ST. CHARLES SINCE 1834	**AGENDA ITEM EXECUTIVE SUMMARY**	
	Title:	Recommend Approval of a Map Amendment, Special Use for Planned Unit Development, and PUD Preliminary Plan (Lexington Club PUD)
	Presenters:	Russell Colby Rita Tungare

Please check appropriate box:

	Government Operations		Government Services
X	Planning & Development (1/9/12)		City Council
	Public Hearing		

Estimated Cost:	NA	Budgeted:	YES		NO	

If NO, please explain how item will be funded:

Executive Summary:

The Committee discussed and tabled this item on 12/12/11. Cindy Holler, Chair of the Housing Commission, and Diane Lukas of HLR, the City's Traffic Consultant, will be in attendance at the meeting.

Lexington Homes LLC has submitted applications for Map Amendment, Special Use for Planned Unit Development, and PUD Preliminary Plans for the Lexington Club PUD, a 142-unit residential redevelopment of the former Applied Composites industrial site north of State Street between 5th and 12th Streets. Lexington Homes previously presented two concept plans for the project in 2008 (175 units) and 2009 (125 units).

The site was analyzed as a part of a Comprehensive Plan Amendment in 2006-2007. Following a series of public meetings and review by Plan Commission and P&D Committee, in 2008 the City Council amended the Comprehensive Plan to change the Future Land Use classification for the site from "Special Manufacturing" to "Medium Residential" (Density Range of 2.5-6.5 du/acre). The Amendment can be viewed here:

http://stcharlesil.gov/docs/planning/cp-appendix3.pdf

The proposed density for Lexington Club, per the calculation formula in the Comprehensive Plan, is 6.0 du/acre.

Staff recommends approval of the applications with conditions related to building materials (fiber cement instead of vinyl siding), additional traffic study analysis (study potential for intersection improvements at 7th/IL64 and State/IL31), affordable housing (allow waiver if developer documents availability of funding sources to make required units affordable and commits to pursuing funding during the project build-out), and resolution of staff plan review comments.

The Plan Commission recommended approval with the staff conditions related to building materials, affordable housing, and resolution of staff comments, and also added a condition that the entrance monument sign on 7th Street be eliminated. The Commission forwarded the item regarding additional traffic study as a comment for the P&D Committee to consider, but did not add the additional study work as a condition of approval. The recommendations are detailed in the attached memo.

Lexington has submitted a supplemental traffic analysis per the staff recommendation (from KLOA, 12/1/11).

Attachments: *(please list)*

Plan Commission Recommendation; Staff Report; Engineering Review Comments; Application Materials; Traffic Study; Water Modeling and Sanitary Sewer Capacity Analysis; Plan Documents

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

Staff recommends approval of the Applications for Map Amendment, Special Use for PUD, and PUD Preliminary Plan, as detailed in the Staff Report.

For office use only:	*Agenda Item Number:* 3c

Community Development
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ST. CHARLES
SINCE 1834

STAFF MEMO

TO: Chairman Cliff Carrignan
and Planning and Development Committee Members

FROM: Rita Tungare
Director of Community Development

RE: Lexington Club PUD – **PLAN COMMISSION RECOMMENDATION**

DATE: November 30, 2011

On October 18, 2011, the Plan Commission recommended approval of the applications for the Lexington Club project, based on the Findings of Fact attached to the Staff Report, as follows:

Map Amendment: Vote 7 yes-0 no
The Plan Commission recommended approval of the Map Amendment, based upon the preponderance of evidence in the attached Findings of Fact.

Special Use for Planned Unit Development: Vote 6 yes-1 no
The Plan Commission recommended approval of the Special Use for Planned Unit Development, finding that the proposed PUD is in the public interest, based upon the attached criteria, subject to the following conditions being met:

Conditions:

1. Building Materials: Fiber cement siding shall be used in lieu of vinyl siding.

2. Affordable Housing: The Plan Commission recommended following the Housing Commission's recommendation to allow for the number of affordable units to be reduced to zero, provided the following condition is met:
   - *A document and an accountability mechanism shall be put in place which insures the developer will work in good faith and make best efforts to find other revenue sources during the course of the projected construction period that will allow units within the development to be offered at an affordable price.* (Note: The Housing Commission recommendation is discussed in more detail in the Staff Report).

   The Plan Commission also agreed with Staff's additional condition that prior to City Council approval, the developer demonstrate the availability of funding sources that can be used to reduce the purchase price of 21 units to the price level considered affordable by the City's Zoning Ordinance.

Forwarded as Comment Only:
Traffic: Further analysis shall be conducted at the intersections of IL 64/7th Street and IL 31/State Street to determine the feasibility of intersection modifications that can improve the level of service for traffic exiting the neighborhood onto arterial streets. See the memorandum from HLR dated 10/14/11.

PUD Preliminary Plans: Vote 6 yes-1 no

The Plan Commission recommends approval of the PUD Preliminary Plans, subject to the following conditions:

Conditions:

1. Resolution of all staff comments prior to City Council action, including showing the complete road improvement of 9th Street from Dean Street to the project site.
2. Elimination of a monument entrance sign on 7th Street.

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ST. CHARLES
SINCE 1834

STAFF REPORT

TO: Chairman Cliff Carrignan
and Planning and Development Committee Members

FROM: Rita Tungare
Director of Community Development

RE: Lexington Club PUD (former Applied Composites site)

DATE: November 30, 2011

I. GENERAL INFORMATION

Project Name:	**Lexington Club**
Applicant:	Lexington Homes, LLC
Record Owner:	St. Charles-333 North Sixth Street, LLC
Purpose:	To redevelop the former Applied Composites industrial site as a residential development
Project Description:	Single-Family Detached Lots: 28 Single-Family Attached Units (townhomes/rowhomes): 114
Property Size and location:	28.7 acres North of State and Dean Streets, South of Chicago & NW Railroad West of 5th Street, East of 12th Street

II. APPLICATIONS:

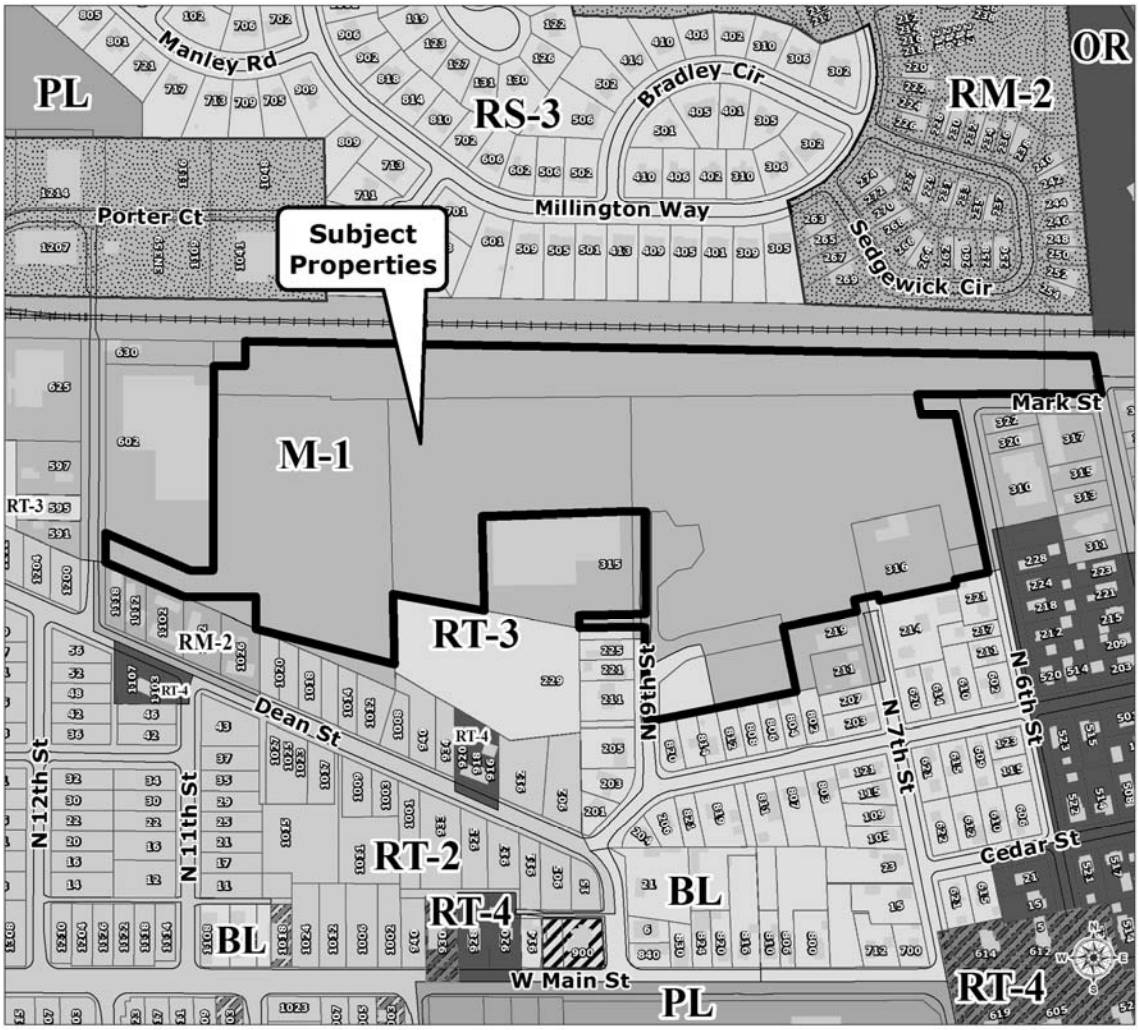
- **Map Amendment** from M-1 Special Manufacturing to
  - RT-3 Traditional Single Family Residential (single family area), and
  - RM-2 Medium Density Residential District (townhomes/rowhomes)
- **Special Use for Planned Unit Development**
- **PUD Preliminary Plan**

