifamily Communities ("**Applicant**") and the administrative processing by the City of St. Charles, Illinois (the "**City**"), but only with the understanding that no ordinances or resolutions will be adopted by the City that bind the Subject Property unless and until (1) the Applicant takes fee simple title to the Subject Property, or (2) the Owner subsequently agrees in writing to any such action by the City.

Dated: September 18, 2024

**The Todd L. Dempsey Declaration of Trust
dated May 15, 1992**

By: 
Name: Todd L. Dempsey, Trustee

SCHOOL LAND/CASH WORKSHEET

City of St. Charles, Illinois

Name of Development:

Emblem St Charles

Date Submitted:

09/27/24

Prepared by:

Quarterra - Jeff Woll

Total Dwelling Units: 72 For-Sale Townhomes & 288 For-Rent Apartments

A credit for existing residential lots within the proposed subdivision shall be granted. Deduct one (1) unit per existing lot.

Total Dwelling Units w/ Deduction:

If the proposed subdivision contains an existing dwelling unit, a credit is available calculated as a reduction of the estimated population for the dwelling. Please request a worksheet from the City.*Estimated Student Yield by Grades:**

Type of Dwelling	# of dwelling Units (DU)	Elementary (Grades K to 5)		Middle (Grades 6 to 8)		High (Grades 9 to 12)	
Detached Single Family							
> 3 Bedroom		DU x .369	=	DU x .173	=	DU x .184	=
> 4 Bedroom		DU x .530	=	DU x .298	=	DU x .360	=
> 5 Bedroom		DU x .345	=	DU x .248	=	DU x .300	=
Attached Single Family							
> 1 Bedroom		DU x .000	=	DU x .000	=	DU x .000	=
> 2 Bedroom		DU x .088	=	DU x .048	=	DU x .038	=
> 3 Bedroom	72	DU x .234	= 16.848	DU x .058	= 4.176	DU x .059	= 4.248
> 4 Bedroom		DU x .322	=	DU x .154	=	DU x .173	=
Apartments							
> Efficiency		DU x .000	=	DU x .000	=	DU x .000	=
> 1 Bedroom	144	DU x .002	= .288	DU x .001	= .144	DU x .001	= .144
> 2 Bedroom	132	DU x .086	= 11.352	DU x .042	= 5.544	DU x .046	= 6.072
> 3 Bedroom	12	DU x .234	= 2.808	DU x .123	= 1.476	DU x .118	= 1.416
Totals:	<div>360</div> TDU (with deduction, if applicable)		<div>31.296</div> TE		<div>11.34</div> TM		<div>11.88</div> TH

School Site Requirements:

Type	# of students	Acres per student	Site Acres
Elementary (TE)	31.296	x .025	= 7824
Middle (TM)	11.34	x .0389	= 4411
High (TH)	11.88	x .072	= 8554
Total Site Acres:			<input type="text" value="2.0789"/>

Cash in lieu of requirements:

(Total Site Acres) x \$240,500 (Fair Market Value per Improved Land) = \$

PARK LAND/CASH WORKSHEET

City of St. Charles, Illinois

Name of Development:

Emblem St Charles

Date Submitted:

09/27/24

Prepared by:

Quarterra - Jeff Woll

Total Dwelling Units:

72 For-Sale Townhomes & 288 For-Rent Apartments

A credit for existing residential lots within the proposed subdivision shall be granted. Deduct one (1) unit per existing lot.

Total Dwelling Units w/ Deduction:

**If the proposed subdivision contains an existing residential dwelling unit, a credit calculated as a reduction of the estimated population for the dwelling is available. Please request a worksheet from the City.*

Estimated Population Yield:

Type of Dwelling	# Dwelling Units (DU)	Population Generation per Unit	Estimated Population
Detached Single Family			
> 3 Bedroom		DU x 2.899	=
> 4 Bedroom		DU x 3.764	=
> 5 Bedroom		DU x 3.770	=
Attached Single Family			
> 1 Bedroom		DU x 1.193	=
> 2 Bedroom		DU x 1.990	=
> 3 Bedroom	72	DU x 2.392	= 172.224
> 4 Bedroom		DU x 3.145	=
Apartments			
> Efficiency		DU x 1.294	=
> 1 Bedroom	144	DU x 1.758	= 253.152
> 2 Bedroom	132	DU x 1.914	= 252.648
> 3 Bedroom	12	DU x 3.053	= 36.636

Totals:

Total Dwelling Units
(with deduction, if applicable)

Estimated Total Population

Park Site Requirements:

Estimated Total Population: x .010 Acres per capita = Acres

Cash in lieu of requirements:

Total Site Acres: x \$240,500 (Fair Market Value per Improved Land) = \$

INCLUSIONARY HOUSING WORKSHEET

Name of Development: Emblem St Charles

Date Submitted: 09/27/2024

Use this worksheet to determine the affordable unit requirement for the proposed development and to propose how the development will meet the Inclusionary Housing requirements of Title 19.

1) Calculate the number of affordable units required:

Unit Count Range	# of Units Proposed in Development		% of Affordable Units Required		# of Affordable Units Required
1 to 15 Units		X	5%	=	
More than 15 Units	360	X	10%	=	36

2) How will the Inclusionary Housing requirement be met?

- ☐ Provide on-site affordable units
- ☒ Pay a fee in-lieu of providing affordable units (calculate fee in-lieu below)
- ☐ Provide a mixture of affordable units and fee in-lieu
- ☐ # of affordable units to be provided:
 - ☐ Amount of fee in-lieu to be paid (calculate below):

Fee In-Lieu Payment Calculation

Multi-Family Development:

# of Affordable Units Required	# of Affordable Units Proposed to Pay the Fee-In-Lieu		Fee-In-Lieu Amount Per Affordable Unit		Total Fee-In-Lieu Amount
28.8	28.8	X	\$52,454	=	\$1,510,675.2

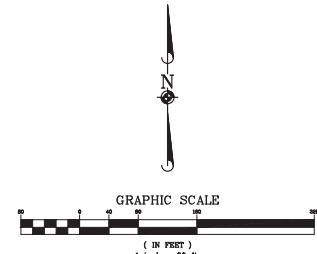
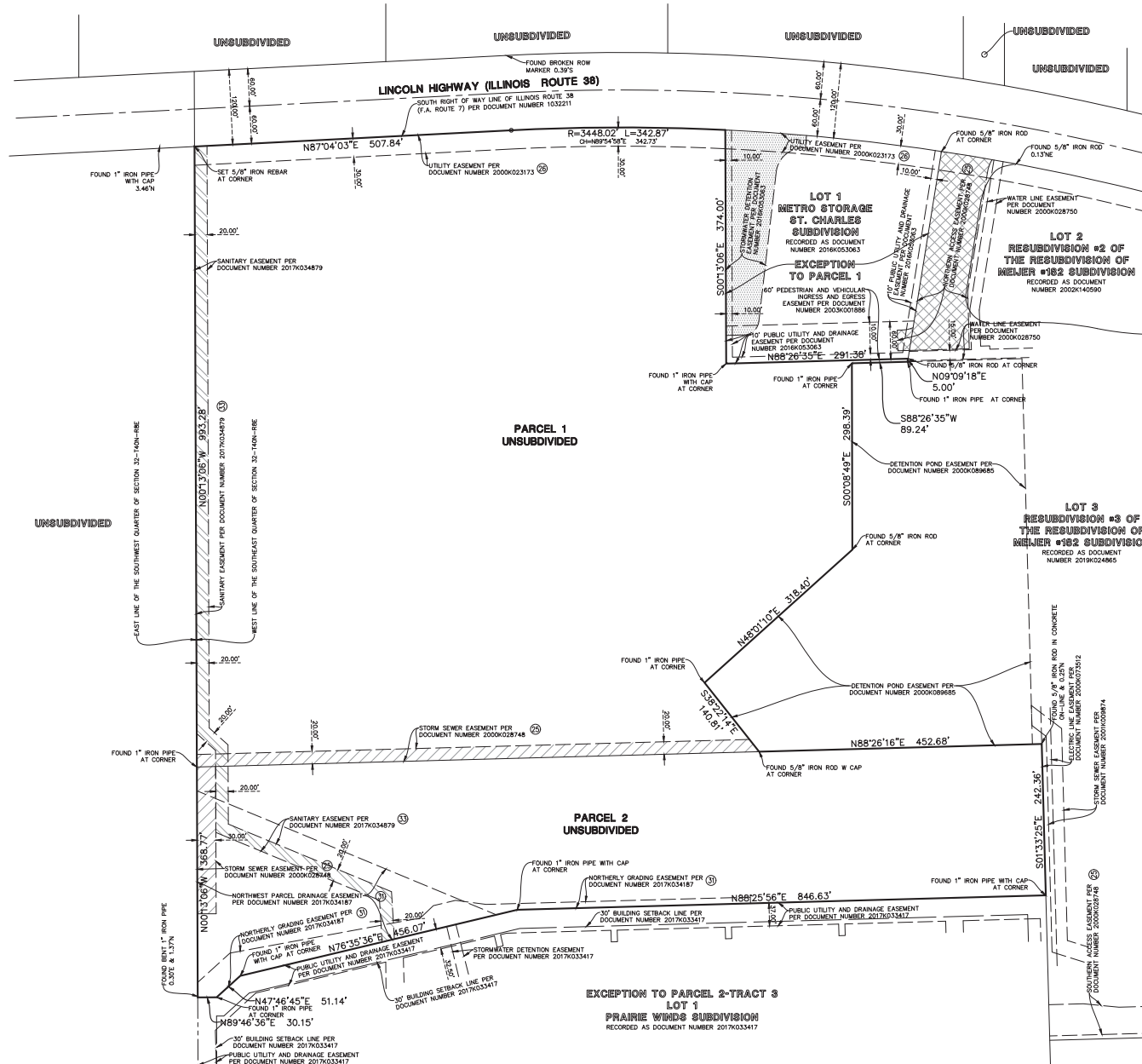
Single-Family Attached (Townhouse) / Two-Family Development:

# of Affordable Units Required	# of Affordable Units Proposed to Pay the Fee-In-Lieu		Fee-In-Lieu Amount Per Affordable Unit		Total Fee-In-Lieu Amount
7.2	7.2	X	\$36,718	=	\$264,369.6

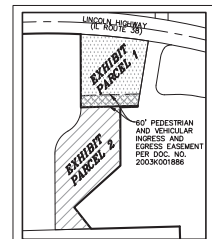
Single-Family Development:

# of Affordable Units Required	# of Affordable Units Proposed to Pay the Fee-In-Lieu		Fee-In-Lieu Amount Per Affordable Unit		Total Fee-In-Lieu Amount
		X	\$20,982	=	

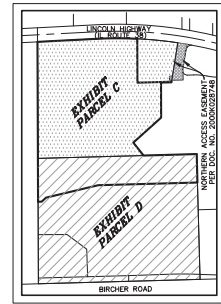
ALTA/NSPS LAND TITLE SURVEY



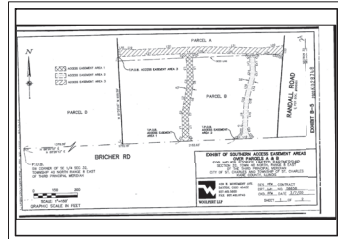
- LEGEND**
- EX. PROPERTY LINE
 - EX. LOT LINE
 - EX. EASEMENT LINE
 - EX. SETBACK LINE
 - EX. SECTION LINE



ROADWAY EASEMENT
EXHIBIT PER DOC. NO. 2003K001886
NOT TO SCALE



NORTHERN ACCESS EASEMENT
EXHIBIT PER DOC. NO. 2000K028748
NOT TO SCALE



SOUTHERN ACCESS EASEMENT
EXHIBIT PER DOC. NO. 2000K028748
NOT TO SCALE

Manhard CONSULTING

200 South Second Street, Suite 200, St. Charles, Illinois 60154
 Telephone: 630.584.1100 Fax: 630.584.1101
 Email: info@manhardconsulting.com Website: www.manhardconsulting.com

EMBLEM DEVELOPMENT

ST. CHARLES, ILLINOIS

ALTA/NSPS LAND TITLE SURVEY

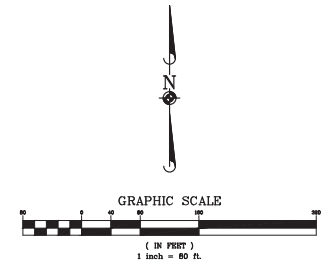
PROJECT NO.: MC
 PARCEL NO.: ARM
 DRAWING NO.: NAL
 DATE: 08/07/24
 SCALE: 1"=80'

SHEET

3 OF **4**

QTASTILO1

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- = EX. PROPERTY LINE
- = EX. LOT LINE
- = EX. EASEMENT LINE
- = EX. SETBACK LINE
- = EX. SECTION LINE
- = EX. SIDEWALK
- = EX. CONCRETE CURB & GUTTER
- = EX. CHAIN-LINK FENCE
- = EX. TREE/TRUNK/BRUSH LINE
- = EX. METALS
- = EX. WATER LINE
- = EX. CROP LINE
- = EX. GUARD RAIL
- = EX. STORM MANHOLE (MH)
- = EX. STORM CATCH BASIN (CB)
- = EX. STORM INLET (NLI)
- = EX. PIPE END
- = EX. FLARED END SECTION (YES)
- = EX. SANITARY MANHOLE (SMH)
- = EX. FIRE HYDRANT/AUX. VALVE
- = EX. VALVE BOX
- = EX. VALVE VAULT (V.V.)
- = EX. ELECTRICAL METER
- = EX. ELECTRIC TRANSFORMER
- = EX. TELEPHONE HANDHOLE
- = EX. TELEPHONE PEDestal
- = EX. LIGHT STANDARD
- = EX. SIGN
- = EX. BITUMINOUS PAVEMENT
- = EX. CONCRETE
- = EX. AGGREGATE

PROJ. MGR.:	MC
PROJ. ASSOC.:	ARM
DRAWN BY:	NAL
DATE:	08/07/24
SCALE:	1"=80'

SHEET

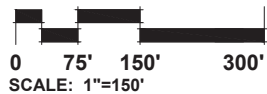
4 OF 4

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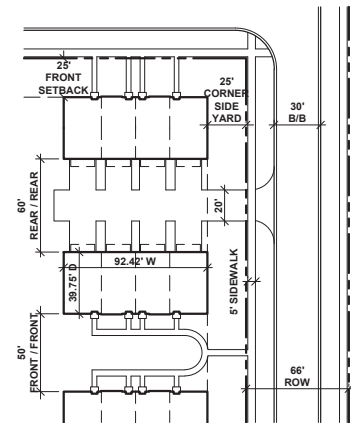


SITE DATA

LAND USE	UNITS	AREA	% OF SITE
URBAN TOWNHOMES	72	7.0 AC.	23.7%
APARTMENTS	288	13.8 AC.	46.8%
DETENTION / OPEN SPACE		8.7 AC.	29.5%
TOTAL	360	29.5 AC.	100.0%
APARTMENTS	UNITS	%RATIO	
1 BEDROOM	144	50.0%	
2 BEDROOM	132	45.8%	
3 BEDROOM	12	4.2%	
APARTMENT PARKING:			
SURFACE	458	1.59:1 RATIO	
COVERED	45	0.16:1 RATIO	
TOTAL	503	1.75:1 RATIO	



TOWNHOME PARKING	
GARAGE	144
DRIVEWAY	144
TOTAL PROVIDED	288
TOTAL REQUIRED	144



TYPICAL TOWNHOME
SCALE: 1"=80'

CONCEPT PLAN
ST. CHARLES, ILLINOIS

9/26/2024

LENNAR



GARY R. WEBER
ASSOCIATES, INC.
LAND PLANNING
ECOLOGICAL CONSULTING
LANDSCAPE ARCHITECTURE
WWW.GRWAINC.COM



Concept Plan - Aerial



Concept Plan – Rental Flats – Elevation

3 STORY GARDEN APARTMENT HOMES



**Interior
Home
Finishes**

- Quartz countertops in kitchen and baths
- Tile backsplashes / tub surrounds
- Stainless steel appliances
- Luxury vinyl plank flooring
- 42" shaker cabinets with 6" pulls
- LED puck lighting package

Concept Plan – Rental Flats

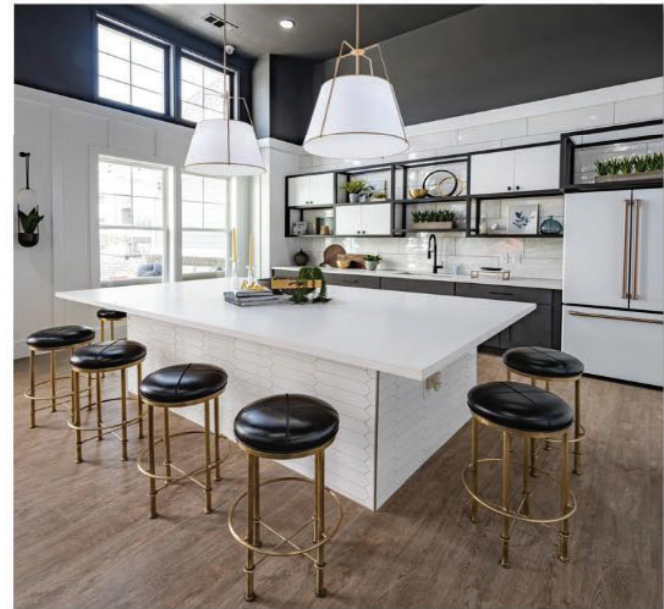
AMENITIES

Clubhouse

- Nicely appointed club focused on what the residents need
- Leasing / Fitness / Packages / Restrooms / Social Lounge

Site Amenities

- Pool / Dog Park / Grilling Areas / Open Space

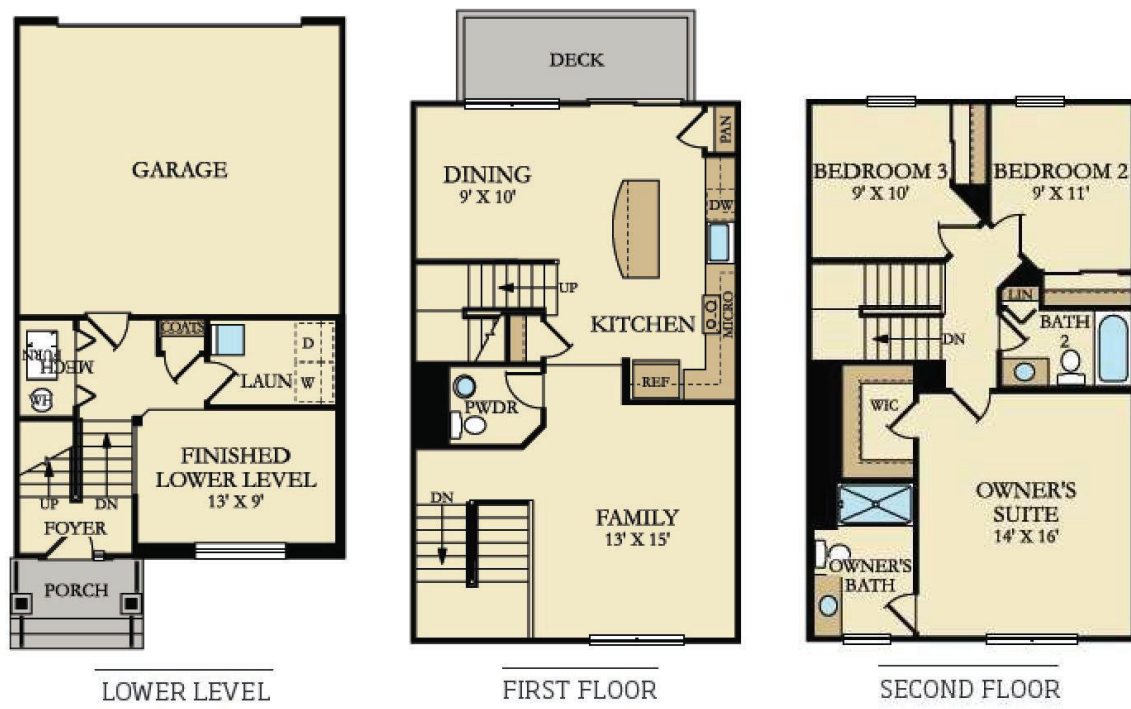


Concept Plan – Rental Flats



Concept Plan – Urban Townhomes— Elevation

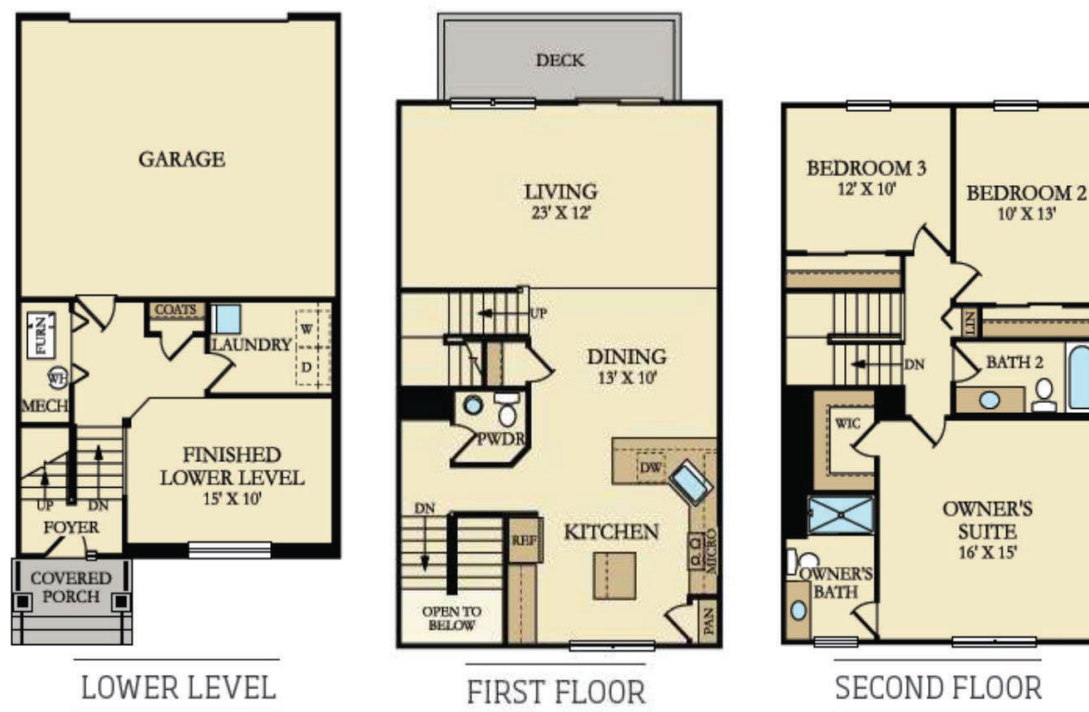
Amherst – 1,764 Sq Ft
3 Beds / 2.5 Baths / 2-Car Garage



Chatham – 1,894 Sq Ft
3 Beds / 2.5 Baths / 2-Car Garage



Chelsea – 2,079 Sq Ft
3 Beds / 2.5 Baths / 2-Car Garage

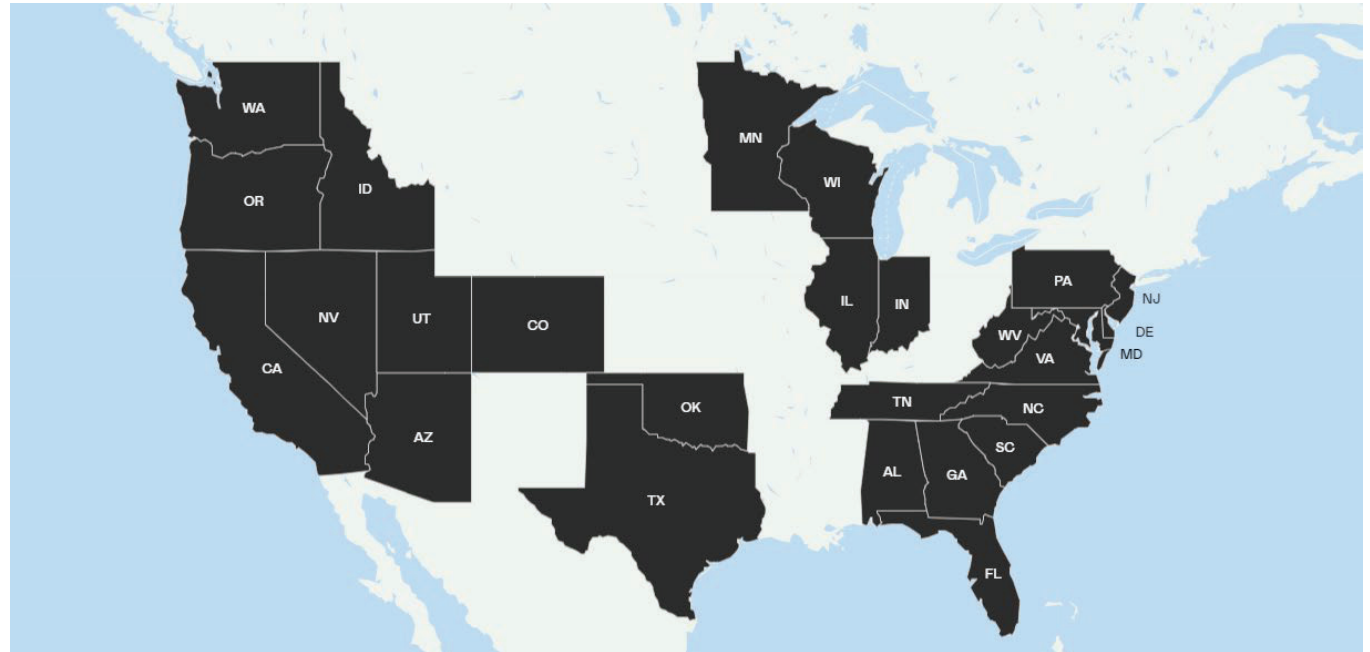


LENNAR

Concept Plan – Urban Townhomes– Plans

LENNAR®

- Building homes since 1954, and publicly listed since 1972.
- Built over 1,000,000 homes
- Largest National builder by revenue in 2023
- Operates in 41 Markets
- Largest builder in the Chicago submarket – about 1500 home starts in 2023
- Currently selling in 35 communities in IL, NW IN & WI
- In-house mortgage and title companies to simplify process for homebuyers



Concept Plan — LENNAR

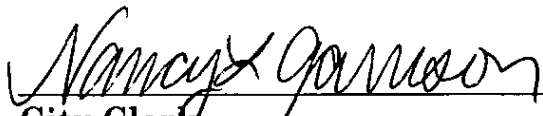
City of St. Charles, Illinois

Ordinance No. 2006-Z-7

An Ordinance Amending Special Use Ordinance 1999-Z-11 (Second Amendment to Bricher Commons PUD)

**Adopted by the
City Council
of the
City of St. Charles
March 20, 2006**

**Published in pamphlet form by
authority of the City Council
of the City of St. Charles,
Kane and Du Page Counties,
Illinois, March 24, 2006**



City Clerk



ORDINANCE NO. 2006-Z-7

AN ORDINANCE AMENDING SPECIAL USE ORDINANCE 1999-Z-11

(Second Amendment to Bricher Commons PUD)

WHEREAS, a petition to amend Ordinance No. 1999-Z-11 entitled "An Ordinance Granting a Special Use as a Planned Unit Development (Bricher Commons PUD)" (hereinafter, Ordinance 1999-Z-11) with respect to the real estate described in Exhibit "D-I" attached hereto and made a part hereof, (hereinafter sometimes referred to as the "Subject Property"), has been filed by DGT, LLC, owner, and James Saloga, applicant; and

WHEREAS, said petition requested that Ordinance 1999-Z-11 be amended to include residential and commercial uses as illustrated in the Concept Plan, attached hereto as Exhibit "D-IV" and made a part hereof; and

WHEREAS, the Plan Commission has held a public hearing on said petition in accordance with law; and

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

WHEREAS, the City of St. Charles ("CITY") and OWNER have entered into an Annexation Agreement dated July 19, 1999 entitled "ANNEXATION AGREEMENT (BRICHER COMMONS/DGT PARTNERSHIP)", and a First Amendment thereto dated November 15, 1999 entitled "FIRST AMENDMENT TO AN ANNEXATION AGREEMENT (BRICHER COMMONS/DGT PARTNERSHIP)", and a Second Amendment thereto dated March 20, 2006 entitled "SECOND AMENDMENT TO ANNEXATION AGREEMENT (BRICHER COMMONS PUD)" (hereinafter collectively, the "Annexation Agreement"); and

WHEREAS, the City Council of the City of St. Charles hereby makes the following findings:

FINDINGS OF FACT FOR SPECIAL USE:

1. *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 concept plan shows commercial uses along Rt. 38 and portions of Bricher Road, which will be compatible with neighboring uses to the north and east. The residential use will be compatible with similar uses to the south. The site will be developed in an orderly manner, and not be detrimental to or endanger public health, safety, comfort or general welfare.

2. *That the special use will not be injurious to the use and enjoyment of the property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood.*

The Special Use will compliment other retail activity to the north and east. The Fairground property to the north is anticipated to be developed for retail uses along Rt. 38 as well. The proposed use is not anticipated to negatively impact surrounding property values.

3. *That the establishment of the Special Use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.*

Meijer and Lowes are already in existence, to the east. The property to the south is also already developed for residential use (in Geneva). The commercial use proposed along Rt. 38, will also compliment the development of Fairground property to the north. The county judicial facility land use to the west is already in existence, as well.

4. *That adequate utilities, access roads, drainage and/or necessary facilities have been, or are being, provided.*

Water, sewer, utilities and roadways will be provided in accordance with the City's requirements. Bricher Road is intended to be improved via an intergovernmental agreement between the City of St. Charles and the City of Geneva. If the 4-acre accessible living site proceeds first, the roadways, utilities, and other issues will need to be addressed upfront, regardless of when the remainder of the site develops.

5. *That adequate measures have been, or will be taken to provide ingress and egress so designed as to minimize traffic congestion in public streets.*

The access to the north off of Rt. 38 will need to be coordinated with the Fairground property's plans and the access off of Bricher Road will need mutual approval from the City of Geneva. The improvements of Rt. 38 and Bricher Road will ease traffic congestion on both streets.

6. *That the Special Use shall, in all other respects, conform to the applicable regulations of the district in which it is located except as such regulations may in each instance be modified by the City Council pursuant to recommendations of the Plan Commission.*

The Planned Unit Development will conform to all applicable regulations of the underlying zoning districts for the respective uses, except as might otherwise be modified upon review of Preliminary PUD plans and final plats.

FINDINGS OF FACT FOR PLANNED UNIT DEVELOPMENT:

1. *In what respects the proposed plan is consistent with the stated purpose of the planned unit development regulations:* The plan will permit the development of the site for retail, office, residential, and other uses in a coordinated manner.
2. *The extent to which the proposed plan meets the requirements and standards of the planned unit development regulations:* The Special Use provides for submittal and review of a plan for roads and utilities for the entire site, which will serve to coordinate utilities and access to the various components of the development.
3. *The extent to which the proposed plan departs from the zoning and subdivision regulations otherwise applicable to the subject property including, but not limited to, density, dimension, area, bulk, and use, and the reasons why such departures are deemed to be in the public interest:* The development standards appended to the Special Use meet or exceed the requirements of the B3 zoning district; additional setbacks are required along Bricher Road and Route 38.
4. *The physical design of the proposed plan and the manner in which the design does make adequate provision for public services, provides adequate control over vehicular traffic, provides for and protects designated and common open space, and furthers the amenities of light and air, recreation and visual enjoyment:* These matters will be determined at the time of submittal of a Preliminary Plan of PUD, which is required prior to approval the development of any site.
5. *The relationship and compatibility of the proposed plan to the adjacent properties and neighborhood.* Most of the surrounding development is large-scale, nonresidential development, including “big box” retail and county government; the remainder, to the south, is residential. Providing for a mix of uses will allow the PUD Plan to be designed so that compatible uses are placed appropriately.
6. *The desirability of the proposed plan to physical development, tax base and economic well-being of the city:* The commercial component will support the tax base and economic well being of the City, and the affordable housing component will serve a variety of needs including providing different housing types that are affordable and accessible to people with various disabilities.
7. *The conformity with the recommendations of the comprehensive plan of the city:* The commercial component allows for office use in accordance with the future land use

map, and the residential component will facilitate the development of affordable housing within a residential neighborhood.

8. *The conformity with all existing federal, state and local legislation and regulation:*
The development has not requested variances or exemptions from any federal, state or local regulations.

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

SECTION 1. That Ordinance 1999-Z-11 is hereby amended by deleting its provisions in their entirety, and by substituting the provisions hereof, governing the Special Use as a Planned Unit Development for the Subject Property.

SECTION 2. That a Special Use as a Planned Unit Development in the B-3 Service Business District is hereby granted for the Subject Property, subject to the conditions, restrictions and requirements contained herein.

SECTION 3. That the Real Estate may be developed only in accordance with all ordinances of the CITY as now in effect or hereafter amended (except as specifically varied herein or as otherwise provided in the Annexation Agreement), and in accordance with the additional procedures, definitions, uses, and restrictions contained herein and set forth in Exhibits "D-II" and "D-III", all as attached hereto and made a part hereof, all of which shall survive the expiration of the Annexation Agreement. The development of the Subject Property shall further be subject to the following additional conditions:

- A. The further development of the Subject Property is, in addition to the requirements of this Section, further expressly made conditioned upon the submittal, and the CITY'S approval, of appropriate Preliminary and Final Plans of planned unit development as required by Section 17.42.080 of the St. Charles Municipal Code or such other similar rules and regulations duly adopted by the CITY from time to time.
- B. Notwithstanding the requirements of Section 17.42.080 (B)(3)(b) of the St. Charles Municipal Code, a Special Use as a Planned Unit Development may be granted for the Subject Property upon the filing of a Concept Plan, prior to the filing and approval of a Preliminary Plan, which Concept Plan is attached hereto

as Exhibit "VIII" to Exhibit "B" (hereinafter, the "Concept Plan"). Such Concept Plan approval shall not be construed as approval of a preliminary plan, preliminary plat, preliminary engineering, or final engineering under any provision of Illinois law or CITY ordinance.

- C. Subject to the requirements of Paragraph E, but only to the extent that residential uses are depicted thereon, Preliminary and Final Plans of planned unit development may be submitted for any part of the Subject Property to be developed with those permitted and special uses allowed in the B-3 Service Business District which are identified on Exhibit "D-III" attached hereto (which is the same as Exhibit IV of Ordinance 1999-Z-11), said uses being permitted uses anywhere upon the Subject Property.
- D. Where residential uses are proposed that are not permitted as a matter of right within the B-3 Service Business District but which are allowed by virtue of the Planned Unit Development approval granted herein, the OWNER shall be required to apply for a map amendment for the parcel within which such uses(s) are to be located, seeking rezoning to the zoning district classification in which these uses are otherwise allowed as a matter of right.
- E. Any Preliminary Plan that includes residential uses shall delineate all areas of the Subject Property that will be developed for residential use. Further, said Preliminary Plan shall identify the dwelling units within the Subject Property that are proposed to be offered as "affordable", as defined in paragraph F.3. below.
- F. The right to develop any part of the Subject Property with residential uses shall be subject to these further, additional, conditions and restrictions:
 - 1. In no event shall more than 34.5 acres of the Subject Realty be developed for residential uses.
 - 2. Subject to any permissible "density bonus" adjustment as set forth below, the maximum overall residential density within that part of the Subject Property that is zoned to permit residential uses and for which a Preliminary Plan of planned unit development has been approved, shall be limited to 7.25 dwelling units per gross acre. For example, if 34.5 acres of the Subject Property is developed for residential uses, 250 dwelling units would be permitted. Varying densities may be developed throughout the site provided that the overall density within the residential acreage of the Subject Property shall not exceed 7.25 dwelling units per gross acre.
 - 3. Twenty percent (20%) of the total number of residential units permitted within the Subject Property shall be offered as "affordable" for-sale or rental units. (An affordable housing unit is defined as priced affordable to a household at or below 80% of Chicago region area median income (AMI) as defined by HUD for 'for-sale' units and at or below 60% of the AMI for rental units.) The ordinance granting approval of the Preliminary and/or Final Plan of planned unit development shall contain conditions suitable for the

enforcement of this requirement and the CITY may require a notation of this requirement on any plat reflecting the approval of such Preliminary and/or Final Plan.

4. A “density bonus” shall be allowed for affordable housing units offered in excess of the twenty percent (20%) minimum requirement set forth herein. For each affordable housing unit offered in excess of the twenty percent (20%) minimum, an additional market rate unit shall be allowed. Thus, if 34.5 acres of the Subject Property are developed for residential use, the total number of dwelling units may be increased from 250 units to 350 units, if 100 of these are affordable as defined herein.
 5. All affordable units shall be dispersed throughout the parcel they are proposed in, and be essentially similar to the market-rate units in size and exterior appearance within that development. Notwithstanding the foregoing, but otherwise in accordance with this Section, a maximum of 48 accessible dwelling units, which may also be affordable, may be constructed as the only type of development on approximately 4 gross acres, anywhere on the site. As used herein, the term “accessible” dwelling units shall mean and refer to dwelling units which are accessible within the meaning of “units that are either accessible or adaptable for accessibility as defined by the Americans with Disabilities Act”.
- G. At the time of the submittal of an application for the approval of the first Preliminary Plan of Planned Unit Development, the applicant shall submit a plan that shall be subject to the CITY’S review and approval, making acceptable provision for the location and, as appropriate, the dedication of all road improvements, rights-of-way and public access to collector and arterial roadways servicing the Subject Property together with all other improvements generally identified as “Land Improvements” in the CITY’S Subdivision Control regulations. Included within this obligation shall be all detention, water, sewer and electrical utility improvements as well as any other utility or engineering issues the design, installation and dedication of which, in the CITY’S reasonable judgment, are needed to properly provide for the overall design of the Subject Property.
- H. All buildings and structures proposed to be developed for uses permitted in the B-3 Service Business District shall incorporate external materials and features in substantial conformity with the requirements of the underlying zoning district in effect at the time of submittal of a planned unit development Preliminary Plan.
- I. The OWNER, or its successors and assigns, shall comply with Chapter 16.32 of the St. Charles Municipal Code regarding dedication of school and park sites or cash in lieu thereof. OWNER understands that, based on the Concept Plan and the potential development of 250 dwelling units, the St. Charles Park District has requested, and that the CITY may require, a 5.75 acre “high and dry” park site which shall conform to the District’s requirements. Additionally, the OWNER, or

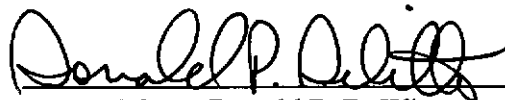
its successors and assigns, shall provide a sidewalk/bike trail along the frontage of the Subject Property, on the north side of Bricher Road, either within the right of way or within an easement granting public access and use.

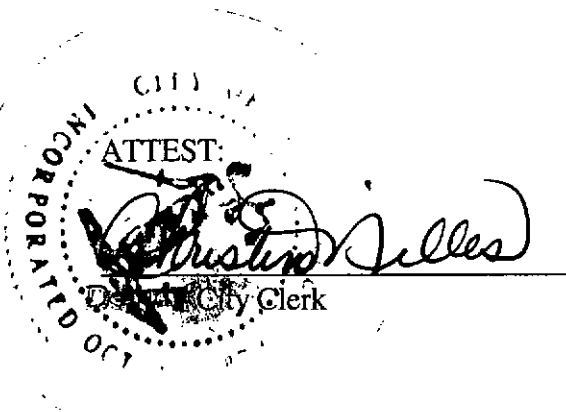
SECTION 4. That this ordinance shall become effective from and after its passage and approval in accordance with law.

PRESENTED to the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 20 day of March, 2006.

PASSED by the City Council of the City of ST. Charles, Kane and DuPage Counties, Illinois this 20 day of March, 2006.

APPROVED by the Mayor of the City of St. Charles, Kane and DuPage Counties, Illinois this 20 day of March, 2006.


Mayor Donald P. DeWitte



COUNCIL VOTE: _____
AYES: 9
NAYS: _____
ABSENT: _____
ABSTAIN: 1

EXHIBIT D-II

DEVELOPMENT STANDARDS AND DESIGN CRITERIA BRICHER COMMONS PUD

1) Retail and Service Development: That part of the Bricher Commons PUD to be developed for retail and service uses shall be subject to the following standards:

a) Permitted Uses:

1. Accessory uses;
2. Amusement establishments, including bowling alleys, pool halls, dancehalls, gymnasiums, swimming pools and skating rinks;
3. Antique shops;
4. Art and school supply stores;
5. Art galleries;
6. Auction rooms;
7. Audio recording sales and rentals;
8. Automobile accessory stores;
9. Automotive vehicle and automotive equipment sales;
10. Bakeries, where not more than fifty percent of the floor area is devoted to processing, and not employing more than eight persons;
11. Banks and financial institutions;
12. Barbershops;
13. Beauty parlors;
14. Bicycle stores, sales, rental, and repair;
15. Blueprinting and photocopying establishments;
16. Book and stationery stores;
17. Building material sales, with accessory outside storage, provided outside storage does not exceed sixteen feet in height;
18. Camera and photographic supply stores;
19. Candy and ice cream stores;
20. Carpet and rug stores;
21. Caskets and casket supplies;
22. Catering establishments;
23. China and glassware stores;
24. Clothing establishments;
25. Clubs and lodges, private, fraternal, or religious;

26. Coin and philatelic stores;
27. Contractors' and construction offices;
28. Currency exchanges;
29. Custom dressmaking;
30. Department stores;
31. Drugstores;
32. Dry goods stores;
33. Dry-cleaning and laundry-receiving establishments, (processing to be done elsewhere);
34. Dry-cleaning establishments, retail, employing not more than five persons;
35. Electrical and household appliance stores, including radio and television sales;
36. Employment agencies;
37. Exterminating shops;
38. Feed stores;
39. Fire stations;
40. Flower shops;
41. Food stores, including grocery stores, meat markets, bakeries, and delicatessens, (retail sales only);
42. Frozen food shops, including locker rental in conjunction therewith;
43. Fuel and ice sales, retail only;
44. Furniture stores, including upholstery when conducted as part of the retail operation and secondary to the principal use.
45. Furrier shops, including the incidental storage and conditioning of furs;
46. Garden supply and seed stores;
47. Gift shops;
48. Greenhouses;
49. Haberdasheries;
50. Hardware stores;
51. Hobby shops, for retailing of items to be assembled or used away from the premises;
52. Hotels, including dining and meeting rooms; provided, that business uses, other than those which are commonly incidental to a hotel business, shall not occupy space fronting on a hotel hall or lobby;
53. Interior decorating shops, including upholstery and making of draperies, slip covers, and other similar articles when conducted as part of the retail operations and secondary to the principal use;
54. Jewelry stores, including watch repair;
55. Job printing shops, using presses having beds of not more than fourteen inches and twenty inches;

56. Laboratories, medical and dental, also research and testing;
57. Landscape contractors;
58. Laundries, automatic self-service type or hand, employing not more than two persons in addition to one owner or manager;
59. Leather goods and luggage stores;
60. Libraries;
61. Liquor stores, retail sales;
62. Loan offices;
63. Locksmith shops;
64. Machinery and equipment sales, but not including service, repair, or reconditioning and storage of all machinery shall be within enclosed buildings;
65. Mail order houses;
66. Mail order service stores;
67. Meat markets, including the sale of meat and meat products to restaurants, motels, clubs and other similar establishments when conducted as part of the retail business on the premises;
68. Medical and dental clinics;
69. Meeting halls;
70. Millinery shops;
71. Monument sales;
72. Motels;
73. Musical instrument sales and repair;
74. Newspaper offices, but not including printing;
75. Nurseries;
76. Office supply stores;
77. Offices, business, professional, and public;
78. Opticians and optometrists;
79. Orthopedic and medical appliance stores, but not including the assembly or manufacture of such articles;
80. Other accessory uses: Communication antennas.
81. Paint and wallpaper stores;
82. Parking lots and storage garages (automobile);
83. Pet shops;
84. Photography studios, including developing and printing of photographs when conducted on the premises as a part of the retail business;
85. Physical culture and health services, gymnasiums, reducing salons, masseurs, and public baths;
86. Picture framing, when conducted on the premises for retail trade;

87. Plumbing showrooms and shops;
88. Police stations;
89. Post offices;
90. Radio and television broadcasting studios;
91. Radio and television service and repair shops;
92. Recording studios;
93. Recreational buildings, community centers, and meeting halls;
94. Restaurants, including live entertainment and dancing;
95. Restricted production and repair limited to the following: art needlework, clothing, custom manufacturing and alterations for retail only of jewelry from precious metals and watches;
96. Schools, commercial or trade, not involving any danger of fire, explosion, nor of offensive noise, vibration, smoke, dust, odor, glare, heat, or other objectionable influences;
97. Schools, music, dance, or business;
98. Secondhand stores and rummage shops;
99. Sewing machine sales and services, household machines only;
100. Shoe and hat repair stores;
101. Shoe and hat repair stores;
102. Shoe stores;
103. Shoe stores;
104. Shoe stores;
105. Sporting goods stores;
106. Tailor shops;
107. Taverns and cocktail lounges;
108. Taxidermists;
109. Telegraph offices;
110. Telephone exchanges and telephone transmission equipment buildings and electric distribution centers;
111. Temporary buildings for construction purposes for a period not to exceed the duration of such construction;
112. Tobacco shops, retail sales;
113. Toy shops;
114. Travel bureaus and transportation ticket offices;
115. Typewriter and adding machine sales and service establishments;
116. Undertaking establishments and funeral parlors;
117. Variety stores;
118. Vehicle Service Facilities.

