| AGENDA ITEM EXECUTIVE SUMMARY |  |
| :--- | :--- |
| Title: | Plan Commission recommendation to approve a PUD Preliminary <br> Plan for The Quad St. Charles - Cooper’s Hawk, Charlestowne <br> Mall PUD, Unit 2, Lot 1. |
| Presenter: | Russell Colby |

Please check appropriate box:

|  | Government Operations |  | Government Services |  |  |  |
| :---: | :--- | :--- | :--- | :--- | :--- | :---: |
| X | Planning \& Development (5/9/16) |  | City Council |  |  |  |
|  |  |  |  |  |  |  |
| Estimated Cost: | Budgeted: | YES |  | NO |  |  |
| If NO, please explain how item will be funded: |  |  |  |  |  |  |

## Executive Summary:

The subject property is Lot 1 of The Quad St. Charles, Unit 2, located at the northeast corner of Main St./Rt. 64 and the western entrance into the Charlestowne Mall site. The property is one of five outlot parcels created last year along the mall’s Main St. frontage. Krausz Companies (SC Outparcel One, LLC) is proposing to develop the lot with a Cooper’s Hawk Restaurant. Approval of a PUD Preliminary Plan is required to ensure compliance with the PUD ordinance and applicable provisions of the Zoning Ordinance.

## Plan Commission Review:

The Plan Commission recommended approval of the PUD Preliminary Plan on $5 / 3 / 16$, with a vote of $7-0$, subject to resolution of staff comments. The Commission supported the building architecture; however there was discussion regarding the south and west elevations (facing Rt. 64 and the mall entrance drive), which based upon the staff analysis, were deficient in meeting the minimum requirement of $50 \%$ architectural features across the building elevation.

Staff presented that the application of the requirement requires some interpretation, as the code does not specify how to calculate the percentage. Based on previously practice, staff calculated the percentage at around 30\%; however it was noted that the proposed building is of a unique architectural style utilizing a unique building material. Therefore, staff suggested that the Plan Commission consider if the requirement could be interpreted as being satisfied as proposed. The Plan Commission decided not to apply the requirement differently than was listed in the staff analysis, and recommended that the building elevations be revised with additional architectural features to meet the code requirement.

## Request for Interpretation:

The applicant has indicated that they would prefer to leave the building design as proposed. Therefore, Staff is requesting that the Planning \& Development Committee provide an interpretation of the architectural features requirement. Staff believes that given the unique form and architectural style of the building, along with the multiple surface materials planned, that there is adequate basis for the Committee to interpret that the architectural features requirement has been satisfied. (See attached memo for reference)

## Attachments: (please list)

Plan Commission Resolution, Staff Memo regarding Architectural Features requirement, Staff Report, Application, Plans, PUD ordinance
Recommendation / Suggested Action (briefly explain):
Plan Commission recommendation to approve a PUD Preliminary Plan for The Quad St. Charles - Cooper's Hawk, Charlestowne Mall PUD, Unit 2, Lot 1, subject to resolution of outstanding staff review comments.

# City of St. Charles, Illinois <br> Plan Commission Resolution No. 2-2016 

## A Resolution Recommending Approval of a PUD Preliminary Plan for The Quad St. Charles - Cooper's Hawk, Charlestowne Mall PUD, Unit 2, Lot 1 (SC Outparcel One, LLC; Krausz Companies)

## Passed by Plan Commission on May 3, 2016

WHEREAS, it is the responsibility of the St. Charles Plan Commission to review PUD Preliminary Plans; and

WHEREAS, the Plan Commission has reviewed the PUD Preliminary Plan for The Quad St. Charles - Cooper’s Hawk, Charlestown Mall PUD, Unit 2, Lot 1 (SC Outparcel One, LLC; Krausz Companies) received April 8, 2016; and

WHEREAS, the Plan Commission finds said PUD Preliminary Plan to be in conformance with the Charlestowne Mall/Quad PUD Ordinance No. 2013-Z-19, and all applicable requirements of the Zoning Ordinance, subject to resolution of outstanding staff review comments and the conditions listed in the staff report dated 4/29/16.

NOW, THEREFORE, be it resolved by the St. Charles Plan Commission to recommend to the City Council approval of The Quad St. Charles - Cooper’s Hawk, Charlestowne Mall PUD, Unit 2, Lot 1 (SC Outparcel One, LLC; Krausz Companies) PUD Preliminary Plan, received April 8, 2016, contingent upon the resolution of all staff comments prior to City Council action.

Voice Vote:
Ayes: Wallace, Schuetz, Kessler, Pretz, Doyle, Holderfield. Macklin-Purdy
Nays: None
Absent: Frio, Spruth
Motion Carried: 7-0
PASSED, this 3rd day of May $\underline{2016}$.

# Community \& Economic Development Planning Division <br> Phone: (630) 377-4443 <br> Fax: (630) 377-4062 

To: Ald. Todd Bancroft and Members of the Planning \& Development Committee<br>From: Russell Colby, Planning Division Manager<br>Re: Cooper's Hawk- Interpretation of Architectural Features requirement<br>Date: May 4, 2016

Staff is requesting the Planning \& Development Committee provide an interpretation as to whether the south and west elevations of the Cooper's Hawk building comply with the code requirement for providing 50\% architectural features.

