

4-19-22

Plan Commission Members

I am first going to discuss this portion of the Special Use for PUD application.

ii The proposed PUD and preliminary plans conform to the requirements of the underlying zoning district in which the PUD is located and 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.

At the 3-22-22 Plan Commission hearing Mr. Hurst gave this testimony: "The addition of the fifth floor creates an opportunity to taper the building's southern elevation. The tiered elevation is more impactful than the variance requested and especially with the fifth floor setback from the street level façade. The additional height allows for a more condensed building design that promotes walkability and open space. Our proposed gross floor area, about 57,767 square feet, is less than the current zoning ordinances allow which is 80,000 square feet on this site with two buildings connected by a party wall, which is essentially what is shown there in that picture." (referring to the comprehensive plan Downtown Redevelopment Concept Building 16).

First of all, Mr. Hurst did not ADD a fifth floor to the building to "create an opportunity for tapering". The fifth floor was ALREADY in the concept plan and he listened to plenty of objections to it during the concept review phase.

The taper is an ineffective attempt to make the building look less massive than it is. It comes as a response to the input he received from this commission and the residents during the concept phase review.

Becker: "that building is too bulky for the site."

Moad: "the building feels much too massive for a gateway to our town"

Macklin-Purdy: "It may be a little bit large for the space, but I think you're going to do some -- maybe working on that"

Wiese: "I would agree with some of the comments about the density of the building"

Vargulich: "I think the building now feels just really massive."

I am not going to read it, but I have included at the end the transcript of the entire portions of the statements made at the 7/20/21 Plan Commission meeting where the concept plan was reviewed. This is to show for the record that none of the quotes were taken out of context.

Let's review the building mass.

	Concept Plan	This PUD	Difference
Height	63' tall	63' tall	NONE
First floor retail sf	7,040	7,571	+7%
Chamber site	retained set back	set back eliminated	More first floor building mass
Apartments	48	43	-11%
Total sf	64,354	57,767	-10%
Number of times larger than the 2,852 sf building that is the largest building close to this site (214 S. 2 nd Ave)	22.5	20.25	-2.25

Adding a taper to the fifth floor does NOT make a building that is still the same height and is still more than 20x larger than the building directly across the street look less massive.

Why does the developer need a “more condensed building design”? Condensing the building is forcing it to be taller and more massive, which is not necessary. The developer is not utilizing an approximately 5,830 sf footprint of the north parcel for building. He leaves it as an open parking lot with an ATM. If he utilizes the full footprint by adding his second and third floor above it like the eastern portion of the parcel, he adds 11,660 sf. This accommodates 100% of his fourth floor and 25% of the fifth floor, so he would lose 3 or 4 apartments.

Here is the math, using data from the tax records

	<u>3-story building</u>
Total of both parcels	23,550 sf
Multiply that footprint by 3 floors (x3) =	70,650 sf
Take off one floor of the north parcel for parking (-12,741 sf) =	<u>57,909 sf</u>

Compare to current PUD	<u>5-story building</u>
	<u>57,767 sf</u>

So, he has MORE sf in a 3-story building that would not need fixing to make it seem less massive.

This “condensed building design” (aka: leaving the northwest portion of the north parcel unbuilt) does nothing to promote walkability or open space. It’s a parking lot with an ATM. It is a private parking lot. It will not be used for walking or even as a short cut to any destination. It will not be used as open space. It will be used for tenant parking and drive-through ATM business.

I’m including this next section in my pre-meeting submission because I don’t know whether the developer will attempt to correct his previous testimony. In the case that he does not correct it, I plan to include this section in my oral testimony on 4/19/22.

At the 3/22 meeting Mr. Hurst walked through the density of the PUD versus a conforming building. He testified: “The density ordinance considers dwelling units which is not the best measurement of a development's impact on city resources especially as it pertains to multi-family housing. When considering the impact of a residential development you need to consider the number of residents added. So applying the population factors in the park and land cash worksheets that the city uses, if you take our proposed 27 one-bedroom and 16 two-bedroom units and apply their metric to that you end up with 65 residents. The land area that we own would support the square footage required to have 22 large three-bedroom units in addition to some office space and retail on the first floor. The population factor of the development of 22 three-bedroom units would be 67 residents. So that's why I would say it's important to consider that because it's really -- the current zoned ordinance without any variance of density would allow 65 -- 67 residents and we're proposing what the land cash donation would be is 65 residents. If you add offices included in that use, which would be likely because the way the residents would end up as permitted in the current zoning ordinance, that would even create more pressure on the impacted area from a personal standpoint.”

These numbers come from his original park land/ cash worksheet, where the developer mistakenly used the multiplier for an efficiency apartment instead of a one-bedroom apartment when doing his math. He has corrected the worksheet in the newly revised PUD application on the website.

I want to run the math for you so you can see the error in his previous testimony.

Here are the facts about density.

	PUD	As-zoned
27 1-bedroom x 1.758	47.466	
16 2-bedroom x 1.914	<u>30.625</u>	
22 3-bedroom x 3.053		67.166
Estimated population	78.06	67.166
Parking spaces needed	59.6	44

The fact is, if Mr. Hurst developed the parcel per the allowed zoning, there would be 11 fewer residents projected.

I ran the numbers on residential parking that would be required for this and instead of 59.6 with the PUD, it's 44 for the as-zoned. The as-zoned scenario would demand 25% less parking.

So Mr. Hurst has not proved that conforming to the zoning requirements would be impractical, nor has he proved that not conforming will provide any benefits that outweigh the costs to our neighborhood. He has not proved that he needs five floors and double the allowed density. In fact, I have shown you here how he can build a three-story building that provides the same square footage and would accommodate 1.7x the allowed density. From the park land / cash worksheet calculations I have shown you that following the zoning and putting up the 4-story building Mr. Hurst suggests is also better in terms of density and residential parking. Putting up the three-story building would better blend with the surrounding neighborhood, cast a smaller shadow, and not require any trickery to try to reduce the mass and scale. In fact, if that were his proposal, we would not be here tonight.

Now I will talk about the land give-away demanded in the PUD.

