

## 12.40 – City Corridor Improvement Program

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### 12.40.010 – Purpose

The purpose of this Chapter is to promote and protect the public health, safety and welfare by establishing the Corridor Improvement Program and providing for the administration thereof. The Corridor Improvement Program is intended to improve the aesthetics of Eligible Properties by providing financial assistance to property owners or tenants to subsidize the construction of Eligible Improvements. Said improvements shall:

1. Enhance the overall economic vitality and character of the City through improvement of private property and public rights of way adjoining eligible properties; and,
2. Protect the general welfare by aesthetically enhancing Eligible Properties; and,
3. Create and maintain physical improvements that enhance community character by providing unique and familiar visual features.

(2013-M-39 : § 2; 2009-M-8 : § 1; 2001-M-24 : § 1)

### 12.40.020 – Definitions

As used in this Chapter, the following terms shall have the meanings set forth herein:

#### “Corridor Improvement Agreement”

An agreement between a property owner or tenant and the City that provides for the amount of the Corridor Improvement Grant, the improvements to be completed and the responsibilities of the property owner or tenant.

#### “CIC”

The St. Charles Corridor Improvement Commission.

#### “City-Owned Property”

A designated parcel or area of right-of-way identified in the City-Owned Properties Corridor Improvement Program Description attached to this Ordinance as “Exhibit B” and incorporated herein by this reference.

#### “City-Owned Property Improvement Project”

An improvement project on one of the designated City-Owned Properties identified in “Exhibit B” City-Owned Properties Corridor Improvement Program Description.

### Corridor Improvement Grant

Financial assistance to Grant Recipients to reimburse the cost of Eligible Improvements. Grants may be awarded in the specific forms set forth in the program description attached to this Ordinance as “Exhibit A”, and incorporated herein by this reference.

“Eligible Improvements”: The design, purchase and planting or construction of Landscaping Materials on an Eligible Property or City-Owned Property, including related site preparation.

### “Eligible Properties”

Properties located within the corporate limits of the City of St. Charles and have frontage on main Street (Route 64), Randall Road, Lincoln Highway (Route 38), Kirk Road, are located in the Downtown Special Service Area (SSA-1B), located in a public right-of-way adjoining and Eligible Property, City-Owned Property, or in one of the Key Gateway areas identified in Exhibit A.”

### “Grant Recipient”

The owner of record, tenant of an Eligible Property or such other party having a legal interest therein or a non-profit 501(c)(3) organization that is installing Landscaping Materials on an Eligible Property.

### “Landscaping Materials”

Plants, trees, shrubs, bulbs, flowers, hardscape materials (decorative fencing, berming, decorative walls, statuary, and the like), and other similar elements approved by CIC.

(2014-M-43: § 1; 2013-M-39 : § 2; 2009-M-8 : § 1; 2001-M-24 : § 1)

### 12.40.030 – Corridor Improvement Commission: membership

- A. Establishment. The St. Charles Corridor Improvement Commission is hereby established.
- B. Authority. The CIC shall have only those powers and duties provided for in this Chapter 12.40.
- C. Membership. There shall be seven (7) members of the CIC, appointed by the Mayor with the advice and consent of the City Council.
- D. Qualifications. CIC members shall be chosen based upon their professional knowledge, commitment to the community and who are:
  1. A design professional such as a landscape architect, landscape designer or artist; or
  2. A land development professional such as a real estate developer, realtor, construction contractor/planner or civil engineer; or
  3. The owner or manager of a business located in the City of St. Charles; or
  4. An “at large” member who resides in the City corporate limits, but does not necessarily own a business or work within the City; or
  5. Possess other beneficial skills that include, but are not limited to financial/accounting knowledge, interest in the arts (especially a working knowledge of public art) and riverfront issues such as design or ecology.
- E. Terms.
  1. Except as provided for herein, members shall be appointed to a term of three (3) years. Of the first five (5) members of the Board, two (2) members shall serve from their dates of appointment through April 30, 2010, and three (3) members shall serve from their dates of appointment through April 30, 2011.

