

	<b>AGENDA ITEM EXECUTIVE SUMMARY</b>		<b>Agenda Item Number: 4a</b>
	<b>Title:</b>	Plan Commission recommendation to approve a Special Use for PUD and PUD Preliminary Plan for River East Lofts.	
	<b>Presenter:</b>	Russell Colby	

<b>Meeting:</b> Planning & Development Committee		<b>Date:</b> August 8, 2022	
Proposed Cost:	Budgeted Amount:	Not Budgeted: <input type="checkbox"/>	

**Background**

Applications for Special Use for PUD and PUD Preliminary Plan have been filed by STC 216, LLC / Frontier Development, for River East Lofts, a mixed-use development proposed at the SE corner of Illinois & Riverside Aves. The site is currently a parking lot with bank ATM and an office building. The proposed building would contain retail space and parking on the first floor and upper floor residential apartments- 42 total residential units. As shown on the plans, portions of City street right-of-way adjacent to the property to south, east and west are requested to be vacated and added to the development project site.

The property and certain adjacent street right-of-way is identified as Catalyst Site “Q” in the Downtown Subarea of the 2013 Comprehensive Plan. The site is identified with a future land use of “Mixed Use”.

The property is zoned CBD-1 Central Business District, which permits mixed use. PUD Deviations are requested to increase the residential unit count and total square footage of the building.

A previous version of the project was reviewed by Historic Preservation Commission and Plan Commission in March-April 2022. Based on feedback from the review process, plans were revised, and the review process was restarted in July. The following changes were made from the previous plan:

- Reduction of the building height from 5 to 4 stories (Meets the CBD-1 zoning standard of 50 ft.)
- Reduction of the unit count from 43 to 42 units. (Unit mix has changed from 27 one-bedroom/16 two-bedroom to 12 one-bedroom/30 two-bedroom.)
- Revised building architecture and reorientation of the building to follow Riverside Ave.
- Removal of the bank ATM.
- Increase in total parking spaces from 53 to 60.

**Historic Preservation Commission review – 7/6/22**

The property is located in the Historic District; therefore, the Historic Commission reviewed the project. The Commission recommended approval, noting:

- The plan follows the Comprehensive Plan recommendations.
- The project does not negatively impact the historic district by allowing demolition of a utilitarian building.
- The project does not negatively impact any significant architecture in the adjacent neighborhood.

**Plan Commission Review- 7/19/22**

**Recommendation**

The Plan Commission expressed appreciation for the developer’s efforts to respond to past comments. The Commission unanimously recommended approval, with one abstaining due to a conflict. (Three commissioners that voted against the previous version voted to support this version of the project).

*-Continued on next page-*

### Plan Commissioner Comments

The Commissioners noted that the site plan had been significantly improved, addressing previous concerns about how the project fit the site context, adequacy of pedestrian infrastructure, and landscaping.

Commissioners commented on a number of details that would further improve the project:

- Enhance the pedestrian sidewalk connection from Indiana Avenue through the site.
- Add articulation or detail along the blank walls along Riverside. (The walls are to be used for art.)
- Use brick piers for more substantial balconies on the south elevation to create a covered walkway.
- Enhance landscape plantings throughout, particularly along 2<sup>nd</sup> Ave., including: A planter to buffer outdoor patio area; better visual barrier for parking lot and refuse enclosure area; additional trees and improved or widened planters. Identify replacement trees where removals are proposed.
- Extend the public sidewalk down the east side of Riverside Ave.

### Discussion topics during the Public Hearing

#### ***Parking Adequacy and Impacts***

- The project meets the zoning parking requirement. In the Downtown SSA, properties are exempt from providing private off-street parking, but only if public parking is available within a certain distance, and no existing private spaces are eliminated. The existing on-site parking will be reduced by one space, which will be accounted for in the parking along the vacated portion of 2<sup>nd</sup> Ave.
- 60 total spaces are proposed- 36 in the parking lot and 24 along 2<sup>nd</sup> Ave. (For comparison, in CBD-1 zoning, for residential uses, 1 parking space per unit is required, or 42 spaces)
- Neighbors have expressed concern that the parking supply is already limited during evenings and events, and the project will lead to a net loss of parking and increased parking on nearby streets.
- As discussed in the Staff Report, the Comp. Plan recommends the parking supply near each “Catalyst Site” be assessed as each is considered for development.
- The City has budgeted for a Downtown Parking Study and is developing a Request For Proposals.
- Plan Commissioners felt that downtown parking is an issue for the City to address going forward, since this project otherwise meets zoning requirements for parking.

#### ***Use of public property (right-of-way and triangular grass area south of Indiana Ave.)***

- The developer is requesting that City right-of-way be vacated for the project. The Comp. Plan shows incorporation of some adjacent right-of-way as a part of Catalyst Site “Q”.
- The south triangular grass area is identified as Lot 2 on the proposed subdivision plat and Lot 2 would be encumbered by various easements that would limit its use.
- Neighbors suggested the City appraise the property to assess its value, or consider a long-term lease instead of conveying the property for private ownership. A concern was expressed that future owner could propose to develop the open space. There was also interest to retain the street parking as public.
- Plan Commissioners noted that in exchange for the City conveying the right-of-way, the developer would take over maintenance and would invest in improving the site infrastructure. They commented that this issue is ultimately a City Council consideration, but that the City should ensure that PUD and easement restrictions are sufficient to prevent future development of the open space on Lot 2.

#### ***Attachments (please list):***

Plan Commission Resolution, Staff Report, Application, Letters, Plans, Traffic Study

Information from the previous version of the project, including letters, are posted on the project website:

<https://www.stcharlesil.gov/projects/river-east-lofts>

#### ***Recommendation/Suggested Action (briefly explain):***

- Provide a recommendation regarding the River East Lofts project, contingent upon incorporation of Plan Commission comments and resolution of outstanding staff comments prior to final City Council action.
- The proposed City street right-of-way vacation is shown on the Preliminary Plat of Subdivision; therefore, a recommendation for approval of the project would include vacating right-of-way per the subdivision plat.
- Based on the Committee recommendation, an ordinance would be drafted for City Council consideration. An ordinance to approve the project would identify that at the time of Final Plat of Subdivision approval, the street right-of-way is to be vacated as shown on the Preliminary Plat. If the Committee wishes to impose any conditions on the right-of-way vacation, this would be the appropriate time to provide direction to staff for inclusion in the ordinance draft.

**City of St. Charles, Illinois**  
**Plan Commission Resolution No. 12-2022**

**A Resolution Recommending Approval of a Special Use for PUD and PUD  
Preliminary Plan for River East Lofts (STC 216 LLC)**

**Passed by Plan Commission on July 19, 2022**

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

WHEREAS, the Plan Commission held a public hearing and reviewed the Application for Special Use for PUD and PUD Preliminary Plan for River East Lofts (STC 216 LLC); and,

WHEREAS, in accordance with Section 17.04.410.D.3, the Plan Commission finds the Special Use for PUD to be in the public interest based on the following criteria for Planned Unit Developments:

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 PUD allows 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. Conforming to current design standards would result in a development with less impactful architecture, less onsite parking, less effective use of open space, and less efficient public access through the site to public facilities/river. The PUD proposes a conforming use within the Zoning District.

- The PUD proposes a conforming use described in the Comprehensive Plan & allowed in current Zoning ordinances, in a more compact, single building development oriented to the pedestrian that promotes physical activity and social interaction, including but not limited to walkable neighborhoods, usable open space and recreational facilities for the enjoyment of all.
- The PUD offers a robust retail experience that will activate the river and pedestrian facilities in the Downtown & a 5-star multifamily rental product that is currently underserved within the Downtown area or Central Business District.
- The PUD promotes economic development and efficient use of land, achieves use of land proposed in the Comprehensive Plan, while providing more effective parking & useable open space and recreational facilities for the enjoyment of all.
- According to the 2013 Comprehensive Plan this opportunity site represents the greatest potential for riverfront redevelopment on the east side of the Fox River. The PUD proposes a conforming use on a site containing an obsolete building. The current use as an office building is a non-conforming use in the overlay district.
- The Comprehensive Plan was developed using input from the community at large, through traditional & web-based community outreach. The final design of this PUD was guided by the Comprehensive Plan & is a result of a collaborative process via direct input from neighboring property owners and residents, governmental bodies, and the community during the Concept Plan Review phase.

**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.**

- The PUD will provide community amenities beyond those required by ordinance, including abundant open space & gathering space, improved walkability between the neighborhood and river, walking/biking paths, and Downtown.
- The PUD will preserve open space & natural beauty in excess of what is required by ordinance or other regulation by reshaping and beautifying the parkway into a more cohesive, pedestrian friendly layout. It also adds parking and creates a key

gateway element at the critical southern gateway to the city while maximizing the development opportunity of the site.

- The PUD allows for a higher quality of architecture. Conforming to the current ordinances would still allow mixed use-multi story building with residential rentals & retail, but would require (2) buildings with less to no open space, additional parking, or additional pedestrian connectivity, and significantly less flexibility in design to achieve the desired result.

**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.**

Improvements of the conditions at the intersection of Riverside & 2<sup>nd</sup> Ave. will facilitate more efficient traffic operations as well as a better aligning access onto Riverside Ave. This will improve sight lines and safety with little to no delay to motorist. The PUD provides better pedestrian connectivity, beautifies open space & converts the first floor & entire development to a conforming use.

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

The PUD provides adequate utilities, access roads and drainage. Working with city staff, a 3<sup>rd</sup> party study of existing infrastructure was conducted. All suggestions from this study have been incorporated into our engineering to ensure that there is no net impact on the City infrastructure. Additionally, the traffic study concludes that the resulting lay out will better facilitate traffic operations and improve safety. A channelized island will be installed on the 2<sup>nd</sup> Avenue southbound approach, which will separate northbound and southbound traffic, as well as better align/orient 2<sup>nd</sup> Avenue traffic closer to a 90-degree angle, improving sight lines for turning maneuvers.

**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.**

At the most basic level, the Comprehensive Plan is intended to direct orderly growth and change, as well as maintain and enhance the liveability of the city. Significant resources were committed to develop the Comprehensive Plan that would elevate the use, enjoyment and value of all properties within the City. The proposed special use

is directly in line with the intended use contemplated in the Comprehensive Plan and is a conforming use within current zoning ordinances. The creative design allowed by the requested variances serve to enhance the design & impact of the Development.

**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 special use will promote the normal and orderly development and improvement of the surrounding property for uses permitted within the district as described and anticipated in the 2013 Comprehensive Plan. The special use proposes a conforming land use, variances primarily affect efficiency of design.

**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 special use is a conforming use within the overlay district per current Zoning for the CBD-1 and is in line with the use anticipated by the Comprehensive Plan.

**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.**

Requested variances serve to facilitate creativity in design and effective use of the land, not to change the nature or the use of the development. The special use is a conforming use within the overlay district.

**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 of housing options offered in the downtown area. It will also be beneficial to the tax base and economic well-being of the city. One of the two parcels in the PUD is within the 1<sup>st</sup> Street TIF district. The parcel has an extremely low TIF basis, and the increment of this development is largely additive to the TIF.

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

The PUD proposed a conforming use and is directly in line with the Comprehensive Plan, especially as describes for the Downtown Sub Area. In addition to providing an architecturally significant development at a key gateway to the downtown, a specific goal of the Comprehensive Plan is to Focus efforts and resources on development projects that are likely to catalyze other investment based on the population and benefits they bring to the downtown, promote new infill development in the downtown area, and encourage the consolidation of smaller development parcels where possible to foster larger, more coordinated development opportunities. Apartments are an important component of a healthy housing stock, and the product is currently underrepresented in the downtown. Efficient mixed-use developments on key catalyst sites such as this one, that boost residential diversity and density, retail diversity, and especially activation of the river and pedestrian facilities as recreational resources. These are all important components of revitalizing Downtown St. Charles as the symbolic “heart” of the community and enhancing its role as the City’s primary mixed-use pedestrian environment.

WHEREAS, the Plan Commission finds said Site Plan to be in conformance with the applicable PUD and Zoning Ordinance requirements, except as varied per the application for Special Use for PUD, subject to resolution of any outstanding staff review comments.

NOW, THEREFORE, be it resolved by the St. Charles Plan Commission to recommend to the City Council approval of a Special Use for PUD and PUD Preliminary Plan for River East Lofts (STC 216 LLC), subject to resolution of staff comments.

Roll Call Vote:

Ayes: Hibel, Funke, Wiese, Rosenberg, Gruber, Studebaker, Vargulich

Nays:

Abstain: Moad

Absent: Ewoldt

Motion carried: 7-0

PASSED, this 19th day of July 2022.

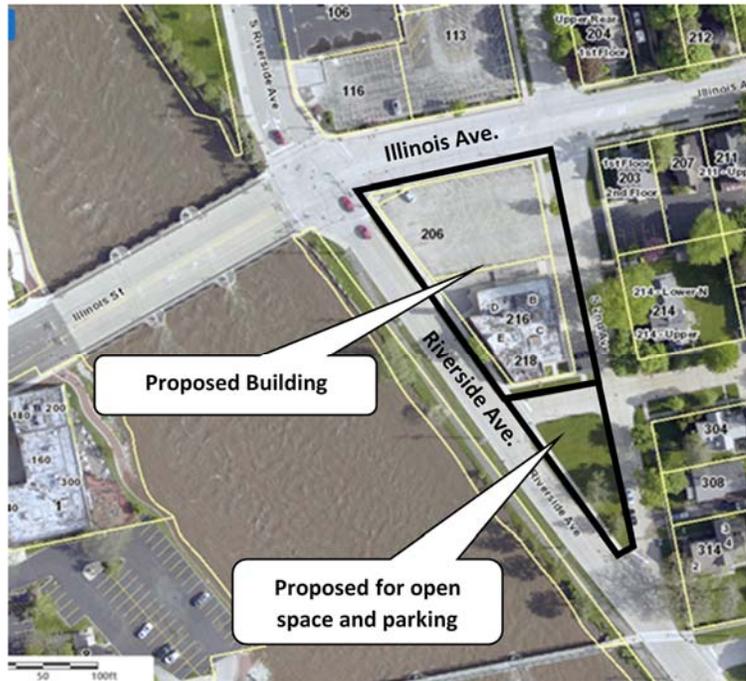
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Chairman  
St. Charles Plan Commission



<b>Applicant:</b>	STC 216, LLC (Frontier Dev.)
<b>Property Owner:</b>	STC Morse, LLC STC 216, LLC
<b>Location:</b>	Southeast corner of Riverside Ave. and Illinois Ave.
<b>Purpose:</b>	Develop mixed use building
<b>Application:</b>	<ul style="list-style-type: none"> <li>• Special Use for PUD</li> <li>• PUD Preliminary Plan</li> </ul>
<b>Public Hearing:</b>	Yes, required
<b>Zoning:</b>	CBD-1 Central Business District & Downtown Overlay; Special Use for Drive-Through ATM
<b>Current Land Use:</b>	Office building, parking lot and bank ATM
<b>Comprehensive Plan:</b>	Mixed Use

**River East Lofts (New Application- July 2022)**



*Subject Property*

**Summary of Proposal:**

STC 216, LLC (Frontier Development), as property owner, has filed zoning applications proposing a Mixed-Use building and site development that includes:

- First Floor commercial/retail space (6,422 net sf)
- Upper Floor residential apartments- 42 units (12 one-bedroom, 30 two-bedroom units)
- Closure of Indiana Ave. and vacation of portions of City street right-of-along 2<sup>nd</sup> Ave., Riverside Ave., Indiana Ave. and the triangular area south of Indiana
- Plaza/patio and open space area south of the building
- 36 parking spaces in parking lot, 24 perpendicular spaces along 2<sup>nd</sup> Ave.

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**Info /  
Procedure on  
Application:**

**Special Use for Planned Unit Development:**

- Approval of development project with specific deviations from the Zoning Ordinance standards. (Establishes 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 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 or PUD Amendment.
- The Plan Commission may recommend conditions and restrictions upon the establishment, location, design, layout, height, density, construction, maintenance, aesthetics, operation and other elements of the PUD 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.