III. ZONING SUMMARY:

- **Existing land use and zoning of property**:
  M1- Special Manufacturing District; vacant industrial facility
  RT-3 Traditional Single-Family Residential District; vacant parcel south of Ryan Street right-of-way

- **Surrounding zoning and land use**
  North: M-1 PUD; Porter Business Park (industrial redevelopment)
  RS-3; Timbers Subdivision (single-family)
  RM-2 PUD; Timbers Subdivision (townhomes)
  South: RT-3, RT-2, RM-2 (mixed residential neighborhood)
  M-1; industrial lots on 7th St and 9th St
  East: M-1; mixed industrial and residential uses across 6th St
  West: M-1; industrial facility on 12th St

- **Comprehensive Plan Designation:** Medium Residential and Open Space



IV. BACKGROUND

The subject property is a 28-acre former industrial site. The Applied Composites Company ceased operations on the site in 2005 and the property has been vacant since.

Comprehensive Plan Amendment
In 2006, the City initiated a land use study for the larger neighborhood surrounding the Applied Composites site to determine if the 1996 Comprehensive Plan designation of "Special Manufacturing" was appropriate for the property.

A Comprehensive Plan Amendment was adopted by the City Council in January 2008 to change the Future Land Use Designation of the site and some surrounding smaller industrial properties to "Medium Residential." The amendment includes detailed recommendations on redevelopment of the subject property, including neighborhood and architectural design guidelines.

Concept Plans
The Plan Commission and Planning Development Committee reviewed Concept Plans for this development in 2008 and 2009. Since 2007, the applicant has been actively working with the City to develop the project and address review comments.

V. PROPOSAL

Development Proposal:

- 28 Single-Family Detached Units on the northeastern portion of the site
  - Rezoning RT-3 Traditional Single Family District
  - Two story units with two-car attached front-loaded garages
- 114 Single-Family Attached Units
  - Rezoning to RM-2 Medium Density Multi-Family Residential District
  - 102 townhomes in buildings of four to five units, two-story, front loaded garages
  - 12 rowhomes in two buildings of six units (eastern end of site), three-story, rear loaded/alley-accessed garages
- Three large detention areas along the south perimeter of the site (adjacent to creek)

Important features of the project:

- Four access points from the existing street network, interconnection of 7th, 9th, Mark Streets
- Preservation of the floodplain area along State Street Creek
- Potential future street access west to 12th Street (to access Dean Street)
- Park and pedestrian access to future regional trail along the railroad line to the north and St. Charles Park District site to the south (Belgium Town Park, 2.76 acres)

Significant Changes from 2009 Concept Plan:

- No affordable units proposed
- Increased number of townhomes, decreased number of single-family; net density increase
- Elimination of 0.9 acre park site at 9th and Mark Streets

	2008 Concept Plan	**2009 Concept Plan**	**2011 PUD Plan**
Single-Family Units	53	36	28
Town/Row Home Units	122	89	114
Total Units	**175**	**125**	**142**

VI. COMPREHENSIVE PLAN

1. FUTURE LAND USE/DENSITY

The Land Use Plan contained in the Comprehensive Plan Amendment designates the subject property as "Medium Residential" and the area along the State Street Creek as "Open Space."

"Medium Residential" is defined in the City's 1996 Comprehensive Plan document: *"Includes residential development with maximum densities ranging from 2.5 to up to 6.5 du/acre. Development may be characterized by single-family detached homes, duplexes and attached single family; multi family may occur in some circumstances. The average lot size in the City of St. Charles would fall into this category."*

Density calculation according to the Comprehensive Plan:

- "For purposes of this Plan, density is the number of dwelling units per acre of land, excluding land with environmental constraints. Environmental constraints include ponds, lakes, wetlands, flood plains, slopes greater than 12% and endangered plant and animal territories as recognized by state or federal agencies."
- "The maximum density does not dictate the type of dwelling units or lot sizes, but only the maximum number of dwelling units permitted on a parcel. This approach allows for flexibility in lot sizes and dwelling types such as cluster single family, townhomes, multi-family, etc. The purpose of establishing a maximum density is to establish the total number of dwelling units that can be accommodated within a given area. When zoning is established, more specific requirements tailored to the site and its surroundings should be included."

Density calculation for the project

'Medium Residential' Density Range:	2.5 to 6.5 d.u. per acre
Total Site Area	28.7 acres
Environmental Constraints	5.1 acres
Adjusted Site Area	28.7 – 5.07 = 23.6 acres
Density Range in total d.u.:	**59 to 153 units**

Proposed:

142 d.u. on 23.6 acres:	**6.0 d.u./acre**

2. SITE PLAN

- Site plan follows the general land use recommendations of the Comprehensive Plan:
  - Provides a compatible housing type to the neighborhood.
  - Townhome buildings are located as transitional uses adjacent to industrial uses.
  - Density is lower on the eastern half of the site adjoining the neighborhood.
- All existing streets that terminate at the site are interconnected in a modified grid pattern.
- Layout of lots and blocks is compatible with the adjacent neighborhood, although the blocks are somewhat longer and more regular.
- The site plan generally leaves State Street creek naturalized and avoids developing near its banks. As a result, an open space corridor will be preserved along the south perimeter of the site. Detention basins are located in areas abutting the creek.
- Three distinct housing types/building forms are proposed. The Comprehensive Plan recommends a variety of unit forms.

3. PARKS/OPEN SPACE & PEDESTRIAN AMENITIES

The adopted Comprehensive Plan recommended locating a neighborhood park within the development site, recognizing that this was the largest development parcel available in the area and therefore any significant land donation to the Park District would need to come from this site. However, through discussions with the Park District over the past three years, the Park District decided to instead acquire a separate parcel on 9th Street, which is well suited for a park site but difficult to otherwise develop.

- The City's Subdivision Ordinance requires a land or cash donation based on the expected population of the subdivision (Population of 331, with a requirement at 10 acres per 1,000 population, equals a donation size of 3.31 acres).
- The St. Charles Park District's "Belgium Town Park" is a 2.76 acre site located at 229 N. 9th Street, south of the "Holm Industries" industrial building.
- The Park District will accept a small parcel on 9th Street as a land donation to improve access to the Belgium Town Park site. The rest of the requirement will be met as a cash donation to the Park District. Correspondence from the Park District is attached.
- Pedestrian trail connections from the site are provided at:
    - Two locations from Mark Street north to access the railroad line (for use once the rail line is converted into a bike/pedestrian trail in the future)
    - From Ryan Street south connecting to future Belgium Town Park
    - From Ryan Street west to N. 12th Street
- Complete sidewalks are shown on streets within the development.
    - Sidewalks will be provided along 9th Street to State Street
    - An off-site sidewalk connection is shown on 7th Street to provide a full sidewalk connection to State Street.

4. BUILDING FORM & ARCHITECTURE

Although the Building Form does differ somewhat from the direct recommendations of the Comprehensive Plan, the Plan Commission and Planning and Development Committee of the City Council did offer overall positive comments during the 2009 Concept Plan review.

- The architecture is appropriately styled for the neighborhood and utilizes a variety of building materials and textures. The architectural designs contribute to creating an attractive streetscape.
- The single-family detached units are traditional in form in terms of lot layout and use of traditional design elements, including front porches.
- The townhome units are more suburban in form than envisioned in the Comprehensive Plan. The rowhomes are more traditional.
- The buildings all have a similar "mass" and footprint. Orientation of buildings and the individual lot layout are more regular than the neighborhood.
- Building footprint/lot coverage for the single family is high compared with the surrounding neighborhood.
- Single-family and townhome garages are front-loaded from streets. As a result, a large portion of the front yards will be devoted to driveway paving. The visual impact of the front-loaded garages will be mitigated though use of decorative garage doors and by extending the second floor out over the garage.

VII. ZONING

1. BULK STANDARDS/PUD DEVIATIONS

The development will require the property to be rezoned to two residential districts. The detached units (houses) will be rezoned to RT-3 Traditional Single Family Residential District and the single-family attached units (townhomes and rowhomes) will be rezoned to RM-2 Medium Density Multi-Family District.

