



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item Number: 4b

Title:

Plan Commission recommendation to approve an Amendment to Special Use for PUD to allow an Independent Living Facility and to approve a PUD Preliminary Plan for Anthony Place, Phase 2 (St. Charles Commercial Center PUD)

Presenter:

Rachel Hitzemann

Meeting: Planning & Development Committee

Date: December 14, 2020

Proposed Cost: N/A

Budgeted Amount: N/A

Not Budgeted:

Executive Summary *(if not budgeted please explain):*

The subject property is comprised of 4.31-acres and is situated in the St. Charles Commercial Center, North of Bricher Rd, South of IL Rt 38 (Lincoln Hwy.) and East of Randall Rd.

Chealon Shears of GC Housing Development LLC has filed zoning applications to develop a 75-unit affordable senior independent living facility. GC Housing Development LLC developed the similar Anthony Place at Prairie Centre building, which was recently completed. The plan is similar to a Concept Plan reviewed by the City in September of this year.

Proposed is the following:

- 4 story building
- 100% units will be considered affordable
- 82 Total parking spaces provided (70 garage spaces, 12 surface spaces)
- Access from private street with connections to Bricher Rd. and Lincoln Hwy.
- Proposal includes subdividing lot into 3 parcels

The applicant is requesting a Special Use to amend the St. Charles Commercial Center PUD to allow for the use and to deviate from certain bulk standards. The property will remain zoned BR- Regional Business. A PUD Preliminary Plan for the development has been provided which includes building elevations, preliminary engineering, landscape plan, and plat of subdivision.

The applicant is also requesting that the Development Cost Offsets for Affordable Units be applied to the entire project. This is being requested through the PUD and the request is specific to this project. If approved, all fees, including building permit, utility connection, and school and park land-cash contributions, would be waived.

Plan Commission Recommendation

Plan Commission held a public hearing on 11/17/20. The Commission unanimously voted to recommend approval, but did offer the following comments:

- Parking east of the building along the access road: Questioned the need for this parking and expressed concern over vehicles backing out of the angled parking into the road
- Landscaping: Suggestion to remove trees on south side of patio to provide for views and potential to add shade trees for the patio.
- Building: Consider revisions to downplay the size of the roof, incorporate additional brick, add more articulation/windows/colors to the garage door facades.

The applicant submitted updated elevation drawings on 12/11 that have been added to this packet. The drawings address the building concerns the Plan Commission raised about the facade.

Attachments *(please list):*

Plan Commission Resolution, Staff Report, Application, St. Charles Commercial Center PUD Ordinance

Recommendation/Suggested Action *(briefly explain):*

Plan Commission recommendation to approve a an Amendment to Special Use for PUD to allow an Independent Living Facility and to approve the PUD Preliminary Plan for Anthony Place, Phase 2 (St. Charles Commercial Center PUD).

City of St. Charles, Illinois
Plan Commission Resolution No. 20-2020

A Resolution Recommending Approval of a Special Use to amend Ordinance 1982-Z-6 (St. Charles Commercial Center PUD), Special Use for a Independent Living Facility, and PUD Preliminary Plan for Anthony Place Phase 2, Lot 2 of Anthony's Place Phase 2 Subdivision, St. Charles Commercial Center PUD (GC Housing Development LLC)

Passed by Plan Commission on November 17, 2020

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 to amend Ordinance 1982-Z-6 (St. Charles Commercial Center PUD), Special Use for an Independent Living Facility, and PUD Preliminary Plan for Anthony Place Phase 2, Lot 2 of Anthony's Place Phase 2 Subdivision, St. Charles Commercial Center PUD (GC Housing Development LLC); and,

WHEREAS, in accordance with Section 17.04.410.D.3, the Plan Commission finds the Special Use for PUD (PUD Amendment) 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**

Anthony Place St. Charles Phase 2 Senior Apartments, an Independent Living Facility as the proposed Special Use, meets #1, #3, #5, #6 in the following manner: Criteria #1 - The proposed project will result in a new, 4- story residential senior community with outdoor parking and green space in which the proposed architectural design will fit into the physical context of adjacent retail uses and the residential uses south of Bricher Road. Criteria #3 - The proposed Special Use project is located in West Neighborhood Center in the West Gateway Subarea identified in the 2013 Comprehensive Plan as ideal for mixed uses. The Special Use project will be an independent senior community in which 100% of the units will be affordable housing supporting the mixed-use initiative the Comprehensive Plan recommends. Criteria #5 - The proposed Special Use project will add new residential units which may result in increased customer activity for surrounding businesses and stimulated economic growth in the surrounding area. The proposed Special Use will utilize existing sewer and water connections that were designed for future development of the Site. Additionally, existing storm water detention volume was also provided for future development of the Site. Criteria# 6 – The proposed project will result in the redevelopment of a vacant lot as infill development, which is an appropriate mixed use to support the adjacent uses.

- ii. **The proposed PUD and PUD Preliminary Plans conform to the requirements of the underlying zoning district or districts in which the PUD is located and to the applicable Design Review Standards contained in Chapter 17.06, except where:**
 - A. **Conforming to the requirements would inhibit creative design that serves community goals, or**
 - B. **Conforming to the requirements would be impractical and the proposed PUD will provide benefits that outweigh those that would have been realized by conforming to the applicable requirements.**

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

1. **The PUD will provide community amenities beyond those required by ordinance, such as recreational facilities, public plazas, gardens, public are, pedestrian and transit facilities.**
2. **The PUD will preserve open space, natural beauty and critical environmental areas in excess of what is required by ordinance or other regulation.**
3. **The PUD will provide superior landscaping, buffering or screening.**
4. **The buildings within the PUD offer high quality architectural design.**
5. **The PUD provides for energy efficient building and site design.**
6. **The PUD provides for the use of innovative stormwater management techniques.**
7. **The PUD provides accessible dwelling units in numbers or with features beyond what is required by the Americans with Disabilities Act (ADA) or other applicable codes.**
8. **The PUD provides affordable dwelling units in conformance with, or in excess of, City policies and ordinances.**
9. **The PUD preserves historic buildings, sites or neighborhoods.**

The proposed Special Use will be a 100% affordable development in which seventy-five (75) of the units will be affordable units, exceeding the minimum affordable housing provision requirements outlined in Title 19 – Inclusionary Housing of the Municipal Code. The proposed Special Use will be in conformance with the existing PUD requirements in that it will feature new landscaping and outdoor recreational space for residents that will be superior

to the existing vegetation on site, and will be a new construction residential building of high-quality architectural design which will feature many energy efficiency elements within the design,

WHEREAS, the Plan Commission adopts the following Findings of Fact for Special Use in accordance Section 17.04.330.C of the Zoning Ordinance:

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.

Anthony Place St. Charles Phase 2 Senior Apartments, an Independent Living Facility. as the proposed Special Use, will be a private, independent living, affordable housing development for seniors. This proposed use will provide interior common and exterior common area for residents but will not serve as a public convenience to the surrounding community. However, the proposed Special Use will allow older residents in the Fox Valley area the opportunity to remain in St. Charles, as a housing option.

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

The existing road network, utilities (gas, water, electrical, sewer), and stormwater detention facility have been preliminarily assessed to provide adequate capacity and service to the proposed Special Use.

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

The Independent Living Facility, as the proposed Special Use, aligns with the residential and mixed-use land use policies detailed in the 2013 Comprehensive Plan in that this multi-family housing project will add to residential density in the area that will continue to support the economic base with increased consumer activity. The senior population that will occupy this development will not have impact on surrounding school populations. The senior population will consist of smaller households so increased traffic activity will be nominal and increased usage of physical infrastructure will not overwhelm the current networks in place.

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 Independent Living Facility, as the proposed Special Use, will not impede the development and improvement of surrounding uses in the following manner: 1) the allowed road and pedestrian crosswalk ingress/egress points and amount of parking spaces for a development with a senior population will be provided in a manner that will not obstruct or prohibit existing auto traffic volume or circulation activity from the surrounding uses, and 2) the Independent Living Facility will be designed to align with physical infrastructure requirements to prevent existing systems from operating over capacity.

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 Independent Living Facility, as a Special Use, will involve the new construction of quality, affordable housing in which the construction approach, building design, and ongoing maintenance will not be an environmental detriment to the surrounding area, particularly in not disrupting or overwhelming the detention pond south of the proposed Special Use project site or impacting retail activity in the adjacent retail shopping area to the west.

F. Conformance with Codes: That the proposed Special Use conforms to all applicable provisions of the St. Charles Municipal Code and meets or exceeds all applicable provisions of this Title, except as may be varied pursuant to a Special Use for Planned Unit Development.

The Independent Living Facility, as the proposed Special Use, conforms with Title 19 - Inclusionary Housing requirements by providing affordable housing in a new residential development. In the case of this proposed project, the 75 affordable units will exceed the eight (8) units that would be required as the minimum amount of affordable units for the total units, 75, that will make up this development.

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

The proposed Special Use will be beneficial to the City through the addition of new, quality affordable rental housing stock for seniors (age 55 and older) in an area in which additional residential units may boost retail activity and be a catalyst for long term economic growth by attracting other uses that fit into the within the mixed-use framework of the Comprehensive Plan.

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

The proposed Special Use conforms with the 2013 Comprehensive Plan by the following: 1) instrumental in redeveloping a portion of the St. Charles Mall site (identified in the West Neighborhood Center in the West Gateway Subarea Plan section of the Comprehensive Plan) in a manner that will complement Randall Road and maintains the character of the surrounding neighborhood, 2) potential customer base for adjacent businesses, 3) will not require site assembly or participation from surrounding property owners., 4) new landscaping, attractive

building design and material, and appropriate signage that will enhance the character of the proposed development, and 5) addition of sidewalks and crosswalks in an efficient manner to promote more pedestrian traffic.

WHEREAS, the Plan Commission finds said PUD Preliminary Plan to be in conformance with the applicable PUD and Zoning Ordinance requirements, except as varied per the application for Special Use (PUD Amendment), 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 to amend Ordinance 1982-Z-6 (St. Charles Commercial Center PUD), Special Use for an Independent Living Facility, and PUD Preliminary Plan for Anthony Place Phase 2, Lot 2 of Anthony's Place Phase 2 Subdivision, St. Charles Commercial Center PUD (GC Housing Development LLC).

Roll Call Vote:

Ayes: Pretz, Purdy, Kessler, Wallace, Holderfield, Funke, Vargulich, Melton

Nays: None

Abstain: Becker

Absent: None

Motion carried: 8-0

PASSED, this 17th day of November 2020.

Chairman
St. Charles Plan Commission

Community & Economic Development



Staff Report

TO: Chairman Rita Payleitner
And Members of the Planning & Development Committee

FROM: Rachel Hitzemann, Planner

RE: Anthony Place Phase 2- PUD Amendment and PUD Preliminary Plan

DATE: December 11, 2020

I. APPLICATION INFORMATION:

Project Name: Anthony Place Phase 2

Applicant: Chealon Shears, GC Housing Development LLC.

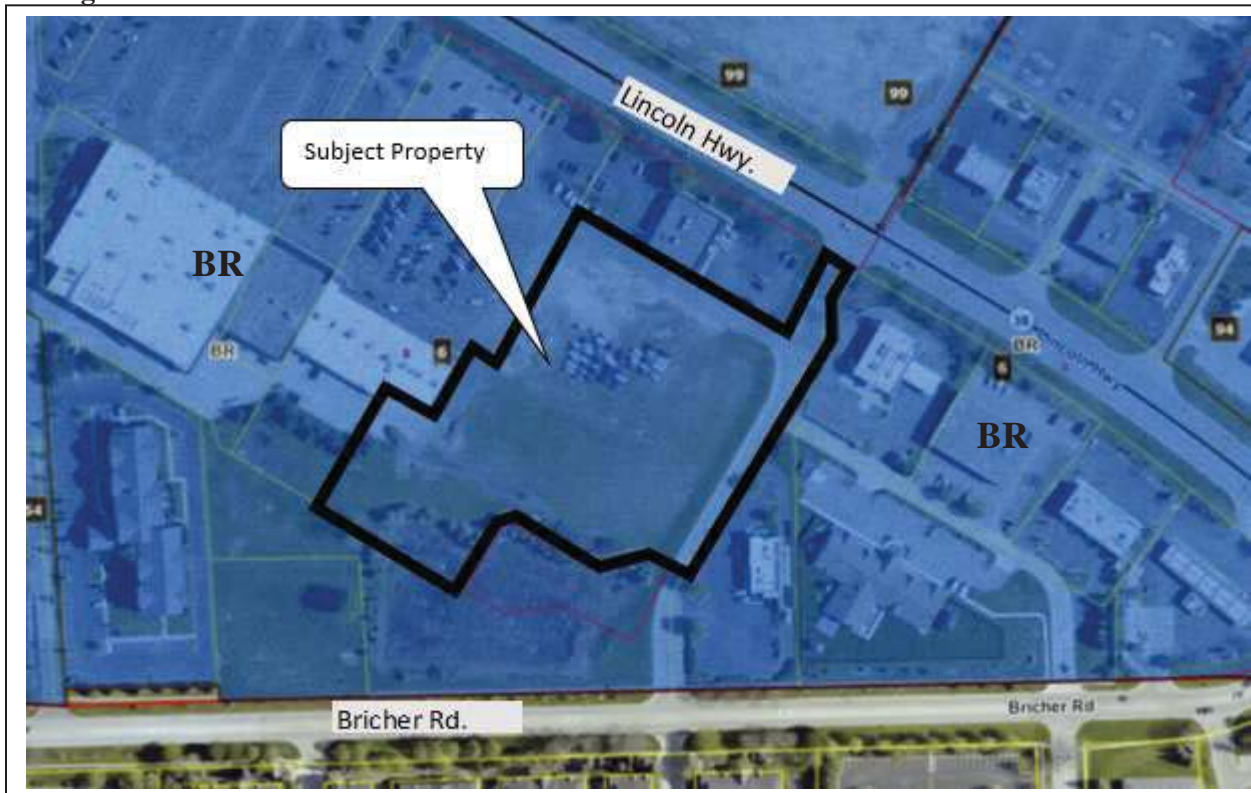
Purpose: Development Approvals for senior multi-family residential building

General Information:		
Site Information		
Location	North of Bricher Rd., South of IL Rt. 38 and East of Randall Rd.(between Taco Bell and commercial strip mall)	
Acres	64,940 sf / 4.31 acres	
Application:	Concept Plan	
Applicable City Code Sections	Ch. 17.14 – Business and Mixed Use Districts Ch. 17.26 – Landscaping & Screening	
Existing Conditions		
Land Use	Vacant/Agriculture	
Zoning	BR- Regional Business and St. Charles Commercial Center	
Zoning Summary		
North	BR- Regional Business and St. Charles Comm. Center	Auto-parts store
East	BR- Regional Business and St. Charles Comm. Center	Fast food, Bank, school
South	BR- Regional Business and St. Charles Comm. Center	Vacant parcel, detention pond
West	BR- Regional Business and St. Charles Comm. Center	Multi-tenant commercial strip mall
Comprehensive Plan Designation		
Corridor/ Regional Commercial		

Aerial



Zoning



II. OVERVIEW

A. BACKGROUND

The 4.31-acre subject property is located between Rt.38 to the North, Bricher Rd. to the South and Randall Rd. to the East. The site is currently a vacant lot located in the St. Charles Commercial Center PUD. The property can be accessed via a private drive with access to Bricher Rd. and Rt. 38. The property is situated between a commercial strip mall and the Taco Bell.

B. CONCEPT PLAN

In September 2020, the Plan Commission reviewed a Concept Plan for a 75-unit affordable senior housing apartment building called Anthony Place Phase 2, submitted by GC Housing LLC. The Plan Commission expressed general support for the proposed multi-family land use, and offered the following feedback:

- Concerns were expressed about the lack of outside parking for visitors.
- Open space such as terraces or patios should be incorporated where possible.
- Provide sidewalks and crosswalks to facilitate pedestrian traffic.
- Provide landscaping on the site where possible.
- Questions about the future use of the remaining vacant parcels and whether they would be compatible with the development.

C. PROPOSAL

Chealon Shears of GC Housing Development LLC has submitted following Zoning Applications for approval of the project:

1. **Special Use for Planned Unit Development** – To amend the current PUD with unique development standards for the property.
2. **PUD Preliminary Plan** – To approve preliminary engineering plans, landscape plan, and preliminary plat of subdivision.

GC Housing Development LLC developed the similar Anthony Place at Prairie Centre building, which was recently completed.

Details of the proposal are as follows:

- Subdivide the current parcel into 3 separate lots
- Permit Independent Living Facilities as a permitted use on Lot 2
- 4 story building with 75 affordable senior residential units on Lot 2
- 82 proposed parking spaces that include 70 garage spaces and 12 surface spaces
- Site access provided by a private drive with access to Bricher Rd. and Rt. 38.
- Cross access to the commercial strip mall will be provided
- Potential for future connection to parcel A to the North and parcel C to the South.
- Applicant has requested that “Development Cost Offsets” under the Inclusionary Housing Ordinance be applied to all units, which would waive all City fees and all school and park land-cash fees.

III. COMPREHENSIVE PLAN

The Land Use Plan adopted as part of the 2013 Comprehensive Plan identifies the subject property as “Corridor/ Regional Business”.