Mr. Hurst also testified on 3-22-22: "One of the other things that we're requesting is vacating Indiana and the dedication of the right-of-way to the south. The vacation of Indiana allows us to create a more cohesive open space experience than currently exists by enhancing the pedestrian connectivity in the neighborhood to the pedestrian facilities, river, and downtown, adding bike racks, (indiscernible) seating, and beautifying the green space through landscaping and a gateway element. Our vision is to work with the city and the art council to find an iconic structural art piece and signage to become a symbol of the southern gateway to downtown. Connecting existing trails to parks, residents, and businesses is a critical component of improving walkability of downtown. These are essential goals of the comprehensive plan for this site."

That's quite a claim! Especially because when you really look at the PUD design to the south, it does not achieve those goals.

- The PUD does not connect any existing trails to parks, residents, or businesses. I'm not sure what connections Mr. Hurst was referring to here. There is a park a block away, and there is a trail across Riverside Ave, but the PUD doesn't connect any of them.
- The PUD is complicated and not pedestrian friendly at Indiana Ave – it inhibits connectivity from our neighborhood to Riverside Ave and the river. Right now all we have to do is walk down the public sidewalk on the south parcel to connect. Once the PUD is in, we must cross private property to connect, or alternately we have to walk south to the end of the triangle.
- The developer's retail/restaurant and apartments are going to bring another 90-135 cars into the neighborhood on a daily basis. The new crosswalk is only a block away from the traffic

signal at Illinois and Riverside, so instead of diverting people to the controlled intersection, the developer creates a potentially busy uncontrolled crosswalk.

- As far as beautifying the greenspace, as you can see, the PUD paves over more than 50% of the greenspace. More than half of the paving is parking, including now one more parking space at the southernmost end in the newly updated plan. You can't say you are beautifying a greenspace when you are converting a significant portion to a parking lot.

Mr. Hurst continued: "The additional land area reduces the density variance. This was anticipated by the comprehensive plan to be accomplished by constructing a separate building, but our PUD allows the creative flexibility to execute the mixed-use envisioned while improving open space and walkability as compared to the comprehensive plan."

- This claim about reducing the density variance is very interesting. The additional land area only does this by increasing the lot footprint square footage. It simply gives him a larger numerator for the equation
 $38,960\text{sf} / 1000\text{sf}$ per dwelling unit,
as opposed to $23,555\text{sf} / 1000\text{sf}$ he actually owns.

The land handover does not reduce the ACTUAL density. He is not using the public land handed over to put more units. He's got the EXACT SAME number of units in the EXACT SAME footprint, he's just getting to count our public land as part of his equation.

The facts are these.

- Pedestrians have easy, unencumbered access to the bike path and river now.
- There is a large parcel of PUBLIC open space green space now.
- The City could work with the art council to install an iconic structural art piece and signage to become a symbol of the southern gateway to downtown and install it on this green space now.
- A bike rack and picnic tables can be installed on the green space now.

After reviewing the facts about the current land use, the size of the land the developer owns and his proposed PUD, it's clear that the developer has not provided any proof, as he is instructed to do in the Special Use Application, that

- a) Conforming to the (zoning) requirements would inhibit creative design that serves community goals

Further, actually conforming to the requirements would result in a creative design. The shape of the lot itself creates more opportunity for interesting angles on balconies, and would be far more creative than placing a four-story rectangle on top of a one-story retail/restaurant.

I especially want to point out that a creative solution to parking is completely missing in the PUD.

Next I will discuss this portion of the Special Use for PUD application.

iii 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.

I've also included at the end the transcript from the 7/20/21 concept review of the PUD from Commission member Funke. "The next question I have is you're in close proximity to single-family homes to the east, and it would be good to see, like, something to show what the difference in height is from the building to the buildings next door and the proximity to those buildings. I don't know what that is from the street, how big the street is."

“And, you know, and maybe some shadow studies to show what kind of shadows are going to be cast on the neighbors next door.”

Mr. Hurst responded “We're working on that on a lot of the background engineering and architecture, so we can do a lot of perspective so that you really get a good sense of, you know, what that looks like from the south, from the east, from the west, including some of the, you know, the green spaces and greenery more detailed. So all of those will definitely be, you know, part of our next approval process.”

Perspectives and drawings that show the differences in height to our neighborhood.

I graduated from the University of Illinois with a 4-year degree in Engineering. One of the course requirements for graduation is Engineering Drawing. I practiced engineering as a licensed Professional Engineer in IL from 1995 to 2009. So I am telling you that I can speak with expertise when I walk you through the following testimony.

I am submitting this drawing titled “Actual Neighborhood To Scale” for the public record.

This is the drawing Mr. Hurst submitted with his plans to show the differences in height to our neighborhood. I used the 59.8' proposed height to set the scale for the items I have drawn. On the top view I extended the lines all the way across the neighborhood for the building height in the PUD, the 50' allowed height, and the 3-story height. I have added the sea level figures to these lines.

The 50' line I am using in the top view and what the developer presented is NOT the actual 50' line. That line is actually about 2' lower than this line. Even though it is inaccurate, I am using it because the scale is so small in this view.

We residents are trying to present factual information to you. It would be extremely helpful if the City would once and for all clarify the exact sea level the zero is measured from and hold every side presenting evidence at the hearings to the actual facts.

When you look at the top view, I want you to notice these things.

- The size and scale of the houses presented as compared to the actual houses and garage that are present
- All of the “representative” houses are taller and wider than the actual houses
- The quantity of houses shown is much denser than what is actually there
- None of the houses shown between 3rd and 4th Avenues are “representative”. In fact the first house that would be shown would be only about 20% larger in width and height to the garage shown here.
- For a real perspective, I modeled in to the middle of 4th Ave the very largest house (214 S. 2nd Ave) to show that if it were at that location, it would still be shorter than the PUD proposed height.
- I could stand on the roof there and just be able to look over the top of the PUD.
- The three-story building line is a match for our neighborhood.

Look at the bottom view.

- You can better see the disparity in height between the PUD and the largest building in our whole neighborhood which is right across the street. The building in our neighborhood is 28.4' high. The top of the PUD is another 31.4' higher. The PUD is more than double the height of the largest building in our neighborhood.
- You can also see the misrepresentation by the developer of the height and mass of the houses in our neighborhood. I'm not saying this was intentional, but here it is.

- Since the scale is larger in this view, I can show you the real 50' height line (the zoned max height). I want you to notice it is not as close to the PUD height as is shown.

The last point I want to make regarding this view is that on the left we see the SMALLEST side of this building. The major mass and uninterrupted bulk of this building runs in the north-south direction and we have no renderings or perspectives that give us an idea of how this will actually look.