Shaded boxes indicate zoning variations requested through the PUD (Planned Unit Development) process.

Single-Family: RT-3 Traditional Single Family District		
	RT-3 Zoning	**Proposed Single Family**
Minimum Lot Area	5,000 sf	5,700 sf
Minimum Lot Width	50 ft.	56 ft.
Maximum Building Coverage	Buildings 2+ stories: 25%. Unenclosed porch not included.	45%
Max. Building Height	32 ft.	32 ft.
Min. Front Yard	20 ft. Unenclosed Porch: 12 ft.	20 ft. Unenclosed Porch: 12 ft.
Min. Interior Side Yard	5.6 to 5.8 ft.	5 ft.
Min. Exterior Side Yard	15 ft.	15 ft.
Min. Rear Yard	30 ft.	25 ft.

Townhomes: RM-2 Medium Density Multi-Family District			
	RM-2 Zoning	**Proposed Townhomes**	**Proposed Rowhomes**
Minimum Lot Area**	4,300 sf	3,900 sf.	2,150 sf.
Minimum Lot Width	24 ft./du	26 ft./du	20 ft.
Maximum Building Coverage	35%	35%	35%
Max. Building Height	35 ft.	40 ft.	40 ft.
Min. Front Yard	20 ft.	15 ft.	15 ft.
Minimum Interior Side Yard	10 ft.	9 ft.	10 ft.
Min. Exterior Side Yard	20 ft.	15 ft.	10 ft.
Min. Rear Yard	25 ft	25 ft.	25 ft.
Parking	2 per unit	2 in garage + 2 per driveway	2 per unit

**The Lot Area for Two Family, Townhouse and Multi-Family developments with more than one lot may be calculated by adding the land area of all lots and common areas on which one category of dwellings is located, and dividing the total land area by the total number of dwelling units of that category. Common areas may be included in the calculation of land area, except for the area within a public or private street right of way; if no right of way is designated for private streets, the area between the backs of curbs of the private street shall be excluded.

2. DEVIATIONS FROM DESIGN REVIEW STANDARDS

The Design Review Standards of the Zoning Ordinance contain requirements for building design and materials that are applicable to townhome buildings. Through the PUD, the applicant has requested variations to the following standards:

17.06.050(A) Building Design and Location

(4) No more than five (5) townhouse dwelling units shall be attached to one another in a row.

Townhome buildings 52 and 53 contain six dwelling units attached in a row.

17.060.50(F) Building Materials

(2) Prohibited Materials: Vinyl horizontal siding is prohibited.

Vinyl (0.42 gauge) is used for horizontal and vertical siding.

(3) Uniform Materials: Use of uniform exterior building materials shall be required on all facades. For example, if the front wall contains a mixture of brick and wood, the side and rear walls shall contain the same materials in approximately the same proportions.

The building elevations have masonry materials (brick) concentrated on the visible front and sides of the building. No masonry is shown on the rear elevations.

3. INCLUSIONARY HOUSING/AFFORDABLE UNITS

The Inclusionary Housing Chapter of the Zoning Ordinance, Chapter 17.18, requires Affordable Units to be provided as part of any residential development, either by constructing the required number of units and/or paying a fee-in-lieu per each unit not constructed.

Requirement Affordable Units:

- Number required: 15% of total dwelling units (or 21 units)
- All must be constructed on-site
  (Except that up to a maximum of 50% may be provided through fee in-lieu, if the Applicant demonstrates to the satisfaction of the City Council, following a review and recommendation by the Housing Commission, that developing 100% of the units on-site would create a significant hardship or that the alternate means of compliance will afford a comparable level of affordable housing opportunities in the City.)

Proposal

As part of the Application for the Planned Unit Development, the applicant has requested a deviation to the standards of the Inclusionary Housing Ordinance by having the number of required affordable units reduced to 0 with no fee-in-lieu.

The applicant has provided their justification for the request in the “Statement of Public Benefits and Departures from Existing Zoning Requirements” document attached to the applications. In summary, the applicant has offered the following justifications for the request:

- The significant cost to the development of the affordable housing component
- The unique circumstances of the property (physical and environmental conditions)

- The public benefit which will be derived from the clean-up and redevelopment of an "in-town" blighted area
- The findings contained in the City's 2010 St. Charles Housing Market Affordability Snapshot, which confirms sufficient levels of affordable owner and rental units

The PUD process allows an applicant to request deviations from any of the standards contained in the Zoning Ordinance. The City's Legal Counsel has advised that a PUD deviation can be granted to reduce the numerical requirement of affordable units. From a procedural standpoint, this deviation should be reviewed similar to any other PUD deviation. The Plan Commission will consider this request within its recommendation on the Special Use for Planned Unit Development application.

Housing Commission Review

At the recommendation of Staff, the applicant presented the proposal to the Housing Commission on September 15, 2011 for an advisory review and feedback. A summary of the Housing Commission comments:

- The Commission believes that given the uniqueness of the site, a compelling argument can be made for such a request.
- The Commission sees development of the property as a community benefit.
- The Commission is concerned that granting the request could set precedent for other projects and still believes the development team could do more to try to achieve the required affordable units at the site.
- Given the unique site characteristics, the Commission recommends a one-time solution which allows this project to move forward while recognizing a mutual commitment to affordable housing goals. The Commission will recommend to the City Council that a document and an accountability mechanism be put in place which insures the applicant will work in good faith and make best efforts to find other revenue sources during the course of the projected 52-month construction period that will allow units within the development to be offered at an affordable price. Examples of such funding sources were described during the meeting. A document will be put together which lists these best faith efforts, which will include applications for government funding and other creative solutions. The developer will need to meet with the Housing Commission to review these best efforts periodically or risk accountability provisions yet to be drafted in the form of a Memorandum of Understanding.

VIII. ENGINEERING REVIEW

1. TRAFFIC

A traffic study was submitted by the applicant. The study was performed for Lexington Homes by Kenig, Lindgren, O'Hara, Aboona, Inc. (KLOA). The study scope, methods, and findings were reviewed and analyzed by the City's traffic consultant, Hampton Lenzini and Renwick (HLR). KLOA satisfactorily addressed all of HLR's review comments from an earlier draft of the study and has no further comments on the study.

The traffic study has been included in the Plan Commission packet. Detailed findings are included in the report. In summary, the report finds that the existing road system in the area is adequate to serve the development and does not recommend any improvements.

City staff has suggested future changes to traffic control at the intersection of State and 6th streets. State Street is a Collector street while 6th Street is a Minor street. The existing traffic control (a stop sign on State Street at 6th Street) was intended to serve industrial traffic north of 6th Street. With land use changes occurring in the neighborhood, it would be appropriate to change the stop control to 6th Street instead of State Street.

As a part of the Comprehensive Plan, a street access from the site west to 12th Street and Dean Street was recommended as an alternative exit from the neighborhood. A narrow strip of the development site connects to 12th Street. This strip cannot accommodate a vehicular connection because of the narrow width, grade and floodplain constraints, and existing utilities. This strip can accommodate a pedestrian trail and possibly an emergency access to the site. An area of the site has been reserved for a future street extension of Ryan Street to 12th Street. This connection is contingent upon redevelopment of the industrial property to the west.

2. PRELIMINARY PLAN REVIEW

City staff has been reviewing the Preliminary Engineering Plans for the site over the past two years. Although some comments remain to be addressed, for the most part the remaining comments are technical in nature or require coordination between plan documents and can be easily addressed.

Stormwater

A stormwater detention system will be installed with the development. Currently, no stormwater detention system exists and the site drains south to the State Street Creek. The Kane County Stormwater Ordinance, which has been adopted by the City, requires that stormwater runoff for the property be collected and detained so that the overall volume of water leaving the site does not increase as a result of the development. Water will be directed to ponds on the north side of the creek. Drains from the ponds into the State Street Creek will be restricted so that when the ponds fill up with water during a storm, only a regulated volume of water will flow out. During major storm events, the detention system should prevent a deluge of water from the site into the creek and allow the water to drain at a controlled rate.

Street Improvements to 9th Street

The full length of 9th Street from the State Street intersection north into the site will need to be reconstructed. The current engineering plans do not show this full improvement, but the developer intends to add this information to the plans. Full reconstruction includes a new street, curb and gutter, sidewalks and parkway trees.

3. UTILITIES

Water System

A water modeling study was completed to determine if the adequate water pressure would be provided to meet minimum flows required for fire suppression. The study identified that adequate pressure will exist. Although not necessary to meet the fire flow standards, the study did identify that upgrading a water main on 9th Street would improve the fire flows. The City has requested that as a part of the project, the developer replace this water main from the site southward on 9th Street to the intersection of Dean and State streets. This improvement will also complete a main loop that will improve system reliability in the neighborhood during water system maintenance activities.