Corridor/Regional Business land use is described as follows:

“Areas designated as corridor/regional commercial are intended to accommodate larger shopping centers and developments that serve a more regional function, drawing on customer base that extends beyond City limits. These areas often have a mix of “big box” stores, national retailers, and a “critical mass” of multiple stores and large shared parking areas. Areas designated for corridor/ regional commercial are located primarily in larger consolidated areas along the City’s heavily traveled corridors and intersections. Commercial service uses can also have an appropriate place in corridor/regional commercial areas, but must be compatible with adjacent and nearby retail and commercial shopping areas and be located as to not occupy prime retail locations.” (pg. 39)

Chapter 4 of the Comprehensive Plan provides the following Residential and Mixed-Use land use policies relevant to the proposed development: (p. 43-44):

***Locate new multi-family residential developments in appropriate locations within the City and consider the implications of concentrating units in one location or area of the City.** 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. Recognizing that this Plan is dynamic and not “set in stone”, the City should promote multi-family housing in areas identified in the Land Use and Residential Areas Plans, but consider proposals in other areas provided any significant impact on schools, traffic, and other infrastructure can be mitigated.”*

***Ensure residential areas are adequately screened/ buffered from adjacent non-residential uses and activity.** The composition of the City’s commercial districts along corridors that transect the City means that there are many areas where commercial uses abut residential properties and neighborhoods. The use of horizontal and vertical buffering and screening, including berms, fencing, and landscaping, should be promoted to protect neighborhoods from abutting commercial or industrial land uses. The City should identify areas where land use conflicts are problematic and explore solutions to mitigate the conflicts, including buffering and screening. Additionally, the City’s landscape ordinance could be revised to require enhanced screening and an amortization schedule to ensure compliance for non-conforming properties within a set time frame.*

Potential Mixed Use

The Plan additionally identifies the area bound by Randall Road, Prairie Street, S. 14th St. and Bricher Road as “Potential Mixed Use” This area includes what is now the Prairie Centre development north of Rt. 38 and the St. Charles Commercial Center PUD, where the subject property is located.

Residential Areas Framework Plan (p.45):

*Area “G”: These two redevelopment sites [Charlestowne Mall and former St. Charles Mall site, **including the subject property**] have potential to develop with a mix of uses. The City should work with the property owners to explore mixed use development on these sites provided the development can assist in meeting other community objectives.*

Mixed Use Outside of Downtown (p.47)

The Land Use Plan identifies both the Charlestowne Mall site in the City’s East Gateway and the Old St. Charles Mall site in the West Gateway as Corridor/Regional Commercial areas. However, both of these sites have potential for Mixed Use development, and similar to Downtown, each could foster a pedestrian-oriented mixed use node, with a mix of retail, restaurant, entertainment, recreation, and residential uses. This dynamic mix of uses in close proximity to major arterial streets has the potential not only to create a vibrant and inviting destination but also serve as a catalyst for needed investment in these important areas of the City. Building orientation in the area should have a strong orientation to major streets and careful consideration should be given to its impact on adjacent residential areas. Additionally, residential uses/ development within these mixed use areas should refer to the Residential Areas Framework Plan for additional considerations and recommendations. In these areas, it is important to maintain a healthy balance of users.

Chapter 8- Sub Area Plans

The Subject Property is located within the West Gateway Subarea. Goals and Objectives (p. 94) are listed below:

Subarea Goals

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

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

Subarea Objectives

- *Improvement of the appearance of the Randall Road Corridor and the identity of the St. Charles community through installation of streetscaping, wayfinding, and gateway elements.*
- *Enhancement of the character of both existing and new development through on-site landscaping, attractive building design and materials, and more consistent signage regulation.*

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

West Gateway Sub Area Plan Catalyst Sites (p.97)

The Subject Property is identified as Catalyst Site “I”.

The Anthony Place Phase 2 Concept Plan site area is shown in the yellow dashed box.

Three different redevelopment alternatives for Sites H, I, and J are shown on p. 98.



- **Site I:** *The Tri-City Center is a neighborhood scaled shopping center with strong orientation to Lincoln Highway and limited visibility from Randall Road. The mall has struggled to stay competitive and is characterized by excessive vacancies. Redevelopment of the site should explore repositioning the site towards Randall Road, which averages 39,000 cars per day (Lincoln Highway averages only 17,000). Redevelopment of the site should also explore improving the site’s visibility and access to Randall Road by acquiring and eliminating some of the existing outlot buildings.*

St. Charles Mall (Site H, I and J) Redevelopment Alternatives (p.98)

Three different redevelopment land use plan alternatives are depicted on this page, along with a list of considerations applying to each alternative. Under the alternatives, a portion of the Anthony Place Phase 2 site is located within a multi-family area.



IV. ANALYSIS

The subject property is zoned BR- Regional Business and is located within the St. Charles Commercial Center PUD, under Ordinance No. 1982-Z-6. The Applicant is proposing to leave the underlying BR zoning and permit the proposed use and the bulk standards via their filed PUD Amendment. This procedure is similar to how the Prairie Center PUD was approved. The amended PUD Ordinance will allow Independent Living Facilities, which are defined as:

“A multiple-family dwelling that is limited to occupancy by persons who are fifty-five (55) years of age or older or, if two (2) persons occupy a unit, at least one (1) shall be fifty-five (55) years or older. Such facilities may include offering congregate meals in a common dining area. This use may include incidental medical services for the convenience of residents, but is distinct from an Assisted Living Facility or Nursing Home, as defined herein”

The applicant is proposing the following bulk standards for the property:

	BR District (Underlying zoning)	RM-3 District (For comparison)	Proposed PUD Preliminary Plan
Min. Lot Area	1 acre	2,200sf	1,467sf
Min. Lot Width	None	65 ft.	150 ft.
Max. Building Coverage	30%	40%	62%
Max. Building Height	40 ft.	45 ft/ 4 stories, whichever is less	60 ft./ 4 stories
Min. Front Yard	20 ft.	30 ft.	40 ft.
Min. Exterior Side Yard	20 ft.	30 ft.	N/A
Min. Interior Side Yard	15 ft.	25 ft.	10 ft.
Min. Rear Yard	30 ft.	30 ft.	10 ft.

A. LANDSCAPING

A landscape plan has been provided for the development. The plan meets all landscape requirements.

Staff Comments:

- Because the Public Utility Easements provide on this site are blanket easements, consider revising the provision to move closely align with the intention of the site use. Example, the provisions state that no trees can be placed in the easement but it is obviously not the intent to prevent tree planting on the site. However, care should be exercised when planting trees and other landscaping on the site to avoid planting directly over or near underground utilities.

B. BUILDING ARCHITECTURE

The applicant has submitted elevation drawings for the building. The proposed elevations meet design review standards.

C. SITE ACCESS/STREET IMPROVEMENTS

Access to the site is provided by a private road with connections to Bricher Rd and Rt. 38. There are additional access points to connect to the Commercial Strip mall to the West. The plan also provides an opportunity to connect to any future development projects to the North and South.

Staff Comments

- The private site road that serves the building meets the 2-way access drive requirements. However, in front of the building, the drive splits into two drives with a landscape island in the middle, with one of the drives potentially serving as a “drop off” area. If the drive furthest from the building is intended to be used as a two-way drive, the plans will need to be revised to have at least a 24ft wide road to meet City Code.

D. PARKING

Independent living facilities require .5 parking spaces per dwelling unit. The proposal includes 75 units. According to the Zoning Code, this development is only required to have 37.5 spaces. The applicant is proposing to include 70 garage parking spaces and 12 surface spaces for a total of 82 parking spaces, which exceeds the Code Requirement.

In comparison, “regular” multi-family developments require more parking spaces per unit, based on the unit size. The Zoning Code requires 1-bedroom dwelling units to provide 1.2 spaces per unit and 2-bedroom dwelling units to provide 1.7 spaces per unit. Under this Code requirement, the development would be required to have 98 off-street parking spaces, based on their proposal to include 57 1-bedroom units and 18 two-bedroom units.

Staff Comments

- It appears there will be conflict with vehicles parked in the handicap stalls and parking stalls in the front the building with the proposed truck turning template. This will impact both fire and PW vehicle access and should be addressed.

E. ENGINEERING

Engineering review comments have been provided to the developer. Comments center around stormwater management and detention areas. All comments will need to be addressed prior to City Council approval of the PUD Preliminary Plan.

F. PLAT OF SUBDIVISION

A Preliminary Plat of Subdivision has been submitted as part of the PUD Preliminary Plan. The plat proposes the following:

- Splits the property into 3 lots.
- Provides 26’ access easement for Lot 2.
- Provides blanket utility easement on Lot 2 wherever the building is not located.

Approval of a Final Plat of Subdivision will be required after PUD Preliminary Plan approval.

Staff Comments:

- All public utilities, including existing utilities, shall be located in a public utility and drainage easement. A blanket easement is provided on Lot 2. Recommend providing a blanket easement across Lots 1 and 3 as well.
- Provide a stormwater detention easement for the existing facility on Lot 1.
- There is a typo in the Access Easement Provisions, “OS” should be “IS” in the first sentence.

- Revise the provisions to allow the City of St. Charles ingress and egress across the entire site, not restricted “to the public right of way”, as there is no publicly dedicated roadway.

G. INCLUSIONARY HOUSING

This development will be comprised of 100% affordable units, so an inclusionary housing fee is not required.

H. SCHOOL AND PARK FEE-IN-LIEU & DEVELOPMENT COST OFFSETS

The Inclusionary Housing Ordinance (Title 19 of the City Code), Section 19.02.090, “Development Cost Offsets”, allows the City to waive City, School and Park fees relative to the ***required*** affordable units constructed within the development. For this development, 8 affordable units are required. However, the applicant has requested the City apply the Development Cost Offsets to the entire project due to the entire development (75 Units) being 100% affordable. This would effectively waive all City permit fees and school and park land cash contribution requirements.

The applicant’s request letter has previously been provided to the School and Park districts.

During the Concept Plan review, the Planning & Development Committee supported applying the Development Cost Offset to the entire project as part of the PUD Amendment.

Fee estimate:

City building permit fees, including utility connection fees (based on Anthony Place at Prairie Centre	\$250,000
School District fee-in-lieu	\$32,923
Park District fee-in-lieu	\$323,852

IV. **PLAN COMMISSION RECCOMENDATION**

Plan Commission held a public hearing on 11/17/20. No members of the public spoke at the hearing.

The Commission voted 9-0 to recommend approval, but had the following comments:

- Parking east of the building along the access road: Questioned the need for this parking and expressed concern over vehicles backing out of the angled parking into the road
- Landscaping: Suggestion to remove trees on south side of patio to provide for views and potential to add shade trees for the patio.
- Building: Consider revisions to downplay the size of the roof, incorporate additional brick, add more articulation/windows/colors to the garage door facades.

VI. ATTACHMENTS

- Applications: Special Use for PUD Amendment; PUD Preliminary Plan; received 9/30/2020
- Preliminary Plat of Subdivision
- Preliminary Engineering Plans
- Landscape Plan
- Building Elevations

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



COMMUNITY DEVELOPMENT DIVISION

PHONE: (630) 377-4443 EMAIL: cd@stcharlesil.gov

SPECIAL USE APPLICATION

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

For City Use	
Project Name:	<u>Anthony Place Phase 2</u>
Project Number:	<u>2020 -PR- 011</u>
Cityview Project Number:	<u>PLSU 202000048</u>



To request a Special Use for a property, or to request to amend an existing Special Use Ordinance for a property, complete this application and submit it with all required attachments to the Planning Division.

City staff will review submittals for completeness and for compliance with applicable requirements prior to establishing a public hearing date for an application.

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

1. Property Information:	Location: Lot area generally located South of IL Route 38, North of Bricher Road, and West of the Bricher/IL Route 38 Intersection.	
	Parcel Number (s): 09-33-351-025	
	Proposed Name: Anthony Place St. Charles Phase 2 Senior Apartments	
2. Applicant Information:	Name GC Housing Development LLC	Phone (847) 291-3400
	Address 343 Wainwright Drive Suite B Northbrook, IL 60062	Fax (847) 291-1691
		Email cshears@gchdev.com
3. Record Owner Information:	Name The Shodeen Family Property Company, L.L.C.	Phone (630) 444-8252
	Address 77 N. First Street Geneva, IL 60134	Fax (630) 232-4520
		Email dave@shodeen.com

Please check the type of application:

- Special Use for Planned Unit Development - PUD Name:** St. Charles Commercial Corridor PUD
- New PUD
- Amendment to existing PUD- Ordinance #: 1982-Z-6
- 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 #: _____

Information Regarding Special Use:

Comprehensive Plan designation of the property: Corridor/Regional Commercial

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

What is the property's current zoning? BR - Regional Business and St. Charles Commercial Center

What is the property currently used for? Vacant/Agriculture

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

Anthony Place St. Charles Phase 2 Senior Apartments will involve new construction of seventy-five (75) one and two bedroom affordable units for seniors 55 years and older.

For Special Use Amendments only:

Why is the proposed change necessary?

The proposed change will allow for an Independent Living Facility, a multi-family residential use, to be a permitted use within the St. Charles Commercial Corridor PUD.

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

Maintain the BR zoning designation and amend the PUD to 1) allow Independent Living Facilities as a permitted use, and 2) allow proposed bulk standards to construct the specific proposed project. Please see the attached for the Independent Living Facilities definition.

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.

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

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.

[Handwritten Signature] *9-30-20*

Record Owner _____ Date _____

[Handwritten Signature] *9/30/2020*

Applicant or Authorized Agent Jeffrey D. Crane, Manager Date _____
GC Housing Development LC

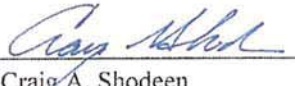
**OWNERSHIP DISCLOSURE FORM
LIMITED LIABILITY COMPANY (L.L.C.)**

STATE OF ILLINOIS)
) SS.
KANE COUNTY)

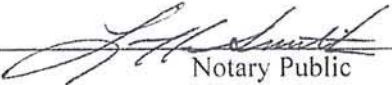
I, Craig A. Shodeen, being first duly sworn on oath depose and say that I am
Manager of The Shodeen Family Property company, L.L.C., an Illinois Limited Liability

Company (L.L.C.), and that the following are all of the members of the said L.L.C.:

- | | |
|--|-------|
| <u>Shodeen Real Estate Company, L.L.C.</u> | _____ |
| <u>Generation Two, L.L.C.</u> | _____ |
| <u>Generation Three, L.L.C.</u> | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

By: , Manager
Craig A. Shodeen

Subscribed and Sworn before me this 29th day of
July, 20 20.


Notary Public



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

STATE OF ILLINOIS)
) SS.
KANE COUNTY)

I, Jeffrey D. Crane, being first duly sworn on oath depose and say that I am
Manager of GC Housing Development 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.:

- | | |
|----------------------|-------|
| <u>Crane GC LLC</u> | _____ |
| <u>Grande GC LLC</u> | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

By: Jeffrey D. Crane
Jeffrey D. Crane

Subscribed and Sworn before me this 30th day of
September, 2020.

[Signature]
Notary Public



The Independent Living Facility, as the proposed Special Use, aligns with the residential and mixed-use land use policies detailed in the 2013 Comprehensive Plan in that this multi-family housing project will add to residential density in the area that will continue to support the economic base with increased consumer activity. The senior population that will occupy this development will not have impact on surrounding school populations. The senior population will consist of smaller households so increased traffic activity will be nominal and increased usage of physical infrastructure will not overwhelm the current networks in place.

- 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 Independent Living Facility, as the proposed Special Use, will not impede the development and improvement of surrounding uses in the following manner: 1) the allowed road and pedestrian crosswalk ingress/egress points and amount of parking spaces for a development with a senior population will be provided in a manner that will not obstruct or prohibit existing auto traffic volume or circulation activity from the surrounding uses, and 2) the Independent Living Facility will be designed to align with physical infrastructure requirements to prevent existing systems from operating over capacity.

- 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 Independent Living Facility, as a Special Use, will involve the new construction of quality, affordable housing in which the construction approach, building design, and ongoing maintenance will not be an environmental detriment to the surrounding area, particularly in not disrupting or overwhelming the detention pond south of the proposed Special Use project site or impacting retail activity in the adjacent retail shopping area to the west.

- F. Conformance with Codes: That the proposed Special Use conforms to all applicable provisions of the St. Charles Municipal Code and meets or exceeds all applicable provisions of this Title, except as may be varied pursuant to a Special Use for Planned Unit Development.**

The Independent Living Facility, as the proposed Special Use, conforms with Title 19 - Inclusionary Housing requirements by providing affordable housing in a new residential development. In the case of this proposed project, the 75 affordable units will exceed the eight (8) units that would be required as the minimum amount of affordable units for the total units, 75, that will make up this development.

CRITERIA FOR PLANNED UNIT DEVELOPMENTS (PUDs)



For Special Use for PUD or PUD Amendment applications.

The St. Charles Zoning Ordinance requires the Plan Commission to consider the criteria listed below in making a recommendation to the City Council on whether a proposed Planned Unit Development is in the public interest.

As the applicant, the "burden of proof" is on you to provide information that addresses the criteria below in order to demonstrate that the project is in the public interest.

(You may utilize this form or provide the responses on another sheet.)