At the 3/22/22 meeting I showed you how the perspectives provided are all aerial views that do NOT show the mass and bulk of the PUD next to our neighborhood. I specifically requested a perspective that would show this. Many perspectives should be provided so we all can see how massive this PUD is next to our homes.

Here is a view of the PUD property looking northerly up the middle of 2nd Ave. This is a pedestrian's or driver's view.

- The trees that might provide some helpful screening and offsetting of the mass and scale of the PUD are being cut down – the pine in the front, the tree behind it, and the buckeye in the right side parkway.
- Notice how small the other downtown buildings behind the PUD are.
- Look at 214 S. 2nd Ave. Try to picture a building another 31.4' taller and more than 20x its size right across the street.
- Look at the utility pole in the middle front. Picture 63' feet of solid building wall going along the west side of the street here.



A shadow study

What Mr. Hurst provided in his PUD plan with his initial submission was a shadow study on July 20 showing 6 views in 3 hour increments. The 6:00pm increment shows the shadow already cast on the nearby building. The 9:00pm increment shows that it is still daylight and the shadow is cast completely across 3rd Ave and beyond the scope of the simulation frame.

After listening to our complaints regarding the paucity of information on shadows, the developer provided four more studies and these were submitted for the 3/22/22 meeting. These studies are on the solstices and equinoxes and show 4 views in 3 hour increments.

- 3/21 view shows at 6:00 pm the shadow cast on the house across the street, completely covering one house. We don't know when the shadow started hitting the houses so we cannot calculate how many hours of the 12:11 hours of sun are lost to the shadows.
- 6/21 view shows the 6:00pm shadow just touching the houses across the street. There are 15:13 hours of daylight on this day, so 17% of the remaining daylight hours are in the shadow.
- 9/21 view shows at 6:00 pm the shadow cast onto more houses going up the block across the street. Here again, we don't know when the shadow started hitting the houses so we cannot calculate how many hours of the 12:12 hours of sun are lost to the shadows.
- 12/21 view shows at 3:00pm the shadow not on the neighborhood yet, and it shows a 6:00 pm view with some shadows, but sunset is at 4:25pm on this day, so maybe it's twilight shadows? We can't calculate how many of the 9:07 hours of sun are lost in this study either.

At the last meeting I presented a calculated shadow study that showed that the difference in the hours in shadow between this PUD and a 3-story building goes from 25% to 15%, a full hour and 15 minutes more sun on July 20 , and on March 12 it goes from 33% to 19%, an hour and 40 minutes more sun.

In summary, the information that you requested that is supposed to give you, the decision makers, an idea of how large this building is compared to the neighborhood right across the street is not provided. Instead of giving you factual information, the developer provides false images that are designed to make you think that our neighborhood is larger and more dense than it actually is. It also contains a false image of the 50' height allowed, making it *seem like* the 50' allowed is closer to his PUD height than what it actually is.

He also provides shadow studies that are not informative. Of the five studies presented, only one allows us to calculate the actual IMPACT the shadow will have on us. Shadows change the feel of a space and the value of property in ways that are hard to define. The neighborhood here is asking why the growth you all think is necessary for St. Charles must come at the expense of people already living here for 20, 30, 50, even 80 years. Basically the developer is saying that sunlight can be purchased from him by his renters and taken from us.

The developer has provided no evidence that the Special Use will not be injurious to our enjoyment of our property. Here I have provided you evidence of how it WILL be injurious by the shadows it will cast and its visual incongruity with our neighborhood. It will be a behemoth that towers over our neighborhood, obscuring the sky and replacing it with a brick wall, interspersed with balconies, and a fifth floor community rooftop patio where all residents will be looking down on our front and back yards with a view to all of our activities.

Others are addressing how injurious the parking situation will be.

This is a direct violation of the Special Use for PUD application item iii c) the Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.

I am concluding my testimony to you here tonight starting with some comments on The Comprehensive Plan. This Plan is a guideline created at a point in time. Since its creation some ideas have come to fruition and others have not. For example, there is no rooftop park on the parking deck between Sterling Bank and Brunch Café. The city abandoned building #9 at the former Manor Restaurant site in favor of more open space and plaza expansion. Some ideas in the Plan are not even possible. Mr. Rasmussen pointed this out about the multilevel parking garage shown as building #15 at the 3/22 meeting because there is no room for a helix to access different levels. In fact the drawing here even shows that since there is no access point in the view, how did the cars shown get up to the top level? The Plan was put together by normal people, people who do not have a crystal ball of what is in store for St. Charles. They made their best effort. That is why the plan is reviewed periodically, and updated, and revised.

So just because the Plan shows a four story building at this PUD site does not mean that it is appropriate, nor does it mean that it is mandated.

The reason the Plan Commission has a public hearing like this when a developer asks for variances is to hear the developer's arguments and to ask for citizen feedback. You asked us to stick to the facts for our input. We are all sworn in before our testimony to tell the truth.

The developer has provided a lot of incomplete, inaccurate, and misleading testimony to support his application.

- He provided a traffic study on Indiana Ave that covered 12 hours on a weekday in the summer, and 8 hours on a Saturday ending at 3:00 pm. The street is used regularly for school traffic on non-summer weekdays, and gets heavy use on weekend evenings. Neither of these times are included in the traffic study. I believe this same data is still the basis for the revised study information.
- He provided aerial perspectives that do not illustrate the height and mass of the building next to the buildings directly east. Mr. Hurst testified at the 3/22 meeting about one of these aerial views: “So approaching from the south it shows proposed developments that would appear driving north into the city from Riverside Avenue.” Driving. The view actually shows tree tops.
- He produced a drawing that makes our neighborhood look like the houses are more dense and much wider and taller than what they actually are.
- In this same drawing, he shows a 50’ building height line as closer to his PUD height which makes it seem like the PUD height isn’t that much taller than what zoning allows.
- He provided shadow studies that give us no information about the impact of the shadow on the amount of sunlight robbed from the neighborhood, and no way to calculate it for ourselves from what he provided either.
- He provided testimony at the 3/22 meeting that his PUD would result in less population density than a building built to the zoning code, when the opposite is true.
- He provided testimony at the 3/22 meeting that multi-family buildings INCREASE the value of nearby single family homes, when in actuality, the studies he cited provide hard data that a single-family home being closer to a multi-family building LOWERS the value of that home.