119. Video recording sales and rental;
120. Wearing apparel shops;
121. Wholesale establishments, with storage of merchandise limited to samples only;

b) Special Uses:

1. Amusement game device arcade
2. Animal hospitals
3. Automobile laundries
4. Churches, convents, monasteries, theological schools, rectories and parish houses
5. Communication towers
6. Dog kennels
7. Drive-in establishments
8. Fairgrounds, including the location of the annual Kane County Fair and other activities that are permissible pursuant to the not-for-profit incorporation charter of the Kane County Fair, an Illinois not-for-profit corporation
9. Open sales lots
10. Outdoor amusement establishments, including golf driving ranges, miniature golf courses, par-three golf courses, kiddie parks, and other similar amusement centers and places of amusement such as stadiums
11. Pet shops
12. Theater, indoor
13. Warehouse for retail sales establishment and its sales facilities, provided the warehouse and any storage area does not exceed two hundred percent of the floor area for the retail sales establishment to which it is appended.

c) Floor Area Ratio: Maximum 0.20

d) Yards and setbacks:

1. Front Yard. There shall be provided a front yard of not less than ten feet in depth.
2. Side Yards. If a side yard is provided it shall not be less than five feet wide; except, where a side lot line coincides with a side lot line in an adjacent residence district, a yard shall be provided along such lot line. Such yard shall be equal in dimension to the minimum side yard which would be required under this title for a residential use on an adjacent residential lot. A side yard adjoining a street shall be not less than ten feet in width.

3. Rear Yard. There shall be provided a rear yard of not less than twenty feet in depth.
4. The minimum setback along Route 38 and Bricher Road shall be 25 feet for parking, driveways and buildings.

e) Signs:

1. Signs affixed to a building including those attached to walls, awnings and marquees: One sign is permitted on each building wall, awning or marquee; however, not more than two such signs are permitted per business or other use. The surface area of each such sign shall not exceed one and one half square feet for each linear foot of frontage of the wall on which the sign is located. In the case of a use which does not have an exterior wall frontage, the surface area of such sign shall not exceed one and one half percent (1.5%) of the floor area occupied by such use.
2. Freestanding Signs: One freestanding sign is permitted for the principal street frontage of each lot. (The principal street frontage shall be the frontage along the front lot line). One additional freestanding sign is permitted for each additional principal building on the lot, and one additional freestanding sign is permitted for each secondary street frontage of a corner lot. The first freestanding sign on the lot may have a maximum area in square feet of 1.5 times the linear frontage of the building or 100 square feet, whichever is less. Any additional sign(s) permitted due to additional street frontages may have a maximum area in square feet of 0.75 times the secondary linear frontage of the building or 50 square feet, whichever is less. Any additional sign(s) permitted due to additional buildings on the lot may have a maximum area in square feet of 0.75 times the linear frontage of the additional building or 50 square feet, whichever is less. Freestanding signs shall not exceed a maximum height of 15 feet above the street grade, as measured at a point on the street pavement closest to the sign.
3. Freestanding Sign Area for Shopping Centers: In a unified shopping center under single ownership or control on a site of four acres or more, the maximum area of the first freestanding sign on the lot may be increased from 100 square feet to 200 square feet or 1.5 times the linear frontage of the building, whichever is less.
4. Directional Signs: Directional signs may identify the use only by means of a logo, shape or color, but shall otherwise not include words identifying or advertising the use. One directional sign is permitted for each driveway access from a public street. One additional directional sign is permitted for each intersection of driveways within a site, to identify traffic routing, entrances,

and services such as drive-in lanes; such additional directional signs shall be set back from the street a minimum of 20 feet. A directional sign may have a maximum surface area of 5 square feet and shall not exceed a maximum height of 4 feet above the street or driveway grade, as measured at a point on the street or driveway pavement closest to the sign.

5. **Illumination:** Signs may be illuminated, but may not have flashing lights. Flashing lights are defined as any artificial lighting that changes intensity or color of illumination when the sign is in use, except for changes allowed on time and/or temperature signs as defined herein. Exterior signs shall be illuminated only during business hours or until 11:00 P.M., whichever is later. Sign lighting shall not be designed or directed so as to shine undiffused rays of light (either direct or reflected) into or upon any residential building or lot, or onto a public street. No sign in direct line of vision of a traffic signal shall be illuminated in red, green or amber color, so as to resemble a traffic signal.
6. **Corner Visibility:** Except for directional signs as permitted herein, no sign shall be erected or maintained to a height exceeding 30 inches above the elevation of the center of the street or driveway intersection, within any sight triangle. For purposes of this provision, a sight triangle includes: a) the triangle formed by two lines extending 20 feet from the street intersection along the right of way lines, and a third line connecting the ends of the other two; b) the triangle formed by two lines extending 20 feet from the intersection of the right of way line and the edge of a driveway pavement, along such right of way line and edge of pavement, and a third line connecting the ends of the other two; and c) the triangle formed by two lines extending 20 feet from the intersection of the pavement edges of two driveways, along such pavement edges, and a third line connecting the ends of the other two.
7. **Setbacks and Projections:** Except for directional signs as permitted herein, all freestanding signs shall be set back from the right of way a minimum of 10 feet. A sign attached to a wall shall not project more than 12 inches from the wall surface to which it is attached.
8. A sign attached to a building shall not project into the public way. A sign attached to a building shall not project higher than the building height.
9. **Time and Temperature Signs:** Time and temperature signs are permitted as freestanding signs or wall signs, and may be included as part of such signs, subject to the following:
 - a) A maximum area of 9.6 square feet for the time and temperature portion of the sign.

- b) A time sign shall be permitted to change no more frequently than one minute intervals.
- c) A temperature sign shall not change except when the temperature changes one degree.
- d) Combination Time and Temperature Signs. Where the same display surface is used for both time and temperature, the two indications shall interchange not more frequently than two-second intervals.
- e) The area of a time and/or temperature sign shall be considered as part of the area of the allowable signs on the building or lot, and so shall not be construed to change or increase any allowable sign area.

2) Office Research Development: That part of the Bricher Commons PUD to be developed for Office Research uses shall be subject to the following standards:

a) Permitted Uses:

- 1. Banks and financial institutions;
- 2. Business and professional offices;
- 3. Clubs and lodges, private, fraternal or religious
- 4. Computer and data processing centers
- 5. Design firms
- 6. Electronic and communications industries
- 7. Employment agencies
- 8. Engineering and testing laboratories and offices
- 9. Hotels, including restaurants, dining and meeting rooms
- 10. Laboratories, medical and dental
- 11. Laboratories, offices and other facilities for research, testing and development
- 12. Libraries
- 13. Loan offices
- 14. Medical and dental offices and clinics;
- 15. Municipal facilities, fire stations, police stations, public utilities;
- 16. Newspaper offices, not including printing
- 17. Opticians and optometrists
- 18. Parks and playgrounds
- 19. Pharmaceutical industries
- 20. Post office;
- 21. Production of prototype products

22. Public or private colleges, junior colleges, universities, professional training centers, trade schools, including dormitories and other accessory uses necessary to the operation of an institute of higher learning
23. Private, membership-only sport health clubs;
24. Recording and broadcasting studios
25. Recreational buildings, community centers, and meeting halls
26. Schools, commercial or trade, including those teaching music, dance, business, commercial or technical subjects;
27. Travel bureaus and transportation ticket offices
28. Veterinary clinics;
29. Accessory uses;

b) Special uses:

1. Restaurants (when not within a hotel);
2. Office supply stores;
3. Hospitals;
4. Motels;
5. Churches;
6. Nursery schools and day care centers;
7. Extended care or nursing homes.

c) Floor Area Ratio: Maximum of 0.40

d) Yards and setbacks:

1. A minimum twenty-five foot (25') setback shall be required from the Bricher Road right of way for parking, driveways, and buildings.
2. A minimum front yard of twenty-five feet (25') in depth, which shall be devoted entirely to landscaped area except for sidewalks and necessary paving of driveways to reach the building or parking areas, provided such driveways are generally perpendicular to the front lot line and do not exceed twenty-four feet (24') in width.
3. A minimum interior side yard of ten feet (10') which shall be devoted entirely to landscaped area.
4. A minimum side yard adjoining a street of twenty-five feet (25') which shall be devoted entirely to landscaped area except for paving of driveways and sidewalks needed to reach the building or parking areas.
5. A minimum rear yard of thirty feet (30').

e) Signs

Nonflashing but illuminated business signs with no moving parts (provided that time and/or temperature signs which change lights within a panel of stationary lights shall not be construed to be flashing or to have moving parts), awnings and marquees are permitted subject to regulations set forth elsewhere in the ordinances of the city and the following:

- 1) Where a sign is illuminated by light reflected upon it, direct rays of light shall not beam upon any part of any existing residential buildings, nor into a residence district, nor into a street. A sign in direct line of vision of a traffic signal shall not be in red, green or amber illumination.
- 2) The gross surface area in square feet of all signs on a lot or building shall not exceed two (2) times the number of linear feet of the building frontage; and each side of a building which abuts upon a street shall be considered as a separate frontage; and the gross area of all signs located on a side of a lot or building abutting a street shall not exceed the number of linear feet of such building frontage.
- 3) One (1) ground sign shall be permitted for each building on a lot, except that on a corner or through lot, a sign may be erected along each street frontage. A ground sign may not exceed eight feet (8') in height. A ground sign shall not be closer than ten feet (10') from a side or rear lot line; fifteen feet (15') from a front line; or three feet (3') from a driveway or parkway area.
- 4) A sign affixed to a building shall not project higher than the building height.
- 5) Time and/or temperature signs, in accordance with the following:
 - a. Construction. Time and/or temperature signs shall be constructed of incombustible material, including the frames, braces, and supports thereof.
 - b. Regulation of Size. Such time and/or temperature signs shall not be more than 9.6 square feet in area.
 - c. Requirements on Glass. Any glass forming a part of a clock of the sign thereon shall be safety glass, or plate glass at least one-fourth (1/4") thick, or an approved plastic securely held in place.

- d. Cover or Service Opening To Be Secured. Any cover or service opening of a time and/or temperature sign shall be securely fastened thereto by metal hinges.
- e. Time Sign. A time sign shall be permitted to change no more frequently than thirty-second intervals.
- f. Temperature Sign. A temperature sign shall not change except when the temperature changes one (1) degree.
- g. Time and Temperature Sign Combination. If the same surface area is provided for both time and temperature, the frequency of change shall be no more frequently than two-second intervals. If separate space is provided on the sign surface area for time and temperature, paragraphs a and e of this subdivision shall apply.
- h. All time and/or temperature signs erected on the exterior of any building or structure shall comply with the requirements set forth in provisions on wall signs.
- i. No advertising shall be placed upon a time and/or temperature sign other than the name of the owner or a reference to the business, industry, or pursuit conducted within the premises to which the time and/or temperature sign is attached.

EXHIBIT "D-III"

17.28.020 Permitted uses.

Permitted uses in a B3 district shall be as follows:

1. Uses permitted in the B2 district, except uses designated in Chapter 17.24 with an asterisk, may be located on the first story, nearer than fifty feet of a street;
2. Amusement establishments, including bowling alleys, pool halls, dancehalls, gymnasiums, swimming pools and skating rinks;
3. Auction rooms;
4. Automobile accessory stores;
5. Automotive vehicle and automotive equipment sales;
6. Blueprinting and photocopying establishments;
7. Building material sales, with accessory outside storage, provided outside storage does not exceed sixteen feet in height;
8. Caskets and casket supplies;
9. Catering establishments;
10. Clothing establishments;
11. Clubs and lodges, private, fraternal, or religious;
12. Contractors' and construction offices;
13. Employment agencies;
14. Exterminating shops;
15. Feed stores;
16. Fire stations;
17. Frozen food shops, including locker rental in conjunction therewith;
18. Fuel and ice sales, retail only;
19. Job printing shops, using presses having beds of not more than fourteen inches and twenty inches;

20. Landscape contractors;
21. Libraries;
22. Machinery and equipment sales, but not including service, repair, or reconditioning and storage of all machinery shall be within enclosed buildings;
23. Mail order houses;
24. Meat markets, including the sale of meat and meat products to restaurants, motels, clubs and other similar establishments when conducted as part of the retail business on the premises;
25. Meeting halls;
26. Monument sales;
27. Motels;
28. Nurseries;
29. Orthopedic and medical appliance stores, but not including the assembly or manufacture of such articles;
30. Parking lots and storage garages (automobile);
31. Pet shops;
32. Police stations;
33. Plumbing showrooms and shops;
34. Radio and television service and repair shops;
35. Recording studios;
36. Recreational buildings, community centers, and meeting halls;
37. Schools, commercial or trade, not involving any danger of fire, explosion, nor of offensive noise, vibration, smoke, dust, odor, glare, heat, or other objectionable influences;
38. Secondhand stores and rummage shops;
39. Signs as regulated in this chapter;
40. Taxidermists;
41. Telephone exchanges and telephone transmission equipment buildings and electric distribution centers;

- 42. Typewriter and adding machine sales and service establishments;
- 43. Undertaking establishments and funeral parlors;
- 44. Accessory uses to the permitted uses listed above in this section;
- 45. Vehicle Service Facilities.
- 46. Other accessory uses: Communication antennas.

17.28.030 Special uses.

Special uses in a B3 district shall be as follows:

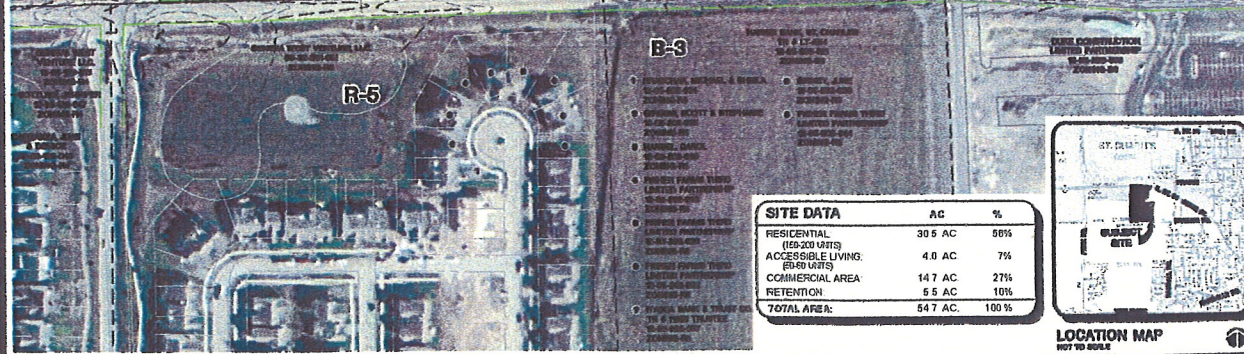
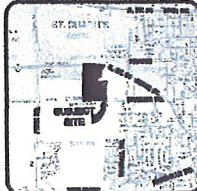
- A. Special uses allowed in the B2 district, except such as are permitted in the B3 district;
- B. Animal hospitals;
- C. Automobile laundries;
- D. Dog kennels;
- E. Open-sales lots;
- F. Other service business uses, including coin-operated dry-cleaning establishments;
- G. Outdoor amusement establishments, including golf driving ranges, miniature golf courses, par-three golf courses, kiddie parks, and other similar amusement centers and places of amusement such as stadiums;
- H. Fairgrounds, including the location of the annual Kane County Fair and other activities that are permissible pursuant to the not-for-profit incorporation charter of the Kane County Fair, an Illinois not-for-profit corporation;
- I. Warehouse for retail sales establishment and its sales facilities, provided the warehouse and any storage area does not exceed two hundred percent of the floor area for the retail sales establishment to which it is appended.
- J. Communication towers.
- K. Outdoor live entertainment or amplified sound in conjunction with a restaurant, tavern or cocktail lounge. Such outdoor live entertainment shall not occur past 10:00 p.m. and shall not generate sound levels in excess of 60 dBA as measured from the property line in any residence district.

BRICHER ROAD COMMONS



EXHIBIT "D-IV"

SITE DATA	AC	%
RESIDENTIAL (105-20 UNITS)	30.5 AC	56%
ACCESSIBLE LIVING (848 UNITS)	4.0 AC	7%
COMMERCIAL AREA	14.7 AC	27%
RETENTION	5.5 AC	10%
TOTAL AREA:	54.7 AC	100%



CONCEPT PLAN

4 of 5

SCALE IN FEET

NORTH

Lannert Group
Landscape Architects • Planning • Community Consulting


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Geneva, Illinois 60134

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BATAVIA ENTERPRISES INC.


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BATAVIA, IL 60010

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(630) 575-5004 (fax)

 <p>CITY OF ST. CHARLES ILLINOIS • 1834</p>	AGENDA ITEM EXECUTIVE SUMMARY		Agenda Item number: 4b
	Title:	Presentation of a Concept Plan for River 504 Townhomes	
	Presenter:	Ellen Johnson, Planner	
Meeting: Planning & Development Committee		Date: November 11, 2024	
Proposed Cost: \$		Budgeted Amount: \$	Not Budgeted: <input type="checkbox"/>
TIF District: None			
<p>Executive Summary (if not budgeted, please explain):</p> <p>A Concept Plan has been filed by J&B Builders, Inc. for the development site at the NE corner of S 1st and Prairie Streets, which is the last remaining vacant lot in the Brownstone PUD. In 2022, this developer submitted a Concept Plan for a mixed-use building on the property. The developer is now proposing townhomes. The Concept Plan includes:</p> <ul style="list-style-type: none"> • 8 townhome units in 4 buildings; 2 units in each building • Units facing S 1st Street, with attached garage access at the rear • 16 parking spaces on 1st Street • No commercial use proposed <p>Initial plans for the Brownstone PUD in 2000 included 10 townhomes on this property. A 2005 PUD Amendment changed the intended use from townhomes to a mixed-use building. Should the project move forward, approval of a PUD Amendment would be necessary to revert to the townhome use, as well as a PUD Preliminary Plan and Streetscape Plan for 1st Street.</p> <p>The 2013 Comprehensive Plan identifies the property as “Mixed Use”.</p> <p><u>Plan Commission Review</u></p> <p>Plan Commission reviewed the Concept Plan on 10/22/24. Summary of feedback:</p> <ul style="list-style-type: none"> • Support for the change in land use from mixed-use to residential townhomes. • Support for the building architecture, with mixed opinions about the pergola on the front elevation. • The 1st Street streetscape should be continued along the property frontage. • Comments related to building placement, including shifting the buildings closer to 1st Street to provide a transition between 1st Street commercial and the Brownstones. 			
<p>Attachments (please list):</p> <p>Staff Report, Application, Plans</p>			
<p>Recommendation/Suggested Action (briefly explain):</p> <p>Provide feedback on the Concept Plan. Staff suggests providing feedback regarding:</p> <ol style="list-style-type: none"> 1. Change in land use from mixed-use to residential townhomes. 2. Site layout. 3. Building architecture. 4. Streetscape improvements – standard sidewalk vs. streetscape design consistent with 1st Street. 			



Staff Report
Plan Commission Meeting – October 22, 2024

Applicant:	Julie Salyers, J&B Builders, Inc.	River 504 Townhomes 
Property Owner:	River 504 LLC	
Location:	NE corner of S. 1 st & Prairie Streets	
Purpose:	Feedback on a townhome development	
Application:	Concept Plan	
Public Hearing:	Not required	
Zoning:	CBD-1 / PUD	
Current Land Use:	Vacant	
Comprehensive Plan:	Mixed Use	
Summary of Proposal:	<p>Julie Salyers, on behalf of J&B Builders, Inc. has filed a Concept Plan proposing 8⁸ townhomes on the remaining vacant lot in the Brownstone PUD. Details:</p> <ul style="list-style-type: none">• 8 townhome units in 4 buildings; 2 units in each building• Units facing S 1st Street, with attached garage access at the rear• 16 on-street parking spaces on S 1st Street• No commercial use proposed	
Info / Procedure on Application:	<ul style="list-style-type: none">• Per Sec. 17.04.140, the purpose of the Concept Plan review is as follows: “to enable the applicant to obtain informal input from the Plan Commission and Council Committee prior to spending considerable time and expense in the preparation of detailed plans and architectural drawings. It also serves as a forum for owners of neighboring property to ask questions and express their concerns and views regarding the potential development.”• A formal public hearing is not involved, although property owners within 250 ft. of the property have been notified and may express their views to the Commission.• No recommendation or findings are involved.	
Suggested Action:	Provide feedback on the Concept Plan. Staff has provided questions Commissioners should use to guide their feedback to the applicant.	
Staff Contact:	Ellen Johnson, Planner	

I. PROPERTY INFORMATION

A. History / Context

The subject property constitutes three parcels at the northeast corner of S. 1st and Prairie Streets on the west side of downtown. The parcels are known as Lot 14, Lot 15, and Parcel 9 in the Brownstone Subdivision, recorded in 2001. The subject property is the final undeveloped portion of the Brownstone PUD, which includes the Brownstone townhomes along the riverfront and the mixed-use Milestone Row building fronting S 1st at Indiana St.

The Brownstone PUD was approved under Ordinance 2000-Z-23 to enable redevelopment of the former Piano Factory site for residential townhomes. The townhomes were constructed by 2005. Plans also included two townhome buildings on the subject property (2 buildings with 5 townhome units each).

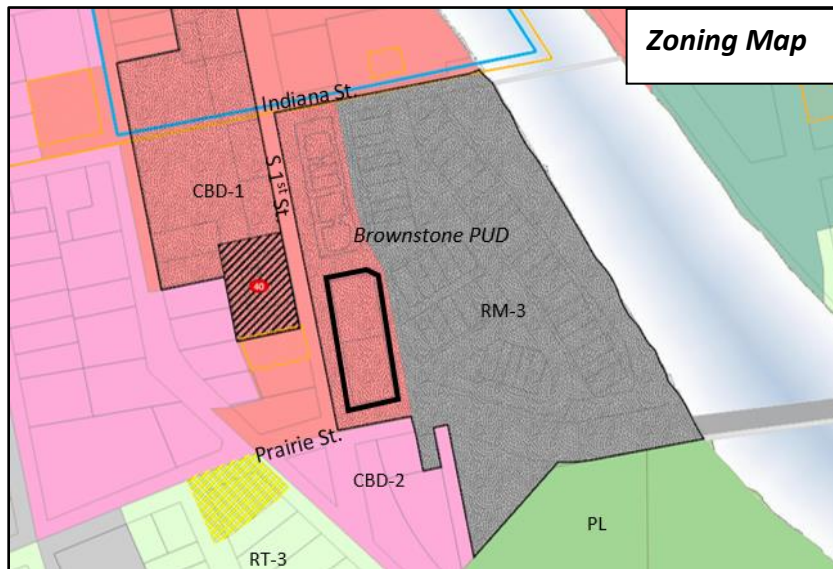
In 2005, the City approved an amendment to the Brownstone PUD under Ordinance 2005-Z-23, which changed the intended use of the subject property from townhomes to a mixed-use building, along with the property to the north, and created development standards for the two buildings, known as Milestone Row. The northern Milestone Row building was constructed in 2006 and contains first floor office space and 22 condominium units on floors 2-4, with underground parking for residents. The same building was approved for the subject property but was never constructed.

In 2022, a Concept Plan was submitted by J&B Builders (same as current applicant) to construct a mixed-use building on the subject property. The proposed building was 50 ft. in height, with first floor commercial space/parking and residential condo units on floors 2-4. Feedback on the Concept Plan was favorable from Plan Commission and Planning & Development Committee. The applicant filed applications for PUD Amendment and PUD Preliminary Plan following Concept review. However, the applicant withdrew the applications prior to Plan Commission review, citing financial concerns.

B. Zoning

The subject property is the southernmost property in the CBD-1 Central Business District, with CBD-2 zoning across Prairie Street and multi-family residential adjacent to the east.

	Zoning	Land Use
Subject Property	CBD-1 Central Business District / Brownstone PUD	Vacant
North	CBD-1 Central Business District / Brownstone PUD	Mixed-Use building (Milestone Row)
East	RM-3 General Residential District / Brownstone PUD	Townhomes (Brownstones)
South	CBD-2 Mixed Use Business District	Commercial- Sammy's Bikes
West	CBD-1 Central Business District / 1 st Street Redevelopment PUD	BMO Harris/apartment bldg; mixed commercial uses



C. Comprehensive Plan

The Land Use Plan adopted as part of the 2013 Comprehensive Plan identifies the subject property as “Mixed Use”, as is the rest of the downtown core.



The Mixed Use land use is described as follows:

The Land Use Plan designates Downtown St. Charles as Mixed Use, characterized by land uses and development patterns that provide a vibrant, safe, attractive, and “walkable” pedestrian environment.

Mixed use areas should have strong pedestrian orientation and seek to create a more interesting and engaging pedestrian experience, accommodating pedestrian generating uses on the ground floor, and other uses above. Mixed use areas should provide a balance of uses unique to each site based on its location. Retail, entertainment, and dining uses are ideally suited for the ground floor with residential, educational, medical and/or office uses located on the upper floors. The primary objective is to provide an

appropriate and compact mix of uses to foster an active and interesting district. Parking in the mixed use areas should be provided on-street, or in subtly located parking garages or parking lots.

Built form is a critical consideration within Mixed Use areas. Within mixed use areas, buildings should be located at, or near, the front property lines fronting the street to create a “street wall” – a continuous row of buildings and storefronts that encourages walkability and helps to establish a safe and attractive pedestrian environment.

The subject property is also located within the Downtown Subarea. The Downtown Subarea Plan includes recommendations aimed at preserving and enhancing the downtown area (Ch. 8).

The plan identifies 1st Street, along which the subject property is located, as a Gateway Corridor, along with other streets that offer primary entry into Downtown. The following recommendations are made for Gateway Frontage properties:

- **Building Massing & Placement.**

Buildings should be generally located on the front lot line, although small setbacks could accommodate gateway landscaping. To the extent possible, buildings should be built to the side lot lines to create a continuous streetwall.



Gateway Frontage

- **Building Façade Orientation & Design.** *Facades should have strong orientation to the public sidewalk, or angled toward key gateway intersections, with welcoming entrances. Attractive and safe rear entrances from rear parking areas or public walks should also be provided where appropriate.*
- **Architectural Style & Design.** *Buildings should use traditional building materials and design elements, and generally align with surrounding buildings in terms of horizontal elements and vertical rhythm. However, more flexibility and creativity should be encouraged within this general framework.*
- **Vehicular Access & Parking.** *Parking should be located to the rear of the lot, and minimal curb cuts should be provided from the public street. Development should share curb cuts and provide access from side streets instead of gateway streets wherever possible.*
- **Bicycle Access & Pedestrian Mobility.** *All buildings should provide an attractive and discernable public entry from the sidewalk, and to the extent possible, bicycle parking should be provided at the rear or sides of buildings, near parking areas or other pedestrian accessible areas.*
- **Land Use.** *Uses should be mixed, comprised of traditional downtown mixed use activities such as retail, restaurant, and local services, as well as secondary uses including offices and services with less customer visitation. Multi-story mixed use buildings should also be encouraged. Multi-family may also be appropriate on the fringe areas of Downtown.*

The subject property is also located within Catalyst Site “M”, along with other properties near the intersections of 1st/2nd and Prairie Streets. Catalyst sites are those parcels where redevelopment could have a catalytic impact on the surrounding area. Site M is described as follows:



This area represents the southern gateway to Downtown, and existing uses and character around the intersection contrast with the community’s vision for Downtown. Comprehensive redevelopment of this key intersection should transform the gateway into an attractive announcement of arrival into Downtown St. Charles. 1st Street and 2nd Street frontage could include mixed use or multi-family development, though viewsheds to important buildings and features, such as the historic Victorian house at 411 S. 2nd St. or Mount St. Mark Park, should be preserved. This opportunity may warrant further study to ensure that several urban systems are adequately planned for, such as open space linkages throughout Downtown and to the Fox River, bicycle pathways, traffic engineering, and signage and wayfinding.

II. PROPOSAL

Julie Salyers of J&B Builders, Inc. is now proposing to develop residential townhomes on the subject property. A Concept Plan has been filed to solicit feedback from City Staff, Plan Commission, and Planning & Development Committee prior to moving forward to the zoning entitlement phase.

Details of the Concept Plan are as follows:

- 8 townhome units in 4 buildings
 - 2 units in each building; no “interior units”.
 - Units facing S 1st Street, with attached garage access at the rear.
 - Brick as predominant façade material.
 - 3 ½ story buildings
 - 4,500 sf of interior finished space
 - 2-car garage & flex space on the ground level
 - Living space on the 2nd and 3rd levels
 - Flex space & rooftop terrace on the 4th level
 - Exterior courtyards at fronts and sides of each unit
 - Entry from front courtyard to allow for home-based businesses
- 16 on-street public parking spaces on S 1st Street.
- Standard public sidewalk along S 1st Street & Cobblestone Drive.
- No commercial use proposed, aside from the possibility of home-based occupations.

The Concept Plan marks a change in use from the mixed-use building planned for the subject property under the 2005 PUD Amendment. The current proposal eliminates commercial uses and reverts back to the original 2000 Brownstone PUD which planned for townhomes on this property (2 buildings with 5 units each), with garages access from the rear, similar to the proposed layout.

III. CONCEPT PLAN REVIEW PROCESS

The purpose of the Concept Plan review is to enable the applicant to obtain informal input on a concept prior to spending considerable time and expense in the preparation of detailed plans and architectural drawings. The Concept Plan process also serves as a forum for citizens and owners of neighboring property to ask questions and express their concerns and views regarding the potential development. Following the conclusion of the Concept Plan review, the developer can decide whether to formally pursue the project.

IV. PLANNING ANALYSIS

Staff has analyzed the Concept Plan to determine the ability of future plans based on the Concept Plan to meet applicable standards of the Zoning Ordinance and Brownstone PUD Ordinance. The plan was reviewed against the following code sections:

- Ch. 17.06 Design Review Standards & Guidelines
- Ch. 17.24 Off-Street Parking, Loading & Access
- Ch. 17.14 Business & Mixed Use Districts
- Ch. 17.26 Landscaping & Screening
- PUD Ordinances: 2000-Z-23; 2005-Z-9

A. Proposed Uses

The Concept Plan proposes 8 residential units, constructed in 4 buildings of 2 units each. Technically, the proposed units meet the Zoning Ordinance definition of “Two-Family Dwelling”, as opposed to “Townhouse Dwelling”:

Dwelling, Two-Family: A building containing 2 dwelling units attached either vertically or horizontally.

Dwelling, Townhouse: A building with 3 or more units arranged side-by-side, sharing common fire-resistive walls without openings, where each dwelling unit occupies an exclusive vertical space with no other dwelling unit above or below, and where each dwelling unit has at least 1 individual exit to the outdoors.

The proposed use is not permitted under the existing PUD. The 2005 PUD Ordinance allowed only commercial uses on the first floor of the mixed-use building planned for the subject property. Multi-family dwellings were permitted on the upper floors.

Neither Two-Family Dwellings nor Townhouse Dwellings are permitted uses in the CBD-1 Central Business District, which is the zoning of the subject property. The only types of residential uses allowed in the CBD-1 District are artist live/work space, upper level dwellings above commercial use, and multi-family. This reflects the purpose of the CBD-1 District which is to provide for a mixed-use, compact district of retail, service, office and higher density residential uses in the central area of the City.

The subject property is adjacent to CBD-2 zoning to the south. Two-Family and Townhouse dwellings are permitted in the CBD-2 District.

The Summary of Development submitted with the Concept Plan application indicates the units were designed with first floor access from 1st Street with the intention of allowing for potential home-based businesses. Home Occupations are permitted in any dwelling unit in the City. The Zoning Ordinance definition and use standards for Home Occupations are attached.

Staff Comments

- ✓ The change in use of the property from mixed-use with first floor commercial to residential is the most significant aspect for review of this Concept Plan.
- ✓ A PUD Amendment would be needed to allow the change in use to townhomes/two-family dwellings.

B. Bulk Standards / Parking

The table below compares the Concept Plan with the bulk standards applicable to the property per the 2005 PUD Ordinance and the underlying CBD-1 District. It does not appear that any bulk standard deviations would be required to accommodate the development as proposed.

Category	2005 PUD Ordinance	CBD-1 District	Concept Plan
Type of Residential Unit	Upper level multi-family	Upper level dwelling, multi-family	Townhome/Two-family
Number of Residential Units	22 units	29 units max. (based on 1,000 sf of lot area per unit)	8 units
Max. Gross Floor Area per Building	Approved building is approx. 60,000 sf (PUD ordinance does not specifically limit GFA; underlying CBD-1 District max. GFA is 40,000 sf)	40,000 sf	Approx. 6,800 sf GFA per building, 36,000 sf GFA total
Max. Building Height	49 ft.	50 ft.	TBD
Front Yard	5 ft. from 1 st St. ROW (architectural features can encroach up to 2 ft.)	None required; max. 5 ft.	8 ft. from 1 st St. ROW (6 ft. after 2' ROW dedication)
Exterior Side Yard	4.7 ft. from north lot line (Cobblestone Dr) 5 ft. from south lot line (Prairie St)	None required; max. 5 ft.	12'4" from north lot line 10 ft. from south lot line
Rear Yard	0 ft.	None	18 ft.
Parking	1 per residential unit (20 required) 33 spaces on 1 st St. for both Milestone Row bldgs.	1 per residential unit	2-car driveway/garage per unit; 16 public spaces on 1 st St.

Staff Comments:

- ✓ Proposed driveways are 18 feet in length. A minimum driveway length of 20 feet is needed to allow for vehicle parking.
- ✓ Maximum building height in the underlying CBD-1 District is 50 ft., however the allowable building height for Milestone Row was reduced to 49 ft. under the 2005 PUD Ordinance. Proposed height is not indicated.
- ✓ The PUD Ordinance requires an additional 2 ft. right-of-way (ROW) dedication for 1st Street along the subject property. Once this ROW is dedicated, the proposed front setback is approx. 6 ft., which meets the 5 ft. setback requirement per the PUD.

- ✓ The PUD Ordinance requires a total of 33 on-street parking spaces along 1st St. for the two Milestone Row buildings. 17 spaces exist along the northern Milestone Row building, resulting in 16 spaces being required on 1st Street along the subject property frontage. These spaces are shown on the Concept Plan.

C. Site Access / Connectivity

The Concept Plan depicts attached garages accessed from the rear (east side) via driveways off Limestone Drive. Connection of Limestone Drive to Prairie Street is not proposed and is likely not permissible due to the proximity of the 1st & Prairie intersection.

Public sidewalk exists south of the building along Prairie Street. Sidewalk is proposed along the 1st Street frontage which will close a sidewalk gap in the downtown area. Sidewalk is also proposed along Cobblestone Drive (north side). Sidewalk is not proposed on the east side where the driveways are located.

Staff Comments

- ✓ A Traffic Impact Study was prepared for the mixed-use development. The study will need to be revised for the current proposal, at the time of PUD Preliminary Plan.
- ✓ An off-site sidewalk connecting the north side Prairie Street sidewalk to the Fox River trail, south of the Brownstones, will be required in connection with this development. Plans for the sidewalk connection will be required with the PUD Preliminary Plan.

D. Landscaping / Streetscape

There is no minimum landscaping requirement in the CBD-1 District. Building foundation landscaping is required only within a setback of 5 ft. or more from the building wall to the property line. The Concept Plan indicates intended locations for greenspace; plantings are not identified. Greenspace is contemplated around the front, rear and sides of the building. Courtyards between the buildings would be walled off and divided so that half of each courtyard is available for each unit, except the two exterior-most units. Front courtyards are shown for each unit.

The City approved a Streetscape and Landscape Plan for Milestone Row under Ord. 2007-Z-12 (attached). Plans depict landscaping around the intended mixed-use building and along 1st Street. Streetscaping per the approved plan was installed along the existing Milestone Row building to the north when it was constructed.

The Concept Plan depicts a minimal ROW design along 1st Street with standard 5 ft-wide public sidewalk. No brick pavers, planting beds, etc. are shown.

Staff Comments

- ✓ The Plan Commission needs to decide if the applicant will be required to provide a streetscape design similar to Milestone Row and the 1st Street Redevelopment project (10' to 12' wide, brick pavers, planters, etc), or if the City will accept a standard public sidewalk without additional streetscape improvements. Factors to consider include:
 - 5' sidewalk exists across 1st Street along the first three buildings north of Prairie Street. These properties are not part of the 1st Street Redevelopment, but are zoned CBD-1.
 - This project proposes public angled parking within 1st Street along the width of the property, as required by the 2005 PUD.

- All of the existing angled parking along 1st Street is adjacent to a fully executed streetscape, as opposed to standard 5' wide concrete sidewalk.
- Staff suggests that, at a minimum, a wider sidewalk, such as 7', should be provided to allow for vehicle bumper overhang.
- ✓ A revised Streetscape Plan will need to be approved by the City in connection with this development. If the narrow sidewalk proposed by the applicant is deemed acceptable by the City, then at a minimum the Plan would need to show the 1st Street angled parking and plantings within the landscape bump-outs on either side of the parking row. Per the PUD Ordinance, the Streetscape Plan will need to be approved and landscaping installed prior to issuance of a Certificate of Occupancy.
- ✓ The proposed sidewalk along Cobblestone Drive should be shifted south to provide a parkway between the sidewalk and the street. A parkway width of at least 6 feet is suggested for consistency with the sidewalk/streetscape on the north side of Cobblestone Drive and elsewhere within Brownstone.
- ✓ Building foundation landscaping will be required in accordance with Section 17.26.080.
- ✓ Street trees will be required within the Cobblestone Drive parkway. Additional trees will be needed between driveways along Limestone Drive.

E. Building Design

A front elevation rendering has been provided. Brick is the primary façade material. Front-gabled roofs with cornice returns are shown. Pergolas are incorporated over the front courtyards of each unit.

Buildings in the CBD-1 District are subject to the Design Review standards and guidelines contained in Ch. 17.06. In this case, it may also be appropriate to apply the Design Review standards and guidelines applicable to the multi-family zoning districts, as they are specific to multi-family and townhomes.

Note the property is outside of the Central Historic District and is therefore not subject to review by the Historic Preservation Commission.

Staff Comments:

- ✓ The side and rear facades should be designed with the same materials and detailing as the front façade.
- ✓ Additional façade articulation should be considered per the guidelines for attached single-family buildings.

F. Subdivision

The subject property was subdivided as part of the Brownstone Subdivision, recorded in 2001. The property was platted as Lot 14, Lot 15, and Parcel 9. There is a blanket public utility easement over the property.

Staff Comments:

- ✓ A Plat of Subdivision to replat the lots/parcel as a single lot will be required.
- ✓ An additional 2 ft. of 1st ROW will need to be dedicated, as required under the 2005 PUD Ordinance. This may be done on the Plat of Subdivision or a separate Plat of Dedication.

V. DEVELOPER CONTRIBUTIONS**A. Inclusionary Housing**

This development will be subject to the Inclusionary Housing Ordinance, Title 19 of the City Code. The affordable unit requirement is 0.4 units (10% of the total number of units). A fee worksheet has been submitted indicating the applicant's intent to pay a fee in-lieu of providing 1 affordable unit. Based on a fee in-lieu amount of \$36,718 per required affordable two-family unit, a total fee in-lieu amount of \$14,687 would be due at the time of building permit.

B. School & Park Districts

The developer of the Brownstone townhomes previously paid for 15 attached single-family units on the subject property. As such, credit granted will be granted for up to 15 units. This exceeds the 8 proposed units; therefore, no School or Park fees will be due.

VI. DEPARTMENTAL REVIEWS**A. Engineering Review**

Engineering staff has reviewed the Concept Plan and has provided high-level comments to the applicant, advising on items that will need to be addressed in a future preliminary engineering submittal should the project move forward. One item of note that could impact the site plan is that a sanitary sewer main running through the property will need to be relocated. A separation distance of up to 20 ft. from the building wall to the relocated sanitary sewer may be required, as to be determined by Public Works. Options for locating the main within ROW can be explored.

B. Fire Dept. Review

The Fire Dept. has reviewed the Concept Plan and has noted that site access, water supply, and hydrant locations appear to be adequate. Fire sprinklers are not required for duplexes, but a 1-hour fire wall will be required between units.

VII. FUTURE APPROVAL PROCESS

If the applicant chooses to move forward with the proposed development at the conclusion of the Concept Plan process, the following zoning applications will need to be approved by City Council:

1. Special Use requesting PUD Amendment- To amend the 2005 PUD Ordinance to accommodate the change in use, and potentially other deviation.
2. PUD Preliminary Plan- To approve the physical development of the property, including site, engineering, landscape plans, and architectural elevations.
3. Streetscape Plan- To replace the 2007 streetscape plan to reflect the public streetscape improvements that will be required to be installed in connection with this development.
4. Preliminary/Final Plat of Subdivision- To consolidate the lots and dedicate the required ROW.

VIII. SUGGESTED ACTION

Review the Concept Plan and provide comments to the applicant. Staff requests Commissioners provide feedback on the following:

- ✓ Change in land use from mixed-use to residential townhomes.
- ✓ Streetscape improvements – standard sidewalk vs. streetscape design consistent with Milestone Row or the 1st Street Redevelopment.
- ✓ Site layout.
- ✓ Building architecture.
- ✓ Amending the PUD to accommodate this project would require the City to find that the project is in the public interest. Do you anticipate this finding could be made for this project?

IX. ATTACHMENTS

- Home Occupation information
- Aerial photo for streetscape discussion
- Milestone Row 1 Streetscape Photos
- Approved Streetscape Plan from 2007
- Approved Site Plan from 2005 PUD Ordinance
- Application for Concept Plan; received 9/17/24
- Plans
- Public comment letters

Attachment: Definition & Use Standards for Home Occupations (Section 17.20.030):

Definition of Home Occupation. The conduct of a business or profession within a dwelling unit by one or more members of the family residing therein, which is incidental and secondary to the residential use. Home Occupation includes, but is not limited to, the following: the practice of medicine, dentistry, law, engineering, architecture, and accounting; brokerage; business offices; instruction in or the practice of art, photography, music, language, or dance; computer services; hair cutting and styling; and day care homes. The following occupations, as well as others which do not have a character similar to those listed above, are specifically excluded from the definition of home occupation: restaurants, bed-and-breakfast establishments, nursing homes, mortuary establishments, and retail sales establishments with stock displayed and/or sold on the premises.