St. Charles Commercial Corridor PUD 9/30/2020

PUD Name *Date*

From the St. Charles Zoning Ordinance, Section 17.04.410.3:

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

- i. The proposed PUD advances one or more of the purposes of the Planned Unit Development procedure stated in Section 17.04.400.A:**
 - 1. To promote a creative approach to site improvements and building design that results in a distinctive, attractive development that has a strong sense of place, yet becomes an integral part of the community.
 - 2. To create places oriented to the pedestrian that promote physical activity and social interaction, including but not limited to walkable neighborhoods, usable open space and recreational facilities for the enjoyment of all.
 - 3. To encourage a harmonious mix of land uses and a variety of housing types and prices.
 - 4. To preserve native vegetation, topographic and geological features, and environmentally sensitive areas.
 - 5. To promote the economical development and efficient use of land, utilities, street improvements, drainage facilities, structures and other facilities.
 - 6. To encourage redevelopment of sites containing obsolete or inappropriate buildings or uses.
 - 7. To encourage a collaborative process among developers, neighboring property owners and residents, governmental bodies and the community

Anthony Place St. Charles Phase 2 Senior Apartments, a Independent Living Facility as the proposed Special Use, meets #1, #3, #5, #6 in the following manner : Criteria #1 - The proposed project will result in a new, 4-story residential senior community with outdoor parking and green space in which the proposed architectural design will fit into the physical context of adjacent retail uses and the residential uses south of Bricher Road. Criteria #3 - The proposed Special Use project is located in West Neighborhood Center in the West Gateway Subarea identified in the 2013 Comprehensive Plan as ideal for mixed uses. The Special Use project will be an independent senior community in which 100% of the units will be affordable housing supporting the mixed use initiative the Comprehensive Plan recommends. Criteria #5 - The proposed Special Use project will add new residential units which may result in increased customer activity for surrounding

businesses and stimulated economic growth in the surrounding area. The proposed Special Use will utilize existing sewer and water connections that were designed for future development of the Site. Additionally, existing storm water detention volume was also provided for future development of the Site. Criteria # 6 - The proposed project will result in the redevelopment of a vacant lot as infill development, which is an appropriate mixed use to support the adjacent uses.

- ii. **The proposed PUD and PUD Preliminary Plans conform to the requirements of the underlying zoning district or districts in which the PUD is located and to the applicable Design Review Standards contained in Chapter 17.06, except where:**
 - A. **Conforming to the requirements would inhibit creative design that serves community goals, or**
 - B. **Conforming to the requirements would be impractical and the proposed PUD will provide benefits that outweigh those that would have been realized by conforming to the applicable requirements.**

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

1. The PUD will provide community amenities beyond those required by ordinance, such as recreational facilities, public plazas, gardens, public are, pedestrian and transit facilities.
2. The PUD will preserve open space, natural beauty and critical environmental areas in excess of what is required by ordinance or other regulation.
3. The PUD will provide superior landscaping, buffering or screening.
4. The buildings within the PUD offer high quality architectural design.
5. The PUD provides for energy efficient building and site design.
6. The PUD provides for the use of innovative stormwater management techniques.
7. The PUD provides accessible dwelling units in numbers or with features beyond what is required by the Americans with Disabilities Act (ADA) or other applicable codes.
8. The PUD provides affordable dwelling units in conformance with, or in excess of, City policies and ordinances.
9. The PUD preserves historic buildings, sites or neighborhoods.

The proposed Special Use will be a 100% affordable development in which seventy-five (75) of the units will be affordable units, exceeding the minimum affordable housing provision requirements outlined in Title 19 - Inclusionary Housing of the Municipal Code. The proposed Special Use will be in conformance with the existing PUD requirements in that it will feature new landscaping and outdoor recreational space for residents that will be superior to the existing vegetation on site, and will be a new construction residential building of high quality architectural design which will feature many energy efficiency elements within the design,

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

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

Anthony Place St. Charles Phase 2 Senior Apartments, an Independent Living Facility, as the proposed Special Use, will be a private, independent living, affordable housing development for seniors. This proposed use will provide interior and exterior common area space for residents but will not serve as a public convenience to the surrounding community. However, the proposed Special Use will allow older residents in the Fox Valley area the opportunity to remain in St. Charles, as an housing option.

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

The existing road network, utilities (gas, water, electrical, sewer) , and stormwater detention facility have been preliminarily assessed to provide adequate capacity and service to the proposed Special Use.

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

The Independent Living Facility, as the proposed Special Use, aligns with the residential and mixed-use land use policies detailed in the 2013 Comprehensive Plan in that this multi-family housing project will add to residential density in the area that will continue to support the economic base with increased consumer activity. The senior population that will occupy this development will not have an impact on surrounding school populations. The senior population will consist of smaller household so increased auto traffic activity will be nominal and increased usage of physical infrastructure will not overwhelm the current networks in place.

- 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 Independent Living Facility, as the proposed Special Use, will not impede the development and improvement of surrounding uses in the following manner: 1) the allowed road and pedestrian crosswalk ingress/egress points and amount of parking spaces for a development with a senior population will be provided in a manner that will not obstruct or prohibit existing traffic volume or circulation activity from the surrounding uses, and 2) the Independent Living Facility will be designed to align with physical infrastructure requirements to prevent existing systems from operating over capacity.

- 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 Independent Living Facility, as a Special Use, will involve the new construction of quality, affordable housing in which the construction approach, building design, and ongoing maintenance will not be an environmental detriment to the surrounding area, particularly in not disrupting or overwhelming the detention pond south of the proposed Special Use project site or impacting retail activity in the adjacent retail shopping area to the west.

- F. Conformance with Codes: That the proposed Special Use conforms to all applicable provisions of the St. Charles Municipal Code and meets or exceeds all applicable provisions of this Title, except as may be varied pursuant to a Special Use for Planned Unit Development.

The Independent Living Facility, as the proposed Special Use, conforms with Title 19 - Inclusionary Housing requirements by providing affordable housing in a new residential development. In the case of this proposed project, the 75 affordable units will exceed the eight (8) units that would be required as the minimum amount of affordable units for the total units, 75, that will make up this development.

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

The proposed Special Use will be beneficial to the City through the addition of new, quality affordable rental housing stock for seniors (age 55 and older) in an area in which additional residential units may boost retail activity and be a catalyst for long term economic growth by attracting other uses that fit into the within the mixed use framework of the Comprehensive Plan.

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

The proposed Special Use conforms with the 2013 Comprehensive Plan by the following: 1) instrumental in redeveloping a portion of the St. Charles Mall site (identified in the West Neighborhood Center in the West Gaterway Subarea Plan section of the Comprehensive Plan) in a manner that will complement Randall Road and maintain the character of the surrounding neighborhood, 2) potential customer base for adjacent businesses, 3) will not require site assembly or participation from surrounding property owners., 4) new landscaping, attractive building design and materials, and appropriate signage that will enhance the character of the proposed development, and 5) addition of sidewalks and crosswalks in an efficient manner to promote more pedestrian traffic.

RESIDENTIAL ZONING COMPLIANCE TABLE

Name of Development: Anthony Place St. Charles Phase 2 Senior Apartments

	Zoning District Requirement	Existing PUD Requirement (if applicable)	Proposed
	District:	Ordinance #: 1982-Z-6	
Minimum Lot Area			1.55 Acres
Minimum Lot Width			150'
Maximum Building Coverage			68%
Maximum Building Height			4 Stories
Minimum Front Yard			40'
Interior Side Yard			N/A- Corner
Exterior Side Yard			N/A - Corner
Minimum Rear Yard			10'
Landscape Buffer Yards ¹			N/A
% Overall Landscape Area			32%
Building Foundation Landscaping			8'
Public Street Frontage Landscaping			20'
Parking Lot Landscaping			10'
# of Parking Spaces			82 Spaces

¹ Within the RM-3 zoning district, a Landscape Buffer Yard shall be provided along any lot line that abuts or is across a street from property in any RE, RS, or RT District. See Chapter 17.26 for planting and screening requirements for Landscape Buffers.

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



COMMUNITY DEVELOPMENT DIVISION

PHONE: (630) 377-4443 EMAIL: cd@stcharlesil.gov

PUD PRELIMINARY PLAN APPLICATION

For City Use	
Project Name:	<u>Anthony Place Phase 2</u>
Project Number:	<u>2020-PR-011</u>
Cityview Project Number:	<u>PLPUD 2020 00547</u>



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

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

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

1. Property Information:	Location: Parcel located in the St. Charles Commercial Center North of Bricher Road, South of IL Rt. 38 and West of Bricher Road/IL Rr. 38 Intersection, St. Charles, Illinois.	
	Parcel Number (s): 09-33-351-025	
	Proposed PUD Name: Anthony Place St. Charles Phase 2 Senior Apartments	
2. Applicant Information:	Name GC Housing Development LLC	Phone (847) 858-0530
	Address 343 Wainwright Drive, Suite B Northbrook, IL 60062	Fax (847) 291-1691
		Email cshears@gchdev.com
3. Record Owner Information:	Name The Shodeen Family Property Company, L.L.C.	Phone (630) 444-8252
	Address 77 N. First Street Geneva, IL 60134	Fax (630) 232-4520
		Email dave@shodeen.com

☒ PUBLIC BENEFITS, DEPARTURES FROM CODE:

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

☒ SCHEDULE: Construction schedule indicating:

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

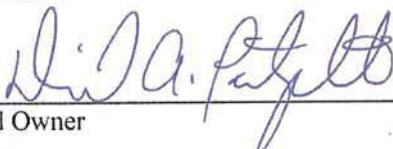
☒ PARK AND SCHOOL LAND/CASH WORKSHEETS

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

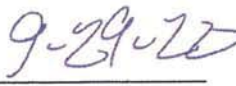
☒ INCLUSIONARY HOUSING SUMMARY See the attached Summary.

For residential developments, submit information describing how the development will comply with the requirements of Title 19, "Inclusionary Housing" of the St. Charles Municipal Code.

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



Record Owner



Date



Applicant or Authorized Agent - Jeffrey D. Crane, Manager
GC Housing Development LLC

9/30/2020

Date

INCLUSIONARY HOUSING WORKSHEET



Name of Development	Anthony Place St. Charles Phase 2 Senior Apartments
Date Submitted:	9/30/2020
Prepared by:	Chealon Shears

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.

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	75	X	10%	=	8 (Rounded from 7.5)

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

# of Affordable Units Required	# of Affordable Units Proposed to Pay the Fee-In-Lieu		Fee-In-Lieu Amount Per Unit		Total Fee-In-Lieu Amount
8		X	\$39,665.75	=	\$0.00

EXHIBIT "A"
LEGAL DESCRIPTION

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT THE MOST EASTERLY CORNER OF ST. CHARLES COMMERCIAL CENTER, UNIT NO. EIGHT, ST. CHARLES, KANE COUNTY, ILLINOIS, BEING ON THE SOUTHWESTERLY LINE OF ILLINOIS STATE ROUTE NO. 38; THENCE SOUTHEASTERLY ALONG SAID SOUTHWESTERLY LINE 26.67 FEET; THENCE SOUTHWESTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE 50.0 FEET; THENCE SOUTHERLY ALONG A LINE FORMING AN ANGLE OF 156 DEGREES 53 MINUTES 54 SECONDS WITH THE LAST DESCRIBED COURSE (MEASURED CLOCKWISE THEREFROM) 54.36 FEET; THENCE SOUTHWESTERLY PARALLEL WITH THE PENULTIMATE DESCRIBED COURSE 21.0 FEET TO THE SOUTHWESTERLY LINE EXTENDED SOUTHEASTERLY OF SAID UNIT NO. EIGHT; THENCE CONTINUING SOUTHWESTERLY ALONG THE PROLONGATION OF THE LAST DESCRIBED COURSE 104.0 FEET TO THE MOST WESTERLY CORNER OF ST. CHARLES COMMERCIAL CENTER, UNIT NO. TEN, ST. CHARLES, KANE COUNTY, ILLINOIS; THENCE SOUTHEASTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE 205.36 FEET TO THE MOST SOUTHERLY CORNER OF SAID UNIT NO. TEN; THENCE NORTHEASTERLY ALONG A LINE FORMING AN ANGLE OF 90 DEGREES 34 MINUTES 25 SECONDS WITH THE LAST DESCRIBED COURSE (MEASURED CLOCKWISE THEREFROM) 224.85 FEET TO THE MOST EASTERLY CORNER OF SAID UNIT NO. TEN, BEING ON SAID SOUTHWESTERLY LINE; THENCE SOUTHEASTERLY ALONG SAID SOUTHWESTERLY LINE, BEING A CURVE TO THE RIGHT HAVING A RADIUS OF 3123.23 FEET, 335.77 FEET TO THE MOST NORTHERLY CORNER OF ST. CHARLES COMMERCIAL CENTER, UNIT NO. NINE, ST. CHARLES, KANE COUNTY, ILLINOIS; THENCE SOUTHWESTERLY ALONG A NORTHWESTERLY LINE OF SAID UNIT NO. NINE 169.77 FEET TO AN ANGLE IN THE WEST LINE OF SAID UNIT NO. NINE; THENCE SOUTHERLY ALONG SAID WEST LINE FORMING AN ANGLE OF 141 DEGREES 42 MINUTES 17 SECONDS WITH THE LAST DESCRIBED COURSE (MEASURED CLOCKWISE THEREFROM) 141.50 FEET TO THE SOUTH LINE OF SAID QUARTER; THENCE WESTERLY ALONG SAID SOUTH LINE AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE 1522.34 FEET TO THE EASTERLY LINE OF BRICHER ADDITION TO ST. CHARLES, TOWNSHIP, KANE COUNTY, ILLINOIS; THENCE NORTHERLY ALONG SAID EASTERLY LINE FORMING AN ANGLE OF 89 DEGREES 24 MINUTES 28 SECONDS WITH THE LAST DESCRIBED COURSE (MEASURED COUNTER-CLOCKWISE THEREFROM) 566.32 FEET TO A SOUTHWESTERLY CORNER OF ST. CHARLES COMMERCIAL CENTER, UNIT NO. TWO, ST. CHARLES, KANE COUNTY, ILLINOIS; THENCE SOUTHEASTERLY ALONG A SOUTHWESTERLY LINE OF SAID UNIT NO. TWO FORMING AN ANGLE OF 58 DEGREES 59 MINUTES 27 SECONDS WITH THE LAST DESCRIBED COURSE (MEASURED COUNTER-CLOCKWISE THEREFROM) 330.0 FEET TO AN ANGLE IN SAID SOUTHWESTERLY LINE; THENCE SOUTHERLY ALONG A WESTERLY LINE OF SAID UNIT NO. TWO FORMING AN ANGLE OF 135 DEGREES 00 MINUTES WITH THE LAST DESCRIBED COURSE (MEASURED COUNTER-CLOCKWISE THEREFROM) 39.60 FEET TO AN ANGLE IN SAID WESTERLY LINE; THENCE SOUTHEASTERLY ALONG A SOUTHWESTERLY LINE OF SAID UNIT NO. TWO FORMING AN ANGLE OF 135 DEGREES 00 MINUTES WITH THE LAST DESCRIBED COURSE (MEASURED CLOCKWISE THEREFROM) 152.96 FEET TO THE MOST SOUTHERLY CORNER OF LOT 3 IN SAID UNIT NO. TWO; THENCE NORTHEASTERLY ALONG A SOUTHEASTERLY LINE OF SAID LOT 189.50 FEET TO AN ANGLE IN SAID SOUTHEASTERLY LINE; THENCE SOUTHEASTERLY ALONG A SOUTHWESTERLY LINE OF SAID LOT AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE 74.50 FEET TO AN ANGLE IN SAID SOUTHWESTERLY LINE; THENCE NORTHEASTERLY ALONG A SOUTHEASTERLY LINE OF SAID LOT AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE 105.50 FEET TO AN ANGLE IN SAID SOUTHEASTERLY LINE; THENCE SOUTHEASTERLY ALONG A SOUTHWESTERLY LINE OF SAID LOT AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE 32.54 FEET TO AN ANGLE IN SAID SOUTHWESTERLY LINE; THENCE NORTHEASTERLY ALONG A SOUTHEASTERLY LINE OF SAID LOT AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE 235.0 FEET TO THE MOST WESTERLY CORNER OF SAID UNIT NO. EIGHT; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINE OF SAID UNIT NO. EIGHT TO MOST EASTERLY CORNER OF SAID UNIT NO. EIGHT; THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF SAID UNIT NO. EIGHT TO THE POINT OF BEGINNING (EXCEPT PART IN ST. CHARLES COMMERCIAL CENTER UNITS 12,13,14 AND 15 AND EXCEPT PART IN RANDALL ROAD COMMERCIAL PROPERTIES PHASE V AND PHASE II AND EXCEPT PART IN LEFFLER'S FOLLY SUBDIVISION AND EXCEPT PART IN GIBSON'S CAR WASH SUBDIVISION AND EXCEPT PART IN TRUST T-303 TRACT DESCRIBED IN DOCUMENT 1483858) ALL IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

Inclusionary Housing Requirements

Title 19 – Inclusionary Housing Ordinance Compliance

Anthony Place St. Charles Phase 2 Senior Apartments will be a Seventy-Five (75) unit affordable, independent senior residential community. This proposed project complies with Title 19 – Inclusionary Housing Ordinance by including 100% affordable rental units in which the rents for a majority of the units will be at or below 60% of the Area Median Income, adjusted for household size, aligning with the current Qualified Allocation Plan guidelines issued by the Illinois Housing Development Authority. Providing 75 affordable units exceeds the eight (8) Inclusionary Housing Plan calculation listed in this application.