In the meantime, we neighbors have testified to facts. We have double and triple checked the numbers we have provided you so as NOT to provide anything misleading or inaccurate.

- The developer wants the City to give him land for private parking. We have shown you how the developer reduces the amount of available parking while at the same time burdening the City and neighborhood with up to 135 more vehicles. I want to point out that the staff report was amended at our request after we provided information on the undercount on lost parking. The developer acknowledges that his development will create this heavier parking burden and proposes that the City develop a parking lot immediately across the street.
- We have shown you that the developer owns part of a parking lot immediately across the street but does not include its use for the PUD.
- The developer asserts that he needs the street closure and green space to help with his density. We have shown you that the PUD uses none of the forfeited property for building and that the hand-over of this land changes NOT ONE THING about the real density of the PUD.
- The developer asserts that he needs a fifth floor to make the building appear less massive. We have shown you that the developer can build a neighborhood-harmonious THREE-STORY structure with more square footage than the PUD if he utilizes all the land he owns.
- The developer asserts that closing Indiana Ave actually results in more walkability and connectivity. We have shown you that the current street works great to get us to the river and bike path while the PUD necessitates crossing what will become private property to get to these same destinations.

At the last plan commission meeting Mr. Hurst testified, “We acquired the property with the intention of executing that vision as established in the comprehensive plan and the requested variance allows us to exercise this with greater flexibility necessary to incorporate the feedback from the concept review process and delivery of what we consider to be the best version of that use.”

I went back and read the feedback in the transcripts from the concept review. The concept review feedback from the commissioners and alderpeople (not including regular citizens) included concerns

about parking, the building height, the building mass, the density way over zoning, the land give-away, and the street closure. What is submitted in the actual PUD? Aside from infrastructure improvements to shoe-horn it in, we get a tweak to the top of the building and a different façade on essentially the same structure originally proposed. And then we got actual sworn testimony using mistaken math and false images to try to fool us into believing he addresses those original concerns. So no, just no.

At every meeting Mr. Hurst has brought up the alternative, painted as something awful and undesirable. You are not considering an alternative at today's hearing. But I'm going to suggest some alternatives too. These are both viable for Mr. Hurst and are REAL alternatives that the neighbors of this property support. Compromise with Mr. Hurst by allowing some greater population density than zoning allows if he sticks to three-stories on the building and addresses the parking and doesn't take the street or greenspace which he doesn't need. If he is uninterested, let him build his two alternate structures at 4-floors. They will cast a smaller shadow, and be at the appropriate population density, and the City is no worse off on parking because we, the tax-payers, are already going to have to live with or resolve the parking issue he creates both with this PUD and without.

It's up to you, commissioners, to defend and preserve the character of St. Charles that draws people here, both residents and visitors. This PUD tears away at that character and moves us from St. Charles toward St. Naperville.

The developer must prove that Special Use for PUD application meets the criteria laid out in the application. This presentation provides hard and ample evidence that the developer does not prove his case. We neighbors would like to see this property thoughtfully and harmoniously developed, but this PUD is not that – it's a total over reach. I ask that the Plan Commission not favorably recommend this PUD to the City Council.

July 20, 2021 plan commission transcript excerpts

This is the discussion of the request for the shadow study.

Pp 23-27

MEMBER FUNKE: Okay. The next question I have is you're in close proximity to single-family homes to the east, and it would be good to see, like, something to show what the difference in height is from the building to the buildings next door and the proximity to those buildings. I don't know what that is from the street, how big the street is.

MR. CURT HURST: Right.

MEMBER FUNKE: And, you know, and maybe some shadow studies to show what kind of shadows are going to be cast on the neighbors next door.

MR. CURT HURST: Okay.

MEMBER FUNKE: I think that's important.

MR. CURT HURST: We're working on that on a lot of the background engineering and architecture, so we can do a lot of perspective so that you really get a good sense of, you know, what that looks like from the south, from the east, from the west, including some of the, you know, the green spaces and greenery more detailed. So all of those will definitely be, you know, part of our next approval process.

MEMBER FUNKE: I think a shadow study would be key because that's going to –

MR. CURT HURST: Right. Show what is casting a shadow –

MEMBER FUNKE: Casting a shadow on, you know, the next-door buildings.

MR. CURT HURST: Sure. Absolutely.

MEMBER FUNKE: And did you speak to the neighbors next door? Did you kind of talk to them about what you're proposing?

MR. CURT HURST: No. We have not talked specifically to the neighbors other than the Historic Commission preliminary concept review. They were here, and we had a little bit of dialogue during that process but not any direct conversation.

MEMBER FUNKE: And then my last comment is, you know, in the existing zoning you have, you know, the MGA is 40,000 square feet, your allowable square footage, and the lot area is 48,000 square feet. So that comes out to .83, and you guys are proposing 64,000 square feet of MGA, and your lot is 25.9 thousand, which comes out to 2.5. So you guys are, essentially, three times the allowable area for that site. So it's quite a density. You're asking for three times the amount of area that's allowed.

MR. CURT HURST: It's an interesting point, and I think that, you know, it's currently two parcels, actually it's going to be -- there's three parcels there if you could consider the park there and Indiana Avenue. It's currently -- but it is two things there, so two parcels. And if you look at the ordinance, it's actually 40,000 per parcel per building. So if you don't combine the pins, then you actually get the 80,000 because you'd get the 40,000 for each parcel. So, you know, we're trying to figure out what the best way to present that is.

MEMBER FUNKE: It would be good to see that analysis –

MR. CURT HURST: Right.

MEMBER FUNKE: -- and compare them, to see what the zoning allows –

MR. CURT HURST: Right. Because then we wouldn't be looking for that density variance –

MEMBER FUNKE: Right.

MR. CURT HURST: -- based on per lot if we didn't combine the pins. It's also, you know, not necessarily for this conversation, but at least for, you know, knowledge, that the southern -- or the northern parcel, which is the current parking lot, is in the TIF, the First Street TIF, and the Chamber building is not in the TIF. So we're kind of wrestling with how do we put all that together. And so we'll figure all that engineering out, what the best way to do that is.

MEMBER FUNKE: It would be nice to see the -- you know, whatever this site is, I mean, the entirety of the site --

MR. CURT HURST: Sure.

MEMBER FUNKE: -- what that square footage of what, you know, you're proposing compared to what the zoning allows.