Based on the calculation methods used in past practice, Staff calculate the percentage at $30 \%$. The staff calculation was based upon adding up the square footage of all elements on the building wall that deviate from the base wall plane. This would include any banding or reveal lines, the signs, and the cornice and window on the west elevation. The staff calculation does not account for the varied building shape/footprint, the use of multiple contrasting building materials around the building, or the use of a textured pattern across some sections of wall.

Staff has not previously attempted to apply the ordinance standards to a building of this design style or building material. Therefore, Staff felt it was appropriate to offer that as part of the review and approval process, the Committee could provide an interpretation of whether the code requirement was met for this specific building.

Provided below are the code requirements that the Committee is being ask to interpret with respect to the proposed Cooper's Hawk building:

### 17.06.030 - Standards and guidelines - BL, BC, BR, \& O/R districts Articulation of Building Facades

Intent: To reduce the apparent bulk of buildings and relate them to a human scale.

## Standards:

2. Architectural features such as arcades, arbors, windows, doors, entryways or awnings, shall comprise at least fifty percent (50\%) of the façade.

### 17.30.030 - General definitions

## Façade.

Any wall of a building which faces, or is visible from, a public street or residential district.

## Architectural Feature.

A visually apparent feature of a building or structure that contributes to its aesthetics, including but not limited to cornices, eaves, gutters, belt courses, lintels, sills, archways, windows, doors, chimneys, columns, pilasters, and decorative ornaments.

# Community \& Economic Development Planning Division <br> Phone: (630) 377-4443 <br> Fax: (630) 377-4062 

## Staff Report

TO: Chairman Todd Bancroft
And the Members of the Planning \& Development Committee
FROM: Russell Colby
Planning Division Manager
RE: $\quad$ The Quad St. Charles, Unit 2, Lot 1 - Preliminary Plan for Coopers Hawk
DATE: May 4, 2016

## I. APPLICATION INFORMATION:

| Project Name: | The Quad St. Charles - Coopers Hawk |
| :--- | :--- |
| Applicant: | SC Outparcel One, LLC (Krausz Companies) |
| Purpose: | PUD Preliminary Plan approval for development of an outlot |



## Aerial Photograph



## II. PROJECT OVERVIEW:

## A. BACKGROUND

The Quad St. Charles project is the redevelopment of the Charlestowne Mall property. The City has been reviewing components of the project over the past three years:

- In November 2013, the City approved a new PUD to create zoning and development standards for the redevelopment of the mall property (PUD Ordinance 2013-Z-19, attached). The following documents were approved:
o A Concept Site Plan meant to demonstrate the design intent of the project.
o A PUD Standards exhibit listing the zoning and subdivision requirements that will apply to future development proposals at the site.
- In 2014, the City approved PUD Preliminary Site and Engineering Plans for the overall mall property. This plan designated outlot building parcels along Main Street for future development (Ord. 2014-Z-9). A Minor Change to the site and engineering plans was subsequently approved to increase the depth of the outlots by shifting the ring road further north (Ord. 2014-Z-18).
- In 2015, the City approved a Final Plat of Subdivision (The Quad St. Charles Unit 2) to formally create five outlot parcels along the Main Street frontage of the site. Site development work was completed to relocate the ring road, extend utilities, and to grade the outlots for development.

5/4/16
Page 3

## B. REVIEW PROCESS

PUD Preliminary Plans must be approved for the development of the outlot parcels. The approval process requires review by Plan Commission and approved by City Council.

The following plans are to be reviewed for conformance with the approved PUD development standards and other applicable code requirements:

- Site Engineering
- Landscaping
- Building Architecture
- Freestanding and building signage

No public hearing is required for review of a PUD Preliminary Plan.

## C. PROPOSAL

An 11,352 square foot building for a Cooper's Hawk Restaurant is proposed on Lot 1. Lot 1 is located at the northeast corner of Main St./Rt. 64 and the western entrance into the mall site (signalized intersection, opposite Main Street Commons). A parking lot will be constructed on the eastern side of Lot 1 and the adjacent Lot 2 to the east. Use of this parking lot will be shared by both the Cooper's Hawk building and a future building to the east on Lot 2 .

## III. ANALYSIS OF PLANS

## A. PROPOSED USE

The Quad PUD references the BR Regional Business Zoning District for permitted and special uses. A restaurant is a permitted use in the BR district. Outdoor dining is a permitted accessory use.

## B. ZONING STANDARDS

The Quad PUD states that the entire mall property is to be considered a single zoning lot, regardless of subdivision. Therefore, the outlots are not required to meet all zoning bulk standards as standalone lots. However, each outlot building and parking lot must meet all applicable zoning requirements.