Anthony Place St. Charles Phase 2 Senior Apartments will consist of approximately Seventy-Five (75) affordable independent senior rental units, in which the proposed unit mix will include approximately Fifty-Seven (57) One Bedroom Units and Eighteen (18) Two Bedroom Units. The proposed rents, based on current available data from 2020 Low Income Housing Tax Credit Rent Limits, will be approximately \$850 for a one bedroom unit and \$1,010 for a two bedroom unit. (NOTE: These rents are preliminary estimates and are subject to change upon ongoing project underwriting to ensure the proposed project will be financial feasible to develop and operate.)

Public Benefits, Departures From Code

The St. Charles Commercial Corridor Planned Unit Development (PUD) meets the purposes and requirements stated in the Section 17.04.400 in the City of St. Charles Zoning Ordinance. The existing PUD allows for a variety of permitted uses, and also allows for a public benefit beyond current requirements to provide affordable housing units, in conformance with St. Charles Municipal Code Title 19 - Inclusionary Housing requirements, in an amount that exceeds requirements. In this instance, the proposed project, Anthony Place St. Charles Phase 2 Senior Apartments, will a 100% affordable senior community of seventy-five (75) affordable units, exceeding the eight (8) Inclusionary Housing Plan calculation listed in this application.

For the purposes of this application, the City of St. Charles Staff has recommended that underlying BR zoning classification be maintained and that a PUD amendment allow for 1) permitted bulk design standards to accommodate this proposed affordable housing development, and 2) allow Independent Living Facilities as a Special Use which is defined as

“ A multiple-family dwelling that is limited to occupancy by persons who are fifty-five (55) years of age and older or, if two (2) persons occupy unit, at least one (1) shall be fifty-five (55) years or older. Such facilities may include offering congregate meals in a common dining area. This use may include incidental medical services for the convenience of residents, but is distinct from an Assisted Living Facility or Nursing Home, as defined herein”.

This Special Use will be in conformance with Section 17.04.400 by providing new construction development of high quality design that will include energy efficiency features in the building and site design, featuring landscaping that will be superior to the existing surrounding landscaping and foliage in adjacent uses, and will provide new sidewalks and crosswalks that will support safer pedestrian traffic, particularly to the adjacent retail uses west of the proposed Special Use project site.

Schedule

A. Project Phases

Anthony Place St. Charles Phase 2 Senior Apartments will consist of only phase of development and construction.

B. Beginning and Completion Dates

The proposed construction schedule is as follows:

Proposed Construction Schedule

The projected construction schedule for this development is as follows:

Issuance of Building Permit	Early May 2022
Project Financial Closing	May 2022
Construction Start	May 2022
Issuance of Temporary Certificate of Occupancy	Late May 2023
Issuance of Final Certificate of Occupancy	June 2023

C. Different Land Use Types

There will be only be one land us type involved in this proposed project – Independent Living Facility as permitted Special Use through a PUD amendment. The proposed schedule detailed above will apply to this use.

Exhibit A - LEGAL DESCRIPTION

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE MOST EASTERLY CORNER OF LOT 3, ST. CHARLES COMMERCIAL CENTER, UNIT NO. TWO, ST. CHARLES, KANE COUNTY, ILLINOIS; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINE OF ILLINOIS STATE ROUTE NO. 38, 325.46 FEET; THENCE SOUTHWESTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE 121.00 FEET FOR A POINT OF BEGINNING; THENCE NORTHEASTERLY ALONG THE LAST DESCRIBED COURSE 121.00 FEET TO SAID SOUTHWESTERLY LINE; THENCE SOUTHEASTERLY ALONG SAID SOUTHWESTERLY LINE 26.67 FEET; THENCE SOUTHWESTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE 50.00 FEET; THENCE SOUTHERLY ALONG A LINE FORMING AN ANGLE OF 156 DEGREES 53 MINUTES 54 SECONDS WITH THE LAST DESCRIBED COURSE (MEASURED CLOCKWISE THEREFROM) 54.36 FEET; THENCE SOUTHWESTERLY PARALLEL WITH THE PENULTIMATE DESCRIBED COURSE 369.00 FEET; THENCE NORTHWESTERLY PARALLEL WITH SAID SOUTHWESTERLY LINE 63.00 FEET; THENCE SOUTHWESTERLY ALONG A LINE FORMING AN ANGLE OF 135 DEGREES 00 MINUTES 00 SECONDS WITH THE LAST DESCRIBED COURSE (MEASURED CLOCKWISE THEREFROM) 73.54' THENCE NORTHWESTERLY PARALLEL WITH SAID SOUTHWESTERLY LINE 129.00 FEET; THENCE SOUTHWESTERLY ALONG A LINE FORMING AN ANGLE OF 135 DEGREES 00 MINUTES 00 SECONDS WITH THE LAST DESCRIBED COURSE (MEASURED CLOCKWISE THEREFROM) 22.63 FEET; THENCE SOUTHWESTERLY AT RIGHT ANGLES TO THE PENULTIMATE DESCRIBED COURSE 114.00 FEET TO A LINE DRAWN PARALLEL WITH SAID SOUTHWESTERLY LINE FROM THE MOST SOUTHERLY CORNER OF SAID LOT 3; THENCE NORTHWESTERLY PARALLEL WITH SAID SOUTHWESTERLY LINE 220.50 FEET TO SAID MOST SOUTHERLY CORNER; THENCE NORTHEASTERLY ALONG A SOUTHEASTERLY LINE OF SAID LOT 189.50 FEET TO AN ANGLE IN SAID SOUTHEASTERLY LINE; THENCE SOUTHEASTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE ALONG A SOUTHWESTERLY LINE OF SAID LOT 74.50 FEET TO AN ANGLE IN SAID SOUTHWESTERLY LINE; THENCE NORTHEASTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE ALONG A SOUTHEASTERLY LINE OF SAID LOT 105.50 FEET TO AN ANGLE IN SAID SOUTHEASTERLY LINE; THENCE SOUTHEASTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE ALONG A SOUTHWESTERLY LINE OF SAID LOT 32.54 FEET TO AN ANGLE IN SAID SOUTHWESTERLY LINE; THENCE NORTHEASTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE ALONG A SOUTHEASTERLY LINE OF SAID LOT 235.00 FEET TO A LINE DRAWN PARALLEL WITH THE SOUTHWESTERLY LINE OF SAID STATE ROUTE FROM THE POINT OF BEGINNING; THENCE SOUTHEASTERLY ALONG SAID PARALLEL LINE 325.46 FEET TO THE POINT OF BEGINNING, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.



November 23, 2020

Ms. Rachel Hitzemann
Planner
City of St. Charles
2 East Main Street
St. Charles, IL 60174

**RE: RESPONSE LETTER #1 – PUD PRELIMINARY REVIEW FOR ANTHONY PLACE PHASE 2
ST. CHARLES, IL**

Dear Ms. Hitzemann,

Please find listed below responses to your review comments dated November 9, 2020 as part of our PUD Preliminary Plan / Plat of Subdivision submittal.

Planning:

1. The plans show a 16' wide drive in front of the entrance and then a landscape island and another 16' wide drive. Are these intended to be used as one-way drive aisles? Or is the one in front of the building a drop off? If it is a drop off, the 16' drive on the other side of landscape island will need to be at least 24' to meet the 2-way aisle Code Requirement.
Response: Two-way drive aisle revised to 25' B-B'; one-way drive aisle at drop-off revised to 10'.
2. Signs:
If a development sign is planned, show the location on the site plan and provide a sign rendering.
Please provide any wall sign plans
Response: The Site Plan has been updated to include a Monument Wall located at the entrance off of the Private Drive (Vanderbilt). The wall measurements are approximately 7'long x 2'wide x 7'high. An image from a similar project is included on the Site Plan for reference.

Development Engineering:

Comments to be addressed prior to Preliminary approval:

- a) Provide sheets C3 and C4 printed with a legible existing conditions background.
Response: The existing lineweights have been darkened for clarity.
- b) The lowest opening of the building shall provide two (2) freeboard above the High Water Level of the adjacent detention facility. Update the Grading Plan accordingly.
Response: The FF has been raised to 789.6 representing two feet of freeboard from the HWL of 787.6. Preliminary grades along the parking lot have been revised accordingly.



- c) The existing detention facility requires maintenance. A separate letter will be sent to the property owner.

Response: Acknowledged

- d) All public utilities, including existing utilities, shall be located in a public utility and drainage easement. A blanket easement is provided on Lot 2. Recommend providing a blanket easement across Lots 1 and 3 as well.

Response: The Plat has been revised to include a Blanket Easement on Lots 1 and 3.

- e) Provide a stormwater detention easement for the existing facility on Lot 1.

Response: The Plat has been revised to include a Detention Easement on Lot 1

Comments provided to applicant for final engineering submittal:

Response: Acknowledged

- a) Additional review will be needed with final engineering submittal.
- b) An IEPA sanitary sewer permit is required for project generating greater than 15 PE.
- c) A stormwater permit application and stormwater submittal, including narrative and calculations, shall be submitted with the building permit application.
- d) The Land Use Opinion identifies the potential for wetlands. The applicant shall provide a professional opinion as to the presence of wetlands. This will be needed with the Stormwater Permit application at the time of building permit submittal
- e) Provide storm sewer sizing calculations.
- f) The lowest opening of the building shall provide 0.5-foot freeboard above the High Water Level for an overland flow path with less than 20 acres of tributary area. Provide overland flow arrows and HWL elevations at critical locations.
- g) Provide a tributary area exhibit and narrative to document overland flows are tributary to the detention facility.
- h) Provide a routing exhibit to document the storm sewer is tributary to the detention facility.

Public Works:

1. Preliminary Plat of Subdivision:
 - Because the Public Utility Easements provide on this site are blanket easements consider revising the provision to move closely align with the intention of the site use. Example, the provisions state that no trees can be placed in the easement but it is obviously not the intent to prevent tree planting on the site. However, care should be exercised when planting trees and other landscaping on the site to avoid planting directly over or near underground utilities.
Response: The Provision has been revised to align with the intent of the proposed site uses.
 - There is a typo in the Access Easement Provisions, "OS" should be "IS" in the first sentence. Also it should be considered to revise the provisions to allow the City of St. Charles ingress and egress across the entire site and not restricted "to the public right of way" as there is no publicly dedicated roadway".
Response: Addressed



2. It appears there will be conflict with vehicles parked in the handicap stalls and parking stalls in the front the building with the proposed truck turning template. This will impact both fire and PW vehicle access and should be addressed.

Response: The Fire Truck Turning Exhibit within the Preliminary Engineering Plans has been updated with the current Site Plan and there are no conflicts with the parking spaces or curb encroachments.


3. Sanitary connection requires an 8' drop at the public manhole. Revise the sanitary service cleanout to be a drop manhole, allowing the service to enter the public manhole without constructing a drop on the public structure.

Response: The Cleanout has been revised to a Drop Manhole; the Drop at the public structure has been removed.

Fire Department:

No Comments.

Very truly yours,
ESM CIVIL SOLUTIONS, LLC


Eric S. Mancke, F.E.
Principal

ESM/em

Cc: Dave Patzelt – Shodeen, Inc.
Eric Maring – HDJ Architects





7 TYP SIDE ELEVATION
PR-3.2 1/16" = 1'-0"



3 EAST ELEVATION
PR-3.2 1/16" = 1'-0"



6 SOUTHWEST ELEVATION
PR-3.2 1/16" = 1'-0"



4 SOUTH ELEVATION
PR-3.2 1/16" = 1'-0"



5 WEST ELEVATION
PR-3.2 1/16" = 1'-0"



2 NORTHWEST ELEVATION
PR-3.2 1/16" = 1'-0"



1 NORTH ELEVATION
PR-3.2 1/16" = 1'-0"

BUILDING MATRIX

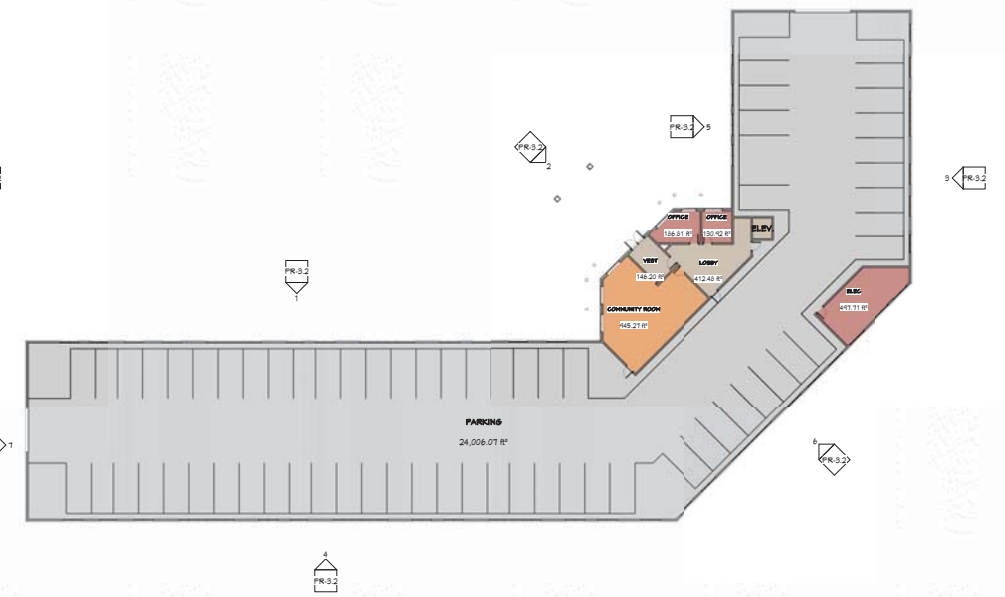
	GROSS AREA:	ONE BR	TWO BR	TWO BR
FIRST FLOOR:	27,525 SF	0	0	0
SECOND FLOOR:	24,619 SF	19	6	25
THIRD FLOOR:	24,619 SF	19	6	25
FOURTH FLOOR:	24,619 SF	19	6	25
TOTAL:	101,382 SF	57	18	75

ONE BEDROOM UNIT:
 NET AREA: 712 SF
 GROSS AREA: 764 SF
 BEDROOM SIZE: 12'-6" x 12'-6"

TWO BEDROOM UNIT:
 NET AREA: 927 SF
 GROSS AREA: 1,042 SF
 BEDROOM 1 SIZE: 10'-2" x 13'-2"
 BEDROOM 2 SIZE: 11'-6" x 13'-2"



1 SECOND FLOOR PLAN (THIRD & FOURTH SIM.)
 PR-2.1 3/8" = 1'-0"



3 FIRST FLOOR PLAN
 PR-2.1 3/8" = 1'-0"

PRELIMINARY IMPROVEMENT PLANS for ANTHONY PLACE PHASE 2 ST. CHARLES, IL

INDEX OF SHEETS

- C1 COVER SHEET & DRAWING INDEX
- C2 EXISTING CONDITIONS PLAN
- C3 PRELIMINARY SITE PLAN
- C4 PRELIMINARY ENGINEERING PLAN
- L1 LANDSCAPING PLAN
- L2 LANDSCAPING DETAILS
- T1 FIRE TRUCK TURNING RADIUS EXHIBIT

PROJECT LOCATION



LEGEND

- FOUND 7/8" O.D.I.P. (HOLE) OTHERWISE NOTED (HOLE LOCATION) (CONTROL POINT)
- CONCRETE MONUMENT
- ◆ CROSS IN CONCRETE
- STORM DRAIN MANHOLE
- STORM DRAIN INLET
- DOWN SPOUT CONNECTION
- CLEANOUT
- SANITARY SEWER MANHOLE
- FIRE HYDRANT
- FLARED END SECTION
- UTILITY POLE
- GUY POLE
- OVERHEAD TRAFFIC SIGNAL
- TRAFFIC SIGNAL MANHOLE
- OVERHEAD WIRE
- GAS METER
- ELECTRIC METER
- TRANSFORMER PAD
- TELEPHONE PEDESTAL
- ELECTRIC PEDESTAL
- TELEPHONE MANHOLE
- CABLE TELEVISION PEDESTAL
- ELECTRIC MANHOLE
- VALVE BOX
- S-BOX
- SON
- SOLLARD POLE
- LIGHT POLE
- HAND HOLE
- MAILBOX
- GAS MARKER
- ELECTRIC MARKER