MR. CURT HURST: Right.

MEMBER FUNKE: It would be nice to see that number and that comparable.

MR. CURT HURST: Okay.

MEMBER FUNKE: That's all I have. Thanks.

These are the comments from the Plan Commissioners prior to the public input.

Pp28-29

MEMBER BECKER: I guess regardless of the math, **my opinion is that building is too bulky for the site, and I think that it will be an encroachment on the neighborhood across the street. In thinking about it being a gateway, I think that is an appropriate thing to think about. If you think about the mass across the river where they Eden on the Fox, Eden on the River, I think that scale is -- to mirror something like that across the river and then step up to the north, to the more dense and higher buildings would be more appropriate at this part in the downtown. The other thing I'm wrestling with is the use of public right-of-way for private parking spaces.** So it sounds like it's going to be a challenge as well as the vacation of Indiana Avenue and using public park or open space for private. So I'll be interested to see how that works out from a land transfer standpoint. I don't think it's appropriate to have those diagonal spaces on Riverside Avenue backing out into that. I acknowledge that they're already on Second Street. So that seems to be working all right, but adding new ones onto Riverside regardless of trying to do some traffic calming, I don't think that's an appropriate use there. So those are my comments. MR. CURT HURST: Okay.

P29

MEMBER MOAD: I am largely concerned with parking availability because parking on the weekends in particular in that portion of downtown on the east side is always full. And if we add more residential units to that area, the residents are going to have an expectation of parking, and that will deter visitors from being able to park. So I think we have an inadequacy in terms of anticipating our parking needs long term, and **I agree with the comments that have been made with regards to the bulk of the building for the space that it's on. I am in favor of the multiuse concept and multifamily housing -- MR. CURT HURST: Sure. MEMBER MOAD: -- above Sammy's, but the building feels much too massive for a gateway to our town.**

P30-31

MEMBER MACKLIN-PURDY: I do like the project. I think it's a great use of the space. If we're ever going to develop into a larger community, that we're all striving for, we need more density downtown. **It may be a little bit large for the space, but I think you're going to do some -- maybe working on that.** I know that you're probably going to go back to the drawing board a few times. I like the whole concept. I like Sammy's. I like the apartments above it. And I know your kind of MO is to create pedestrian friendly, bike access, river access. So I think the whole concept is very positive for our downtown. MR. CURT HURST: Thank you.

Pp31-33

MEMBER WIESE: I like the one thing that you did say in terms of helping drive more people to St. Charles and giving them an opportunity for a place to live that they may not buy into right away and eventually

grow to love the downtown and grow into St. Charles. And I agree that I think the mixed-use, the idea of Sammy's is something that provides St. Charles more access to the river and to be able to use the river, and the site plan is phenomenal. I think that's a necessary asset for downtown. My suggestion would be the ideas for the courtyard, for that to be more fully developed. You know, any changes that you make -- anything that can show and bring to light, I think, will help kind of determine what is the road to -- like what does that look like and is it going to create more green space. Is it going to create more -- you know, I think those are the things that are unclear and probably causing hesitancy. The idea of parking seems to be answered. I understand that there probably would be increased density, but I also think future parking in St. Charles isn't solely on your shoulders. That's something the City needs to think about with the Arcada, with all the great things that are coming downtown. So I think that's something that in some way the City as a whole needs to think about because I think the idea of bringing more people to St. Charles is a good thing. **I would agree with some of the comments about the density of the building.** So I'd like to see what that ends up looking like, but I do think this is a gateway entry point. You know, as a resident that doesn't live far from this area, I have always wondered why that space has been vacant -- MR. CURT HURST: Right. MEMBER WIESE: -- and looked the way it looks. **So I'm excited about something coming there, and I think you're on the right track. I just think that there's probably some tweaks and things that need to -- and to the point, listening to the residents and hearing concerns, I think is valid and seeing where we can then take it.** MR. CURT HURST: We appreciate those comments, and that's really the value of this process of an informal versus the formal process and getting here and not being able to do that. So we're continually going through that and taking all the input and trying to incorporate those in.

P43-44

VICE CHAIRMAN VARGULICH: **And if you still end up at, say, four stories, even if it's five, I think the building now feels just really massive.** If there are some things either with a combination of materials or windows that can help give it a lighter touch -- MR. CURT HURST: Sure. VICE CHAIRMAN VARGULICH: - **a lighter feel visually.** I think that goes a long way. That may tend to make it more modern, and I think there's, you know, some balance between those. **But I think making it feel lighter so that it doesn't have the sense of mass that the current building feels that it does. I think visually at least right now in the elevations and the renderings that you've shown, realizing that there could be development. Right now it just feels pretty massive.** MR. CURT HURST: The massing is definitely ringing loud and clear, and we're working through that.

These are final feedbacks from the Plan Commissioners after the public testimony.

pp 87-92

MEMBER BECKER: Oh, boy, thanks. Well, I said my piece earlier, and I think that **my main comments have been talked about by many, and it mainly deals with the bulk of the building and the use of right-of-way for private spaces.** I think that's a huge challenge in closing Indiana. I think that the multiuse building is a great idea, but interpretation of the gateway, I think it's going to take a lot more work than what is proposed right now. That's it. Thanks.

MEMBER FUNKE: Well, I agree with everything that's been said, and like I said in my comments earlier, **I think the density is too high. You know it's stated in the existing zoning of .83, and you're actually tripling that. So bring the scale down, you know, talk to the neighbors; and if that works well, then come up with a great plan that works for everybody.** So that's all I have to say.