**PUD Preliminary Plan:**

- Approval of plans for development of property within a PUD to ensure compliance with the PUD ordinance and applicable provisions of the Zoning Ordinance. Includes building elevations and site, landscape, and engineering plans.
- Recommendation is based on compliance with the previously (or concurrently) approved Special Use for PUD standards and other city code requirements (including Zoning and Subdivision codes).

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**Suggested  
Action:**

Conduct the public hearing on the Special Use for PUD and close if all testimony has been taken. Review the PUD Preliminary Plan.

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

Staff recommends that any recommendation include a condition requiring resolution of all staff comments prior to City Council action.

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**Staff Contact:**

Russell Colby, Director of Community Development

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**I. PROPERTY INFORMATION**

**A. History / Context**

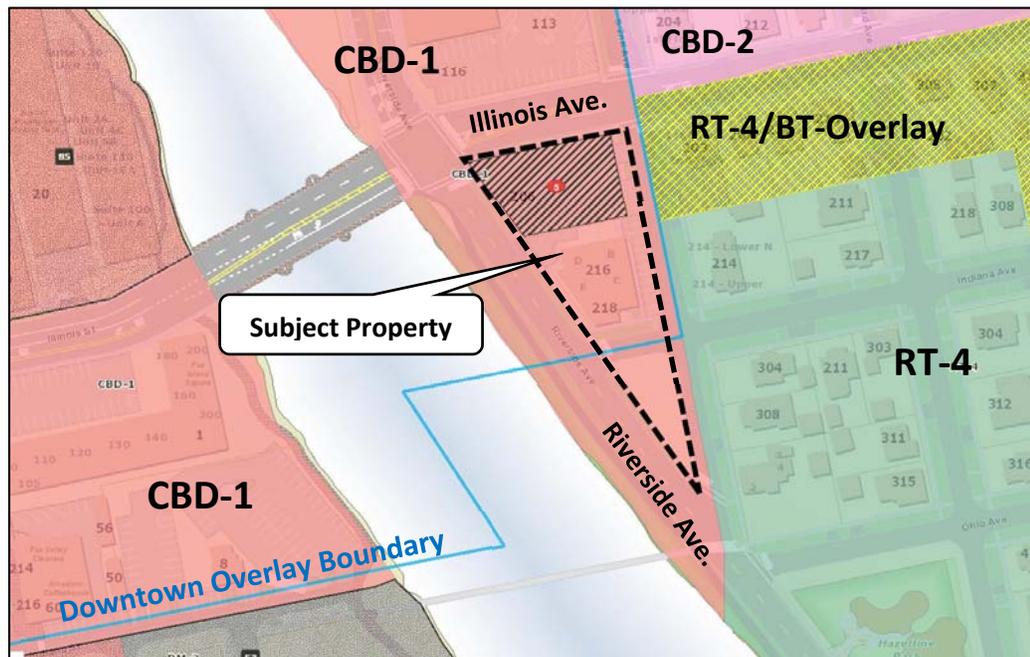
The subject property is comprised of three areas:

- 206 Riverside Ave, at the corner of Illinois Ave. This site is a parking lot that was previously owned by BMO Harris Bank and served as parking for the former bank facility at 1 E. Main St. The property is now owned Frontier Development and is used informally for general downtown parking. A Special Use was approved in 2020 to install a bank ATM drive-through facility within the parking lot.
- 216 Riverside Ave, which most recently was occupied by office and services uses, including the Chamber of Commerce. The building was previously owned by Batavia Enterprises and is now owned by Frontier Development. The building was originally the Riverview Dairy, constructed in the early 1900s.
- City-owned property to the south, comprising a triangular grass area, south of Indiana Ave. According to current tax maps, this grass area is not a land parcel but rather part of the street right-of-way. Because the adjacent streets are all City jurisdiction, the City effectively owns this grass area.

**B. Zoning**

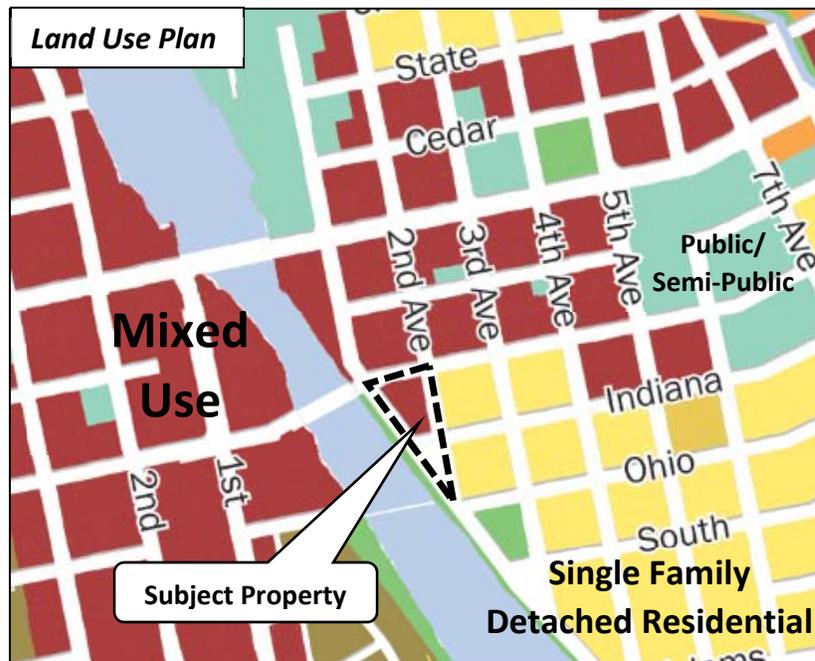
The subject property is zoned CBD-1 Central Business District.

	Zoning	Land Use
<b>Subject Property</b>	CBD-1 Central Business & Downtown Overlay District (part)	Office building Parking lot with ATM
<b>North</b>	CBD-1 Central Business	Parking lots and commercial uses
<b>East</b>	RT-4 Traditional Single and Two Family Residential; BT Transitional Business Overlay	Single family and multi-unit residential structures, Residential structures converted to office uses
<b>South</b>	CBD-1 Central Business	Fox River
<b>West</b>	CBD-1 Central Business	Fox River



### C. Comprehensive Plan

The 2013 Comprehensive Plan identifies “Mixed Use” as the future land use of the property:



*Mixed use areas should be characterized by 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. Although the Land Use Plan designates only Downtown St. Charles as a Mixed Use area, the Commercial Area Framework Plan identifies other locations where Mixed Use development could occur.*

#### **Downtown Subarea Plan**

Chapter 8 of the Comprehensive Plan contains the Downtown Subarea Plan (p. 86). Subarea plans contain location-specific recommendations. The subject property is located within the Downtown Subarea and is referenced in a number of locations:

**Downtown Framework Plan (p. 87):** The site is shown in the “Gateway Corridor Frontage” or streets that “offer primary entry into Downtown, and therefore provide the first impression.” Both Riverside Ave. and S. 2<sup>nd</sup> Ave. are identified as part of the Gateway frontage. The following recommendations are provided for properties along Gateway Corridor Frontages:

- ***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.
- ***Building Facade Orientation and Design:*** Facades should have strong orientation to the public side-walk, 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 and 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 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.*

**Downtown Improvement Plan (p. 89):** The plan identifies locations of Gateways, including the intersection of Riverside and 2<sup>nd</sup> Ave., and states the following:

*While streetscaping in Downtown distinguishes this part of the City from other areas, the differences can be subtle to a casual observer and the edges of Downtown are not well demarcated. Given the importance of Downtown, the City should install gateway features at key entry points, that are integrated to the extent possible, with redevelopment of prominent parcels and highly visible locations. North-south gateways are currently less defined and would benefit most from enhancement. Gateway features consisting of signage, lighting, and landscaping should complement the existing streetscape and announce entry into Downtown St. Charles.*

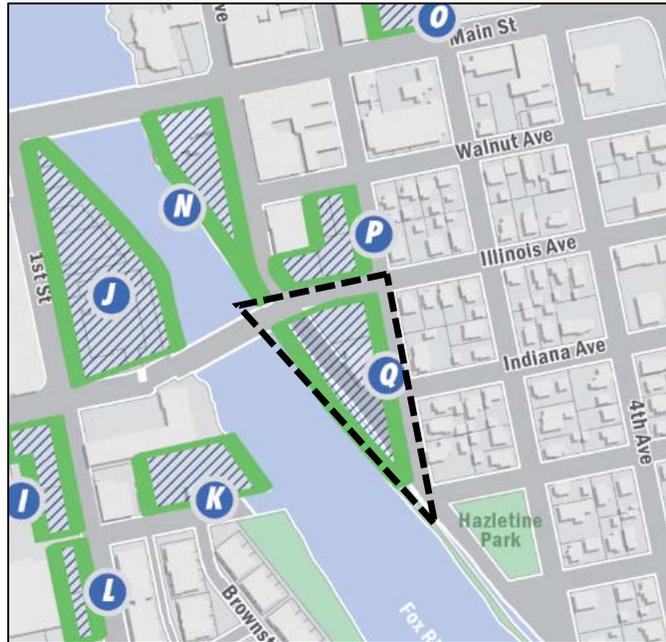
**Catalyst Sites (p. 90):** The subject property is identified as a “Catalyst Site”, defined as follows:

*Catalyst sites are those parcels where redevelopment could have a catalytic impact on the surrounding area. In the identification of catalyst sites, certain criteria are considered. Catalyst sites are determined based on the sites exhibiting some or all of the following characteristics: Underutilized buildings or land; Vacant buildings or land; Structural soundness of buildings; Size of property; Ownership (e.g., unified private ownership or City-owned); Visibility and access; Current zoning and adjacent zoning; and Surrounding land uses. Although the sites identified provide alternatives if a property is proposed for future redevelopment, it is not necessarily an interest by the City to acquire or redevelop the site.*

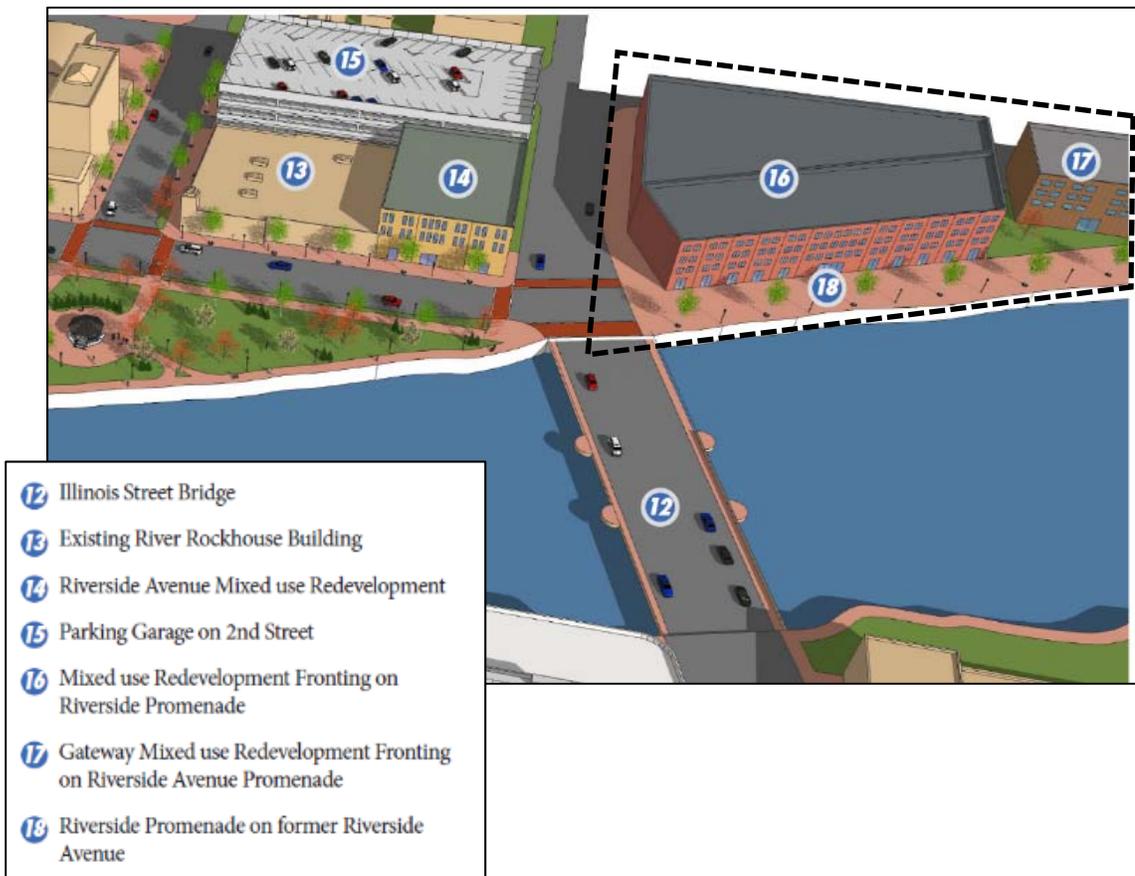
*It should be recognized that some of the catalyst sites are existing public or private parking lots. The parking supply near each site should be assessed as each is considered for development. Downtown parking is further discussed on p. 74 and p. 89.*

The subject property is identified as **Catalyst Site Q**.

Recommendation for Catalyst Site Q:  
 This opportunity site represents the greatest potential for riverfront redevelopment on the east side of the Fox River. This site currently hosts a small office building and modest open space. However, it is the southern gateway to downtown along Riverside Avenue. Redevelopment of the site could vary based on the City’s ability to address transportation and circulation. Redevelopment should also include a significant gateway feature at the southern end of the site, and gathering spaces for riverfront events, cafes, or other activities and uses.



**Downtown Redevelopment Concept (p. 92):** This image depicts a development concept for a number of Catalyst Sites, including Site Q, but notes “the concept is only meant to illustrate one possible approach for redevelopment that satisfies the goals, objectives and guidelines as expressed in the St. Charles Comprehensive Plan.”



## II. APPLICATION REVIEWS

### A. Concept Plan – Summer 2021

A Concept Plan application was reviewed in Summer 2021. The Concept Plan was a proposal for a five-story, mixed use building. The residential unit count was 48 units. Plan Commission provided positive feedback on the overall concept, but expressed a number of concerns that were also heard from nearby residents:

- Density and bulk/scale relative to the neighborhood to the east, need for shadow study
- Site requires a gateway design or transition with a stepped or varied building mass
- Use different architecture, proposed style made the building appear massive
- More detail needed on the open space area
- Concerns regarding proposed on-street parking, particularly along Riverside Ave.
- Traffic circulation with the closure of Indiana Ave.
- Existing parking supply in the area and impacts of the project on on-street parking.

### B. Previous PUD Plan- April 2022

Special Use for PUD and PUD Preliminary Plans were reviewed in March-April 2022. The project received recommendations for approval from Historic Preservation Commission (3/16/22, 4-0 vote, 1 abstaining) and Plan Commission (4/19/22, 5-3 vote).

The Plan Commissioners voting “no” offered a number of concerns with the plans:

- Relation of the project to the site context and neighboring properties.
- Size/mass and placement/orientation of the building
- Retaining the bank ATM in the site layout
- Deficiencies in the public sidewalk facilities and streetscape design along Illinois and Riverside Aves.

There was a significant amount of public testimony and comment letters received as a part of the Plan Commission public hearing. The April 2022 plan documents and letters received are available on the project website for reference.

Following the Plan Commission recommendation, the developer decided not to proceed to Planning & Development Committee with the April version of the project, and instead chose to consider potential changes to the project based on upon the Plan Commission review.

### C. Current PUD Plan- July 2022

Revised Special Use for PUD and PUD Preliminary Plan applications have been filed. Changes from the April 2022 Plan include:

- Reduction of the building height from 5 to 4 stories.
- Reduction of the unit count from 43 to 42 units. (Unit mix has changed from 27 one-bedroom/16 two-bedroom to 12 one-bedroom/30 two-bedroom.)
- Revised building architecture and reorientation of the building to follow Riverside Ave.
- Removal of the BMO ATM.
- Increase in parking spaces from 53 to 60.
- Revisions to the sidewalk and streetscape layout.