ABBREVIATIONS

- O.D.I.P. = OUTSIDE DIAMETER IRON PIPE
- FT = TOP OF FOUNDATION
- FF = FINISHED FLOOR
- FEES = FLARED END SECTION
- VCP = VITRIFIED CLAY PIPE
- SP = SCHEDULE 40 PIPE
- RCP = REINFORCED CONCRETE PIPE
- CBP = CORRUGATED METAL PIPE
- (R) = RECORD BEARING OR DISTANCE
- (M) = MEASURED BEARING OR DISTANCE
- (C) = CALCULATED BEARING OR DISTANCE
- (E) = DEEP BEARING OR DISTANCE
- A = ARC LENGTH
- R = RADIUS
- OS = CHORD BEARING
- BSLL = BELONGING SETBACK LINE
- ULE = UTILITY EASEMENT
- DE = DRAINAGE EASEMENT
- P.U.E. = PUBLIC UTILITY EASEMENT
- P.O.C. = POINT OF COMMENCEMENT
- P.O.B. = POINT OF BEGINNING
- P.U. & D.E. = PUBLIC UTILITY AND DRAINAGE EASEMENT
- BC = BACK OF CURB
- ROC = BACK OF SUPPRESSED
- UL = UTILITY LINE
- C = CONCRETE
- F = PAVEMENT
- G = GRAVEL
- EW = EDGE OF WALK
- TP = TOP OF POLE
- EL = INVERT ELEVATION
- PL = PROPERTY LINE
- CS = DOWN SPOUT
- S.F. = SQUARE FEET

LINE LEGEND

- LIMITS OF LAND PER LEGAL DESCRIPTION
- ADJACENT LAND PARCEL LINE
- EASEMENT LINE
- BUILDING SETBACK LINE
- SECTION LINE
- 100' RADIUS FROM HYDRANT

PREPARED FOR:
ANTHONY PLACE, ST. CHARLES, LP
343 WAINWRIGHT DRIVE
NORTHBROOK, IL 60062



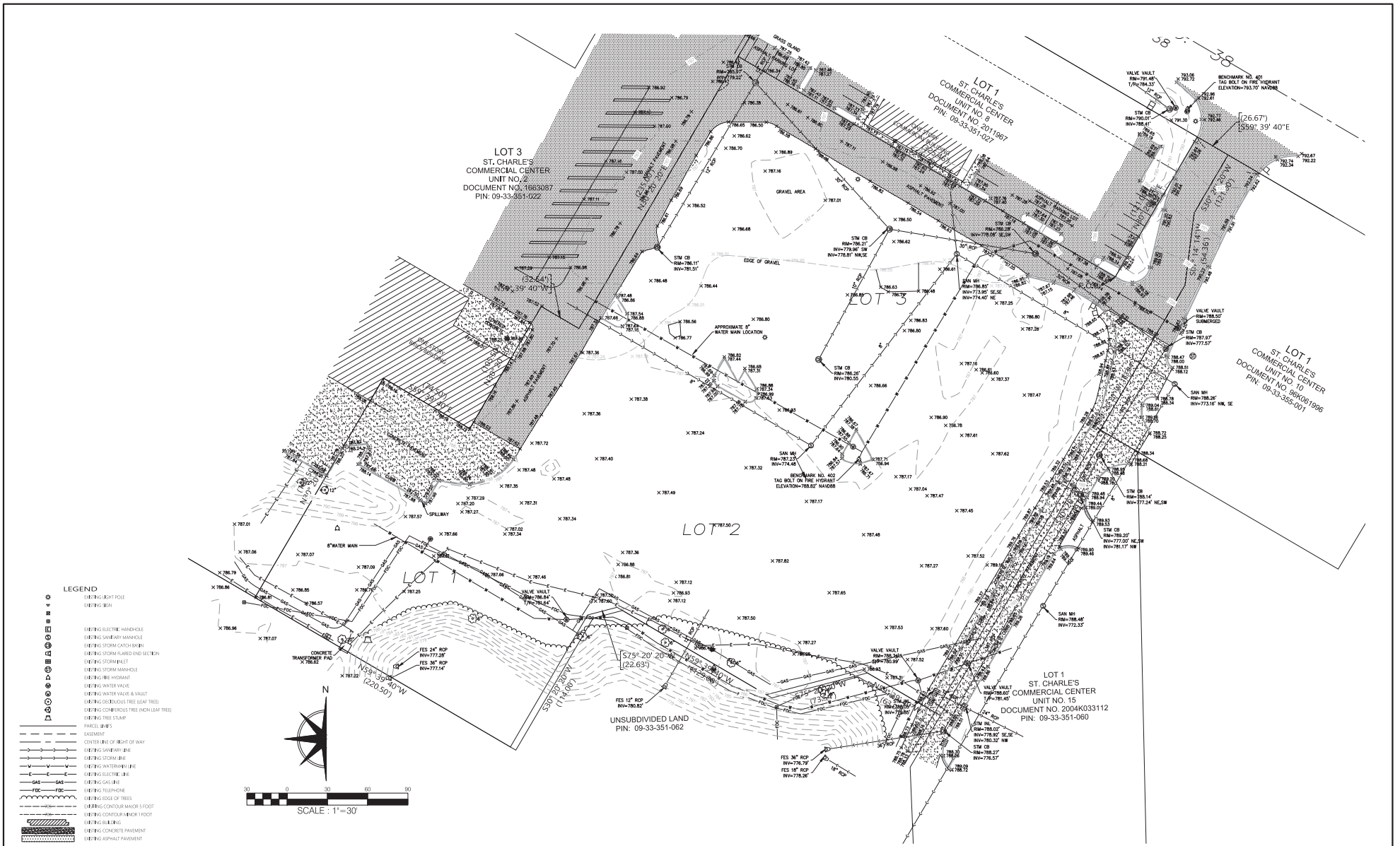
PREPARED BY:
ESM CIVIL SOLUTIONS, LLC
Civil Engineering - Land Entitlement - Project Feasibility
4320 Winfield Drive - Suite 200 Warrenville Illinois 60555
o: 630-300-0933 c: 630-624-0520

NO.	DATE	DESCRIPTION	REVISIONS	
			NO.	DATE
1	11-23-20	REVISED PER CITY REVIEW DATED 11-9-2020		

COVER SHEET & DRAWING INDEX

ANTHONY PLACE PHASE 2

FILE NAME: COVER	DSGN. BY: ESM	JOB NO.:	FLD. BK.:	SHEET NO.:
DISC NUM.:	DRN BY: TWA	DATE: 09-22-20	SCALE: NTS	C1 of C4



PREPARED FOR:
ANTHONY PLACE, ST. CHARLES, LP
343 WAINWRIGHT DRIVE
NORTHBROOK, IL 60062

PREPARED BY:
ESM CIVIL SOLUTIONS, LLC
Civil Engineering - Land Entitlement - Project Feasibility
4320 Winfield Drive - Suite 200 Warrenville, Illinois 60555
o: 630-300-0933 c: 630-624-0520

NO.		DATE		DESCRIPTION		REVISIONS	
NO.	DATE	DESCRIPTION	NO.	DATE	DESCRIPTION	NO.	DATE

EXISTING CONDITIONS PLAN
ANTHONY PLACE PHASE 2

FILE NAME: PRELIM	DSGN. BY: ESM	JOB NO:	FLD. BK:	SHEET NO.
DISC NUM:	DRN BY: TWA	DATE: 09-22-20	SCALE: 1"=30'	C2 of C4

PARKING TABLE	
INSIDE PARKING	87 SPACES
OUTSIDE PARKING	25 SPACES
TOTAL	92 SPACES

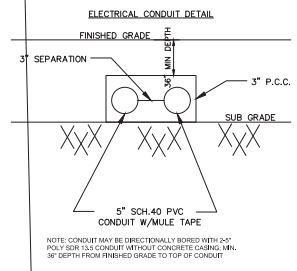
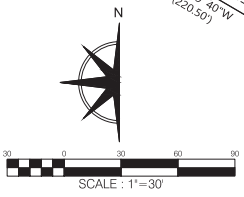
LOT 3
ST. CHARLE'S
COMMERCIAL CENTER
UNIT NO. 2
DOCUMENT NO. 1863087
PIN: 09-33-351-022

LOT 1
ST. CHARLE'S
COMMERCIAL CENTER
UNIT NO. 8
DOCUMENT NO. 2011867
PIN: 09-33-351-027

LOT 1
ST. CHARLE'S
COMMERCIAL CENTER
UNIT NO. 10
DOCUMENT NO. 36081965
PIN: 09-33-353-001

LOT 1
ST. CHARLE'S
COMMERCIAL CENTER
UNIT NO. 15
DOCUMENT NO. 2004K033112
PIN: 09-33-351-060

UNSUBDIVIDED LAND
PIN: 09-33-351-062



NOTE: CONDUIT MAY BE DIRECTIONALLY BORED WITH 2\"/>

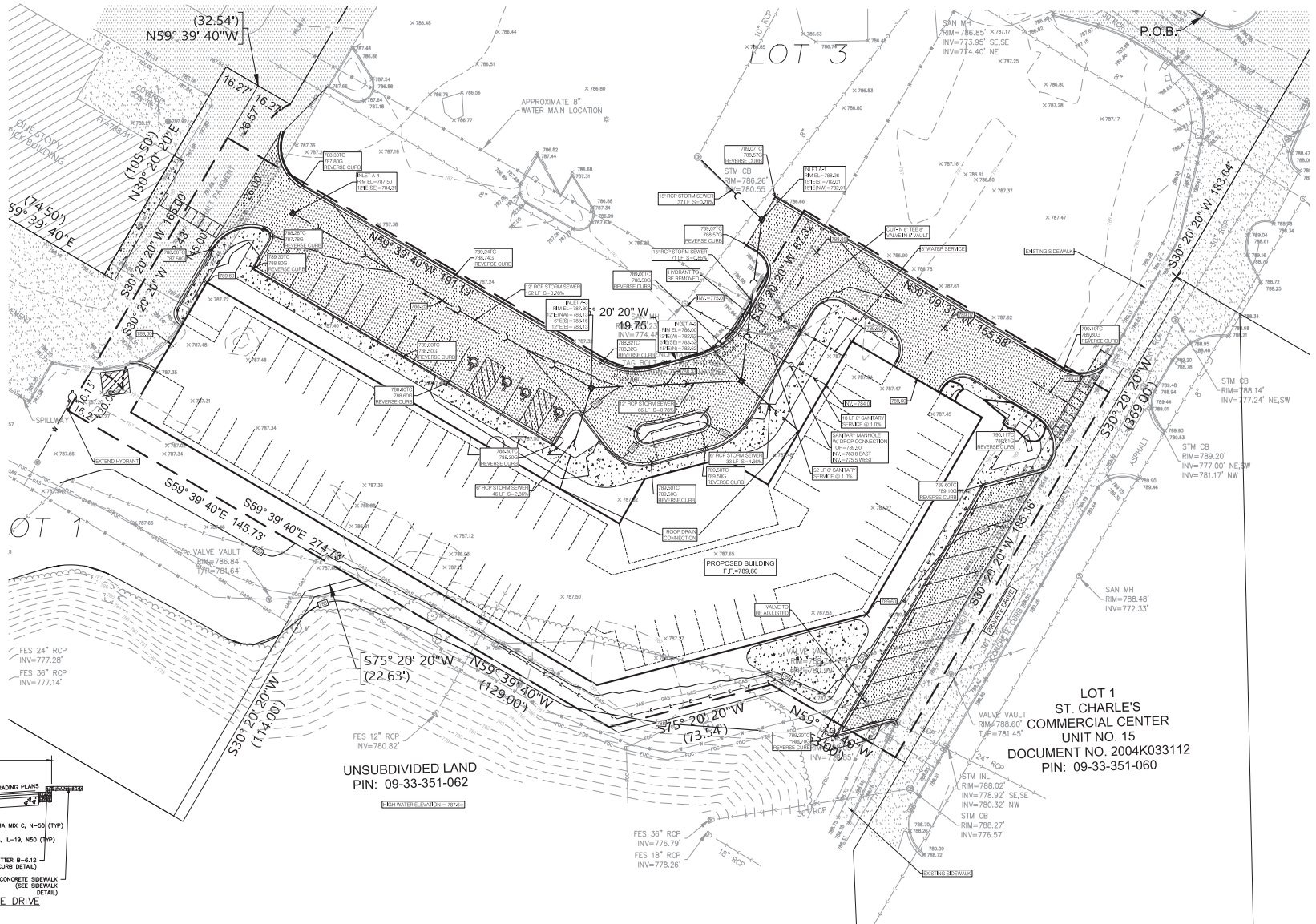
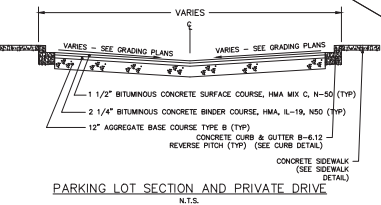
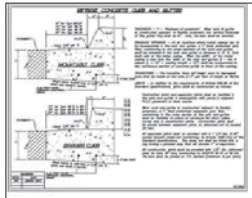
PREPARED FOR:
ANTHONY PLACE, ST. CHARLES, LP
343 WAINWRIGHT DRIVE
NORTHBROOK, IL 60062

PREPARED BY:
ESM CIVIL SOLUTIONS, LLC
Civil Engineering - Land Entitlement - Project Feasibility
4320 Winfield Drive - Suite 200 Warrenville, Illinois 60555
o: 630-300-0933 c: 630-624-0520

NO.		DATE	DESCRIPTION	REVISIONS	
NO.	DATE	DESCRIPTION	NO.	DATE	DESCRIPTION

PRELIMINARY SITE PLAN
ANTHONY PLACE PHASE 2

FILE NAME: PRELIM	DSGN BY: ESM	JOB NO:	FLD. BK:	SHEET NO.
DISC NUM:	DRN BY: TWA	DATE: 09-22-20	SCALE: 1"=30'	C3 of C4



LOT 1
ST. CHARLES
COMMERCIAL CENTER
UNIT NO. 15
DOCUMENT NO. 2004K033112
PIN: 09-33-351-060

UNSUBDIVIDED LAND
PIN: 09-33-351-062

PREPARED FOR:
ANTHONY PLACE, ST. CHARLES, LP
343 WAINWRIGHT DRIVE
NORTHBROOK, IL 60062

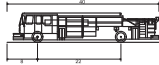


PREPARED BY:
ESM CIVIL SOLUTIONS, LLC
Civil Engineering - Land Entitlement - Project Feasibility
4320 Winfield Drive - Suite 200 Warrenville, Illinois 60555
o: 630-300-0933 c: 630-624-0520

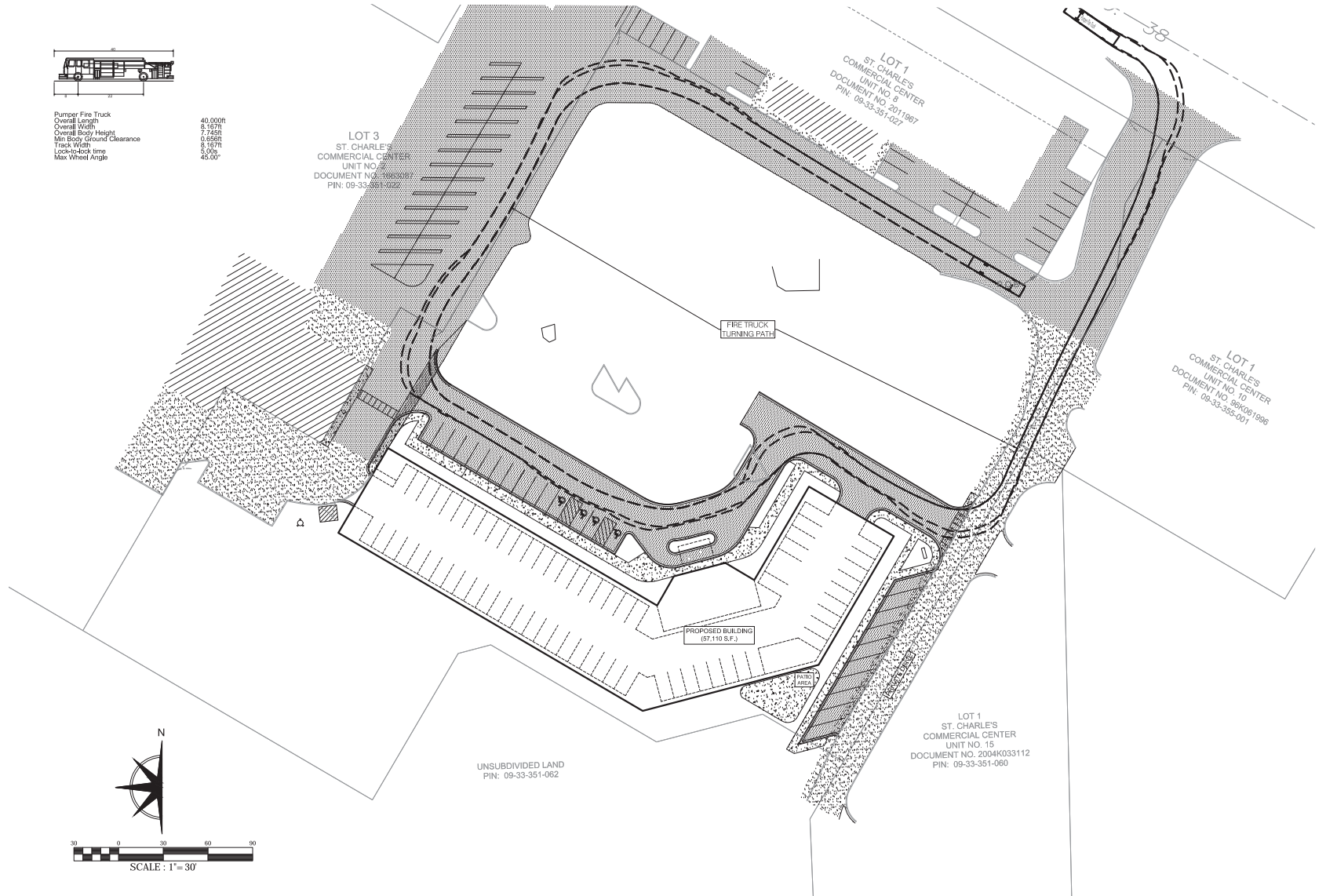
NO.		DATE	DESCRIPTION	REVISIONS		DESCRIPTION	
NO.	DATE	DESCRIPTION	NO.	DATE	DESCRIPTION	NO.	DATE