| Category | Zoning Ordinance or <br> PUD standard | Proposed |
| :--- | :---: | :---: |
| Minimum setbacks <br> from Rt. 64 <br> property line | 20 ft. for buildings and parking <br> 15 ft for drive-through circulation aisles | 20 ft. from Rt. 64 for buildings and <br> parking |
| Maximum Building <br> Height for outlots | 50 ft. from the average finished ground <br> level measured 10 ft. out from exterior <br> walls. | Total building height is 26 ft. from <br> lowest point on the building <br> (Note the building is at a lower <br> grade level than Rt. 64) |
| Maximum Gross <br> Floor Area | 1,200,000 square feet of <br> Gross Floor Area (GFA) <br> 925,000 square feet of <br> Gross Leasable Area (GLA) | Approved for existing mall: <br> 802,000 sf GLA <br> Proposed building is 11,352 sf |


|  | 4 spaces per 1,000 square feet of GLA, <br> calculated over all buildings on the site <br> (excluding internal hallways, corridors <br> and courts in the mall building). |  |
| :--- | :--- | :--- |
| Number of parking <br> stalls required <br> for outlot buildings shall be provided at | 4 spaces per 1,000 square feet of GLA. <br> Where outlot buildings share a parking <br> lot, a parking reduction for shared <br> parking may be requested in accordance <br> with the procedures in the Zoning <br> Ordinance. | Meets requirement for parking <br> outside of the ring road; <br> 76 spaces proposed |
|  | Required parking outside ring road for <br> Cooper's Hawk building: 45 spaces |  |

## C. LANDSCAPING

A landscape plan has been submitted. The table below compares the submitted plan to the requirements of the PUD and Ch. 17.26 Landscaping and Screening.

Note the PUD was written to grant flexibility to certain landscaping requirements, recognizing the site is being redeveloped and has a number of existing constraints. Specifically, flexibility was granted for building foundation landscaping, internal parking lot landscaping, and public street frontage trees.

| Category | Zoning Ordinance or PUD Standard | Proposed |
| :---: | :---: | :---: |
| Overall <br> Landscape Area | 20\% over entire PUD | Existing mall property landscaped area exceeds 20\% (excluding the outlots) |
| Building Foundation Landscaping | Building foundation areas to be landscaped, but flexibility is granted to provide a comparable alternative design, including a "streetscape" design along walkways (trees in grates and/or planter islands etc.) or providing landscaping on the opposite side of a drive-through lane. <br> Planting requirements: 2 tree per 50 ft . of wall = 19 trees required 20 shrubs per 50 ft . of wall $=192$ shrubs required | 7 trees <br> 283 shrubs <br> Requirement is met by providing a comparable amount of plantings with an alternate design |
| Public Street Frontage landscaping | Per Ordinance requirements along Main St. frontage; flexibility to provide lower plantings in lieu of some trees. <br> Planting requirements (Lot 1 only): <br> $75 \%$ of frontage landscaped $=300 \mathrm{ft}$. <br> 1 tree per 50 ft . of frontage $=8$ trees | 325 ft . landscaped 13 tree provided; <br> (Note: Landscaping along the Lot 2 portion of the parking lot will be required at the time Lot 2 is developed.) |
| Parking lot screening | Per Ordinance requirements: 30 " screening of $50 \%$ of the parking lot frontage. | Screening provided; Note most of the parking lot will be below grade of Rt. 64 |


| Internal Parking | No percentage requirement. <br> All rows shall end with landscape islands, except <br> where truck circulation is impeded. All islands shall <br> be planted with shade trees and/or low shrubs/ <br> groundcover. | Meets requirement with <br> shrubs and grasses. <br> Applicant does not wish to <br> install trees in islands due to <br> visibility concerns. |
| :--- | :---: | :---: |

## D. BUILDING ARCHITECTURE

Building elevations have been submitted for the proposed building.
The table below compares the submitted plans to the design requirements of Section 17.06.030 Standards and Guidelines - BL, BC, BR, \& O/R Districts.

| Category | Zoning Ordinance or PUD Standard | Proposed |
| :--- | :---: | :---: |
| Building <br> Articulation | 3 ft. wall projections/recesses over 20\% of <br> façades over 100 ft. | Meets requirement |

## Staff Comments:

- Additional architectural features must be added on the south and west facades.


## E. SIGNS

A large Charlestowne Mall shopping center sign, with a sign and electronic readerboard for the Cinema, are currently located on the subject lot. This sign will be removed. The Cinema sign and readerboard will be relocated to the west side of the adjacent mall entrance drive. The Cinema sign is intended to be temporary and would be replaced in the future by a larger shopping center sign for the Quad.

| Category | Zoning Ordinance or PUD Standard | Proposed |
| :--- | :---: | :---: |
| Cinema <br> readerboard sign | 1 cinema readerboard sign, Area: 150 sf. <br> Height: 15 ft. | Meets requirement |
| Outlot building <br> monument sign | 1 monument sign per building <br> Area: 50 sf. <br> Height: 8 ft. | Meets requirement |
| Outlot building <br> wall signs | 1 per side <br> 1.5 s.f. per linear feet of wall | Does not meet- one extra sign is <br> shown |
| Outlot building <br> awning or <br> canopy signs | 1 per street frontage (4) <br> 1 s.f. per linear feet of awning/canopy | Meets requirement (canopy sign on <br> east elevation) |

## Staff Comments:

- 5 wall signs are shown and only 4 are permitted. One wall sign needs to be eliminated or substituted for a canopy sign.
F. LIGHTING

The submitted photometric plan complies with the requirements of Section 17.22.040 Site Lighting.

## G. ENGINEERING REVIEW

The applicant has been provided with a detailed engineering review memo. Most of the comments are technical in nature, but the following comment could have an impact on site design:

- Consider narrowing the southern east/west drive aisle to 24 ft . to allow for a larger landscape buffer along the north side of the lot.