2. All future terms shall expire on April 30 of the last year of their respective terms. Members whose terms have expired shall continue to serve until a successor is appointed, except if a member is removed for cause.
- F. Removal. Members may be removed from the CIC for cause, upon the recommendation of the Mayor or a motion proposed by the City Council, by a two-thirds (2/3) majority vote of the City Council. Any member of the CIC who fails to attend one-third (1/3) or more of the meetings held within any six (6) month period may be so removed.
  - G. Compensation. No person shall receive compensation for serving as a member of the CIC.
  - H. Officers. The CIC shall elect from its membership a chairperson and a vice-chairperson, and such other officers as it may determine. Officers shall serve for terms of one (1) year, commencing May 1 and ending April 30 of the following year, and shall be eligible for re-election.
  - I. Quorum. A quorum shall consist of a majority of the members then sitting on the CIC. Official actions shall be made by a majority of those members present at any meeting where a quorum exists.
  - J. Meetings. Meetings shall be held at regularly scheduled times or at the call of the chairperson in accordance with the Illinois Open Meetings Act. Minutes of the proceedings of each meeting shall be made and kept as required by law.

(2009-M-8 : § 1; 2001-M-24 : § 1)

#### 12.40.040 – Duties of the Corridor Improvement Commission

- A. Duties. The CIC shall perform the following duties:
  1. Adopt rules of procedure for regular and special meetings to fulfill the duties imposed upon it by this Chapter, consistent with Robert’s Rules of Order (10<sup>th</sup> Edition).
  2. Review all applications for Corridor Improvement Grants.
  3. Make recommendations to the City Council for approval of Corridor Improvement Grants.
  4. Advise the City Council on any matter pertaining to this Chapter and its enforcement, including, but not limited to, the following:
    - a. Amendments to this Chapter.
    - b. Policy concerning streetscape (both public and private streetscape).
    - c. Administration of the Corridor Improvement Grant Program.
    - d. Improvements on City-Owned Properties
- B. Coordination with other City Commissions. The recommendations and policies of the CIC shall complement the recommendations, decisions, and policies of the Plan Commission, Tree Commission and Historic Preservation Commission. Any recommendation, proposed policy, or proposed work in conflict with other City Commissions shall be resolved by the City Council.

(2009-M-8 : § 1)

#### 12.40.050 – Grant application procedure

- A. Applications for Corridor Improvement Grants shall be made to the CIC by completing the application form available from the Community Development Department.
- B. The CIC shall evaluate all Grant applications based upon its ability to satisfy the goals and priorities of the CIC.
- C. The CIC shall consider all applications at one or more of its public meetings. The CIC shall render a decision to recommend approval or denial of the Grant application in a timely manner.
- D. The City Council shall consider the recommendations from the CIC in making decisions regarding approval of Grant applications.
- E. Grants shall be awarded to reimburse Grant Recipients for costs as set forth in this Ordinance.

(2009-M-8 : § 1; 2001-M-24 : § 1)

#### 12.40.060 – Corridor Improvement agreements

Grant Recipients shall execute a Corridor Improvement Agreement in a form satisfactory to the City. The terms of said Agreement shall include, but not limited to:

- A. The Corridor Improvement Grant shall only be used for Eligible Improvements.
  - 1. The Eligible Improvements shall exceed the minimum landscaping requirements of St. Charles Title 17 of the City Code (Zoning Ordinance) and all other provisions of the City Code. In the event that an Eligible Property is subject to a Planned Unit Development (PUD), the proposed improvements must exceed the landscaping required by the applicable PUD landscape plan.
  - 2. Only projects that include improvements considered “above and beyond” any improvements required by Title 17 of the City Code (Zoning Ordinance) as determined by recommendation of the Corridor Improvement Commission and approved by the City Council are eligible for reimbursement. Landscape materials and quantities that only meet the minimum requirements of the Zoning Ordinance will not be considered for a Corridor Improvement Grant.
  - 3. In no event shall Corridor Improvement Grant funds be used for permit or other fees imposed by a governmental entity.
- B. Eligible Improvements shall be completed in strict accordance with a landscaping plan approved by the CIC. Approved landscape plans shall comply with the City Code and the program description. The Director of Community Development may, at his or her discretion, approve minor revisions to said plan due to the unavailability of Landscape Materials, delayed due to weather, availability of materials or other circumstances beyond the reasonable control of Grant Recipients.
- C. Eligible Improvements shall be completed in a timely manner.
  - 1. All Eligible Improvements shall be completed within two hundred-seventy (270) calendar days of the execution of the Corridor Improvement Agreement. The City may, at its sole discretion, authorize an extension of up to two hundred-seventy (270) calendar days. In the event that the Eligible Improvements are not complete in the time provided by the Corridor Improvement Agreement (or extension thereof as the case may be) the City shall not be obligated to reimburse Grant Recipients after the date of expiration.