PRELIMINARY ENGINEERING PLAN
ANTHONY PLACE PHASE 2

FILE NAME: PRELIM	DSGN BY: ESM	JOB NO:	FLD. BK:	SHEET NO.
DISC NUM:	DRN BY: TWA	DATE: 09-22-20	SCALE: 1"=20'	C4 of C4



Pumper Fire Truck
 Overall Length 40.00ft
 Overall Width 8.167ft
 Overall Body Height 7.750ft
 Min Body Ground Clearance 0.656ft
 Track Width 8.167ft
 Lock-to-lock time 3.00s
 Max Wheel Angle 45.00°



SCALE : 1" = 30'

PREPARED FOR:
ANTHONY PLACE, ST. CHARLES, LP
 343 WAINWRIGHT DRIVE
 NORTHBROOK, IL 60062



PREPARED BY:
ESM CIVIL SOLUTIONS, LLC
 Civil Engineering - Land Entitlement - Project Feasibility
 4320 Winfield Drive - Suite 200 Warrenville, Illinois 60555
 o: 630-300-0933 c: 630-624-0520

		REVISIONS			
NO.	DATE	DESCRIPTION	NO.	DATE	DESCRIPTION

FIRE TRUCK TURNING RADIUS EXHIBIT

ANTHONY PLACE PHASE 2

FILE NAME: PRELIM	DSGN. BY: ESM	JOB NO.:	FLD. BK.:	SHEET NO.:
DISC NUM.:	DRN BY: TWA	DATE: 09-24-20	SCALE: 1"=30'	T1 of T1

ORDINANCE NO. 1982-Z-6

AN ORDINANCE REZONING PROPERTY TO THE R-5 MULTIPLE RESIDENCE DISTRICT AND B-3 SERVICE BUSINESS DISTRICT AND GRANTING A SPECIAL USE AS A PLANNED UNIT DEVELOPMENT FOR THE ST. CHARLES COMMERCIAL CENTER PROPERTY

REFER TO:	
MINUTES	<u>4-19-82</u>
PAGE	<u>1479</u>

DATE OF PUBLICATION	<u>Not</u>
NEWSPAPER	<u>published</u>

WHEREAS, a petition for rezoning to R-5 Multiple Residence District and B-3 Service Business District with a special use as a planned unit development has been filed by the State Bank of St. Charles as Trustee under Trust No. T-303, owner of the property described in Exhibit "A" (hereafter the Subject Realty), attached hereto and made a part hereof; and

WHEREAS, the Plan Commission of the City of St. Charles has held a hearing on said petition in accordance with law; and

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

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois, as follows:

Section 1. That the zoning map of the City of St. Charles pursuant to Section 17.07.040, "Official Map-Adopted", of the St. Charles Municipal Code be and is hereby amended by rezoning the property legally described as Lot 1 in Exhibit "A" to R-5 Multiple Residence District and the property legally described as Lot 2, Lot 3, Lots 4 through 9 and PARCEL TWO in Exhibit "A" to B-3 Service Business District with all of the Subject Realty being granted a special use as a Planned Unit Development.

Section 2. That the development of the Subject Realty as a planned unit development pursuant to this Ordinance shall be in accordance with all applicable ordinances of the City of St. Charles as now in effect or as hereafter amended, including but not limited to, Title 17 entitled "Zoning" and Title 16 entitled "Subdivisions and Land Improvement" of the St. Charles

1614145

1982 AUG 17 PM 3:30

FILED FOR RECORD
KANE COUNTY, ILL.

RECORDED OF DEEDS
Blair E. Jumper

31

1614145

Municipal Code (sometimes respectively referred to as the "Zoning Title" and "Subdivision Title") and in accordance with the additional procedures, definitions, uses and restrictions contained herein and set forth in Exhibits "B", "C", and "D", attached hereto and made a part hereof.

A. Concept Plan

The concept plan for the Subject Realty, attached hereto as Exhibit "C", is hereby approved. Said approval does not constitute authority to proceed with construction. Rather it is an approval of the general features of the development and is a basis for preparing more detailed preliminary plans for each phase. More restrictive standards and site design criteria than those shown on Exhibit "C" and described herein or set forth in the underlying zoning district may be required by the City Council at the time of presentation of a preliminary plan or final plan. Approval of the concept plan in no way obligates the City Council to approve preliminary plans and final plans which do not conform to this Ordinance and all other ordinances of the City and such additional standards and site design criteria required by the City except for the standards set or variations granted herein at the time of City Council action on such preliminary and final plans

B. Uses

Only those uses listed in Exhibit "B", Paragraph I, "Permitted Uses", shall be permitted.

C. Phases

The Planned Unit Development shall be developed in no more than eleven (11) phases in the order shown and described in Exhibit "D".

D. Density

The maximum density for residential uses and the maximum total square footage of buildings for non-residential uses allowed for each lot shall be as provided in Exhibit "B".

E. Building Permits

No building permit shall be issued for construction or reconstruction of any structure or addition until after the preliminary plans, engineering plans, landscaping plans, architectural plans and final plans have been approved and a final plat recorded for the phase or subphase in which the building permit or permits are requested. Plans and specifications for any construction shall in all respects conform to the applicable ordinances of the City of St. Charles. At his option, the Building Commissioner of the City of St. Charles may require submission of plans to and the approval of Building Officials and Code Administrators International, Inc, (BOCA), or comparable organization before a building permit shall be issued. The cost of such BOCA review shall be borne by the applicant and shall be paid prior to the issuance of a building permit.

F. Curb Cuts

Curb cuts shall be permitted only as shown on the Concept Plan shown in Exhibit "D". Specifically, no more than one (1) curb cut shall be allowed on Prairie Street. No more than two (2) curb cuts shall be allowed on 14th Street and no more than three (3) curb cuts shall be allowed on Bricher Road (not shown on Concept Plan). Curb cuts allowed on Illinois Route 38 shall be as follows:

1. One (1) access to the southerly side as a "right-in, right-out" approximately 430 feet easterly of Randall Road centerline.
2. One (1) full access main entry way to the southerly side directly aligned with the existing main entrance to the north which is approximately 950 feet easterly of the Randall Road centerline.
3. One (1) full access main entry way to the southerly side aligned with the existing entrance to the north which is approximately 1650 feet easterly of the Randall Road centerline.

4. One (1) "right-in, right-out only" access to the northerly side with the centerline between Lots 6 and 7 approximately 1890 feet easterly of the Randall Road centerline. A barrier curb island to control unauthorized entry shall be provided by Owner.

5. One (1) full access to the northerly side having a centerline coinciding with the lot line between Lots 4 and 5 approximately 440 feet westerly of 14th Street.

6. One (1) full access to the southerly side having a centerline coinciding with the extension of the lot line between Lots 4 and 5 approximately 440 feet westerly of 14th Street.

G. Access

Emergency access for fire and police vehicles shall be provided on all sides of all buildings.

H. Off-Street Loading and Parking

Loading berths and parkings spaces shall be provided in accordance with the provisions set forth in the Zoning Title except as otherwise provided in Exhibit "B".

I. Yards

No yard or setback shall be less than the requirements of the Zoning Title or as shown in Exhibit "B", as the case may be, unless the City Council shall have determined otherwise at the time of approval of the preliminary plan. The City Council may reasonably require a greater yard or setback than shown in the Zoning Title or Exhibit "B".

J. Streets

1. The Owner shall be responsible for the construction and cost of all required street improvements for a 38-foot wide street in accordance with the standards for subdivision streets as set forth

in the Subdivision Title including pavement and the curbs, gutters, storm sewers, sidewalks, street lights, street trees and other related improvements on the following streets:

- a. The south half of Prairie Street between the west property line of Lot 1 and the easterly line of 14th Street including acceleration and deceleration lanes, if required by City, and not including sidewalks east of the east property line of Lot 1 on Prairie Street.
- b. The west half of 14th Street between the northerly line of Prairie Street and the southerly line of Illinois Route 38 including acceleration and deceleration lanes, if required by City.
- c. The north half of Bricher Road between the westerly property line of Lot 11 and the easterly line of the intersection of Bricher Road, Illinois Route 38 and 14th Street including acceleration and deceleration lanes.

The City may at its option delay installation of the improvements on Bricher Road by requiring the Owner to establish an escrow account based on the developer's consulting engineer's estimated cost to be approved by the City Council. Such escrow account shall be in a form and amount acceptable to the City Council to allow the City to procure the funds solely for the construction of improvements on Bricher Road and shall be established prior to execution of a final plat. Owner shall not be required to pay any additional funds once the escrow account has been established nor shall Owner be entitled to interest on the escrow or to any refund of funds in excess of actual cost of construction.

A required street improvement shall be made at the time a phase or subphase which abuts that street is developed and the entire length of the street shall be improved regardless of whether or not the phase being developed abuts the entire length of the street. Prior to the construction of any improvements, or the escrowing of funds in the case of Bricher Road, the Owner shall dedicate the additional right-of-way required to provide at least forty (40) feet of right-of-way along the southerly and easterly edge of Subject Realty unless more or less than one-half ($\frac{1}{2}$) of the road right-of-way is on Subject Realty in which event Owner shall dedicate the right-of-way for all of the road and right-of-way easterly and southerly of the centerline which is part of Subject Realty. Owner shall, however, be responsible only for the installation of improvements along the northerly one-half ($\frac{1}{2}$) of Bricher Road. In the event Owner is able to obtain an agreement with the property owner southerly of Subject Realty for purposes of centering the improved Bricher Road and installation of same and provided such agreement is acceptable to City, the location of Bricher Road as improved in relation to Subject Realty may be modified. Owner shall not be required to pay for acquisition costs of additional right-of-way not on Subject Realty as part of the development.

2. The Owner shall be responsible for the construction and cost of all street improvements on Illinois Route 38 required by the City or the Illinois Department of Transportation including entranceway improvements and the following:

- a. Additional widening of pavement to 38 feet at 14th Street to install an east-bound left-turn lane.
- b. Painted median striping modifications and additions to delineate the left-turn lanes as phasing of the development requires.

K. Utilities

1. As necessary for this development, the Owner shall construct and pay for all on-site and off-site extensions and improvements for:

- a. water mains;
- b. sanitary sewer lines;
- c. storm water facilities;
- d. retention and detention basins;
- e. surface drainage ways and facilities;
- f. electric facilities in accordance with City policy in effect at time of construction.

Owner shall also construct and pay for related appurtenances for the foregoing, and shall obtain for and grant to or cause to be granted to the City, at no cost to the City, on-site and off-site easements for said utilities and for any other utilities and communication facilities that the City may request. Prior to the approval of a final plat for a phase, the City shall have the right to designate which easements, on-site and off-site extensions, and improvements for water mains, sanitary sewers, storm sewers, surface drainage facilities, retention and detention basins and other utilities will be accepted by the City for that phase. For those easements and improvements accepted, the Owner shall transfer to the City or cause to be transferred to the City (free and clear of all liens and encumbrances) title to all on-site and off-site exten-

sions (except domestic service connections) for water mains, sanitary sewer lines and storm sewer lines, electric lines and the related appurtenances for each of the foregoing.

2. For those improvements not to be accepted by the City, Owner shall, however, comply with all provisions of the Subdivision Title including the posting of a proper guarantee and collateral to assure installation.

3. As of the date of this Ordinance, the Subject Realty has been placed on restrictive status by the Illinois Environmental Protection Agency (IEPA), prohibiting future sanitary sewer extensions in certain areas. No sanitary sewer extensions requiring IEPA permits shall be extended to serve the Subject Realty without the approval of the Illinois Environmental Protection Agency. The City shall have no obligation to assist or participate in any proceedings, construction of improvements, or other activities for the purposes of expediting the receipt of a permit for sanitary sewer or water extension or connection from the Illinois Environmental Protection Agency or other regulatory agencies. The Owner of the Subject Realty or its agent shall have no right to enforce speedier action by the City on projects related to such Illinois Environmental Protection Agency approval or such other regulatory agency approval.

4. Except as provided in Paragraph K, 5, below, in the event the City requests Owner to over-size certain on-site water mains installed on Subject Realty, such over-sizing shall take place on the following basis: the developer's consulting engineer shall have prepared cost estimates subject to City Council approval indicating the cost for the normal sewer or water main size and that requested by

the City for over-sizing. Such actual cost difference and no more will be assumed by the City, and such reimbursement made upon acceptance by the City Council and receipt of a Bill of Sale conveying title to such mains to the City free and clear of all liens and encumbrances. At City's election, Owner shall pay for over-sizing provided City shall enter a recapture agreement pursuant to Chapter 24, Section 9-5-1, of the Illinois Revised Statutes, providing for recovery of the over-sizing costs with a maximum time period of six (6) years with interest at the rate of eight percent (8%) per annum on the amount unpaid. At the end of six (6) years, the City shall pay for any unrecovered over-sizing costs. City may, however, recover such payment from those properties which would have been required to pay but for the 6-year payoff by City. All engineering and construction costs shall be paid by Owner.

5. The Owner shall procure an easement for City and construct a 12-inch sanitary sewer from the existing sanitary sewer on Gray Street to the east property line of the Subject Realty. The City shall reimburse the Owner for one-half ($\frac{1}{2}$) the cost of installing said sanitary sewer or \$25,000, whichever is less provided Owner shall have obtained an easement for City in a form acceptable to City extending easterly from 14th Street to Gray Street at or prior to the time of presentation of engineering plans. In the event such easement shall not have been procured, Owner shall pay for the necessary extensions to alternative sewer lines.

6. In the event the City desires to install utilities to service areas beyond the Subject Realty sooner than the Owner is required to install such utilities, the Owner shall grant the necessary easements on or across the Subject Realty at such time as City shall request.

The City shall pay for and install such utilities and be reimbursed

by Owner for Owner's share of the cost of installation of such utilities at or prior to the time of approval of a final plat or plats for portions of the subject property benefiting from the utilities. Owner shall pay City eight percent (8%) interest per annum on Owner's share of such cost.

7. Owner shall not object to the establishment of a special service area covering Subject Realty for the purpose of care, maintenance, replacement and reconstruction of storm water distribution system and storm water facilities and sanitary sewers or for the engineering and construction of traffic signals with the maximum levy of \$.10 per \$100.00 of assessed value per year.

8. Prior to the approval of a final plat for any phase of the planned unit development, the Owner shall have provided City a release in a form acceptable to City, releasing City from any and all obligations of certain agreements if applicable to the real estate involved it would have acquired by virtue of accepting land within the planned unit development and any amendments to said agreements, said agreements being an agreement entitled "Declaration of Easements and Agreement for Use and Maintenance of Storm Drainage System" recorded February 13, 1979, as Document No. 1494073 and agreement entitled "Reciprocal Construction Operating and Easement Agreement" recorded February 13, 1979, as Document No. 1494080.

L. Signalization

Prior to approval of a final plat for any phase of the planned unit development, Owner and any mortgagee or other encumbrancer shall have approved and executed a recordable document signifying their approval of and the Owner's agreement to pay for the proportionate share of the cost of signalization for the intersection on Illinois Route 38 approximately 950 feet easterly of Randall Road based on standard origin/destination procedures at such time as warranted. Said

agreement shall create a lien against Lot 11 as shown on Exhibit "C" which shall be enforceable as a foreclosure of a mortgage and shall be in a form acceptable to City.

M. Signs

Upon submittal of the final plans for each phase, the Owner and/or Developer shall submit written and graphic descriptions of the sign standards, including location, for each phase. Such sign standards shall be subject to the review and approval of the City Council and shall be as set forth in Exhibit "B" and provisions of all City ordinances.

N. Landscaping

All unpaved areas shall be landscaped in accordance with the plans reviewed by the Plan Commission and approved by the City Council. Landscaping for a phase or subphase shall be completed prior to the occupancy of any structure for that phase or subphase. However, if conditions beyond the control of the Developer prohibit the installation of the landscaping prior to a request for occupancy of a structure, a performance bond or irrevocable letter of credit in a form and amount given by a firm acceptable to the City shall be posted until such time as the landscaping is completed.

O. Land/Cash Donation

The Owner shall dedicate land or cash in accordance with the provisions of Chapter 16.32 entitled "Dedications" of the St. Charles Municipal Code as in effect at the time a final plat is completed for any phase.

P. Variations Granted

The following variations from the Zoning Title and Subdivision Title are granted:

1. A variation from Section 16.16.040 of the St. Charles Municipal Code, "Proposed Subdivision Design Features", paragraph A, 2, to

permit private streets to serve the project as shown on the Concept Plan. For those improvements not to be accepted by the City, Owner shall, however, comply with all provisions of the Subdivision Title including the posting of a proper guaranty and collateral to assure installation.