## IV. SUGGESTED ACTION

Review the PUD Preliminary Plan.
Staff has found the application materials to be complete. The plan is in conformance with the approved PUD ordinance and the Zoning Ordinance, with the exception of the following:

1. Architectural features on the south and west elevations.
2. Number of wall signs.

A recommendation for approval should be conditional upon conformance with these requirements, as well as a resolution of outstanding engineering comments.

## V. ATTACHMENTS

- Application, received 4/8/2016
- PUD Preliminary Plans, revised plans received 4/28/2016
- Ord. 2013-Z-19 (PUD Ordinance with Development Standards)
- Ord. 2014-Z-18 (Approved Preliminary Site Plan)


# City of St. Charles 

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


COMMUNITY \& ECONOMIC DEV./PLANNING DIVISION Phone: (630) 377-4443 fax: (630) 377-4062

## PUD Preliminary Plan Application

| For City Use <br> Project Name: <br> Project Number: <br> Application Number: | 2016 |
| :--- | :--- |
|  | The Quad St. Charles |

To request approval of a PUD Preliminary Plan, complete this application and submit it with all required plans and attachments to the Planning Division. Normally this application will track with an application for Special Use for a PUD, unless a Special Use for a PUD has previously been granted and no amendment is necessary.
When the application is complete staff will distribute the plans to other City departments for review. When the staff has determined that the plans are ready for Plan Commission review, we will place the PUD Preliminary Plan on a Plan Commission meeting agenda.
The information you provide must be complete and accurate. If you have a question please call the Planning Division and we will be happy to assist you.

| 1. Property Information: | Location: 3800 E. MAN STREET |  |
| :---: | :---: | :---: |
|  | Parcel Number (s): $\qquad$ (THE QUAD STICHRLLES UNIT $2,(\pi T 1)$ |  |
| 2. Applicant Information: | Name SC OUT PARCEL ONE, LLC <br> Address CONTACT: CHUCK MAY <br> clo krausz cos. <br> 44 MONTCOMER SREET, STE 3320 san francisca, ca a 9104 | Phone $047-858-3228$ |
|  |  | Fax |
|  |  | Email <br> chuck(o)chmazrom |
| 3. Record Owner Information: | Name <br> Address Krausz companies SEE ABOE | Phone $415-732-5600$ |
|  |  | Fax - |
|  |  | Email chuck ©hmey, (um |

## Please check the type of application:

$\square$ New proposed PUD- Planned Unit Development (Special Use Application filed concurrently)
Existing PUD-Planned Unit Development
$\square$ PUD Amendment Required for proposed plan (Special Use Application filed concurrently)

## Subdivision of land:

Proposed lot has already been platted and a new subdivision is not required.
$\square$ New subdivision of property required:
$\square$ Final Plat of Subdivision Application filed concurrently
$\square$ Final Plat of Subdivision Application to be filed later

## Attachment Checklist:

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

Note: The City Staff, Plan Commission, or City Council, may request other pertinent information during the review process.
APPLICATION FEE: Application fee in accordance with Appendix B of the Zoning Ordinance. (\$500)

## - REIMBURSEMENT OF FEES AGREEMENT:

On file 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 site:

| Number of <br> 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 | $\widetilde{\$ 2,000}$ | $\$ 4,000$ | $\$ 5,000$ | $\$ 7,000$ |
| 4 or more | $\$ 3,000$ | $\$ 5,000$ | $\$ 7,000$ | $\$ 10,000$ |

## - PROOF OF OWNERSHIP and DISCLOSURE:

On file
a) a current title policy report; or
b) a deed and a current title search.

If the owner is not the applicant, an original letter of authorization from the owner permitting the applicant to act on his/her behalf is required. If the owner or applicant is a Trust, a disclosure of all beneficiaries; if the owner or applicant is a Partnership, a disclosure of all partners; if the owner or applicant is a Corporation, a disclosure of all owners with an interest of at least ten percent ( $10 \%$ ).

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.

LEGAL DESCRIPTION: For entire subject property, on $81 / 2 \times 11$ inch paper
PLAT OF SURVEY: J- BOUNDAR O TUPO SURUEY: PDF SENT TO CITY ON $417 / 16$
A current plat of survey for the Subject Realty showing all existing improvements on the property, prepared by a registered Illinois Professional Land Surveyor.

## - SOIL AND WATER CONSERVATION DISTRICT APPLICATION:

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

Submit the application form and fee directly to the Kane-DuPage Soil and Water Conservation District. Provide a copy with this application.

## - ENDANGERED SPECIES REPORT:

Copy of Endangered Species Consultation Agency Action to be filed with the Illinois Department of Natural Resources. http://dnr.illinois.gov/EcoPublic/

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

## Copies of Plans:

Initial Submittal - Ten (10) full size copies for non-residential projects OR Twelve (12) full size copies for residential projects; Three (3) 11 " by $17^{\prime \prime}$; and a PDF electronic file (On a CD-ROM or may be emailed to the Project Manager). For subsequent submittals, please contact the Project Manager to determine how many copies are required.