**III. PLANNING ANALYSIS**

Staff has analyzed the submitted applications and plans for conformance with the standards established in applicable sections of the Zoning Ordinances, including:

- Ch. 17.06 Design Review Standards & Guidelines
- Ch. 17.16 Business and Mixed Use Districts
- Ch. 17.24 Off-Street Parking and Loading

**A. Zoning**

The property is located in the CBD-1 Central Business District and Downtown Overlay District. No change to the underlying zoning is proposed. The property is located in the Central Historic District.

**B. Proposed Uses**

- Use of the first floor of the building is subject to the CBD-1 Downtown Overlay District permitted use list. “Retail Sales” use is identified as the first floor use on the Preliminary Plan. Unless limited through the PUD approval, the first floor space could be used for other commercial uses permitted in CBD-1 Downtown Overlay zoning, such as Personal Services, Restaurant, Tavern/Bar, or Indoor Recreation.
- The residential apartments are categorized as a “Multi-Family Dwelling”, which is a permitted use in the CBD-1 district, subject to a minimum lot area per unit limitation of 1000 sf. of lot area per dwelling unit. The project is proposed at 866 sf. of lot area per dwelling unit.

**C. Property and Bulk Standards**

The subject property is comprised of a full city block, identified on the original 1837 subdivision plat of St. Charles as Block 15. The property was originally platted into 3 lots- Lots 1 and 2 on the north half fronting Illinois Ave., and Lot 3 on the south half fronting Indiana Ave. The current ownership of the property is based upon two tax parcels that split the block in approximately a north and south half. These two tax parcels were previously under separate ownership, but are now owned by the developer. For purposes of applying existing zoning requirements, any single or combination of these platted lots or tax parcels could be developed under the CBD-1 zoning regulations.

A proposed subdivision plat has been submitted showing the existing lots/parcels, plus the proposed vacated street right-of-way, being re-platted into two lots- Lot 1 encompasses the building, and Lot 2 is an open space parcel.

The table below compares the bulk standards applicable to the CBD-1 Zoning District compared against the past and current proposed plans. Any deviations from the CBD-1 standards for the current July 2022 plan needs to be approved through the Planned Unit Development (PUD) ordinance. Requested PUD deviations are noted in the table.

Category	CBD-1 Zoning	2021 Concept Plan	April 2022 PUD Plan	July 2022 PUD Plan
<b>Min. Lot Area</b>	<ul style="list-style-type: none"> <li>1,000 sf per residential unit</li> <li>Existing total site is approx. 21,400 sf, which allow 21 units</li> </ul>	<p><b>PUD Deviation: 25,930 sf for 48 units</b> (With proposed vacated street property from the City added to site area)</p>	<p><b>PUD Deviation: 38,960 sf for 43 units</b> (With proposed vacated street property from the City added to site area)</p>	<p><b>PUD Deviation: 37,198 sf for 42 units</b> (With proposed vacated street property from the City added to site area)</p>
<b>Min. Lot Width</b>	None	N/A	N/A	N/A
<b>Max. Building Coverage</b>	None	N/A	N/A	N/A
<b>Max. Gross Floor Area per Building</b>	40,000 sf per building (80,000 if existing parcels developed with two adjoining buildings)	<p><b>PUD Deviation: 64,354 sf</b></p>	<p><b>PUD Deviation: 57,767 sf</b></p>	<p><b>PUD Deviation: 54,921 sf</b></p>
<b>Max. Building Height</b>	<p>50 ft. Based on elevation at the mid-point of the front building line</p> <p>Elevation range of 735.5 to 739 based on front lot lines of the existing 3 lots</p>	<p><b>PUD deviation: 59 ft.</b> measured from high point (NE corner of site) <b>63 ft.</b> estimated average</p>	<p><b>PUD Deviation: 59'8"</b> measured from high point (NE corner of site)  Elevation 749.167</p>	<p>50 ft., measured from the mid-point of building line established on the proposed Plat of Subdivision (along 2<sup>nd</sup> Ave.)  Elevation 739.45</p>
<b>Front Yard</b>	Max. 5 ft.	0 ft.	0 ft.	0 ft. from building line (east)
<b>Interior Side Yard</b>	If provided, minimum 5 ft.	0 ft.	0 ft.	37 ft. from building line (south)
<b>Exterior Side Yard</b>	Max. 5 ft.	0 ft.	0 ft.	0 ft. (north)
<b>Rear Yard</b>	None	N/A	N/A	N/A
<b>Landscape Buffer</b>	Not required in CBD-1	N/A	N/A	N/A
<b>Parking Spaces</b>	<ul style="list-style-type: none"> <li>In CBD-1 requirement is 1 space per dwelling unit, regardless of bedroom count (42 spaces for July PUD plan)</li> <li>Retails Sales is 4 spaces per 1,000 sf of floor area (26 spaces for July PUD Plan)</li> <li>Site is eligible for SSA parking exemption; existing off-street spaces cannot be eliminated (48 total spaces existing- 37 private in parking lot, 11 public along 2<sup>nd</sup> Ave.</li> </ul>	<p>62 total spaces</p> <p>32 in private parking lot,</p> <p>30 along 2<sup>nd</sup> Ave.</p>	<p>53 total spaces</p> <p>29 in private parking lot,</p> <p>24 along 2<sup>nd</sup> Ave.</p>	<p>60 total spaces</p> <p>36 in the private parking lot,</p> <p>24 along 2<sup>nd</sup> Ave.</p>

**Staff Comments on Zoning/Bulk Standards:**

- ✓ The proposed lot area is based upon the total area of both Lots 1 and 2. In the CBD-1 district, Lot Area for Multi-Family Developments with more than one lot may be calculated by adding the land area of all lots in the development, including common or open space lots.
- ✓ PUD deviations are required for Minimum Lot Area per Residential Unit and Maximum Gross Floor Area of the Building.
- ✓ The Maximum Building Height has been revised to meet the CBD-1 zoning standard of 50 ft., measured from the midpoint of the front building line for the proposed subdivision lot. Therefore, no building height deviation is required based upon the information shown on the proposed subdivision plat, grading plan, and architectural plans.
- ✓ The proposed right-of-way vacation will result in the block lines shifting outward from the proposed building, however the vacated right-of-way will be encumbered with easements and will still have the appearance and function of a street right-of-way. Building setback lines are proposed along the 2<sup>nd</sup> Ave. to the east and south of the building. Along Riverside Ave., the property line has been adjusted to maintain a continuous public sidewalk along the street frontage of the building.
- ✓ In the CBD-1 district, newly constructed off-street parking lots are required to be set back 5 feet from right-of-way. If parking lots are reconstructed or resurfaced, the paving can be constructed at 50% of the required setback (2.5 ft.) The setback area needs to be landscaped per Chapter 17.26 of the Zoning Ordinance. Plans show a landscaped parking lot setback along Illinois Ave.
- ✓ Previously a Shadow Study was provided to demonstrate how the requested height deviation above 50 ft. would impact surrounding properties. Because no building height deviation is being requested, an updated Shadow Study has not been provided. Note, the building mass has been shifted toward Riverside Avenue, which is expected to reduce the shadow impact on properties to the east.

**D. Parking Exemption**

The property is located within the Downtown Special Service Area taxing districts 1A and 1B, Per Section 17.24.080, an off-street parking exemption is permitted, provided conditions in the table below are met:

Code Requirement to qualify for Parking Exemption	Parking near the Subject Property
<p><b><u>Residential Uses:</u></b> Overnight parking available within 200 ft. walking distance</p> <p><b><u>Non-Residential Uses:</u></b> Parking for general public during the business hours within 500 ft. walking distance</p>	<p><b><u>60 ft. away:</u></b> Municipal Parking Lot B (north of Illinois Ave., behind Pollyanna &amp; Flagship): 63 total spaces, with 38 spaces designated for 24-hour parking. Remaining spaces are available for evening/overnight parking.</p> <p><b><u>350 ft. away:</u></b> Municipal Parking Lot S (Walnut/Norris Parking Deck): 108 spaces available for 24-hour parking</p> <p><b><u>500 ft. away:</u></b> Municipal Lot Z (Klinkhamer Deck- smaller First St Deck) 30 min to 2-hour parking, 9am to 5pm</p> <p><b><u>650 ft. away:</u></b> Municipal Lot I (the larger First Street Parking Deck): 269 spaces designed for 24-hour parking.</p>
<p><b><u>Existing off-street parking spaces</u></b> Shall not be eliminated unless: a) the same number of private, off-street spaces are constructed elsewhere by the property owner, within the distance specified above, or b) the City Council determines that, based upon a parking study, adequate public parking is available within the required distance to serve the use.</p>	<p><b><u>Current parking: 48 off-street parking stalls:</u></b></p> <ul style="list-style-type: none"> <li>• 37 private stalls on the 206 Riverside lot</li> <li>• 11 public stalls on 2nd Ave. adjacent to the 216 Riverside building.</li> </ul> <p><b><u>Proposed PUD Plan: 60 off-street parking stalls</u></b></p> <ul style="list-style-type: none"> <li>• 36 stalls on the 206 lot</li> <li>• 24 perpendicular stalls on 2nd Ave.</li> </ul> <p><i>The developer has requested that the street stalls be conveyed for private ownership for use by the building tenants/residents</i></p>

**On-street parking**

On-street parking spaces located within three hundred (300) feet of the use may be credited to meet up to twenty-five percent (25%) of the requirement for off-street parking for *non-residential* uses only. *(This reduction is not calculated where the standard for a parking exemption have been satisfied)*

Note existing on-street parallel public parking that can accommodate approximately 5-7 vehicles on 2nd Ave. & Indiana Ave. will be eliminated (due to the street vacation and addition of private parking along 2<sup>nd</sup> Ave.) These spaces are not counted toward the parking exemption calculations because they are not “off-street”.

**Staff Comments regarding Parking Code Compliance for the Project:**

- ✓ With respect to distance to public parking, the site meets the code standards to qualify for the parking exemption.
- ✓ The number of parking spaces in the existing private lot will be reduced. Therefore, at least 1 of the perpendicular parking spaces along 2<sup>nd</sup> Ave. would need to be under private ownership in order to meet the parking exemption requirement (cannot eliminate existing private off-street parking spaces).
- ✓ The PUD approval ordinance could allow for the use of public street spaces adjacent to the building to count toward meeting the parking requirement, even if they remain publicly owned, or are reserved for private use via an agreement with the City.

**Staff Comments regarding Parking Planning in Downtown:**

- ✓ The subject property is a Catalyst Site in the Comprehensive Plan Downtown SubArea. The plan notes that certain catalyst sites includes existing public or private parking lots, and recommends the parking supply near each site be assessed as each is considered for development. The City has not conducted a recent parking demand or supply assessment of this area. The City has funding for a study of downtown parking to be conducted. Staff is developing a Request For Proposals for qualified consultant firms to conduct the parking study.
- ✓ The nearest adjacent public parking, Lot B behind Pollyanna Brewing, is part owned by the City and part by the developer, and there is a parking agreement over the property that allows for shared use of the lot. The City's intent is to acquire the entire east half of the block for permanent public parking and a potential future public parking deck, as identified in the Comprehensive Plan.

**E. Landscaping and Screening**

- A landscape plan has been submitted with a specific planting list.
- Plantings are identified around the perimeter of the parking lot and in leftover spaces around the building.
- A landscape strip has been provided where the parking lot abuts Illinois and 2nd Ave. The required 2.5 ft. setback area is provided.
- Trees in small diamond shaped planters are shown along the parking stalls along 2<sup>nd</sup> Ave. This type of tree installation may not support long term success of the tree vs. a combined or larger island.
- A cross section has been provided for the Riverside and 2<sup>nd</sup> Ave. frontages. The walkway structure along the Riverside Ave frontage is shown on the architectural elevations and is to be constructed of materials to match the building.
- A continuous public sidewalk extends along the Riverside Ave. frontage of the building. Planter beds are identified between the public sidewalk and street. South of the building, the sidewalk intersects an extension of the Indiana Ave. sidewalk, which crosses Riverside Ave and connects to the Fox River Trail.
- The City has an interest in retaining an easement or a location to display a gateway sign for the downtown at the south corner of the site. Plans show this area remaining as City right-of-way for a future gateway feature.

**Staff Comments:**

- The Riverside Ave. public sidewalk should continue south along Riverside Ave. to the existing sidewalk at Ohio Ave.

## F. Design Review Standards and Guidelines

The Zoning Ordinance, Chapter 17.06, contains Design Review Standards and Guidelines for the Central Business District. In general, the plans comply with most requirements, except for items noted below.

### Building Placement and Lot Coverage

- *To maintain historic patterns of building development in downtown St. Charles, building footprints should not occupy more than 75% of a block.*

### Parking and Service Areas

- *Surface parking lots shall not be located between buildings and the street, but may instead be located behind or beside buildings.*
- *Where a lot or use is eligible for the parking exemption (Section 17.24.080), onsite parking is discouraged. Where parking is provided, its design and location should minimize impacts on the pedestrian environment. Perimeter landscaping or decorative walls for screening, parking courtyards, and use of brick or other decorative pavers for surfaces, are examples of ways to accomplish this.*

### **Staff Comments:**

- ✓ The parking lot is an existing condition at the property, and the appearance of the lot will be significantly improved, with screening provided by the building walls and perimeter landscaping.

## IV. DEPARTMENTAL REVIEWS

PUD Preliminary Plans have been submitted and are under staff review.

### A. Lot/Subdivision

The subject property is an existing block, comprised of 3 original subdivision lots, that is currently split into two tax parcels. The proposed development includes the subject property plus adjacent City street right-of-way: Indiana Ave., the triangular right-of-way area to the south of Indiana Ave., parkway along 2<sup>nd</sup> Ave., and parkway along Riverside Avenue.

These right-of-way areas would become private ownership for use and maintenance purposes, but will be encumbered by various easements, as shown on the proposed subdivision plat.

### **Staff Comments:**

- ✓ Streets adjacent to the property are dedicated right-of-way which the City could act to vacate. Staff has requested that an ALTA or Title Report to confirm that the area south of Indiana Ave. is street right-of-way.
- ✓ City public utility and access easements need to be maintained over any area that is conveyed. The proposed plat is currently under review by staff.
- ✓ As an alternative to conveying the property, the City could retain ownership but grant easements or licenses to the property owner to allow for use and maintenance of the parking and open space areas shown on the plan.

## B. Traffic and Street Improvements

The applicant has provided an updated Traffic Memo, dated June 21, 2022 assessing the existing traffic around the site and the projected impact of the project. The memo has been reviewed by the City's traffic consultant, HLR, and comments have been provided.

### **Staff Comments:**

#### Illinois Ave.

- ✓ Left turns from northbound 2<sup>nd</sup> Ave. to Illinois Ave. are currently restricted. This restriction appears to have been imposed to deter traffic trying to bypass the Riverside/Illinois traffic signal. Based on the changes proposed to 2<sup>nd</sup> Ave., this restriction may no longer be necessary.
- ✓ Based on the revised building footprint/orientation, there is no longer a site visibility issue for northbound 2<sup>nd</sup> Ave. traffic.

#### 2<sup>nd</sup> Ave.

- ✓ The applicant intends to continue the existing street and parking cross section south, which is a 22 ft. wide street, with perpendicular parking stalls along the east side of the street.
- ✓ Plans do not indicate a barrier between the parking stalls and sidewalk. Curbing or some type of bollard should be considered.
- ✓ The intersection at Riverside Ave. is proposed to be reconfigured to eliminate the angled corner and create a T-intersection.

#### Riverside Ave.

- ✓ A reduction to a 24 ft. width is proposed. Modifications to the street width and cross section will need to be evaluated by Public Works and Fire Department.
- ✓ A proposed pedestrian crossing is identified at the continuation of the south Indiana Ave. sidewalk. If Indiana Ave. is closed as proposed in the plans, this crossing will be mid-block along the site frontage. A crossing at this location has generated safety concerns, as it is an uncontrolled crossing in the vicinity of two existing crossings. HLR recommends verifying that appropriate crossing treatments are included. Note, this type of pedestrian crossing is not uncommon in a Downtown environment where streets may be designed to slow or calm traffic, in favor of pedestrian access. The crossing will require further consideration by staff.