Sanitary Sewer
A sanitary sewer analysis was conducted to analyze the existing condition of sanitary sewers serving the site and the ability of the system to facilitate flows from the development. The study found that adequate capacity exists in the system that serves the neighborhood. Currently, during wet weather, the system may reach capacity in some locations due to infiltration from groundwater or stormwater. This is an existing issue with the system and the proposed development will not significantly add to the capacity issue during wet weather.

Electric Utility
Development of the site will require the removal and relocation of a number of existing overhead electric lines that cross the property. All new electric infrastructure will be underground.

A City electric substation is located at the northwest corner of the development site on 12th Street. The City has an easement to allow trucks to exit the site to the east onto the development site. This access will be preserved as a part of a shared driveway with the some townhomes units.

4. ENVIRONMENTAL ISSUES

The development site was occupied by industrial businesses over a 100-plus year period, and some of these businesses are known to have used materials or processes that have the potential to contaminate the ground if not properly contained.

To allow for the site to be used for residential purposes, the developer must be granted a letter(s) of “No Further Remediation” from the Illinois Environmental Protection Agency indicating that all environmental issues on the site have been addressed.

The developer has engaged Huff and Huff, an environmental engineering consultant, to perform environmental investigations at the site to identify what actions are necessary to be granted letter(s) of “No Further Remediation”. A memorandum from Huff and Huff outlining the status of this work has been provided.

IX. FINANCIAL ASSISTANCE

The developer intends to request Financial Assistance from the City in for the form of Tax Increment Financing (TIF). For assistance to be provided, a TIF district will need to be created on the property. At this time, the City Council has not formally considered or discussed the matter of financial assistance for this project. That discussion will occur subsequent to the Plan Commission public hearing and recommendation, when the City Council reviews the project.

The developer has engaged in discussions with the City’s Economic Development Department, the Park District and School District regarding the potential for TIF assistance to be supported for this project. The request for financial assistance will be considered by the City Council. If the City Council and developer agree on terms for financial assistance for the project, the City will enter a redevelopment agreement with the developer. A separate public hearing will occur at the City Council level before any agreement is formalized.

X. RECOMMENDATION

The Plan Commission held public hearings to review the project on September 20, 2011 and October 4, 2011. A significant amount of public testimony was given at the hearings. Staff has prepared the following recommendations with due consideration to the testimony and evidence entered into the record at the public hearing. The recommendations are based upon the applicable findings or criteria, which are attached to this report.

Staff is recommending approval of the project with conditions, as outlined below. The proposed development fits the City's broader goal of redeveloping the site with residential uses within an acceptable density range.

Staff acknowledges that the details of the proposed redevelopment plan may not be in full conformance with the City's Comprehensive Plan. However, the redevelopment of the site with a residential use that is compatible with the surrounding residential uses will be a significant public benefit to the health, safety and welfare of the community. The site is known to be environmentally contaminated and the property has served as a public nuisance by attracting criminal activities. Testimony was given as to health hazards existing on the property for an extended period of time. Redevelopment of the site will require a complete environmental cleanup of the property and construction of improved infrastructure. Development of the property and complete environmental cleanup will ameliorate health hazards on the site as well as remove the conditions that have caused the site to attract nuisance activities.

Recommendations for individual applications:

Map Amendment
Staff recommends approval of the Map Amendment, based upon the preponderance of evidence in the attached Findings of Fact.

Special Use for Planned Unit Development
Staff recommends approval of the Special Use for Planned Unit Development, finding that the proposed PUD is in the public interest, based upon the attached criteria, subject to the following conditions being met:

1. Building Materials: Fiber cement siding shall be used in lieu of vinyl siding.

2. Traffic: Further analysis shall be conducted at the intersections of IL 64/7th Street and IL 31/State Street to determine the feasibility of intersection modifications that can improve the level of service for traffic exiting the neighborhood onto arterial streets. See the attached memorandum from HLR dated 10/14/11.

3. Affordable Housing: The Housing Commission reviewed the proposal to deviate from the Zoning Ordinance requirement to provide affordable units are a part of the development, and offered the following recommendation:

    - The Commission believes that given the uniqueness of the site, a compelling argument can be made for such a request.

- The Commission sees development of the property as a community benefit.
- The Commission is concerned that granting the request could set precedent for other projects and still believes the development team could do more to try to achieve the required affordable units at the site.
- Given the unique site characteristics, the Commission recommends a one-time solution which allows this project to move forward while recognizing a mutual commitment to affordable housing goals. The Commission will recommend to the City Council that a document and an accountability mechanism be put in place which insures the applicant will work in good faith and make best efforts to find other revenue sources during the course of the projected 52-month construction period that will allow units within the development to be offered at an affordable price. Examples of such funding sources were described during the meeting. A document will be put together which lists these best faith efforts, which will include applications for government funding and other creative solutions. The developer will need to meet with the Housing Commission to review these best efforts periodically or risk accountability provisions yet to be drafted in the form of a Memorandum of Understanding.

Staff recommends that prior to City Council approval, based on the Housing Commission recommendation offered above, the developer shall demonstrate the availability of funding sources that can be used to reduce the purchase price of 21 units to the price level considered affordable by the City's Zoning Ordinance.

PUD Preliminary Plans

Staff recommends approval of the PUD Preliminary Plans, subject to resolution of all staff comments being addressed and resolved prior to City Council action, including showing the complete road improvement of 9th Street from Dean Street to the project site.

Other considerations:

Park Land

The St. Charles Park District has agreed to a full cash contribution based on the City's park land-cash requirements. The developer will also donate a small outparcel that will enable the park district to construct a wider access drive into the Belgium Town park site.

However, the development site remains deficient in the overall acres of park land based on the City's population formula, even when considering the 2.76 acre Belgium Town park site immediately to the south.

In the past, the Park District has expressed an interest in a separate park site located at 9th and Mark Streets to provide a wider access to the future trail along the railroad right-of-way. This park site was shown on the 2009 Concept Plan. The Park District continues to see the benefit of a park site in this location, but has accepted the full cash donation in lieu of the separate park site.

FINDINGS OF FACT
MAP AMENDMENT

Plan Commission recommendation shall be based upon the preponderance of the evidence presented and the Commission shall not be required to find each Finding of Fact in the affirmative to recommend approval of an application for Map Amendment.

1. The existing uses and zoning of nearby property.

   The property is surrounded by both residential and manufacturing uses and zoning. Areas to the north and south of the site are primarily residential. Areas to the east and west contain a mix of residential and industrial land uses.

2. The extent to which property values are diminished by the existing zoning restrictions.

   It is not known if the existing zoning restriction is diminishing property values in the area. Industrial uses are generally considered to be incompatible with single-family residential uses, which may cause property values surrounding the site to be diminished.

3. The extent to which the reduction of the property's value under the existing zoning restrictions promotes the health, safety, morals or general welfare of the public.

   The current zoning restriction has not produced any perceptible public benefits during the last 5 years that the property has remained vacant. The property is in a deteriorated state and is environmentally contaminated. Under the existing zoning, the property could be developed with industrial uses that may be incompatible with the surrounding neighborhood, which is primarily residential.

4. The suitability of the property for the purposes for which it is presently zoned, i.e. the feasibility of developing the property for one or more of the uses permitted under the existing zoning classification.

   The property is not well suited for industrial use. The property was originally used for industrial purposes because of its proximity to the railroad. The railroad line is no longer active and is in the process of abandonment. Access to the site requires use of minor streets and crossing through a residential neighborhood. The site has limited visibility from any arterial or collector street.

5. The length of time that the property has been vacant, as presently zoned, considered in the context of the land development in the area where the property is located.

   Applied Composites closed and vacated the property in 2005. The property has remained vacant. Some of the structures on the site were torn down in 2008 and other structures were recently demolished in 2011. The area surrounding the site is mostly developed.

6. The evidence, or lack of evidence, of the community's need for the uses permitted under the proposed district.

Higher quality and better suited industrial sites surrounded by similar land uses are available elsewhere in the community. The proximity of the property relative to the Downtown area makes the property more desirable for residential use.

7. The consistency of the proposed amendment with the City's Comprehensive Plan.

   In 2008 the City adopted an amendment to the Comprehensive Plan which designated a future land use for the site of "Medium Residential", with a gross density range of 2.5 to 6.5 dwelling units per acre. The proposed zoning districts of RT-2 (net 8.7 du/acre) and RM-2 (net 10 du/acre), after accounting for street rights-of-way and land for stormwater detention, will result in an overall gross density within the range recommended by the Comprehensive Plan.

8. Whether the proposed amendment corrects an error or omission in the Zoning Map.

   No, the proposed amendment does not correct an error or omission in the Zoning Map.

9. The extent to which the proposed amendment creates nonconformities.

   No non-conformities will be created by the Map Amendment.

10. The trend of development, if any, in the general area of the property in question.

    There is no perceptible trend of development in the area. The subject property represents a substantial portion of the land area of the neighborhood and has been vacant for 5 years. The neighborhood surrounding the site is otherwise stable.