Use Standards for Home Occupations. Home occupations are permitted in any dwelling unit. The purpose of home occupation standards is to allow home occupations to be conducted in a manner which is compatible with the neighborhoods in which they are located and which do not interfere with the rights of the surrounding property owners to enjoy the residential character of the neighborhood. Home occupations shall conform to the following standards, which are intended to preserve the residential character of neighborhoods:

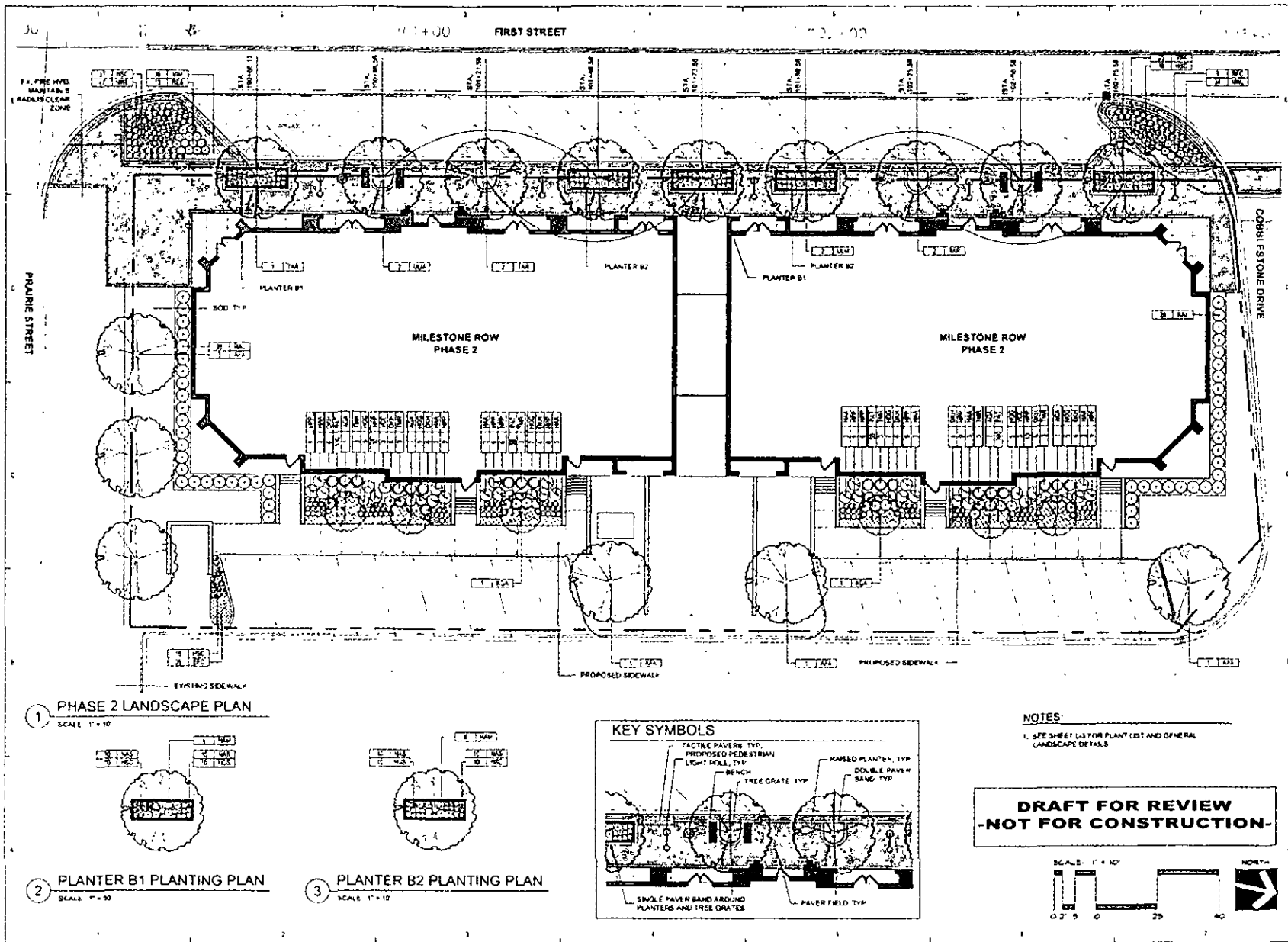
1. The home occupation shall be incidental to the residential use of the dwelling unit.
2. A home occupation shall not be established prior to the member(s) of the family conducting the home occupation taking possession of, and residing in, the dwelling unit.
3. The home occupation shall be conducted entirely within the dwelling unit and shall be limited to the lesser of five hundred (500) square feet or twenty-five percent (25%) of the gross floor area of the dwelling unit, including any basement and attached garage.
4. Only one (1) person who does not reside on the premises may be employed to work at the home occupation, with the exception that day care homes may have more than one (1) non-resident employee, to the extent required by State of Illinois licensing requirements.
5. Exterior building signs shall be permitted only as authorized by the sign regulations for the district.
6. No exterior storage or display of business equipment, materials, merchandise, inventory or heavy equipment shall be permitted.
7. A home occupation shall not generate noise, vibration, glare, fumes, odors or electrical interference discernible at the property line.
8. The home occupation shall not generate vehicular or pedestrian customer traffic between the hours of 9:00 p.m. and 8:00 a.m.
9. The receipt or delivery of merchandise, goods, or supplies for use in a home occupation shall be limited to the U.S. Postal Service, similar parcel delivery service, or private passenger automobile.
10. The use of an accessory building for a home occupation shall be permitted provided the occupation is conducted wholly within the accessory building and the use does not exceed five hundred (500) square feet in area.
11. There may be more than one (1) home occupation permitted per dwelling unit; however, the total combined home occupations for any single dwelling unit shall not exceed any of the standards set forth in this title.
12. No home occupation shall cause the rate of water usage (gallons per minute) to exceed the maximum rate capable of being produced by the existing water service.

Attachment: Aerial Photo for Streetscape Discussion



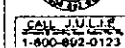
Milestone Row 1 Streetscape





Civic Design

The Fine Arts Building
410 South Dearborn Avenue
Chicago, Illinois 60604
Tel 312 327 8811
Fax 312 327 8234
www.illinois.gov

[illegible]

2	6/16/2003	Revised by R...
2	7/11/2003	Issued for Review
No.	Date	Description

Milestone
Row
St. Charles, IL

LANDSCAPE
PLAN

Date	21/1/2001
Project	200045
In Charge	RON
Reported to	RON
Created by	LW
Designed by	BAS/AM
Checked by	BAS/AM

L-2

City of St. Charles
Community Development Division
2 E. Main Street
St. Charles, IL 60174



Phone: (630) 377-4443
Email: cd@stcharlesil.gov

CONCEPT PLAN APPLICATION

For City Use

Project Name: River 504 Townhomes
Project Number: 2022 -PR- 010
Cityview Project Number: PLCP202400031

Received Date

RECEIVED

SEP 17 2024

**City of St. Charles
Community Development**

- File this application to request review of a Concept Plan for a property.
- Complete the application and submit with all required attachments to the Community Development Division.
- The information you provide must be complete and accurate. If you have any questions please contact the Community Development Division.
- City staff will review the submittal for completeness prior to scheduling a Plan Commission review, followed by review by the Planning & Development Committee of the City Council.

1. Property Information:	Location: 402 - 542 S 1st Street	
	Parcel Number (s): 09-34-136-003, 09-34-136-002, 09-34-136-001	
	Proposed Name: River 504	
2. Applicant Information:	Name: Julie Salyers	Phone: 630-587-9900
	Address 2000 W. Main Street, Unit H St. Charles, IL 60174	Email: julie@jbbuilders.com
3. Record Owner Information:	Name: River 504 LLC	Phone: 630-587-9900
	Address: 2000 W. Main Street, Unit H St. Charles, IL 60174	Email: brian@jbbuilders.com

4. Identify the Type of Application:



PUD Concept Plan

Proposed PUD Name: River 504



Subdivision Concept Plan

Proposed Subdivision Name:



Other Concept Plan

5. Zoning & Use Information:

Current zoning of the property: CBD-1 Central Business District

Current use of the property: Vacant Land

Comprehensive Plan designation of the property: Single Family Attached Residential

Is the property a designated Landmark or in a Historic District? No

Proposed zoning of the property: Select

PUD? Yes

Proposed use of the property: Single family attached residential row homes

6. Required Attachments:

Provide 1 copy of each required item, unless otherwise noted.



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.



REIMBURSEMENT OF FEES INITIAL DEPOSIT: Deposit of funds in escrow with the City. Required deposit is based on review items (number of applications filed) and the size of the subject property:

Number of Review Items	Under 5 Acres	5-15 Acres	16-75 Acres	Over 75 Acres
1	\$1,000	\$2,000	\$3,000	\$4,000
2 or 3	\$2,000	\$4,000	\$5,000	\$7,000
4 or more	\$3,000	\$5,000	\$7,000	\$10,000



PROOF OF OWNERSHIP: a) A current title policy report; or
b) A deed and a current title search

NOTE: Private covenants and deed restrictions can limit private property rights with respect to the use of land even though the City's Zoning Ordinance may authorize the use or a less restrictive use. We strongly advise that you perform a title search on the property to determine if there any private covenants containing use restrictions or other deed restrictions. As those private covenants and deed restrictions may conflict with the City's Zoning Ordinance, it is further recommended that you consult with an attorney to obtain an opinion with respect to whether your intended use is compatible with those restrictions.



OWNERSHIP DISCLOSURE: Use the appropriate disclosure form (attached), if the owner or applicant is a Partnership, Corporation, Trust, or LLC.

- ☐ **LETTER OF AUTHORIZATION:** If the property owner is not the applicant, an original letter of authorization from the property owner permitting the applicant to file the Concept Plan application with the City of St. Charles for the subject property.
- ☒ **LEGAL DESCRIPTION:** For entire subject property, on 8 ½ x 11 inch paper and Microsoft Word file.
- ☒ **PLAT OF SURVEY:** A current plat of survey for the subject property showing all existing improvements on the property, prepared by a registered Illinois Professional Land Surveyor.
- ☒ **SUMMARY OF DEVELOPMENT:** Written statement describing the proposed development. Include the following information:
- Proposed land use(s), number of type(s) of residential units, building coverage, building height, and floor area for nonresidential uses.
 - Planning objectives to be achieved and public purposes to be served by the development
 - Explanation of the rationale behind the proposal
 - Anticipated exceptions or departures from zoning and subdivision requirements, if any
- ☒ **PARK AND SCHOOL LAND/CASH WORKSHEETS:** *For residential developments only.* Use the attached worksheet to calculate the estimated population and student yields and resulting land/cash contributions in accordance with Title 16 of the St. Charles Municipal Code.
- ☒ **INCLUSIONARY HOUSING WORKSHEET:** *For residential developments only.* Use the attached worksheet to calculate the affordable unit requirement and indicate how the development will comply with Title 19 of the St. Charles Municipal Code.
- ☒ **LIST OF PROPERTY OWNERS WITHIN 250 FT.:** Fill out the attached form or submit on a separate sheet. The form or the list must be signed and notarized. Property ownership information may be obtained using Kane County's interactive GIS mapping tool: http://gistech.countyofkane.org/gisims/kanemap/kanegis4_AGOx.html
- ☒ **AERIAL PHOTO:** Aerial photo of the subject property and surrounding property at a scale of not less than 1"=400', preferable at the same scale as the Concept Plan.
- ☒ **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.

Copies: Ten (10) full size copies, one (1) 11" by 17", and PDF electronic file emailed to: cd@stcharlesil.gov

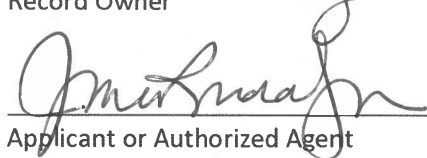
Concept Plans shall show the following information:

1. Existing Features:
 - Name of project, north arrow, scale, date
 - Property boundaries with approximate dimensions and acreage
 - Existing streets on and adjacent to the subject property
 - Natural features including topography, high and low points, wooded areas, wetlands, other vegetative cover, streams, and drainage ways.
 - General utility locations or brief explanation providing information on existing sanitary sewer, storm sewer, water, and other utilities necessary to serve the development.
2. Proposed Features:
 - Name of project, north arrow, scale, date
 - Property boundaries with approximate dimensions and acreage

- Site plan showing proposed buildings, pedestrian and vehicular circulation, proposed overall land use pattern, open space, parking, and other major features.
- Architectural elevations showing building design, color and materials (if available)
- General utility locations or brief explanation providing information on existing sanitary sewer, storm sewer, water, and other utilities necessary to serve the development.

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.

 9/17/24
Record Owner Date

 9/17/2024
Applicant or Authorized Agent Date

**OWNERSHIP DISCLOSURE FORM
LIMITED LIABILITY COMPANY (L.L.C.)**

STATE OF ILLINOIS)
) SS.
KANE COUNTY)

I, Brian Buoy, being first duly sworn on oath depose and say that I am
Manager of River 504, LLC, an Illinois Limited Liability
Company (L.L.C.), and that the following persons are all of the members of the said L.L.C.:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

By: Brian Buoy, Manager

Subscribed and Sworn before me this 17th day of
September, 2024.

Sharon M Buoy
Notary Public



SUMMARY OF DEVELOPMENT

Development Name: River 504

Location: 402 – 542 S 1st Street

Proposed Land Use:

The development will consist of four freestanding buildings with two units in each building. The buildings will be oriented on the site to provide a private courtyard along S 1st Street at the front elevation of each unit. A two-car garage with a private driveway will be located at the rear of each unit that can be accessed from Limestone Drive. The green space located between the buildings will provide an additional exterior space for six of the units. Public parking spaces will be provided along S 1st Street. Improved landscaping will be provided along First Street and around the perimeter of the site. In addition, landscaping will be focused at the entrances on the side elevations of the northern and southernmost units to provide screening from Prairie Street and Cobblestone Drive.

The 3 ½ story units with up to 4,500 sf of interior finished space will provide a flex space and a two-car garage on the ground level, living space on the second and third floor levels and additional flex space with a rooftop terrace on the fourth level. The building exteriors will be designed to complement the adjacent Brownstone Development adjacent to the property.

Planning Objectives:

The proposed development will complete the south end of the previously approved Brownstone PUD – Milestone Row development and is currently vacant land. Originally, the lots were included in the Brownstone PUD and were approved for the development of two free standing buildings with 5 units in each building. Based on current market conditions, we are proposing to revert to this original development concept but with changes to enhance and update the previously approved site layout and building design. Our concept eliminates all interior units by providing two-unit standalone buildings. The number and width of the buildings were chosen to offer a two-car garage while still meeting separation requirements of a RM3 district. With additional buildings and the additional green space between them, we can offer private exterior courtyard space for the units while decreasing the bulk of the building elevation. In addition, the front elevation courtyard spaces provide an alternate entry into the unit and adjoining first level interior flex space, providing an opportunity for a home business. Any home businesses within the development would meet the Home Occupation Zoning code requirements.

This development will appeal to an ever (fast) changing demographic looking for proximity to downtown amenities and recreation. With the flexibility of customized interior floor plans as well as private outdoor living this development will complement and blend with the existing residential properties that surround it.

INCLUSIONARY HOUSING WORKSHEET

Name of Development:

River 504

Date Submitted:

Use this worksheet to determine the affordable unit requirement for the proposed development and to propose how the development will meet the Inclusionary Housing requirements of Title 19.

1) Calculate the number of affordable units required:

Unit Count Range	# of Units Proposed in Development		% of Affordable Units Required		# of Affordable Units Required
1 to 15 Units	8	X	5%	=	0.40
More than 15 Units		X	10%	=	

2) How will the Inclusionary Housing requirement be met?

- ☐ Provide on-site affordable units
- ☒ Pay a fee in-lieu of providing affordable units (calculate fee in-lieu below)
- ☐ Provide a mixture of affordable units and fee in-lieu
- # of affordable units to be provided:
 - Amount of fee in-lieu to be paid (calculate below):

Fee In-Lieu Payment Calculation

Multi-Family Development:

# of Affordable Units Required	# of Affordable Units Proposed to Pay the Fee-In-Lieu		Fee-In-Lieu Amount Per Affordable Unit		Total Fee-In-Lieu Amount
		X	\$52,454	=	

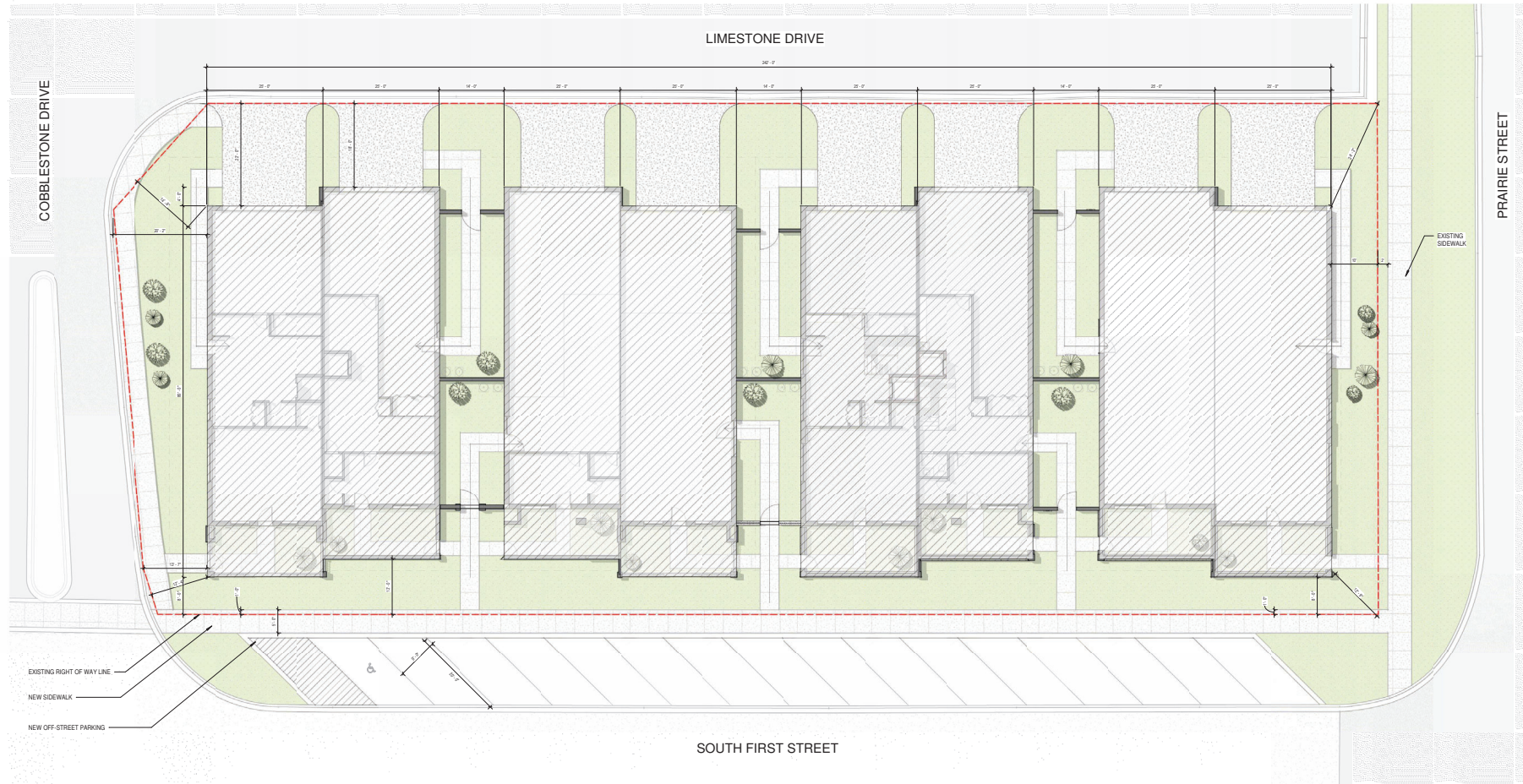
Single-Family Attached (Townhouse) / Two-Family Development:

# of Affordable Units Required	# of Affordable Units Proposed to Pay the Fee-In-Lieu		Fee-In-Lieu Amount Per Affordable Unit		Total Fee-In-Lieu Amount
0.40	0.40	X	\$36,718	=	14,687.20

Single-Family Development:

# of Affordable Units Required	# of Affordable Units Proposed to Pay the Fee-In-Lieu		Fee-In-Lieu Amount Per Affordable Unit		Total Fee-In-Lieu Amount
		X	\$20,982	=	

C:\Users\jerry\Documents\504 RIVER\04 - General - 103 July2024\DWG



1 SCHEMATIC SITE PLAN
3/32" = 1'-0"

ALLEN PEPA
ARCHITECTS
INFO@ALLENPEPA.COM
TEL: (830) 578-1100
215 RULTON ST., GENEVA, IL 60134

ENGINEERS

RIVER 504 ROW HOMES
ST CHARLES, IL

Schematic Design:
Design Development:
Bidding:
Permit:
ISSUE DATE: 8/28/24
POST BID/PERMIT REVISIONS:
No. Date Description

PROJECT NO. 24-019
DRAWN BY: YL
CHECKED BY: EP
SHEET 1 OF 1


SITE PLAN

A0

SD 9/16/24

ALLEN/PEPA COPYRIGHT 9/16/2024 9:35:37 AM



 CITY OF ST. CHARLES ILLINOIS • 1834	AGENDA ITEM EXECUTIVE SUMMARY		Agenda Item number: 4c
	Title:	Plan Commission recommendation to approve a PUD Amendment Regarding Rear Porches for the Munhall Glen PUD.	
	Presenter:	Ellen Johnson, Planner	
Meeting: Planning & Development Committee		Date: November 11, 2024	
Proposed Cost: \$		Budgeted Amount: \$	Not Budgeted: <input type="checkbox"/>
TIF District: None			
Executive Summary (if not budgeted, please explain): Munhall Glen is a 50-lot single-family subdivision located near the intersection of S. Tyler Road and Munhall Ave. The subdivision was approved as a Planned Unit Development in 2020. About half of the homes have been constructed. Developer Court Airhart, Airhart Construction Corp, has filed an application for Special Use requesting to amend the Munhall Glen PUD. Proposed is to allow rear porches, enclosed and unenclosed, to encroach up to 10 feet into the rear yard setback. This would apply to all lots. Currently, unenclosed (open) porches can encroach 8 feet into the rear setback. With the proposed change, both unenclosed and enclosed (screened) porches would be able to encroach 10 feet into the rear setback. Porches could then be constructed 20 feet from rear property lines. <u>Plan Commission Recommendation</u> Plan Commission held a public hearing on 10/22/24 and voted 7-0 to recommend approval, with a condition that for lots backing up to homes to the south (Lots 5-20), unenclosed and enclosed porches can encroach only 8 feet into the rear setback. A 10 foot encroachment would be allowed for the remaining lots. A number of public comment letters/emails were received from neighboring property owners expressing opposition to the request. One resident spoke at the public hearing. They expressed support.			
Attachments (please list): Plan Commission Resolution, Staff Report, Application, Public Comment Correspondence			
Recommendation/Suggested Action (briefly explain): Plan Commission recommendation to approve a PUD Amendment Regarding Rear Porches for Munhall Glen PUD, subject to the condition regarding Lots 5-20.			

City of St. Charles, Illinois
Plan Commission Resolution No. 16-2024

**A Resolution Recommending Approval of an Application for Special Use
(PUD Amendment) regarding rear porches in the Munhall Glen PUD
(Court Airhart, Airhart Construction Corp)**

Passed by Plan Commission on October 22, 2024

WHEREAS, it is the responsibility of the St. Charles Plan Commission to hold public hearings and review requests for Special Use; and,

WHEREAS, the Plan Commission held a public hearing and reviewed the Application for Special Use (PUD Amendment) regarding rear porches in the Munhall Glen PUD (Court Airhart, Airhart Construction Corp); and,

WHEREAS, the Plan Commission finds the application for Special Use (PUD Amendment) is in the public interest under Section 17.04.410.D.3 of the Zoning Ordinance based on the following Criteria:

CRITERIA FOR PLANNED UNIT DEVELOPMENTS (PUDs)

- i. 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.**
 - 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.**
 - 3. To encourage a harmonious mix of land uses and a variety of housing types and prices.**
 - 4. To preserve native vegetation, topographic and geological features, and environmentally sensitive areas.**
 - 5. To promote the economical development and efficient use of land, utilities, street improvements, drainage facilities, structures and other facilities.**
 - 6. To encourage redevelopment of sites containing obsolete or inappropriate buildings or uses.**
 - 7. To encourage a collaborative process among developers, neighboring property owners and residents, governmental bodies and the community.**

The proposed PUD Amendment for Munhall Glen promotes a creative approach to the site improvements by allowing for the construction of spaces that allow the residents to more fully enjoy the outdoors.

- ii. 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.**
- 2. The PUD will preserve open space, natural beauty and critical environmental areas in excess of what is required by ordinance or other regulation.**
- 3. The PUD will provide superior landscaping, buffering or screening.**
- 4. The buildings within the PUD offer high quality architectural design.**
- 5. The PUD provides for energy efficient building and site design.**
- 6. The PUD provides for the use of innovative stormwater management techniques.**
- 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.**
- 8. The PUD provides affordable dwelling units in conformance with, or in excess of, City policies and ordinances.**
- 9. The PUD preserves historic buildings, sites or neighborhoods.**

The proposed PUD Amendment for Munhall Glen will:

1. Provide spaces of superior architectural design;
2. Allows for the superior site design to be more fully enjoyed by residents and guests;
3. Meets all the original goals of the Munhall Glen PUD.

iii. The proposed PUD conforms with the standards applicable to Special Use (Section 17.04.330.C.2):

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

The proposed PUD Amendment for Munhall Glen will serve the public convenience at the proposed location by meeting housing and using needs of St. Charles

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

Sufficient infrastructure has been provided and will meet the needs of the proposed PUD Amendment for Munhall Glen.

- 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 PUD Amendment for Munhall Glen will not be injurious to the use and enjoyment of the property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood.

- 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 proposed PUD Amendment for Munhall Glen will not impact or impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

- 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 PUD Amendment for Munhall Glen will not be detrimental to or endanger the public health, safety, comfort or general welfare.

- F. Conformance with Codes: That the proposed Special Use conforms to all applicable provisions of the St. Charles Municipal Code 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 PUD Amendment for Munhall Glen conforms to all applicable provisions of the St. Charles Municipal Code and meets or exceeds all applicable provisions of this Title, except as may be varied pursuant to the amendment requested and those already in place for the Munhall Glen PUD.

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

The proposed PUD Amendment for Munhall Glen will be beneficial to the physical development, diversity, tax base and economic well-being of the City by serving those who are specifically looking for single level living.

- v. The proposed PUD conforms to the purposes and intent of the Comprehensive Plan.**

The proposed PUD Amendment for Munhall Glen conforms to the purposes and intent of the Comprehensive Plan and the original Munhall Glen PUD.

NOW, THEREFORE, be it resolved by the St. Charles Plan Commission to recommend to City Council approval of an Application for Special Use (PUD Amendment) regarding rear porches in the Munhall Glen PUD (Court Airhart, Airhart Construction Corp); contingent upon the following:

1. Unenclosed and enclosed porches may encroach up to 10 feet into the rear yards of Lots 1-4 and Lots 21-50.
2. Unenclosed and enclosed porches may encroach up to 8 feet into the rear yard for Lots 5-20.

Roll Call Vote:

Ayes: Moad, Funke, Ewoldt, Rosenberg, Gruber, Fitzgerlad, Vargulich

Nays:

Absent: Wiese, Lawson

Recused:


Motion carried: 7-0

PASSED, this 22nd day of October 2024.

Chairman
St. Charles Plan Commission



Staff Report
Plan Commission Meeting – October 22, 2024

Applicant:	Court Airhart	<div><h3>Munhall Glen – Porch Amendment</h3></div>
Property Owner:	Airhart Construction Corp & 22 others	
Location:	Munhall Glen Subdivision, near S Tyler Rd & Munhall Ave	
Purpose:	Allow porches to encroach 10 feet into rear setback	
Applications:	<ul style="list-style-type: none">Special Use for PUD (PUD Amendment)	
Public Hearing:	Yes, required	
Zoning:	RS-4 Suburban Single-Family Residential / PUD	
Current Land Use:	Residential	
Comprehensive Plan:	Industrial / Business Park	
Summary of Proposal:	<p>Munhall Glen is a 50-lot residential subdivision located on 15 acres near the intersection of S. Tyler Rd. and Munhall Ave. The subdivision was approved by the City as a Planned Unit Development in 2020. 30 homes have been constructed or are under construction.</p> <p>Court Airhart, Airhart Construction Corp, with authorization from all 22 other property owners within the subdivision, has requested to amend the Munhall Glen PUD by allowing a zoning deviation regarding rear porches. Proposed is to allow rear porches, enclosed and unenclosed, to encroach up to 10 feet into the rear yard setback. The proposed change would apply to all lots.</p>	
Info / Procedure on Applications:	<p>Special Use (PUD Amendment):</p> <ul style="list-style-type: none">Approval of development project with specific deviations from the Zoning Ordinance standards. (Amends a PUD ordinance with unique zoning or subdivision standards that apply to a single development site)Public hearing is required, with a mailed notice to surrounding property owners.Single finding – Is the PUD Amendment in the public interest? Criteria are considered in reaching a decision. Responses to the criteria need not be in the affirmative to recommend approval of a PUD Amendment.The Plan Commission may recommend conditions and restrictions as deemed necessary to secure compliance with the standards specified in the Zoning Ordinance.	

- The Plan Commission may recommend exceptions and deviations from the requirements of the Zoning and Subdivision Codes requested by the applicant, to the extent that it finds such exceptions and deviations are supportive of the standards and purposes for PUDs.

Suggested Action: Conduct the public hearing on the Special Use (PUD Amendment) and close if all testimony has been taken.

The Plan Commission may vote on the item should the Commission feel that they have enough information to make a recommendation.

Staff Contact: Ellen Johnson, Planner

I. PROPERTY INFORMATION

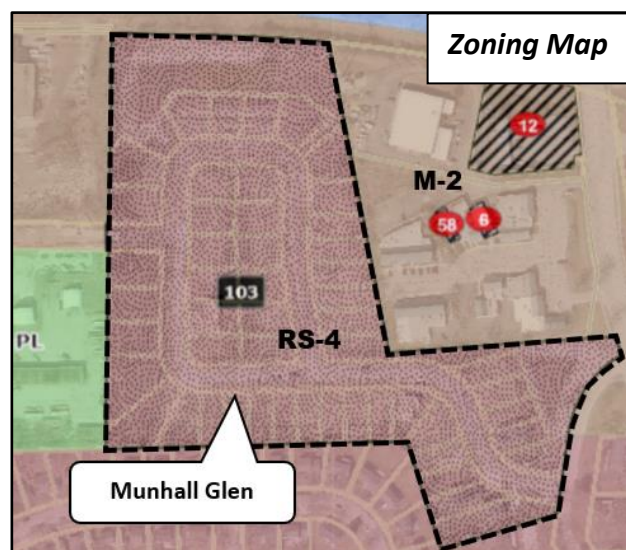
A. History / Context

Munhall Glen is a 50-lot single-family subdivision approved by the City in 2020 under Ordinance No. 2020-Z-29, “An Ordinance Granting Approval of a Map Amendment, Special Use for Planned Unit Development and PUD Preliminary Plan for Munhall Glen”.

Construction of the subdivision is underway. Streets and infrastructure improvements have been completed. A total of 30 out of 50 homes have been constructed or are under construction. 22 homes are occupied.

Zoning

Munhall Glen is zoned RS-4 Suburban Single-Family Residential. The same zoning exists to the south. To the north, east and west is M-2 manufacturing zoning, with a City-owned public works facility zoned PL also to the west.



	Zoning	Land Use
Subject Property	RS-4 Suburban Single-Family Residential / PUD	Munhall Glen Subdivision- single-family homes
North	M-2 Limited Manufacturing	Railroad spur
East	M-2 Limited Manufacturing	Commercial – auto repair; Tyler Ridge Business Park
South	RS-4 Suburban Single-Family Residential	Cambridge Subdivision- single-family homes
West	M-2 Limited Manufacturing & PL Public Lands	Multi-tenant commercial/industrial; City storage facility

II. PLANNING ANALYSIS

A. Proposal

The bulk standards that apply to homes constructed in Munhall Glen are per the RS-4 District, except as varied in Exhibit E of the Munhall Glen PUD Ordinance. Deviations granted by the PUD Ordinance are for reduced lot area and lot width, higher building coverage, and reduced interior side yards.

The applicant is requesting to amend Exhibit E of the Munhall Glen PUD Ordinance by granting an additional deviation. Requested is to allow a 10 foot rear yard encroachment for porches. This would allow both enclosed and unenclosed porches to be constructed up to 10 feet into the rear yard setback. The required rear yard setback is 30 feet; this is the minimum distance the house must be from the rear lot line. With the requested deviation, a porch could be added to the back of a home and built up to 20 feet from the rear lot line.

The Zoning Ordinance already allows unenclosed porches to encroach up to 8 feet into the rear setback. Enclosed porches, including screened-in porches, are not allowed to encroach at all into the rear setback. With the requested amendment, unenclosed porches could be constructed 2 feet closer to the rear lot line than currently allowed, and 10 feet closer for enclosed porches.

The two types of porches are defined in the Zoning Ordinance as follows:

- **Porch, Unenclosed.** A structure immediately adjoining and projecting from an exterior wall of a building, which has direct access into the building, is covered by a roof or eaves, and is completely open on all sides not adjoining an exterior wall of a building, except for railings and columns.
- **Porch, Enclosed.** A structure immediately adjoining and projecting from an exterior wall of a building, which has direct access into the building, is covered by a roof or eaves, and is enclosed by a combination of walls and permanent or temporary windows or screens. Screened-in rooms shall be considered enclosed porches.

III. OPTIONS FOR PLAN COMMISSION ACTION

1. Public Hearing – Close or Continue

If the Plan Commission feels they have adequate information the public hearing may be closed. The public hearing may be continued if additional information is deemed necessary to provide a recommendation.

If Public Hearing is closed-

2. Make a Recommendation to Planning & Development Committee

There is a single finding for PUD applications: Is the PUD in the public interest? There are five Criteria for PUDs which are to be considered to reach a decision. Responses to all criteria need not be in the affirmative to recommend approval of the PUD Amendment. The applicant has provided responses to the Criteria for PUDs as part of the application materials.

A. Recommend approval of the application for Special Use (PUD Amendment).

- i. Plan Commission may add additional conditions if deemed necessary by the Plan Commission to meet the public interest PUD finding.
 - One potential condition may be to allow the porch encroachment only on lots that do not back up to residential zoning outside of the Munhall Glen Subdivision.

OR

A. Recommend denial of the application for Special Use (PUD Amendment).

- i. Plan Commission must substantiate how the PUD finding (public interest) is not being met in order to recommend denial.

IV. ATTACHMENTS

- Application for Special Use; received 9/24/24
- PUD Ord. 2020-Z-29
- Public Comment Letters

City of St. Charles
Community Development Division
2 E. Main Street
St. Charles, IL 60174



Phone: (630) 377-4443
Email: cd@stcharlesil.gov

SPECIAL USE APPLICATION

(To request a Special Use or Amendment, or a Special Use for PUD or Amendment)

For City Use

Project Name: Munhall Glen - Porch Amendment
Project Number: _____ -PR- _____
Cityview Project Number: PLSU202400032

Received Date

RECEIVED

SEP 24 2024

**City of St. Charles
Community Development**

- File this application to request a Special Use for a property, or to request to amend an existing Special Use Ordinance for a property
- Complete the application and submit with all required attachments to the Community Development Division.
- The information you provide must be complete and accurate. If you have a question please contact the Community Development Division.
- City staff will review the submittal for completeness and for compliance with applicable requirements prior to establishing a public hearing date.

1. Property Information:	Location: Munhall Glen Subdivision	
	Parcel Number (s): Multiple Parcel Numbers Attached	
	Proposed Name: Munhall Glen Rear Porch Amendment	
2. Applicant Information:	Name: Court Airhart	Phone: 630-293-3000 ext. 145
	Address 500 E. Roosevelt Road West Chicago, IL 60185	Email: court@airhartconstruction.com
3. Record Owner Information:	Name: Attached	Phone:
	Address:	Email:

4. Identify the Type of Application:

☒ **Special Use for Planned Unit Development - PUD Name:** Munhall Glen

☐ New PUD

☒ Amendment to existing PUD- Ordinance #: 2020-Z-29

☐ PUD Preliminary Plan filed concurrently

☐ **Other Special Use (from list in the Zoning Ordinance):**

☐ Newly established Special Use

☐ Amendment to an existing Special Use Ordinance #:

5. Information Regarding Special Use:

Comprehensive Plan designation of the property: Single Family Detached Residential

Is the property a designated Landmark or in a Historic District? No

What is the property's current zoning? RS-4 Suburban Single-Family Residential District

What is the property currently used for? Residential neighborhood

If the proposed Special Use is approved, what improvements or construction are planned?

This will provide the option for the owners to build unenclosed porches and enclosed porches in the rear of their homes.

6. For Special Use Amendments only:

Why is the proposed change necessary?

Due to an oversight during the original approvals this request was not made a part of the original PUD submittal. This oversight negatively impacts the ability to build rear unenclosed porches and enclosed porches in this neighborhood on some of the lots.

What are the proposed amendments? (Attach proposed language if necessary)

Allow unenclosed porches and enclosed porches to encroach up to 10' into the rear yard set back.

Note for existing buildings: If your project involves using an existing building, whether you plan to alter it or not, please contact the St. Charles Fire Department (630-377-4458) and the Building and Code Enforcement Division (630-377-4406) for information on building, life safety and other code requirements. Depending on the proposed use, size of structure and type of construction, these requirements can result in substantial costs.

7. Required Attachments:

If multiple zoning or subdivision applications will be submitted concurrently, do not submit duplicate checklist items or plans. Fee must be paid for each application.

Provide 1 copy of each required item, unless otherwise noted.

- ☒ **APPLICATION FEE:** Special Use for PUD: \$1,000
All other Special Use requests: \$750
- ☒ **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.
- ☒ **REIMBURSEMENT OF FEES INITIAL DEPOSIT:** Deposit of funds in escrow with the City. Required deposit is based on review items (number of applications filed) and the size of the subject property:
- | Number of Review Items | Under 5 Acres | 5-15 Acres | 16-75 Acres | Over 75 Acres |
|------------------------|---------------|----------------|-------------|---------------|
| 1 | \$1,000 | <u>\$2,000</u> | \$3,000 | \$4,000 |
| 2 or 3 | \$2,000 | \$4,000 | \$5,000 | \$7,000 |
| 4 or more | \$3,000 | \$5,000 | \$7,000 | \$10,000 |
- ☒ **PROOF OF OWNERSHIP:** a) A current title policy report; or
b) A deed and a current title search
- NOTE: Private covenants and deed restrictions can limit private property rights with respect to the use of land even though the City's Zoning Ordinance may authorize the use or a less restrictive use. We strongly advise that you perform a title search on the property to determine if there any private covenants containing use restrictions or other deed restrictions. As those private covenants and deed restrictions may conflict with the City's Zoning Ordinance, it is further recommended that you consult with an attorney to obtain an opinion with respect to whether your intended use is compatible with those restrictions.*
- ☒ **OWNERSHIP DISCLOSURE:** Use the appropriate disclosure form (attached), if the owner or applicant is a Partnership, Corporation, Trust, or LLC.
- ☒ **LETTER OF AUTHORIZATION:** If the property owner is not the applicant, an original letter of authorization from the property owner permitting the applicant to file the zoning application with the City of St. Charles for the subject property.
- ☒ **LEGAL DESCRIPTION:** For entire subject property, on 8 1/2 x 11 inch paper and Microsoft Word file.
- ☒ **PLAT OF SURVEY:** A current plat of survey for the subject property showing all existing improvements on the property, prepared by a registered Illinois Professional Land Surveyor.
- ☒ **FINDINGS OF FACT:** Fill out the attached "Criteria for Planned Unit Developments (PUDs)" form for any PUD application and the "Findings of Fact – Special Use" form for all other Special Use applications.
- ☒ **LIST OF PROPERTY OWNERS WITHIN 250 FT.:** Fill out the attached form or submit on a separate sheet. The form or the list must be signed and notarized. Property ownership information may be obtained using Kane County's interactive GIS mapping tool: http://gistech.countyofkane.org/gisims/kanemap/kanegis4_AGOx.html
- ☐ **SOIL AND WATER CONSERVATION DISTRICT LAND USE OPINION APPLICATION:** As required by State law, submit a Land Use Opinion application and required fee directly to the Kane-DuPage Soil and Water Conservation District. Provide a copy of completed Land Use Opinion application to the City. The Land Use Opinion application can be found on the Kane-DuPage SWCD website: <http://www.kanedupageswcd.org/>

☐ **ENDANGERED SPECIES REPORT:** As required by State law, file an Endangered Species Consultation Agency Action with the Illinois Department of Natural Resources. Provide a copy of the report to the City. The online Ecological Compliance Assessment Tool (EcoCAT) should be utilized: <https://dnr2.illinois.gov/EcoPublic/>

☐ **TRAFFIC STUDY:** If applicable. Staff will advise you whether a traffic study is recommended based on the project. Regardless, the Plan Commission or City Council may request a traffic study as a part of the review process.

☐ **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: Ten (10) full size copies, one (1) 11" by 17", and PDF electronic file emailed to: cd@stcharlesil.gov

Site Plan or plans shall show the following information:

1. Accurate boundary lines with dimensions
2. Streets on and adjacent to the tract: Name and right-of-way width
3. Location, size, shape, height, and use of existing and proposed structures
4. Location and description of streets, sidewalks, and fences
5. Surrounding land uses
6. Date, north point, and scale
7. Ground elevation contour lines
8. Building/use setback lines
9. Location of any significant natural features
10. Location of any 100-year recurrence interval floodplain and floodway boundaries
11. Location and classification of wetland areas as delineated in the National Wetlands Inventory
12. Existing zoning classification of property
13. Existing and proposed land use
14. Area of property in square feet and acres
15. Proposed off-street parking and loading areas
16. Number of parking spaces provided, and number required by ordinance
17. Angle of parking spaces
18. Parking space dimensions and aisle widths
19. Driveway radii at the street curb line
20. Width of driveways at sidewalk and street curb line
21. Provision of handicapped parking spaces
22. Dimensions of handicapped parking spaces
23. Depressed ramps available to handicapped parking spaces
24. Location, dimensions and elevations of freestanding signs
25. Location and elevations of trash enclosures
26. Provision for required screening, if applicable
27. Exterior lighting plans showing:
 - a. Location, height, intensity and fixture type of all proposed exterior lighting
 - b. Photometric information pertaining to locations of proposed lighting fixtures

(Note- For a Special Use for PUD, submit PUD Preliminary Plan Application In lieu of Site Plan)

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

9/12/2024
Date



Applicant or Authorized Agent

9/12/2024
Date

STATE OF ILLINOIS)
) SS.
KANE COUNTY)

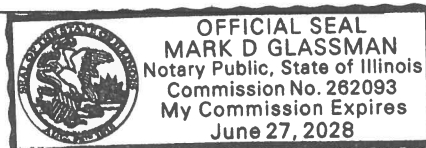
Court Airhart	
Mark Glassman	
Mac Airhart	

BY:

Subscribed and Sworn before me this 12 day of

Sept, 2024.

Notary Public



CRITERIA FOR PLANNED UNIT DEVELOPMENTS (PUDs)

Use this form for PUD or PUD Amendment applications

The St. Charles Zoning Ordinance requires the Plan Commission to consider the criteria listed below in making a recommendation to the City Council on whether the proposed Planned Unit Development is in the public interest. As the applicant, the "burden of proof" is on you to provide information that addresses the criteria below in order to demonstrate that the project is in the public interest.

PUD Name: Munhall Glen Rear Porch Amendment

From the St. Charles Zoning Ordinance, Section 17.04.410.3:

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:

i. 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.
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.
3. To encourage a harmonious mix of land uses and a variety of housing types and prices.
4. To preserve native vegetation, topographic and geological features, and environmentally sensitive areas.
5. To promote the economical development and efficient use of land, utilities, street improvements, drainage facilities, structures and other facilities.
6. To encourage redevelopment of sites containing obsolete or inappropriate buildings or uses.
7. To encourage a collaborative process among developers, neighboring property owners and residents, governmental bodies and the community

The proposed PUD Amendment for Munhall Glen promotes a creative approach to the site improvements by allowing for the construction of spaces that allow: the residents to more fully enjoy the outdoors.

ii. 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.
2. The PUD will preserve open space, natural beauty and critical environmental areas in excess of what is required by ordinance or other regulation.
3. The PUD will provide superior landscaping, buffering or screening.
4. The buildings within the PUD offer high quality architectural design.
5. The PUD provides for energy efficient building and site design.
6. The PUD provides for the use of innovative stormwater management techniques.
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.
8. The PUD provides affordable dwelling units in conformance with, or in excess of, City policies and ordinances.
9. The PUD preserves historic buildings, sites or neighborhoods.

The proposed PUD Amendment for Munhall Glen will:

- 1) provide spaces of superior architectural design;
- 2) allows for the superior site design to be more fully enjoyed by residents and guests;
- 3) meets all the original goals of the Munhall Glen PUD

iii. **The proposed PUD conforms with the standards applicable to Special Uses (Section 17.04.330.C.2):**

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

The proposed PUD Amendment for Munhall Glen will serve the public convenience at the proposed location by meeting housing and using needs of St. Charles.

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

Sufficient infrastructure has been provided and will meet the needs of the proposed PUD Amendment for Munhall Glen

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 PUD Amendment for Munhall Glen 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.

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 proposed PUD Amendment for Munhall Glen will not impact or impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

- 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 PUD Amendment for Munhall Glen will not be detrimental to or endanger the public health, safety, comfort or general welfare.

- F. Conformance with Codes: That the proposed Special Use conforms to all applicable provisions of the St. Charles Municipal Code 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 PUD Amendment for Munhall Glen conforms to all applicable provisions of the St. Charles Municipal Code and meets or exceeds all applicable provisions of this Title, except as may be varied pursuant to the amendment requested and those already in place for the Munhall Glen Planned Unit Development.

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

The proposed PUD Amendment for Munhall Glen will be beneficial to the physical development, diversity, tax base and economic well-being of the City by serving those who are specifically looking for single level living.

- v. The proposed PUD conforms to the purposes and intent of the Comprehensive Plan.**

The proposed PUD Amendment for Munhall Glen conforms to the purposes and intent of the Comprehensive Plan and the original Munhall Glen Planned Unit Development.

Ellen Johnson
City Planner
City of St. Charles
2 E. Main Street
St. Charles, IL 60174

RE: Rear Porch Amendment

Dear Ellen,

I/We are the owners of 1585 Dempsey Drive, St. Charles, IL 60174.

I/We understand Airhart Construction and Court Airhart, President of Airhart Construction is requesting to Amend the Munhall Glen PUD.

I/We understand the amendment request is: Allow unenclosed porches and enclosed porches to encroach up to 10' into the rear yard setback.

We give Airhart Construction and Court Airhart, President of Airhart Construction permission to:

- 1) Petition for the Amendment to allow unenclosed porches and enclosed porches to encroach up to 10' into the rear yard setback.
- 2) File the PUD Amendment application with the City of St. Charles for our property.
- 3) Sign the Reimbursement of Fees Agreement. We understand Airhart Construction is fully responsible for the fee and will be paying the fee.

Thank you for your time and attention to this matter.