2. Construction of the Eligible Improvements shall not commence prior to the execution of the Corridor Improvement Agreement; improvements constructed prior to the execution of said Agreement shall not be eligible for Grant funds.
- D. Disbursement procedures; reimbursement of costs.
1. Upon completion of the Eligible Improvements, Grant Recipients shall submit copies of all design invoices, contractor's statements, other invoices, proof of payment and notarized final lien waivers to the Director of Community Development. Grant funds shall not be disbursed without supporting documentation.
  2. Notwithstanding any other provision herein, the Director of Community Development may, at his or her discretion, authorize disbursement of Grant funds before the Eligible Improvements are completed if: (a) at least forty percent (40%) of the Eligible Improvements are constructed; and (b) design invoices, contractor's statements, other invoices, proof of payment, and notarized final lien waivers have been submitted; and (c) the completion of the remaining Eligible Improvements are delayed due to weather, unavailability of Landscaping Materials or other circumstances beyond the reasonable control of the Grant recipients.
- E. Grant Recipients shall maintain the Eligible Improvements without alteration for five (5) years after the execution of the Corridor Improvement Agreement. A restrictive covenant limiting alterations may be required by the City Council at the time of approval of the Corridor Improvement Agreement; the City Council may subsequently waive the requirement following a recommendation from the Corridor Improvement Commission and Director of Community Development, upon submittal of evidence of hardship or unusual circumstances.
- F. Grant Recipients shall expressly acknowledge that Corridor Improvement Grants may be subject to Federal, State and local taxes and as such, they have consulted with their attorney or tax advisor. Grant Recipients shall provide the City with their social security or taxpayer identification number and such other information as may be required by the City.
- G. To the fullest extent permitted by law, Grant Recipients shall agree to indemnify, defend, protect and hold harmless the City. The terms of said indemnification and hold harmless shall be set forth in the Corridor Improvement Agreement.
- H. Grant Recipients shall purchase and maintain general liability insurance naming the City as additional insured party as set forth in the Corridor Improvement Agreement.

(2013-M-39 : § 2; 2009-M-8 : § 1; 2001-M-24 : §1)

#### 12.40.070 – City-Owned Property Improvement Projects

- A. On or shortly after December 1st of each calendar year, the CIC shall review the number of approved Corridor Grant Agreements and pending Corridor Grant Applications to determine if sufficient funds exist to initiate a design plan of a City-Owned Property as identified in Exhibit B.
- B. Design Plan - Upon the determination of the CIC that sufficient funds are anticipated in the current fiscal year, the CIC shall proceed with a design plan of an identified City-Owned Property as follows:
  1. The CIC shall focus on the highest-rated City-Owned Property that has not been improved, as described in Exhibit B "City-Owned Property Priority List".
  2. The CIC shall conduct an initial assessment the City-Owned Property to determine the extent and type of improvements that best suit the City-Owned Property.

3. Based on the initial assessment, the CIC shall determine if an outside design consultant is required to assist with the design of the City-Owned Property.
  - a. Factors used to determine if an outside design consultant is required:
    - i. The total cost of the design is expected to exceed \$5,000.
    - ii. Construction activities result in significant modifications to existing infrastructure (sewer, water, electrical, or other public appurtenances.)
  - b. Upon determination of the CIC that an outside design consultant is required, they shall adhere to policies described in Chapter 2.33 Office of Purchasing as established in the City's Code of Ordinances.
4. The CIC shall develop a plan based on the initial assessment (or defer to an outside design consultant if one is required). The design plan shall comply with the direction and criteria established in Exhibit B.
5. Following a recommendation of the CIC, the design plan and associated cost estimates shall be presented to the City Council for approval.