FINDINGS OF FACT
SPECIAL USE FOR PLANNED UNIT DEVELOPMENT

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

1. The proposed PUD advances one or more of the purposes of the Planned Unit Development procedure stated in Section 17.04.400.A:

    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.

       The PUD Preliminary Plans provide for a modified grid street pattern connected to existing access locations. The development plan is more "suburban" in layout and building form than recommended in the Comprehensive Plan.

    2. To create places oriented to the pedestrian that promote physical activity and social interaction, including but not limited to walkable neighborhoods, usable open space and recreational facilities for the enjoyment of all.

       The PUD Preliminary Plans interconnect all existing streets that currently terminate at the site. Complete sidewalks systems connect with the existing sidewalk grid in the neighborhood. The PUD Preliminary Plans provide recreational facilities in the form of the pedestrian/bike path connections off site to a future regional trail on the railroad right-of-way, a trail to the St. Charles Park District park site, and a trail connecting to 12th Street.

    3. To encourage a harmonious mix of land uses and a variety of housing types and prices.

       The PUD provides residential land uses that are compatible with the adjacent residential neighborhood. The residential land uses are not compatible with isolated industrial properties that adjoin the site. However, the Comprehensive Plan recommends a future land use of "Medium Residential" for the properties at 229 N. 9th Street and 602 N. 12th Street.

       The PUD provides three different housing types within the site, but with limited variation within each category. The PUD does not provide any affordable residential units, which is a requirement of the Zoning Ordinance.

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

       The property has been previously developed. The PUD Preliminary Plans generally leave the State Street Creek and wooded areas south of the creek undisturbed.

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

The PUD Preliminary Plans include engineering plans for infrastructure facilities to serve the site. The plans follow City Code requirements for subdivisions and stormwater management. The Illinois EPA will require that environmental contamination of the property be remediated prior to development for residential use.

6. To encourage redevelopment of sites containing obsolete or inappropriate buildings or uses.

   The Planned Unit Development will facilitate the redevelopment of a vacant site containing obsolete and deteriorated site improvements.

7. To encourage a collaborative process among developers, neighboring property owners and residents, governmental bodies and the community.

   Neighborhood meetings were held in 2006 and 2007 to consider the future land use of the subject property. A Comprehensive Plan amendment was reviewed and adopted by the City Council in 2008.

   Consideration of this development as a PUD has allowed a public hearing process and input from neighboring property owners and residents, governmental bodies, and the community. The PUD was discussed during Concept Plan review meetings before the Plan Commission and Planning and Development Committee of the City Council in 2008 and 2009. The Plan Commission held 2 public hearings to review the PUD.

2. The proposed PUD and PUD Preliminary Plans conform to the requirements of the underlying zoning district or districts in which the PUD is located and to the applicable Design Review Standards contained in Chapter 17.06, except where:

   A. Conforming to the requirements would inhibit creative design that serves community goals, or

   B. Conforming to the requirements would be impractical and the proposed PUD will provide benefits that outweigh those that would have been realized by conforming to the applicable requirements.

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

   1. The PUD will provide community amenities beyond those required by ordinance, such as recreational facilities, public plazas, gardens, public art, pedestrian and transit facilities.

      The PUD Preliminary Plans provide recreational facilities in the form of the pedestrian/bike path connections off site to a future regional trail on the railroad right-of-way, a trail to the St. Charles Park District park site, and a trail connecting to 12th Street.

   2. The PUD will preserve open space, natural beauty and critical environmental areas in excess of what is required by ordinance or other regulation.

      The PUD Preliminary Plans will leave the wooded area south of State Street Creek mostly undisturbed.

   3. The PUD will provide superior landscaping, buffering or screening.

      The PUD Preliminary Plans provide landscaping in compliance with the City's Zoning Ordinance. Landscape buffering is provided along the property lines adjoining existing industrial uses.

4. The buildings within the PUD offer high quality architectural design.

   The single-family detached houses are traditional in form as recommended by the Comprehensive Plan, however the buildings are uniform in terms of mass and orientation on the lot. Garages are set back from the façade and porches are provided on some elevations. The elevations have varied architectural style treatments.

   The townhome buildings are more suburban in form than recommended by the Comprehensive Plan, with garage entrances on the front elevations. The row homes are more traditional. The architectural elevations for the townhomes and rowhomes include more articulation, detailing, and variation in building materials and textures than is required by the Design Standards of the Zoning Ordinance. The PUD proposes to utilize vinyl siding for the townhome and rowhome buildings, which deviates from the requirements of the Design Standards. The PUD proposes elevations with masonry materials that do not continue around the entire building, which deviates from the Design Standard of continuous materials on all elevations. The PUD proposes two townhome buildings containing six units attached in a row, which exceeds the Design Standard maximum of five units attached in a row.

5. The PUD provides for energy efficient building and site design.

   Energy efficient features of the building and site design have not been identified.

6. The PUD provides for the use of innovative stormwater management techniques.

   The PUD Preliminary Plans include a stormwater management system in compliance with City Code requirements. The property is not currently served by a stormwater management system. The detention basins will be naturalized, which can improve water quality.

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.

   No accessible dwelling units have been proposed as part of the PUD.

8. The PUD provides affordable dwelling units in conformance with, or in excess of, City policies and ordinances.

   The PUD deviates from the requirements of the City's Zoning Ordinance with respect to providing affordable dwelling units. The PUD does not include any affordable dwelling units and no fee-in-lieu of constructing the units is proposed. The developer has verbally agreed to follow the recommendation of the City's Housing Commission to actively seek grant funding assistance that can reduce the cost of the residential units to a level that is closer to a level considered "affordable" by the City's Zoning Ordinance.

9. The PUD preserves historic buildings, sites or neighborhoods.

   The proposed PUD is not within a Historic District, but is located approximately two blocks from the Central Historic District. The property is a former industrial facility that is located within an older neighborhood which contains two designated Landmark buildings located approximately two blocks south of the subject property. The buildings and other site improvements on the subject property have not been identified as having any unique historic value and have been substantially demolished.

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

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

On the basis of the evidence presented at the public hearing, the Plan Commission shall record its reasons for recommending approval or denial of the petition (findings of fact) in accordance with the following standards:

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

The location is desirable for residential development due to its proximity to downtown. The Comprehensive Plan recommends more residential housing in close proximity to downtown to enhance the Downtown's viability.

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

The following studies have been completed to determine infrastructure improvements necessary to support the development:

- **Traffic Impact Study prepared by KLOA dated September 27, 2011, indicates that adequate access roads will be provided.**
- **Water Supply Modeling Study prepared by Trotter and Associates dated December 27, 2010 indicates that adequate water supply will be provided.**
- **Sanitary Sewer Evaluation prepared by Wills Burke Kelsey Associates dated December 17, 2010 indicates that adequate sanitary sewer utilities will be provided.**

PUD Preliminary Engineering Plans have been reviewed by City staff for compliance with City Codes and Ordinances, including the Kane County Stormwater Ordinance. Based on these reviews, adequate on-site utilities, access roads, drainage, and related facilities have been provided on the plan documents, subject to plan revisions requested on the attached review letter from the Development Engineering Services Division prior to City Council approval of Preliminary Plans.

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.

Evaluations and studies were conducted to identify potential impacts of the proposed development. The studies, which were entered into the record at the public hearing, identified any necessary improvements or measures to be taken to mitigate those impacts, and concluded with these improvements or measures, there would be no negative effect on nearby property.

With respect to traffic, there was significant testimony regarding existing delays encountered for vehicles exiting the neighborhood on to IL Route 64 and IL Route 31. The proposed development is expected to increase these delays. The traffic study for the project concluded that all intersections analyzed would operate at an overall acceptable level of service in 2015 when the project is fully constructed. However, the study also identified that the level of service for individual traffic movements out of the neighborhood and on to IL Route 64 and 31 would be degraded to an unacceptable level for certain locations. Given this information, the City's Traffic Consultant has provided a memorandum discussing potential further analysis of the intersection of IL 64/9th Street, IL 64/7th Street, and IL 31/State Street. The memorandum recommends further analysis of the intersections of IL 64/7th Street and IL 31/State Street to determine if any improvements or modifications can be made to improve the level of service for exiting the neighborhood.

Residential land uses surrounding the subject property are compatible and complementary to the land uses proposed for the PUD. The PUD will not diminish or impair residential property values in comparison to the existing property value and condition of the site.

Existing industrial land uses surrounding the subject property are not compatible with the proposed land uses for the PUD. The isolated industrial properties surrounding the site are already located in close proximity to other residential uses. The industrial properties located immediately to the west and south have existing legal non-conforming building setbacks from the development site. The Zoning Ordinance requires that where two incompatible uses adjoin along a property line, buffering and screening are the responsibility of the more intensive use (the industrial property). Any future development of the industrial sites under the existing zoning will require additional buffering and screening.

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.