MEMBER WIESE: Yeah. I would say my comments before stand. **I appreciate the community being involved and wanting to be heard, and I appreciate the developers wanting to listen and getting input. I think something will get worked out. I'm excited to see the iteration -- the next iteration of what this**

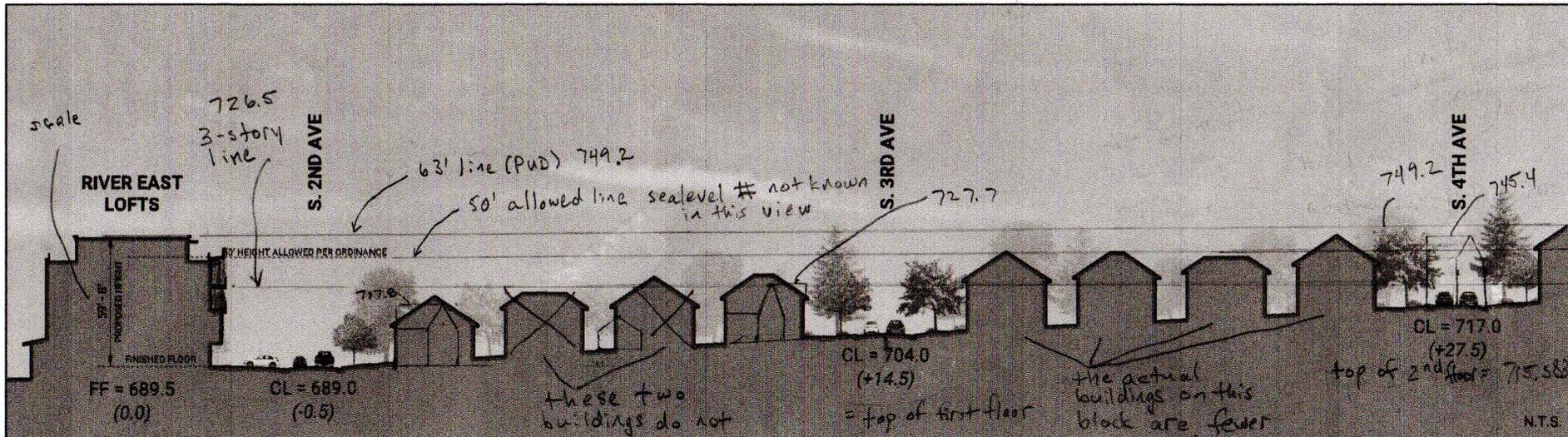
could look like. I think everyone is excited that something can be done on this site and give it the proper gateway that it should be.

MEMBER MOAD: Of course, I'm echoing everything that's been said. I would encourage you to do a parking survey and study of the community as well as a traffic study prior to moving forward with the concept of closing some of those streets. Love the multiuse concept and would like to see the density somewhat lower.

MEMBER MACKLIN-PURDY: First of all, I would just like to say the Hursts have been huge champions for our City, and I know that everything that you are working on is only for the good of our community. That being said, I do think that it needs some massaging. I did work and live at Heritage Square. I do understand -- after you kind of like pinpointed the traffic, I do think that is an issue. And to be honest, you did do a good job with the parking situation at Heritage Square. So I think that needs to be worked on a little bit, and it does fit within the comprehensive plan. I do like the idea of the mixed use, and I love the idea of getting an active business on the first floor of this plan because that's the way of our future, utilizing our best resource, which is the river. But I do think some things need to be reevaluated, and I know that you will probably move forward with a parking and traffic study and look at all these objections and constructive comments, and I know you will look at those and address them. So that's really all I have to say.

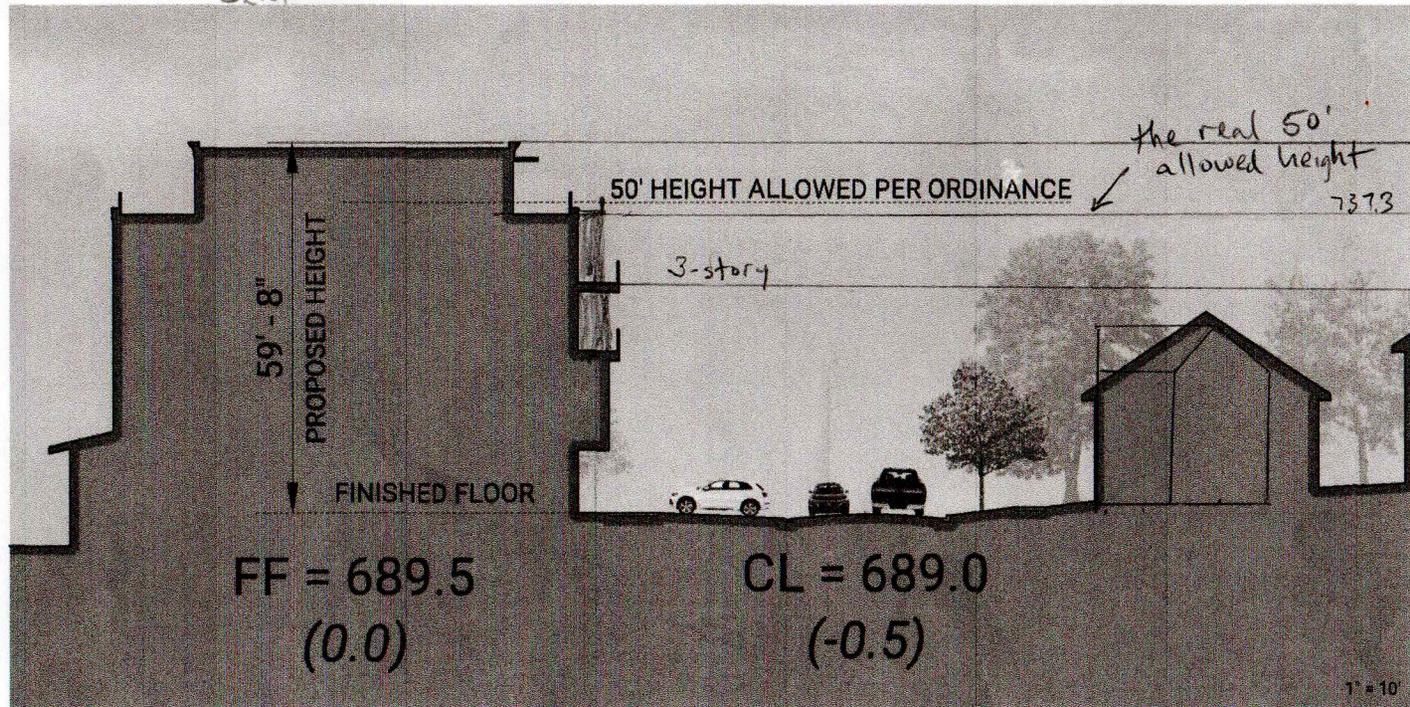
VICE CHAIRMAN VARGULICH: As a group, I think that I just want to help the audience understand. There were a few questions related to approval or changing information and not feeling like -- at one meeting it was one thing and today it's something else. This is a concept plan meeting, and so it is open to continued updating. This is not a formal process at this point. They just are not at that point to go into all of the time and energy it takes to do that. When that does happen, then I think you will see very detailed analysis supported by engineering, supported by a traffic study, which some of our members have asked for, and I think it will be really important with respect to parking and access to this property, especially given a potential for 48 units. For me, I think a mixed-use project is good. I think there were some things, not understanding all, that somebody like Sammy's does, but to introduce kayaks and understand the logistics for actually doing that and how that potentially works for crossing Riverside Drive, which then has pros and cons if you explore closing it, notwithstanding the fire department using it as an access way to go south. Certainly, a traffic study would look at all of those issues and features. So I would certainly encourage that to happen. I do like the mixed-use, though, whether -- hopefully, it's still Sammy's, and hopefully, all those little details can get worked out with him, understanding what his operations are and logistics are. Because I think that a lot of the things that he's doing are not only good as a business but also supports continued growth in our downtown, which obviously everyone would like to see. It's always a little awkward. A thought that no matter what you do when you try to change something, you're going to have things that are going to not make people happy or make people happy as well as you're going to have things that are going to cause a little rub one way, but they will be a benefit in the end for something else. There's no way that everything will turn out perfectly. So between our City staff, our departments, I'm sure a lot of that will get worked out. So I encourage you to come back, which I'm fairly certain you will, and I'm sure we'll have detailed drawings and studies for us to look at and for the public to also look at. With respect to the public, if you would like to continue to have the City's attention on this topic, there is a meeting scheduled on the 9th of August with the Planning and Development Committee. So you are welcome to attend that. For now, I think, we'll close this and move on to our next agenda item. Thank you.