#### Other comments

- ✓ The ATM has been removed, which simplifies the parking lot site circulation.
- ✓ The parking lot layout has been revised to comply with code requirements.

## C. Utilities

### Water

- Fire hydrant locations and water supply for the project were reviewed by the City as a part of a Water Modeling Study.
- Water mains around the site are old smaller sized mains. Extension and upsizing of water mains is recommended around the entire site, with a new water main extension along Riverside and Indiana Ave.

- The Engineering Plans show the recommended water main improvements. Plans are under review by staff.

#### Sanitary Sewer

- The sanitary sewer system was analyzed to determine the impact of flow from the project. The sewer system generally from this site and continuing downstream to the City's main lift station (at Deveraux Way & Rt. 25) was analyzed.
- This study found that there is sufficient capacity to accommodate flow from this site during dry weather conditions. The added flow volume from the project is minimal compared to the existing flow in the pipe, which is a major trunk line serving a large portion of the City. Sewer capacity issues occurring during wet weather events is an existing issue that the City is working to address system wide.
- The sanitary sewer service to the building cannot be connected to the large trunk sewer on Riverside Ave. The study recommended connecting at specific invert elevations to existing sewers upstream on 2<sup>nd</sup> Ave. or Illinois Ave. The Preliminary Engineering Plans show the sanitary sewer service connection point. Plans are under review by staff.

#### Electric

- There are number of overhead and underground electrical infrastructure items that cross through and around the site. Some of these facilities will need to be modified, upgraded or expanded based on the concept plan. Equipment structure boxes (including a transformer) will need to be accommodated within the site and identified on the plans. This will require further coordination with the City's Electric Utility.

#### Stormwater

- Floodplain is located on the property. Plans show additional building footprint within the 10-year and 100-year floodplain.
- Additional information and calculations have been submitted demonstrating the intent to address the floodplain impacts of the project as required by the Stormwater Management ordinance. The overall approach is acceptable.
- The concrete ramp and walkway along the building is supported on piers to minimize floodplain fill.
- Compensatory storage is provided in the void space of the gravel layer under the parking stalls east of the building along 2<sup>nd</sup> Ave. Additional compensatory storage is provided off site, at 1 E Main St. Additional information and detail will be needed on the off-site compensatory storage.
- The building will need to be dry floodproofed to 3 ft. above the base flood elevation. The finished floor of the commercial space appears to be above this elevation.

## **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 for this development is 4.2 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 4.2 affordable units. Based on a fee in-lieu amount of \$39,665.75 per

required affordable multi-family unit, a total fee in-lieu amount of \$166,596.15 would be due at the time of building permit.

#### **B. School District**

This development will be subject to Ch. 16.10 “Dedications” of the Subdivision Code and will be required to provide a cash contribution to St. Charles CUSD 303. Based on the bedroom count of 12 one-bedroom units and 30 two-bedroom units, a total contribution of \$51,467 would be due 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. Given the site size, a cash contribution will be provided. The total estimated population is 78.5 and the resulting cash-in-lieu is \$188,830.98.

### **VI. HISTORIC PRESERVATION COMMISSION REVIEW**

For properties within a Historic District, the Zoning Ordinance calls for the Historic Preservation Commission to review zoning applications, including PUDs, and provide a recommendation regarding the potential impact on the historic resources of the City, particularly with regard to designated landmarks and historic districts directly affected.

The Historic Preservation Commission reviewed the PUD applications on July 6, 2022, and recommended approval (4-0, 1 abstain), providing the following comments:

- The plan follows the Comprehensive Plan recommendations.
- The project does not negatively impact the historic district by allowing demolition of a utilitarian dairy building.
- The project does not negatively impact any significant architecture in the adjacent neighborhood.

### **VII. OPTIONS FOR PLAN COMMISSION ACTION**

*Plans are under review by Staff, and the Plan Commission recommendation should be conditional on addressing any outstanding staff comments in this staff memo, and any forthcoming technical plan review comments.*

#### **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**

For PUD applications, only one finding must be made in the affirmative to recommend approval, which is: Is the PUD in the public interest?

The Criteria for PUDs should be considered to reach a conclusion.

The applicant has provided responses to the Criteria for Planned Unit Developments, attached.

- a. **Recommend approval** of the applications for Special Use for PUD and PUD Preliminary Plan.
  - i. This recommendation should be subject to resolution of outstanding staff comments.
  - ii. Additional conditions if deemed necessary by the Plan Commission to meet the PUD finding.

**OR**

- b. **Recommend denial** of the applications for Special Use for PUD and PUD Preliminary Plan.
  - i. Plan Commission must substantiate how the PUD finding is not being met in order to recommend denial.

#### **VIII. ATTACHMENTS**

- Applications

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



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

### SPECIAL USE APPLICATION

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

<b>For City Use</b>	
Project Name:	<u>River East Lofts</u>
Project Number:	<u>2021</u> -PR- <u>021</u>
Cityview Project Number:	_____

Received Date  
**RECEIVED**  
**JUN 28 2022**  
 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.

<b>1. Property Information:</b>	Location: 206 - 216 S. Riverside Ave.	
	Parcel Number (s): <b>0934-130-005 &amp; 0934-130-006</b> <small>0934-130-005 &amp; 0934-130-006</small>	
	Proposed Name: <b>River East Lofts</b> River East Lofts	
<b>2. Applicant Information:</b>	Name: STC 216, LLC	Phone: 630-461-7075
	Address 1 E Main Street St. Charles, IL 60174	Email: Conrad@frontierdevelopmentgrou
<b>3. Record Owner Information:</b>	Name: STC 216, LLC	Phone: 630 461 7075
	Address: 1 E Main St, St. Charles, IL 60174	Email: rad@frontierdevelopmentgroup.c

**4. Identify the Type of Application:**

**Special Use for Planned Unit Development - PUD Name:**

- New PUD
- Amendment to existing PUD- Ordinance #:
- 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: Mixed Use

Is the property a designated Landmark or in a Historic District? Yes

What is the property's current zoning? CBD-1 Central Business District

What is the property currently used for? Office

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

New Construction of a mixed use building consisting of for rent multi family & retail.

**6. For Special Use Amendments only:**

Why is the proposed change necessary?

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

**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.*

- 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	\$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 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](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](mailto: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)**

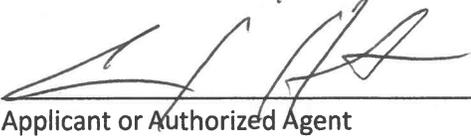
**I (we) certify that this application and the documents submitted with it are true and correct to the best of my (our) knowledge and belief.**



6.23.22

Record Owner

Date



6.23.22

Applicant or Authorized Agent

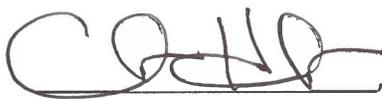
Date

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

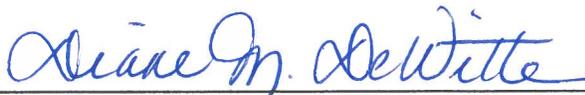
STATE OF ILLINOIS     )  
                                  ) SS.  
KANE COUNTY         )

I, CURTIS HURST, being first duly sworn on oath depose and say that I am  
Manager of STC 216, 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:  Manager

Subscribed and Sworn before me this 23rd day of  
JUNE, 2022.

  
Notary Public



# A.L.T.A./N.S.P.S. LAND TITLE SURVEY BMO HARRIS BANK, NA, ST, CHARLES, IL

SEE SHEET 2 FOR SURVEYOR'S  
NOTES, SCHEDULE B  
EXCEPTION NOTES AND DATA  
FOR PARCELS 4 & 5



## VICINITY MAP

### ABBREVIATIONS LEGEND

- R.O.W. - RIGHT-OF-WAY
- FR - FOUND IRON PIPE (6 AS SHOWN)
- FR - FOUND IRON ROD
- SP - SET IRON PIPE (AS SHOWN)
- B-B - BACK OF CURB TO BACK OF CURB
- S.F. - SQUARE FEET
- P.O.B. - POINT OF BEGINNING

### LINE LEGEND

- PROPERTY LINE (Heavy Solid Line)
- ADJACENT PROPERTY LINE OR RIGHT-OF-WAY LINE (Light Solid Line)
- UNDERLYING PARCEL LINE (Faded Solid Line)
- EASEMENT LINE/LIMITS OF EASEMENT (Thin Dashed Line)
- APPROX. SCALED LIMITS OF FEMA SPECIAL FLOOD HAZARD AREA (Dashed-Dotted Line)

### SYMBOL LEGEND

- MANHOLE
- CATCH BASIN
- INLET
- WATER VALVE
- VALVE & VAULT
- HYDRANT
- STREET LIGHT
- BUILDING LIGHT
- UTILITY POLE
- STREET SIGN
- BUFFALO BOX
- TELEPHONE MANHOLE
- ELECTRIC MANHOLE
- ELECTRIC CONTROL BOX
- CABLE TV JUNCTION BOX
- COMED DROP
- GAS VALVE
- ELECTRIC VAULT
- MAINTENANCE & REPAIR EASEMENT PER DOC. 2017068164 (FOR BENEFIT OF LOT 1) (PARCEL 7)
- SANITARY SEWER
- STORM SEWER
- WATERMAIN
- OVERHEAD WIRES
- UNDERGROUND GAS LINE
- UNDERGROUND ELECTRIC CABLE
- FENCE LINE
- UNDERGROUND PHONE CABLE
- DEPRESSED CURB
- BLDG. OVERHANG
- TRAFFIC SIGNAL W/MAST
- NUMBER OF PARKING STALLS
- TRANSFORMER
- TELEPHONE CANNISTER
- ELECTRIC METER
- MAILBOX
- HANDHOLE
- BOLLARD
- EASEMENT BENEFITING LOT 2
- EASEMENT BENEFITING LOT 3

### PARCEL DESCRIPTION

**PARCEL 1:**  
LOT 1 IN BMO HARRIS BANK SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 27 AND THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KANE COUNTY, ILLINOIS, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT NUMBER 2017068164.

**PARCEL 2:**  
THAT PART OF THE FOLLOWING DESCRIBED TRACT AS GENERALLY SET FORTH IN QUIT CLAIM DEED RECORDED JANUARY 5, 1966 AS DOCUMENT RECORDED IN BOOK 2326 PAGE 201 DOCUMENT 1081495 LYING WEST OF THE WEST LINE OF LOT 1 IN BMO HARRIS BANK SUBDIVISION: THAT PART OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE SOUTHERLY LINE OF EAST MAIN STREET WITH THE WESTERLY LINE OF FIRST AVENUE SOUTH; THENCE WESTERLY ALONG THE SOUTHERLY LINE OF EAST MAIN STREET WITH THE WESTERLY LINE OF FIRST AVENUE SOUTH; THENCE WESTERLY ALONG THE SOUTHERLY LINE OF EAST MAIN STREET WITH THE WESTERLY LINE OF FIRST AVENUE SOUTH, 149 FEET FOR A POINT OF BEGINNING; THENCE SOUTHERLY PARALLEL WITH THE WESTERLY LINE OF FIRST AVENUE SOUTH, 67 FEET; THENCE WESTERLY 26 FEET TO THE EASTERLY BANK OF THE FOX RIVER; THENCE NORTHERLY ALONG THE WESTERLY LINE OF SAID FOX RIVER TO THE SOUTHERLY LINE OF EAST MAIN STREET; THENCE EASTERLY ALONG SAID SOUTHERLY LINE, 26 FEET TO THE POINT OF BEGINNING, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS. SAID PARCEL WAS PART OF FORMER UNDERLYING PARCEL INDEX NUMBER 09-27-308-001.

**PARCEL 3:**  
THAT PART OF THE FOLLOWING DESCRIBED TRACT AS GENERALLY DESCRIBED IN A DEED RECORDED JANUARY 5, 1960, BOOK 2005, PAGE 265 AS DOCUMENT 909930 LYING WEST OF THE WEST LINE OF LOT 1 IN BMO HARRIS SUBDIVISION: THAT PART OF THE EAST QUARTER OF SECTION 27, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE POINT OF INTERSECTION OF THE SOUTHERLY LINE OF EAST MAIN STREET WITH THE WESTERLY LINE OF FIRST AVENUE SOUTH, 69.33 FEET FOR THE POINT OF BEGINNING; THENCE NORTHERLY PARALLEL WITH SAID WESTERLY LINE OF FIRST AVENUE SOUTH 0.85 OF A FOOT; THENCE WESTERLY PARALLEL WITH THE SOUTHERLY LINE OF EAST MAIN STREET, 39 FEET; THENCE NORTHERLY PARALLEL WITH THE WESTERLY LINE OF SAID FIRST AVENUE, SOUTH 1.5 FEET; THENCE WESTERLY PARALLEL WITH THE SOUTHERLY LINE OF EAST MAIN STREET TO THE WESTERLY BANK OF FOX RIVER; THENCE SOUTHERLY ALONG SAID EASTERLY BANK 23 FEET TO A LINE DRAWN PARALLEL TO AND 90 FEET SOUTHERLY OF THE SOUTHERLY LINE OF EAST MAIN STREET (MEASURED ALONG THE WESTERLY LINE OF SAID FIRST AVENUE SOUTH); THENCE EASTERLY ALONG SAID PARALLEL LINE, 175 FEET TO THE WESTERLY LINE OF SAID FIRST AVENUE SOUTH; THENCE NORTHERLY ALONG SAID WESTERLY LINE 21.2 FEET THENCE WESTERLY TO THE POINT OF BEGINNING IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS. SAID PARCEL WAS PART OF FORMER UNDERLYING PARCEL INDEX NUMBER 09-27-308-001.

**PARCEL 4:**  
LOT 7 (EXCEPT THE WESTERLY 5 FEET OF THE NORTHERLY 25 FEET AND 1 INCH THEREOF) AND LOT 8 IN BLOCK 10 OF THE ORIGINAL TOWN OF ST. CHARLES, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

**PARCEL 5:**  
THAT PART OF BLOCK 10 OF THE ORIGINAL TOWN OF ST. CHARLES, ON THE EAST SIDE OF FOX RIVER, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID BLOCK, THENCE NORTHERLY ALONG THE WESTERLY LINE OF SAID BLOCK, 103.35 FEET FOR THE POINT OF BEGINNING; THENCE EASTERLY ALONG A LINE, IF EXTENDED, WOULD INTERSECT THE EASTERLY LINE OF SAID BLOCK, 94.7 FEET NORTHERLY OF THE SOUTHEAST CORNER THEREOF, TO A POINT ON SAID LINE, 79 FEET WESTERLY OF THE EASTERLY LINE OF SAID BLOCK; THENCE NORTHERLY PARALLEL WITH THE EASTERLY LINE OF SAID BLOCK, 17 FEET TO A LINE DRAWN PARALLEL WITH AND 111.7 FEET NORTHERLY OF, AS MEASURED ALONG THE EAST LINE, THE SOUTHERLY LINE OF SAID BLOCK; THENCE EASTERLY ALONG SAID PARALLEL LINE 2 FEET TO THE EASTERLY LINE OF SAID BLOCK; THENCE NORTHERLY ALONG SAID EASTERLY LINE 89.3 FEET TO THE NORTHEAST CORNER THEREOF; THENCE WESTERLY ALONG THE NORTHERLY LINE OF SAID BLOCK TO THE NORTHEAST CORNER THEREOF; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID BLOCK TO THE POINT OF BEGINNING EXCEPT THAT CONVEYED TO OAK PARK TRUST AND SAVINGS BANK AS TRUSTEE UNDER TRUST NUMBER, 9168 BY DEED RECORDED OCTOBER 9, 1984 AS DOCUMENT NUMBER 1607993 AND ALSO EXCEPT THAT PART CONVEYED TO THE CITY OF ST. CHARLES, BY WARRANTY DEED RECORDED MAY 23, 1984 AS DOCUMENT NUMBER 16080621, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

**PARCEL 6:**  
EASEMENT FOR INGRESS AND EGRESS AND PARKING FOR THE BENEFIT OF PARCEL 4, BY AND BETWEEN THE CITY OF ST. CHARLES, KANE AND DUPAGE COUNTIES, ILLINOIS AND BMO HARRIS BANK, N.A., AS SET FORTH IN THE PARKING AGREEMENT DATED MAY 6, 2013 AND RECORDED JUNE 14, 2013 AS DOCUMENT 20130403876, IN KANE COUNTY, ILLINOIS.