Evaluations and studies were conducted to identify potential impacts of the proposed development. The studies, which were entered into the record at the public hearing, identified any necessary improvements or measures to be taken to mitigate those impacts, and concluded with these improvements or measures, there would be no negative effect on surrounding property.

Residential land uses surrounding the subject property are compatible and complementary to the land uses proposed for the PUD, as discussed in Item C. above.

Industrial land uses surrounding the subject property are not compatible with the proposed land uses for the PUD, as discussed in Item C. above.

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.

Evaluations and studies were conducted to identify potential impacts of the proposed development. The studies, which were entered into the record at the public hearing,

identified any necessary improvements or measures to be taken to mitigate those impacts, and concluded with these improvements or measures, there would be no negative effect on surrounding property.

For the reasons stated under Item C. above, further traffic analysis is recommended.

F. Conformance with Codes: That the proposed Special Use conforms to all existing Federal, State and local legislation and regulation and meets or exceeds all applicable provisions of this Title, except as may be varied pursuant to a Special Use for Planned Unit Development.

The PUD complies will all City Codes, with the exception of any outstanding Staff review comments and any Zoning Ordinance deviations requested through the Planned Unit Development. The City will not authorize the construction of residential dwelling units on the property until the Illinois Environmental Protection Agency issues No Further Remediation letter(s) indicating that the site has been appropriately cleaned of environmental contaminants.

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

The City has adopted policy through the Comprehensive Plan to support development of the subject property with residential uses within a specified density range. The proposed development meets this objective and is within the recommended density range.

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

The subject property is classified in the Comprehensive Plan, Future Land Use Map #14 as "Medium Residential." The PUD Preliminary Plans conform to the Future Land Use Designation.

The Comprehensive Plan includes the following Goals and Objectives to be used when evaluating development proposals in this location:

Provide for future redevelopment while preserving the character of the surrounding neighborhood

- *Maintain the existing typology of the surrounding residential neighborhood through the interconnection of streets and similar types of housing styles.*
- *Residential housing in close proximity to Downtown St. Charles is encouraged, to provide residents the opportunity to enjoy downtown amenities and to enhance Downtown's viability.*
- *Provide buffers or transition areas between different uses such as industrial and residential.*
- *Locate any areas of redevelopment that have a higher density away from existing lower density development, and provide appropriate transitions between dissimilar uses.*
- *Avoid land use and street patterns that result in heavy trucks using residential streets to access industrial or retail businesses.*

The development provides interconnected streets. The architectural style treatments are similar to those in the neighborhood; however the building forms are dissimilar to those found in the neighborhood. The development is more regular and uniform than the existing neighborhood.

Higher density townhomes and rowhomes have been located adjacent to the neighboring industrial uses.

Only limited buffers and transition areas have been provided adjacent to the isolated industrial uses on 9th and 12th Streets. The Comprehensive Plan recommends a long term future land use of "Medium Residential" for these properties.

Provide Public open space to serve the neighborhood needs

- *Look for opportunities to address changes to State Street Creek where possible.*
- *Provide for adequate park space to serve local needs.*

No changes are proposed to State Street Creek. Stormwater basins will be constructed north of the creek. Most trees will be preserved on the south side of the creek.

The subject property represents the most significant development site within the neighborhood, and therefore is the only opportunity for a significant park land donation. The St. Charles Park District has acquired the 2.76 acre site located at 229 N. 9th Street, to be called "Belgium Town Park". The Park District will accept a small parcel on 9th Street as a land donation to improve access to the Belgium Town Park site. The rest of the requirement will be met as a cash donation to the Park District that can be used to improve the park.

The City's Subdivision Ordinance requires a land or cash donation based on the expected population of the subdivision (Population of 331, with a requirement at 10 acres per 1,000 population, equals a donation size of 3.31 acres). The park site acquired by the Park District is less than the recommended preferred size for the proposed development.

Provide a range of housing that is available, accessible and affordable

- *Maintain the quality of the existing housing stock.*
- *Look for opportunities to add Senior housing to the area.*
- *Require high quality construction for new development.*
- *Promote subdivision design that creates desirable and cost efficient residential neighborhoods.*

The PUD provides three distinct housing types- single-family detached houses, townhome units, and rowhome units. No units are specifically designed to be accessible. No units are considered "affordable" by the City's Zoning Ordinance. No units have been designed specifically for senior housing.

In terms of construction and design quality, the proposed townhomes and rowhomes comply with the City's Design Standards, with deviations requested to allow the use of vinyl siding and the use of masonry materials on front and side elevations only.

The overall subdivision layout is desirable, but it is unknown how cost efficient the development plan is without comparison to an alternate plan.

Community Development
Development Engineering Division
Phone: (630) 443-3677
Fax: (630) 762-6922

Memo

Date: 8/15/2011

To: Russell Colby

From: Christopher Tiedt, P.E.

RE: Lexington Club PUD Engineering Review Comments

Russ,
The Engineering review of the following documents for the Lexington Club PUD project has been completed:

- Preliminary Engineering Plans for Lexington Club, prepared by WBK Associates, revision date July 20, 2011 (10 Pages)
- Preliminary Stormwater Submittal for Lexington Club prepared by WBK Associates, revision date July 20, 2011
- Preliminary Traffic Study for Lexington Club, prepared by KLOA, Inc., revision date June 16, 2011
- Preliminary Landscape Plans for Lexington club, prepared by Puglsey & Lahaie, Ltd. revision date July 22, 2011 (3 pages)
- Preliminary Plan- Lexington Club prepared by TFW Surveying and Mapping, Inc. revision date July 21, 2011. (5 pages)

A compilation of engineering review comments resulting from this review are as follows:
Development Engineering Comments:

Preliminary Plan by TFW:

1. Public Utility and Drainage Easements are needed across the private access drive south of lots 38 and 39 for the proposed public utilities.
2. Additional ROW needs to be dedicated on the east side of the last rowhome (lot 53 on site plan and 20 on Preliminary Engineering Plan) to accommodate the proposed road layout at 5th Street and Mark Street.
3. The proposed connection to the bike path needs at the far east end has been removed and not reflected on the Preliminary Plan.

4. The Easement Note on Sheet 5 of 5 should identify what kind of blanket easement. (i.e. utility, drainage, access, etc…)

5. It needs to be noted that Lot 54 will become public ROW in the future when/if future road connection from 12th Street is constructed.

6. Ryan St. right of way is shown as being vacated on the proposed site plan. If this vacation is found to be acceptable, permanent utility easements will need to be retained over the vacated ROW for existing utilities currently located in this area. These easements will need to be identified on the site plan or final subdivision plat when it is prepared.

7. The following language should be added to the Public Utility and Drainage Easement Language "…across, under, or through said easements. *In the even t utility maintenance is p erformed within the u tility easemen t, th e City of St. Charles will have no obligat ion with respect to surf ace restoration including, but not limited to, the rest oration, repair, or repla cement of any landscaping provided, however, the g rantees shall be ob ligated following any such wo rk, to backfill and mound so as to retain suit able drainage, remove debris, and leave the area in generally clean and workmanlike condition."*

General comments:

8. The $50.00 Stormwater Permit Application fee needs to be submitted.

9. Proposed road improvements on 9th Street are currently shown as "Grind and Overlay". However, additional discussions have taken place between the City and the developer with respect to completely reconstructing this street to meet current standards as part of this project. These agreed upon improvements need to be shown on the preliminary engineering plans.

10. Additional discussions have taken place between the City and the developer with respect to extending the 10" watermain from the project limits to the stub located near Dean Street and State Street. The design for this watermain extension needs to be shown on the preliminary engineering plans.

11. A separate permit will be required for the location and placement of the proposed monument sign as shown on the Landscape Plan.

12. The Qualified Wetland Review Specialist (Erica Spolar c/o HLR) has indicated that once the IDNR correspondence, planting plan, and USACE permit and completed mitigation agreement are submitted, the Wetland review will be complete and can be signed off. Please submit these documents when available.

<u>HLR Comments (Consultant Review):</u>

Preliminary Traffic Comments

13. City of St. Charles and HLR review comments listed in the KLOA May 24, 2011 memorandum to the City have been addressed in the revised traffic study.

14. On page 20 under 7th Street and Main Street (IL 64), the text states that the "queue analysis for Year 2015 conditions shows that this southbound queue on

7th Street will not spillback to Main Street." The 1/5/2010 version of the report stated "will not spillback to Cedar Street (the next intersecting street north of Main Street)." The projected 95th percentile queue in the Future AM and PM capacity analyses are each about 12 vehicles (300 feet). This queue will extend north beyond the Cedar Street intersection, but not as far as the State Street intersection. This paragraph should restate the analysis findings.