ACTUAL NEIGHBORHOOD TO SCALE



EAST / WEST CROSS SECTION

NOTE: RESIDENTIAL STRUCTURES ARE SHOWN REPRESENTATIVE OF THE EXISTING, TYPICAL TWO-STORY STRUCTURES EAST OF THE PROPOSED DEVELOPMENT.



TITLE:		RIVER EAST LOFTS	
DATE:		NEIGHBORHOOD CROSS SECTION	
DESIGNED BY:	CHECKED BY:	SCALE:	AS NOTED
DRAWN BY:	DATE:	N.T.S.	
PROJECT NO. 20-0764		DATE: 03/19/2022	
DRAWING NO. EX		SHEET:	
1 OF 1			

CLIENT:

FRONTIER DEVELOPMENT
1 EAST MAIN STREET
ST. CHARLES, IL 60174

WBK ENGINEERING, LLC
311 CHARLES ST. ST. CHARLES, IL 60174
(630) 445-7755

WBK ENGINEERING

PROJECT NO. 20-0764
DATE: 03/19/2022
DRAWING NO. EX
SHEET:
1 OF 1

From: Martha Gass <martha.gass@sbcglobal.net>
Sent: Tuesday, April 19, 2022 1:36 PM
To: Colby, Russell
Subject: Petitions for the record

Hello Russel,

Please put the petitions that I handed over to you during the concept Phase review for River East Apartments into the public record. Here is the transcript from the 3/22/22 Plan Commission meeting with my request for you to do so.

"At the end of the (indiscernible) review plan as submitted to Russell Colby over 100 signatures on the petition asking for these attributes: two stories with the architecture that matches the neighborhood, a density ratio consistent with city ordinances and guidelines, sufficient parking for all the residents plus guests, no retail, a ban on ever having a restaurant or a bar inside the development, no closure of Indiana Avenue, no (indiscernible) of the triangle park on Riverside south of Indiana, no width reduction of Riverside Avenue. Given that none of these are attributes of the PUD I'd like to ask Russell please make the petitions a part of the public record."

We neighbors gathered these signatures prior to the conclusion of the concept phase review while walking around our neighborhood, while hanging around at Hazeltine Park, while sitting on the benches at the walking bridge, and outside the library.

Best regards,
Martha Gass

Petition to the City of St. Charles, Mayor Vitek, the Historic Preservation Commission, the Planning Commission, the Planning and Development Committee, and Frontier Development

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Name and Address

Melissa Gustafson
 595 Indiana Ave
 St. Charles, IL 60174

Sharon Rodzicki
 503 Brownstone Dr
 St Charles, IL 60174



JAMES ALONGI
 402 S. 3RD AVE.
 ST. CHARLES, IL 60174

Roosevelt
 Cocroft
 307 Illinois
 St. Charles, IL
 60174

Tina Leturno
 3703 Chesapeake
 St. Charles, IL
 60175



~~Roosevelt~~

~~Edward Campbell
 91 Home St
 St Charles, IL
 60174~~

ADAM TESCH & ELISSABETH TESCH
 1120 S. 10TH ST.
 ST. CHARLES, IL 60174



3703 CHEBSA APTA 1000

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Name and Address

Shawn Thornton 802 S. 10th Ave., St. Charles
Diane Thornton 802 S. 10th Ave, St Charles
Kim Filler 301. Brownstone Dr. St Charles
Paul Platt 869 Stuarts Dr. St Charles
Marcie Guerrero 1230 Elm St. Charles IL
Dan Roberts 442 Brownstone Dr, St Charles IL 60174
Elizabeth Calderone 442 Brownstone St Charles 60174
Felix Venezia 649 PHEASANT TRAIL ST CHARLES 60174
Tommy Lopez 217 Indiana St ST CHARLES 60174
Jeff Ernst 2905 Turnkey RD St. Charles, IL 60174
John Vitero 411 S. 11th Ave St. C, 60174
Robert S. Haley 311 S. 3rd AVE. STC, IL 60174
ARNOLD NUTTING 308 S. 2ND AVE STC. IL 60174

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Name and Address

James D. Munn James D. Muir
 215 Illinois Ave
 St. Charles IL 60174

[Handwritten signature]
[Handwritten signature]

EDA GASS
 99 Horne St.