**PARCEL 7:**  
A PERPETUAL, NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCEL 1, FOR PURPOSES OF MAINTAINING AND REPAIRING THE BUILDINGS AND IMPROVEMENTS, INCLUDING THE PARKING LOT, LOCATED ON PARCEL 1 OVER THOSE AREAS SHOWN IN RED ON EXHIBIT C-1 OF THE EASEMENT AGREEMENT FOR ACCESS, INGRESS, EGRESS, AND UTILITIES DATED DECEMBER 5, 2017 AND RECORDED DECEMBER 20, 2017 AS DOCUMENT 2017068166.

\*POSSIBLE SCRIVENER'S ERROR IN DESCRIPTION AS SET FORTH IN DEED RECORDED 12-05-86 AS DOC. 1810210- DISTANCE SHOULD BE 79'.

### SURVEYOR'S CERTIFICATE

TO: CHICAGO TITLE INSURANCE COMPANY  
STC MORSE, LLC, AN ILLINOIS LIMITED LIABILITY COMPANY  
BMO HARRIS BANK, NA

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS SOLELY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 2, 3, 4, 7a, 8, 9, 11 AND 21 OF TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON MAY 6, 2020.

DATE OF PLAT OR MAP: NOVEMBER 9, 2020.

PETER A. BLEASER  
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3072  
MY REGISTRATION EXPIRES ON NOVEMBER 9, 2022  
PROFESSIONAL DESIGN FIRM LICENSE NUMBER 184-002937  
EXPIRES APRIL 30, 2021



(A) = EASEMENT DETAIL N.T.S.

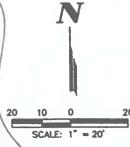
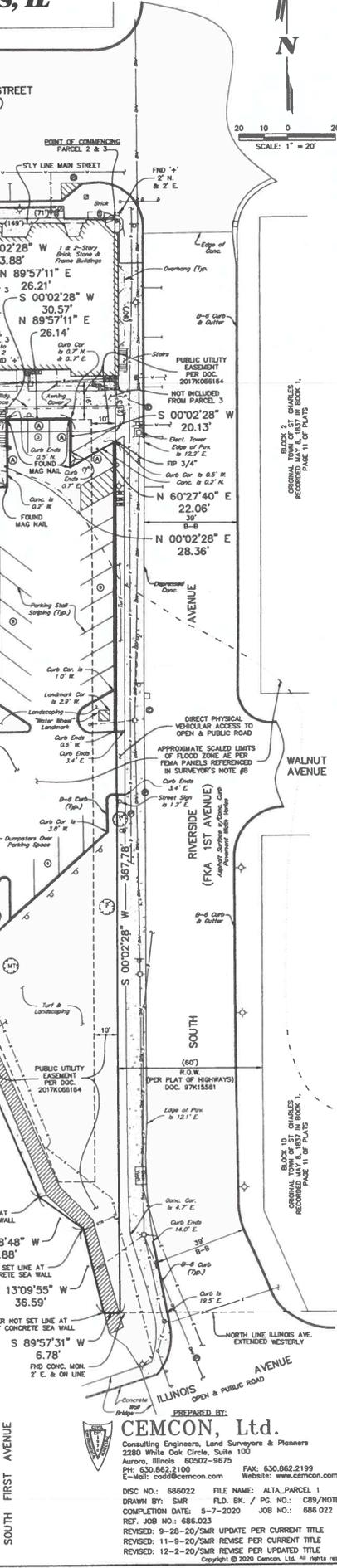
NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF LOT 2 PER DOC. 2017068166 SHOWN WITH (PARCEL 7)

NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF LOT 1 & LOT 3 PER DOC. 2017068166 SHOWN WITH (PARCEL 7)

MAINTENANCE & REPAIR EASEMENT FOR THE BENEFIT OF LOT 1 PER DOC. 2017068166 SHOWN AS

PREPARED BY:  
**CEMCON, Ltd.**  
Consulting Engineers, Land Surveyors & Planners  
2280 White Oak Circle, Suite 100  
Aurora, Illinois 60502-9875  
PH: 630.862.2100 FAX: 630.862.2199  
E-Mail: cadd@cemcon.com Website: www.cemcon.com

DISC NO.: 686022 FILE NAME: ALTA\_PARCEL 1  
DRAWN BY: SMR FLD. BK. / PG. NO.: C89/NOTES  
COMPLETION DATE: 5-7-2020 JOB NO.: 686/022  
REV. JOB NO.: 686/023  
REVISED: 9-28-20/SUR UPDATE PER CURRENT TITLE  
REVISED: 11-9-20/SUR REVISION PER UPDATED TITLE  
REVISED: 12-2-20/SUR REVISION PER UPDATED TITLE  
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BLOCK 10  
ORIGINAL TOWN OF ST. CHARLES  
RECORDED IN BOOK 11 OF PLATS

BLOCK 10  
ORIGINAL TOWN OF ST. CHARLES  
RECORDED IN BOOK 11 OF PLATS

ABBREVIATIONS LEGEND

- R.O.W. - RIGHT-OF-WAY
- FP - FOUND IRON PIPE (# AS SHOWN)
- FR - FOUND IRON ROD
- SP - SET IRON PIPE (# AS SHOWN)
- B-B - BACK OF CURB TO BACK OF CURB
- S.F. - SQUARE FEET

LINE LEGEND

- PROPERTY LINE (Heavy Solid Line)
- ADJACENT PROPERTY LINE OR RIGHT-OF-WAY LINE (Light Solid Line)
- UNDERLYING PARCEL LINE (Faded Solid Line)
- APPROX. SCALED LIMITS OF FEMA SPECIAL FLOOD HAZARD AREA (Dashed-Dotted Dotted Line)

SYMBOL LEGEND

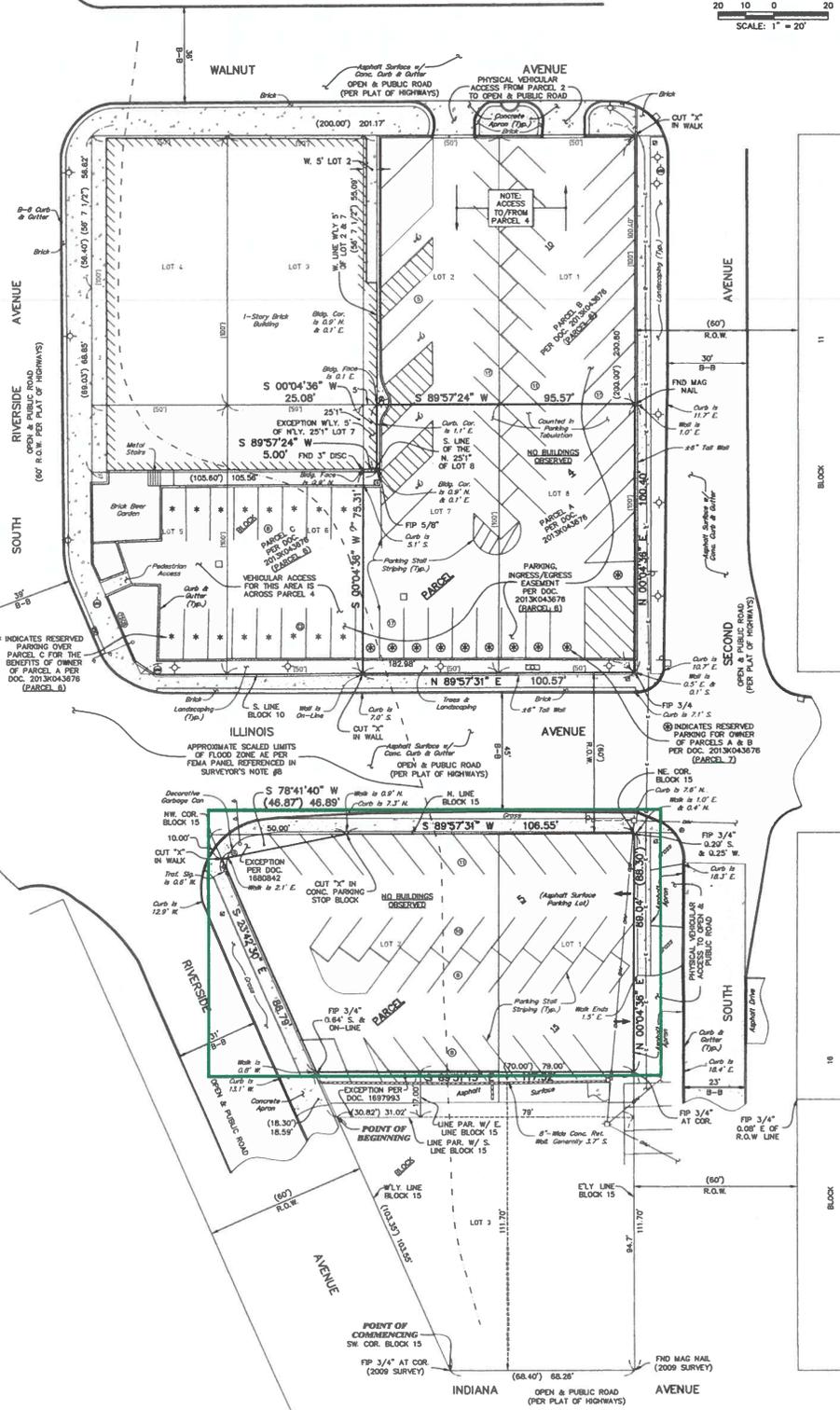
- MARSHOLE
- CATCH BASIN
- INLET
- STREET LIGHT
- UTILITY POLE
- TRAFFIC SIGNAL
- STREET SIGN
- CARBIDE CAN
- OVERHEAD WIRES
- UNDERGROUND ELECTRIC CABLE
- NUMBER OF PARKING STALLS
- DEPRESSED CURB
- CONCRETE SURFACE
- TELEPHONE CASTER
- STREET SIGN MAST
- TRAFFIC SIGNAL CONTROL BOX
- MONITORING WELL

SURVEYOR'S NOTES

- THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES STATE THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
- THIS SURVEY IS NOT VALID WITHOUT THE SURVEYOR'S ORIGINAL SIGNATURE AND IMPRESSED SEAL.
- EASEMENTS AND SERVITUDES SHOWN HEREON ARE BASED UPON A TITLE COMMITMENT ISSUED BY CHICAGO TITLE INSURANCE COMPANY IDENTIFIED AS NUMBER CCH11902732LD WITH AN EFFECTIVE DATE OF JUNE 2, 2020.
- THE BEARINGS SHOWN HEREON ARE BASED UPON THE SOUTH LINE OF WALNUT AVENUE BEING S 87°57'11" W. (ASSUMED).
- DIMENSIONS ALONG CURVES ARE ARC DISTANCES.
- MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.
- DIMENSIONS ENCLOSED IN [ ] INDICATE RECORD OR DEED DATA. ALL OTHER DIMENSIONS ARE MEASURED OR RECORD EQUALS MEASURED.
- BASED ON REVIEW OF FEDERAL EMERGENCY MANAGEMENT AGENCY (F.E.M.A.) FLOOD INSURANCE RATE MAP PANEL NOS. 17089C0262H AND 17089C0266H BOTH WITH EFFECTIVE DATES OF AUGUST 3, 2009, IT IS OUR OPINION THAT THE PROPERTY DESCRIBED HEREON FALLS WITHIN ZONE X AND ZONE AE AS DESIGNATED AND DEFINED BY F.E.M.A.
- AREAS:
  - PARCEL 1 CONTAINS 38,607 S.F. OR 0.886 ACRES, MORE OR LESS.
  - PARCEL 2 CONTAINS 652 S.F. OR 0.015 ACRES, MORE OR LESS.
  - PARCEL 3 CONTAINS 229 S.F. OR 0.005 ACRES, MORE OR LESS.
  - PARCEL 4 CONTAINS 9,971 S.F. OR 0.229 ACRES, MORE OR LESS.
  - PARCEL 5 CONTAINS 11,942 S.F. OR 0.274 ACRES, MORE OR LESS.
  - AND ALL PARCELS MATHEMATICALLY CLOSE.
- PARKING STALL TABULATION:
  - PARCEL 1 = 39 REGULAR; 2 HANDICAP
  - PARCEL 4 = 22 REGULAR; 2 HANDICAP
  - PARCEL 5 = 38 REGULAR; 0 HANDICAP
  - DOES NOT COVER RESERVED STALLS PER RECORD DOCS
- CHARACTER/LOCATION OF EVIDENCE OF VISIBLE OCCUPATION OR POSSESSION SHOWN ALONG PERIMETER BOUNDARY OF SUBJECT SITE, IF APPLICABLE.
- POTENTIAL VISIBLE ENCROACHMENTS SHOWN, IF APPLICABLE (SURVEYOR HAS NO OPINION AS TO OWNERSHIP OF SAID ENCROACHMENTS).
- EVIDENCE OF VISIBLE UNRECORDED EASEMENTS SHOWN, IF APPLICABLE, (I.E. ACCESS).
- POSSIBLE NON-DOCUMENTED EASEMENTS FOR UTILITIES SHOWN WHERE DELINEATED BY VISIBLE ON SURFACE, IF APPLICABLE.
- NO VISIBLE EVIDENCE OF CEMETERIES OR BURIAL GROUNDS OBSERVED.
- NO VISIBLE WATER FEATURES OBSERVED (I.E. STREAMS, PONDS, ETC.).
- NO GAPS OR OVERLAPS FOUND WITH RESPECT TO ADJOINING PROPERTIES AND RIGHTS OF WAY.
- THE PROPERTY MAPPED HEREON IS THE SAME AS THAT DESCRIBED IN THE TITLE COMMITMENT REFERENCED IN SURVEYOR'S NOTE #3.
- ITEM 11 OF TABLE "A" OPTIONAL SURVEY REQUIREMENTS AMENDED BY ITEM 21 LIMITING UTILITY DATA TO SURFACE INDICATION ONLY. NO UTILITY DATA SHOWN SUPPLEMENTED BY ATLAS ETC.
- REFERENCE TO FORMER BANK OF FOX RIVER TAKEN FROM COUNTY CLERK'S 1899 ASSESSMENT PLAT.

SCHEDULE B SURVEY RELATED TITLE EXCEPTION NOTES

- PARCEL 1 AND PARCEL 2 SUBJECT TO RIGHTS OF THE UNITED STATES OF AMERICA, STATE OF ILLINOIS, THE MUNICIPALITY AND THE PUBLIC, IN AND TO THAT PART OF THE LAND FALLING IN THE BED OF THE FOX RIVER; ALSO RIGHTS OF THE PROPERTY OWNERS IN AND TO THE FIRE AND UNRESTRICTED FLOW OF THE WATERS OF SAID RIVER, EDGE OF RIVER SHOWN AND NOTED.
- PARCELS 1, 4 AND 5 SUBJECT TO ORDINANCES PER DOC. 93K101485, 93K10482, 2013K043674 & 2013K043675; PARTICULARS OF DOCUMENTS DO NOT PLOT.
- PARCELS 1, 4 AND 5 SUBJECT TO ORDINANCE PER DOC. 2008K075282; PARTICULARS OF DOCUMENT DO NOT PLOT. PROPERTY DECLARED PART OF HISTORIC DISTRICT.
- PARCELS 1, 4 AND 5 SUBJECT TO TERMS, PROVISIONS AND CONDITIONS OF ORDINANCES PER DOC. 2015K012034 (ORDINANCE 2015-M-7), 2015K012035 (ORDINANCE 2015-M-8) AND 2015K012036 (ORDINANCE 2015-M-9); PARTICULARS OF DOCUMENTS DO NOT PLOT.
- PARCEL 1 SUBJECT TO PUBLIC UTILITY EASEMENT PER DOC. 2017K06164; ELIDED.
- PARCEL 1 SUBJECT TO EASEMENT AGREEMENT PER DOC. 2017K06166 AND THE TERMS, PROVISIONS AND CONDITIONS SET FORTH THEREIN; THE DESIGNATION A & EASEMENT DETAIL PLOT INDICATES EASEMENT'S LOCATION. ONE OF THE EASEMENTS IS CONSISTENT WITH PROPERTY LINE OF LOT 1 FOR MAINTENANCE OF IMPROVEMENTS ON LOT 1. RESULTS A LIMITED ACCESS ACROSS LOTS 2 & 3 TO UTILIZE THE MAINTENANCE EASEMENT RIGHTS.
- PARCEL 1 SUBJECT TO NOTES AS SHOWN ON PLAT PER DOC. 2017K06164 THERE SHALL BE NO DIRECT VEHICULAR ACCESS TO IL 64 (MAIN STREET) FROM LOT 1, LOT 2, NOR LOT 3; ACCESS SHOWN AND NOTED; SOME PARCELS ARE LOCATED IN THE SPECIAL FLOOD HAZARD AREA; FLOOD ZONE SHOWN AND NOTED.
- PARCEL 4 SUBJECT TO PARKING EASEMENT AGREEMENT PER DOC. 2013K043676, AND THE TERMS AND CONDITIONS THEREIN; BLANKET EASEMENT FOR ACCESS; RESERVED PARKING SHOWN.