Preliminary Engineering Plan Comments:

15. It is noted that access easements have been provided on the preliminary subdivision plat for the proposed pedestrian connections from the site to the old railroad spur as requested. The easement provisions should be provided on the final plat of subdivision.
16. It is noted that the locations of the proposed handrails for fall protection are provided in a note on the detail. Exact locations will need to be provided on the final engineering plans. The specifications for the type of railing being provided need to be provided to the Planning Office for preliminary approval as requested.
17. The applicant should provide supporting exhibits and calculations for all of the drainage areas, impervious surfaces, head, and times of concentration to verify the storm sewer sizing and inlet grate capacities for the 100-year overflow routes provided in the preliminary stormwater submittal. There appear to be discrepancies between the two sets of calculations.
18. The discharge for the proposed storm sewer for the 100-year overflow route between townhome units #22 and #23 was calculated at 15.27cfs. However, the inlet capacity calculations show a discharge rate of 10.66 cfs. See comment #17.
19. The drainage area for the 100-year overflow route for 7th and 9th Streets is shown as 3.44 acres on the storm sewer sizing for system 201 and 2.94 acres for the inlet spacing calculations. The calculations also have different times of concentration. See comment #17.
20. As part of Final Engineering, the 100-year WSEL should be calculated and depicted on the grading plan in all overland flood routes, especially in the rear yards or those that have a walk-out or look-out basement, to ensure that all proposed structures are protected from flooding.
21. The type of retaining walls with specifications should be provided to the Planning Office for preliminary approval. It appears that the proposed storm sewer may be in conflict with the proposed retaining wall along the west property line if the retaining wall requires a geogrid support system.
22. There appear to be discrepancies in the invert elevations and/or top-of-weir wall elevations on the detail for the detention basin control structures. The inverts for basins #1 and #2 are only 0.1' below top of weir wall.

Preliminary Stormwater Submittal

23. Developer, Owner, and Applicant signatures are required on the stormwater permit applications.
24. The exhibit for the depressional storage area is not legible and should be resubmitted.
25. Detailed TR-20 models will be required during Final Engineering for the proposed detention basins. Actual composite CN values will be required based on square footage of roofs, roadways, sidewalks, open space, etc. The average values based on type of development used in the preliminary stormwater report will need to be updated based on actual final conditions.
26. Detailed storm sewer calculations will be required during Final Engineering.
27. Detailed retention volume calculations will be required during Final Engineering.
28. The City interprets the retention component as a specific volume available for storage. The draw down for the retention volume may be accomplished by an underdrain system connected to the downstream side of the control structures for basins #1 and #2. The applicant should provide the retention volume design in the preliminary plans and stormwater report.
29. Detailed landscaping plans showing all proposed utilities and meeting all requirements of the City of St. Charles will be required during Final Engineering.

Public Works Engineering Comments:

Water:

30. Install hydrants at proper spacing on 9th Street watermain extension.

Public Works Engineering:

General Notes:

31. A coordinated construction schedule between the Developer and the City of St. Charles will be required for the water main extension on 9th Street.

Sheet GR1:

32. In addition to the previous comment pertaining to the road reconstruction of 9th Street, the intersection of State St and 9th Street south to just north of the intersection of 9th St and Dean Street shall be shown as a 3 ¾" grind and resurface due to the watermain extension previously discussed.
33. Revise "Typical Pavement Section (Pubic ROW)" Detail to follow standard City cross section detail (1 ½" surface, 2 ¼" binder, 6" base course, 4" CA-6 aggregate base course).

Sheet UT1:

34. Plans shall be reviewed and revised accordingly to include the potential need for additional storm sewer infrastructure for the installation of the new roadway on 9th St. to the intersection of 9th St and State St.

35. The proposed detention basin control structure detail will need to be revised to call out 14-inch wide polyurethane steps.

36. Plans shall be revised to increase the height of sanitary manhole No. 15 to 732 so the rim is a minimum of 2-feet above the HWL of the detention pond. The existing sanitary manhole at the point of connection should be replaced and the rim elevation should also be set to a minimum of two feet above the floodplain elevation. Sanitary manhole #15, #16, and #17 should contain a bolt down lid to insure a watertight system in these areas.

CITY OF ST. CHARLES

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

DEPARTMENT: COMMUNITY DEVELOPMENT/PLANNING PHONE: (630) 377-4443 FAX: (630) 377-4062

ZONING MAP AMENDMENT APPLICATION

Received Date
RECEIVED
DEC 16 2009
PLANNING OFFICE

CITYVIEW
PROJECT NAME: Lexington Club PUD
PROJECT NO.: 2007 -PR- 022
APPLICATION NO.: 2009 -AP- 042

To request a zoning map amendment (rezoning) 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 ate 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:	Parcel Number(s): 09-27-303-001; 09-28-400-002; 09-28-452-003; 09-28-476-019; 09-28-477-003; and 09-28-477-014	
	Street Address (or common location if no address is assigned): 333 N. 6th Street, St. Charles, IL 60174	
2. Applicant Information:	Name: Lexington Homes, LLC	Phone: (773) 829-4755
	Address: 1731 N. Marcey Street, Suite 200	Fax: (773) 360-0301
	Chicago, IL 60614	Email:mcukierman@lexingtonchicago.com
3. Record Owner Information:	Name: St. Charles-333 North Sixth Street, LLC c/o Marilyn Magafas	Phone: (847) 481-1839
	Address: 3436 N. Kennicott, Suite 100	Fax: (847) 259-1663
	Arlington Heights, IL 60004	Email: mmagafas@FAPLLC.com
4. Billing: *Who is responsible for paying application fees and reimbursements?*	Name: Lexington Homes, LLC	Phone: (773) 829-4755
	Address: 1731 N. Marcey St., Suite 200 Chicago, IL 60614	Fax: (773) 360-0301
		Email: mcukierman@lexingtonchicago.com

Zoning and Use Information:

Comprehensive Plan Designation: Medium Density
Current zoning of the property: M-1
Is the property a designated Landmark or in a Historic District? No
Current use of the property: Industrial
Proposed zoning of the property: RT-3 and RM-2
If the proposed Map Amendment is approved, what improvements or construction are planned? (An accurate site plan may be required to establish that the proposed improvements can meet the minimum zoning requirements)

Attachment Checklist

- ❑ **APPLICATION:** Completed application form signed by the applicant
- ❑ **APPLICATION FEE:** Application fee in accordance with Appendix B of the Zoning Ordinance.
- ❑ **REIMBURSEMENT OF FEES AGREEMENT:** An original, executed Reimbursement of Fees Agreement and deposit of funds in escrow with the City, as provided by Appendix B of the Zoning Ordinance.
- ❑ **PROOF OF OWNERSHIP and DISCLOSURE:**
  a) a current title policy report; or
  b) a deed and a current title search.
  If the owner is not the applicant, an original letter of authorization from the owner permitting the applicant to act on his/her behalf is required. If the owner or applicant is a Trust, a disclosure of all beneficiaries; if the owner or applicant is a Partnership, a disclosure of all partners; if the owner or applicant is a Corporation, a disclosure of all owners with an interest of at least ten percent (10%).
- ❑ **LEGAL DESCRIPTION:** For entire subject property on 8½ x 11 inch paper
- ❑ **PLAT OF SURVEY:**
  A current plat of survey for the Subject Realty showing all existing improvements on the property, prepared by a registered Illinois Professional Land Surveyor.
- ❑ **SITE PLAN:**
  Simple site plan drawn to scale to demonstrate that the property can meet the requirements of the proposed zoning district (parking requirements, setbacks, landscaping, etc.)
- ❑ **SOIL AND WATER CONSERVATION DISTRICT APPLICATION:**
  Copy of completed Land Use Opinion application as required by state law, as submitted to The Kane-DuPage Soil and Water Conservation District. http://www.kanedupageswcd.org/
- ❑ **ENDANGERED SPECIES REPORT:**
  Copy of Endangered Species Consultation Agency Action to be filed with the Illinois Department of Natural Resources. http://dnrecocat.state.il.us/ecopublic/

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.

Lexington Homes, LLC

By: _____ Date: December 4, 2009

Moises Cukierman

Authorized agent

FINDINGS OF FACT SHEET – MAP AMENDMENT

The St. Charles Zoning Ordinance requires the Plan Commission to consider factors listed below in making a recommendation to the City Council.

As an applicant, the "burden of proof" is on you to show why the proposed zoning is more appropriate than the existing zoning. Therefore, you need to "make your case" by explaining how the following factors support your proposal. If a factor does not apply to the property in question, indicate "not applicable" and explain why it does not apply.

The Lexington Club
Project Name or Address

November __, 2009
Date

From the Charles Zoning Ordinance, Section 17.04.320.D:
In making its recommendation to grant or deny an application for a Zoning Map Amendment, including changes to Zoning District and Overlay boundaries, the Plan Commission shall consider:

1. The existing uses and zoning of nearby property. *(Relate the proposed land use and zoning to the land use and zoning of other properties in the area)*

   Response: The subject property is bounded by existing industrial activities along the westerly and a portion of the southerly boundaries of the site. Along the northerly (beyond the adjacent railroad right-of-way), easterly and most of the southerly boundaries the subject property is adjacent to residential zoning and land uses. The proposed map amendment will rezone the subject property from the M-1 to the RT-3 and RM-2 zoning districts, thereby implementing the objectives of the amended Comprehensive Plan for this area as recently adopted by the City. The transitional nature of this area and the objective of the City to move towards a more compatible and harmonious residential environment is served through the map amendment requested by the Applicant.