2. A variation from Section 16.16.040, C, 3, to allow Lot 9 to not abut a publicly dedicated street, provided there are easements for ingress and egress which are in conformity with State law.

3. A variation to eliminate the installation of sidewalks along the north and south sides of Illinois Route 38, provided there is a network of sidewalks within the Subject Realty and provided there shall be a continuous sidewalk along 14th Street, Prairie Street and Bricher Road for the full frontage of Subject Realty, all in a form acceptable to the City Council.

4. A variation to permit one (1) sign for Lot 9 to be located on Lot 8.

Q. Dedication of Land

Upon request by the City, the Owner shall dedicate to the City a 33-foot wide strip of land along the westerly edge of Lot 11 between Illinois Route 38 and Bricher Road. Such dedication shall be for street purposes and those public and quasi-public utilities deemed necessary by the City Council. Such dedication shall be free and clear of all liens and encumbrances, covenants and restrictions, and at no cost to the City.

Section 3. Hold Harmless and Indemnification. In the event a claim is made against the City, or if the City is made a party-defendant in any legal proceeding arising out of the approval of this Ordinance or the development of the Subject Realty, the Owner shall at City's election defend the City and

hold the City harmless from all losses, judgments, costs, fees, including attorney fees, and expenses in connection therewith. The City shall reasonably cooperate in the defense of such proceedings.

Section 4. List of Exhibits

- A. Legal Description of the Subject Realty
- B. Standards and Site Design Criteria
- C. Concept Plan for the Subject Realty
- D. Phasing Schedule
- E. Consent

Section 5. The provisions of this Ordinance shall be deemed not to be separable and if any provision which limits Owner or requires payment to City shall be held invalid, then at the option of the City, any unplatted areas of Subject Realty shall not be developed other than at a density or for the non-residential uses permitted in the R-1 Single Family Residence District.

Section 6. Upon petition and full compliance with all applicable ordinances, the City at its sole discretion may amend this Ordinance for all of Subject Realty or a portion thereof.

Section 7. This Ordinance shall constitute a covenant running with the land and is binding upon the owners, lessees, other grantees, successors in interest, and assigns. This Ordinance may be recorded in the Recorder of Deeds Office, Kane County, Illinois.

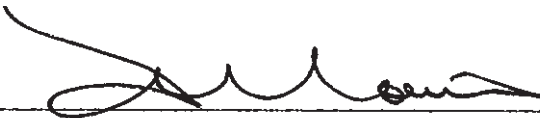
Section 8. This Ordinance shall be in full force and effect from and after its passage and approval in accordance with law, but only if all owners, lessees, and mortgagees of Subject Realty shall have consented in writing and delivered such written consent in the form attached as Exhibit "E" to the City within thirty (30) days after the date hereof.

Ordinance No. 1982-Z-6
Page 14

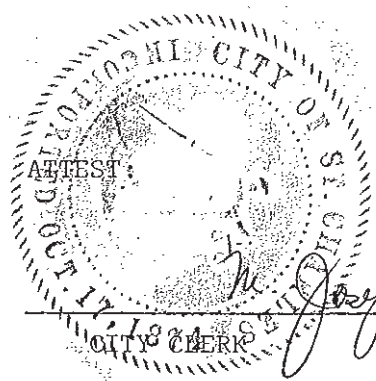
PRESENTED to the City Council of the City of St. Charles, Kane and
DuPage Counties, Illinois, this 19th day of April, 1982.


PASSED by the City Council of the City of St. Charles, Kane and
DuPage Counties, Illinois, this 19th day of April, 1982.

APPROVED by the Mayor of the City of St. Charles, Kane and
DuPage Counties, Illinois, this 19th day of April, 1982.



MAYOR





CITY CLERK

Council Vote:
Ayes: 9
Nays: 0
Absent: 1

This document prepared by:
Allen L. Landmeier
City Attorney
City of St. Charles
2 East Main Street
St. Charles, IL 60174



DONAHUE and THORNHILL

REGISTERED LAND SURVEYORS

SUBDIVISION — INDUSTRIAL — FARMS
 TOPOGRAPHICAL — RESIDENTIAL — MORTGAGE
 CALCULATING — LEGAL DESCRIPTIONS — MAPPING
 RIGHT-OF-WAY
 ELECTRONIC DISTANCE MEASUREMENT

20 SOUTH SECOND STREET

GENEVA, ILLINOIS 60134

232-7418

RECEIVED

APR 06 1982

 PLANNING OFFICE
 ST. CHARLES, ILL.

March 18, 1982

PARCEL ONE

Lot 1

That part of the Southwest Quarter of Section 33, Township 40 North, Range 8 East of the Third Principal Meridian described as follows: Commencing at the southeast corner of Joe Keim's Randall Road Subdivision, St. Charles Township, Kane County, Illinois; thence southeasterly along the northeasterly line of Illinois State Route No. 38, 1440.0 feet; thence northeasterly at right angles to the last described course 935.0 feet for a point of beginning; thence southwesterly along the last described course 275.0 feet; thence southeasterly at right angles to the last described course 310.0 feet; thence southeasterly along a line forming an angle of $175^{\circ}42'43''$ with the last described course (measured clockwise therefrom) 217.38 feet to the west line of Fourteenth Street South; thence northerly along said west line 1024.06 feet to a point that is 208.67 feet southerly of the center line (measured along said west line) of Prairie Street; thence westerly parallel with said center line 283.67 feet; thence northerly parallel with said west line 168.67 feet to a point that is 40.0 feet southerly of said center line (measured at right angles thereto); thence westerly parallel with said center line 581.84 feet to a point that is 1134.54 feet easterly of the east line of said Subdivision (measured along said center line); thence southerly parallel with said east line 321.03 feet to a line drawn parallel with said northeasterly line from the point of beginning; thence southeasterly parallel with said northeasterly line 677.64 feet to the point of beginning in the City of St. Charles, Kane County, Illinois, and containing 13.782 acres.*

Lot 2

That part of the Southwest Quarter of Section 33, Township 40 North, Range 8 East of the Third Principal Meridian described as follows: Commencing at the southeast corner of Joe Keim's Randall Road Subdivision, St. Charles Township, Kane County, Illinois; thence southeasterly along the northeasterly line of Illinois State Route No. 38, 1440.0 feet; thence northeasterly at right angles to the last described course 660.0 feet; thence southeasterly at right angles to the last described course 310.0 feet; thence southeasterly along a line forming an angle of $175^{\circ}42'43''$ with the last described course (measured clockwise therefrom) 217.38 feet to the west line of Fourteenth Street South for a point of beginning; thence northwesterly along the last described course 217.38 feet; thence southwestwesterly along a line drawn at right angles to said northeasterly line 450.0 feet; thence southeasterly at right angles to the last described course 230.05 feet; thence easterly along a line forming an angle of $147^{\circ}24'40''$ with the last described course (measured clockwise therefrom) 239.93 feet to said west line of Fourteenth Street South; thence northerly along said west line 400.0 feet to the point of beginning in the City of St. Charles, Kane County, Illinois, and containing 3.452 acres.*

Lot 3

That part of the Southwest Quarter of Section 33, Township 40 North, Range 8 East of the Third Principal Meridian described as follows: Commencing at the southeast corner of Joe Keim's Randall Road Subdivision, St. Charles Township, Kane County, Illinois; thence southeasterly along the northeasterly line of Illinois State Route No. 38, 1440.0 feet; thence northeasterly at right angles to the last described course 210.0 feet; thence southeasterly at right angles to the last described course 510.0 feet; thence southwestwesterly at right angles to the last described course 227.60 feet to said north-

*and also that part of the west half of 14th Street South, lying easterly of and adjacent to the foregoing described tract.

1614145

15

easterly line for a point of beginning; thence northeasterly along the last described course 227.60 feet; thence southeasterly at right angles to the last described course 30.05 feet; thence easterly along a line forming an angle of $147^{\circ}24'40''$ with the last described course (measured clockwise therefrom) 239.93 feet to the west line of Fourteenth Street South; thence southerly and southwesterly along said west line 445.70 feet to said northeasterly line; thence northwesterly along said northeasterly line 331.37 feet to the point of beginning in the City of St. Charles, Kane County, Illinois, and containing 2.416 acres. *

Lots 4 through 9

That part of the Southwest Quarter of Section 33, Township 40 North, Range 8 East of the Third Principal Meridian described as follows: Commencing at the southeast corner of Joe Keim's Randall Road Subdivision, St. Charles Township, Kane County, Illinois; thence southeasterly along the northeasterly line of Illinois State Route No. 38, 1440.0 feet for a point of beginning; thence northeasterly at right angles to the last described course 660.0 feet; thence southeasterly at right angles to the last described course 310.0 feet; thence southwesterly at right angles to the last described course 450.0 feet; thence southeasterly at right angles to the last described course 200.0 feet; thence southwesterly at right angles to the last described course 227.60 feet to said northeasterly line; thence northwesterly along said northeasterly line 510.61 feet to the point of beginning in the City of St. Charles, Kane County, Illinois, and containing 5.706 acres.

PARCEL TWO

Tract Lying South of Route 38

That part of the Southwest Quarter of Section 33, Township 40 North, Range 8 East of the Third Principal Meridian described as follows: Beginning at the northeast corner of Knell Subdivision, St. Charles Township, Kane County, Illinois; thence northerly along the easterly line of said Knell Subdivision extended northerly 224.37 feet to the southwesterly line of Illinois State Route No. 38; thence southeasterly along said southwesterly line 1541.09 feet to a point of curvature; thence continuing southeasterly along said southwesterly line, being along a curve to the right having a radius of 3123.23 feet that is tangent to the last described course at the last described point 630.73 feet to the most northerly corner of tract No. 91C as described in Circuit Court Case 64-1473; thence southwesterly along the northwesterly and northerly lines of said tract 308.65 feet to the most westerly corner of said tract; thence westerly along the south line of said Quarter 1546.31 feet to the easterly line of Bricher Addition to St. Charles Township, Kane County, Illinois; thence northerly along the easterly line of said Bricher Addition 689.79 feet to the northeast corner thereof; thence westerly along the northerly line of said Bricher Addition 1.01 feet to the southeast corner of Knell Subdivision; thence northerly along the easterly line of said Knell Subdivision 378.75 feet to the point of beginning in the City of St. Charles, Kane County, Illinois, and containing 30.352 acres.

*and also that part of the west half of 14th Street South, lying easterly of and adjacent to the foregoing described tract.

EXHIBIT "B"

STANDARDS AND SITE DESIGN CRITERIAI. PERMITTED USES

- A. The following uses are permitted on Lots 4, 5 6, 7, 8, 9, 10 and 11 as shown on the Concept Plan:
1. Amusement establishments including bowling alleys, pool halls, dance halls, skating rinks
 2. Animal hospitals
 3. Antique shops
 4. Art galleries and museums
 5. Art and school supply stores
 6. Auction rooms
 7. Automobile accessory stores
 8. Automobile laundries
 9. Automotive vehicle and automotive equipment sales
 10. Bakeries where not more than 50% of the floor area is devoted to processing, and not employing more than eight (8) persons
 11. Banks and financial institutions
 12. Barber shops
 13. Beauty parlors
 14. Bicycle stores, sales, rental and repair
 15. Blueprinting and photocopying establishments
 16. Book and stationery stores
 17. Business machine sales and service
 18. Camera and photographic supply stores
 19. Candy and ice cream stores
 20. Carpet and rug stores
 21. Caskets and casket supplies
 22. Catering establishments
 23. China and glassware stores
 24. Churches, rectories and parish houses
 25. Clothing establishments
 26. Clubs and lodges, private, fraternal or religious
 27. Coin and philatelic stores
 28. Contractors and construction offices
 29. Costume rental
 30. Currency exchanges
 31. Custom dressmaking
 32. Department stores
 33. Drive-in restaurants
 34. Drugstores
 35. Dry cleaning establishments, retail, employing not more than four persons
 36. Dry goods store
 37. Electrical and household appliance stores including radio and television sales
 38. Employment agencies
 39. Exterminating shops
 40. Flower shops and conservatories
 41. Food stores, including grocery stores, meat markets, bakers and delicatessens (retail sales only)

42. Frozen food stores, including locker rental in conjunction therewith
43. Fuel and ice sales, retail only
44. Furniture stores, including upholstery
45. Furrier shops, including the incidental storage and conditioning of furs
46. Garden supply, tool and seed stores
47. Accessory uses
48. Gift shops
49. Greenhouses
50. Haberdasheries
51. Hardware stores
52. Health centers
53. Hobby shops
54. Hospital
55. Interior decorating shops, including upholstery and making of draperies, slipcovers, and other similar articles when conducted as part of the retail operations and secondary to the principal use
56. Hotels
57. Jewelry stores, including watch repair
58. Job printing shops, using presses having beds of not more than 14 inches and 20 inches
59. Laboratories, medical and dental, also research and testing
60. Laundries, coin-operated or automatic self-service type or hand, employing not more than two persons in addition to one owner or manager
61. Leather goods and luggage stores
62. Libraries
63. Liquor stores, retail sales
64. Loan offices
65. Locksmith shops
66. Machinery and equipment sales, but not including service repair or reconditioning and storage of all machinery shall be within enclosed buildings
67. Mail order service storage
68. Meat markets, including the sale of meat and meat products to restaurants, motels, clubs, and other similar establishments when conducted as part of the retail business on the premises
69. Meeting halls
70. Medical and dental clinic
71. Millinery shops
72. Musical instrument sales and repair
73. Newspaper offices, but not including printing
74. Offices, business, professional and public
75. Office machine sales and servicing
76. Office supply stores
77. Open sales lots
78. Opticians and optometrists
79. Orthopedic and medical appliance stores, but not including the assembly or manufacture of such articles
80. Paint and wallpaper

Exhibit "B" (cont.)

Page 3

81. Pet shops
82. Phonograph record and sheet music stores
83. Photography studios, including developing and printing of photographs when conducted on the premises as a part of the retail business
84. Physical culture and health services, gymnasiums
85. Picture framing when conducted on the premises for retail trade
86. Plumbing showrooms and shops
87. Post offices
88. Radio and television broadcasting studios and towers
89. Radio and television service and repair shops
90. Recording studios
91. Restaurants, including live entertainment and dancing
92. Restricted production and repair limited to the following: art needlework, clothing, custom manufacturing and alterations for retail only
93. Schools, commercial or trade not involving any danger of fire, explosion, nor of offensive noise, vibration, smoke, dust, odor, glare, heat, or other objectionable influences
94. Schools of music, dance or business
95. Second-hand stores and rummage shops
96. Sewing machine sales and services, household machines only
97. Shoe stores
98. Shoe and hat repair stores
99. Signs as regulated in this Ordinance
100. Sporting Goods stores
101. Tailor shops
102. Taverns and cocktail lounges
103. Taxidermists
104. Telegraph offices
105. Temporary buildings for construction purposes for a period not to exceed the duration of such construction
106. Theaters - indoor
107. Ticket agencies, amusements
108. Tobacco shops, retail sales
109. Toy shops
110. Travel bureaus and transportation ticket office
111. Typewriter and adding machine sales and service establishments
112. Undertaking establishments and funeral parlors
113. Variety stores
114. Wearing apparel shops

B. The following uses are permitted on Lot 1 as shown on the Concept Plan:

1. Multiple-family dwellings

C. The following uses are permitted on Lot 2 as shown on the Concept Plan:

Business service establishments which perform services on the premises:

1. Better business bureau

Exhibit "B" (cont.)

Page 4

2. Business and/or management consultant
3. Business office, in which chattels or goods, wares or merchandise are not displayed or sold on the premises
4. Chamber of commerce
5. Credit agency
6. Funeral parlor or undertaking establishment
7. Insurance office
8. Interior decorating studio
9. Investment company
10. Labor union and/or organization
11. Mail order house
12. Photographic studio
13. Real estate office
14. Secretarial service
15. Social and fraternal association
16. Trade association

Professional office establishments:

1. Accounting, auditing and bookkeeping
2. Architect's office
3. Artist and industrial designer's office
4. Attorney and law office
5. Chiropodist's office
6. Chiropractor's office
7. Dentist's office
8. Doctor's, surgeon's and/or physician's office
9. Engineering office
10. Landscape architect's office
11. Land surveyor's office
12. Minister's office.
13. Optician's office
14. Osteopath's office

Retail business, which supply commodities on the premises limited to:

1. Art gallery
2. Antique shop
3. Bookstore
4. Gift shop
5. Flower shop
6. Leather and luggage goods stores
7. Equestrian riding apparel shops

Public, quasi-public and governmental buildings or facilities:

1. Church
2. Off-street parking facility
3. Museums, art gallery

D. The following uses are permitted on Lot 3 as shown on the Concept Plan:

1. The uses permitted on Lot 2 listed in Paragraph 1, C, above

2. Antique shop
3. Art galleries or collector shop
4. Camera and photography store
5. Clock shop
6. Clothing stores -- men's, women's
7. Clothing stores -- sports
8. Crystal, china or glass shop
9. Furniture stores
10. Gift shop with specialty theme
11. Home entertainment center store
12. Jewelry
13. Leather goods and luggage stores
14. Linen or lace shop
15. Restaurant
16. Shoe stores
17. Tobacco shop
18. Travel bureaus
19. Banks and financial institutions

II. DENSITY

The maximum density for residential use and the maximum total square footage of building for non-residential use allowed for each lot shown on the Concept Plan shall be as follows:

- A. Lot 1 - 15 units per acre for a maximum of 210 units
- B. Lot 2 - 12,000 square feet
- C. Lot 3 - 25,000 square feet
- D. Lot 4 - 10,000 square feet
- E. Lot 5 - 10,000 square feet
- F. Lot 6 - 10,000 square feet
- G. Lot 7 - 10,000 square feet
- H. Lot 8 - 10,000 square feet
- I. Lot 9 - 19,000 square feet
- J. Lot 10 - 75,000 square feet
- K. Lot 11 - 180,000 square feet

III. YARDS

There shall be a minimum setback of thirty feet (30') from Prairie and 14th Streets and twenty feet (20') from Route 38. No parking or structures, including but not limited to, all accessory buildings, swimming pools, signs and fences over six feet (6') tall shall be permitted within said setback areas. Said setback areas shall be suitably landscaped and planted so as to provide open green space. Buildings shall be set back at least thirty feet (30') from all public rights-of-way.