PREPARED BY:  
**CEMCON, Ltd.**  
 Consulting Engineers, Land Surveyors & Planners  
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DISC NO.: 686023 FILE NAME: ALTA\_PARCELS\_1\_3  
 DRAWN BY: SMR FLD. BK. / PG. NO.: C89/NOTES  
 COMPLETION DATE: 5-7-2020 JOB NO.: 686.023  
 REF. JOB NO.: 686.022  
 REVISED: 9-28-20/SMR UPDATE PER CURRENT TITLE  
 REVISED: 11-9-20/SMR REVISE PER CURRENT TITLE  
 REVISED: 12-2-20/SMR REVISE PER UPDATED TITLE

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# ALTANSPS LAND TITLE SURVEY



LOCATION MAP NOT TO SCALE



**BASIS OF BEARINGS:**  
BEARINGS SHOWN HEREIN BASED ON  
SURVEY CONTROL POINTS  
CONJUNCTION WITH THE  
2011 EAST 1/4 D. 388714

**LEGAL DESCRIPTION**

PARCEL 1, THAT PART OF BLOCK 15 OF THE ORIGINAL TOWN OF ST. CHARLES, ON THE EAST SIDE OF FOX RIVER, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID BLOCK, THENCE WESTERLY ALONG THE SOUTHERLY LINE OF SAID BLOCK 184 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTHERLY ALONG THE WESTERLY LINE OF SAID BLOCK 103.24 FEET; THENCE EASTERLY ALONG A LINE, WHICH IF EXTENDED WOULD INTERSECT THE EASTERLY LINE OF SAID BLOCK 64.7 FEET NORTHERLY OF THE SOUTHWEST CORNER THEREOF, TO A POINT ON SAID LINE, 79 FEET WESTERLY OF THE EASTERLY LINE OF SAID BLOCK, THENCE NORTHERLY PARALLEL WITH THE EASTERLY LINE OF SAID BLOCK, 17 FEET TO A LINE DRAWN PARALLEL WITH AND 11.7 FEET NORTHERLY OF (MEASURED ALONG THE EAST LINE) THE SOUTHERLY LINE OF SAID BLOCK, THENCE EASTERLY ALONG SAID PARALLEL LINE 79 FEET TO THE EASTERLY LINE OF SAID BLOCK, THENCE SOUTHERLY ALONG SAID EASTERLY LINE 11.7 FEET TO THE POINT OF BEGINNING, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

PARCEL 2, THAT PART OF BLOCK 15 IN THE ORIGINAL TOWN OF ST. CHARLES, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID BLOCK, THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID BLOCK 111.70 FEET; THENCE WESTERLY PARALLEL WITH THE SOUTHERLY LINE OF SAID BLOCK 74.6 FEET FOR A POINT OF BEGINNING, THENCE SOUTHERLY PARALLEL WITH SAID EASTERLY LINE 7.0 FEET; THENCE WESTERLY PARALLEL WITH SAID SOUTHERLY LINE 30.82 FEET TO THE SOUTHWESTERLY LINE OF SAID BLOCK, THENCE NORTHWESTERLY ALONG SAID SOUTHWESTERLY LINE 14.5 FEET; THENCE EASTERLY PARALLEL WITH SAID SOUTHERLY LINE 38.2 FEET TO THE POINT OF BEGINNING, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

**SURVEYOR'S NOTES:**

TABLE A NOTES:  
1. TABLE A ITEMS 1, 2, 3, 4, 7(a), 7(b)(1), 7(c), 8, 9, 14, 16 AND 17 ARE SHOWN HEREIN THIS SURVEY.

2. FIELD WORK WAS COMPLETED ON MARCH 31, 2021.

TABLE A ITEM 1. ALL MONUMENTS WERE EITHER FOUND OR SET ON THE SUBJECT PROPERTY.

TABLE A ITEM 2. ADDRESS: 218-218 RIVERSIDE DRIVE, ST. CHARLES, IL 60174

TABLE A ITEM 3. UPON INSPECTION OF THE FLOOD INSURANCE RATE MAP FOR THE SUBJECT AREA, PANEL NUMBER 120800838H WITH AN EFFECTIVE DATE OF AUGUST 3, 2009, IT APPEARS THAT THE PROPERTY SHOWN HEREIN WOULD BE IN "ZONE X", AREA OF MINIMAL FLOODING AND "ZONE AE", SPECIAL FLOOD HAZARD AREA WITHOUT BASE FLOOD ELEVATION (BFE).

TABLE A ITEM 4. GROSS LAND AREA:  
PARCEL 1: 0.785 SQUARE FEET OR 0.218 ACRES  
PARCEL 2: 391 SQUARE FEET OR 0.914 ACRES  
TOTAL: 110,376 SQUARE FEET OR 0.239 ACRES MORE OR LESS.

TABLE A ITEM 7(a). EXTERIOR DIMENSIONS OF ALL BUILDINGS AT GROUND LEVEL AS SHOWN ON THE SURVEY.

TABLE A ITEM 7(b)(1). EXTERIOR FOOTPRINT OF ALL BUILDINGS AT GROUND LEVEL AS SHOWN ON THE SURVEY.

TABLE A ITEM 7(c). MEASURED HEIGHT OF ALL BUILDINGS ABOVE GRADE SHOWN ON THE SURVEY.

TABLE A ITEM 8. ALL SUBSTANTIAL FEATURES OF THE SUBJECT PROPERTY ARE SHOWN ON THE SURVEY.

TABLE A ITEM 9. NUMBER OF PARKING STALLS AS FOLLOWS: 11 REGULAR STALLS AND 0 ACCESSIBLE STALLS FOR A TOTAL OF 11 PARKING STALLS.

TABLE A ITEM 11. UNDERGROUND UTILITIES WERE NOT MARKED BY U.I.L.C. OR BY A PRIVATE LOCATOR. MANHOLES, INLETS, CATCH BASINS, VALVES, TANKS AND ANY OTHER SUCH STRUCTURES SHOWN HEREON THIS SURVEY ARE FROM FIELD LOCATIONS OF PRIVATE AND ONLY REPRESENT SUCH UTILTY IMPROVEMENTS WHICH ARE VISIBLE FROM ABOVE, GROUND OR ACCESSIBLE THROUGH STRUCTURES AT THE TIME OF SURVEY. OTHER UTILITIES NOT SHOWN HEREON THIS SURVEY MAY EXIST.

TABLE A ITEM 16. NO EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK.

TABLE A ITEM 17. NO PROPOSED CHANGES IN STREET RIGHT OF WAY LINES HAVE BEEN DISCOVERED. NO EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS WAS OBSERVED.

**NOTES CORRESPONDING TO SCHEDULE B, PART TWO**

1. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THE SURVEYOR. ALL INFORMATION REGARDING DEEDS, CASHMENTS, RIGHTS, COVENANTS, CONDITIONS, RESTRICTIONS, ASSIGNMENTS AND/OR OTHER DOCUMENTS THAT MIGHT AFFECT TITLE TO THE PROPERTY SURVEYED HEREON WAS OBTAINED FROM CHICAGO TITLE INSURANCE COMPANY, COMMITMENT NO. 2020HW84259CV, DATED OCTOBER 27, 2020 AS PROVIDED TO THE SURVEYOR BY THE CLIENT, TITLE COMPANY AND/OR THEIR REPRESENTATIVES.

2. SCHEDULE B ITEM 8. PERMANENT TAX NUMBER 09-34-130-006 AS LISTED IN TITLE COMMITMENT.

STATE OF ILLINOIS )  
COUNTY OF DEARBORN ) 55

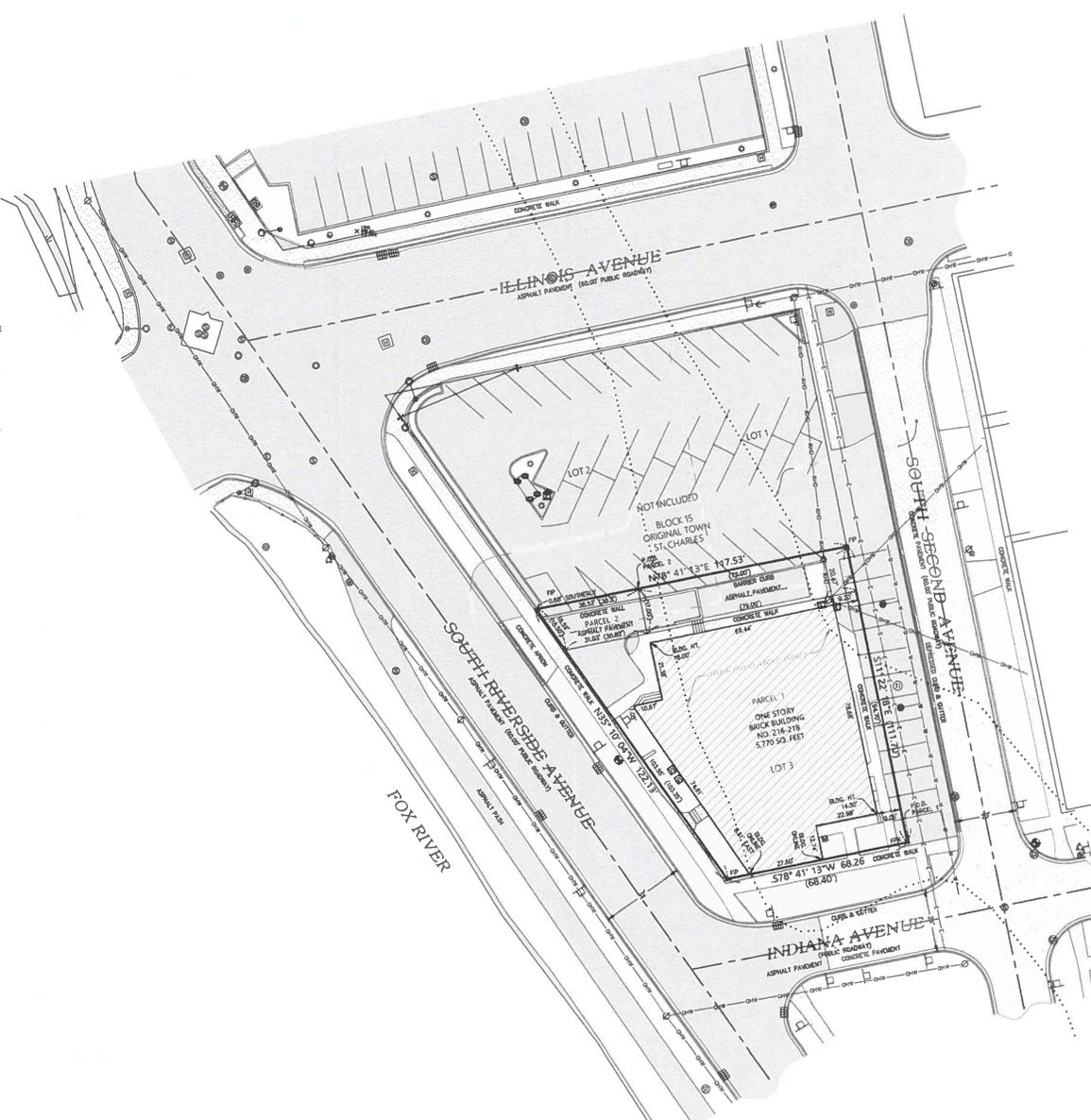
TO: FLOYD DEVELOPMENT, LLC  
CHICAGO TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAN AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARDS FOR ALTA AND ACP SURVEYS. LAND TITLE SURVEYS, ACP SURVEYS ESTABLISHED AND ADOPTED BY ALTA AND ACP, AND INCLUDES ITEMS 1, 2, 3, 4, 7(a), 7(b)(1), 7(c), 8, 9, 14, 16 AND 17 OF TABLE A HEREON. THE FIELD WORK WAS COMPLETED ON MARCH 31, 2021.

REGIONAL LAND SERVICES, LLC  
PROFESSIONAL DESIGN FIRM NUMBER 007589-01-0

RDY P. DIXON  
DATE: 4/22/2021  
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-003822  
EXPIRES NOVEMBER 30, 2022

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.



**LEGEND**

- EXISTING BOLLARD
- EXISTING HAZ DITCH
- EXISTING PIPE DUCT
- EXISTING ALIBOLA
- EXISTING AIR POLE
- EXISTING TELEPHONE PERSHALL
- EXISTING SIGN
- EXISTING TRAFFIC CABINET
- EXISTING TRAFFIC TANK CHOLE
- EXISTING TRAFFIC SIGNAL LIGHT ASH
- EXISTING STORM CATCH BASIN
- EXISTING STORM PILE
- EXISTING STORM VENT-CELL
- EXISTING FEE HOVOR
- EXISTING WATER SUPPLY BOX
- EXISTING WATER VALVE
- EXISTING WATER VALVE & VALV
- EXISTING CIRCULOUS TREE LEAF FREE
- EXISTING CONCRETE TREE HOVOR LEAF FREE
- EXISTING ELECTRIC VEHICLE
- EXISTING TELEPHONE POLE
- EXISTING GAS MAIN BURIED
- EXISTING GAS MAIN POST
- EXISTING GAS VALVE
- EXISTING FEE 8 CIRCULAR MANHOLE
- EXISTING TELEPHONE MANHOLE
- PARCEL LINES
- CEILING & OF RIGHT OF WAY
- EXISTING WASTEWATER LINE
- EXISTING ELECTRIC LINE
- EXISTING OVERHEAD WIRING
- EXISTING CHAIN LINK FENCE
- EXISTING FENCE
- EXISTING CONCRETE PAVEMENT
- EXISTING ASPHALT PAVED
- EXISTING ASPHALT CURB & GUTTER

**UTILITY STATEMENT**  
THE UNDISCOVERED UTILITIES SHOWN ON THIS SURVEY WERE LOCATED FROM FIELD SURVEY BY PROFESSIONAL AND ENGINEERING. THE SURVEYOR HAS BEEN ADVISED BY THE CLIENT THAT THE PROPERTY SHOWN ON THIS SURVEY IS NOT A BOUNDARY SURVEY. THE SURVEYOR HAS BEEN ADVISED BY THE CLIENT THAT THE PROPERTY SHOWN ON THIS SURVEY IS NOT A BOUNDARY SURVEY. THE SURVEYOR HAS BEEN ADVISED BY THE CLIENT THAT THE PROPERTY SHOWN ON THIS SURVEY IS NOT A BOUNDARY SURVEY.