Joshua D. Pedersen
 215 Walnut Ave
 St. Charles, IL 60174

Rob : Brand,
 211 Indiana Ave
 St. Charles IL 60174

Robert Carter
 217 So. 3RD AV.
 ST. C. 60174

1100 Geneva Rd Apt 25B
 1) Nathan Froemming
 2) Laura Keltan

Coleman Rogan
 403 S 5th Ave
 St. Charles IL, 60174

[Handwritten signature] 1330 W Main St
 Apt 9

Bill Machut
 315 S. 3rd Ave
 St. Charles IL 60174

DAN BROWN
 3250 RENARD LN.
 ST. CHARLES, IL. 60175

BARRY PHILLIPS
 924 S. Second St.
 ST. CHARLES IL. 60174

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Name and Address

Melissa Hiltz	Melissa Hiltz	8/8/21
Morgan Lowie	Morgan Lowie	8/8/21
Joselyn Veague	Joselyn Veague	8/8/21
Micaela Opalacz	Micaela Opalacz	8/8/21
Dave Adkins	Dave Adkins	8/8/21
Theresa		8/8/21
José Santos		8/8/21
Kyle Mansel		8-8-21
Margaret A. Garagida		8/8/2021
Spencer		8/8/2021
Ally		8/8/2021

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Name and Address

Elaine Muir ELAINE MUIR 215 ILLINOIS AVE.

Brian Tomalad Brian DTD 104 2nd Ave

Ruben Sevilla 105 5th Ave

BR DARRAH 415 5TH 4TH AVE

PAMERA DARRAH 115 5TH 4TH AVE

Mary Ann Krempel 1302 E Main & 3N 952 Bittersweet Rd.

John 311 Walnut Ave.

David Mitchell 305 Illinois ave

Taylor Nosalik 1406 Rita Ave

Jennifer Noalick 1502 Weber Rd.

Jane Carter 217 & South 3rd Ave.

Petition to the City of Saint Charles, Mayor Vitck, The Historic Preservation Commission, the Planning Commission, the Planning and Development Committee and Frontier Development.

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Print name	Address	Sign
Robert Altsgott	317 Indiana Ave	Robert H. Altsgott
Clint Humes	314 S 4 th Ave.	
Mary Ann Swant	4035.6th St	Mary Ann Swant
Lynn Christensen	450 E. 1 st St	Lynn Christensen
Bethany Fowler	314 S 4 th Ave	Bethany Fowler
Kara Rollins	1024 Crestwood Circle	Kara Rollins

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Print name	Address	Sign
JAKE WYATT	1022 Stonehedge Rd STC	
STEVE PRADO	1118 WING AVE STC 60174	
MIKE PIKULYK	3002 RENARD LN	Michael Pikulyk
JEFF MEISNER	502 Surrey Woods STC	Jeff Meisner
Herb Moll	3610 Matisse Dr	A Moll
DENNIS LARSON	46 HIGHGATE CRIS STC	Dennis Larson
Harold Withey	2010 Forest Ridge Rd. St. Charles, IL 60174	Harold Withey
DONALD HAINES	1005 PRAIRIE ST. ST. CHARLES, ILL	Donald Haines
JOHN A. DELAGIO	609 So. 8 th St. ST. CHARLES, ILL.	John A. Delagio
LEON LABOTA	1610 Howard St. STC.	Leon Labota

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Name and Address

Margaret Myers Susan R. Bengel	303 So. 3rd Ave 414 Wing Lake	STC St Charles 60174
Pam Olo	1312 7th Court	STC 60174
Serg Kinsu	11 E. Main St.	St. Charles, IL 60174
Laura G. Wodrich	1049 Shabbona Tr.	Batavia, IL 60510
Tami Hoelme	606 North Ave	Batavia IL 60510
Kristi Bruner	7N115 Columbine E.	St. Charles IL 60175
Angela Hufertape	5N716 COVINGTON LN	Wayne IL 60184
Robin Soderquist	1817 S 8th St	STC IL 60174

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Name and Address

Marge Maier 105 Simpson St Geneva

Ron Maier 105 Simpson St Geneva, Ill.

Norma Reinman 3905 Royal Arcient, St. Charles

~~Anteater~~ 408 3rd Ave

~~W~~ 907 Viceroy St. C

Jeannette DesLauriers 621 Fox Glen Drive S.C

Eduardo Manera 2310 Elm Rd West Chicago

Mary Chiappetta 4N056 Wild Rose Rd St. C

Kathy Chesapeake

Mayxue Xiong 507 Valley View Drive

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Name and Address

Charles Skulski 304 S. Second Ave

Art Phil's 304 S. Second Ave

John Kukan, 31816 Walt Whitman Rd.

Thomas Murphy 65077 MAY LN #46

Susan Witek 1223 W. Main St.

Sharon J. Braun 1053 Crestwood Ave,

Frank Bortos 1053 Crestwood St. CHAS
con STE, W

John A 1010 Horne St.

Linda Finocchia 2375 Fairchild Cn, West Chgo

Janette Gueri 36W684 River Grange Rd STE
DICK PETRIZZO 468 3rd AVENUE

Roxanne Kazda 20 N. Fifth Ave - Apt D 60174
DICK DAWY 600 E. Missouri, South Elgin

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Name and Address

Danielle A. Casali
1317 Foxglade Ct. St. Charles

Angela Beebeche
37th 191 Grandmas St. Charles

Melanie Krass
6N660 & Wyoming St Charles

Cathy Cheney
931 S. 8th St. St. Charles

Mary Alice McNeil
309 Bradley Cir.
St Charles IL

Chris Lyle
St Charles, IL
Burdette Sheppard
1377 Hunt Club Dr.
Jim Murphy
2224 Foxhill Ct
St. C.

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Name and Address

Name	Address
J. Lippe	26 White Oak Circle Stc
Jeff Dusha	529 Post Road Stc
Frank Janusz	712 North St. Gen.
Fred Kretschmer	907 Alice Ct, St Charles IL
M. Scellucci	60 Hunt Club Drive St Charles.
Hank M. My	37 W. Little Red Gate Rd St. Charles
Catherine Hunt	506 Red Sky Dr. St. Charles. IL 60175.
Maureen Lude	416 Dunham Place Common St Charles 60174
Dan Miller	3626 Mattise Dr St Charles 60175
Ortlund	2407 Wyeth Dr. St. Charles IL
Sue D. Hedke	1031 Kehoe Drive, Stc 60174
Tracy Hunt	3115 Kessler Dr

(6)

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Print name	Address	Sign
Susan Zadezuiak	420 South Ave	Susan Dale Zuff
Joanna Able	502 S. 4th Ave	Joanna Able
Connor Smith	506 SE 4th Ave	Lawrence Solutz
Kyle Matheis	512 S 4th Ave	Kyle
Thomas Maller	416 S 3rd Ave	Tom Maller
Patrick J Maller	416 S 3rd Ave	Pat Maller