Sincerely,



Owner

9/19/24

Date



Owner

9-20-24

Date

Ellen Johnson
City Planner
City of St. Charles
2 E. Main Street
St. Charles, IL 60174

RE: Rear Porch Amendment

Dear Ellen,

I/We are the owners of 1581 Dempsey Drive, St. Charles, IL 60174.

I/We understand Airhart Construction and Court Airhart, President of Airhart Construction is requesting to Amend the Munhall Glen PUD.

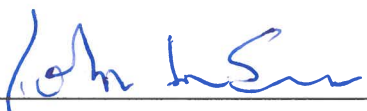
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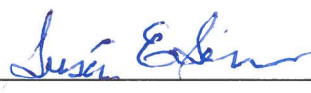
Sincerely,



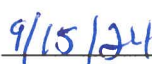
Owner



Date



Owner



Date

Ellen Johnson
City Planner
City of St. Charles
2 E. Main Street
St. Charles, IL 60174

RE: Rear Porch Amendment

Dear Ellen,

I/We are the owners of 1577 Dempsey Drive, St. Charles, IL 60174.

I/We understand Airhart Construction and Court Airhart, President of Airhart Construction is requesting to Amend the Munhall Glen PUD.

I/We understand the amendment request is: Allow unenclosed porches and enclosed porches to encroach up to 10' into the rear yard setback.

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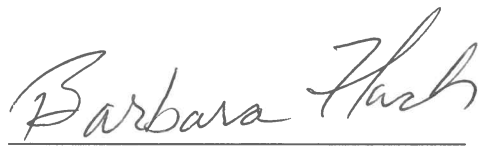
Sincerely,



Owner

09-16-24

Date



Owner

9-16-24

Date

Ellen Johnson
City Planner
City of St. Charles
2 E. Main Street
St. Charles, IL 60174

RE: Rear Porch Amendment

Dear Ellen,

I/We are the owners of 1573 Dempsey Drive, St. Charles, IL 60174.

I/We understand Airhart Construction and Court Airhart, President of Airhart Construction is requesting to Amend the Munhall Glen PUD.

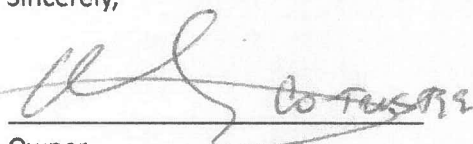
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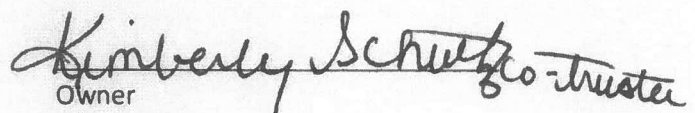
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- 3) Sign the Reimbursement of Fees Agreement. We understand Airhart Construction is fully responsible for the fee and will be paying the fee.

Thank you for your time and attention to this matter.

Sincerely,


Owner
9/12/24
Date


Owner
9/12/24
Date

Ellen Johnson
City Planner
City of St. Charles
2 E. Main Street
St. Charles, IL 60174

RE: Rear Porch Amendment

Dear Ellen,

I/We are the owners of 1569 Dempsey Drive, St. Charles, IL 60174.

I/We understand Airhart Construction and Court Airhart, President of Airhart Construction is requesting to Amend the Munhall Glen PUD.

I/We understand the amendment request is: Allow unenclosed porches and enclosed porches to encroach up to 10' into the rear yard setback.

We give Airhart Construction and Court Airhart, President of Airhart Construction permission to:

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- 3) Sign the Reimbursement of Fees Agreement. We understand Airhart Construction is fully responsible for the fee and will be paying the fee.

Thank you for your time and attention to this matter.

Sincerely,

Owner

Date

Owner

Date

Ellen Johnson
City Planner
City of St. Charles
2 E. Main Street
St. Charles, IL 60174

RE: Rear Porch Amendment

Dear Ellen,

I/We are the owners of 1565 Dempsey Drive, St. Charles, IL 60174.

I/We understand Airhart Construction and Court Airhart, President of Airhart Construction is requesting to Amend the Munhall Glen PUD.

I/We understand the amendment request is: Allow unenclosed porches and enclosed porches to encroach up to 10' into the rear yard setback.

We give Airhart Construction and Court Airhart, President of Airhart Construction permission to:

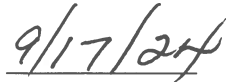
- 1) Petition for the Amendment to allow unenclosed porches and enclosed porches to encroach up to 10' into the rear yard setback.
- 2) File the PUD Amendment application with the City of St. Charles for our property.
- 3) Sign the Reimbursement of Fees Agreement. We understand Airhart Construction is fully responsible for the fee and will be paying the fee.

Thank you for your time and attention to this matter.

Sincerely,



Owner



Date



Owner



Date

Ellen Johnson
City Planner
City of St. Charles
2 E. Main Street
St. Charles, IL 60174

RE: Rear Porch Amendment

Dear Ellen,

I/We are the owners of 1561 Dempsey Drive, St. Charles, IL 60174.

I/We understand Airhart Construction and Court Airhart, President of Airhart Construction is requesting to Amend the Munhall Glen PUD.

I/We understand the amendment request is: Allow unenclosed porches and enclosed porches to encroach up to 10' into the rear yard setback.

We give Airhart Construction and Court Airhart, President of Airhart Construction permission to:

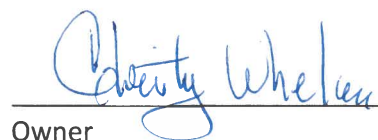
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- 2) File the PUD Amendment application with the City of St. Charles for our property.
- 3) Sign the Reimbursement of Fees Agreement. We understand Airhart Construction is fully responsible for the fee and will be paying the fee.

Thank you for your time and attention to this matter.

Sincerely,


Owner

09-12-2024
Date


Owner

09-12-2024
Date

Ellen Johnson
City Planner
City of St. Charles
2 E. Main Street
St. Charles, IL 60174

RE: Rear Porch Amendment

Dear Ellen,

I/We are the owners of 1557 Dempsey Drive, St. Charles, IL 60174.

I/We understand Airhart Construction and Court Airhart, President of Airhart Construction is requesting to Amend the Munhall Glen PUD.

I/We understand the amendment request is: Allow unenclosed porches and enclosed porches to encroach up to 10' into the rear yard setback.

We give Airhart Construction and Court Airhart, President of Airhart Construction permission to:

- 1) Petition for the Amendment to allow unenclosed porches and enclosed porches to encroach up to 10' into the rear yard setback.
- 2) File the PUD Amendment application with the City of St. Charles for our property.
- 3) Sign the Reimbursement of Fees Agreement. We understand Airhart Construction is fully responsible for the fee and will be paying the fee.

Thank you for your time and attention to this matter.

Sincerely,

Francis R. Whitley - as trustee

Owner

Owner

9-17-24

Date

Date

Ellen Johnson
City Planner
City of St. Charles
2 E. Main Street
St. Charles, IL 60174

RE: Rear Porch Amendment

Dear Ellen,

I/We are the owners of 1553 Dempsey Drive, St. Charles, IL 60174.

I/We understand Airhart Construction and Court Airhart, President of Airhart Construction is requesting to Amend the Munhall Glen PUD.


I/We understand the amendment request is: Allow unenclosed porches and enclosed porches to encroach up to 10' into the rear yard setback.

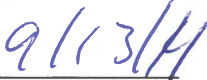
We give Airhart Construction and Court Airhart, President of Airhart Construction permission to:

- 1) Petition for the Amendment to allow unenclosed porches and enclosed porches to encroach up to 10' into the rear yard setback.
- 2) File the PUD Amendment application with the City of St. Charles for our property.
- 3) Sign the Reimbursement of Fees Agreement. We understand Airhart Construction is fully responsible for the fee and will be paying the fee.

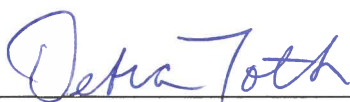
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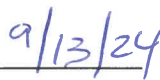
Sincerely,



Owner


Date



Owner


Date

Ellen Johnson
City Planner
City of St. Charles
2 E. Main Street
St. Charles, IL 60174

RE: Rear Porch Amendment

Dear Ellen,

I/We are the owners of 1549 Dempsey Drive, St. Charles, IL 60174.

I/We understand Airhart Construction and Court Airhart, President of Airhart Construction is requesting to Amend the Munhall Glen PUD.


I/We understand the amendment request is: Allow unenclosed porches and enclosed porches to encroach up to 10' into the rear yard setback.

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- 1) Petition for the Amendment to allow unenclosed porches and enclosed porches to encroach up to 10' into the rear yard setback.
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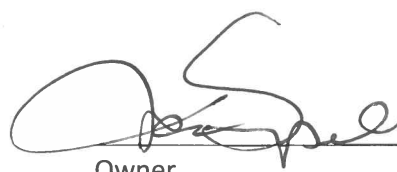
Thank you for your time and attention to this matter.

Sincerely,


Owner

Trustee of
Senkpeil Family Trust

9/12/24
Date


Owner

Trustee of
Senkpeil Family
Trust

9/12/24
Date

RE: Rear Porch Amendment

I/We are the owners of 1541 Dempsey Drive, St. Charles, IL 60174.

I/We understand the amendment request is: Allow unenclosed porches and enclosed porches to encroach up to 10' into the rear yard setback.

- 1) Petition for the Amendment to allow unenclosed porches and enclosed porches to encroach up to 10' into the rear yard setback.
- 2) File the PUD Amendment application with the City of St. Charles for our property.
- 3) Sign the Reimbursement of Fees Agreement. We understand Airhart Construction is fully responsible for the fee and will be paying the fee.

Sincerely,

Owner

9/13/24
Date

Owner

Date _____

Ellen Johnson
City Planner
City of St. Charles
2 E. Main Street
St. Charles, IL 60174

RE: Rear Porch Amendment

Dear Ellen,

I/We are the owners of 1533 Dempsey Drive, St. Charles, IL 60174.

I/We understand Airhart Construction and Court Airhart, President of Airhart Construction is requesting to Amend the Munhall Glen PUD.

I/We understand the amendment request is: Allow unenclosed porches and enclosed porches to encroach up to 10' into the rear yard setback.

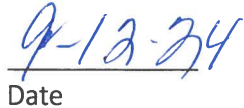
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- 1) Petition for the Amendment to allow unenclosed porches and enclosed porches to encroach up to 10' into the rear yard setback.
- 2) File the PUD Amendment application with the City of St. Charles for our property.
- 3) Sign the Reimbursement of Fees Agreement. We understand Airhart Construction is fully responsible for the fee and will be paying the fee.

Thank you for your time and attention to this matter.

Sincerely,


Owner


Date

Owner

Date

Ellen Johnson
City Planner
City of St. Charles
2 E. Main Street
St. Charles, IL 60174

RE: Rear Porch Amendment

Dear Ellen,

I/We are the owners of 1510 Harper Lane, St. Charles, IL 60174.

I/We understand Airhart Construction and Court Airhart, President of Airhart Construction is requesting to Amend the Munhall Glen PUD.

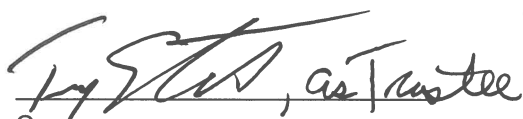
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We give Airhart Construction and Court Airhart, President of Airhart Construction permission to:

- 1) Petition for the Amendment to allow unenclosed porches and enclosed porches to encroach up to 10' into the rear yard setback.
- 2) File the PUD Amendment application with the City of St. Charles for our property.
- 3) Sign the Reimbursement of Fees Agreement. We understand Airhart Construction is fully responsible for the fee and will be paying the fee.

Thank you for your time and attention to this matter.

Sincerely,


Owner

9/16/24
Date


Owner

9/16/24
Date

Ellen Johnson
City Planner
City of St. Charles
2 E. Main Street
St. Charles, IL 60174

RE: Rear Porch Amendment

Dear Ellen,

I/We are the owners of 513 Robyn Lane, St. Charles, IL 60174.

I/We understand Airhart Construction and Court Airhart, President of Airhart Construction is requesting to Amend the Munhall Glen PUD.

I/We understand the amendment request is: Allow unenclosed porches and enclosed porches to encroach up to 10' into the rear yard setback.

We give Airhart Construction and Court Airhart, President of Airhart Construction permission to:

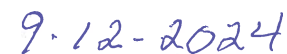
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- 3) Sign the Reimbursement of Fees Agreement. We understand Airhart Construction is fully responsible for the fee and will be paying the fee.

Thank you for your time and attention to this matter.

Sincerely,



Owner



Date

Owner

Date

Ellen Johnson
City Planner
City of St. Charles
2 E. Main Street
St. Charles, IL 60174

RE: Rear Porch Amendment

Dear Ellen,

I/We are the owners of 509 Robyn Lane, St. Charles, IL 60174.

I/We understand Airhart Construction and Court Airhart, President of Airhart Construction is requesting to Amend the Munhall Glen PUD.

I/We understand the amendment request is: Allow unenclosed porches and enclosed porches to encroach up to 10' into the rear yard setback.

We give Airhart Construction and Court Airhart, President of Airhart Construction permission to:

- 1) Petition for the Amendment to allow unenclosed porches and enclosed porches to encroach up to 10' into the rear yard setback.
- 2) File the PUD Amendment application with the City of St. Charles for our property.
- 3) Sign the Reimbursement of Fees Agreement. We understand Airhart Construction is fully responsible for the fee and will be paying the fee.

Thank you for your time and attention to this matter.

Sincerely,



Owner

as Trustee

9/14/24

Date



Owner

as trustee

9/14/24

Date

Ellen Johnson
City Planner
City of St. Charles
2 E. Main Street
St. Charles, IL 60174

RE: Rear Porch Amendment

Dear Ellen,

I/We are the owners of 505 Robyn Lane, St. Charles, IL 60174.

I/We understand Airhart Construction and Court Airhart, President of Airhart Construction is requesting to Amend the Munhall Glen PUD.

I/We understand the amendment request is: Allow unenclosed porches and enclosed porches to encroach up to 10' into the rear yard setback.

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Thank you for your time and attention to this matter.

Sincerely,


Owner

9/13/2024
Date


Owner

9/13/2024
Date

Ellen Johnson
City Planner
City of St. Charles
2 E. Main Street
St. Charles, IL 60174

RE: Rear Porch Amendment

Dear Ellen,

I/We are the owners of 494 Cora Lane, St. Charles, IL 60174.

I/We understand Airhart Construction and Court Airhart, President of Airhart Construction is requesting to Amend the Munhall Glen PUD.

I/We understand the amendment request is: Allow unenclosed porches and enclosed porches to encroach up to 10' into the rear yard setback.

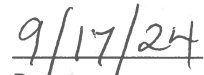
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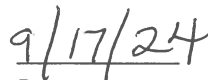
Thank you for your time and attention to this matter.

Sincerely,


Owner as trustee


Date


Owner as trustee


Date

Ellen Johnson
City Planner
City of St. Charles
2 E. Main Street
St. Charles, IL 60174

RE: Rear Porch Amendment

Dear Ellen,

I/We are the owners of 498 Cora Lane, St. Charles, IL 60174.

I/We understand Airhart Construction and Court Airhart, President of Airhart Construction is requesting to Amend the Munhall Glen PUD.

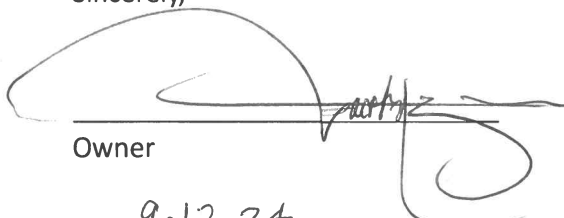
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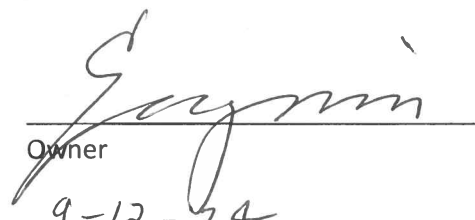
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- 3) Sign the Reimbursement of Fees Agreement. We understand Airhart Construction is fully responsible for the fee and will be paying the fee.

Thank you for your time and attention to this matter.

Sincerely,



Owner
9-12-24
Date



Owner
9-12-24
Date

Ellen Johnson
City Planner
City of St. Charles
2 E. Main Street
St. Charles, IL 60174

RE: Rear Porch Amendment

Dear Ellen,

I/We are the owners of 502 Cora Lane, St. Charles, IL 60174.

I/We understand Airhart Construction and Court Airhart, President of Airhart Construction is requesting to Amend the Munhall Glen PUD.

I/We understand the amendment request is: Allow unenclosed porches and enclosed porches to encroach up to 10' into the rear yard setback.

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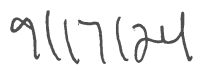
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Thank you for your time and attention to this matter.

Sincerely,



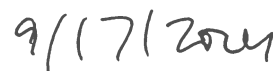
Owner



Date



Owner



Date

Ellen Johnson
City Planner
City of St. Charles
2 E. Main Street
St. Charles, IL 60174

RE: Rear Porch Amendment

Dear Ellen,

I/We are the owners of 506 Cora Lane, St. Charles, IL 60174.

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Thank you for your time and attention to this matter.

Sincerely,


Owner


Date


Owner


Date

Ellen Johnson
City Planner
City of St. Charles
2 E. Main Street
St. Charles, IL 60174

RE: Rear Porch Amendment

Dear Ellen,

I/We are the owners of 510 Cora Lane, St. Charles, IL 60174.

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Thank you for your time and attention to this matter.

Sincerely,


Owner

9/12/2024
Date


Owner

9/12-2024
Date

Ellen Johnson
City Planner
City of St. Charles
2 E. Main Street
St. Charles, IL 60174

RE: Rear Porch Amendment

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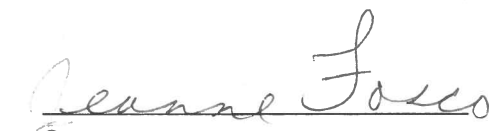

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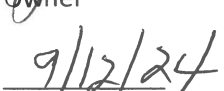
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Thank you for your time and attention to this matter.

Sincerely,


Owner

Date


Owner

Date

REFER TO:

Minutes 11-16-2020

Page _____

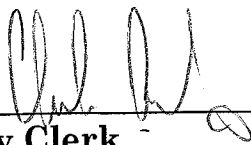
City of St. Charles, Illinois

Ordinance No.: 2020-Z-29

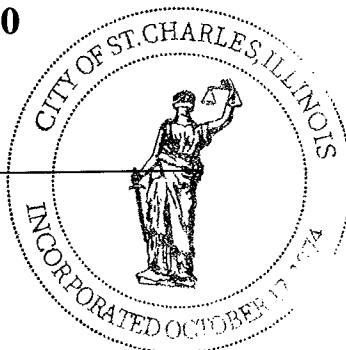
**An Ordinance Granting Approval of a Map
Amendment, Special Use for Planned Unit
Development and PUD Preliminary Plan for
Munhall Glen**

**Adopted by the
City Council
of the
City of St. Charles
November 16, 2020**

Published in pamphlet form by
authority of the City Council
of the City of St. Charles,
Kane and Du Page Counties,
Illinois, **November 23, 2020**



City Clerk



(S E A L)

City of St. Charles, Illinois
Ordinance No. 2020-Z-29

**An Ordinance Granting Approval of a Map Amendment, Special Use for
Planned Unit Development and PUD Preliminary Plan for Munhall Glen**

WHEREAS, on or about July 30, 2020, Airhart Construction Corp. (the "Applicant") filed petitions for Special Use for Planned Unit Development and PUD Preliminary Plan, and on or about August 11, 2020, the Applicant filed a petition for Map Amendment from M-2 Limited Manufacturing District and RS-4 Suburban Single-Family Residential District to RS-4 Suburban Single-Family Residential District, all for the real estate legally described on Exhibit "A" attached hereto and incorporated herein (the "Subject Property"), for the purpose of developing a 50-lot single-family residential subdivision; and,

WHEREAS, Notice of Public Hearing on said petitions for Map Amendment and Special Use for Planned Unit Development was published on or about August 21, 2020 in a newspaper having general circulation within the City, to-wit, the Daily Herald newspaper, 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 September 9, 2020 on said petitions 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 petitions and all interested parties had an opportunity to be heard; and,

WHEREAS, the Plan Commission recommended approval of said Map Amendment, Special Use for Planned Unit Development, and PUD Preliminary Plan petitions on or about September 9, 2020; and,

WHEREAS, the Planning & Development Committee of the City Council recommended approval of said petitions on or about October 12, 2020; and,

WHEREAS, the City Council of the City of St. Charles has received the recommendations of the Plan Commission and Planning & Development Committee 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. The preambles set forth hereinabove are incorporated herein as substantive provisions of this Ordinance as though fully set out in this Section 1.

2. That passage of this Ordinance shall constitute approval of the petition for a Map Amendment for the Subject Property from the M-2 Limited Manufacturing District and the RS-4 Suburban Single-Family Residential District to the RS-4 Suburban Single-Family Residential

District, and the Findings of Fact for Map Amendment attached hereto and incorporated herein as Exhibit “B” are expressly adopted by the corporate authorities of the City.

3. 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 petitions and the evidence presented at the Public Hearing, the City Council hereby finds that the Special Use for Planned Unit Development is in the public interest and adopts the Criteria for Planned Unit Developments, set forth on Exhibit “C”, which is attached hereto and incorporated herein.

4. That passage of this Ordinance shall constitute approval of the PUD Preliminary Plan, incorporated herein as Exhibit “D”, such that the following documents and illustrations are hereby approved, reduced copies of which are attached hereto, subject to satisfactory resolution of all outstanding staff review comments and compliance with such conditions, corrections, and modifications as may be required by the Director of Community & Economic Development, Director of Public Works and Fire Chief to comply with the requirements of the St. Charles Municipal Code:

- Preliminary Engineering Plans; Engineering Resource Associates; dated 7/24/2020
- Landscape Master Plan; Airhart Construction; revisions dated 9/2/2020
- Preliminary Plat of Subdivision; Engineering Resource Associates; dated 7/23/2020
- Tree Inventory & Preservation Plan; Jay C. Peters; dated 7/11/2020
- Sanitary Sewer Conceptual Layout; dated 7/24/2020

5. The Subject Property 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 Subject Property shall be subject to the requirements of the RS-4 Suburban Single-Family Residential District, as amended, and all other applicable requirements of Title 17 of the St. Charles Municipal Code (“Zoning”), as amended, except as specifically varied in the “PUD Deviations” attached hereto and incorporated herein as Exhibit “E”.
- b. Owners’ Association: The Applicant shall create one or more Owners’ Associations and create a Declaration of Covenants, Conditions & Restrictions that clearly identifies all responsibilities of the Owners Associations with respect to the use, maintenance and continued protection of the common open space and improvements in the Subject Property, including, but not limited to stormwater detention facilities and common open space. Such Declaration shall be in a form reasonably acceptable to the City and shall be recorded immediately following the recording of the Final Plat of Subdivision for the Subject Property.
- c. Special Service Area: The City shall initiate the formation of a Special Service Area for the purpose of maintaining and repairing stormwater management facilities and other facilities serving the Subject Property. Such Special Service

Area shall be of perpetual duration with a maximum rate sufficient to provide for maintenance, repair, and reconstruction of such facilities. Such Special Service Area may provide for maintenance by the City in the event that stormwater management facilities or other facilities are not adequately maintained by the Owner or successors.

- d. **School and Park Contributions:** The School and Park contributions shall be provided by the Applicant as cash in lieu of land contribution in accordance with the provisions of Title 16 of the St. Charles Municipal Code ("Subdivisions and Land Improvement"), as the same may be amended from time to time. The School and Park contributions may be paid on a per-unit basis, and receipts from the School and Park Districts shall be provided to the City showing payment of the applicable fees for each unit prior to issuance of a building permit for said unit.
- e. **Inclusionary Housing:** The Inclusionary Housing contribution shall be provided by the Applicant as a cash in lieu of affordable units in accordance with the provisions of Title 19 of the St. Charles Municipal Code, as the same may be amended from time to time. The Inclusionary Housing contribution may be paid to the City on a per-unit basis, prior to issuance of each building permit, or as a part of the fees due at the time of building permit issuance. The Inclusionary Housing contribution shall be provided based on the 2021 Inclusionary Housing Fee of \$15,866.30 per required affordable unit (or \$1,554.90 per unit, based on 49 additional units within the subdivision).
- f. **Guarantee and Land Improvement Agreement:** A Guarantee for Completion of Land Improvements shall be provided in accordance with Title 16 of the St. Charles Municipal Code ("Subdivisions and Land Improvement"), as may be amended from time to time. The Guarantee shall be accompanied by a Land Improvement Agreement in substantially the form set forth in Appendix D of Title 16.
- g. **South Avenue off-site improvement:** As a part of the land improvements for the subdivision, the unimproved portion of South Avenue located immediately to the west of the Subject Property, approximately 350 ft. in length, shall be improved as an emergency access and shall be paved to meet the standards required for use by emergency vehicles. The width of emergency access shall meet the requirements of the Fire Code as determined by the City. Signage shall be posted limiting vehicular traffic to emergency and City vehicles only. The intent improving South Avenue within the Subject Property is to facilitate a future public street connection at the time of redevelopment of the adjoining properties to the west. The City may elect to further improve South Avenue and open the street to public traffic, subject to the approval of the City Council.
- h. **Sanitary Sewer Trunk Line:** As a part of the land improvements for the subdivision, the Applicant shall abandon an existing sanitary sewer trunk line on the north and west perimeter of the Subject Property and re-route the sewer through the subdivision as depicted on the attached Sanitary Sewer Conceptual

Layout. The final design of the sanitary sewer is subject to review and approval by the City. Reimbursement for the engineering design shall be provided following Final Engineering Plan approval by the City. Applicant shall provide itemized invoices showing costs attributable to the sanitary sewer trunk line design.

The City shall reimburse the Applicant for the actual cost of abandonment, installation and applicable soft costs for the re-routed sanitary sewer trunk line, minus any savings due to "oversizing" sanitary sewers within the development. At the time of Final Engineering approval, an Engineer's Estimate shall be provided demonstrating the cost savings, if any, resulting from the replacement of otherwise required on-site sewers with the re-routed trunk line. This savings shall constitute the "oversizing" amount to be deducted from the reimbursement.

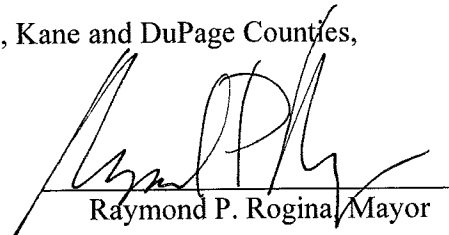
Reimbursement for installation shall be provided at the time of reduction of the Financial Guarantee for the sanitary sewer trunk line. Applicant shall provide lien waivers and contractor's statements demonstrating the actual construction cost.

6. 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 16th day of November 2020.

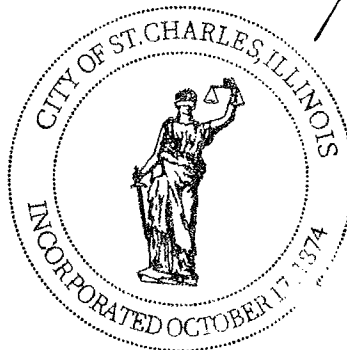
PASSED by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 16th day of November 2020.

APPROVED by the Mayor of the City of St. Charles, Kane and DuPage Counties, Illinois this 16th day of November 2020.


Raymond P. Rogina, Mayor

Attest:


Charles Amenta, City Clerk



Vote:

Ayes: 9

Nays: 0

Absent: 0

Abstain: 1

EXHIBIT "B"

FINDINGS OF FACT FOR MAP AMENDMENT

1. The existing uses and zoning of nearby property.

The property is currently zoned a mix of RS-4 and M-2. The property to the south is zoned RS-4 and so this property melds well to the existing residential. The property to the east is zoned M-2 and used as office space. The buildings have a residential feel and will work well with this property. The properties to the north and west are M-2 and St. Charles owned properties. The zoning change to this property will be a positive for this area and act well as a transition between the residential to the south and more commercial uses to the north.

2. The extent to which property values are diminished by the existing zoning restrictions.

The highest and best use of this property is residential under the RS-4 classification with a PUD. This property will fill a niche of unmet need of first floor master bedroom housing and is a much better use than the current M-2 zoning. The M-2 zoning in this location is unneeded due to the properties to the east of this property toward the DuPage Airport and the Route 64 corridor. The fact that this property has not been developed under M-2 and left as a field while every property around it has been developed is a testament to that fact. This property has been underperforming on the tax rolls as farm land and one residential property. The change in zoning will be a great benefit to the tax rolls and improve its value to the City of St. Charles.

3. The extent to which the reduction of the property's value under the existing zoning restrictions promotes the health, safety, morals or general welfare of the public.

This is not applicable. The current zoning has no benefit to the health, safety, morals or general welfare of the public. In fact, the change in zoning will be a great benefit to the health, safety, morals and general welfare of the public by meeting housing needs and creating a much more orderly procession of development.

4. The suitability of the property for the purposes for which it is presently zoned, i.e. the feasibility of developing the property for one or more of the uses permitted under the existing zoning classification.

The property is not suitable for the purpose for which it is presently zoned. The traffic patterns into the residential area make commercial traffic an issue as well as the location being into a residential neighborhood. The fact that it has sat for so long underutilized while every property around it many, many years ago had been developed is testament to the fact that the value of the property is not M-2. There are many much better options to the east for commercial usages and the best use of this property is rezoning to RS-4 under a PUD.

- 5. The length of time that the property has been vacant, as presently zoned, considered in the context of the land development in the area where the property is located.**

This property is the last property in this area for development. It has been many years since all the properties around it have been developed and this property has sat underutilized. Due to the inadequacies for development as M-2 is the reason it has been left behind as other properties have been developed. The change in zoning to RS-4 PUD residential usage makes much more sense in this area.

- 6. The evidence, or lack of evidence, of the community's need for the uses permitted under the proposed district.**

The rezoning of the property to RS-4 PUD will meet a substantial need of single level and first floor master bedroom homes in St. Charles. The demographics show that this is a substantial void in the market. The change in zoning allowing housing to be built on this property will allow those individuals who need first floor master bedrooms in St. Charles to stay in St. Charles rather than moving away from their community. It will create a better mix of housing in St. Charles meeting the needs of more residents and creating a greater mix of housing in the community.

- 7. The consistency of the proposed amendment with the City's Comprehensive Plan.**

The change in zoning to RS-4 PUD conforms to the purposes and intent of the Comprehensive Plan by promoting development within the current boundaries of the City. It focuses development on an underutilized property thereby enhancing the tax base, utilizing surrounding infrastructure instead of needlessly extending infrastructure past undeveloped properties. It provides housing close to shopping districts and the downtown areas as well as promoting development in an area with significant road and transportation corridors promoting orderly and efficient development.

- 8. Whether the proposed amendment corrects an error or omission in the Zoning Map.**

Not applicable.

- 9. The extent to which the proposed amendment creates nonconformities.**

The rezoning of this property will not create any nonconformities.

- 10. The trend of development, if any, in the general area of the property in question.**

The trend in development for M-2 is to be in better transportation corridors specializing in ease of commercial traffic flow for large trucks. This property does not meet that need. The need is for residential in this area and this change in zoning will allow housing for those looking for single level living or first floor master bedrooms. Changing to RS-4 PUD allows for housing and will be a much better use for the property.

EXHIBIT "C"

CRITERIA FOR PLANNED UNIT DEVELOPMENTS

- i. **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.**
 - 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.**
 - 3. To encourage a harmonious mix of land uses and a variety of housing types and prices.**
 - 4. To preserve native vegetation, topographic and geological features, and environmentally sensitive areas.**
 - 5. To promote the economical development and efficient use of land, utilities, street improvements, drainage facilities, structures and other facilities.**
 - 6. To encourage redevelopment of sites containing obsolete or inappropriate buildings or uses.**
 - 7. To encourage a collaborative process among developers, neighboring property owners and residents, governmental bodies and the community.**

The proposed PUD promotes a creative solution to an unmet growing housing need of single story and first floor master bedroom housing. This housing will allow for long-time community residents, business people and leaders in St. Charles to remain in St. Charles as their housing needs change. The PUD zoning promotes creative housing and provides attractive streetscapes that incentivizes porches and pedestrian friendly neighborhoods. It promotes social interaction by providing sidewalks, paths, neighbourhood connection areas as well as connection to a potential linear park to the north of the property. The PUD provides a harmonious usage of the property by changing a potential heavy commercial use of the property to residential use more in scale with the residential use to the south and the less intense commercial use to the east. The development of this property will promote higher levels of landscaping and higher quality trees than currently exist on the property as uncontrolled Buckthorn, Honeysuckle, Mulberry, Box Elder, etc. and other invasive landscaping is allowed to multiply. The installation of detention areas with natural landscaping will enhance water quality and native plants. Munhall Glen will be a benefit to future residents, the surrounding neighbors, local businesses and the City of St. Charles.

- ii. **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.**
- 2. The PUD will preserve open space, natural beauty and critical environmental areas in excess of what is required by ordinance or other regulation.**
- 3. The PUD will provide superior landscaping, buffering or screening.**
- 4. The buildings within the PUD offer high quality architectural design.**
- 5. The PUD provides for energy efficient building and site design.**
- 6. The PUD provides for the use of innovative stormwater management techniques.**
- 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.**
- 8. The PUD provides affordable dwelling units in conformance with, or in excess of, City policies and ordinances.**
- 9. The PUD preserves historic buildings, sites or neighborhoods.**

The proposed RS-4 PUD and PUD Preliminary Plans provide a significantly more harmonious usage of the property than the current more intrusive usage and negative impact on the surrounding properties of the existing M-2 (industrial) zoning classification currently in place. By allowing for the PUD the property will be able to meet a significant housing need in the community of single level and first floor master bedroom housing. This housing would not be allowed in the M-2 zoning classification. By changing the zoning and allowing the PUD, storm water facilities, open space, and sidewalks and paths will allow for residents to enjoy the open space and property as well as provide for a pedestrian connection to the potential linear park to the north. The planned landscaping will be a significant improvement to the invasive species currently on the property and the trees planted as part of the development will be a significant improvement. Due to the size and shape of the property by downzoning the property to an RS-4 PUD it allows for implementation of a variety of lot sizes which provides for varied architecture, improved rear yard setbacks and a unique streetscape that incentivizes porches and neighbour interaction than the current M-2 zoning classification allows. The development will provide stormwater facilities with native species enhancing the water quality where currently no storm water facilities exist. The RS-4 PUD will enhance the opportunity for single level living while not infringing on the size of the homes for the those requiring single level living. The PUD promotes quality residential development and provides good transitional zoning to benefit those properties that currently surround it. The development will be a benefit to the City of St. Charles housing and significant increase in tax base.

iii. **The proposed PUD conforms with the standards applicable to Special uses (section 17.04.330.C.0):**

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

The Special Use will serve the public convenience at Munhall Glen by filling a housing void in the market of single story and first floor master bedroom homes. This void in the market is causing those needing this type of housing to look outside of St. Charles even though they have been long time residents. In addition, by providing housing in this location it helps support area businesses and supports good planning putting residential housing close to both public and private amenities.

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

There is sufficient infrastructure and utilities in this area to support the development. There is a major sanitary sewer main on the north end of the property installed for the future development of this property. The utility infrastructure installed on this property will help with the connectivity of utilities, specifically water main, which will help “loop” the water system in the area and provide for better servicing and water circulation. The installation of storm water controls and Best Management Practices on this property will provide stormwater detention where no stormwater controls currently exist. The traffic pattern will provide excellent vehicular movement because Munhall Glen exits onto a major collector, Tyler Road, which links to principal arterials of E. Main St. and Kirk Rd. providing for safe and efficient vehicular movement.

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.

Munhall Glen will not be injurious to the use and enjoyment of surrounding properties and it will act as an excellent transition from the commercial to the east and west and the residential to the south. By approving this Special Use, the downzoning of this property from M-2 Limited Manufacturing to RS-4 PUD will ensure a more harmonious residential usage of the property and ensure Munhall Ave. stays primarily a residential street rather than negatively impacted by commercial heavy trucking transportation uses.

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 establishment of the Special Use will not impede the normal and orderly development and improvement of the surrounding properties due to the fact that all surrounding properties are currently developed. As the last piece of property in this area for development the approval of the Special Use will in fact promote a harmonious interconnecting and buffer for the surrounding properties.

- 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 approval of the Special Use will not be detrimental to or endanger the public health, safety, comfort or general welfare. As planned, the property's development will provide buffering between different property usages, will extend and improve municipal infrastructure, and will provide housing needed in the City of St. Charles.

- 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.**

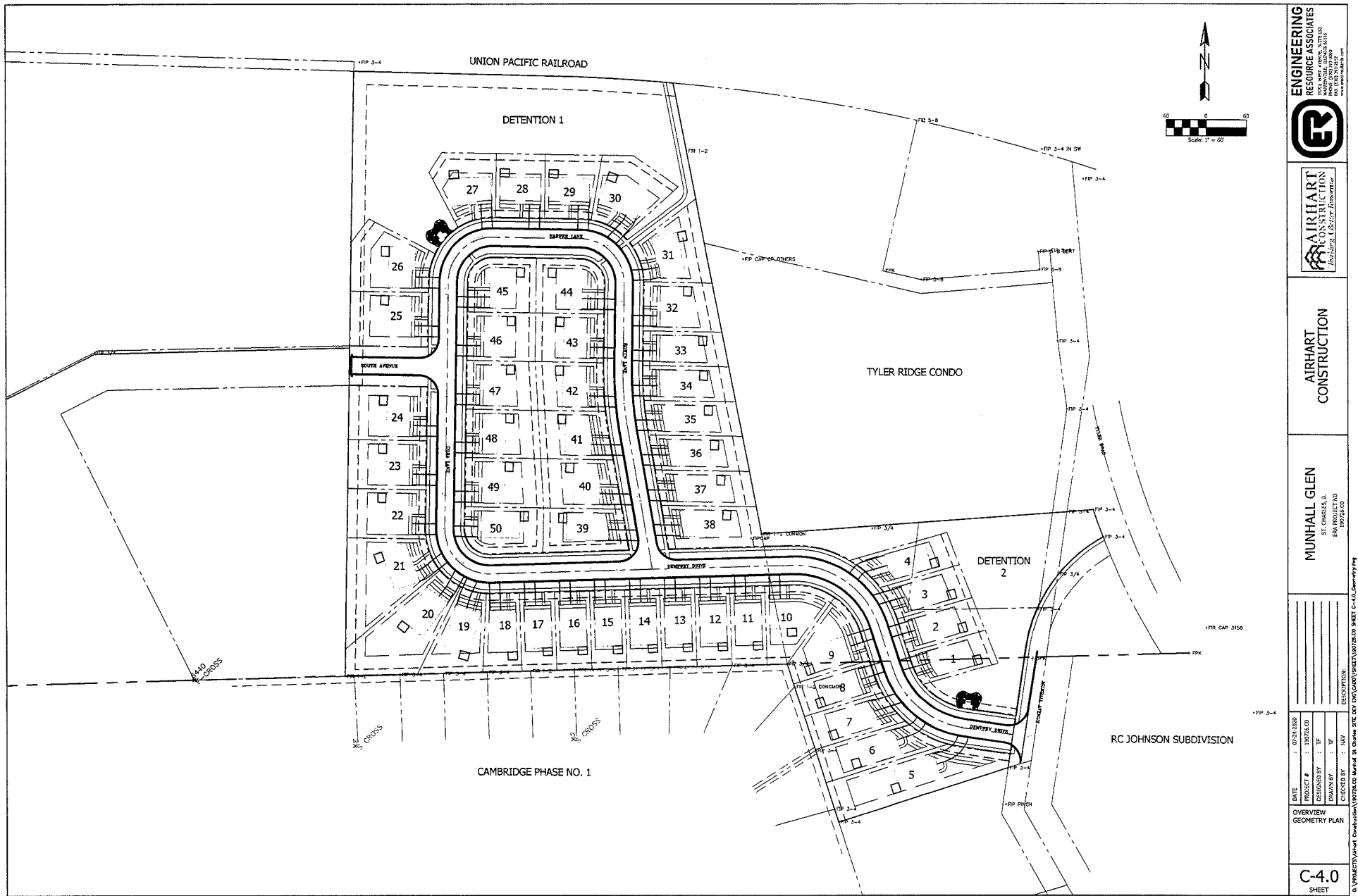
The proposed Special Use conforms to all applicable provisions of the St. Charles Municipal Code and meets or exceeds all applicable provisions of this Title, except as varied pursuant to the Special Use for Planned Unit Development. The Special Use for PUD zoning allows for a more inventive design, the average lot sizes are significantly larger than the minimum requirements, and the housing will be constructed at or above current codes and energy requirements. The Special Use and minor changes to the zoning requirements allows for an inventive solution for meeting a needed housing niche within the St. Charles housing stock.

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

The proposed PUD will be beneficial to the physical development, diversity, tax base and economic well-being of the City. The development of this property will improve connections to the water and sewer systems and provide storm water management facilities where none currently exist. It will provide a diversity of housing by providing single story and first floor master bedroom housing providing solutions for current St. Charles residents whose housing needs have changed over time and want to stay in the City due to civic, cultural, social and religious activities that they have long time connections. The PUD will substantially increase the tax base for the City, School District, Park District, etc. over the current use in perpetuity benefiting many taxing bodies. In addition, it provides housing close to many commercial districts benefiting many surrounding businesses and the economic wellbeing of the City.

- v. The proposed PUD conforms to the purposes and intent of the Comprehensive Plan.**

The proposed PUD conforms to the purposes and intent of the Comprehensive Plan by promoting development within the current boundaries of the City. It focuses development on an underutilized property thereby enhancing the tax base, utilizing surrounding infrastructure instead of needlessly extending infrastructure past undeveloped properties. It provides housing close to shopping districts and the downtown area as well as promoting development in an area with significant road and transportation corridors promoting orderly and efficient development.



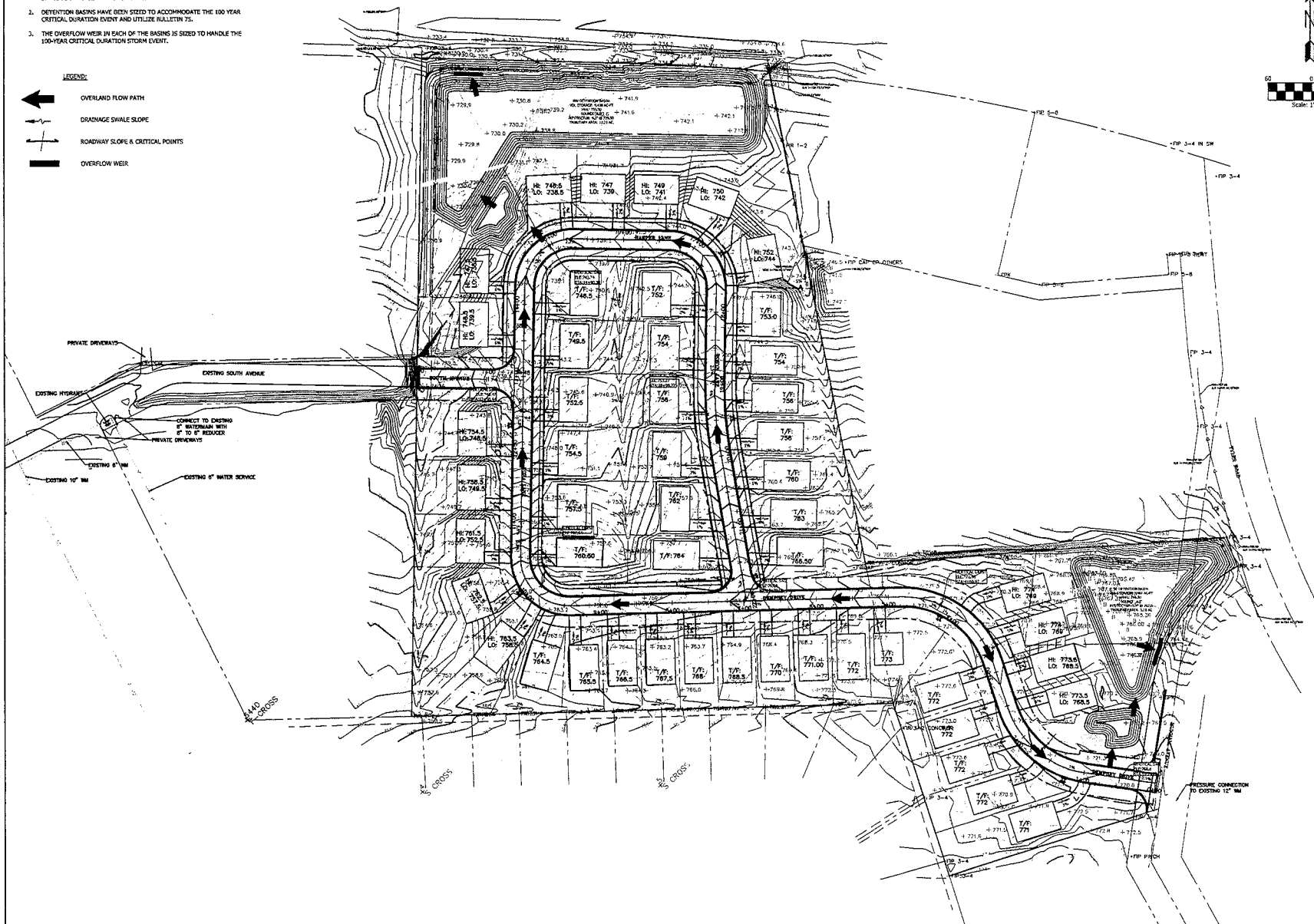
ENGINEERING RESOURCE ASSOCIATES 1000 N. 10TH ST., SUITE 200 CHICAGO, ILLINOIS 60610 TEL: 312.329.1100 FAX: 312.329.1101 WWW.RESOURCE-ASSOCIATES.COM	
AIRHART CONSTRUCTION 1000 N. 10TH ST., SUITE 200 CHICAGO, ILLINOIS 60610 TEL: 312.329.1100 FAX: 312.329.1101 WWW.AIRHART-CONSTRUCTION.COM	
MUNHALL GLEN ST. CHARLES, IL 68A PROJECT NO. 1000 N. 10TH ST.	
DATE: 07-24-2020 PROJECT #: 1000 N. 10TH ST. DESIGNED BY: JF CHECKED BY: JF C-4.0	
OVERVIEW GEOMETRY PLAN SHEET C-4.0	

GRADING NOTES:

1. PRIOR TO REMOVAL OF TOPSOIL, ALL EROSION CONTROL ELEMENTS SHALL BE IN PLACE AND FUNCTIONAL.
2. DETENTION BASINS HAVE BEEN SIZED TO ACCOMMODATE THE 100 YEAR CRITICAL DURATION EVENT AND UTILIZE RAINFALL 25.
3. THE OVERFLOW WEIR IN EACH OF THE BASINS IS SIZED TO HANDLE THE 100-YEAR CRITICAL DURATION STORM EVENT.