PROJECT NUMBER	21024
DATE	4/22/2021
PROJECT NAME	ALTANSPS LAND TITLE SURVEY
CLIENT	WBK ENGINEERING 1105 W. MAIN STREET, SUITE 201 ST. CHARLES, IL 60174 PHONE: (618) 443-7255
PROJECT NUMBER	21024
DATE	4/22/2021
PROJECT NAME	ALTANSPS LAND TITLE SURVEY
CLIENT	WBK ENGINEERING 1105 W. MAIN STREET, SUITE 201 ST. CHARLES, IL 60174 PHONE: (618) 443-7255
PROJECT NUMBER	21024
DATE	4/22/2021
PROJECT NAME	ALTANSPS LAND TITLE SURVEY
CLIENT	WBK ENGINEERING 1105 W. MAIN STREET, SUITE 201 ST. CHARLES, IL 60174 PHONE: (618) 443-7255

**REGIONAL LAND SERVICES**  
270 VIDA COURT  
SYCAMORE, ILLINOIS 60178  
PHONE: (618) 559-2260

STC Morse, LLC  
1 E Main  
St. Charles, IL 60174  
630 - 461 - 7075  
Conrad@frontierdevelopmentgroup.com

JUNE 22<sup>ND</sup> 2022

**Re: Findings of Fact - Criteria for Planned Unit Developments**

i.) The PUD advances multiple purposes of the Planned Unit Development procedure stated in Section 17.04.400.A: by;

- The PUD allows 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. Conforming to current design standards would result in a development with less impactful architecture, less onsite parking, less effective use of open space, and less efficient public access through the site to public facilities/river. The PUD proposes a conforming use within the Zoning District.
- The PUD proposes a conforming use described in the Comprehensive plan & allowed in current Zoning ordinances, in a more compact, single building development oriented to the pedestrian that promotes physical activity and social interaction, including but not limited to walkable neighborhoods, usable open space and recreational facilities for the enjoyment of all.
- The PUD offers a robust retail experience that will activate the river and pedestrian facilities Downtown & a 5-star multifamily rental product that is currently underserved within the Downtown area or Central Business District.
- The PUD promotes economic development and efficient use of land, achieves use of land proposed in the Comprehensive plan, while providing more effective parking & usable open space and recreational facilities for the enjoyment of all.
- According to the 2013 Comprehensive Plan this opportunity site represents the greatest potential for riverfront redevelopment on the east side of the Fox River. The PUD proposes a conforming use on a site containing an obsolete building. The current use as an office building is a non-conforming use in the overlay district.
- The Comprehensive Plan was developed using input from the community at large, through traditional & web-based community outreach. The final design of this PUD was guided by the Comprehensive plan & is a result of a collaborative process via direct input from neighboring property owners and residents, governmental bodies, and the community during the Concept Plan Review phase.

ii.) The proposed PUD and PUD preliminary plans conform to the requirements of the underlying zoning district in which the PUD is located except where Conforming to the requirements from the applicable design review standards

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contained in chapter 17.06 would inhibit creative design that serves the community goals. The proposed PUD will provide benefits that outweigh those realized by conforming to applicable requirements.

- The PUD will provide community amenities beyond those required by ordinance, including abundant open space & gathering space, improved walkability between the neighborhood and river, walking/biking paths, and Downtown.
- The PUD will preserve open space & natural beauty in excess of what is required by ordinance or other regulation by reshaping and beautifying the parkway into a more cohesive, pedestrian friendly layout. It also adds parking and creates a key gateway element at the critical southern gateway to the city while maximizing the development opportunity of the site.
- The PUD allows for a higher quality of architecture. Conforming to the current ordinances would still allow mixed use-multi story building with residential rentals & retail, but would require (2) buildings with less to no; open space, additional parking, or additional pedestrian connectivity, and significantly less flexibility in design to achieve the desired result.

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

- A. The special use will serve the public convenience at the proposed location. Improvements of the conditions at the intersection of Riverside & 2<sup>nd</sup> Ave will facilitate more efficient traffic operations as well as better aligning access onto Riverside Ave. This will improve sight lines and safety with little to no delay to motorist. The PUD provides better pedestrian connectivity, beautifies open space & converts the first floor & entire development to a conforming use.
- B. The PUD provides adequate utilities, access roads, and drainage. Working with city staff, a 3<sup>rd</sup> party study of existing infrastructure was conducted. All suggestions from this study have been incorporated into our engineering to ensure that there is no net impact on the city infrastructure. Additionally, the traffic study concludes that the resulting lay out will better facilitate traffic operations and improve safety. A channelized island will be installed on the 2nd Avenue southbound approach, which will separate northbound and southbound traffic, as well as better align/orient 2nd Avenue traffic closer to a 90-degree angle, improving sight lines for turning maneuvers.
- C. At the most basic level, the Comprehensive Plan is intended to direct orderly growth and change as well as maintain and enhance the livability of the city. Significant resources were committed to develop The Comprehensive plan that would elevate the use, enjoyment, and value of all properties within the City. The proposed special use is directly in line with the intended use contemplated in the Comprehensive Plan and is a conforming use within current zoning ordinances. The creative design allowed by the requested variances serve to enhance the design & impact of the Development.
- D. The special use will promote the normal and orderly development and improvement of the surrounding property for uses permitted within the district as described and anticipated in the 2013 Comprehensive Plan. The special use proposes a conforming land use, variances primarily affect efficiency of design.
- E. The establishment, maintenance, and operation of the Special Use will not be detrimental to the public health, safety, comfort, or general welfare of the city. The proposed special use is a conforming use within the overlay district per current Zoning for the CBD-1 and is in line with the use anticipated by the comprehensive plan.
- F. 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. Requested variances serve to facilitate creativity in design and effective use of the land, not to change the nature or the use of the development. The special use is a conforming use within the overlay district.

iv. The proposed PUD will be beneficial to the physical development & diversity of housing options offered in the Downtown area. It will also be beneficial to the tax base and economic well-being of the city. One of the two parcels in the PUD is within the 1<sup>st</sup> street TIF district. The parcel has an extremely low TIF basis, and the increment of this development is largely additive to the TIF.

v. The PUD proposes a conforming use and is directly in line with the Comprehensive Plan, especially as described for the Downtown Sub Area. In addition to providing an architecturally significant development at a key Gateway to Downtown, a Specific goal of the Comprehensive plan is to Focus efforts and resources on development projects that are likely to catalyze other investments based on the population and benefits they bring to Downtown, promote new infill development in the Downtown area, and encourage the consolidation of smaller development parcels where possible to foster larger, more coordinated development opportunities. Apartments are an important component of a healthy housing stock, and the product is currently underrepresented Downtown. Efficient mixed used developments on key catalyst sites such as this one, that boost residential diversity and density, retail diversity, and especially activation of the river and pedestrian facilities as recreational resources. These are all important components of revitalizing Downtown St. Charles as the symbolic “heart” of the community and enhancing its role as the City’s primary mixed use pedestrian environment.

Thanks -

Conrad Hurst

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



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

### PUD PRELIMINARY PLAN APPLICATION

<b>For City Use</b>	
Project Name:	<u>River East Lofts</u>
Project Number:	<u>2021</u> -PR- <u>021</u>
Cityview Project Number:	_____

Received Date  
**RECEIVED**  
**JUN 28 2022**  
 City of St. Charles  
 Community Development

- File this application to request approval of a PUD Preliminary Plan. Normally, this application is reviewed concurrently with an application for Special Use for PUD, unless a Special Use for PUD has previously been granted and no amendment is necessary.
- 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 and for compliance with applicable requirements. Staff will distribute the plans to other City departments for review when the application is complete.
- The PUD Preliminary Plan will be scheduled for Plan Commission review when staff has determined the plans are ready.

<b>1. Property Information:</b>	Location:	206 & 216 S. Riverside Ave	
	Parcel Number (s):	09-34-130-005, 09-34-130-006	
	Proposed PUD Name:	River East Lofts	
<b>2. Applicant Information:</b>	Name:	STC 216, LLC	Phone: 630-461-7075
	Address	1 E Main St St. Charles, IL 60174	Email: <a href="mailto:rad@frontierdevelopmentgroup.c">rad@frontierdevelopmentgroup.c</a>
<b>3. Record Owner Information:</b>	Name:	STC 216, LLC	Phone: 630-461-7075
	Address:	1 E Main St, St. Charles, IL 60174	Email: <a href="mailto:rad@frontierdevelopmentgroup.c">rad@frontierdevelopmentgroup.c</a>

**4. Identify the Type of Application:**

- New proposed Planned Unit Development (PUD) – Special Use Application to be filed concurrently**
- Existing Planned Unit Development (PUD)**
  - PUD Amendment required for proposed plan – *Special Use Application to be filed concurrently*

**Subdivision:**

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

**5. 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.*

- APPLICATION FEE:** \$500
- 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 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.

- 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/>
- STORMWATER MANAGEMENT:** Written information as described in the Stormwater Management Requirements for Preliminary Plans (attached).
- PUBLIC BENEFITS, DEPARTURES FROM CODE:** A written statement describing how the PUD meets the purposes and requirements established in Section 17.04.400 of the Zoning Ordinance. List any requests for deviations (departures) from the requirements of Title 16 "Subdivisions and Land Improvement" and Title 17 "Zoning" and provide a rationale for each requested deviation.
- CONSTRUCTION SCHEDULE:** Indicate the following:
  - 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 of Subdivision and through supporting material.
  - Approximate dates for beginning and completion of each phase.
- 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.

**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](mailto:cd@stcharlesil.gov)

- PRELIMINARY PLAT OF SUBDIVISION / DRAWING REQUIREMENTS CHECKLIST:** If the PUD Preliminary Plan involves the subdivision of land, submit a Preliminary Plat of Subdivision that includes the information listed on the Subdivision Plat Drawing Requirements Checklist. Also submit a completed Subdivision Plat Drawing Requirements Checklist (attached).
- PRELIMINARY ENGINEERING PLANS / DRAWING REQUIREMENTS CHECKLIST:** Plans shall include the following information. Also submit a completed Drawing Requirements Checklist- 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

**ARCHITECTURAL PLANS:** Architectural plans and data for all principal buildings with 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:** When required, in accordance with Ch. 8.30 of the St. Charles Municipal Code (see attached "Tree Preservation Requirements for Preliminary Plans". This information may be included as part of the Landscape Plan set.

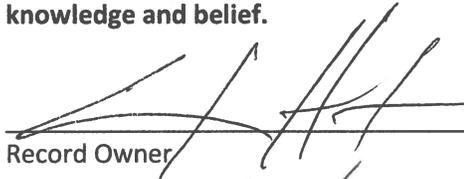
**LANDSCAPE PLAN:** Landscape Plan showing the following information:

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

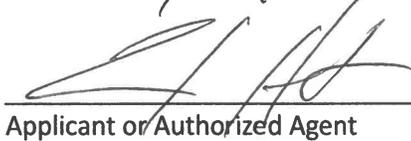
**SKETCH PLAN FOR LATER PHASES OF PUD:** For phased PUDs only, submit a plan that shows, at minimum, the following:

- 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

**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

6.23.22  
 \_\_\_\_\_  
 Date

  
 \_\_\_\_\_  
 Applicant or Authorized Agent

6.23.22  
 \_\_\_\_\_  
 Date

STC Morse, LLC  
1 E Main  
St. Charles, IL 60174  
630 - 461 - 7075  
Conrad@frontierdevelopmentgroup.com

JUNE 22<sup>ND</sup> 2022

Re: Public Benefits, Departures from Code:

The proposed PUD departs from the Zoning Ordinance only in the following capacities:

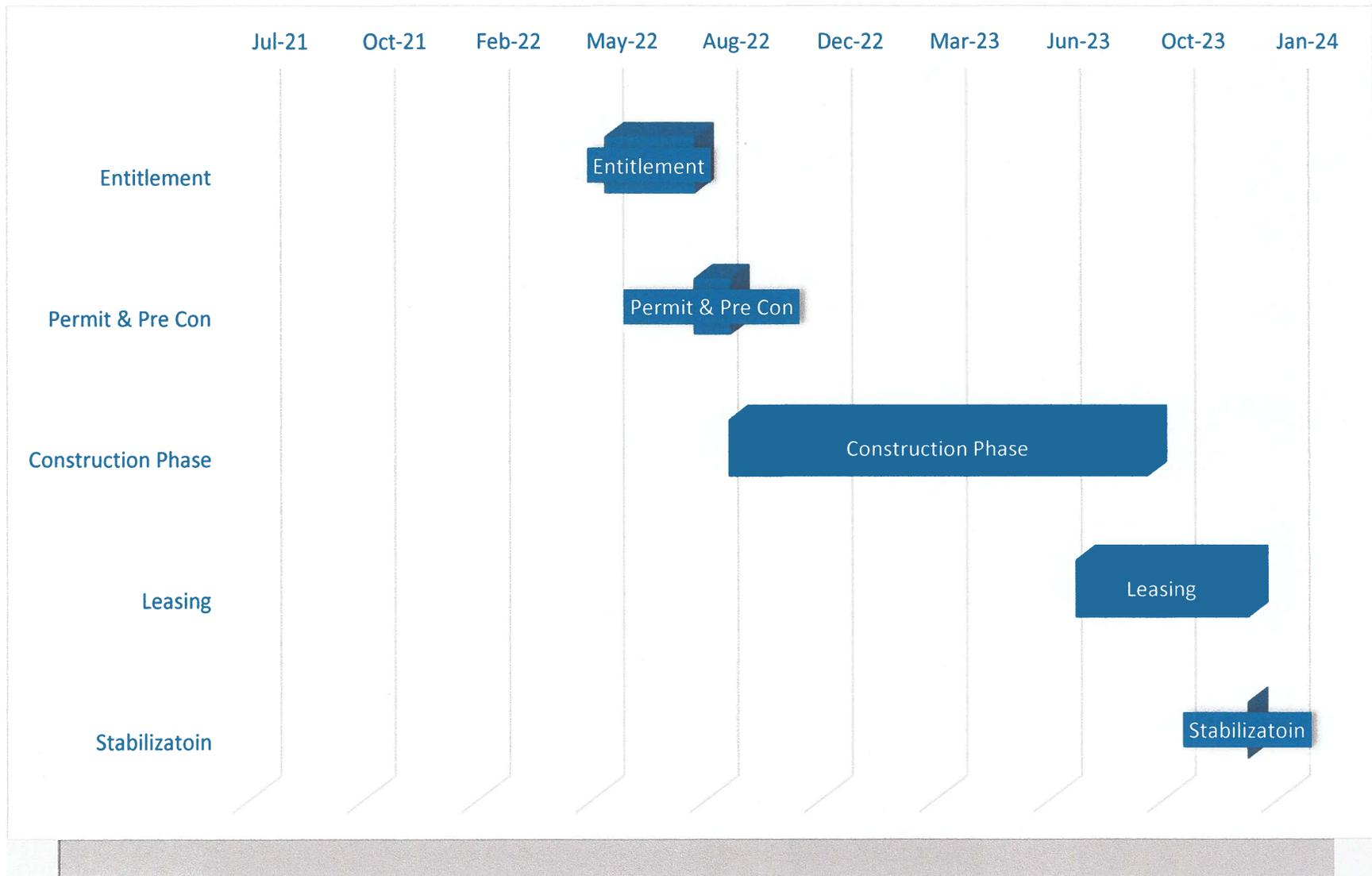
- Minimum Lot Area (42,000 vs. 37,198 Proposed)
  - o The purpose of this request is to provide a critical housing product that is currently under served in the Downtown market. This variance will allow us to provide 5 Star, high density housing within the CBD, in line with the desired intent the Comprehensive plan. This product is a critical component of a healthy & diverse housing stock. In addition to assisting with the community's goals to provide affordable housing in the community, multi-family housing contributes to residential density which can improve the viability of shopping areas in the community. The proposed PUD is a conforming use within the overlay district.
- Maximum Gross Floor Area per Building (40,000 vs. 54,921 Proposed)
  - o This variance is only required as a result of combining PINs & building a single building on the site, as opposed to 2 individual 40,000 square foot buildings which would be allowed by right. Containing this development to 1 building allows for more efficient design, especially as it pertains to providing additional parking, open and gathering space for the community. These design objectives are directly in line with the intent of current Zoning Ordinances & the Comprehensive Plan.

None of these departures propose a use that was not specifically anticipated in the 2013 Comprehensive Plan or are non-Conforming uses within the overlay district. The departures requested serve only to allow the creative flexibility to provide the best version of this product on a key catalyst site in the Downtown Sub Area.