## SITE/ENGINEERING PLAN:

## PRELIMINARY ENGINNERING PLANS - DRAWING REQUIREMENTS/CHECKLIST:

Complete the attached checklist and ensure that all required information is included on the Preliminary Engineering Plans:

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

- Location, height, intensity and fixture type of all proposed exterior lighting
- Photometric information pertaining to locations of proposed lighting fixtures

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

## - SKETCH PLAN FOR LATER PHASES OF PUD:

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

- General location of arterial and collector streets
- Location of any required landscape buffers
- Location of proposed access to the site from public streets
- Maximum number of square feet of floor area for nonresidential development
- Maximum number of dwelling units for residential development
- Open space and storm water management land
(ARCHITECTURAL PLANS: (BuIDiNG ELEUATiNy w/ MAIERIALS.)
Architectural plans and data for all principal buildings shall be submitted in sufficient detail to permit an understanding of the exterior appearance and architectural style of the proposed buildings, the number, size and type of dwelling units, the proposed uses of nonresidential and mixed use buildings, total floor area and total building coverage of each building.


## - TREE PRESERVATION PLAN:

N/A
Tree Preservation Plan when required in accordance with Chapter 8.30 of the St. Charles Municipal Code. The information required for this plan may be included as part of the Landscape Plan set. See attachment, "Tree Preservation Requirements for Preliminary Plans".

## (4) LANDSCAPE PLAN:

Landscape Plan showing the following information:

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

STORMWATER MANA GEMENT:
Permit application / Tab 1 and summary assessing used vs.

Written information (reports, calculations, etc.) as described in the Stormwater Management Requirements for Preliminary Plans (attached)

## - SUBDIVISION PLAT DRAWING REQUIREMENTS/CHECKLIST:

N/A
If the PUD Preliminary Plan involves the subdivision of land, a completed Subdivision Plat Drawing Requirements Checklist must be submitted.

## - PUBLIC BENEFITS, DEPARTURES FROM CODE:

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

- SCHEDULE: Construction schedule indicating:
a. Phases in which the project will be built with emphasis on area, density, use and public facilities, such as open space, to be developed with each phase. Overall design of each phase shall be shown on the plat and through supporting material.
b. Approximate dates for beginning and completion of each phase.
c. If different land use types are to be included within the PUD, the schedule must include the mix of uses to be built in each phase.


## - PARK AND SCHOOL LAND/CASH WORKSHEETS

N/A
For residential developments, Park and School land/cash worksheets in accordance with Title 16 of the St. Charles Municipal Code with population projections establishing anticipated population and student yields.

## - INCLUSIONARY HOUSING SUMMARY \& WORKSHEET:

N/A
For residential developments, submit information describing how the development will comply with the requirements of Chapter 17.18, Inclusionary Housing, including:

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

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.



EAST ELEVATION
2
$3 / 33^{n}=1-0^{10}$



Wall section deficient in $50 \%$ architectural feature requirement shown in red


(4) SOUTH ELEVATION


## COOPER'S HAWK










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## St. Charles, IL

## Signage Site Plan

Monument Sign Location TBD


St. Charles, IL


## MAIN SIGN - EAST ELEVATION

REVERSED CHANNEL LETTERS MOUNTED ON REFLECTOR PANEL WIREWAY REFLECTOR PANEL: 60" x 320" PAINTED TO MATCH PAC-CLAD WEATHERED ZINC COOPER'S HAWK: 22.4" REVERSE LIT LETTERS PAINTED BLACK, RED LEDs
FEATHER: 76.87" X 21.25" FRONT LIT/REVERSE LIT CAPSULE. SIDES PAINTED BLACK, WHITE LEDs WINERY \& RESTAURANT: 18.75" X 286.3" FRONT LIT / REVERSE LIT LIGHT BOX,

ROUTED ALUMINUM FACE, WITH WHITE ACRYLIC BACKING, BOX PAINTED BLACK, WHITE LEDs




## MONUMENT SIGN

2-SIDED REVERSED CHANNEL LETTERS MOUNTED ON REFLECTOR PANEL WIREWAY REFLECTOR PANEL: $36.74^{\prime \prime} \times 195^{\prime \prime \prime}$ PAINTED TO MATCH PAC-CLAD WEATHERED ZINC COOPER'S HAWK: 13.82" REVERSE LIT LETTERS PAINTED BLACK, RED LEDs
FEATHER: $35.11^{\prime \prime} \times 9.71^{n}$ FRONT LIT/REVERSE LIT CAPSULE. SIDES PAINTED BLACK, WHITE LEDs WINERY \& RESTAURANT: $11.57^{\prime \prime}$ X $176.63^{\prime \prime}$ FRONT LIT / REVERSE LIT LIGHT BOX,

ROUTED ALUMINUM FACE, WITH WHITE ACRYLIC BACKING, BOX PAINTED BLACK, WHITE LEDS 59.25"X97.5" ALUMINUM SKIRT


## MAIN SIGN - SOUTH ELEVATION

REVERSED CHANNEL LETTERS MOUNTED ON REFLECTOR PANEL WIREWAY REFLECTOR PANEL: 63" x 336" PAINTED TO MATCH PAC-CLAD WEATHERED ZINC COOPER'S HAWK: 23.51" REVERSE LIT LETTERS PAINTED BLACK, RED LEDs
FEATHER: 80.72" X 22.31" FRONT LIT/REVERSE LIT CAPSULE. SIDES PAINTED BLACK, WHITE LEDs WINERY \& RESTAURANT: 19.69" X 300.6" FRONT LIT / REVERSE LIT LIGHT BOX,


St. Charles, IL


## SOUTHWEST ELEVATION WALL LOGO

REVERSED CHANNEL LETTERS MOUNTED ON WALL
C \& H: 18.73" REVERSE LIT CHANNEL LETTERS PAINTED BLACK, WHITE LEDs
FEATHER: $56.86^{\prime \prime}$ X 14.8" REVERSE LIT CHANNEL LETTER. SIDES PAINTED BLACK, WHITE LEDs.
WHITE ACRYLIC BACKING FOR SPINE (SPINE WILL LIGHT UP).