LEGEND:

- OVERLAND FLOW PATH
- DRAINAGE SHALE SLOPE
- ROADWAY SLOPE & CRITICAL POINTS
- OVERFLOW WEIR



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10000 RIVERCHASE BLVD
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AIRHART
CONSTRUCTION

MUNHALL GLEN
ST. CHARLES, IL
ESA PROJECT NO.
100000000

DATE	02-24-2020
PROJECT #	100000000
DESIGNED BY	TF
CHECKED BY	TF
APPROVED BY	AW

DATE : 02-24-2020
PROJECT # : 100000000
DESIGNED BY : TF
CHECKED BY : TF
APPROVED BY : AW

GRADING PLAN

C-6.0
SHEET

EXHIBIT “E”

PUD DEVIATIONS

Table 17.12-2 Residential District Bulk Requirements – RS-4 District	
Minimum Lot Area	6,307 sq. ft. minimum and as shown on the Preliminary Plat of Subdivision
Minimum Lot Width	48 ft. and as shown on the Preliminary Plat of Subdivision
Maximum Building Coverage	37.5%
Minimum Interior Side Yard	Combined width of 12 ft., neither side less than 6 ft.

From: **Richard MacDonald** <richard@rmacdonaldassociates.com>
Date: Mon, Oct 7, 2024 at 3:05 PM
Subject: Certified Mail Notice of Public Hearing
To: Dr. Emily Loveland <dremily@sagehealingcollective.com>, Chris Spring
<cspring@cedricspring.com>, Larry Laino (larry.Laino.DO6B@statefarm.com)
<larry.Laino.DO6B@statefarm.com>

Good Afternoon Board Members:

I received this certified mail copy of a Notice of Public hearing regarding proposed changes to City code for the development behind us.
Since I am not sure if all of you received this notice I am forwarding it.

Given the following facts, I don't know why this Board would not take action to at least get the developer to help us before he gets these waivers.

1. The water drainage issue from the property onto our pavement still happens.
2. The lack of care of the berm that we are paying tens of thousands of dollars to deal with- when they own part of that berm.
3. The lack of weed controls on the open lots and along on south property line have been totally ignored.
4. The fact they put up fencing for the west side property line, But nothing on the south border.
5. The fact we do not even have the silt fencing as already required by the city.
6. The fact their trees are causing issues for Building A roofing and problems with the gutter systems.

I am writing you because when all this started Complex Management was to represent us and make sure all the above were handled prior to building...they failed us.

Hopefully, the Board of this complex will not let that happen again!

If they want concession, we should get some as well!

Thank you for caring about this issue and acting in our best interest.

Sincerely,
Richard A. MacDonald, CPA
R. MacDonald & Associates, Ltd.
525 S. Tyler Road, Suite A
St. Charles, IL 60174
Phone 630-584-0400
Fax 630-584-0422

Alan Beyer
1474 Adams Avenue
Saint Charles, IL 60174

October 8, 2024

City of Saint Charles
Attn: Peter Vargulich
Council Chambers, City Hall
2 East Main Street
St Charles, IL 60174

RE: Munhall Glen Porch Amendment (Subdivision lots 1-50)

Dear Mr. Vargulich:

I am writing to convey my opinion on the proposed setback encroachment. I currently live at 1474 Adams Avenue. The new homes that are being built in the Munhall Glen subdivision are already too close to their adjacent neighbors (existing Cambridge subdivision residents). I do not approve of this proposal to allow rear porches (enclosed and unenclosed) to encroach up to 10 feet into the rear yard setback. If anything, the setback should be increased.

Sincerely,



Alan Beyer

From: Michelle Poelsterl <mpoelsterl0516@gmail.com>

Sent: Saturday, October 12, 2024 8:30 AM

To: CD <cd@stcharlesil.gov>

Cc: markfoulkes20@gmail.com

Subject: Munhall Glen Porch Amendment

We received notice of a Public Hearing regarding property within 250 ft of our house at 1426 Adams Ave. This is regarding rear porches in Munhall Glen.

As a resident of Adams Ave I would like to speak against this proposal. This neighborhood has already changed the aesthetic of our block with its construction. We love our block because we are not right on top of our neighbors and each house still has enough space and privacy. Allowing residents of Munhall Glen to add rear porches will further decrease the privacy of our block and the space we purchased our houses for.

Those properties are so tightly built in the first place because the greedy builder had to squeeze in as many homes as possible. I'm sorry that these residents want additional living space but that should have been planned originally but less homes being built for more space.

I am asking the Planning Commission to reject this proposal.

Michelle Poelsterl
Resident 1426 Adams Ave.

From: Brian Pillion <bpillion@gmail.com>

Sent: Wednesday, October 16, 2024 6:17 PM

To: CD <cd@stcharlesil.gov>

Cc: Foulkes, Mark <mfoulkes@stcharlesil.gov>; Silkaitis, Ron <rsilkaitis@stcharlesil.gov>; Christy Pillion <christy.pillion@gmail.com>

Subject: Munhall Glen Porch Amendment

Dear Members of the Plan Commission,

I am writing to formally oppose the petition filed by Airhart Construction Corp. requesting to amend PUD Ordinance No. 2020-Z-29 (Munhall Glen PUD) to allow a 10 ft. rear yard encroachment for enclosed and unenclosed porches for all lots in the Munhall Glen Subdivision. While I understand the desire for homeowners to enhance their properties, this change poses significant risks to our community's quality of life, property values, and environmental integrity.

Firstly, I am deeply concerned about how this zoning change will affect the property values in our area. A reduction in required yard space can lead to overcrowding and diminish the aesthetic appeal of our neighborhood. Potential homebuyers often prioritize spacious yards and well-maintained surroundings; thus, encroachments can deter interest in properties neighboring Munhall Glen, ultimately leading to decreased values for all homeowners. This proposed encroachment is further exacerbated by the fact that the original PUD Ordinance for Munhall Glen has already allowed an increase in lot coverage, and a decrease in required side yard. Airhart Construction has densely packed large ranch houses with small rear yards. The proposed encroachment would only intensify this issue, making my yard feel even more confined and overshadowed.

Moreover, the proposed encroachment raises serious drainage issues. In the past, the area behind my property has been prone to water accumulation during heavy rains. I have been grateful that Airhart Construction has addressed this issue, and added storm drainage along the south side of the subdivision. However, I have concerns that allowing porches to be built closer to the rear property line will block natural water flow and increase the risk of flooding not only on the encroaching property but also on neighboring lots, despite the added storm drainage. This is a concern that should not be taken lightly, as it directly impacts the safety and livability of our homes.

Lastly, noise pollution is another significant concern. Enclosed porches can create noise that is magnified and trapped, potentially disturbing neighboring properties. This is even more troubling because of how densely packed the homes are within Munhall Glen. The introduction of more structures close to property lines could lead to an increase in noise, affecting the peaceful enjoyment of our homes. A tranquil living environment is one of the reasons we chose to settle in this neighborhood, and any change that jeopardizes that atmosphere should be carefully reconsidered.

In conclusion, I urge the Plan Commission to reject this zoning change. It is essential to prioritize the long-term well-being of our whole community over property enhancements for a few select residents. I appreciate your attention to these matters and hope you will take them into account as you make your decision.

Thank you for considering the voices of concerned residents.

Sincerely,
Brian Pillion
1500 Adams Ave
St. Charles, IL 60174

From: Adrian Czajka <czajkaedi@aol.com>
Sent: Wednesday, October 16, 2024 8:29 PM
To: Foulkes, Mark
Subject: Rear porch setback change proposal

Hello Mr. Foulkes. My name is Adrian Czajka & I live at 1438 Adams Ave. in Saint Charles. The north east corner of my lot borders on the Munhall Glenn subdivision.

I have reviewed the rear porch setback change proposal. I would appreciate it if you could submit my objection to this proposal, that is "vote no" on the proposal, & please enter my comments into the public record.

Thank you in advance for handling this matter for all of us who are affected by this proposal. Unfortunately, I cannot attend the public hearing on October 22, since I will be out of town. I look forward to seeing the results of the public hearing.

Adrian Czajka

From: Megan Hatheway <mhatheway4@gmail.com>

Sent: Thursday, October 17, 2024 7:02 PM

To: Foulkes, Mark

Subject: Munhall Glen Porch Proposal

To Whom It May Concern, I am writing to address the notice regarding a public hearing that pertains to properties within 250 feet of my residence at 1413 Adams Avenue. This hearing concerns the proposed addition of porches in the Munhall Glen neighborhood. As a resident of Adams Avenue, I wish to formally express my opposition to this proposal. The character of our block has already been altered due to the construction of new homes. We appreciate our neighborhood for its spaciousness, which provides both privacy and a sense of community. The installation of rear porches within 250 feet of our property would significantly diminish the privacy and open space we valued when purchasing our homes. The homes in Munhall Glen are closely positioned as a result of the builder's intent to maximize profitability by accommodating as many units as possible. Increasing the proximity of porches to Adams Avenue would only detract from the overall appeal of these residences within our neighborhood. While I empathize with the desire for additional living space among Munhall Glen residents, this consideration should have been factored into the initial planning and design. I respectfully request that the Planning Commission reject this proposal. Thank you for your attention to this matter. Sincerely, Megan Hatheway

From: d1462@comcast.net <d1462@comcast.net>

Sent: Thursday, October 17, 2024 9:34 PM

To: Foulkes, Mark

Subject: Munhall Glen

I would like to vote no on the planned amendment to allow porches encroaching over the line.

From: Christine Ostrowski <clmso35rn@gmail.com>

Sent: Monday, October 21, 2024 9:14 AM

To: CD <cd@stcharlesil.gov>

Subject: Munhall Glen Porch Amendment

Hello,

I received the notice of a public hearing about the porch amendment for Munhall Glen. I do not understand the proposal.

"Allow rear porches (enclosed and unenclosed) to encroach up to 10 feet into the rear yard setback. Porches will require a 20-foot setback from rear property lines."


The definition of encroachment that I found is: "It is where a homeowner's property extends onto their neighbor's land without permission. It can lead to various problems, such as title, issues, difficulty selling the home, and a decreased sale price"

I live at 1540 Adams Ave. I have a pie shaped backyard. We have lived here since 1987 and have always been backed by trees, farmland, and all sorts of birds and animals. We now have 3 homes directly backing our lot line with another 2 within sight. They all have decks or patios which are very close already. Whenever any one of them is out, voices echo throughout the circle, and being so close, we and they can see into each other's homes. There is no longer any privacy.

So, I do not understand the need to move these decks/patios any closer to my property and do not approve of this proposal as I understand it. I invite you to come and see for yourselves.

Thank you for listening,

Christine and Carl Ostrowski
1540 Adams Ave.
St. Charles, IL
630-710-5154

 CITY OF ST. CHARLES ILLINOIS • 1834	AGENDA ITEM EXECUTIVE SUMMARY		Agenda Item number: 4d
	Title:	Recommendation regarding the St. Charles Housing Trust Fund Allocation to the Kane County Affordable Housing Fund for Carroll Tower.	
	Presenter:	Ellen Johnson, Planner	
Meeting: Planning & Development Committee		Date: November 11, 2024	
Proposed Cost: \$		Budgeted Amount: \$	Not Budgeted: <input type="checkbox"/>
TIF District: None			
<p>Executive Summary (if not budgeted, please explain):</p> <p><u>Background</u></p> <p>Carroll Tower is an affordable senior building comprised of 108 1-bedroom apartments for age 55+ residents located in downtown. The building is currently under a project-based Section 8 Housing Assistance Payments (HAP) contract, renewed in 2016 for a 20-year period (to 2036). Under this contract, tenants pay 30% of their income towards rent. The remaining portion of the rent (based on market-rate) is subsidized by HUD. In terms of income qualifications for tenants, 6 units are reserved for tenants at 30% of the Area Median Income (~\$21,900 annual income) and 102 units are reserved for tenants at 60% AMI (~\$43,800).</p> <p>Carroll Tower was purchased by 3 Diamond Development LLC in 2022, with the intention of renovating the building and continuing to operate as affordable senior housing. 3 Diamond manages over 20 affordable housing developments and has been a developer, owner, and operator of affordable housing since 2008. A new HAP contract is expected to be approved by HUD which would enact a new 20-year affordability period (to 2044 or 2045).</p> <p><u>Funding Request</u></p> <p>3 Diamond has applied for Kane County Affordable Housing Fund (AHF) financing to assist in the costs of a complete interior building renovation. The request is for \$1,103,200 from the AHF to be put towards a \$42 million renovation project. \$558,319 would come from Kane County, and \$544,881 would come from the City's Housing Trust Fund.</p> <p>Kane County staff have prepared a report detailing their review of 3 Diamond's application for financing (attached). The development pro forma and supporting documentation were reviewed and accepted by County staff as part of their review. The Kane-Elgin HOME Commission, which reviews these funding requests, recommended approval of the County's portion of the funding in October. The Kane-Elgin HOME Commission includes representation from St. Charles, including Staff and a Housing Commissioner.</p> <p><u>Process for Review and Approval of City Funding</u></p> <p>In 2018, City Council allocated a portion of the Housing Trust Fund to the AHF to be made available to developers of affordable housing, along with federal funding managed by Kane County.</p> <p>Based on the process per a 2018 IGA with Kane County, the St. Charles Housing Commission typically approves the City's end of funding for projects that apply through the AHF. However, there is only \$147,088 left from the City's initial allocation of Trust Fund dollars into the AHF.</p> <p>City Council can increase the City's Housing Trust Fund allocation to the AHF by \$397,793 to cover the funding gap for Carroll Tower. This would come to a total City contribution of \$544,881. The funding would be in the</p>			

form of a 0% interest loan with a 30-year payback period. The City's Housing Trust Fund would have a remaining balance of \$1,747,339.

(This project-specific increase in funding to the AHF is similar to the request the City approved for the Anthony Place II project. The Anthony Place II project ultimately was not awarded IHDA tax credits, so the project has been shelved and no City Trust Funds were expended.)

Housing Commission Recommendation

The Housing Commission discussed the funding request for Carroll Tower at their meeting on 10/30/24. They voted 7-0 to approve funding in the amount of \$544,881 from the Housing Trust Fund, subject to City Council approval of an additional allocation of \$397,793 from the Housing Trust Fund to the Kane County Affordable Housing Fund.

Commissioners expressed support for the project, recognizing the importance of preserving and supporting the City's existing affordable housing stock. They felt it would be a productive use of the Housing Trust Fund and leaves a healthy balance remaining for future projects.

Future Discussion

Please note- Staff will be presenting the annual Affordable Housing Update at an upcoming meeting. At that time, a discussion will be held regarding setting the Inclusionary Housing Fee for next year, as well as utilization of the Housing Trust Fund going forward.

Attachments (please list):

Letter from Kane County/AHF Application, Housing Trust Fund Account Report

Recommendation/Suggested Action (briefly explain):

Recommendation regarding the St. Charles Housing Trust Fund Allocation to the Kane County Affordable Housing Fund for Carroll Tower.

COUNTY OF KANE

OFFICE OF COMMUNITY REINVESTMENT Community Development Division

Scott Berger, Director
Josh Beck, Assistant Director for Community Development



Illinois workNet Center

143 First Street

Batavia IL 60510

www.countyofkane.org

October 25, 2024

Ellen Johnson, Planner
St. Charles Community & Economic Development Department
2 East Main Street
St. Charles IL 60174

Re: St. Charles Housing Trust Fund – Funding Recommendation from Home Commission

Dear Ms. Johnson,

Our office recently conducted a “Call for Proposals” under the Affordable Housing Fund (AHF), which is cosponsored by Kane County, the City of Elgin, and the City of St. Charles. As you know, the purpose of the AHF is to provide gap financing from a mix of sources to support the preservation and/or expansion of affordable housing options in our area.

Earlier, the Home Commission (which oversees the AHF) met to review the development proposals we received. Among them was one from 3 Diamond Development, LLC for the acquisition and refurbishment of Carroll Tower, a 108-unit senior rental project, located at 200 North Second Street in downtown St. Charles. Upon completion, the property will continue to be occupied by income-eligible seniors under the current rent structure, which includes a continuation of participation in HUD’s Housing Assistance Program, which provides rent subsidy that takes into account each tenant’s income. The Home Commission evaluated the proposal under its selection criteria and approved financing terms for the project in the total amount of \$705,407. **This amount includes a combination of \$558,319 in federal funds from Kane County and \$147,088 from the St. Charles Housing Trust Fund, subject to the approval of your Housing Commission. The aforementioned figure from the Trust Fund represents the available balance under our Intergovernmental Agreement with the City. Unfortunately, the total financing available (from both federal and city sources) is \$397,793 short of the amount requested by the applicant. In order to fully satisfy the request, we recommend the City consider amending the IGA to increase the amount available. Regardless of the amount provided by the City, our recommendation is for the Commission to issue approval so that we can move forward with a final funding commitment and prepare for closing.** Our office is available to assist you with the planning and logistics associated with that process.

I am enclosing a copy of 3 Diamond’s proposal, along with the staff report and funding recommendation for your review and consideration. I plan to attend your Housing Commission meeting next week to discuss the proposal and the Home Commission’s recommendation. Before then, however, please don’t hesitate to contact me if you have any questions.

Sincerely,

Scott Berger, Director

Enc.

**KANE COUNTY AFFORDABLE HOUSING FUND
STAFF REPORT AND FUNDING RECOMMENDATION
September 25, 2024**

Applicant/Project Summary

Developer Name:	3 Diamond Development LLC			
Organizational Type:	For-Profit Organization			
Project Name:	Diamond Senior Apartments at Carroll Tower			
Location:	200 N 2nd St, St. Charles, IL 60174			
Project Type:	Rehabilitation – Rental			
Description:	Diamond Senior Apartments is a 108-unit senior development with one bedroom units.			
Unit Mix:	Unit Size	Affordable Units	Market Rate Units	Total Units
	1 Bedroom	108	0	108
	Total	108	0	108
Income Targeting:	(6) units @ 30% AMI; (102) units @ 60% AMI			
Proposed Affordability Period:	Required: 15 years, based on development subsidy of over \$40,000/unit			
Budget Summary:	Funds from Other Sources:	\$41,610,303 (97% of TDC)		
	Affordable Housing Funds Requested:	<u>\$1,103,200</u> (3% of TDC)		
	Total Development Cost (TDC):	\$42,713,503		

Responsiveness to AHF Evaluation Criteria



EVALUATION CRITERIA	RATING	STAFF COMMENTS
Financial Underwriting		
Proposals must demonstrate that the project is not “economically feasible” without program assistance, and evidence of financial ability to implement project must be provided.	●	Financing Commitments are Secured: The project has secured commitments for Low Income Housing Tax Credits and Trust Funds from IHDA. Altogether, over 97% of the funding required for this project is committed.
Developer Qualifications		
Consideration will be given to the development team’s qualifications to develop (or redevelop) high-quality affordable housing, especially in the Kane County market area. Further, specific detail related to the qualifications and experience of the individual(s) identified as project manager(s) will be evaluated.	●	The development team is well qualified to undertake and manage the project. Currently the applicant manages over 20 Low-Income Housing Tax Credit developments. Project sponsor is developer, owner and operator of family and senior affordable housing developments since 2008.
Experience		
Consideration will be given to the developer’s track record of completing projects on time and within budget and	●	The development team has worked on the full spectrum of affordable and specialized housing. We have the experience to manage every aspect of development effectively and efficiently. The ins and

their experience working with Federal funding (NSP, HOME, CDBG, etc.)		outs of financing tax credit developments and maintain open communications with financing partners and Investors. Various other developments completed have involved federally funded sources and low income housing tax credits.
Capacity		
Consideration will be given to the developer's capacity (including anticipated work load), the project's readiness to proceed, commitments secured from other sources, and the project's long-term feasibility.	●	The development team has extensive experience in delivering similar projects in throughout the state of Illinois. Currently the developer has two projects across the state in different stages of development.
Project Design		
Consideration will be given to projects that address the Kane-Elgin Consortium's General Principles and Specific Housing Criteria.	●	Detailed plans have been provided. The project is located in a corridor with a mix of land uses, including retail, health, and public transportation services. Project meets the goals of the Consortiums General Principles and Housing Criteria. All units within the project serve populations with household income of less than 60% area median income.
Value		
Priority will be given to developers that provide a high-quality end product in relation to their development costs. The extent to which they leverage other public and private resources will be considered.	○	The project sponsor is seeking a modest amount from the AHF (3% of TDC), and the overall per-unit development cost (\$395,000/unit) is comparable to past developments.

Staff Recommendation

Approve/Disapprove:	Approve
Amount:	\$705,407.00 (Treasury & St. Charles Trust Funds)
Terms:	<p>Deferred/Cash Flow Loan of \$705,407.00 with the following terms:</p> <ul style="list-style-type: none"> • 0.0% Interest Rate • 30 Year Term • Balance payable at end of term <p>Negotiate percentage of cash flow after Seller Note paid with developer and other lenders.</p>
Conditions:	<p>The applicant must submit evidence that the following conditions have been satisfied in order to receive final commitment:</p> <ol style="list-style-type: none"> 1. Fulfillment of all other OCR requirements; and 2. Close on the project financing before January 31, 2025.

KANE COUNTY
AFFORDABLE HOUSING FUND
RENTAL PROPOSAL CHECKLIST AND COVER SHEET
PROJECT SPONSOR NAME: 3 Diamond Development, LLC

Instructions: After completing the forms in this packet, including all sections and signature pages, use this checklist as a guide to organize and assemble your proposal. Indicate the attachments that are included in your submittal by checking the box in the "Document Attached" column. Some items may not be applicable to your project. Please be sure to review this checklist carefully, and include any and all attachments based on the responses you provided in the application forms. All documents should be labeled with a LETTER, and organized accordingly in alphabetical order behind the completed application forms.

Attachment Name	Document Attached
A. Preliminary Project Schedule	<input checked="" type="checkbox"/>
B. Project cost estimates	<input checked="" type="checkbox"/>
C. Project Pro-forma (per AHF Guidelines for Rental Projects)	<input checked="" type="checkbox"/>
D. Preliminary plans, schematics, renderings and/or other documents presenting proposed development. <i>(Must be provided in electronic format and in an appropriate scale for printing on 11" x 17" paper.)</i>	<input checked="" type="checkbox"/>
E. Construction Cost Certification (demonstrating costs are reasonable)	<input checked="" type="checkbox"/>
F. Copies of all Funding Award Letters/Notices referenced in budget document	<input checked="" type="checkbox"/>
G. Summary of Completed Projects – please check boxes for each item to ensure you have included required information about your completed projects a. Name and location of projects completed by Project Sponsor (last 3 years only) <input checked="" type="checkbox"/> b. Relevant details including cost of project, number of units, housing type (rental, owner, special needs, mixed use, etc.), target populations <input checked="" type="checkbox"/> c. Identify any sources of public financing used and contact names/telephone numbers for each government agency. <i>(County may contact agencies to confirm the quality of work performed by the Project Sponsor.)</i> <input checked="" type="checkbox"/> d. Date of project completion <input checked="" type="checkbox"/> e. Photos of completed projects <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
H. Summary of Projects currently in Predevelopment, Preconstruction, and Construction – please check boxes for each item to ensure you have included required information about your completed projects a. Name and location of projects <input checked="" type="checkbox"/> b. Relevant details including cost of project, number of units, housing type (rental, owner, special needs, mixed use, etc.), target populations <input checked="" type="checkbox"/> c. Identify any sources of public financing used and contact names/telephone numbers for each government agency <input checked="" type="checkbox"/> d. Expected date of project completion <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
I. Market Study/Assessment of demand for project	<input checked="" type="checkbox"/>
J. Market Analysis/Appraisal for property acquired or to be acquired for project. (Because my project is a scattered site project for which an address(es) is/are not yet available, this item is not applicable <input type="checkbox"/>)	<input checked="" type="checkbox"/>
K. Listing of all units within subject property, noting unit occupancy/vacancy and copies of General Information Notice(s) sent to existing tenants. (Because my project is new construction, this item is not applicable <input type="checkbox"/>)	<input checked="" type="checkbox"/>
L. Housing Authority/Instrumentality jurisdiction: Letter from Housing Authority documenting jurisdiction for it, or its instrumentality, to participate in the project; if the project is outside Aurora and Elgin, documentation is required showing State of Illinois approval of jurisdiction.	<input checked="" type="checkbox"/>

(Because my project does not involve a Housing Authority or HA instrumentality, this item is not applicable <input checked="" type="checkbox"/>)	
M. Current 501(c)(3) or 501(c)(4) Letter of Determination and most recent IRS form 990	<input checked="" type="checkbox"/>
N. Board Resolution authorizing application for financing	<input checked="" type="checkbox"/>
O. Flowchart or diagram of the developer/partnership structure for the project	<input checked="" type="checkbox"/>
P. Flowchart or diagram of the financing/project ownership structure for the project	<input checked="" type="checkbox"/>
Q. Project Sponsor Financial statements - year to date	<input checked="" type="checkbox"/>
R. Project Sponsor Financial statements - last 3 years (audited) (Because applicant is For Profit business, last 3 years of un-audited financial statements are attached <input type="checkbox"/>)	<input checked="" type="checkbox"/>
S. Additional attachment: Relocation Plan and Budget	<input checked="" type="checkbox"/>
T. Additional attachment: PSA	<input checked="" type="checkbox"/>
U. Additional attachment:	<input type="checkbox"/>
V. Additional attachment:	<input type="checkbox"/>
W. Additional attachment:	<input type="checkbox"/>

By signing this completed checklist, I attest that I have included the indicated documentation, and provided complete and accurate information to Kane County in support of this proposal.



Signature

8/7/2024

Date

Ben Porush, President

Name/Title (Printed)

**KANE COUNTY
AFFORDABLE HOUSING FUND
RENTAL PROJECT PROPOSAL**

A. PROJECT SPONSOR CERTIFICATIONS

The Project Sponsor certifies that all information furnished in/with this proposal is provided for the purpose of obtaining financial assistance under the Affordable Housing Fund and is true and complete to the best of the Project Sponsor's knowledge and belief. If any information provided herein changes following submission of this proposal, the Project Sponsor agrees to notify Kane County's Office of Community Reinvestment immediately. The Project Sponsor understands and agrees that if false information is provided in/with this proposal, which has the effect of increasing the Project Sponsor's competitive advantage, the Kane County Office of Community Reinvestment may disqualify the Project Sponsor and deem the Project Sponsor ineligible to receive any funds in the future.

Verification of any of the information contained in/with this proposal may be obtained from any source named herein. Submission of this proposal shall constitute the Project Sponsor's authorization for the Kane County Office of Community Reinvestment to undertake such investigations as it deems necessary to determine the accuracy of this proposal and the Project Sponsor's suitability for financing from Kane County's Office of Community Reinvestment. The Kane County Office of Community Reinvestment reserves the right to require financial statements (audited or unaudited) of each development team member as part of its underwriting process.

The Project Sponsor will at all times indemnify and hold harmless Kane County against all losses, costs, damages, expenses and liabilities of any nature directly or indirectly resulting from, arising out of or relating to the Kane County's acceptance, consideration, approval, or disapproval of this proposal and the issuance or non-issuance of funds herewith.

The Kane County Office of Community Reinvestment retains the right to reject any and all proposals, and, in its sole determination, to waive minor irregularities. Further, the Project Sponsor acknowledges by execution of this certification that the Kane County Office of Community Reinvestment will review this proposal and reach its determination with the fullest discretion allowable by law.

The Project Sponsor further certifies that neither it, its principals, nor members of its development team are presently debarred, suspended, proposed for disbarment, declared ineligible or voluntarily excluded from HUD programs. Additionally, said parties are in good standing on state and federal tax obligations.

IN WITNESS WHEREOF, the undersigned, being duly authorized, has caused this document to be executed in its name on the 7 day of August, 2024.

Legal Name of Project Sponsor: 3 Diamond Development, LLC

Signature of Authorized Party: _____

Name: *(please type)* Ben Porush

Title: President

Date: 8/7/2024

THIS PAGE MUST BE SIGNED IN ORDER FOR THE COUNTY TO ACCEPT YOUR SUBMITTAL

B. PROJECT SPONSOR INFORMATION

Project Sponsor Name:	3 Diamond Development, LLC		
Project Name:	Diamond Senior Apartments at Carroll Tower		
Federal ID #:	26-2574835	DUNS # (if available):	N/A
Mailing Address including City, State and Zip:	6677 North Lincoln Avenue, Suite 400 Lincolnwood, IL 60712		
Contact Person:	Ben Porush		
Telephone Number:	847.677.7206, ext 1028	Email Address:	bporush@3diamonddevelopment.com
<input type="checkbox"/> Not-For-Profit Organization <input checked="" type="checkbox"/> For-Profit Organization			
Is your organization a Community Housing Development Organization (CHDO)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Are you seeking financing from Low Income Housing Tax Credits <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Please indicate the nature of work involved in your proposed project: Check all that apply: <input checked="" type="checkbox"/> Acquisition of real estate <input checked="" type="checkbox"/> Rehabilitation of existing housing <input type="checkbox"/> New construction <input type="checkbox"/> Conversion to residential			
Total Cost of Project	\$42,713,503	Total # of Housing Units in the Project	
AHF Amount Requested	\$1,103,200	108	

C. DEVELOPMENT TEAM INFORMATION

Role	Name of Entity	Existing	To Be Formed
Co-Sponsor		<input type="checkbox"/>	<input type="checkbox"/>
Owner	Diamond Development Fox River, LLC	<input type="checkbox"/>	<input checked="" type="checkbox"/>
1. General Partner		<input type="checkbox"/>	<input type="checkbox"/>
2. Limited Partner		<input type="checkbox"/>	<input type="checkbox"/>
3. Limited Partner		<input type="checkbox"/>	<input type="checkbox"/>
4.		<input type="checkbox"/>	<input type="checkbox"/>
5.		<input type="checkbox"/>	<input type="checkbox"/>
Architect	Wallace Architects	<input checked="" type="checkbox"/>	<input type="checkbox"/>
General Contractor	Morrissey Construction Company	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Attorney	Katten Muchin Rosenman, LLP	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Property Management	Ludwig and Company	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other:		<input type="checkbox"/>	<input type="checkbox"/>
Other:		<input type="checkbox"/>	<input type="checkbox"/>

D. PROJECT NARRATIVE/PLANS

Provide an answer to every question. **Typing "See Attached" is not an acceptable response.**
IF THE QUESTION IS NOT APPLICABLE TO YOUR PROPOSED PROJECT, PLEASE WRITE "N/A".

1. Provide a detailed abstract of proposed project or development.

Diamond Senior Apartments at Carroll Tower is a proposed acquisition and rehabilitation of a 108 unit senior (age 62+) development located at 200 North Second Avenue, St. Charles, Kane County, Illinois 60174. The development, approximately 40 miles west of Chicago, is situated in downtown St. Charles near the Central Business District and the scenic Fox River. City Hall, numerous commercial/retail shopping areas and other community resources are within short walking distances of the property. The principal north/south thoroughfares near Diamond Senior

Apartments at Carroll Tower are Second Avenue (Route 31) and Fifth Street (Route 25). The principal east/west thoroughfare is Main Street (North Avenue - Route 64). Completed in 1984, the mid-rise (6-story) building contains 108 units and all units are individually metered. Diamond Senior Apartments at Carroll Tower offers adjacent onsite parking and is currently 97% occupied with a waiting list of 104 names.

limit 4,000 characters

2. Describe the project control structure from initial stages through construction and ongoing management, including partnerships or entities that are still to be formed.

3 Diamond Development, LLC will hold the majority (80.1%) control as the managing member. Fox River Investors LLC is a passive investor with 19.9% ownership. Both are investors in Diamond Development Fox River GP, LLC. Then, in partnership with CREA Carollo Tower, LLC, a to be formed entity for tax credit investment, and CREA SLP, LLC also a to-be-formed entity for investment, they make up Diamond Development Fox River, LLC which is the entity that will develop the property at 200 N Second Street, St. Charles, IL 60174.

limit 4,000 characters

3. Will the project target a particular population(s)? ☒ Yes ☐ No
If yes, please describe all that are applicable (e.g. elderly, disabled, homeless, small/large families, etc.)

Diamond Senior Apartments at Carroll Tower consists of 108 1BR apartment units for seniors age 62+. 3 Diamond Development is a skilled developer, owner, and manager of affordable senior housing.

limit 4,000 characters

Describe supportive services to be provided, if any, including a detailed description of who will deliver these services. Attach copies of draft service agreements to be entered into with the service providers. Please include the name/contact information for the agencies that will provide services.

There will be no Supportive Housing units. However, 5% of the units will be SRN units. This equates to 5.4 of total units, so we have rounded the SRN units to 6 in total.

limit 4,000 characters

4. Provide details about the bedroom count and income limits associated with the units proposed.

# of Bedrooms	# of Units				
	30% limit	50% limit	60% limit	80% limit	Market Rate
1	6		102		
TOTAL	6		102		

If there is an employee unit included in the project, please describe whether this unit will be income restricted and provide any further information about how this unit is included in the total unit count.

There is no employee unit in the project.

5. Will the project utilize Project-Based Housing Choice Vouchers? ☐ Yes ☒ No **Yes, HAP* will continue.**
If yes, please describe the number, dollar amount and duration of Project-Based Housing Choice Vouchers.

There is a 100% Section 8 HAP Contract covering all units. Tenants pay 30% of their income toward their rent.

Note: The methodology used historically to calculate tenant rent levels will not change.

limit 4,000 characters

6. Is the property subject to this proposal currently occupied by:

Residential Renter ☒ Yes ☐ No
Residential Owner ☐ Yes ☒ No
Business ☐ Yes ☒ No

***Housing Assistance
Program provides partial
rent subsidy based on
tenant income.**

If yes to any of the above, please describe any plans and timelines for project transition. Please note that failure to provide notice under the Uniform Relocation Act to any current occupants concurrent with submission of this proposal to Kane County may jeopardize your ability to receive financing under the Affordable Housing Fund program.

Carroll Tower is a 108-unit senior housing complex built in 1984, composed entirely of one-bedroom apartments. While generally well maintained, after 30+ years of occupancy, it is need of a significant renovation. The rehabilitation scope focuses on the well-being of the tenants and the physical preservation of the building for the foreseeable future. The scope includes replacement of flooring, appliances, doors, appliances, roofing, lighting, HVAC equipment, as well as painting, masonry, asphalt, and concrete.

The renovation of the Property is expected to take approximately twenty-two (22) months, during which time it is not anticipated that there will be any "displaced persons," who by definition are persons that must move from the property permanently. If it is determined that there are, the plan will be amended to address the special requirements particular to those tenants being displaced. These tenants would be given the Notice of Eligibility for Relocation Assistance (Exhibit C) which would inform them of their rights under URA.

Construction will begin on vacant units and then continue, moving one floor at a time. Dependent on the number of vacant units at time of acquisition, residents from the first floor will be asked to relocate to one of the renovated vacant units which will become their new permanent residence. If vacant units are not available, the resident(s) will be temporarily housed offsite and then return to their prior unit was the phased renovation is completed.

In preparation for the in-unit renovations, meetings will be held to inform residents of the upcoming rehabilitation and the need for daily relocation. Property Management will deliver to each resident a General Information Notice and Notice of Non-displacement that will outline the residents' rights under URA. Every attempt will be made to keep the tenants informed and to answer any questions that they may have.

Residents will also be individually notified two weeks, and again one week prior to renovations to their specific unit. Carroll Tower will hold group meetings to provide tenants with information, both verbal and written, outlining the rehabilitation process. Each tenant will be given the opportunity to discuss his/her needs, preferences, concerns, and to ask questions. The tenants that may require special assistance due to a disability will be identified and will be provided assistance in a non-discriminatory manner.

As part of the process, moving boxes will be made available and professional movers will be hired to assist in moving resident belongings to their newly renovated unit. A budget has been established to cover moving costs.

The developing entity will provide assistance to all residents, both non-displaced and those that may be displaced by this project. In the event residents become displaced as a result of this project, the appropriate assistance will be provided to residents including applicable written notices and referrals to at least three decent, safe, and sanitary

replacement housing units. Residents will be assisted in claiming benefits and will receive referrals for social services, as needed. Displacement is not anticipated in this process.

The relocation plan and accompany budget are included in this application in part S. Additional Attachment - Relocation Plan and Budget.

limit 4,000 characters

7. Provide a description of how the proposal addresses the Kane-Elgin Consortium's Consolidated Plan Priority #1: Affordable Housing; General Principles and Specific Housing Criteria (See Appendix F to Affordable Housing Fund General Guidelines), with specific attention to the **location** and **design** of the project in accordance with county design requirements.

Diamond Senior Apartments at Carroll Tower is the rehabilitation of existing senior housing which is the conservation of existing affordable housing in the existing city of St. Charles. Located near the Fox River, the site is accessible on foot to many amenities such as restaurants, shopping, banks, medical services, and outdoor recreation. While not a new development, Diamond Senior Apartments at Carroll Tower's rehabilitation will improve downtown St. Charles by providing a safe, affordable housing option for seniors, keeping residents in their homes and near the amenities they have become used to frequenting.

limit 4,000 characters

8. Provide a description of current site control for the proposed project site.

3 Diamond Development purchased the property on February 10, 2022 and the Warranty Deed has been filed with the Kane County Property Tax Assessors office. A copy of the Purchase and Sale Agreement is included in T. Additional Attachment: PSA.

limit 4,000 characters

E. PROJECT SPONSOR EXPERIENCE/QUALIFICATIONS

1. Describe the relevant experience/qualifications of the Project Sponsor.

3 Diamond Development is an affordable housing developer founded in 2008 with extensive experience in senior housing and tax credit financing. Our team has worked on the full spectrum of affordable and specialized housing. We have the experience to manage every aspect of development effectively and efficiently. We know the ins and outs of financing tax credit developments and maintain open communications with our financing partners and investors. In the last 16 years, 3 Diamond Development has developed 20 properties. Today, we own and manage 961 LIHTC units across 17 developments with three more LIHTC projects with 172 units currently in development.

limit 4,000 characters

2. List the name and title of the individual(s) who will manage the project.

David S. Porush, President of 3 Diamond Development will manage the project.

David provides extensive tax and legal expertise to 3 Diamond Development. He began his career working for Price Waterhouse, LLP as an associate in their state and local tax practice. In this role, he was responsible for legislative tracking and analysis related to state and local tax matters. David then transferred to the public accounting firm of KPMG, LLP as a senior tax specialist, where he was primarily involved in sales and use tax planning and negotiated incentives. Projects he worked on included enterprise zones, tax increment finance arrangements, property tax abatements and sales tax incentives. In 2002, David co-founded MTS Consulting, LLC, specializing in tax credits and incentives with a focus in the healthcare industry.

limit 4,000 characters

3. Please disclose any investigation underway regarding any member of the development team.

There are no investigations underway on any members of the development team.

limit 4,000 characters

4. Complete a **DEVELOPMENT TEAM MEMBER NARRATIVE** for each member listed on the Development Team. The narrative should address the experience and qualifications of the team member/firm, and any principals or staff that will be assigned to the project.

4.1 ROLE: Developer

ENTITY NAME: 3 Diamond Development

CONTACT PERSON: Davud S. Porush

ADDRESS: 6677 North Lincoln Ave, Suite 400,
Lincolnwood, IL 60712

PHONE: (847)677-7206

EMAIL: dporush@
3diamonddevelopment.com

3 Diamond Development is an affordable housing developer founded in 2008 with extensive experience in senior housing and tax credit financing. Our team has worked on the full spectrum of affordable and specialized housing. We have the experience to manage every aspect of development effectively and efficiently. We know the ins and outs of financing tax credit developments and maintain open communications with our financing partners and investors. In the last 16 years, 3 Diamond Development has developed 20 properties. Today, we own and manage 961 LIHTC units across 17 developments with three more LIHTC projects with 172 units currently in development.

limit 4,000 Characters

4.2 ROLE: Architect

CONTACT PERSON: Wallace Architects, LLC

CONTACT PERSON: M. Randall Porter

PHONE: (____)____-____

PHONE: (573)256-7200

PHONE: (____)____-____

Address: 302 Campusview Dr., Ste. 208
Columbia, MO 35201
randyp@wallacearchitects.com

M. Randall (Randy) Porter is an architect with Wallace Architects, LLC where he has worked since 2013. Randy has over 20 years of experience in the field, is a licensed architect in 23 states, and a LEED-accredited professional. He has been the signing architect on projects within the last 10 years that have been designed to reach Green Certification levels such as NGBS Bronze, Energy Star, Enterprise Green Communities, Earthcraft, and Passive House.

limit 4,000 Characters

4.3 ROLE:

General Contractor

CONTACT PERSON: Morrissey Construction
Company

CONTACT PERSON: Ryan Morrissey

PHONE: (____)____-____

PHONE: (____)____-____

PHONE: (618)497-3418

Address: 705 Southmoor Place
Godfrey, IL 62035
ryanmorrissey@morrisseyconstruction.com

Morrissey Construction Company has taken its time-honored traditions of building relationships and projects on the founding principles of honesty, hard work and trust. They have fine-tuned them into words to live by for more than seven decades.

Morrissey Construction Company is the contractor of choice for Multifamily Construction, Senior Living Construction, Commercial Construction, School Construction and Historic Renovations. They combine equal amounts of construction management, traditional general construction services, green building services and creativity. Taking on projects in this manner allows us to maintain competitiveness, versatility and control all while staying at the top of building trends.

limit 4,000 Characters

4.4 ROLE: Property Manager

CONTACT PERSON: Ludwig and Company

PHONE: (____)____-____

CONTACT PERSON: Donna Martorano

PHONE: (____)____-____

PHONE: (847)263-6200

Address: 4081 Ryan Road
Gurnee, IL 60031
dmartorano@ludwigco.co

Ludwig and Company is a full service property management company specializing in the management of rental apartment communities throughout Illinois. Our portfolio includes luxury, market, independent senior living, affordable tax credit, and government subsidized multi-family residences throughout the past 30 years, we have achieved great success in our business by working diligently to exceed the expectations of our clients and residents through outstanding customer service, accurate and timely financial reporting, consistent and frequent communication with our clients and residents, and quality maintenance to enhance the property value of our clients' assets.

Ludwig and Company takes great pride in all of our communities, and will manage your asset as if it were our own, paying close attention to the details and developing a specialized management strategy to achieve the goals set for each community. The services and advice that we will offer to you as our client will be based on over 30 years of experience in the industry and the individual expertise of our management team in the areas of operations, maintenance, compliance and financial reporting.

The Compliance Department at Ludwig and Company has vast experience in leasing up and managing the documentation and reporting requirements of tax credit and government subsidized properties. We have systems and procedures in place to safeguard our clients' tax credits, and in turn, to safeguard and protect our clients' assets. We assure our clients that residents are properly certified Documentation is neatly organized and easily accessible for lease file inspections performed by government agencies, investors, and syndicators Government reporting is completed timely and accurately. We are in constant communication with our developments' assigned government representatives to assure that nothing falls through the cracks or is misinterpreted.

limit 4,000 Characters

4.5 ROLE: Attorney

CONTACT PERSON: Katten Muchin Rosenman,

LLP

PHONE: (____)____-____

CONTACT PERSON: David Cohen

PHONE: (312)902-5284

EMAIL: david.cohen@katten.com

Address: 525 W. Monroe Street

Chicago, IL 60661-3693

David Cohen helps clients buy, sell, finance and develop real estate projects. For lenders, inventors, developers and property owners, he advises them on the full range of transactions that can get them closer to their real estate goals. He also has extensive experience with affordable housing and community development transactions.

limit 4,000 Characters

4.6 ROLE: _____

CONTACT PERSON: _____

PHONE: (____)____-____

CONTACT PERSON: _____

PHONE: (____)____-____

PHONE: (____)____-____

limit 4,000 Characters

4.7 ROLE: _____

CONTACT PERSON: _____

PHONE: (____)____-____

CONTACT PERSON: _____

PHONE: (____)____-____

PHONE: (____)____-____

limit 4,000 Characters

4.8 ROLE: _____

CONTACT PERSON: _____

PHONE: (____)____-____

CONTACT PERSON: _____

PHONE: (____)____-____

PHONE: (____)____-____

limit 4,000 Characters

5. Has the assembled development team worked together previously on similar projects? ☒ Yes ☐ No
If yes, please describe the results of this relationship by citing examples of prior development. If no, describe why/how these parties have been selected.