Thanks -

Conrad Hurst

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# SCHOOL LAND/CASH WORKSHEET

City of St. Charles, Illinois

Name of Development:	River East Lofts
Date Submitted:	6/22/22
Prepared by:	Conrad Hurst

Total Dwelling Units: 42

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)
<b>Detached Single Family</b>				
➤ 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 =
<b>Attached Single Family</b>				
➤ 1 Bedroom		DU x .000 =	DU x .000 =	DU x .000 =
➤ 2 Bedroom		DU x .088 =	DU x .048 =	DU x .038 =
➤ 3 Bedroom		DU x .234 =	DU x .058 =	DU x .059 =
➤ 4 Bedroom		DU x .322 =	DU x .154 =	DU x .173 =
<b>Apartments</b>				
➤ Efficiency		DU x .000 =	DU x .000 =	DU x .000 =
➤ 1 Bedroom	12	DU x .002 = .024	DU x .001 = .012	DU x .001 = .012
➤ 2 Bedroom	30	DU x .086 = 2.58	DU x .042 = 1.26	DU x .046 = 1.38
➤ 3 Bedroom		DU x .234 =	DU x .123 =	DU x .118 =

Totals: 42 TDU (with deduction, if applicable) 2.604 TE 1.272 TM 1.392 TH

## School Site Requirements:

Type	# of students	Acres per student	Site Acres
Elementary (TE)	2.604	x .025	= .065
Middle (TM)	1.272	x .0389	= .049
High (TH)	1.392	x .072	= .100

Total Site Acres: .214

## Cash in lieu of requirements:

.214 (Total Site Acres) x \$240,500 (Fair Market Value per Improved Land) = \$ 51,467

# PARK LAND/CASH WORKSHEET

City of St. Charles, Illinois

Name of Development:	River East Lofts
Date Submitted:	6-22-2022
Prepared by:	Conrad Hurst

Total Dwelling Units:

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
<b>Detached Single Family</b>			
➤ 3 Bedroom		DU x 2.899	=
➤ 4 Bedroom		DU x 3.764	=
➤ 5 Bedroom		DU x 3.770	=
<b>Attached Single Family</b>			
➤ 1 Bedroom		DU x 1.193	=
➤ 2 Bedroom		DU x 1.990	=
➤ 3 Bedroom		DU x 2.392	=
➤ 4 Bedroom		DU x 3.145	=
<b>Apartments</b>			
➤ Efficiency		DU x 1.294	=
➤ 1 Bedroom	12	DU x 1.758	= 21.096
➤ 2 Bedroom	30	DU x 1.914	= 57.42
➤ 3 Bedroom		DU x 3.053	=

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) = \$

# CITY OF ST. CHARLES INCLUSIONARY HOUSING REQUIREMENTS

## Background:

St. Charles Municipal Code Title 19 "Inclusionary Housing", requires developers of new residential developments to provide a proportionate share of affordable housing units within the development, or to pay a fee in-lieu of providing affordable housing units. Developers may also provide a mix of affordable housing units and fee in-lieu.

Affordable housing is defined as housing that has a sales price or rental amount that is within the means of a household with income at or below 80% Area Median Income (AMI) for for-sale units and at or below 60% AMI for rental units, adjusted for household size. See Title 19 for complete definitions.

The maximum price of affordable for-sale units and affordable rental units required by Title 19 shall be no greater than the affordable purchase price and affordable rent established annually by the Illinois Housing Development Authority (IHDA). Contact the Planning Division for the most recent affordable prices from IHDA.

## Development Cost Offsets:

Developments that provide affordable housing units may be eligible for the following:

- Density Bonus equivalent to one bonus unit for each affordable unit constructed, up to 120% of base density.
- Waiver of building permit, demolition, plan review, and sewer/water connection fees for the required affordable units.
- Waiver of School and Park cash contributions (when required in lieu of park and land dedications) for the required affordable units.

## Submission Requirements:

Submit information describing how the residential development will comply with the requirements of Title 19, "Inclusionary Housing". **Use the Inclusionary Housing Worksheet** to calculate the number of required affordable units to be incorporated within the residential development, or the required fee in-lieu payment.

If the development will include affordable units, submit the following additional information:

- The number of market-rate and affordable for-sale and rental 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.

## City Council Determination:

City Council will review the proposal to comply with the requirements of Title 19 "Inclusionary Housing" and will determine whether affordable units, fee in-lieu, or a mix of affordable units and fee in-lieu will be accepted.

# INCLUSIONARY HOUSING WORKSHEET

Name of Development: River East Lofts

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		X	5%	=	
More than 15 Units	42	X	10%	=	4.2

## 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
4.2	4.2	X	\$39,665.75	=	166,506.15

#### 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
		X	\$27,766.03	=	

#### 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	\$15,866.30	=	

## NONRESIDENTIAL ZONING COMPLIANCE TABLE

Name of Development: River East Lofts

	Zoning District Requirement	Existing PUD Requirement (if applicable)	Proposed
	District: CBD-1	Ordinance #:	
Minimum Lot Area	1,000 sf/du		866 sf/du
Minimum Lot Width	None		N/A
Maximum Building Coverage	None		N/A
Maximum Gross Floor Area per Building	40,000 s.f.		54,921 s.f.
Maximum Building Height	50 ft		50 ft
Front Yard	B: 5 ft max./ no min. P: 5 ft min.		0 ft
Interior Side Yard	B: 5 ft. min.		N/A
Exterior Side Yard	5 ft. min. or 50% per Tbl 17.14-2, fn #3		2 ft 6 in
Minimum Rear Yard	none		0 ft
Landscape Buffer Yard <sup>2</sup>	none		N/A
% Overall Landscaped Area	none		N/A
Building Foundation Landscaping	N/A		N/A
Public Street Frontage Landscaping	not required		N/A
Parking Lot Landscaping	N/A		N/A
# of Parking Spaces	49 exist. to remain		60
Drive-through Stacking Spaces (if applicable)			

<sup>2</sup> Within the zoning districts specified, a Landscape Buffer Yard shall be provided along any lot line that abuts or is across a street from property in any RE, RS, RT or RM District. See Chapter 17.26 for planting and screening requirements for Landscape Buffers. Landscape Buffer Yards may include or overlap with other required yards.

Letters received regarding  
July 2022 applications

This name has a cute ring to it. However, adding 42 living quarters with vehicles to an already cramped area seems to me to be foolish. The contractor (Mr. Hurst) is not doing this out of the kindness of his heart. He is investing to make a return on his money.

That being said, the already parking is always a large concern for our neighbor hood! Adding to it may be good business sense, but I believe the established neighborhood will inherit the very crowded problem. I am very bothered by this idea of closing a functional block of Indiana Av. & giving this plus the large grass 'park' area over for free to any private business. St. Charles owns this area & I believe that it should remain as such.

I haven't even remarked upon storm water &/or sewage. I am sure these will need to be addressed if this project comes along.

I thank you for letting me express my concerns & I will await the meeting tonight for an outcome.

Yours,

Robert E. Carter

To Whom It May Concern

We understand that city property is to be given to developer. Isn't that unusual? Private annexation of public land does not sound sensible to me. Plus we still have concerns about whether or not the development is needed. Will the apartments be rented quickly or will it be another empty building in downtown Saint Charles? Will the apartments be affordable? Again, a concern about parking spilling over into the neighborhood, causing congestion and safety issues.

Thank you for your attention to this matter.

Margaret Stiglianese  
911 Viewpointe Drive

City of St. Charles

July 19, 2022

Community Development Division,

Plan Commission

RE: River East Lofts Project

I own the property at 203 Illinois Ave. and the business Wilson Travel & Cruise that operates from that location.

I commend Frontier Development for making the positive changes to the plan and bringing it back before the Plan Commission. The realignment of the complex, a four-story building and more parking spaces is an excellent start.

Where the plan continues to fall short is with the issue of density. There is only one less unit in the new plan, even though there is one less story. As well, the units have been changed to predominantly 2 bedrooms. While some 1-bedroom units would have dwellers with 2 cars, the majority of 2-bedroom units will probably have dwellers with 2 cars.

If we calculate the potential number of cars conservatively by saying only one car for 12 units and 2 cars for 30 units, we get 72 cars. Only 60 spaces are being planned, a shortfall of 12 spaces. And that does not account for retail parking and occasional tenant guests. When the tenants all come home from work, their parking places will likely be already filled with patrons at area restaurants and bars, leaving them to search for parking on already congested streets. Where are they supposed to park? They will park somewhere! Currently my lot is full nights and weekends with cars that do not belong to my staff or clients.

While it is definitely not the developer's responsibility to fix the existing parking and traffic issue already present in the neighborhood, it IS their responsibility to provide sufficient parking for their project. The current plan will just add to the existing problem, and as I stated before, will adversely affect the existing businesses in the area who are already struggling with customer and staff parking availability.

While I am not against this project, I want to ask this committee to help insure it is the most positive asset it can be. I respectfully request you deny the current proposal and ask for a few more changes concerning the residential density.

Thank you,

Janet Foster

Dear Plan Commission,

July 19, 2022

I applied the Hursts for coming back with an improved proposal. Many of the changes made will be a benefit to our neighborhood.

But there are two aspects with this PUD that I feel are unacceptable.

The first unacceptable aspect are the consequences of this development not adequately addressing the current and future parking needs, as the Comprehensive Plan instructs the city to insure. Those adverse consequences are:

- A regular flow of cars into our neighborhood seeking parking.
  - o Creating an eyesore
  - o Hassle to navigate
  - o Burden to the current residents and our visiting friends and family
- Negatively affect current residents' quality of life.
- Starve downtown businesses of available parking.

These adverse consequences are direct violations to Special Use for PUD Applications criteria iii a. Public Convenience, iii c. Effects on Nearby Property, and V conforms to the purpose of the Comprehensive Plan.

The second unacceptable aspect of this PUD is the Free Land Giveaway. During the April 19th Plan Commission meeting I submitted into the public record a letter from Dr. Anne Vernez-Moudon and her credentials. Please see the two attachments for your reference. Dr. Vernez-Moudon is a national expert in land policy and was the Lead Researcher on a study that the developer cited to support of his previous PUD application.

Dr. Vernez-Moudon clearly states in her letter to me that, "Public land is by definition a community asset, owned entirely by the people living in the jurisdiction that holds title to said land. The trade value of said land needs to be assessed as compared to nearby properties and to its highest and best use as compared to nearby properties. Public land should never be given away free of charge to anyone, whether they'd be other public or private users or owners".

In response to this letter the developer stated in summary that giving away land has happened in the past and that this is not an uncommon practice. Just because public land was given away in the past does not make it right and/or appropriate for this PUD application.

Dr. Vernez-Moudon has been the only source of expert testimony on this subject. Her input is direct and clear and speaks directly to Special Use PUD Application criteria iv – that the PUD will be for the economic well-being of the city. As commission members this has to be one of your most important criteria.

On July 8<sup>th</sup> Russell Colby responded to a request of mine advising me that the land that is being given away has not been appraised. I don't know how the Plan Commission can determine if this PUD is for

the economic well-being of the city without knowing what the value of the land is. Any objective calculation, such as Payback Period or Return on Investment, that would help this commission determine if the PUD is a good deal for the city requires knowing the value of the land.

I would like to see a PUD with the public land fully removed from the application. If the city determines that the land in question is critical to the River East Lofts Development, I would then urge the city to retain ownership of the land and negotiate a long-term lease with the Hursts with restrictions on how the land can be used that is consistent with the current PUD. By doing this it ensures a subsequent PUD will not be submitted by the developer that will only require a simple majority for approval.

To properly negotiate the terms of a long-term lease the city still needs to know the value of the land.

This PUD is an improvement. I appreciate the time, effort, creativity, and cost it took to create it. But the city is going to be living with this building for 50 to 100 years. There is nothing wrong with recognizing the improvement of the PUD while at the same time requiring the developer to better address the parking issue and to hit the pause button so that the city can perform its' due diligence regarding the land value to ensure that the PUD is for the economic well-being of the city.

Sincerely,

Greg Taylor

# UNIVERSITY OF WASHINGTON

Box 354802  
SEATTLE, WA 98105

*UW Transportation Center TRAC*  
*UW Urban Form Lab UFL*

Greg Taylor  
President Gregory Taylor Consulting

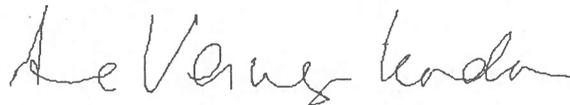
April 10, 2022

Dear Greg Taylor.

Concerning our recent correspondence, it is true that great attention needs to be paid to the development and related sale or use of public land. Public land is by definition a community asset, owned entirely by the people living in the jurisdiction that holds title to said land. The trade value of said land needs to be assessed as compared to nearby properties and to its highest and best use as compared to nearby properties. Public land should never be given away free of charge to anyone, whether they'd be other public or private users or owners.

Please seek legal advice if necessary, Let me know if you have any questions.

Sincerely,



Anne Vernez Moudon, Dr. es.Sc.

Professor Emerita of Architecture, Landscape  
Architecture, and Urban Design and Planning

Adjunct Professor Emerita of Epidemiology and  
Civil and Environmental Engineering

[moudon@uw.edu](mailto:moudon@uw.edu)

<https://sites.uw.edu/ufl/>

## ANNE VERNEZ-MOUDON

*Anne Vernez Moudon* is Professor of Architecture, Landscape Architecture, and Urban Design and Planning; Adjunct Professor of Epidemiology and Civil and Environmental Engineering at the University of Washington, Seattle, where she also directs the Urban Form Lab (UFL). Dr. Moudon holds a B.Arch. (Honors) from the University of California, Berkeley, and a Doctor ès Science from the École Polytechnique Fédérale of Lausanne, Switzerland. Dr. Moudon was the President of the International Seminar on Urban Morphology (ISUF), a Faculty Associate at the Lincoln Institute of Land Policy, in Cambridge, MA; and a Fellow of the Urban Land Institute in Washington, D.C. She is a National Advisor to the Robert Wood Johnson Foundation program on Active Living Research.

Dr. Moudon's published works include *Built for Change: Neighborhood Architecture in San Francisco* (MIT Press 1986), *Public Streets for Public Use* (Columbia University Press 1991), and *Monitoring Land Supply with Geographic Information Systems* (with M. Hubner, John Wiley & Sons, 2000). She also published several monographs, such as *Master-Planned Communities: Shaping Exurbs in the 1990* (with B. Wiseman and K.J. Kim, distributed by the APA Bookstore, 1992) and *Urban Design: Reshaping Our Cities* (with W. Attoe, University of Washington, College of Architecture and Urban Planning, 1995).

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www: [staff.washington.edu/moudon](http://staff.washington.edu/moudon)

Bio of Dr. Anne Vernez-Moudon from the University of Washington Urban Form Lab Web site.



## Chairman and Members of the Commission

In the months since we have last met there have been at least 5 days where events have taken place down town. Have any of you taken the time to drive through our neighborhood while the cars were parked blocking fires hydrants, to close to stop signs and intersections. For those who did thank you. I am sad that the rest didn't come it would have been better than the pictures I presented. It would of given you first hand knowledge.

This Builder is asking for more than double the density law allows. That means that EVERY day his renters will be trying to park their cars as close to the building as they can get them.

omit

Right now this minute you have the builder in Your Hand. All you have to do is follow the law on the books. Hold him to the density allowed. That is all you have to do. ~~Obey the law on the books.~~

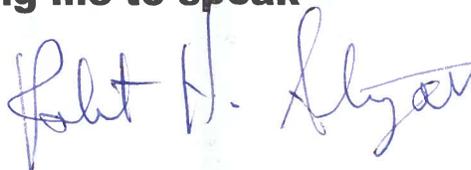
omit

Because If you open Your Hand to this builder you will never have control again. I am sure that not only this builder but many of his friends are waiting for you to give in. This is a Test case.

omit

I am against giving up the little park and closing of Indiana Ave. Again Right Now you can use the laws that go against giving City Property to a developer. Once you give in All Developers will point and say you did it for him.

Thank you for allowing me to speak



Robert H. Altergott