Any yard adjoining residential property shall be a minimum of thirty feet (30') in depth.

IV. SIGNS

All signs exceeding 12 square feet in surface area shall be submitted to the Plan Commission for review and approval prior to issuance of a building permit.

- A. Non-flashing but illuminated business signs with no moving parts, awnings and marquees are permitted on Lots 4, 5, 6, 7, 8, 9, 10 and 11 subject to regulations set forth elsewhere in City ordinances and the following:
1. The illumination of any exterior sign shall be only during business hours or 11:00 pm - whichever is later. Where a sign is illuminated by light reflected upon it, direct rays of light shall not beam upon any part of any existing residential buildings, nor into a Residence District, nor into a street. A sign in direct line of a traffic signal shall not be in red, green, or amber illumination.
 2. The gross surface area in square feet of all signs on a lot or building shall not exceed three (3) times the number of lineal feet of the building frontage; and each side of a building which abuts a street or frontage road shall be considered as a separate frontage; and the gross area of all signs located on a side of a lot or building abutting a street shall not exceed the number of lineal feet of such building frontage.
 3. Signs shall not project into the public way.
 4. Any sign located within ten feet (10') of the paved surface of a street or within ten feet (10') of a sidewalk or driveway, or within fifty feet (50') of the intersection of two (2) or more streets shall have the lowest elevation at least twelve feet (12') above curb level.
 5. A sign affixed to a building shall not project higher than the building height, or thirty feet (30') above the curb level, whichever is lower, except in the case of a one-story building where the sign may project not more than three feet (3') above the building height. A ground sign shall not exceed forty feet (40') in height above curb level.
 6. No more than one (1) free standing ground sign may be erected on each of the following lots: 4, 5, 6, 7, 8, 9, and 10 and no more than four (4) such signs on Lot 11, one (1) of which may be erected having a total gross display area of not more than .75/1.00 of the gross

floor area of the building situated on the property, provided, however, that no one display surface shall contain more than 300 square feet, and the total area of all display surfaces shall not exceed 600 square feet; such sign structure shall be set back at least half the required yard depth from the abutting street, and the bottom edge of any display surface shall be at least eight feet (8') above the level of the ground, and its overall height shall not exceed 24 feet above the curb level. Its overall width shall not exceed twenty feet (20').

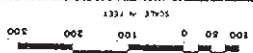
- B. Non-flashing but illuminated business signs with no moving parts are permitted on Lots 2 and 3 subject to all City Ordinances and the following:
1. The illumination of any sign shall be only during business hours. Where a sign is illuminated by light reflected upon it, the lighting shall be shielded in such a manner as to prevent direct rays of light from shining on buildings other than those on the immediate premises, or from shining into a street.
 2. The gross surface area in square feet of all signs on a lot or building shall not exceed the number of lineal feet of the building frontage; except, that on a corner lot the gross surface area of all signs on a side street frontage shall not exceed one-half square foot area for each lineal foot of the building frontage on such side street. Each street frontage shall be considered a separate frontage and the separate permitted gross surface sign areas shall not be combined.
 3. Signs shall be affixed flat against the building walls and shall not project therefrom for more than twelve inches (12") except in the case of a yard sign.
 4. A single free-standing yard sign on each of the said two lots is permitted. Such yard sign shall not exceed thirty-two (32) square feet in gross surface area, nor shall it exceed the gross surface area permitted in Subsection 2 of this Section. No yard sign shall be permitted within the required setback adjoining a street.
 5. No sign shall project higher than twelve feet (12') above the established grade of the building.
- C. Signs located on Lot 1 shall be in accordance with the underlying zoning district.

V. OFF-STREET PARKING AND LOADING

Off-street parking spaces and loading berths shall be provided in accordance with the provisions set forth in the Zoning Title except the parking spaces for uses other than grocery stores and multiple family dwellings may be 9 feet by 18½ feet. The size of parking spaces for grocery stores and multiple family dwellings shall conform to the provisions of the Zoning Title.



J. CHRISTOPHER LANNETT, LTD.
 LAND PLANNERS
 LANDSCAPE ARCHITECTS
 DESIGN/DEVELOPMENT CONSULTANTS
 1230 EXECUTIVE PLACE, SUITE 403
 GENEA, ALABAMA 36034
 (205) 333-0455

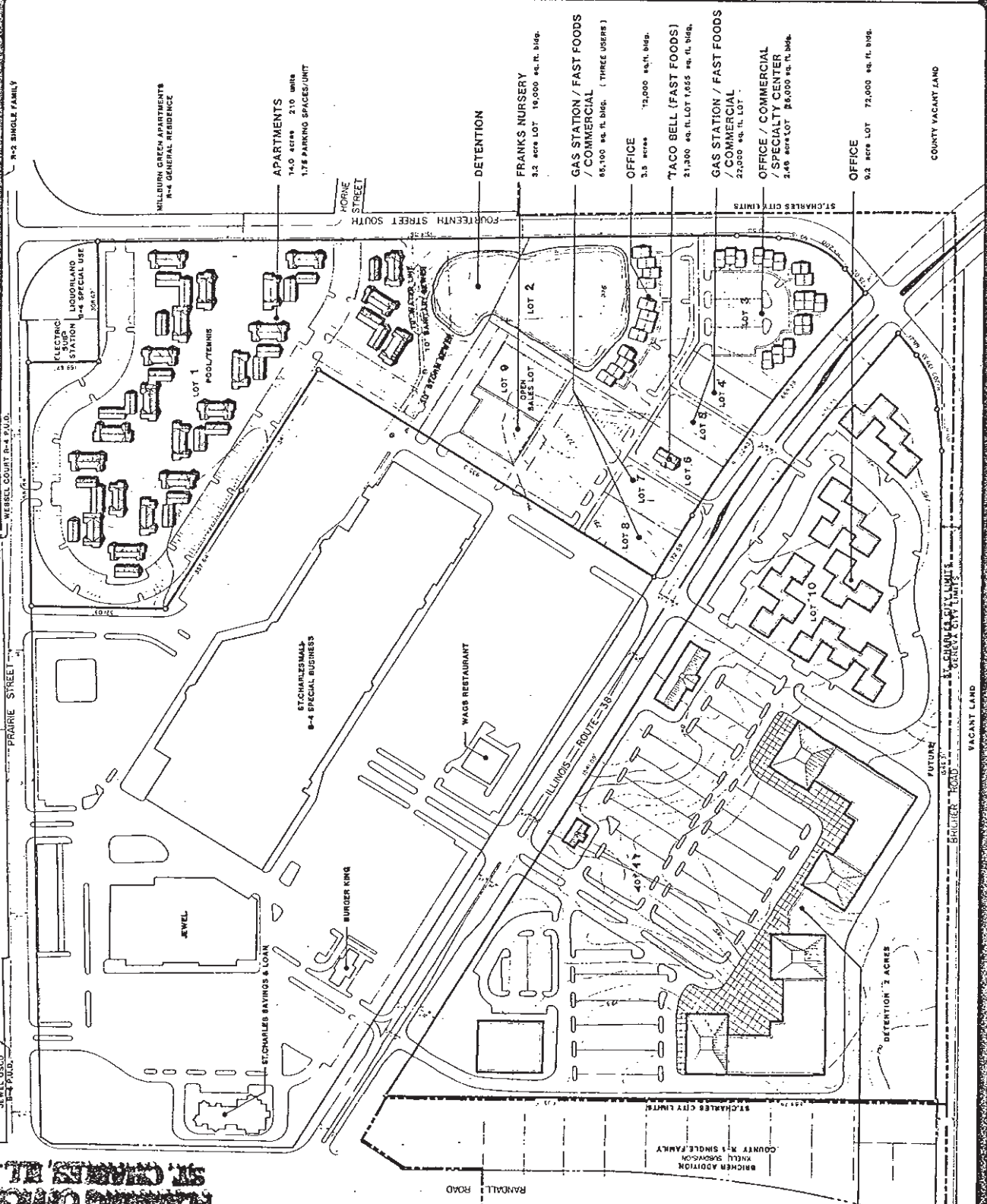


JOB NO. 8124
 CONCEPT PLAN
 DATE: 11/24/81
 SHEET NUMBER

CONCEPT PLAN

ROBERT H. ANDERSON & ASSOCIATES
 CONSULTING ENGINEERS 10 NORTH STATE AVENUE, ST. CHARLES, ILLINOIS

ST. CHARLES COMMERCIAL CENTER



REGISTERED
PLANNING OFFICE
ST. CHARLES, ILL.
APR 06 1982

EXHIBIT "C"

COMMERCIAL/OFFICE/
 RESTAURANT/
 SPECIALTY CENTER
 21.1 ACRE LOT
 150,000 - 200,000 sq. ft. bldg.

COUNTY VACANT LAND

EXHIBIT "D"

P H A S I N G

The Subject Realty shall be developed in no more than eleven (11) phases. A phase shall consist of one or more lots as described on the Concept Plan. Subject to Council approval, there may be subphases, in which case the final plan shall constitute only that portion of the approved preliminary plan which the applicant proposes to record and develop. For any subphase all improvements shall be completed for the entire phase unless the City Council approves otherwise.

The Owner may vary the following phasing schedule provided all off-site extensions and improvements for streets, access drives, water mains, sanitary sewers, storm water facilities, retention and detention basins, surface drainage ways and facilities and electrical facilities necessary, as determined by the City Council, to service the phase being presented shall be completed and paid for by Owner as part of that phase, including the applicant's obtaining and granting all necessary off-site easements and dedication of rights-of-way. If there is concurrent phasing or subphasing, the completion schedule of all the aforesaid extensions and improvements shall require a sequence which provides for usage by the phase or subphase furthest from the existing utilities at the time such phase or subphase is completed. If there are two or more phases being developed at one time the sequence shall provide for service to the phase first requiring such service.

All on-site and off-site extensions and improvements for water mains, sanitary sewers, storm water facilities, retention and detention basins, surface drainage ways and facilities and electrical facilities shall be installed as necessary to serve each phase. In addition certain on-site and off-site improvements shall occur in accordance with the following schedule:

1. The development of Lots 9 and 6 (Phase 1) shall include the following improvements:
 - a. Construction of the full width access road between Lot 9 and Lots 6, 7 and 8.
 - b. Construction of the full width access road between Lots 6 and 7 and installation of the barrier curb and necessary widening of Illinois Route 38 for the "right-in, right-out" curb cut on Route 38.
 - c. Completion and restoration of detention basin on Lots 1 and 2 in accordance with the requirements of the City.
2. The development of Lot 10 shall include the following improvements:
 - a. All required improvements to Illinois Route 38 along the frontage of Lot 10 or a subphase of Lot 10, including intersection improvements on Route 38 at Bricher Road.

- b. Dedication of right-of-way and escrowing of funds for future Bricher Road improvements based on the frontage of Lot 10 or a subphase of Lot 10 along Bricher Road as more fully described in the body of this Ordinance.
3. The development of Lot 11 shall include the following improvements:
 - a. All remaining improvements to Illinois Route 38.
 - b. All remaining dedications of right-of-way and escrowing of funds for the future improvement of Bricher Road.
 - c. The dedication of a 33-foot wide strip of land along the west property line of Lot 11.
4. When Lots 1, 2 or 3 are developed, or the access drive between Lots 2 and 3 is completed to 14th Street, whichever occurs first, the Owner shall complete the following improvements:
 - a. The dedication of right-of-way and improvement to the west half of 14th Street from Illinois Route 38 to Prairie Street. In the event the necessary right-of-way along the east side of 14th Street is attained and the City Council decides the full width of 14th Street should be improved, the Owner shall improve the full width of 14th Street and be reimbursed by the City for the costs of improving the east half of 14th Street.
 - b. Installation of the water main loop along 14th Street.
5. The development of Lot 1 shall include the improvement of the south half of Prairie Street along the north property line of Lot 1.
6. The development of Lots 3 or 4, whichever occurs first, shall include the construction of the full width of the access drive between Lots 3 and 4 including any required improvements to Illinois Route 38 for said access drive.

EXHIBIT "E"

C O N S E N T

We, the Owners and Lessees of the Subject Realty described in Exhibit "A", approve of accept and agree to the terms and conditions set forth in the Ordinance to which this Consent is attached.

State Bank of St. Charles as Trustee under the Provisions of a Trust Agreement dated November 22, 1972, and known as Trust No. T-303

BY: [Signature]
VICE PRESIDENT & TRUST OFFICER

(SEAL)

ATTEST:

[Signature]
ASST. CASHIER

STATE OF ILLINOIS)
COUNTY OF KANE) SS

I, THE UNDERSIGNED, a NOTARY PUBLIC in and for said County, in the state aforesaid, DO HEREBY CERTIFY that CARL W. RUDDOLPH Vice President - Trust Officer of STATE BANK OF ST. CHARLES AND SYLVIA M. ZOCHER and ASST. CASHIER Assistant Secretary of said bank, personally known to me to be the said persons whose names are subscribed to the foregoing instrument as such Vice President - Trust Officer and ASST. CASHIER Assistant Secretary respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act, and as the free and voluntary act of said bank, for the uses and purposes therein set forth and the said ASST. CASHIER Assistant Secretary did also then and there acknowledge that he as custodian of the corporate seal of said bank, did affix the said corporate seal of said bank to said instrument as his own free and voluntary act and as the free and voluntary act of said bank, for the uses and purposes therein set forth.

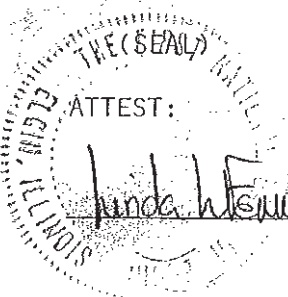
GIVEN under my hand and Notarial Seal this 13th day of May, 1982.

161445

[Signature] NOTARY PUBLIC

First National Bank of Elgin as Mortgagee
under Document No. 1591511, this 14
day of May, 1982.

By: [Signature]



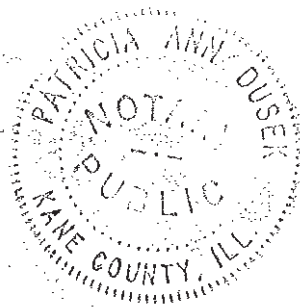
ATTEST:

Linda L. Fenner

STATE OF ILLINOIS)
COUNTY OF Kane) SS

I, Patricia Ann Dusek, in and for said County, in the State aforesaid, DO HEREBY CERTIFY that John W. Modaff personally known to me to be the Ex. Vice-President of the THE FIRST NATIONAL Bank of Elgin corporation, and Linda L. FENNER personally known to me to be the Asst. Secretary of said corporation, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such Ex. Vice-President and Asst. Secretary, they signed and delivered the said instrument as Ex. Vice President and Asst Secretary of said corporation, and caused the corporate seal of said corporation to be affixed thereto, pursuant to authority, given by the Board of Director's of said corporation as their free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

GIVEN under my hand and seal this 14th day of May, 1982.



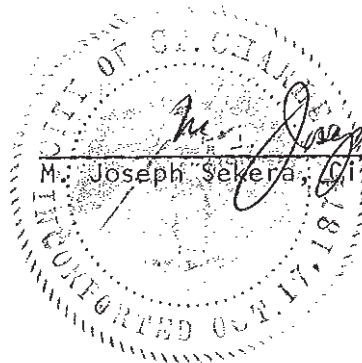
Patricia Ann Dusek
NOTARY PUBLIC

STATE OF ILLINOIS)
COUNTIES OF KANE AND DUPAGE) SS.
CITY OF ST. CHARLES)

This is to certify that the foregoing is a true and correct copy of Ordinance No. 1982-Z-6 entitled AN ORDINANCE REZONING PROPERTY TO THE R-5 MULTIPLE RESIDENCE DISTRICT & B-3 SERVICE BUSINESS DISTRICT & GRANTING A SPECIAL USE AS A PLANNED UNIT DEVELOPMENT FOR THE ST. CHARLES COMMERCIAL CENTER PROPERTY

passed by the City Council of the City of St. Charles on the 19th day of April, 1982 A.D., as morefully appears from the records and files of said City in my custody.

Given under my hand and the official seal of said City of St. Charles, this 17th day of May, 1982 A.D.



M. Joseph Sekera
M. Joseph Sekera, City Clerk

jrj
11/19/80
1614145