Yes, the assembled development team has worked together on previous similar projects

limit 4,000 characters

F. SOURCES AND USES OF FUNDS

Please list all sources of funds including dollar amount and timing of availability. List the proposed use of each source of funds, and include copies of firm commitment letters with all terms and conditions for all mortgages, grants, bridge (interim) loans and investment tax credits (historical, low-income, if applicable). **Please do not use acronyms.**

Sources of Permanent Financing

List in order of position proposed.

1.	Financial Institution: NewPoint Real Estate Capital	Interest Rate: 6.05%	Date funds available: Closing
	Financing Program: Tax Exempt Permanent Loan	Amortization Period: 40 years	Status of financing: Committed
	Amount: \$18,075,000	Loan Term: 17 years	Status Documentation Attached <input checked="" type="checkbox"/>
	Contact: Robert A. Wrzosek	Annual Debt Service: \$1,201,519	Affordability period or other financing restrictions:
	Phone: 917-730-7273	Debt service position: 1	
2.	Financial Institution: Illinois Housing Development Authority	Interest Rate:	Date funds available: Closing
	Financing Program: IHDA Trust Fund Loan	Amortization Period:	Status of financing: Committed
	Amount: \$2,500,000	Loan Term:	Status Documentation Attached <input type="checkbox"/>

	Contact:	Annual Debt Service:	Affordability period or other financing restrictions: 30 years
	Phone:	Debt service position:	
3.	Financial Institution: 3 Diamond Development	Interest Rate:	Date funds available: Closing
	Financing Program: Sellers Note	Amortization Period:	Status of financing: Committed
	Amount: \$4,300,000	Loan Term:	Status Documentation Attached <input type="checkbox"/>
	Contact:	Annual Debt Service:	Affordability period or other financing restrictions:
	Phone:	Debt service position:	
4.	Financial Institution:	Interest Rate: n/a	Date funds available: During Construction
	Financing Program: Income During Construction	Amortization Period: n/a	Status of financing: n/a
	Amount: \$1,002,661	Loan Term: n/a	Status Documentation Attached <input type="checkbox"/>
	Contact:	Annual Debt Service:	Affordability period or other financing restrictions:
	Phone:	Debt service position:	
5.	Financial Institution: CREA	Interest Rate:	Date funds available: Closing
	Financing Program: LIHTC Equity	Amortization Period:	Status of financing: Committed
	Amount: \$13,853,169	Loan Term:	Status Documentation Attached <input checked="" type="checkbox"/>
	Contact: Adam Lavelle	Annual Debt Service:	Affordability period or other financing restrictions: 30 years
	Phone: 317-634-4797	Debt service position:	
6.	Financial Institution: Kane County	Interest Rate:	Date funds available: Closing
	Financing Program: AHF	Amortization Period:	Status of financing: Uncommitted
	Amount: 1,103,200	Loan Term:	Status Documentation Attached <input type="checkbox"/>
	Contact:	Annual Debt Service:	Affordability period or other financing restrictions:
	Phone:	Debt service position:	
7.	Financial Institution:	Interest Rate:	Date funds available:
	Financing Program:	Amortization Period:	Status of financing:
	Amount:	Loan Term:	Status Documentation Attached <input type="checkbox"/>
	Contact:	Annual Debt Service:	Affordability period or other financing restrictions:
	Phone:	Debt service position:	
8.	Financial Institution:	Interest Rate:	Date funds available:
	Financing Program:	Amortization Period:	Status of financing:
	Amount:	Loan Term:	Status Documentation Attached <input type="checkbox"/>
	Contact:	Annual Debt Service:	Affordability period or other financing restrictions:
	Phone:	Debt service position:	

Uses of Permanent Financing

Position	Acquisition Costs (A)	Construction/ Rehab (B)	Developer Fee (C)	Development Costs (D)	Financing Costs (E)	Other Costs (F)	Totals
1	\$18,075,000	\$	\$	\$	\$	\$	\$18,075,000
2	\$2,500,000	\$	\$	\$	\$	\$	\$2,500,000
3	\$3,725,000	\$	\$575,000	\$	\$	\$	\$4,300,000
4	\$	\$	\$1,002,661	\$	\$	\$	\$1,002,661
5	\$	\$6,897,365	\$	\$2,247,818	\$1,520,935	\$3,187,051	\$13,853,169
6	\$	\$1,103,200	\$	\$	\$	\$	\$1,083,200
7	\$	\$	\$	\$	\$	\$	\$
8	\$	\$	\$	\$	\$	\$	\$
TOTALS	\$24,300,000	\$8,000,565	\$1,577,661	\$2,247,818	\$1,520,935	\$3,187,051	\$40,834,030

Low Income Housing Tax Credits

Will this project be financed using Low Income Housing Tax Credits? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Type of Credit: <input checked="" type="checkbox"/> 4% (or) <input type="checkbox"/> 9%		
Allocation Status: Awarded	Reservation Date:	
Annual Tax Credit: \$1,514,159	Equity to be Raised: \$13,853,169	Owner's Equity: \$100
	\$15,141,590 - Allocation	
Tax Credit Syndicator: CREA	Address: 30 S. Meridian St, Ste 400 Indianapolis, IN 46204	Phone: 317-634-4797
Have you received a commitment from the tax credit syndicator? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (If Yes, please attach)		

Sources of Construction Financing

Source of Financing	Amount	Contact Name and Phone Number	Date available	Documentation Attached & Labeled
1. NewPoint Real Estate Capital - Tax Exempt Construction Loan	\$18,075,000	Robert A. Wrzosek; 917-730-7273	Closing	<input checked="" type="checkbox"/>
2. NewPoint Real Estate Capital - Tax Exempt Bridge Loan	\$3,000,000	Robert A. Wrzosek; 917-730-7273	Closing	<input checked="" type="checkbox"/>
3. Huntington Bank - Taxable Bridge Loan	\$10,149,409	Jasmine Rosal; 800-480-2265	Closing	<input checked="" type="checkbox"/>
4. IHDA Trust Fund	\$2,500,000		Closing	<input type="checkbox"/>
5. Sellers Note	\$4,300,000	N/A	Closing	<input type="checkbox"/>
6. Income During Construction	\$1,002,661	N/A	N/A	<input type="checkbox"/>
7. Kane County AHF	\$1,103,200		Closing	<input type="checkbox"/>
8. CREA - Equity During Construction	\$1,385,317	Adam Lavelle; 317-634-4797	Closing	<input checked="" type="checkbox"/>
9.	\$			<input type="checkbox"/>
10.	\$			<input type="checkbox"/>

G. RENTAL PROJECT INFORMATION

For each cost category, you must enter the total cost, and mark whether you are requesting to use Affordable Housing Funds for that item.

ACQUISITION COSTS	TOTAL COST	PROPOSED USE OF AHF
Land Acquisition Costs	\$2,430,000	<input type="checkbox"/>
Land Acquisition Closing Costs (title, recording, etc.)	\$	<input type="checkbox"/>
Building Acquisition Costs	\$21,870,000	<input type="checkbox"/>
Building Acquisition Closing Costs (title, recording, etc.)	\$	<input type="checkbox"/>
Other:	\$	<input type="checkbox"/>
Acquisition Total (A)	\$24,300,000	
CONSTRUCTION/REHAB COSTS		
Site Work	\$	<input type="checkbox"/>
Demolition	\$	<input type="checkbox"/>
Rehabilitation/Construction	\$7,881,440	<input checked="" type="checkbox"/>
Equipment	\$	<input type="checkbox"/>
General Requirements	\$	<input type="checkbox"/>
Contractor's Overhead	\$	<input type="checkbox"/>
Contractor's Profit	\$	<input type="checkbox"/>
Bonding Fee	\$	<input type="checkbox"/>
Builder's Risk Insurance	\$135,000	<input type="checkbox"/>
Other: Other GC Costs + Permits	\$119,125	<input type="checkbox"/>

Subtotal	\$8,135,565	
Construction Contingency (9.13%)	\$804,057	
Construction/Rehab Total (B)	\$8,939,622	
Developer's Fee (8.72% of Acquisition and Construction/Rehab) (C)	\$3,142,500	<input type="checkbox"/>
DEVELOPMENT COSTS		
Real Estate Matters		
Partnership Formation	\$3,000	<input type="checkbox"/>
Subdivision	\$	<input type="checkbox"/>
Other: Title & Recording	\$116,896	<input type="checkbox"/>
Project Design		
Architectural (Design)	\$280,800	<input type="checkbox"/>
Architectural (Supervision)	\$43,200	<input type="checkbox"/>
Cost Estimate	\$8,500	<input type="checkbox"/>
Engineering	\$	<input type="checkbox"/>
Value Engineering	\$	<input type="checkbox"/>
Site Investigation	\$	<input type="checkbox"/>
Other: Green Certification Fees	\$32,000	<input type="checkbox"/>
Project Planning		
All Fees	\$	<input type="checkbox"/>
Permits	\$83,465	<input type="checkbox"/>
Appraisal (pre-purchase)	\$9,000	<input type="checkbox"/>
Appraisal (post-rehab)	\$	<input type="checkbox"/>
Environmental Study	\$110,000	<input type="checkbox"/>
Lead Based Paint Inspection	\$	<input type="checkbox"/>
Market Study	\$11,000	<input type="checkbox"/>
Survey	\$37,500	<input type="checkbox"/>
Utility Fees	\$	<input type="checkbox"/>
Other: Accounting/Cost Certification	\$83,750	<input type="checkbox"/>
Marketing/Leasing		
Marketing	\$	<input type="checkbox"/>
Operating Reserve	\$	<input type="checkbox"/>
Other:	\$	<input type="checkbox"/>
Development Total (D)	\$819,111	
FINANCING COSTS	TOTAL COST	
Tax Credits		
Tax Credit Fee	\$193,616	<input type="checkbox"/>
Tax Credit Counsel	\$60,000	<input type="checkbox"/>
Cost Certification	\$75,000	<input type="checkbox"/>
Other: FHA Inspection Fee	\$90,375	<input type="checkbox"/>
Other: LIHTC Monitoring Fee - Year 1	\$2,700	<input type="checkbox"/>
Tax-Exempt Bond Financing		
Bond Counsel	\$127,000	<input type="checkbox"/>
Underwriter's Fee	\$137,500	<input type="checkbox"/>
Other: Bond Fees	\$428,750	<input type="checkbox"/>
Other:	\$	<input type="checkbox"/>
Conventional Loans		
Construction Loan Origination Fees	\$282,244	<input type="checkbox"/>
Construction Loan Legal Fees	\$	<input type="checkbox"/>
Permanent Loan Origination Fees	\$180,750	<input type="checkbox"/>
Permanent Loan Legal Fees	\$	<input type="checkbox"/>
Loan Recordation Taxes/Fees	\$	<input type="checkbox"/>
Other: Inspecting Architect	\$18,000	<input type="checkbox"/>
Other:	\$	<input type="checkbox"/>
Other Loans		
Legal Fees	\$	<input type="checkbox"/>

Loan Recordation Taxes/Fees	\$	<input type="checkbox"/>
Other: Other Syndication Fees	\$100,000	<input type="checkbox"/>
Other:	\$	<input type="checkbox"/>
Construction Period Interest	\$2,001,537	<input type="checkbox"/>
Financing Total (E)	\$3,697,472	
OTHER COSTS		
Relocation	\$216,000	
Other: Furniture, Fixtures & Equipment; Consulting; RCS; FHA Pre-App & Firm 3rd Party Costs; Soft Cost Contingency; Real Estate Taxes During Construction; Reserves - Real Estate Tax, Insurance, Replacement, Operating, Lease Up	\$1,618,803	<input type="checkbox"/>
Other Costs Total (F)	\$1,834,803	
TOTAL DEVELOPMENT COST (A+B+C+D+E+F) =	\$42,733,508	

Project Income/Expenses:

Provide the following information regarding rental project income and expenses for the first year of operation following construction/rehabilitation. We expect that these figures will be used as a baseline in your pro-forma.

Unit Mix and Project Income:

# of Bedrooms	# of Units	Average Square Feet	Gross Monthly Rent/Unit	Allowance for Tenant-Paid Utilities*	Net Monthly Rent/Unit
0			\$	\$	\$
1	108	732	\$1,852	\$102	\$1,750
2			\$	\$	\$
3			\$	\$	\$
4			\$	\$	\$
TOTAL	108				

* See Appendix A of the "Guidelines for Rental Projects" for guidance regarding establishing a utility allowance schedule.

Annual Income:

Income Source	Amount
Rent	\$2,268,000
	\$
	\$

Annual Expense:

Annual Administrative Expenses	
Expense Item	Amount
Management Fee	\$107,968
Legal/Accounting	\$22,836
Administrative	\$96,760
Advertising	\$2,700
Other: Monitoring Fee	\$2,700
Other:	\$
Other:	\$
Total Administrative	\$232,964
Annual Operating Expenses	
Expense Item	Amount
Natural Gas (& other fuel)	\$4,500
Electricity	\$42,500
Water/Sewer	\$30,000
Trash Removal	\$11,887
Janitorial	\$0

Exterminating	\$853
Other: Fire Protection	\$10,872
Other: Snow Removal	\$3,262
Other:	\$
Total Operating	\$103,874
Annual Maintenance Expenses	
Expense Item	Amount
Building Maintenance	\$60,356
Ground Maintenance	\$5,384
Security	\$0
Decorating	\$10,000
Replacement Reserve	\$32,400
Other: Supplies, Tools & Equipment	\$7,500
Other: Elevator	\$7,111
Other: HVAC	\$5,878
Total Maintenance	\$128,629
Annual Taxes and Insurance	
Expense Item	Amount
Real Estate Taxes	\$150,000
Insurance	\$90,000
Other: Bond Administrative Fee	\$63,263
Other:	\$
Total Taxes and Insurance	\$303,236
Annual Resident Services Expenses	
Expense Item	Amount
Cost of Supportive Services (for this project only)	\$
Other:	\$
Other:	\$
Total Resident Services	\$
Total Annual Project Expenses	\$768,730

Diamond Senior Apartments at Carroll Tower

Project Schedule

Closing:	9/30/2024
Construction begins:	10/7/2024
End of construction:	9/1/2025
Placed in service:	9/1/2025
Initial occupancy:	9/1/2025
Stabilized occupancy:	2/1/2026
Final closing:	2/1/2026

Housing Trust Fund –Account Activity 12/31/23 – 9/1/24

Beginning Balance (12/31/23)	\$2,161,349
Home Rehab Loans	N/A
Loan Repayments	N/A
Developer Contributions (IHO Fee)	\$127,073*
Affordable Housing Fund Loan	N/A
Affordable Housing Fund Loan Repayment	N/A
Dean Street Lot Donation to Habitat-Surveying & closing	(\$6,188)
Interest Payments	\$9,986
End Balance (9/30/24)	\$2,292,220
<i>Earmarked Funds</i>	<i>\$220,588***</i>


*Developer contributions include partial contributions for Munhall Glen and Charlestowne Lakes, and the full contribution for Indiana Place.

***Earmarked Funds:

1. Home Rehab & Accessibility Loan Program: \$31,500
2. First-Time Homebuyer Loan Program: \$42,000
3. Kane County Affordable Housing Fund (remaining): \$147,088
 - Does not include Approved Project yet to be completed:
 1. \$115,000 for Habitat for Humanity project on Dean St.

Anticipated future contributions:

- Munhall Glen: fee for remaining 22 homes = \$34,208 [anticipated 2024-26]
- Charlestowne Lakes: fee for remaining buildings = \$105,733 [anticipated 2025]

 <p>CITY OF ST. CHARLES ILLINOIS • 1834</p>	AGENDA ITEM EXECUTIVE SUMMARY		Agenda Item Number: 4e
	Title:	Recommendation to approve a Sales Tax Sharing Agreement with GSI Piazza LLC	
	Presenter:	Derek Conley, Economic Development Director	
Meeting: Planning & Development Committee		Date: November 11, 2024	
Proposed Cost: \$		Budgeted Amount: \$	Not Budgeted: <input type="checkbox"/>
<p><u>Project Background</u></p> <p>Fox Haven Square is a commercial development on a vacant 7.5-acre site located south of the Jewel on Kirk Road. The plan features three restaurant and retail buildings arranged around a plaza, alongside a pickleball court facility and an additional restaurant. The total building area will be approximately 70,000 square feet, with parking situated along Kirk Road. The project also includes a cross-access point to the Charlestowne Mall property, additional public sidewalks, and a valet/drop-off area. The estimated total cost of the project is \$22,177,838.</p> <p>Despite being designated for development for decades, this site remains undeveloped. Recently, the Greco Family acquired the neighboring Stuart's Crossing shopping center, which includes the Jewel-Osco. They plan to maintain the shopping center's current status while making some minor improvements.</p> <p><u>Redevelopment Agreement</u></p> <p>The Greco Family has asked the City to participate in cost-sharing for several improvements that will benefit the community. The specific improvements are:</p> <ol style="list-style-type: none"> 1. Cross-access to the Charlestowne Mall: Connectivity to the mall property is not essential for the success of the Fox Haven Square development, as the site already has sufficient access via Route 64 and Kirk Rd. However, given the City's interest in redeveloping the mall, staff has requested that the Greco Family facilitate this connection to benefit both properties and the community as a whole. The estimated cost for the cross-access is \$425,000. 2. Sidewalk Expansion: The Fox Haven Square is required to add sidewalks to the development however, based on feedback in the review process has decided to expand the sidewalk to increase the connectivity to surrounding area. The estimated costs of the sidewalk are \$326,600. <p>The RDA proposes a sales tax sharing arrangement between the City and the Greco Family. Essentially, the Greco Family would pay upfront costs for cross-access and sidewalks program, however, be fully reimbursed for the cross-access improvement (\$425,000) and half the costs of the sidewalk expansion (\$163,300). The form of the reimbursement would be from sales tax generated from the restaurants on the Fox Haven Square development. This incentive follows the City policy of a "pay as you go" model.</p> <p>The maximum rebate would \$588,300. The term of the agreement is 7 years however the maximum rebate is expected to be achieved after 3-4 years. As with previous RDAs, the rebate amount does not</p>			

include .5% sales tax increased implemented in 2023 as those are funds earmarked for infrastructure improvements.

The total incentive amount is \$588,300 and total project costs of \$22,177,838 making the incentive approximately of the 2.65% of the total project costs. The Greco Family also provided a proforma demonstrating a Rate of Investment (ROI) without the rebate as 7.83%, lower than typical reasonable rate of return at least 8%. When accounting for the rebate, the ROI is 8.21%

Attachments *(please list):*

Sales Tax Sharing Agreement
Financial Assistance Application

Recommendation/Suggested Action *(briefly explain):*

Recommendation to Approve the Sales Tax Sharing Agreement with FHS Jewel LLC

City of St. Charles, Illinois
Resolution No. _____

**A Resolution Authorizing the Mayor and City Clerk of the City of St. Charles to
Execute a Certain Agreement Between the City of St. Charles and FHS Jewel
LLC**

**Presented & Passed by the
City Council on November 18, 2024**

BE IT RESOLVED by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois, that the Mayor and City Clerk be and the same are hereby authorized to execute that certain Agreement, in substantially the form attached hereto and incorporated herein as Exhibit “A”, by and on behalf of the City of St. Charles.

Presented to the City Council of the City of St. Charles, Illinois this 18th day of October, 2024.

Passed by the City Council of the City of St. Charles, Illinois this 18th day of October, 2024.

Approved by the Mayor of the City of St. Charles, Illinois this 18th day of October, 2024.

Lora A. Vitek, Mayor

ATTEST: _____

City Clerk/Recording Secretary

COUNCIL VOTE:

Ayes: _____

Nays: _____

Abstain: _____

Absent: _____

SALES TAX REVENUE SHARING AGREEMENT

This **Sales Tax Revenue Sharing Agreement (the “Agreement”)** is entered into on this ____ day of _____, 2024 (the “*Effective Date*”) by and between the City of St. Charles, Illinois, an Illinois home rule municipal corporation (the “*City*”), and GSI Piazza LLC, a Delaware limited liability company (“*Developer*”). (The City and Developer are sometimes referred to herein collectively as the “*Parties*,” and individually as a “*Party*.”)

RECITALS

- A. The City is a home rule Illinois municipality, and hereby enters into this Agreement pursuant to its home rule powers; and, pursuant to Section 6(a) of Article VII of the Constitution of the State of Illinois of 1970, the City has determined that it has the authority to enter into this Agreement.
- B. The City deems it to be of significant importance to encourage development and redevelopment within the City, so as to maintain a viable real estate tax and sales tax base and employment opportunities.
- C. Developer is the owner of the vacant parcel of real estate generally located east of the northeast corner of East Main Street (Route 64) and Kirk Road, St. Charles, Illinois 60174, legally described on Exhibit A-1 and depicted on Exhibit A-2, each attached hereto and made a part hereof (the “*Subject Property*”).
- D. Developer intends to develop, construct and operate a mixed-use retail, restaurant and office development, commonly known as Fox Haven Square, which development is to include certain site development access improvements consisting of a vehicular connection to and from the Subject Property and the Charlestowne Mall to the east (“*Mall Connection*”) and public sidewalks (“*Sidewalks*”) (Mall Connection and Sidewalks are collectively referred to herein as “*Access Improvements*”), all as depicted on Group

Exhibit B attached hereto and made part hereof (the “*Project*”).

- E. The cost of the Project is currently estimated to be approximately Twenty-Two Million One Hundred Seventy-Eight Thousand and 00/100 Dollars (\$22,178,000.00), including an amount equal to approximately Seven Hundred Fifty-One Thousand Six Hundred and 00/100 Dollars (\$751,600.00) for the Access Improvements, comprised of Four Hundred Twenty-Five Thousand and 00/100 Dollars (\$425,000.00) for the Mall Connection and Three Hundred Twenty-Six Thousand Six Hundred and 00/100 Dollars (\$326,600.00) for the Sidewalks, as more fully detailed on the Estimated Project Costs, attached as Exhibit C hereto and made part hereof (although the cost of the Project may be higher or lower depending upon the actual cost of the construction) (the “*Total Investment Cost*”).
- F. The Parties anticipate that the Project will enhance the City’s real estate and sales tax bases, strengthen the commercial sector of the City and create additional employment opportunities in the City.
- G. Developer and the City acknowledge that Developer requires economic assistance from the City in order to undertake and complete the Project and to construct the Access Improvements, and that the Project would not be economically feasible, but for the economic assistance to be provided by the City, pursuant to the terms of this Agreement.
- H. In light of the Total Investment Cost, and because the Project would not be economically feasible but for the economic assistance to be provided by the City, the City agrees, pursuant to the terms of this Agreement, to reimburse Developer an amount up to Five Hundred Eighty-Eight Thousand Three Hundred and 00/100 Dollars (\$588,300.00) (the “*Maximum Reimbursement Amount*”) for the Access Improvements, such amount not to exceed the lesser of (i) the documented hard costs for One Hundred Percent (100%) of the Mall Connection and Fifty Percent (50%) of the Sidewalks and (ii) the Maximum Reimbursement Amount, all as subject to the other terms and conditions of this Agreement.

NOW, THEREFORE, in consideration of the foregoing recitals, the mutual covenants and agreements herein made, and other good and valuable consideration, the receipt and sufficiency of which is acknowledged by the Parties hereto, the City and Developer hereby agree as follows:

ARTICLE I
RECITALS AS PART OF AGREEMENT

The Parties acknowledge that the statements and representations contained in the foregoing recitals are true and accurate, and incorporate such recitals into this Agreement as if fully set forth in this Article I.

ARTICLE II
OBLIGATIONS OF DEVELOPER
CONDITION PRECEDENT TO CITY UNDERTAKINGS

2.01 Condition Precedent. Each of the obligations specified in this Article II shall be a condition precedent to the City's financial undertakings in this Agreement. The City shall have no financial obligation to Developer under this Agreement until the satisfaction by Developer of each and every condition of this Article II.

2.02 Construction of the Project.

(A) Developer shall (i) apply or have applied for all necessary permits, and (ii) have commenced construction relative to the Project, on or before April 1, 2025, subject to the *force majeure* provisions of Section 4.01 hereof. In the event Developer has not materially commenced performance of the work constituting the Project on or before September 1, 2025, this Agreement shall be null and void and neither Party hereto shall have any further rights or obligations to the other with respect to this Agreement unless otherwise mutually agreed to by Developer and the City.

(B) Developer and/or its tenant shall receive a certificate of occupancy and opening for business to the public for the first building with a sit-down restaurant in the Project on or before July 1, 2026, subject to the *force majeure* provisions of Section

4.01 hereof ("*Project Opening*").

- (C) The Project shall be built in accordance with all applicable ordinances, rules and regulations of the City. Developer shall not knowingly cause or permit the existence of any violation of City ordinances, codes, rules or regulations, and all rules and regulations thereunder applicable to the Project.
- (D) Developer acknowledges and agrees that: (i) the City is not, and will not be, in any way liable for any violations of restrictive covenants applicable to the Subject Property that may occur, or for any damages or injuries that may be sustained, as a result of the City's review and approval of any plans for the Subject Property, or as a result of the issuance of any approvals, permits, certificates, or acceptances relating to the use and development of the Subject Property; and (ii) the City's review and approval of any of the plans and the issuance of any of the approvals, permits, certificates or acceptances does not, and will not, in any way be deemed to insure Developer, or any of its heirs, successors, assigns, tenants, or licensees, or any third party, against restrictive covenant violations or damage or injury of any kind at any time.

2.03 State Sales Taxes Information. The Parties acknowledge that the City has entered into a reciprocal agreement for access to Sales Tax (as defined in Section 3.01(A)(6) below) records with the Illinois Department of Revenue (IDOR). As such, the details provided to the City and the amounts maintained by IDOR will be deemed to be the correct amount of Sales Tax revenue remitted to the City and will be the basis for calculation of any reimbursement which may be due to Developer. In the event any State Sales Tax revenue is amended and, as a result of an amended return, the City is entitled to receive a portion of Developer's Sales Tax Allocation (as defined in Section 3.01(A)(2) below) back, Developer shall repay such amount to the City within thirty (30) days of written notice from the City.

- 2.04 Real Estate Taxes and Other Charges. Developer hereby covenants and agrees to promptly pay or cause to be paid before becoming delinquent, subject to any appeal rights, any and all real estate taxes and governmental charges of general applicability that may at any time be lawfully finally assessed with respect to the Project.
- 2.05 Certification of Project Costs. Developer shall supply the City with a statement of the costs of the Project, including but not limited to the Access Improvements, certified as true by an officer of Developer and such other information reasonably requested by the City. Developer represents and warrants that all such information produced to the City pursuant to this provision is, and will be at all times in the future, true and accurate, and agrees and acknowledges that the City may, and does, rely on the truth and accuracy of said information as a basis for its entering into this Agreement.
- 2.08 No Default. Developer shall not be in default of any term of this Agreement beyond any applicable notice and cure period.

ARTICLE III **CITY OBLIGATIONS AND UNDERTAKINGS**

- 3.01 Economic Assistance.
- (A) Definitions.
- (1) “*Developer Sales Tax Allocation*” shall be Fifty Percent (50%) of Sales Taxes generated by the Project.
 - (2) “*Developer Sales Taxes*” shall be: (i) those Sales Taxes generated by the Project, which are distributed to the City by the IDOR, after the Project Opening, during the Revenue Sharing Term of this Agreement, multiplied by (ii) the Developer Sales Tax Allocation.
 - (3) “*Home Rule Sales Taxes*” shall be Sixty-Six and 66/100 Percent (66.66%) of the home rule retailers occupation taxes generated by the Project (currently 1.5%) and received by the City from IDOR pursuant to the Home Rule Municipal Retailers’ Occupation Tax Act (65 ILCS 5/8-11-

1), the Home Rule Municipal Service Occupation Tax (65 ILCS 5/8-11-5) (as said Acts may be amended), and any taxes that may be enacted and imposed as replacements thereto.

(4) “*Retail Sales Taxes*” shall be occupation taxes and service occupation taxes generated by the Project (currently 1%) and received by the City from IDOR pursuant to the Use Tax Act (35 ILCS 105/1 *et seq.*), the Service Use Tax Act (35 ILCS 110/1 *et seq.*), the Service Occupation Tax Act (35 ILCS 115/1 *et seq.*), the Retailer’s Occupation Tax Act (35 ILCS 120/1 *et seq.*), the State Finance Act (30 ILCS 105/6z-18) (as said Acts may be amended), and any taxes that are enacted and imposed as replacements thereto.

(5) “*Sales Taxes*” shall mean the aggregate amount of Retail Sales Taxes and Home Rule Sales Taxes.

(B) Assistance.

Upon satisfaction by Developer of all of the conditions stated in this Agreement, the City shall rebate to Developer the Developer Sales Taxes. Said payments shall be made by the City to Developer for a period of seven (7) years from the Commencement Date (as defined in Section 3.02 below) or until the Maximum Reimbursement Amount is reached, whichever occurs first (the “*Revenue Sharing Term*”).

3.02 Commencement Date. The Revenue Sharing Term shall commence the first calendar day of the next succeeding month (the “*Commencement Date*”), after the later of (i) Project Opening and (ii) completion and approval by the City of the construction and costs of the Access Improvements.

3.03 Payment Procedure. After the Commencement Date, subject to and so long as the City has confirmed that Developer has satisfied all the conditions of this Agreement and is not in default beyond any applicable notice and cure period, during the Revenue Sharing

Term, the City shall pay to Developer the Developer Sales Taxes, on an annual basis, within forty-five (45) days of receipt of Sales Taxes from IDOR.

3.04 Limitations on Rebates. The Developer Sales Taxes set forth herein shall be subject to the following additional terms and conditions:

(A) Such Developer Sales Taxes are a special, limited obligation of the City and shall be reimbursed to Developer solely from the City's Share of Sales Taxes actually received by the City and originating from the taxable sales activities from the Project, and the City shall not be obligated to pay any Developer Sales Taxes identified herein from any other fund or source.

ARTICLE IV **GENERAL PROVISIONS**

4.01 Force Majeure. Material performance by either Party hereunder shall not be deemed to be in default as a result of unavoidable delays or defaults due to war, insurrection, strikes, lockouts, riots, extreme adverse weather conditions (such as, by way of illustration and not limitation, severe rain storms or below freezing temperatures, tornadoes or cyclones), earthquakes, fires, casualties, acts of God, acts of a public enemy, epidemics, pandemics, quarantine restrictions, freight embargoes, lack of transportation, or any other like event or condition beyond the reasonable control of the Party affected thereby which in fact interferes with the ability of such Party to discharge their respective obligations hereunder and which by the exercise of reasonable diligence the Party affected was unable to prevent or mitigate (collectively, "*Force Majeure Events*"); provided, however, that unavoidable delays shall not include (i) economic hardship or impracticability of performance, (ii) commercial or economic frustration of purpose, or (iii) a failure of performance by a contractor or vendor (unless caused by Force Majeure Events) and the Party claiming a Force Majeure Event shall (w) notify the other Party in writing within thirty (30) days of the claimed Force Majeure

Event, (x) specify, in sufficient detail, the Force Majeure Event and the reasons preventing performance of its obligations under this Agreement, (y) use diligent and commercially reasonable efforts to overcome such Force Majeure Event, and (z) extend the performance time for such act or action for the period of such delay.

4.02 Assignment of Agreement. This Agreement may not be assigned without the City's consent, such consent not to be unreasonably withheld, conditioned or delayed. Upon any such assignment, any reference to Developer hereunder shall from and after the effective date of the assignment be deemed such assignee and Developer shall thereupon have no further rights or obligations hereunder, except for the indemnification provisions set forth herein or as specifically provided for in the document governing such assignment. Notwithstanding the foregoing, Developer may collaterally assign its rights hereunder to any Developer lender(s) as security for loans to Developer. The Parties acknowledge that this Agreement is an obligation which is for the benefit of Developer, or permitted assignee, and is not a covenant running with the land.

4.03 Developer Authority. Developer hereby represents and warrants that it is a limited liability company organized in the State of Delaware and authorized to do business in, and in good standing with, the State of Illinois. Developer further represents and warrants that all company action necessary to make Developer's obligations hereunder enforceable against Developer have been taken, and that no further approvals or actions are required.

4.04 Defaults; Remedies. In the event of any default under or violation of this Agreement (the "*Default*"), the Party not in Default shall serve notice upon the Party in Default (the "*Defaulting Party*"), which notice shall be in writing and shall specify the particular Default (the "*Default Notice*"). The Defaulting Party shall have the right to cure the Default within thirty (30) days from written notice of such Default; provided, however, if such Default cannot practically be cured within said thirty (30) days, provided the Defaulting Party has commenced the cure within such thirty (30) day period, and is actively and diligently

proceeding with such cure, the Defaulting Party shall be granted such additional time to cure the Default as shall be reasonable under the circumstances. In this regard, the Defaulting Party shall advise the other Party, in writing, during the initial thirty (30) day cure period, of the estimated amount of time needed to cure said Default, and why the additional time is needed. After issuance of the Default Notice, and the Defaulting Party's failure to cure within the time frame required, the Party which served the Default Notice may terminate this Agreement, or may proceed to seek a cure of the Default in law or in equity, by suit, action, mandamus, or any other proceeding, including without limitation, specific performance (including, without limitation, payment by the City to the Developer of payments due under this Agreement), enforce or compel the performance of this Agreement; provided, however, that the Developer agrees that it will not seek, does not have the right to seek, and hereby waives any claim to recover a judgment for monetary damages (other than for payments due under this Agreement from the City to the Developer), or any past, present, or future director, member, elected or appointed officer, official, agent, representative, employee, or attorney, of the City on account of the negotiation, execution, or breach of this Agreement.

- 4.05 Notices. All notices, certificates, approvals, consents or other communications desired or required to be given hereunder shall be given in writing at the addresses set forth below, by any of the following means: (a) personal service, (b) electronic communications, (c) overnight courier, (d) registered or certified first class mail, postage prepaid, return receipt requested, or (e) priority mail with delivery confirmation

If to Developer: GSI Piazza LLC
 1307 Schiferl Road
 Bartlett, Illinois 60103
 Attn: Pat Greco
 E-Mail: pgreco@gsifamily.com

with a copy to: Honigman LLP
155 N. Wacker Drive, Suite 3100
Chicago, Illinois 60606
Attn: Marcia Owens
E-Mail: mowens@honigman.com

If to the City: City Administrator
City of St. Charles
2 East Main Street
St. Charles, Illinois 60174
E-Mail: hmcguire@stcharlesil.gov

with copies to: Nicholas S. Peppers
Storino, Ramello & Durkin
9501 Technology Boulevard, Suite 4200
Rosemont, Illinois 60018
E-Mail: npeppers@srd-law.com

or at such other addresses as either Party may indicate in writing to the other Party. Service by personal, electronic communication or overnight delivery shall be deemed to occur at the time of the delivery, and service by certified mail, return receipt requested, shall be deemed to occur on the third (3rd) day after mailing.

4.06 Law Governing. This Agreement shall be construed and enforced in accordance with the laws of the State of Illinois. Venue for any legal action brought by either Party as a result of entering into the Agreement shall be in the Circuit Court of Kane County, Illinois.

4.07 Time. Time is of the essence under this Agreement and all time limits set forth herein are mandatory, and cannot be waived except by a lawfully authorized and executed written waiver by the Party excusing such timely performance.

4.08 Limitation of Debt. Any obligations of the City created by or arising out of this Agreement shall not be a general debt of the City on, or a charge against, the City's general credit or taxing powers, but shall be a limited obligation payable solely out of the Developer Sales Taxes as set forth in Article III. Provided, however, if the City no longer receives State Sales Taxes from the Project due to a law change by the State of Illinois, then the City shall only make payments to Developer from any alternate sources of revenue provided to the City by the State of Illinois specifically and solely as a replacement or substitute for

State Sales Taxes presently received by the City or from an alternative sales tax which may be imposed by the municipality (the “*Alternate Source Revenues*”) and, in that event, the payment to Developer shall be calculated as if the City were continuing to receive the Sales Taxes at a rate equal to the sales tax rate applicable to the City’s share of the Sales Taxes immediately prior to the elimination of the City’s Sales Taxes, multiplied by the sales generated from the Project that would have been subject to Sales Taxes. The amount to be tendered to Developer from any Alternate Source Revenues shall be subject to a proportionate reduction in the event that the Alternate Source Revenues do not constitute, or are not intended to constitute, a one hundred percent (100%) replacement of the Sales Taxes previously received by the City. The City’s obligation to provide Developer with Developer Sales Taxes is restricted to Sales Taxes generated by the Project and actually received by the City, or Alternate Source Revenues actually received by the City.

4.09 No Waiver or Relinquishment of Right to Enforce Agreement. Failure of either Party to this Agreement to insist upon the strict and prompt performance of the terms covenants, agreements, and conditions herein contained, or any of them, upon the other Party imposed, shall not constitute or be construed as a waiver or relinquishment of the Party’s right thereafter to enforce any such term, covenant, agreement or condition, but the same shall continue in full force and effect.

4.10 Article and Section Headings. All Article and Section headings or other headings in this Agreement are for the general aid of the reader and shall not limit the plain meaning or application of any of the provisions thereunder whether covered or relevant to such heading or not.

4.11 Amendments. There are no promises, agreements, conditions or understandings, either oral or written, express or implied, between them, other than those set forth in this Agreement. No subsequent alteration, amendment, change or addition to this Agreement shall be binding upon the Parties hereto unless authorized in accordance with law and

reduced to writing and signed by them.

- 4.12 Counterparts. This Agreement may be executed in two (2) or more counterparts, each of which, taken together, shall constitute one and the same instrument. Facsimile or other electronically transmitted signatures to this Agreement shall constitute original signatures of the Parties.
- 4.13 Severability. If any provision of this Agreement is held invalid by a court of competent jurisdiction, such provision shall be deemed to be excised herefrom and the invalidity thereof shall not affect any of the other provisions contained herein.
- 4.14 Changed Conditions. In the event it is finally determined by any court of competent jurisdiction (after exhaustion of all regular appeals) that any of the covenants of this Agreement cannot legally be performed by the City or are not within the constitutional authority conferred upon the City as a home rule municipality, or the State of Illinois constitutional or statutory scheme shall become inconsistent with this Agreement, notwithstanding such judicial determination, or constitutional or statutory change, the City agrees to make every reasonable effort within its lawful authority to carry out the intention of the Parties as hereinabove agreed. The City shall, after such judicial determination, or constitutional or statutory change, make every reasonable effort to substitute a mechanism to accomplish the intent of this Agreement within its power as a home rule municipality. Notwithstanding anything to the contrary contained herein, the City shall not be obligated to pay any sums to Developer hereunder, in the event the City no longer receives State Sales Taxes, unless Alternate Source Revenues are provided to the City from the State of Illinois, and provided payment hereunder from Alternate Source Revenues is not illegal.
- 4.15 Indemnification. In the event that a claim is made against the City, its officers, officials, agents and employees (collectively, the "City Parties"), or any of them (or if the City, the City Parties or any of them is made a party-defendant in any proceeding), arising out of or

in connection with (1) this Agreement, or (2) the operation of Developer at the Subject Property and not caused by the negligence or misconduct of the City or the City Parties, Developer shall defend and hold the City and the City Parties harmless from all claims, liabilities, losses, taxes, judgments, costs, fines, fees, including expenses and reasonable attorneys' fees. In such event, the City and the City Parties shall have the right to retain independent counsel, should it choose to defend any action resulting from the indemnification obligations under this Section. In such event, Developer shall reimburse the City for all reasonable legal expenses incurred in connection with such defense. The City and the City Parties shall cooperate in the defense of such proceedings and be available for any litigation-related appearances which may be required. Further, Developer shall be entitled to settle any and all claims for money, in such amounts and upon such terms as to payment as it may deem appropriate, with the prior approval or consent of the City or the City Parties, as the case may be, which approval shall not be unreasonably withheld, provided the City shall not be required to contribute to such settlement.

4.16 Limitation of Liability. No recourse under or upon any obligation, covenant or agreement of this Agreement, or for any claim based thereon or otherwise in respect thereof shall be had against any officer, agent or employee of the City, and all and any such rights or claims of Developer against any officer, agent or employee of the City are hereby expressly waived and released as a condition of and as consideration for the execution of this Agreement by the City.

4.17 Attorney Fees. Should it become necessary to bring legal action or proceedings to enforce this Agreement, or any portion thereof, or to declare the effect of the provisions of this Agreement, the prevailing party shall be entitled to recover or offset against sums due, its costs, including reasonable attorney's fees, in addition to whatever other relief the prevailing party may be entitled.

- 4.18 Third Party Beneficiaries. The City and Developer agree that this Agreement is for the benefit of the Parties hereto and not for the benefit of any third party beneficiary. Except as otherwise provided herein, no third party shall have any rights or claims against the City arising from this Agreement.
- 4.19 City Approval or Direction. Where City approval or direction is required by this Agreement, such approval or direction means the approval or direction of the City Council of the City unless otherwise expressly provided or required by law, and any such approval may be required to be given only after and if all requirements for granting such approval have been met.
- 4.20 Calendar Days and Time. Unless otherwise provided in this Agreement, any reference in this Agreement to “day” or “days” means calendar days and not business day. If the date for giving of any notice required to be given, or the performance of any obligation, under this Agreement falls on a Saturday, Sunday, or federal holiday, then the notice or obligation may be given or performed on the next business day after that Saturday, Sunday, or federal holiday.

[SIGNATURE PAGE FOLLOWS IMMEDIATELY]

City of St. Charles,
an Illinois home rule municipal corporation

GSI Piazza LLC,
a Delaware limited liability company

By: _____
Lora A. Vitek, Mayor

By: _____
Name: _____
Authorized Officer

ATTEST:

By: _____
Nancy Garrison, City Clerk

EXHIBIT A-1

Subject Property Legal Description

LOT 4 IN STUART'S CROSSING RETAIL, BEING A SUBDIVISION OF PART OF THE NORTHWEST ¼ OF SECTION 25, TOWNSHIP 40 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT RECORDED SEPTEMBER 15, 1998 AS DOCUMENT NUMBER 98K083752, IN KANE COUNTY, ILLINOIS.