12.40.080 – Funding source

The Corridor Improvement Program shall be funded by the City of St. Charles General Fund.

# Exhibit B



## City of St. Charles Corridor Improvement Program - City-Owned Property Improvement Projects

### 1. **Program Purpose:**

The purpose of the St. Charles Corridor Improvement City-Owned Property Improvement Projects Program is to provide opportunities to improve the aesthetics of the City of St. Charles through enhancements to City-Owned Properties.

The intent of this program is to promote:

1. The general enhancement of the overall economic vitality and character of the City through improvement of City-owned parcels and areas of the public right of way.
2. The creation and maintenance of physical characteristics that enhance community character by providing unique and familiar visual features.

### 2. **Eligible Properties:**

Only the City-Owned Properties identified on the attached City-Owned Property Location Map and detailed on the City-Owned Priority List are eligible for this program.

### 3. **City-Owned Property Improvements Guidelines:**

The purpose of these improvements is to promote the economic viability of St. Charles by updating the design and visual quality of publically owned properties. These improvements will focus on materials that create long-term and low-maintenance enhancements that are permanent and supplemented by vegetative features. When possible, designs should incorporate features that promote activity and visibility. The colors and material types shall match (or closely resemble) those already utilized in St. Charles to create a comprehensive design aesthetic throughout the City.

The Corridor Commission shall utilize the following guidelines to determine the appropriateness of the design:

## Furniture & Bike Racks

All furniture placed on City-Owned Properties such as benches, bike racks, etc. will be consistent with those already utilized by the City's Public Works Department.



## Surfacing

If the design plan requires new surfaces, the Corridor Commission shall coordinate those with the Public Works Department, and the design shall utilize surface types/mixtures of materials that are already prominent in St. Charles.





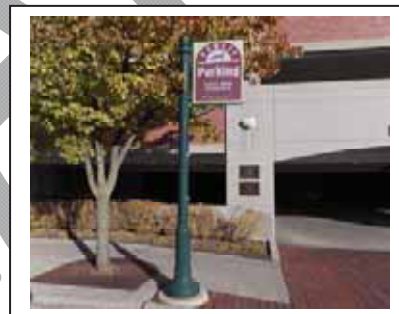
## Planters and Potters

Any planters that are proposed shall be made of long-lasting materials (such as concrete) to provide low maintenance and durability.



## Signage

Proposed signage shall be decorative in nature and similar to existing signage examples in the City of St. Charles. Signage shall serve as welcome signs, way finding such as parking locations, informational kiosks, and the like.



## Public Art

The Corridor Commission shall consider any proposals to include public art into a design; however, the Commission shall not be responsible for or tasked with the commission or funding any such feature. These shall only consist of donated works. This would include sculptures, murals, paintings, and the like.



## Supplemental Plantings and Vegetation:

Vegetative materials shall be considered if they are secondary to the design and enhance the overall design plan. Vegetation types shall be hearty and durable in nature as per the recommendations of the Corridor Commission. Plant species shall conform as best as possible to those established in “Appendix C: Plant Palette” of Title 17, “Zoning Ordinance” of the City’s Code of Ordinances.



## Features not described in this Document:

The Corridor Commission shall consider other improvements not described in this document on a case-by-case basis. These features may include, but are not limited to, fountains, lighting, and other unique design elements.

## 5. Approval of a City-Owned Property Design Plan:

The Corridor Commission shall follow the timing procedures as detailed in Section 12.40.070 “City-Owned Property Improvement Projects”. Upon determination that sufficient funding is anticipated in the current Fiscal Year, the Corridor Commission shall initiate a design plan as follows:

The Corridor Commission shall determine the next City-Owned property to develop a design plan for by consulting the City-Owned Property Priority List attached to this document. The Corridor Commission shall proceed with the highest-rated City-Owned Property that has not yet been improved.

Upon determining the next priority property, the Corridor Commission shall conduct an initial assessment of the City-Owned Property to determine the extent and type of improvements that best suit this location. At this time, the Commission shall also consult the Public Works Department to determine if there are any specific constraints or conflicts with public infrastructure.