Total Sign Area 29.5 SQ FT


St. Charles, IL


## MAIN SIGN - WEST ELEVATION

REVERSED CHANNEL LETTERS MOUNTED ON REFLECTOR PANEL WIREWAY REFLECTOR PANEL: 60" x 320" PAINTED TO MATCH PAC-CLAD WEATHERED ZINC COOPER'S HAWK: 22.4" REVERSE LIT LETTERS PAINTED BLACK, RED LEDs
FEATHER: 76.87" X 21.25" FRONT LIT/REVERSE LIT CAPSULE. SIDES PAINTED BLACK, WHITE LEDs WINERY \& RESTAURANT: 18.75" X 286.3" FRONT LIT / REVERSE LIT LIGHT BOX,

ROUTED ALUMINUM FACE, WITH WHITE ACRYLIC BACKING, BOX PAINTED BLACK, WHITE LEDs


AU-RORAAIIGN co

TEMPORARY RELOCATION OF SIGN INSTALL IN TEMPORARY AREA DURING CONSTRUCTION. SCALE - $1 / 2^{\prime \prime}=1^{\prime}$

INSTALLATION INSTRUCTIONS SET $2-5^{\prime \prime} \times 21^{\prime}$ STEEL PIPE IN TWO $30^{\prime \prime}$ DIA CONCRETE FOOTINGS TO DEPTH OF 6 '. SET IN PLACE OF DIRECTIONAL. CONNECT TO ELECTRICAL SERVICE O BE PROVIDED BY OTHERS PRIOR TO INSTALL.



## City of St. Charles, Illinois

## Ordinance No. 2013-Z-19

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

Adopted by the<br>City Council<br>of the<br>City of St. Charles

November 4, 2013

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


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

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

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

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

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

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

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

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

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

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

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

## NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY

 OF ST. CHARLES, KANE AND DUPAGE COUNTIES, ILLINOIS, as follows:1. That passage of this Ordinance shall constitute approval of a Special Use for Planned Unit Development pursuant to the provisions of Title 17 of the St. Charles Municipal Code, as amended, and based upon the Applicant's petition and the evidence presented at the Public Hearing, the City Council hereby finds that the Planned Unit Development is in the public interest and adopts the Findings of Fact for Special Use for Planned Unit Development, set forth on Exhibit "B", which is attached hereto and incorporated herein.
2. That Special Use for Planned Unit Development heretofore granted with respect to the Subject Realty by Ordinance No.1988-Z-10, being an "Ordinance Granting a Special Use as a Planned Unit Development for Charles Towne Mall" which ordinance approved a planned unit development, which was subsequently amended by Ordinance Nos. 1989-Z-8, 1991-Z-2, 1994-Z-8, and 1995-Z-16, shall be null, void and of no further force or effect with respect to the Subject Realty; except that all previously approved PUD Preliminary Plans and Final Plats of Subdivision approved pursuant to Ordinance No. 1988-Z-10 and its subsequent amendments shall remain valid under the Special Use for Planned Unit Development approved under Section 1 of this Ordinance.
3. That passage of this Ordinance shall constitute approval of the Concept Plan entitled "Conceptual Site Plan" (The New Charlestowne Mall); Jacob \& Hefner Associates, Inc., dated 10/9/2013, attached hereto and incorporated herein as Exhibit "C", such that this document is hereby approved to depict the design intent for future PUD Preliminary Plan applications to be submitted for review and approval in accordance with the procedures outlined in the St. Charles Municipal Code.
4. Application and approval of new PUD Preliminary Plan(s), pursuant to the procedures in Title 17 of the St. Charles Municipal Code, Section 17.04.410(F), "PUD Preliminary Plan process for lots within an existing PUD", shall be required prior to any demolition or reconstruction of any portion of the mall building, modifications to the configuration of the parking lot, or construction of any additional buildings on the subject property. Subsequent to the approval of a new PUD Preliminary Plan(s), future changes to the PUD Preliminary Plan(s) plans may be reviewed and approved in accordance the procedures contained in Title 17 of the St. Charles Municipal Code, Section 17.04.430, "Changes in Planned Unit Developments."
5. A Construction, Operation, and Reciprocal Easement Agreement ("COREA") has been entered into by the owners of the subject property. The City shall have no responsibility with respect to the COREA and may approve PUD Preliminary Plans or issue permits without regard to the COREA. The owners shall be jointly responsible for amending the COREA in any manner necessary to modify the site, or otherwise securing the joint authorization of the owners, prior to constructing any improvements to the site. The owners shall provide to the City notice and copies of any amendments to the COREA.
6. The Subject Realty shall be developed only in accordance with all ordinances of the City as now in effect and as hereafter amended (except as specifically varied herein), and subject to the terms, conditions and restrictions set forth herein, as follows:
a. Zoning: The property shall be subject to the requirements of the BR Regional Business Zoning District, as amended, and all other applicable requirements of the St. Charles Zoning Ordinance, as amended, except as specifically varied in the "PUD Standards" attached hereto and incorporated herein as Exhibit "D".
b. Subdivision: The subject property shall be considered a single PUD zoning lot for the purpose of Zoning Ordinance compliance. The subject property may be subdivided to create separate parcels for the anchor stores or any other freestanding building constructed on the site. Such subdivision shall require the submission of a Final Plat of Subdivision application, pursuant to the procedures and requirements of Title 16 of the St. Charles Municipal Code, for review by the City. At the time of application, the applicant shall demonstrate that all necessary easements (including, but not limited to, access, parking and utilities) have been provided to adequately serve the proposed lot.
7. That after the adoption and approval hereof, the Ordinance shall (i) be printed or published in book or pamphlet form, published by the authority of the Council, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation within the City of St. Charles.