PINS: 09-25-178-003 (Lot 4)

Common Address: NEC of Main Street (Route 64) and Kirk Road, St. Charles, Illinois

EXHIBIT A-2
Subject Property Depiction



Project Drawings

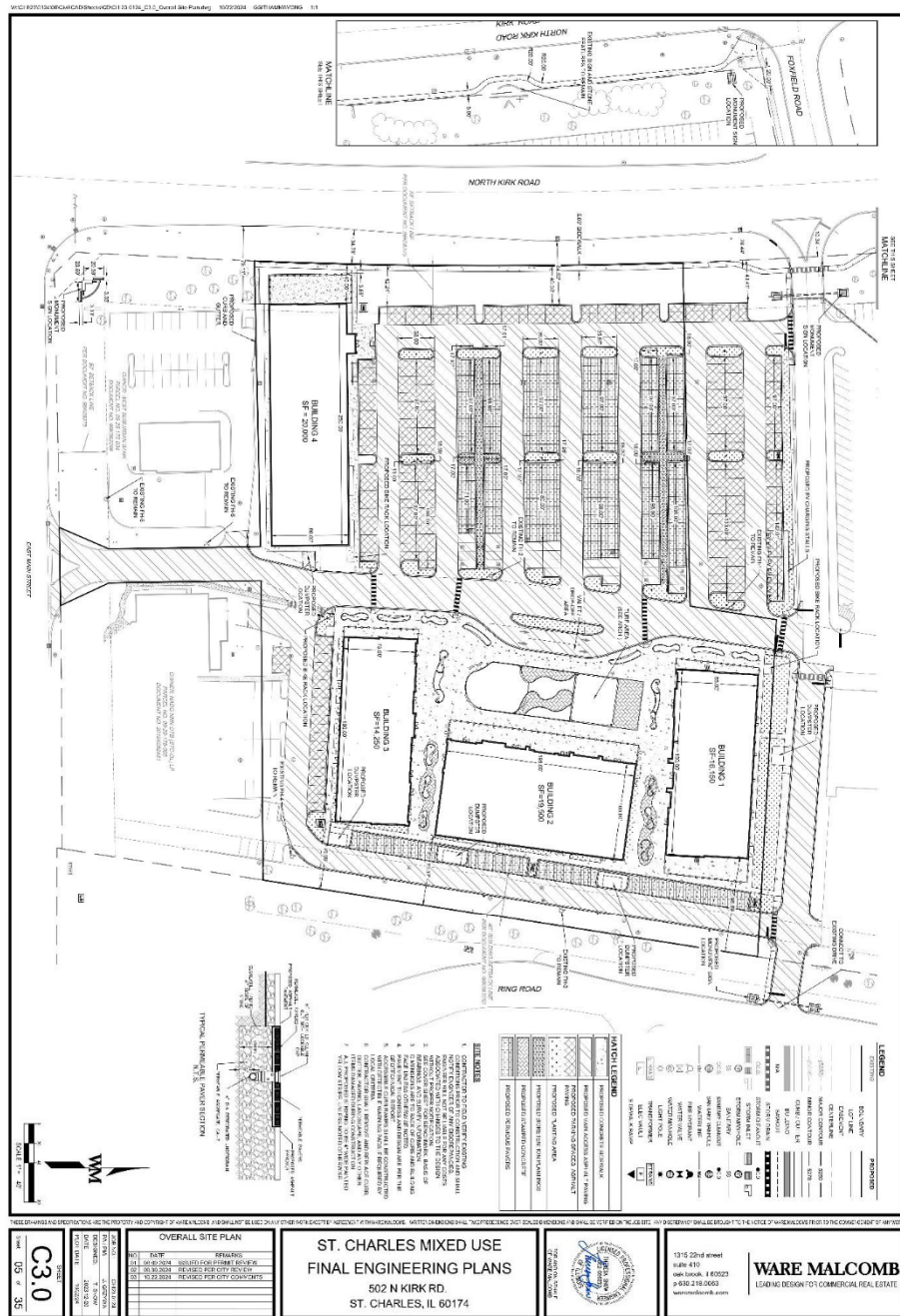


EXHIBIT C

Estimated Project Costs

Fox Haven Square Budget

TOTAL DEVELOPMENT COSTS

<u>Line Item</u>	<u>Amount</u>
Land Acquisition	\$ 4,200,000.00
Hard Costs	\$ 15,647,500.00
Access Road Development	\$ 425,000.00
Sidewalk Development	\$ 326,600.00
Soft Costs	\$ 497,875.00
Loan Interest Reserve	\$ 1,080,862.50
Estimated Total Project Costs	\$ 22,177,837.50

OVERVIEW OF PRIVATE-SECTOR FINANCING

- Financing Institution - Wintrust
- Loan to Value % - 75%
- Term – 2 Years with 3yr Extension Option
- Rate – SOFR + 1.75%
- Amortization – Interest Only for 24 Months; then 25 Year Amortization thereafter during extension options.

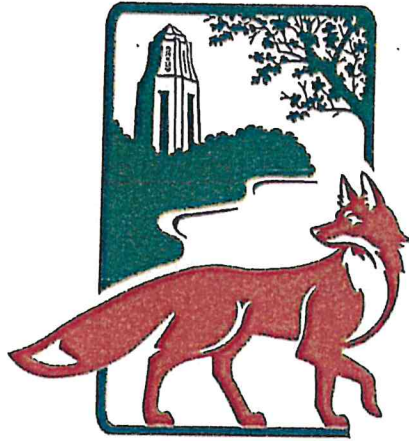
Costs for Road Access

<u>Line Item</u>	<u>Amount</u>
Excavation for New Road - 12,767 Square Feet	\$ -
B6.12 Curb and Gutter - 779 Lineal Feet	\$ -
Backfill of Curb and Gutter	\$ -
Furnish Place and Fine Grade, 10" Stone Base - 11,144 Square Feet	\$ -
2", N50 Binder Course for New Road - 11,144 Square Feet	\$ -
12", RCP - 256 Feet	\$ -
48" Manhole with Fram and Grates - 4 Each	\$ -
Connection to Existing Utilities - 2 Each	\$ -
General Conditions, Geotechnical Study, and Survey	\$ -
Estimated Total Costs for Access Road	\$ 425,000.00

Estimated Costs for Sidewalks

<u>Line Item</u>	<u>Amount</u>
Earthwork/Site Preparation/Erosion Control	\$ -
Clearing and Grubbing	\$ -
Topsoil Excavation	\$ -
Clay Borrow	\$ -
Import Soil	\$ -
Topsoil Respread	\$ -
Inlet Protection	\$ -
Seed and Erosion Control Blanket	\$ -
Paving/Curb & Gutter/Signage	\$ -
Subgrade Preparation/Compaction	\$ -
Aggregate Base Course	\$ -
Hot Mix Asphalt Binder Course	\$ -
Bituminous Materials Prime Coat	\$ -
On-Site PCC Sidewalk, 5" with 4" CA-6 Subbase	\$ -
Kirk Rd ROW PCC Sidewalk, 5" with 4" CA-6 Subbase	\$ -
Concrete Curb and Gutter, Type B6.12	\$ -
Bollards	\$ -
Storm Sewer	\$ -
Storm Sewer, 12" RCP	\$ -
Storm Sewer, 48" RCP	\$ -
Catch Basin, 4' Diameter	\$ -
Storm Manhole, 6' Diameter	\$ -
Flared End Section, 48" RCP with Grate	\$ -
Rip Rap	\$ -
Connect to Existing	\$ -
Estiamted Total Costs for Sidewalks	\$ 306,600.00

**SALES TAX REIMBURSEMENT
FINANCIAL ASSISTANCE
APPLICATION PACKET
Part 2 of 2**



CITY OF ST. CHARLES



**City of St. Charles
Sales Tax Reimbursement Financial Assistance
Application Packet Part 2**

Submission of the Part 2 Sales Tax Reimbursement Financial Assistance Application

In order for the City to effectively evaluate a request for financial assistance, the Applicant must:

- Provide all applicable items in a single submission;
- Organize the submission and present the required information in the manner indicated below; and
- Provide five (5) copies of the submission.

Failure to provide all required information in a complete and accurate manner could delay processing of the application. The City reserves the right to reject applications that lack all required items.

The Applicant is required to provide an initial fee of \$7,000 and a signed Reimbursement of Fees Agreement shall accompany any financial assistance application. This fee shall be used to cover the City's legal, administrative, and planning costs. Outside consultants hired by the City shall be paid for by the Applicant and will not be considered a part of the fee. It is also the responsibility of the Applicant to provide a deposit in the amount of any professional services contract provided by outside consultant(s) before the contract is executed. If an additional amount of money is required to reimburse the City for its related costs, the Applicant shall be responsible for such costs. If any portion of the fee is not utilized, the City will refund the amount to the Applicant.



City of St. Charles
Financial Assistance
Application Packet - Part 1

Applicant Information:

PRINCIPAL PROFILE(s)

The following information must be provided for each individual that is an owner, partner, investor, director or officer of the applicant entity or of any entity holding an interest in the applicant. (All information must be typed)

Name: FHS Jewel Parcel LLC
Address: 1307 Schiferl Rd, Bartlett, IL 60103
Company: GSI Family Properties
Phone: 630-730-7529
Email: cll@gsifamily.com

Name:
Home Address:
Company:
Phone:
Email:

Name:
Home Address:
Company:
Phone:
Email:

Name:
Home Address:
Company:
Phone:
Email:



City of St. Charles
Sales Tax Reimbursement Financial Assistance
Application Packet Part 2

Project Information

1. Project Narrative

Provide an in-depth overview of the project in narrative format. The narrative must include a description of the following aspects of the project:

- Clear identification of the percentage of new sales tax revenue to the City of St. Charles that the Applicant is requesting be reimbursed on an annual basis.
- Clearly state the term (number of years) of that the application is requesting the sales tax sharing assistance.
- Current condition of the site and historical overview that includes the size and condition of any existing structures, environmental conditions, and past uses of the site.
- Proposed use(s) of project (e.g. industrial, commercial, retail, office, or mixed-use).
- Construction information about the project including: size of any existing structure to be demolished or rehabbed, size of any new construction, types of construction materials (structural and finish), delineation of square foot allocation by use, total number and individual square footage of residential units, type of residential units (e.g. for-sale, rental, condominium), number of affordable residential units, degree of affordability of residential units (i.e. 100% AMI, 80% AMI, 60% AMI), number and type of parking spaces, and construction phasing.
- **Table of residential unit mix** - Provide a detailed overview of the residential units in the project. Details must include: the number and type of unit (i.e. number of bedrooms and bathrooms), unit size measured in square feet, construction cost per square foot, base sales price, "write-down" for affordable units, and the projected amount of total sales revenue.
- **Submit in writing** – a response as to how the proposed sales tax reimbursement request meets the following standards established in the Illinois State Statutes 65 ILCS 5/8-11-20
 - *"(1) If the property subject to the agreement is vacant:*
 - (A) that the property has remained vacant for at least one year, or*
 - (B) that any building located on the property was demolished within the last year and that the building would have qualified under finding (2) of this Section;*
 - *(2) If the property subject to the agreement is currently developed:*
 - (A) that the buildings on the property no longer comply with current building codes; or*
 - (B) that the buildings on the property have remained less than significantly unoccupied or underutilized for a period of at least one year;*
 - *(3) That the project is expected to create or retain job opportunities within the municipality;*
 - *(4) That the project will serve to further the development of adjacent areas;*
 - *(5) That without the agreement, the project would not be possible;*
 - *(6) That the developer meets high standards of creditworthiness and financial strength as demonstrated by one or more of the following:*



City of St. Charles
Sales Tax Reimbursement Financial Assistance
Application Packet Part 2

- (A) corporate debenture ratings of BBB or higher by Standard & Poor's Corporation or Baa or higher by Moody's Investors Service, Inc.;*
- (B) a letter from a financial institution with assets of \$10,000,000 or more attesting to the financial strength of the developer; or*
- (C) specific evidence of equity financing for not less than 10% of the total project costs;*
- (7) That the project will strengthen the commercial sector of the municipality;*
- (8) That the project will enhance the tax base of the municipality; and*
- (9) That the agreement is made in the best interest of the municipality."*

2. Project Timeline

A comprehensive project timeline is required. Include anticipated dates for site acquisition or lease, project start and completion, as well as other project milestones. Multi-phase projects must include details for each phase. The timeline should also identify any critical or time-sensitive dates as well as any time constraints facing the Applicant.

3. Public Benefits

Fully describe the public benefits that can be realized by the completion of this project. Projects with a high degree of public benefit are typically more likely to receive financial assistance. Examples of public benefits include, but are not limited to the following:

- | | |
|---|--|
| ▪ Creation of affordable housing | ▪ Incorporation of environmentally friendly features |
| ▪ Creation of new permanent jobs | ▪ Creation of public infrastructure or facilities |
| ▪ Creation of new retail choices in an underserved segment of the community | ▪ Increased sales tax revenue |
| ▪ Catalyst for new private investment | ▪ Increased property tax revenue creation and/or retention |
| ▪ Re-occupancy of a vacant building | |
| ▪ Elimination of blight | |

This statement should include qualitative examples of public benefits as well as quantifiable and measurable outcomes of the short-term and long-term benefits to the neighborhood and to the City of St. Charles. Supporting documentation for the estimates of public benefits must be included.

4. Site Maps

Provide a map that shows the location of the site. Also, provide a map that focuses on the project and its immediate surroundings. Both maps should be no larger than 11 x 17. Larger maps will be required for projects presented to the Council.



City of St. Charles
Sales Tax Reimbursement Financial Assistance
Application Packet Part 2

5. List of PINs

Identify the specific Parcel Index Numbers (PINs) included in the proposal and include the "base" equalized assessed value(s) EAV for each of these PINs. This information can be obtained from the Kane County Assessors Office.

6. Renderings of Project

Provide preliminary architectural elevations, plans and renderings for the project. These drawings should be no larger than 11 x 17 inches. Larger drawings will be required for projects presented to the City Council.

7. Evidence of Site Control

Submit documents to verify that the developer has control of the project site or that the Applicant has, or will have control of the property. Acceptable documentation may include deeds, title policies, leases, options, and real estate sales contracts. If the property has yet to be acquired, provide a statement regarding the method of acquisition, status and next steps of the related processes.

Project Financial Information

8. Sources and Uses of Funds

Identify the sources of funds used to finance the project. Typical sources include equity, lender financing, mezzanine financing, government financing, other anticipated types of public assistance, and any other types or methods of financing. Describe the sources of equity. Include a term sheet for lender financing, if available. The project budget must identify the up-front sources intended to finance the development costs of the project. If determined, specify each line item of the project budget that each source will finance. Summarize the uses of funds. General categories to be identified include: acquisition and related site costs, hard construction costs, and a breakdown of soft costs.

All projects must include, for the construction phase, a monthly or quarterly cash flow (i.e., sources or "cash in" by source, and uses or "cash out" by use).

For-sale housing developments must show income from the rental or sale of commercial space, the sale or rental of parking spaces, and unit upgrades must be included. Clearly identify all assumptions (such as absorption, sales prices, taxes, etc.). Identify the profit expected at the completion of the project.

Applicants are advised, that to the extent possible, sales contracts for land acquisition should not be executed until the City and the Applicant have agreed on an amount of assistance to be provided. This is because purchase price of a development site to be acquired or recently acquired will be reviewed to determine whether that price exceeds the property's current market value. For incentive agreements, market value sets the upper limit of acquisition costs that will be considered in the estimation of financial assistance. The City will review any market value



City of St. Charles
Sales Tax Reimbursement Financial Assistance
Application Packet Part 2

appraisal submitted in support of an acquisition, and the department may obtain its own appraisal or review appraisal.

9. Development Budget

Provide an accurate and detailed development budget for the project that includes a detailed breakdown of significant line item costs. The budget should be arranged to identify acquisition and site related costs, hard costs, and soft costs. Also, identify all line items that are performed by the developer, owner, or related entities.

The applicant shall clearly identify in a table the cost of specific line items that contribute to the need for financial assistance and create unfavorable financial returns. For example, installation/repair of public infrastructure, costs related to environmental remediation, costs related to the identification of un-buildable soils, demolition of existing structures, rehabilitation structures that do not meet current life safety codes, etc. The city's consultant may request further financial information as deemed appropriate.

10. Pro Forma Income and Expense Schedule

Applicants whose projects involve the rental of commercial, retail, industrial, and dwelling space must submit pro formas that identify income and expense projections on an annual basis for an eleven-year period. A hypothetical property reversion is to be assumed. Clearly identify all assumptions (such as absorption, vacancies, debt service, operational costs, etc.) that serve as the basis for the pro forma. Two sets of pro formas are to be submitted. The first set should show the project without sales tax reimbursement assistance and the second set with sales tax reimbursement assistance. For owner-occupied industrial and commercial projects, detailed financial information must be presented that supports need for financial assistance (see below).

11. Analysis of Financial Need

Each application must include financial analyses that demonstrate the need for sales tax reimbursement assistance. Two analyses must be submitted: one without sales tax reimbursement assistance and one with sales tax reimbursement tax assistance. The Applicant must indicate the minimum return or profit the Applicant needs in order to proceed with the project and the rationale for this minimum return or profit.

For Lease Property - For projects involving the leasing or rental of space by the developer to tenants (tenants include offices, retail stores, industrial companies, and households), an internal rate of return on equity must be computed with and without sales tax reimbursement assistance based on the pro forma of income and expense prepared. The reversion at the end of the ten-year holding period must be based on the capitalized 11th year net operating income. The reversionary value is then added to the 10th year cash flow before discounting to present value. State all assumptions in the analyses.

Mixed Use Commercial / For-Sale Residential - Provide either separate analyses for each component of the project or include in the revenue sources for the for-sale portion, the sale



City of St. Charles
Sales Tax Reimbursement Financial Assistance
Application Packet Part 2

value of the commercial component based on the net operating income of the commercial space at stabilization. Indicate how the sale value was derived.

Owner-Occupied Commercial - For projects such as "big-box" retail projects, provide copies of the analyses that the company used to determine the amount of sales tax reimbursement assistance that would be needed to allow the company to meet or exceed the company's minimum investment threshold(s) for proceeding with the project.

Competitive Projects - In instances where the City is competing with other jurisdictions for the project (e.g., corporate headquarters, new manufacturing plant), present detailed analyses that demonstrate the capital and operating cost differential between the proposed location(s) in St. Charles and locations outside the City that are being seriously considered by the Applicant.

12. Projections

Provide the amount of total sales tax generated for all PIN(s) included in the request for sales reimbursement project Area. This information should include the previous twelve (12) months prior to submitting this information. If this information is not readily available, the applicant shall make their best efforts to estimate these amounts based on historical information.

State the estimated amount of new sales tax that the proposed project will create over the entire requested term of the agreement. These projections should be computed on an annual basis and illustrate the amount of new sales tax generated that the applicant is requesting to be reimbursed based on the percentages identified in the project narrative.

13. Financial Commitments

Submit commitment letters and/or terms sheets from all lenders for proposed debt (such as construction, mezzanine, permanent, and government financing) and all other financial sources of the project (such as grants, and tax credits). Commitment letters must clearly specify the nature and terms of the obligations.

Professional Studies

14. Market Studies

Applications for commercial and mixed-use projects must include a comprehensive market study. Market studies are not required for industrial projects. The market study must identify target markets, analysis of competition, demographics, market rents, letters of intent/interest from prospective tenants, or for residential mixed-use, sale prices or rental rates of comparable properties.

15. Appraisal

All projects that involve the transfer of land must include a recent appraisal. Projects that include land as a form of equity or collateral must also submit a recent appraisal. The appraisal must value the property "as is", and the impact on value must be considered for such items as demolition, environmental remediation, relocation of utilities, lease buy-outs, and other work



**City of St. Charles
Sales Tax Reimbursement Financial Assistance
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necessary to make the site developable. The property must be valued assuming that the highest and best use is the proposed use.

All appraisals must be performed by a designated MAI or bank-approved appraiser. The initial appraisal may need to be updated or amended at the request of the City. Also, the City may obtain its own appraisal or review appraisal at the expense of the Applicant. Contact the City if there are questions or concerns about the approach to the appraisal.

16. Environmental Studies and Reports

When required by the City, submit a copy of the Phase I environmental report/study performed on the property. If there is probable or potential contamination on the project site, then a Phase II report/study or evidence that the site has been, or is being enrolled in an IEPA, a No Further Remediation (NFR) Program must also be included.

17. Other Studies and Reports

Include, as appropriate, other reports in support of information that is presented in the application.

Developer Information

18. Financial Statements

Provide year-end historical (prior 3 years) and interim financial statements of the Applicant and owning and/or operating entity if different from the Applicant. Financial Statements should include accountant audited or compiled balance sheet, income statement, and statement of cash flows.

19. Economic Disclosure Statement

Submit a City of St. Charles Economic Disclosure Statement (EDS) for each of the business entities with a financial interest in this project (see attached).

20. Prevailing Wage Requirements

The owner / developer must declare knowledge and acceptance of the Illinois Prevailing Wage requirements to the extent required by state law or the City. Applicant agrees that they have read, been informed and understood the provisions associated with the application.



**City of St. Charles
Sales Tax Reimbursement Financial Assistance
Application Packet Part 2**

Sales tax reimbursement Financial Assistance Application Checklist

Include this Checklist when applying for sales tax reimbursement assistance. If any of the required items are omitted from the application, please provide a brief explanation.

General Project Information

1 ☒ Project Narrative

11 ☒ Analysis of Financial Need

12 ☒ Projections

13 ☒ Financial Commitments

Detailed Project Information

2 ☒ Project Timeline

3 ☒ Public Benefits

4 ☒ Site Maps

5 ☒ List of PIN(s)

6 ☒ Renderings of Project

7 ☒ Evidence of Site Control

Professional Studies

14 ☐ Market Studies

15 ☐ Appraisal

16 ☐ Environmental Studies and Reports

17 ☐ Other Studies and Reports

Project Financial Information

8 ☒ Sources and Uses of Funds

9 ☒ Development Budget

10 ☒ Pro Forma Income and Expense

Schedule

Other Information

18 ☒ Financial Statements

19 ☒ Economic Disclosure Statement (EDS)

20 ☒ Prevailing Wage Requirements



City of St. Charles
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PREVAILING WAGE AND JOB CREATION AFFIDAVIT

NOTICE: The owner / developer must declare knowledge and acceptance of the Illinois Prevailing Wage requirements to the extent required by state law or the City. Applicant agrees that they have read, been informed and understood the following provisions associated with the application. In addition, if awarded a contract and required by state law or the City, the Applicant agrees to comply and require all participating subcontractors to comply with all requirements for each of the following applicable provisions:

- Prevailing Wage (initial attachment)
- Job Creation/Retention (initial attachment)

I, Pat Greco HEREBY DECLARE AND AFFIRM that I
am the

Manager
(Title - Print or Type) and duly authorized representative of

FHS Jewel Powell LLC
(Name of Company - Print or Type) located at

1307 Schuler Road, Bartlett IL 60103
(Address, City, State & Zip of Company - Print or Type)

(830) 580-0344 (Phone) () (Fax)

Have you previously participated in any Federally funded or City funded projects with any company?

☒ Yes ☐ No If yes, please provide: Project Address 240 Kautz Road, St. Charles, IL
Developer/Company GSI Family Investments of Oregon Amount Unknown Year 2023

I DO SOLEMNLY DECLARE AND AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE CONTENTS OF THIS DOCUMENT ARE TRUE AND CORRECT, AND THAT I AM AUTHORIZED ON BEHALF OF THE APPLICANT TO MAKE THIS AFFIDAVIT.

Signature: [Signature] Name of Affiant: Pat Greco

Date: 1-14-24

State of: IL County (City) of: Bartlett



City of St. Charles
Sales Tax Reimbursement Financial Assistance
Application Packet Part 2

This instrument was acknowledged before me on _____ (date)

by _____ (name/s of person/s)

as _____ (Type of authority, e.g., officer, trustee, etc.)

of _____ (name of party on behalf of whom instrument as executed).

Signed and sworn to before me on 2/25/2024 by Christine Scimeca

_____ (date)
at DuPage County, IL

_____ (state)
Notary Public: [Signature]

Commission Expires: April 05, 2025

SEAL



PROVISIONS CONCERNING PREVAILING WAGE RATE

The owner / developer must declare knowledge and acceptance of the Illinois Prevailing Wage requirements to the extent required by state law or the City. If required by state law or the City, the developer covenants and agrees to pay, and to contractually obligate and cause the General Contractor and each subcontractor to pay, the prevailing wage rate as ascertained by the Illinois Department of Labor (the "Department"), to all Project employees. All such contracts shall list the specified rates to be paid to all laborers, workers and mechanics for each type of worker or mechanic employed pursuant to such contract. If the Department revises such prevailing wage rates, the revised rates shall apply to all such contracts. Upon the City's request, the developer shall provide the City with copies of all contracts entered into by the Developer of the General Contractor to evidence compliance with this requirement.

Initials: PS Date: 1-25-24



**City of St. Charles
Sales Tax Reimbursement Financial Assistance
Application Packet Part 2**

**INSTRUCTIONS FOR COMPLETING THE CITY OF ST. CHARLES
ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT**

The City of St. Charles (the "City") requires disclosure of the information requested in this Economic Disclosure Statement and Affidavit ("EDS") before any City agency, department or City Council action regarding the matter that is the subject of this EDS. Please fully complete each statement, with all information current as of the date this EDS is signed. If a question is not applicable, answer with "N.A." An incomplete EDS will be returned and any City action will be delayed.

Please print or type all responses clearly and legibly. Add additional pages if needed, being careful to identify the portion of the EDS to which each additional page refers.

For purposes of this EDS:

"Applicant" means any entity or person making an application to the City for action requiring City Council or other City agency approval.

"Disclosing Party" means any entity or person submitting an EDS.

"Entity" or "Legal Entity" means a legal entity (for example, a corporation, partnership, joint venture, limited liability company or trust).

"Person" means a human being.

WHO MUST SUBMIT AN EDS:

An EDS must be submitted in any of the following three circumstances:

1. **Applicants:** An Applicant must always file this EDS. If the Applicant is a legal entity, state the full name of that legal entity. If the Applicant is a person acting on his/her own behalf, state his/her name.
2. **Entities holding an interest:** Whenever a legal entity has a beneficial interest (i.e. direct or indirect ownership) of more than 7.5% in the Applicant, each such legal entity must file an EDS on its own behalf.
3. **Controlling entities.** Whenever a Disclosing Party is a general partnership, limited partnership, limited liability company, limited liability partnership or joint venture that has a general partner, managing member, manager or other entity that can control the day-to-day management of the Disclosing Party, that entity must also file an EDS on its own behalf. Each entity with a beneficial interest of more than 7.5% in the controlling entity must also file an EDS on its own behalf.



City of St. Charles
Sales Tax Reimbursement Financial Assistance
Application Packet Part 2

**ECONOMIC DISCLOSURE STATEMENT
AND AFFIDAVIT**

SECTION I – GENERAL INFORMATION

A. Legal name of Disclosing Party submitting this EDS. Include d/b/a if applicable:

Check ONE of the following three options:

Indicate whether Disclosing Party submitting this EDS is:

- ✓ 1. the Applicant, or
2. a legal entity holding a direct or indirect interest in the Applicant. State the legal name of the Applicant in which Disclosing Party holds an interest: or
3. a specified legal entity with a right of control (see Section II.B.1.b.). State the legal name of the entity in which Disclosing Party holds a right of control:

B. Business address of Disclosing Party:

1307 Schiller Rd, Bartlett, IL 60103

C. Telephone: 630-580-5344 Fax: _____ Email: Pat@GSIFamily.com

D. Name of contact person: Pat Greco

E. Federal Employer Identification No. (if you have one): 93-4504817

F. Brief description of contract, transaction or other undertaking (referred to below as the "Matter") to which this EDS pertains. (Include the location of property, if applicable):

Development of Vacant Parcel #09-25-178-003
into a Commercial Center that will include
restaurants, retail, and office



City of St. Charles
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SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

A. NATURE OF DISCLOSING PARTY

1. Indicate the nature of the Disclosing Party:

- | | |
|--------------------------------|---|
| Person | Joint venture* |
| Corporations | Not-for-profit corporation (Is the not-for-profit corporation also a 501(c)(3))? <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Sole proprietorship | Other (please specify) _____ |
| General partnership* | |
| Limited partnership* | |
| Trust | |
| ✓ Limited liability company* | |
| Limited liability partnership* | |

* Note B.1.b below.

2. For legal entities, the state (or foreign country) of incorporation or organization, if applicable:

Delaware

3. For legal entities not organized in the State of Illinois: Has the organization registered to do business in the State of Illinois as a foreign entity?

☒ Yes ☐ No ☐ N/A

B. IF THE DISCLOSING PARTY IS A LEGAL ENTITY:

1.a. List below the full names and titles of all executive officers and all directors of the entity. For not-for-profit corporations, also list below all members, if any, which are legal entities. If there are no such members, write "no members." For trusts, estates or other similar entities, list below the legal titleholder(s).

Name	Title
<u>Eduardo Brice</u>	<u>Manager</u>
_____	_____
_____	_____
_____	_____



City of St. Charles
Sales Tax Reimbursement Financial Assistance
Application Packet Part 2

1.b. If you checked "General partnership," "Limited partnership," "Limited liability company," "Limited liability partnership" or "Joint venture" in response to Item A. 1. above (Nature of Disclosing Party), list below the name and title of each general partner, managing member, manager or any other person or entity that controls the day-to-day management of the Disclosing Party. NOTE: Each legal entity listed below must submit an EDS on its own behalf.

Name

Title

See attached "profile"

2. Please provide the following information concerning each person or entity having a direct or indirect beneficial interest (including ownership) in excess of 7.5% of the Disclosing Party. Examples of such an interest include shares in a corporation, partnership interest in a partnership or joint venture, interest of a member or manager in a limited liability company, or interest of a beneficiary of a trust, estate or other similar entity. If none, state "None." NOTE: The City may require any such additional information from any Applicant that is reasonably intended to achieve full disclosure.

Name

Business Address

% Interest in Disclosing Party



City of St. Charles
Sales Tax Reimbursement Financial Assistance
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CERTIFICATION

Under penalty of perjury, the person signing below: (1) warrants that he/she is authorized to execute this EDS on behalf of the Disclosing Party, and (2) warrants that all certifications and statements contained in this EDS are true, accurate and complete as of the date furnished to the City.

Please print or type

Disclosing Party:

FHS Jewel Parcel LLC

Date:

By:

[Signature]
(sign here)

Person Signing:

Pat Greco

Title of Person Signing:

Authorized Signatory

Signed and sworn to before me on (date)

at DuPage County, IL (state).

25 Sunday Jan, 2024 by Christine Scimeca

Notary Public:

Commission Expires:

April 05, 2025

Seal



Stuart's Crossing Retail Project Ownership Structure

The Stuart's Crossing Retail Project is owned by FHS Jewel Parcel LLC (FHS). FHS is owned 80% by Greco PG Five LLC and 20% by Greco EG Three LLC.

The majority owner, Greco PG Five LLC is owned by the following entities:

- Eduardo E. Greco Irrev Trust II – 20%
- Pasquale F. Greco Irrev Trust II – 20%
- Gian F. Greco Irrev Trust II – 20%
- Francesca Greco Jaffe Irrev Trust II – 20%
- Roberto Greco Irrev Trust II – 20%

The owners of the trust listed above are as follows:

- Eduardo E. Greco Irrev Trust II – Trust beneficiary is Eduardo E. Greco
- Pasquale F. Greco Irrev Trust II – Trust beneficiary is Pasquale F. Greco
- Gian F. Greco Irrev Trust II – Trust beneficiary is Gian F. Greco
- Francesca Greco Jaffe Irrev Trust II – Trust beneficiary is Francesca Greco Jaffe
- Roberto Greco Irrev Trust II – Trust beneficiary is Roberto Greco

Stuart's Crossing Retail Project

Principal Profile Information

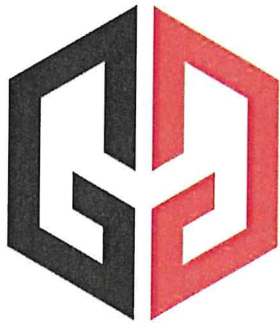
Eduardo E. Greco
1479 Caxambas Court, Marco Island, FL 34145
Bellissimo Distribution LLC
(630) 774-0629
egreco@grecoandsons.com

Pasquale F. Greco
3 Elle Ct., South Barrington, IL 60010
Bellissimo Distribution LLC
(630) 675-3167
LGreco@grecoandsons.com

Gian F. Greco
34W683 Army Trail Road, Wayne, IL 60184
Bellissimo Distribution LLC
(630) 774-0571
Gian@grecoandsons.com

Francesca Greco Jaffe
3465 Dover Hill Ct., St. Charles, IL 60175
Cheese Merchants of America LLC
(847) 977-1059
FranJ71@hotmail.com

Roberto Greco
34W685 Army Trail Road, Wayne, IL 60184
Cheese Merchants of America LLC
(630) 514-0969
Bobg@cheesemerchants.com



GSI FAMILY

June 18th, 2024

Economic Development Department
City of St. Charles
2 E Main St
St. Charles, IL 60174

Community & Economic Development Department:

This letter will outline the Financial Assistance Request for FHS Jewel Parcel LLC. This request is to help facilitate the development of a 7.54 Acres +/- long, vacant site at the Stuart Crossing Subdivision ("Subject Site") into a destination commercial center that will include restaurants, retail, and office.

DESCRIPTION OF SITE OR BUILDING

The Subject Site has been undeveloped and vacant since 1998 and is adjacent to a Jewel grocery anchored retail center.

CURRENT AND PROPOSED USES

- **Current Use:** - The Subject Site is a vacant commercial lot adjacent to a Jewel grocery anchored retail center.
- **Proposed Use:** - Class A destination commercial center that will include restaurants, retail, and office. The proposed 7.54 Acre site will be to support up to 70,300 SF +/- over four (4) buildings.

DESCRIPTION OF END USERS

End Users will include high-end restaurants, retail, and office users.

LIST OF ALL PARCEL IDENTIFICATION NUMBERS (PINS) THAT ENCOMPASS THE PROPERTY

09-25-178-003

PROJECTED PROJECT START AND END DATES

The projected start date for the Subject Site is Summer of 2024 with an estimated 12-month construction period to develop shell units ready for tenant build-out. Tenant build-out for leased units is projected to

take another 3 to 6 months past shell completion. Opening for the project is estimated to be Fall / Winter 2025.

NAME OF DEVELOPER AND OWNER

FHS Jewel Parcel LLC

TOTAL DEVELOPMENT COSTS

<u>Line Item</u>	<u>Amount</u>
Land Acquisition	\$ 4,200,000.00
Hard Costs	\$ 15,647,500.00
Access Road Development	\$ 425,000.00
Sidewalk Development	\$ 326,600.00
Soft Costs	\$ 497,875.00
Loan Interest Reserve	\$ 1,080,862.50
Estimated Total Project Costs	\$ 22,177,837.50

OVERVIEW OF PRIVATE-SECTOR FINANCING

- Financing Institution - Wintrust
- Loan to Value % - 75%
- Term – 2 Years with 3yr Extension Option
- Rate – SOFR + 1.75%
- Amortization – Interest Only for 24 Months; then 25 Year Amortization thereafter during extension options.

AMOUNT OF ASSISTANCE REQUESTED

Assistance is required for all hard, soft, and interest carry costs associated with bringing the required access road and sidewalks along Kirk road and the access road to the Subject Site. The estimated amount for these costs is \$751,600.

<u>Line Item</u>	<u>Amount</u>	
Earthwork/Site Preparation/Erosion Control		
Excavation for New Road and Sidewalks - 12,767 Square Feet (Access Rd)		
Clearing and Grubbing	\$	-
Topsoil Excavation	\$	-
Clay Borrow	\$	-
Import Soil	\$	-
Topsoil Respread	\$	-
Inlet Protection	\$	-
Seed and Erosion Control Blanket	\$	-
Paving/Curb & Gutter/Signage		
Furnish Place and Fine Grade, 10" Stone Base - 11,144 Square Feet, Sidewalk - 8,830SF		
Subgrade Preparation/Compaction	\$	-
Aggregate Base Course	\$	-
Hot Mix Asphalt Binder Course	\$	-
Bituminous Materials Prime Coat	\$	-
On-Site PCC Sidewalk, 5" with 4" CA-6 Subbase	\$	-
Onsite -Kirk Rd ROW PCC Sidewalk, 5" with 4" CA-6 Subbase	\$	-
B6.12 Curb and Gutter - 779 Lineal Feet	\$	-
Backfill of Curb and Gutter	\$	-
Bollards	\$	-
Storm Sewer		
Storm Sewer, 12" RCP	\$	-
Storm Sewer, 48" RCP	\$	-
Catch Basin, 4' Diameter	\$	-
Storm Manhole, 6' Diameter	\$	-
Flared End Section, 48" RCP with Grate	\$	-
Rip Rap	\$	-
Connection to Existing Utilities - 2 Each	\$	-
General Conditions and Contingency	\$	-
<u>Estiamted Total Costs for Access Road and Sidewalks</u>	\$	751,600.00

STATEMENT REGARDING WHY ASSISTANCE IS NECESSARY

The existing access to the Subject Site is insufficient to support the connectivity to the Charlestowne Mall and does not provide ingress/egress opportunities for patrons accessing the site from Route 64/Main St. Providing the access road and sidewalks are crucial for patrons attempting to access the site from Main St by vehicle as well as pedestrians accessing the site along Kirk and connectivity within the development. As a result, this enhances the synergy between the planned development and future development of the Charlestowne Mall location through the connectivity provided by the access road and sidewalks.

DESCRIPTION OF PUBLIC BENEFITS

- **Creation of New Permanent Jobs** – It is estimated that Stuart’s Crossing Development may create up to 300 – 400 new jobs.
- **Catalyst for New Private Investment** – The financial assistance and providing the access road and sidewalks to the Subject Site will spur the re-development of the Charlestowne Mall and also supply the necessary connectivity for the development site and future development of the Charlestowne Mall.
- **Elimination of Blight** – The Subject Property has sat undeveloped since 1998 and is under-utilized, in-fill site.
- **Increased Property and Sales Tax Revenue** – Upon completion of the development of the Subject Site is anticipated to raise property tax revenue by approximately \$600K - \$700K over the existing taxes paid as vacant land as well as generate approximately \$6 MM in sales tax (City’s 1.5% Share) over a 10-year period from the proposed retail.

EVIDENCE CONTROL

- Developer executed the Purchase Agreement with the current ownership group on November 17th, 2023. The developer is expected to assume ownership in mid-to-end of June 2024.

FINANCIAL STATEMENTS – DEVELOPER INFORMATION

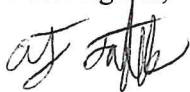
- The entity purchasing the corresponding land parcel is a new single purpose entity that will be used for the development and there are no prior year financial statements.

ANALYSIS OF FINANCIAL NEED

- **Debt Service Coverage Ratio** – The proforma schedule analyzed without the sales tax rebate is unable to support a DSCR of 1.2x or greater until year 3 (2028). Conversely, the proforma schedule including sales tax rebate is able to support a DSCR of 1.2x in year 2 (2027). The sales tax rebate is necessary for the development to be able to fulfill the DSCR requirements of the lender on the construction loan until the project is stabilized.

			1	2	3
		PSF	2026	2027	2028
Valuation Information					
Net Operating Income		\$11.50	\$808,581	\$1,225,710	\$1,737,205
Sales Tax Rebate w 7% Int Rate			\$360,000	\$397,181	\$83,595
Implied Capitalization Rate			9.00%	9.00%	9.00%
Reversion (NOI / Cap Rate)		\$127.74	\$8,980,000	\$13,620,000	\$19,300,000
Closing Costs	-3.00%		-\$269,400	-\$408,600	-\$579,000
Net Proceeds From Sale + Sales Tax Rebate			\$9,070,600	\$13,608,581	\$18,804,595
Total Cost		\$315.47	\$22,177,838	\$22,177,838	\$22,177,838
Sale Profit / (Loss)			(\$13,107,238)	(\$8,569,256)	(\$3,373,243)
Permanent Loan Analysis					
Loan Request	69.29%	\$218.59	\$15,366,787	\$15,197,688	\$15,016,364
Interest Rate			7.00%	7.00%	7.00%
Term			5 Years	5 Years	5 Years
Amortization			30 Years	30 Years	30 Years
Annual Constant			7.984%	7.984%	7.984%
Annual Debt Service		\$17.45	\$1,226,827	\$1,226,827	\$1,226,827
Ratios w/o Sales Tax Rebate					
Debt Service Coverage Ratio			0.66x	1.00x	1.42x
Leveraged IRR with Sale Reversion					
Unleveraged IRR with Sale Reversion					
Simple Cash on Cash (NOI / Total Costs)			3.65%	5.53%	7.83%
Cash on Cash (NOI / Equity Balance)			-6.63%	-0.22%	8.10%
Ratios w Sales Tax Rebate					
Debt Service Coverage Ratio			0.95x	1.32x	1.48x
Leveraged IRR with Sale Reversion					
Unleveraged IRR with Sale Reversion					
Simple Cash on Cash (NOI + Rebate) / Total Costs			5.27%	7.32%	8.21%
Cash on Cash (NOI / Equity Balance)			-1.09%	6.06%	9.46%

Best Regards,


A handwritten signature in black ink, appearing to read 'AJ Jaffe', written over the printed name.

AJ Jaffe

Authorized Agent

FHS Jewel Parcel LLC

Encl: Exhibit A – Site Plan, Exhibit B – Proforma Schedule with and without Sales Tax Rebate, Exhibit C – Loan Terms, Exhibit D – PSA Agreement, Exhibit E – Site Plan for Ring Road Connectivity, Exhibit F – Updated Sidewalk Area.

 CITY OF ST. CHARLES ILLINOIS • 1834	AGENDA ITEM EXECUTIVE SUMMARY		Agenda Item number: *4f
	Title:	Recommendation to approve a Plat of Easement for Fox Haven Square.	
	Presenter:	Ellen Johnson, Planner	
Meeting: Planning & Development Committee		Date: November 11, 2024	
Proposed Cost: \$		Budgeted Amount: \$	Not Budgeted: <input type="checkbox"/>
TIF District: None			
Executive Summary (if not budgeted, please explain): <p>The Fox Haven Square PUD was approved in July of this year. Final Engineering plans are under staff review. The project includes construction of public sidewalk along the Kirk Road frontage of the property. As required by KDOT, the sidewalk is located on private property instead of in the right-of-way.</p> <p>The developer has submitted a Plat of Easement which grants a Public Sidewalk Easement over the sidewalk along Kirk Road. The Plat of Easement also establishes necessary easements on the site pertaining to stormwater management areas, public utilities though the site, and ingress/egress for east-west cross-access from Kirk Road to the Charlestowne Mall property.</p> <p>Staff has found the Plat of Easement to be sufficient and recommends approval.</p>			
Attachments (please list): Plat of Easement			
Recommendation/Suggested Action (briefly explain): Recommendation to approve a Plat of Easement for Fox Haven Square.			

PLAT OF EASEMENT

LEGEND

E = EAST
M = MEASURED DISTANCE
N = NORTH
(R) = RECORD DISTANCE
R.O.W. = RIGHT OF WAY
S = SOUTH
W = WEST

North
Scale 1" = 60'

60' 0' 60' 120'

= ADJOINING LOTS
= CENTERLINE
= INGRESS / EGRESS EASEMENT HEREBY GRANTED
= R.O.W. LINE
= STORMWATER MANAGEMENT EASEMENT HEREBY GRANTED
= SUBJECT PROPERTY
= UTILITY EASEMENT HEREBY GRANTED

LEGAL DESCRIPTION OF PROPERTY:

LOTS 1, 3, 4 AND 5 IN STUART'S CROSSING RETAIL, BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, KANE COUNTY, ILLINOIS, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 15, 1998 AS DOCUMENT NUMBER 88K083752, IN KANE COUNTY, ILLINOIS.

BASIS OF BEARINGS:

ALL MEASURED BEARINGS SHOWN HEREON ARE BASED ON NAD 83 ILLINOIS COORDINATE SYSTEM, EAST ZONE AS DETERMINED BY NGS CRUS SOLUTION REPORT

OWNER:

PHO PAXA LLC
1307 SCHERER ROAD
BARTLETT, IL 60013

TAX PARCEL NUMBERS
09-25-178-002 (LOT 3)
09-25-178-003 (LOT 4)
09-25-178-001 (LOT 5)

THIS PLAT HAS BEEN SUBMITTED FOR RECORDING BY AND RETURN TO:
NAME: ST. CHARLES CITY CLERK
ADDRESS: 2 E. MAIN STREET
ST. CHARLES, IL
60174

NO.	ARC LENGTH	RADIUS	CHORD BEARING	CHORD LENGTH
C1	10.01	6075.00	N01°10'00"E	10.00

NO.	BEARING	DISTANCE
1	N88°47'57"E	10.00
2	S00°08'14"W	309.89
3	S79°30'00"W	84.40
4	N89°28'27"E	235.53
5	N02°16'12"W	27.73
6	N09°10'25"E	86.59
7	N03°19'34"E	98.56
8	N07°30'25"E	87.31
9	N88°02'48"E	73.09
10	N89°47'57"E	38.89
11	S79°30'00"W	306.59
12	S02°47'48"W	48.87
13	N02°04'41"E	35.43
14	N09°20'27"E	43.53
15	S00°08'14"W	52.69
16	S09°30'00"W	366.39
17	N20°04'37"E	65.72
18	N08°13'24"E	97.80
19	N01°06'42"W	11.49
20	N09°10'18"E	10.00
21	S01°08'42"E	11.49
22	N88°03'24"E	220.17
23	N08°10'18"E	10.00
24	N08°10'18"E	11.77
25	N88°59'30"W	86.49
26	S79°30'00"W	306.59
27	S88°43'54"W	106.71
28	S89°47'28"W	52.69
29	S89°47'28"W	45.75
30	N89°47'28"E	72.77
31	N89°10'18"E	10.00
32	N09°34'37"E	9.39
33	N89°02'30"W	179.33
34	N09°08'48"E	52.69
35	S89°28'17"W	22.42
36	N02°08'48"W	10.00
37	N89°10'09"E	6.80
38	S00°49'12"E	21.38
39	S89°47'28"W	4.80
40	N00°49'12"W	21.48
41	N89°47'28"E	10.00
42	N09°08'48"E	91.13
43	N82°18'12"W	18.35
44	N82°18'12"W	20.85
45	S00°31'32"E	92.83
46	S00°49'12"E	92.49
47	S00°49'12"W	1.50
48	S88°47'57"W	10.83
49	N02°12'30"W	10.00
50	S89°28'17"W	24.84
51	N00°28'17"E	24.32
52	N00°28'17"E	7.88
53	N79°27'50"E	35.16
54	N00°08'14"E	350.27

AREA TABLE:

GROSS AREA OF LOT 1
STUART'S CROSSING RETAIL
60,741± SQ. FT.

GROSS AREA OF LOT 3
STUART'S CROSSING RETAIL
113,124± SQ. FT.

GROSS AREA OF LOT 4
STUART'S CROSSING RETAIL
328,417± SQ. FT.

GROSS AREA OF LOT 5
STUART'S CROSSING RETAIL
410,464± SQ. FT.