Based on the initial assessment, the Corridor Commission shall determine if an outside design consultant is required to assist with the design of the City-Owned Property based on the following factors:

- The total cost of the design is expected to exceed \$5,000.
- Construction activities result in significant modifications to existing infrastructure (sewer, water, electrical, or other public appurtenances.)
- Upon determination of the Corridor Commission that an outside design consultant is required, the Commission shall adhere to policies described in Chapter 2.33 “Office of Purchasing” as established in the City’s Code of Ordinances with regards to hiring a design professional.

The CIC shall develop a design plan based on the initial assessment (or defer to an outside design consultant if one is required). The design plan shall comply with the criteria established in this document. The design plan shall identify a layout, materials, and features incorporated into the design and cost estimates for the purchase and construction of those features.

Once the Corridor Commission has evaluated the final design plan, the Corridor Commission shall make a recommendation to forward the design plan to the City Council. The design plan and all associated cost estimates, bids, and contracts shall be presented to the City Council for approval.

**6. Commencement of Work:**

Only after the design plan and all associated bids and budget allocations are approved by the City Council, can work commence. The Corridor Commission and staff shall coordinate timing, installation, and all other efforts with the Public Works Department to ensure that construction activities conform to the City’s standards and best practices.

**7. Completion of Work:**

All improvements must be completed within the agreed upon timeframe as described in the City Council approved design plan and associated contracts. The improvements shall only be considered complete upon a final inspection performed by City staff.

**8. Payments:**

Upon the determination that all construction has been completed in compliance with the approved design plan and associated contracts, the City shall pay any contracted services/ providers per the agreed terms of estimates, bids, and contracts approved by the City Council.

**9. Maintenance & Removal:**

Improvements created as part of this program shall only be removed or altered after approval by the City Council or in certain situations if deemed a public safety concern or liability as determined by the City of St. Charles.

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# Precision GIS

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**City-Owned Property Priority List**

Site #	Site Location Description	Located on Major Corridor/Collector 1 = Yes 0 = No	Current Aesthetics 3 = Poor 2 = Moderate 1 = Good	City Owned 1 = Yes 0 = No	Opportunity for Permanent Improvements 1 = Yes 0 = No	Can Add Wayfinding Gateway Signage 1 = Yes 0 = No	Totals (Higher Score Represents higher Priority Status)	Site Priority Ranking (Higher Number Indicates Higher Priority)
1	Triangle at Riverside and South Avenues	0	2	1	1	0	4	9
2	Triangle at Riverside and Indiana Avenues	0	2	1	1	1	5	11
3	Parking lot sidewalk/screening along Walnut	1	1	1	0	0	3	4
4	Parking lot screening at Rt. 64 and Rt. 31	1	2	1	1	1	6	13
5	Parking lot screening along Rt. 64 just west of Kealty Realty	1	3	1	1	0	6	12
6	Alley east of Shakou	1	3	1	1	1	7	14
7	Sidewalk along City Parking Lot, north of the Filling Station	0	3	1	0	0	4	8
8	North egress to City owned parking lot east of Nuova Italia	0	3	1	0	1	5	10
9	Entrance to City parking lot south of Shell Station	0	2	1	0	1	4	7
10	North entrance to City parking lot on Walnut Street	0	1		0	1	2	2
11	West entrance to City parking lot south of Walnut Street	0	2	1	0	1	4	6
12	East entrance to City parking lot south of Walnut Street	0	2	1	0	1	4	5
13	Intersection of Prairie Street and Riverside Avenue	0	1	1	0	0	2	1

**City-Owned Property Priority List**

Site #	Site Location Description	Located on Major Corridor/Collector 1 = Yes 0 = No	Current Aesthetics 3 = Poor 2 = Moderate 1 = Good	City Owned 1 = Yes 0 = No	Opportunity for Permanent Improvements 1 = Yes 0 = No	Can Add Wayfinding Gateway Signage 1 = Yes 0 = No	Totals (Higher Score Represents higher Priority Status)	Site Priority Ranking (Higher Number Indicates Higher Priority)
14	Triangle south of Jalapeno Grill on Rt. 31	0	1	0	1	1	3	3