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

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

APPRQ.VEP by' the Mayor of the City of St. Charles, Kane and DuPage Counties, Ihincis this. 4 fil agy of November 2013.


COUNCIL VOTE:
Ayes: $1 \varnothing$
Nays:
Absent:
Abstain:

## APPROVED AS TO FORM:

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City Attorney
DATE:

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# Exhibit "A" <br> Legal Description (Subject Property) 

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

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

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

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

## Exhibit "B"

## Findings of Fact

## SPECIAL USE FOR PLANNED UNIT DEVELOPMENT

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

1. The proposed PUD advances one or more of the purposes of the Planned Unit Development procedure stated in Section 17.04.400.A:
2. To promote a creative approach to site improvements and building design that results in a distinctive, attractive development that has a strong sense of place, yet becomes an integral part of the community.

The mall property is obsolete in design. The property lacks character/uniqueness, has no visual presence from Main Street, and does not have clearly designated front entrances. The PUD Amendment will establish standards to enable a more modern, distinctive development to establish a new sense of place for a facility that is already integral to the community.
2. To create places oriented to the pedestrian that promote physical activity and social interaction, including but not limited to walkable neighborhoods, usable open space and recreational facilities for the enjoyment of all.

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

## Not applicable.

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

## Not applicable.

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

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

The redevelopment will utilize existing utilities and site improvements to the extent possible.
6. To encourage redevelopment of sites containing obsolete or inappropriate buildings or uses.

The PUD amendment will facilitate the redevelopment of a property that is obsolete in terms of building and site design.
7. To encourage a collaborative process among developers, neighboring property owners and residents, governmental bodies and the community.

The City engaged in a Comprehensive Plan rewriting process from June 2011 to September 2013, with a focus on both the mall property itself and the larger East Gateway commercial area that the mall anchors. The community had an opportunity to provide input and ideas for revitalizing the mall, and those ideas were incorporated into the plan document that was adopted by the City.
The developer used the Comprehensive Plan as reference for developing the concept site plan submitted in support of this application. The developer also has taken steps to engage the community, including hosting a neighborhood meeting at the mall.
2. The proposed PUD and PUD Preliminary Plans conform to the requirements of the underlying zoning district or districts in which the PUD is located and to the applicable Design Review Standards contained in Chapter 17.06, except where:
A. Conforming to the requirements would inhibit creative design that serves community goals, or
B. Conforming to the requirements would be impractical and the proposed PUD will provide benefits that outweigh those that would have been realized by conforming to the applicable requirements.

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

1. The PUD will provide community amenities beyond those required by ordinance, such as recreational facilities, public plazas, gardens, public art, pedestrian and transit facilities.
New outdoor public spaces will be created at the reconstructed entrances to the mall.
2. The PUD will preserve open space, natural beauty and critical environmental areas in excess of what is required by ordinance or other regulation.
Not applicable.
3. The PUD will provide superior landscaping, buffering or screening.

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

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

Not applicable.
6. The PUD provides for the use of innovative stormwater management techniques.

The proposed site improvements will include naturalizing the existing stormwater detention basins and introducing bioswales and rain gardens into some parking lot islands.
7. The PUD provides accessible dwelling units in numbers or with features beyond what is required by the Americans with Disabilities Act (ADA) or other applicable codes.

## Not applicable.

8. The PUD provides affordable dwelling units in conformance with, or in excess of, City policies and ordinances.
Not applicable.
9. The PUD preserves historic buildings, sites or neighborhoods.

## Not applicable.

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

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

On the basis of the evidence presented at the public hearing, the Plan Commission shall record its reasons for recommending approval or denial of the petition (findings of fact) in accordance with the following standards:
A. Public Convenience: The Special Use will serve the public convenience at the proposed location.

The PUD will remain primarily an enclosed retail shopping mall that will continue to serve the public with a shopping location.
B. Sufficient Infrastructure: That adequate utilities, access roads, drainage and/or necessary facilities have been, or are being, provided.

The proposed redevelopment will utilize existing infrastructure, which was installed based upon a development of similar land use and intensity. A Traffic
Memorandum prepared by HLR demonstrates that the proposed redevelopment will generate a comparable volume of traffic compared to the mall as approved by the City in 1995. Additionally, much of the infrastructure around the site has been enhanced in recent years, including Route 64, which has been widened to increase capacity.
C. Effect on Nearby Property: That the Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood.