EASEMENT PREMISES HEREBY GRANTED LOT 1
989 SQ. FT. (UTILITY EASEMENT)

EASEMENT PREMISES HEREBY GRANTED LOT 3
1,479 (PUBLIC WALK EASEMENT)
10,263 (INGRESS/EGRESS EASEMENT)

EASEMENT PREMISES HEREBY GRANTED LOT 4
47,631 SQ. FT. (UTILITY EASEMENT)
65,390 SQ. FT. (STORMWATER MANAGEMENT EASEMENT)
3,514 (PUBLIC WALK EASEMENT)

EASEMENT PREMISES HEREBY GRANTED LOT 5
1,551 (PUBLIC WALK EASEMENT)
11,365 (INGRESS/EGRESS EASEMENT)

GENERAL NOTES:

1) BOUNDARY SHOWN IS BY RETRACING SURVEY PERFORMED BY AMERICAN SURVEYING & MAPPING, INC. PROVIDED TO WARE MALCOMB ON 11/02/2023.

E MAIN STREET
(ROUTE 64)

SHEET

1

PREPARED FOR

WARE MALCOMB

PROPERTY ADDRESS

FOX HAVEN SQUARE
ST. CHARLES, ILLINOIS



Ridgeline Consultants LLC

1800 Professional Design Firm No. 184-004788
1801 Laurel Road, Montgomery, IL 60138
PH: 630.801.7807 FAX: 630.701.1385
Jared@Ridgeline.com
Stacy L. Bennett P.L.S. 3415 Expired Date 11/30/2024

REVISION

DATE

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PLAT OF EASEMENT

OWNER'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF KANE) SS

THIS IS TO CERTIFY THAT THE UNDERSIGNED IS THE OWNER OF THE LAND DESCRIBED IN THE ANNEXED PLAT, AND THAT HE HAS CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED AS INDICATED THEREON, FOR THE USES AND PURPOSES THEREIN SET FORTH, AND DOES HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE THEREON INDICATED.

DATED THIS ____ DAY OF _____, A.D. 20____.

NOTARY CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF KANE) SS

I, _____, A NOTARY PUBLIC, IN AND FOR SAID COUNTY, IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AS SUCH OWNERS, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY SIGNED AND DELIVERED THE ANNEXED PLAT AS THEIR OWN FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.

*GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS ____ DAY OF _____, A.D. 20____, AT _____, ILLINOIS.

NOTARY PUBLIC

KANE COUNTY RECORDER'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF KANE) SS

THIS INSTRUMENT _____, WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF KANE COUNTY, ILLINOIS.

ON THE ____ DAY OF _____, A.D. 20____,
AT _____ O'CLOCK ____ M.

RECORDER OF DEEDS

CITY COUNCIL CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF KANE) SS

APPROVED AND ACCEPTED THIS ____ DAY OF _____, CITY COUNCIL OF CITY OF ST. CHARLES, ILLINOIS.

MAYOR

ATTEST: _____ CITY CLERK

MORTGAGEE CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF _____) SS

_____, AS MORTGAGEE,

PRINT MORTGAGEE NAME
UNDER THE PROVISIONS OF A CERTAIN MORTGAGE DATED _____, A.D. 20____, AND RECORDED IN THE RECORDER'S OFFICE OF _____, COUNTY, ILLINOIS ON THE ____ DAY OF _____, A.D. 20____, AS DOCUMENT NO. _____.

HEREBY CONSENTS TO AND APPROVES THE SUBDIVISION OF THE LAND AND THE GRANTING OF THE EASEMENT(S) DEPICTED HEREON.

DATED THIS ____ DAY OF _____, A.D. 20____.

PRINT MORTGAGEE NAME

BY: _____ ATTEST: _____

ITS: _____ ITS: _____

NOTARY'S CERTIFICATE

STATE OF _____)
COUNTY OF _____) SS

THE UNDERSIGNED, A NOTARY PUBLIC IN THE COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT

(NAME) _____
(TITLE) _____
OF _____ AND NAME _____
(TITLE) _____ OF _____

WHO ARE PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AS SUCH (TITLE) _____

AND (TITLE) _____

RESPECTIVELY, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY SIGNED AND DELIVERED THE SAID INSTRUMENT AS THEIR OWN FREE AND VOLUNTARY ACT AND AS THE FREE

AND VOLUNTARY ACT OF SAID AS MORTGAGEE, FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND SEAL

THIS ____ DAY OF _____, A.D. 20____.

NOTARY PUBLIC SIGNATURE

STORMWATER MANAGEMENT EASEMENT PROVISIONS

A PERMANENT NON-EXCLUSIVE EASEMENT IS HEREBY GRANTED TO THE CITY OF ST. CHARLES AND TO THEIR SUCCESSORS AND ASSIGNS, IN, UPON, ACROSS, OVER, UNDER, AND THROUGH THE AREAS SHOWN BY DASHED LINES AND LABELED "STORMWATER MANAGEMENT EASEMENT" ON THE PLAT OF SUBDIVISION HEREON DRAWN FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, INSPECTING, OPERATING, REPLACING, RENEWING, ALTERING, ENLARGING, REMOVING, REPAIRING, CLEANING, AND MAINTAINING STORM SEWERS, DRAINAGE WAYS, STORM WATER DETENTION AND BEST MANAGEMENT PRACTICES AND ANY AND ALL MANHOLES, PIPES, CONNECTIONS, CATCH BASINS, AND WITHOUT LIMITATION, SUCH OTHER INSTALLATIONS AS MAY BE REQUIRED TO FURNISH STORMWATER DETENTION AND BEST MANAGEMENT PRACTICES. THE RIGHT OF ACCESS ACROSS THE REAL ESTATE PLATTED HEREIN FOR THE NECESSARY PERSONNEL AND EQUIPMENT TO MAKE ANY OR ALL OF THE ABOVE WORK, NO BUILDING, FENCING, OR IMPERVIOUS SURFACE SHALL BE PLACED ON SAID EASEMENT PREMISES WITHOUT PRIOR WRITTEN CONSENT FROM THE CITY OF ST. CHARLES OR AS SHOWN ON A PLAN APPROVED BY THE CITY OF ST. CHARLES. THE RESPONSIBILITY OF MAINTAINING THE STORMWATER MANAGEMENT EASEMENT SHALL BE BINDING ON THE HEIRS, EXECUTORS, ADMINISTRATORS, SUCCESSORS AND ASSIGNS OF THE LANDOWNERS. NO PERSON SHALL DESTROY OR MODIFY SLOPES OR OTHERWISE AFFECT THE DETENTION AND BEST MANAGEMENT PRACTICE VOLUME WITHOUT HAVING FIRST RECEIVED WRITTEN APPROVAL FROM THE CITY OF ST. CHARLES. THE CITY SHALL HAVE THE RIGHT BUT NOT THE OBLIGATION TO RESTORE ANY DETENTION OR BEST MANAGEMENT PRACTICE VOLUME LOST THROUGH UNAUTHORIZED ACTIVITIES.

KANE COUNTY CLERK CERTIFICATE

I, _____, COUNTY CLERK OF DUPAGE COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID FORFEITED TAXES AND NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND INCLUDED IN THIS PLAT. I FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THIS PLAT. GIVEN UNDER MY HAND AND SEAL OF THE COUNTY CLERK OF KANE COUNTY, ILLINOIS, THIS ____ DAY OF _____, A.D. 20____.

KANE COUNTY CLERK

PUBLIC SIDEWALK EASEMENT PROVISIONS

A PERMANENT AND PERPETUAL EASEMENT FOR PUBLIC SIDEWALK PURPOSES IS HEREBY GRANTED TO THE CITY OF ST. CHARLES OVER, UNDER, AND UPON THE AREAS LABELED "PUBLIC SIDEWALK EASEMENT" FOR THE CONSTRUCTION, RESTORATION, MAINTENANCE, INSPECTION, ACCESS, AND USE AS A RIGHT OF WAY FOR PUBLIC SIDEWALK PURPOSES. ALL CONSTRUCTION SHALL BE DONE IN A GOOD, WORKMANLIKE MANNER, IN ACCORDANCE WITH CONVENTIONAL CONSTRUCTION PRACTICES AND THE PREMISES SHALL BE LEFT IN A NEAT AND PRESENTABLE CONDITION. THIS EASEMENT GIVES THE CITY THE RIGHT BUT NOT THE OBLIGATION OF CONSTRUCTION, RECONSTRUCTION, RESTORATION AND MAINTENANCE OF THE RIGHT OF WAY FOR PUBLIC SIDEWALK PURPOSES. MAINTENANCE OF THE SIDEWALK IS NOT THE RESPONSIBILITY OF THE CITY BUT SHALL BE THE RESPONSIBILITY OF THE LAND OWNERS ON WHOSE PROPERTY THE PUBLIC SIDEWALK LIES.

PUBLIC ACCESS

PERMANENT NON-EXCLUSIVE EASEMENTS ARE HEREBY RESERVED FOR AND GRANTED TO THE CITY OF ST. CHARLES, IN, UPON, ACROSS, OVER, UNDER AND THROUGH THE AREAS SHOWN BY DASHED LINES AND LABELED "PUBLIC ACCESS EASEMENT" ON THE PLAT OF SUBDIVISION HEREON DRAWN, FOR THE PURPOSE OF ACCESS TO CITY OWNED UTILITIES AND OTHER GRANTED EASEMENTS, AS DEEMED NECESSARY BY THE CITY OF ST. CHARLES. THE RIGHT IS ALSO HEREBY GRANTED TO SAID CITY TO CUT DOWN, TRIM OR REMOVE ANY TREES, SHRUBS OR OTHER PLANTS THAT INTERFERE WITH THE OPERATION OF OR ACCESS TO SAID UTILITY OR EASEMENT. NO PERMANENT BUILDINGS SHALL BE PLACED IN SAID EASEMENT, BUT SAME MAY BE USED FOR SHRUBS, LANDSCAPING, AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES AND RIGHTS.

PUBLIC UTILITY EASEMENT PROVISIONS

A PERMANENT NON-EXCLUSIVE EASEMENT IS HEREBY GRANTED TO THE CITY OF ST. CHARLES AND TO ALL PUBLIC UTILITY COMPANIES OF ANY KIND OPERATING UNDER FRANCHISE GRANTING THEM EASEMENT RIGHTS FROM SAID CITY OF ST. CHARLES, INCLUDING BUT NOT LIMITED TO, AMERITECH AND NICOR AND TO THEIR SUCCESSORS AND ASSIGNS/HEREIN COLLECTIVELY REFERRED TO AS "GRANTEES", IN, UPON, ACROSS, OVER, UNDER, AND THROUGH THE AREAS SHOWN BY DASHED LINES AND LABELED "PUBLIC UTILITY EASEMENT" ON THE PLAT OF SUBDIVISION HEREON DRAWN FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, INSPECTING, OPERATING, REPLACING, RENEWING, ALTERING, ENLARGING, REMOVING, REPAIRING, CLEANING, AND MAINTAINING ABOVE GROUND AND UNDERGROUND ELECTRICAL SYSTEMS, CABLE TELEVISION, COMMUNICATION, GAS, TELEPHONE OR OTHER UTILITY LINES OR APPURTENANCES, SANITARY AND STORM SEWERS, DRAINAGE WAYS, STORM WATER DETENTION AND RETENTION, WATER MAINS AND ANY AND ALL MANHOLES, HYDRANTS, PIPES, CONNECTIONS, CATCH BASINS, BUFFALO BOXES AND WITHOUT LIMITATION, SUCH OTHER INSTALLATIONS AS MAY BE REQUIRED TO FURNISH PUBLIC UTILITY SERVICE TO ADJACENT AREAS TOGETHER WITH THE RIGHT OF ACCESS ACROSS THE REAL ESTATE PLATTED HEREIN FOR THE NECESSARY PERSONNEL AND EQUIPMENT TO MAKE ANY OR ALL OF THE ABOVE WORK. THE RIGHT IS ALSO HEREBY GRANTED TO SAID GRANTEES TO CUT DOWN, TRIM, OR REMOVE ANY TREES, SHRUBS, OR OTHER PLANTS THAT INTERFERE WITH THE OPERATION OF OR ACCESS TO SAID UTILITY INSTALLATIONS, WITHOUT LIMITATION, IN, ON, UPON OR ACROSS, UNDER, OR THROUGH SAID EASEMENTS. IN THE EVENT UTILITY MAINTENANCE IS PERFORMED WITHIN THE UTILITY EASEMENT, THE CITY OF ST. CHARLES WILL HAVE NO OBLIGATION WITH RESPECT TO SURFACE RESTORATION INCLUDING, BUT NOT LIMITED TO, THE RESTORATION, REPAIR, OR REPLACEMENT OF ANY LANDSCAPING PROVIDED, HOWEVER, THE GRANTEES SHALL BE OBLIGATED FOLLOWING ANY SUCH WORK, TO BACKFILL AND MOUND SO AS TO RETAIN SUITABLE DRAINAGE, REMOVE DEBRIS, AND LEAVE THE AREA IN GENERALLY CLEAN AND WORKMANLIKE CONDITION, NO PERMANENT BUILDINGS OR TREES SHALL BE PLACED ON SAID EASEMENTS, BUT THE EASEMENT AREAS MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING, PAVING, FENCES, SIDEWALKS, CURBING, AND OTHER PURPOSES THAT DO NOT INTERFERE WITH THE AFORESAID USES AND RIGHTS. WHERE AN EASEMENT IS USED FOR STORM OR SANITARY SEWERS, OTHER UTILITY INSTALLATIONS SHALL BE SUBJECT TO THE PRIOR APPROVAL OF SAID CITY OF ST. CHARLES SO AS NOT TO INTERFERE WITH THE GRAVITY FLOW IN SAID SEWER OR SEWERS. UTILITY INSTALLATIONS, OTHER THAN THOSE MANAGED BY THE CITY OF ST. CHARLES, SHALL BE SUBJECT TO THE APPROVAL OF THE CITY OF ST. CHARLES, AS TO DESIGN AND LOCATION, AND ALL OTHER INSTALLATIONS ARE SUBJECT TO THE ORDINANCES OF THE CITY OF ST. CHARLES.

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF KANE) SS

I, JIANFENG HUA, AN ILLINOIS LICENSED PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT I HAVE PREPARED THIS PLAT FROM EXISTING RECORDS FOR THE PURPOSE OF GRANTING A PUBLIC UTILITY EASEMENT AND THAT THIS PLAT IS AN ACCURATE DEPICTION AND DESCRIPTION OF SAID EASEMENT.

GIVEN UNDER MY HAND AND SEAL AT MONTGOMERY, ILLINOIS, THIS ____ DAY OF _____, 202____.

JIANFENG HUA
PROFESSIONAL LAND SURVEYOR NO. 035-004071
LICENSE EXPIRES 11-30-2024
PROFESSIONAL DESIGN FIRM NO. 184-004786

SHEET
2
OF
2

PREPARED FOR:

WARE MALCOMB

PROPERTY ADDRESS

FOX HAVEN SQUARE
ST. CHARLES, ILLINOIS



Ridgeline Consultants LLC

Illinois Professional Design Firm No. 184-004786

1001 Aucutt Road, Montgomery, IL 60538

PH 630-870-7027 FAX 630-701-1580

Jianfeng Hua P.L.S. 4071 Expiration Date 11/30/2024

Shao Y. Shao P.L.S. 3415 Expiration Date 11/30/2024

OWNER

DATE

DEED

PROPERTY IDENTIFICATION

BOOK

ORIGINAL

DATE

10/30/2024

PROJECT NO.

2024-0308

W:\CH\23\0124\00\Civil\CAD\Sheets\Preliminary\CH23-0124_C3_0_Site Plan.dwg 07/01/2024 TSNOW 1:1

WARE MALCOMB
LEADING DESIGN FOR COMMERCIAL REAL ESTATE

1315 22nd street
suite 410
oak brook, IL 60523
p 630.218.0063
waremalkomb.com

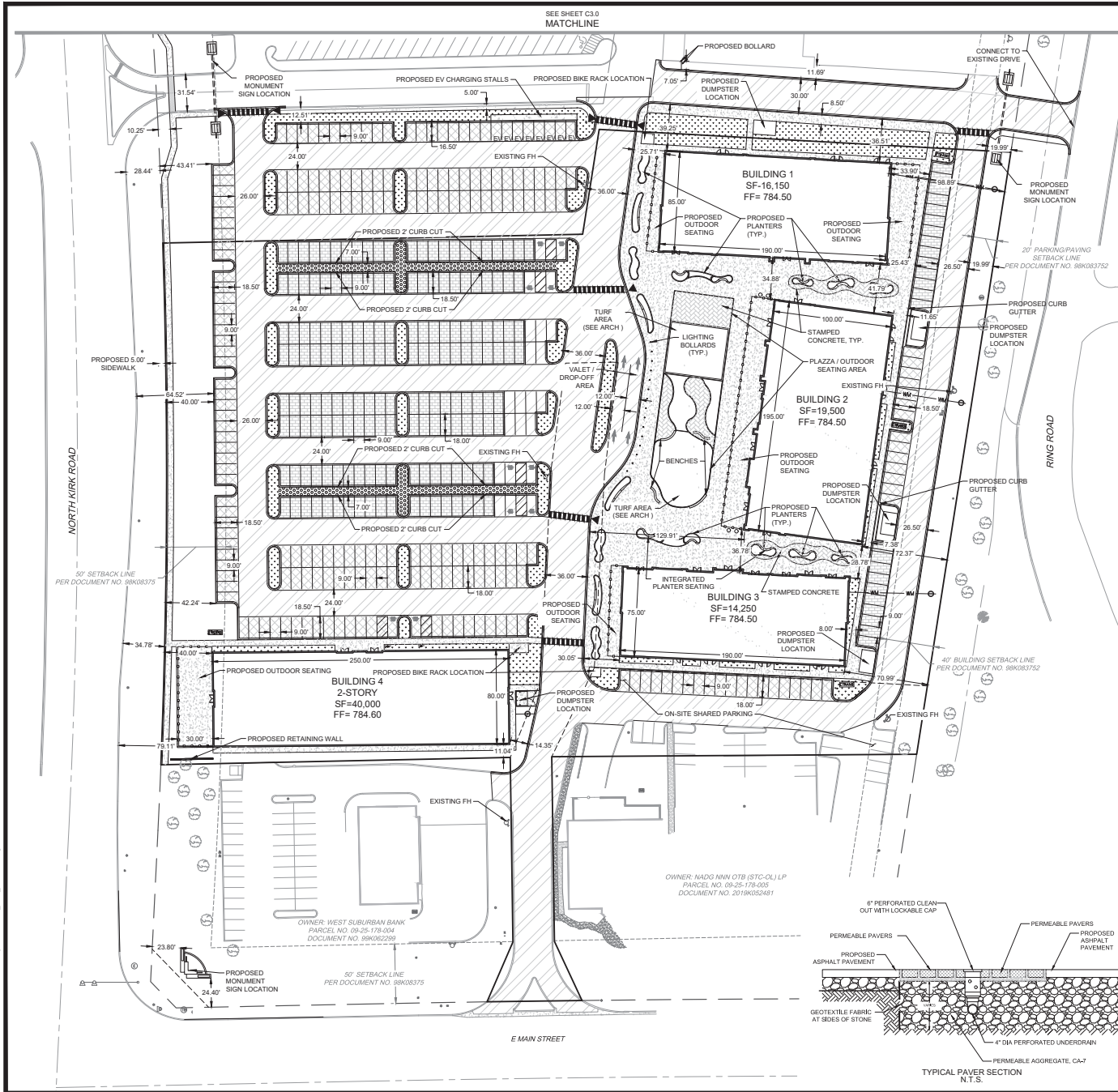
OR AND ON BEHALF
IF WARE MAIL.COM

FOX HAVEN SQUARE
PRELIMINARY ENGINEERING
502 N KIRK RD.
ST. CHARLES, IL 60174







PRELIMINARY SITE PLAN

JOB NO.:	CHI23-0124
PA / PM:	J. GRZYWA
DESIGNED:	T. SNOW
DATE:	1-19-24
PLOT DATE:	07/01/24

SHEET
C3.1
Sheet 6 of 10



LEGEND	
EXISTING	PROPOSED
	BOUNDARY
	LOT LINE
	EASEMENT
	CENTERLINE
	MAJOR CONTOUR 5280
	MINOR CONTOUR 5278
	CURB / GUTTER
	BUILDING
	SAW CUT
	STORM DRAIN
	STORM INLET
	STORM MANHOLE
	SANITARY
	SANITARY CLEANOUT
	SANITARY MANHOLE
	WATER LINE
	FIRE HYDRANT
	WATER VALVE
	WATER MANHOLE
	LIGHT POLE
	TRANSFORMER
	ELEC VALT RAMP
	SIDEWALK RAMP

HATCH LEGEND	
	PROPOSED CONCRETE SIDEWALK
	PROPOSED HEAVY DUTY ASPHALT PAVING
	PROPOSED LIGHT DUTY ASPHALT PAVING
	PROPOSED PLANTING AREA
	PROPOSED BIORETENTION PLANTINGS
	PROPOSED STAMPED CONCRETE

SITE NOTES

1. CONTRACTOR TO FIELD-VERIFY EXISTING CONDITIONS PRIOR TO CONSTRUCTION AND SHALL NOTIFY ENGINEER OF ANY DISCREPANCIES. ENGINEER WILL NOT BE RESPONSIBLE FOR ANY COSTS ASSOCIATED WITH CHANGES TO THE DESIGN WITHOUT PROPER NOTIFICATION.
2. SEE COVER SHEET FOR BENCHMARK, BASIS OF DESIGN, AND SURVEY DATA.
3. DIMENSIONS ARE TO BACK OF CURB AND BUILDING FACE UNLESS OTHERWISE NOTED.
4. PAVEMENT THICKNESS AND DESIGN ARE PER THE GEOTECHNICAL REPORT.
5. ACCESSIBLE CURB RAMPS SHALL BE CONSTRUCTED WITH DETECTABLE WARNING PADS IF REQUIRED BY LOCAL CRITERIA.
6. CONTRACTOR SHALL REMOVE AND REPLACE CURB, GUTTER, PAVING, LANDSCAPE, AND ANY OTHER ITEMS DAMAGED DURING CONSTRUCTION.
7. ALL PROPOSED STRIPING TO BE 4" WIDE PAINTED YELLOW STRIPING, UNLESS OTHERWISE NOTED.
8. ALL PARKING SPACES ARE SHARED PARKING.

SITE DATA

PROPERTY AREA: ±328,432F (7.54 AC)
 PROPOSED IMPERVIOUS: 6.00 AC
 PROPOSED PERVIOUS: 1.54 AC
 BUILDING AREA:
 BUILDING 1: ±16,150 SF - (6,500 SF RESTAURANT, 9,650 SF RETAIL)
 BUILDING 2: ±19,500 SF - (19,500 SF RESTAURANT)
 BUILDING 3: ±14,250 SF - (4,000 SF RESTAURANT, 10,250 SF RETAIL)
 BUILDING 4: ±40,000 SF - (6,422 SF RESTAURANT, 29,589 SF INDOOR RECREATION)
 TOTAL BUILDING G.F.A.: 89,900 SF

REQUIRED PARKING PER CITY OF ST. CHARLES PUD STANDARD AT 4 SPACES PER 1,000 SF FOR RETAIL & OFFICE SPACE AND 15 SPACES PER 1,000 SF OF RESTAURANT SPACE
REQUIRED PARKING PER CITY OF ST. CHARLES CITY CODE AT 4 SPACES PER 1,000 SF FOR INDOOR RECREATION

36,422 SF RESTAURANT SPACE, 19,900 SF RETAIL & OFFICE SPACE, & 29,589 SF INDOOR RECREATION.

RESTAURANT PARKING: 546 SPACES
RETAIL & OFFICE PARKING: 80 SPACES
INDOOR REC. PARKING: 118 SPACES
TOTAL REQUIRED PARKING: 744 SPACES

TOTAL PROVIDED PARKING

ON-SITE DEDICATED:	327 SPACES
ON-SITE SHARED(SOUTH):	34 SPACES (SHARED WITH ON THE BORDER)
OFF-SITE SHARED(NORTH):	87 SPACES
TOTAL PROVIDED SPACES:	448 SPACES*

REQUIRED ADA SPACES: 9 (FOR 401-500 SPACES)
TOTAL PROVIDED: 10 SPACES


*VARIANCE IS REQUIRED



20 40

SCALE: 1" = 40'

THESE DRAWINGS AND SPECIFICATIONS
 PLOT DATE: 07/01/24
 SHEET
C3.1
 Sheet 6 of 10

 <p>CITY OF ST. CHARLES ILLINOIS • 1834</p>	AGENDA ITEM EXECUTIVE SUMMARY		Agenda Item number: *4g
	Title:	Historic Preservation Commission recommendation to approve a Façade Improvement Grant Agreement for 605 W. Main St.	
	Presenter:	Russell Colby, Community Development Director	
Meeting: Planning & Development Committee Date: November 11, 2024			
Proposed Cost: \$9276.25		Budgeted Amount: \$40,000 for FY (\$9276.25 Remaining)	Not Budgeted: <input type="checkbox"/>
TIF District: None			
Executive Summary (if not budgeted, please explain): <p><u>Program Description</u></p> <p>The Façade Improvement Grant program provides assistance to property owners and commercial tenants to rehabilitate and restore the exterior of buildings in the downtown. Grant funding is available for buildings located in Special Service Area 1B (Downtown Revitalization) or in a Historic District or designated Historic Landmark site. Applications are first reviewed by the Historic Preservation Commission for appropriateness of design. The grants are provided as a reimbursement for up to 50% of the funds invested into an exterior rehabilitation project involving new improvements and up to 25% for maintenance work. Up to \$10,000 is available for a 30 ft. length of building façade. There is a limit of \$20,000 of grant funds per property in any 5 year period.</p> <p><u>Proposal</u></p> <p>Eric Larson, building owner, has requested a Façade Improvement grant for the property located at 605 W. Main St. The project scope includes replacement or restoration of siding on the building. The buildings is currently sided in aluminum siding, and he has provided proposals for replacement with Hardie fiber cement siding, which is a more appropriate material for the building.</p> <p><u>Historic Commission review – 11/6/24</u></p> <p>The Historic Commission recommended, and Mr. Larson agreed, to first investigate whether the original wood siding underneath the building is intact and restorable. Depending on what is revealed, in consultation with the Historic Commission, Mr. Larson would either preserve and restore the original siding, or replace with an appropriate fiber cement material that matches the existing details of the building. There may also be a mix of replacement and restoration, depending on what is found.</p> <p>The project will fall into the categories of Historic Preservation or Building Improvements, which are eligible for up to 50% reimbursement.</p> <p><u>Grant Amount</u></p> <p>Total Cost of Project: \$53,800 The project is eligible to receive up to \$9276.25 (remaining budget amount)</p>			
Attachments (please list): Historic Commission Resolution, Program Requirements, Façade Improvement Grant Application, Current Photos, Grant Agreement			
Recommendation/Suggested Action (briefly explain): Historic Preservation Commission recommendation to approve a Façade Improvement Grant Agreement for 605 W Main St.			

City of St. Charles, Illinois

Historic Preservation Commission Resolution No. 14-2024

**A Resolution Recommending Approval of
A Façade Improvement Grant Application
(605 W. Main St.)**

WHEREAS, it is the responsibility of the St. Charles Historic Preservation Commission to review applications for the Facade Improvement Grant Program; and

WHEREAS, the Historic Preservation Commission has reviewed the Facade Improvement Grant Application for 605 W. Main St. and has found said application to be architecturally appropriate and in conformance with the Downtown Design Guidelines and the Historic Preservation Ordinance, Chapter 17.32 of the Zoning Ordinance; and

WHEREAS, the Historic Preservation Commission finds said Facade Improvement Grant Application to be in conformance with the program requirements.

NOW THEREFORE, be it resolved by the St. Charles Historic Preservation Commission to recommend to the City Council approval of the Facade Improvement Application for reimbursement, subject to the applicant meeting the following conditions for the project:

- Siding reveal of 3"-4", 4" corner boards, skirt & frieze boards based on original siding
- Turned spindles for porch
- Commission to investigate after preliminary demolition to determine extent of restoration vs. replacement

Roll Call Vote:

Ayes: Smunt, Kessler, Pretz, Morin, Malay, Rice

Nays: None.

Abstain: None.

Absent: None.

Motion Carried.

PASSED, this 6th day of November, 2024.

Chairman

3. **Commercial Façade Grant**

- **Eligible Properties:**
Commercial or Multi-Family Residential Buildings (two or more units) located within either:
 - Special Service Area #1B
 - Historic District or Landmark SiteProperties that are at least 50 years of age are given first priority until Sept. 1st. Applications received for structures less than 50 years of age will not be reviewed until Sept. 1st.
- **Application Priority Hierarchy**
Preference will be given to received applications in the following order:
 1. Structures 50+ years of age
 - a. Restoration projects
 - b. Renovation Projects
 2. Structures less than 50 years of age
- **Minimum Project Cost:** \$2,500
- **Grant for Front or Side Facades (visible from street):** Maximum grant amount is based upon the frontage of the façade to be renovated, at a maximum of \$10,000 per 30 ft. horizontal length of façade. A facade is defined as a thirty-foot-wide span along the front or side of a building facing a public street, measured along the building wall generally parallel to the right of way line. For building fronts or sides exceeding thirty feet, a pro rata amount will be applied.
- **Grant for Rear Entrance Improvements:** Maximum grant amount of \$10,000, available for buildings with an existing or proposed rear entrance that is accessible to the public from a dedicated public street, alley, or other right of way, or from a parking lot or walkway that is owned or leased by the City, or from other property that is encumbered by an easement granting public pedestrian access. The rear entrance to be improved must provide public access to a business or businesses within the building.
- **Maximum Grant Limits:**
 - Total grant amount during any five-year period is capped at \$20,000.
 - For properties on the National Register of Historic Places or Locally Designated Landmarks, the total grant amount for any five-year period is capped at \$30,000.
- **Eligible Improvements:**
 - **50% Reimbursement for:**
 - For Historic structures, maintenance utilizing Historic Preservation practices:***
 - ✓ Repair or restoration of historic features
 - ✓ Replacement of deteriorated historic features with like-in-kind materials to preserve or restore historic features
 - ✓ Re-roof or repair of visible roof surfaces with non-standard materials (such as wood shake, slate, or other decorative non-standard materials)
 - ✓ Extensive restoration/repair of historic masonry material
 - ✓ Painting of exterior surfaces where the surface preparation includes removal of worn/failing paint and intensive surface preparation prior to painting
 - Building improvements:***
 - ✓ Exterior building upgrades or enhancements that will restore or preserve the historic character of a building
 - ✓ Improvement, replacement or installation of storefront systems, doors, windows and trim materials.
 - ✓ Removal of architecturally inappropriate features on buildings

- 25% Reimbursement for:

- Maintenance when done congruently with major restoration or renovation:***

- ✓ Cleaning, patching, caulking of exterior surfaces.
 - ✓ Re-coating of paint on exterior surfaces (without extensive surface preparation)
 - ✓ Re-roofing visible roof surfaces with non-historic material (such as 3-tab or architectural grade asphalt shingles)
 - ✓ Spot masonry repairs or tuckpointing

- Improvements of non-historic secondary structures which contribute to architectural significance:***

- ✓ Repair or restoration of features (siding, doors, windows, etc.)
 - ✓ Replacement of deteriorated features with like-in-kind materials to preserve or restore historic features
 - ✓ Re-roof or repair of visible roof surfaces with non-standard materials (such as wood shake, slate, or other decorative non-standard materials)
 - ✓ Extensive restoration/repair of masonry material
 - ✓ Painting of exterior surfaces where the surface preparation includes removal of worn/failing paint and intensive surface preparation prior to painting

- 50% Reimbursement for Architectural Services (Up to \$5,000)

- Where architectural services are required, the owner or tenant should retain an architect to prepare a conceptual design and cost estimate for work proposed. If the project is approved by the City, the architect may provide bidding and construction plans and documents, as well as construction supervision. Only those architectural services directly related to the approved facade improvement will be reimbursed.

- Ineligible Improvements:

- Signs and Awnings, unless in connection with other eligible improvements.
 - Building additions; unless work falls under the rear entrance requirements
 - Any interior improvement or finishes
 - Any improvements to internal building systems, including HVAC, plumbing, electrical (except for wiring for exterior lighting)
 - Any site improvements, including sidewalks, parking lots and landscaping.
 - Maintenance when not done congruently with major restoration or renovation, including painting, spot masonry or tuckpointing, re-roofing with non-historic material, cleaning, patching, and caulking. If not specifically listed, it is at the Historic Commission's discretion to determine if a project is considered maintenance.

- Improvements not specifically listed as eligible or ineligible are subject to review as to eligibility by the Historic Preservation Commission as an advisory body and approval or disapproval by City Council.

FAÇADE IMPROVEMENT GRANT APPLICATION

COMMUNITY & ECONOMIC DEVELOPMENT DEPT. / PLANNING DIVISION

CITY OF ST. CHARLES



Grant Type (select one):



Commercial

☐ Residential

Received Date

Property Information:

Building or establishment for which the reimbursement grant is requested:

Address:

605 W. Main St

Property Identification Number:

Applicant Name:

Eric M. Larson

Project Description:

Reside after Remove existing 2 layers
front post Railing Materials

Total Cost Estimate:

\$ 47,000 + 6,000 rails

Submittal Checklist:

- ☐ **\$50 Application Fee**
- ☐ **Detailed Scope of Work:** Must identify all improvements, construction methods, building materials to be used. Costs must be broken down and itemized by task. In general, this scope of work should be prepared by the contractor(s) who will be completing the project.
- ☐ **Documentation on Existing Conditions:** Reports or photographs to demonstrate need for improvements.
- ☐ **W-9 Form:** Filled out and signed by the grant applicant, with a Federal Tax ID Number (or a Social Security Number for an individual)



Platinum Renovations Inc.

5N321 Harvest Lane | Saint Charles, IL 60175
331-454-4900 | kevin@platinumrenovationsinc.com

RECIPIENT:

Eric Larson

605 West Main Street
St. Charles, Illinois 60174

Quote #228

Sent on Oct 20, 2024

Total \$47,600.00

Product/Service	Description	Qty.	Unit Price	Total
Siding quote:	<p>-Remove (2) layers existing siding and dispose of in an onsite job dumpster.</p> <p>-Check substrates for any rot or deterioration .</p> <p>-Install all new Tyvek home wrap as needed on the entire building and tape all seams.</p> <p>-Install all new pre finished James Hardie fiber cement trim boards around all windows, doors, corner boards and frieze boards.</p> <p>-Caulk and touch up paint as needed.</p> <p>-Install all new James Hardie fiber cement; color plus; 6" reveal lap siding to the manufacturer's specifications on the entire building.</p> <p>-Caulk and touch up paint as needed.</p> <p>-Install aluminum flashings as needed above all windows, doors and roof lines.</p> <p>-Aluminum soffit & fascia to remain.</p> <p>- Re install downspouts.</p> <p>Labor & Material: \$47,600.00</p> <p>- (2) Front porches: Remove existing railings and trim boards on columns and arches and dispose. Install all new James Hardie fiber cement trim boards on front porch posts with top and bottom caps. Arche new front porch frieze boards. -Install all new Timber tech aluminum railings with top rail. Labor & Material: \$6,200.00</p> <p>Permits not included.</p>	1	\$47,600.00	\$47,600.00

A deposit of 50% will be required to begin project.



Platinum Renovations Inc.

5N321 Harvest Lane | Saint Charles, IL 60175
331-454-4900 | kevin@platinumrenovationsinc.com

Total

\$47,600.00

This quote is valid for the next 15 days, after which values may be subject to change due to increases in material costs.

Signature: _____ **Date:** _____













ST. CHARLES HISTORIC PRESERVATION COMMISSION

ARCHITECTURAL SURVEY
MILLINGTON HISTORIC DISTRICT
ST. CHARLES, ILLINOIS
Date of Survey: 2003
Survey Updated: Dec. 2016

Primary Structure

ADDRESS 605 West Main Street



ARCHITECTURAL SIGNIFICANCE

- ☐ Significant
☒ Contributing
☐ Non-Contributing
☐ Potential for Individual National Register Designation

BUILDING CONDITION

- ☐ Excellent
☒ Good
☐ Fair
☐ Poor

ARCHITECTURAL INFORMATION

Architectural Style/Type: National
Architectural Features: _____
Date of Construction: 1873
Source: Township Assessor's Office
Overall Plan Configuration: Compound

Exterior Walls (Current): Aluminum
Exterior Walls (Original): Clapboard
Foundation: Concrete
Roof Type/Material: Cross gable/Asphalt shingle
Window Material/Type: Alum/Wd. Double hung

ARCHITECTURAL FEATURES: This is an unusual front elevation featuring two front porches that are supported by shallow arches springing from simple full height square column. Classically detailed fluted pilasters flank both of the front entrances.

ALTERATIONS: The addition to the rear is one story and has a roof that has a shallower pitch than the main house. The aluminum siding is typically horizontal, but is vertical at the addition. There is another addition that has a shed roof that is accessed by an exterior site built wooden stair. This addition has horizontal aluminum siding. There is currently a commercial tenant occupying the building.

**CITY OF ST. CHARLES
FACADE IMPROVEMENT AGREEMENT**

Program Year: May 1, 2024 to April 30, 2025

THIS AGREEMENT, entered into this 17th day of June, 2024, between the City of St. Charles, Illinois (hereinafter referred to as "CITY") and the following designated OWNER/LESSEE, to wit:

Owner/Lessee's Name: Millington Square LLC

Tax ID# or Social Security #

For the following property:

Address of Property: 619 W Main St.

PIN Number: 09-33-227-007

WITNESSETH:

WHEREAS, the CITY has established a Facade Improvement Program adopted by City Ordinance No. 2017-M-7 ; and

WHEREAS, CITY has agreed to participate, subject to its sole discretion, in reimbursing Owners/Lessees for the cost of eligible exterior improvements to buildings through the Façade Improvement Program; and

WHEREAS, the OWNER/LESSEE desires to participate in the Facade Improvement Program pursuant to the terms and provisions of this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants and agreements obtained herein, the CITY and the OWNER/LESSEE do hereby agree as follows:

SECTION 1:

A. With respect to Commercial Façade Grant improvements, the CITY shall reimburse OWNER/LESSEE for the cost of improvements to the OWNER/LESSEE's property at the rate of up to twenty five (25%) of the cost of Routine Maintenance Improvements, up to fifty percent (50%) of the cost of Historic Preservation Improvements and other Building Improvements, and up to one hundred percent (100%) of the cost of fees for Architectural Services pertaining to such improvements, provided that the total reimbursement for eligible improvements and architectural services shall not exceed the amount shown in Exhibit I, "Total Reimbursement Amounts", attached hereto.

B. With respect to Residential Façade Grant improvements, the CITY shall reimburse OWNER/LESSEE for the cost of improvements to the OWNER/LESSEE's property at the rate of up to fifty percent (50%) of the cost of Historic Preservation Improvements, and up to one hundred percent (100%) of the cost of fees for Architectural Services pertaining to such improvements, provided that the total reimbursement for eligible improvements and architectural services shall not exceed the amount shown in Exhibit I, "Total Reimbursement Amounts", attached hereto.

The actual total reimbursement amounts per this Agreement shall not exceed the amounts shown in Exhibit I. The improvement costs which are eligible for City reimbursement include all labor, materials, equipment and other contract items necessary for the proper execution and completion of the work as shown on the plans, design drawings, specifications and estimates approved by the City. Such plans, design drawings, specifications and estimates are attached hereto as Exhibit II.

SECTION 2: No improvement work shall be undertaken until its design has been submitted to and approved by the City Council. Following approval, the OWNER/LESSEE shall contract for the work and shall commence and complete all such work within the Program Year, ending April 30.

SECTION 3: The Director of Community Development shall periodically review the progress of the contractor's work on the facade improvement pursuant to this Agreement. Such inspections shall not

replace any required building permit inspection. All work which is not in conformance with the approved plans, design drawings and specifications shall be immediately remedied by the OWNER/LESSEE and deficient or improper work shall be replaced and made to comply with the approved plans, design drawings and specifications and the terms of this Agreement.

SECTION 4: Upon completion of the improvements and upon their final inspection and approval by the Director of Community Development, the OWNER/LESSEE shall submit to the CITY a properly executed and notarized contractor statement showing the full cost of the work as well as each separate component amount due to the contractor and each and every subcontractor involved in furnishing labor, materials or equipment in the work. In addition, the OWNER/LESSEE shall submit to the CITY proof of payment of the contract cost pursuant to the contractor's statement and final lien waivers from all contractors and subcontractors. The OWNER/LESSEE shall also submit to the CITY a copy of the architect's statement of fees for professional services for preparation of plans and specifications. The CITY shall, within fifteen (15) days of receipt of the contractor's statement, proof of payment and lien waivers, and the architect's statement, issue a check to the OWNER/LESSEE as reimbursement, subject to the limitations set forth in Exhibit "I".

In the alternative, at its sole discretion, CITY may reimburse OWNER/LESSEE in two payments. The first reimbursement may be made only 1) upon completion of work representing 50% or more of the maximum reimbursement specified in Exhibit I hereof ; 2) upon receipt by CITY of the architect's invoices, contractor's statements, invoices, proof of payment and notarized final lien waivers for the completed work; and 3) upon a determination by the Director of Community Development that the remainder of the work is expected to be delayed for thirty days or more following completion of the initial work due to weather, availability of materials, or other circumstances beyond the control of the

OWNER/LESSEE. The second, final reimbursement payment shall be made by CITY only upon submittal of all necessary documents as described herein.

SECTION 5: If the OWNER/LESSEE or his contractor fails to complete the improvement work provided for herein in conformity with the approved plans, design drawings and specifications and the terms of this Agreement, or if the improvements are not completed by the end of the Program Year on April 30, this Agreement shall terminate and the financial obligation on the part of the CITY shall cease and become null and void. The CITY may, at its sole discretion, grant a single one-year extension to the end of the following program year due to unforeseen circumstances that have prevented the completion of the project.

SECTION 6: Upon completion of the improvement work pursuant to this Agreement and for a period of five (5) years thereafter, the OWNER/LESSEE shall be responsible for properly maintaining such improvements in finished form and without change or alteration thereto, as provided in this Agreement, and for the said period of five (5) years following completion of the construction thereof, the OWNER/LESSEE shall not enter into any Agreement or contract or take any other steps to alter, change or remove such improvements, or the approved design thereof, nor shall OWNER/LESSEE undertake any other changes, by contract or otherwise, to the improvements provided for in this Agreement unless such changes are first submitted to the Director of Community Development, and any additional review body designated by the Director, for approval. Such approval shall not be unreasonably withheld if the proposed changes do not substantially alter the original design concept of the improvements as specified in the plans, design drawings and specifications approved pursuant to this Agreement. If requested by the CITY, OWNER/LESSEE agrees to execute and record a restrictive covenant regarding the maintenance of improvements completed per this agreement.

SECTION 7: The OWNER/LESSEE releases the CITY from, and covenants and agrees that the CITY shall not be liable for, and covenants and agrees to indemnify and hold harmless the CITY and its officials, officers, employees and agents from and against, any and all losses, claims, damages, liabilities or expenses, of every conceivable kind, character and nature whatsoever arising out of, resulting from or in any way connected with directly or indirectly with the facade improvement(s), including but not limited to actions arising from the Prevailing Wage Act (820 ILCS 30/0.01 et seq.) The OWNER/LESSEE further covenants and agrees to pay for or reimburse the CITY and its officials, officers, employees and agents for any and all costs, reasonable attorneys' fees, liabilities or expenses incurred in connection with investigating, defending against or otherwise in connection with any such losses, claims, damages, liabilities, or causes of action. The CITY shall have the right to select legal counsel and to approve any settlement in connection with such losses, claims, damages, liabilities, or causes of action. The provisions of this section shall survive the completion of said facade improvement(s).

SECTION 8: Nothing herein is intended to limit, restrict or prohibit the OWNER/LESSEE from undertaking any other work in or about the subject premises which is unrelated to the facade improvement provided for in this Agreement.

SECTION 9: This Agreement shall be binding upon the CITY and upon the OWNER/LESSEE and its successors, to said property for a period of five (5) years from and after the date of completion and approval of the facade improvement provided for herein. It shall be the responsibility of the OWNER/LESSEE to inform subsequent OWNER(s)/LESSEE(s) of the provisions of this Agreement.

IN WITNESS THEREOF, the parties hereto have executed this Agreement on the date first appearing above.

OWNER/LESSEE

CITY OF ST. CHARLES

Mayor

ATTEST: _____

City Clerk

EXHIBIT “I”

Total Reimbursement Amounts

Commercial Façade Grants:

	Total Estimated Cost	Reimbursement Percentage	Total Maximum Grant Amount
Routine Maintenance Improvements	\$ 58,755.47	25%	\$ 14,688.75
Historic Preservation Improvements	\$	50%	\$
Building Improvements	\$	50%	\$
Architectural Services	\$	100% (not to exceed \$4000)	\$
TOTAL	\$58,755.47	-	\$ 14,688.75

Residential Façade Grants:

	Total Estimated Cost	Reimbursement Percentage	Total Maximum Grant Amount
Historic Preservation Improvements	\$	50%	\$
Architectural Services	\$	100% (not to exceed \$2000)	\$
TOTAL	\$	-	\$

EXHIBIT “II”

Plans, Design drawings, Specifications and Estimates

Attachments:

Estimate from Atlas General Contractors, Dated May 2nd 2024