The proposed redevelopment of the mall site will not constitute a change in land use or an increase in intensity of land use; therefore the amended Special Use will not have a new a negative effect on nearby property. Existing buffering of the site from residential properties to the north will be maintained.
D. Effect on Development of Surrounding Property: That the establishment of the Special Use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

The mall site serves as an anchor for the East Gateway business district and the mall's existing condition has been a detriment to the viability of businesses in the area. The proposed redevelopment to modernize the mall site will encourage new investment in underutilized and undeveloped sites around the mall.
E. Effect on General Welfare: That the establishment, maintenance or operation of the Special Use will not be detrimental to or endanger the public health, safety, comfort or general welfare.

The proposed redevelopment of the mall site will not constitute a change in land use or an increase in intensity of land use; therefore the amended Special Use will not have a new a negative effect on the general welfare.
F. Conformance with Codes: That the proposed Special Use conforms to all existing Federal, State and local legislation and regulation and meets or exceeds all applicable provisions of this Title, except as may be varied pursuant to a Special Use for Planned Unit Development.

The proposed redevelopment will comply with all code requirements, except for PUD deviations identified in the PUD Development Standards document.
4. The proposed PUD will be beneficial to the physical development, diversity, tax base and economic well-being of the City.

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

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

The concept plan being presented in support of the PUD amendment proposes substantial changes to the mall property that will be beneficial to the physical development of the East Gateway business district.
5. The proposed PUD conforms to the purposes and intent of the Comprehensive Plan.

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

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

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

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## Exhibit "C"

## Concept Site Plan



## Exhibit "D"

## PUD Standards

| Permitted and Special Uses |  |
| :---: | :---: |
|  | Per Table 17.14-1 of the Zoning Ordinance (BR Regional Business District), except that 3 Drive-Through Facilities shall be Permitted Uses. |
| Minimum Setbacks from Perimeter Property Lines |  |
| - Front/Rt. 64 \& Smith Rd. | Parking: 20 ft . for parking stalls; 15 ft . for circulation drives associated with drive-through uses. <br> Buildings: 20 ft . |
| - Rear/abutting Charlemagne Subdivision | Parking: Existing location per approved PUD Preliminary Plans. Buildings: 200 ft . to Charlemagne Subdivision property line |
| - $\begin{array}{l}\text { Sides/other } \\ \text { property lines }\end{array}$ | Buildings: 15 ft . Parking: 0 ft . |
| Maximum Building Size |  |
| Maximum Building Height | Mall Building: <br> Roofline max. elevation: 829 ft . above sea level (existing mall skylight ridge) <br> Parapets max. elevation: 846 ft . above sea level (existing mall skylight peak) <br> Feature elements max. elevation: 854 ft . above sea level <br> All other buildings: <br> Building height shall not exceed 50 ft . from the average finished ground level measured 10 ft . out from exterior walls. |
| Maximum Floor Area | $1,200,000$ square feet of Gross Floor Area (GFA) $\mathbf{9 2 5 , 0 0 0}$ square feet of Gross Leasable Area (GLA) |
| Minimum Parking Requirement |  |
| Number of parking stalls required | 4 spaces per 1,000 square feet of GLA, calculated over all buildings on the site (excluding internal hallways, corridors and courts in the mall building). <br> Parking located outside of the ring road for outlot buildings shall be provided at 4 spaces per 1,000 square feet of GLA. Where outlot buildings share a parking lot, a parking reduction for shared parking may be requested in accordance with the procedures in the Zoning Ordinance. |
| Signs |  |
| Freestanding/ Identification Signs | 3 Shopping Center signs (To display shopping center name, anchor store business names, Retail A \& B business names) <br> Area: 225 sf <br> Height: 30 ft . <br> 1 cinema readerboard sign, Area: 150 sf. <br> Height: 15 ft . |


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


| Building Design and Material Requirements |
| :--- | :--- |$|$|  <br> material <br> requirements | Per Ordinance requirements contained in Section 17.06 .030 , and: <br> - <br> EIFS may exceed 10\% per façade, but shall not be used on the lower 10 <br> ft. of any building. EIFS will generally be used for accent features and <br> not as a primary façade material. <br> Screening of existing loading docks shall be improved to the extent <br> possible, but full screening shall not be required. <br> Exterior Design elements of the reconstructed and new portions of the <br> project, though varied, shall be complementary with the existing anchor <br> buildings. |
| :--- | :--- |
| Access Locations | Existing access points shown on the Concept Site Plan, plus future cross access <br> to west (Stuart's Crossing) and east (Oliver Hoffmann) shall be permitted. |
| Subdivision Standards |  |
|  <br> Configuration of <br> Lots | PUD shall be considered a single zoning lot, regardless of subdivision. <br> Subdivision shall be permitted for any anchor stores, Retail A or B, and any <br> outlot buildings, provided easements as determined essential by the City are <br> provided. |
| Minimum Lot <br> Width | None <br> Minimum Lot Area |

## Counties of Kane and DuPage

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## Certificate

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

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

> "An Ordinance Amending a Special Use for Planned Unit Development (Charlestowne Mall PUD - 3800 E.
> Main St.),"
which provided by its terms that it should be published in pamphlet form.
The pamphlet form of Ordinance No. 2013-Z-19, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on November 8, 2013, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

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