2. The extent to which property values are diminished by the existing zoning restrictions. *(Compare the value of the subject property and nearby properties under the current zoning to their potential value under the proposed zoning.)*

   Response: The existing M-1 zoning classification is out of date for the subject property. No manufacturing or industrial activities have been carried out on the subject property for an extended period of time and the past industrial activities resulted in dilapidated and abandoned buildings and environmental contamination. The continued zoning of the subject property under the M-1 district has and will continue to diminish the value of the subject property and its potential for future redevelopment.

3. The extent to which the reduction of the property's value under the existing zoning restrictions promotes the health, safety, morals or general welfare of the public. *(If the existing zoning decreases the value of the subject realty, does it also produce any perceptible public benefits?*

   Response: The existing M-1 zoning classification not only does not promote the health, safety, morals and general welfare of the public but in fact impairs and diminishes those objectives. The dilapidated structures and environmental contamination which currently are located within the subject property necessitate the effective redevelopment of the subject property in a manner consistent with the City's Comprehensive Plan and which is compatible with adjacent neighborhoods and market conditions.

4. The suitability of the property for the purposes for which it is presently zoned, i.e. the feasibility of developing the property for one or more of the uses permitted under the existing zoning classification. *(Can the subject property reasonably be used for any of the uses currently permitted? Physical and market conditions may be considered.)*

   Response: The subject property has not and cannot be effectively redeveloped for manufacturing or industrial uses. There has been no interest demonstrated by the market for such uses or activities upon the subject property over the past several years and the existing condition of the subject property, together with the adjacent residential uses, deter and severely handicap any future uses of a non-residential character.

5. The length of time that the property has been vacant, as presently zoned, considered in the context of the land development in the area where the property is located. *(If a property has been vacant longer than other similar properties in the area, it may be an indicator that the existing zoning is inappropriate.)*

   Response: The subject property has remained inactive and unproductive for an extended period of time under the existing M-1 zoning classification. The market has demonstrated no interest for future redevelopment of the subject property under its existing zoning classification.

6. The evidence, or lack of evidence, of the community's need for the uses permitted under the proposed district. *(Development trends, market forces, and the Comprehensive Plan may be considered.)*

   Response: Pursuant to the City's analysis undertaken as a part of its recent amendment to the Comprehensive Plan for this development area, it has been determined that the City's needs are best served through the residential redevelopment of the subject property as opposed to the promotion of non-residential activities thereon.

7. The consistency of the proposed amendment with the City's Comprehensive Plan.

   Response: The proposed map amendment is consistent with and serves to implement the City's future land use objectives for the subject property as identified in the City's recent amendment to its Comprehensive Plan.

8. Whether the proposed amendment corrects an error or omission in the Zoning Map.

   Response: Not applicable.

9. The extent to which the proposed amendment creates nonconformities. *(Generally it is not appropriate to rezone a property unless it can comply with the requirements of the new zoning.)*

   Response: To the Applicant's knowledge, the proposed map amendment will not create or cause any nonconformities to exist within the subject property or adjacent properties under the City's Zoning Ordinance.

10. The trend of development, if any, in the general area of the property in question. *(New development, redevelopment, changes in use, or other changes in the area may help to justify a change in zoning.)*

    Response: The trend of development over the last twenty years within the subject development area has been toward residential and not manufacturing or industrial uses. While some limited industrial activities continue to operate in the vicinity, they are carryovers from prior development goals and trends of the City and are not reflective of the current trend of development for the subject development area.

Plan Commission recommendation shall be based upon the preponderance of the evidence presented and the Commission shall not be required to find each Finding of Fact in the affirmative to recommend approval of an application for Map Amendment.

CITY OF ST. CHARLES

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

DEPARTMENT: COMMUNITY DEVELOPMENT/PLANNING PHONE: (630) 377-4443 FAX: (630) 377-4062

SPECIAL USE APPLICATION

Received Date
RECEIVED
DEC 8 2009
PLANNING OFFICE

CITYVIEW
PROJECT NAME: Lexington Club PUD
PROJECT NO.: 2007 -PR- 022
APPLICATION NO.: 2009 -AP- 043

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 ate 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:	Parcel Number(s): 09-27-303-001; 09-28-400-002; 09-28-452-003; 09-28-476-019; 09-28-477-003; and 09-28-477-014	
	Street Address (or common location if no address is assigned): 333 N. 6th Street, St. Charles, IL 60174	
2. Applicant Information:	Name: Lexington Homes, LLC	Phone: (773) 829-4755
	Address: 1731 N. Marcey Street, Suite 200	Fax: (773) 360-0301
	Chicago, IL 60614	Email:mcukierman@lexingtonchicago.com
3. Record Owner Information:	Name: St. Charles-333 North Sixth Street, LLC c/o Marilyn Magafas	Phone: (847) 481-1839
	Address: 3436 N. Kennicott, Suite 100	Fax: (847) 259-1663
	Arlington Heights, IL 60004	Email: mmagafas@FAPLLC.com
4. Billing: *Who is responsible for paying application fees and reimbursements?*	Name: Lexington Homes, LLC	Phone: (773) 829-4755
	Address: 1731 N. Marcey St., Suite 200 Chicago, IL 60614	Fax: (773) 360-0301
		Email: mcukierman@lexingtonchicago.com

Information Regarding Proposed Special Use:

Comprehensive Plan Designation: Medium Density
Is the property a designated Landmark or in a Historic District? No
What is the property's current zoning? M-1
What is the property currently used for? Industrial
What Special Use(s) are you applying for? Please select from the list of Special Uses in the Zoning Ordinance for the appropriate zoning district.
If the proposed Special Use is approved, what improvements or construction are planned?

For Special Use Amendments only:

What Special Use ordinance do you want to amend? Ordinance No.
Why is the proposed change necessary?
What are the proposed amendments? (Attach proposed language if necessary)

Note for existing buildings:

If your project involves using an existing building, whether you plan to alter it or not, please contact the St. Charles Fire Department (630-377-4458) and the Building and Code Enforcement Division (630-377-4406) for information on building, life safety and other code requirements. Depending on the proposed use, size of structure and type of construction, these requirements can result in substantial costs.

Attachment Checklist

- ❑ **APPLICATION:** Completed application form signed by the applicant
- ❑ **APPLICATION FEE:** Application fee in accordance with Appendix B of the Zoning Ordinance.
- ❑ **REIMBURSEMENT OF FEES AGREEMENT:** An original, executed Reimbursement of Fees Agreement and deposit of funds in escrow with the City, as provided by Appendix B of the Zoning Ordinance.
- ❑ **PROOF OF OWNERSHIP and DISCLOSURE:**
  a) a current title policy report; or
  b) a deed and a current title search.
  If the owner is not the applicant, an original letter of authorization from the owner permitting the applicant to act on his/her behalf is required. If the owner or applicant is a Trust, a disclosure of all beneficiaries; if the owner or applicant is a Partnership, a disclosure of all partners; if the owner or applicant is a Corporation, a disclosure of all owners with an interest of at least ten percent (10%).
- ❑ **LEGAL DESCRIPTION:** For entire subject property on 8½ x 11 inch paper
- ❑ **PLAT OF SURVEY:**
  A current plat of survey for the Subject Realty showing all existing improvements on the property, prepared by a registered Illinois Professional Land Surveyor.
- ❑ **SOIL AND WATER CONSERVATION DISTRICT APPLICATION:**
  Copy of completed Land Use Opinion application as required by state law, as submitted to The Kane-DuPage Soil and Water Conservation District. http://www.kanedupageswcd.org/
- ❑ **TRAFFIC STUDY:** If requested by the Director of Community Development.
- ❑ **PLANS:**
  All required plans shall be drawn on sheets no larger than 24" x 36", unless the Director of Community Development permits a larger size when necessary to show a more comprehensive view of the project. All required plans shall show north arrow and scale, and shall be drawn at the same scale (except that a different scale may be used to show details or specific features). All plans shall include the name of the project, developer or owner of site, person or firm preparing the plan, and the date of plan preparation and all revisions.

Copies of Plans:

- Initial Submittal - Fifteen (15) full size copies, Three (3) 11" by 17", and a PDF electronic file on a CD-ROM.
- Revision Submittal for Plan Commission - Twenty-Two (22) full size copies, Three (3) 11" by 17" and a PDF electronic file on a CD-ROM.

❑ **SITE PLAN (Note: For a Special Use for PUD, submit PUD Preliminary Plan Application in lieu of Site Plan):**

A plan or plans showing the following information:

1. Accurate boundary lines with dimensions
2. Streets on and adjacent to the tract: Name and right-of-way width
3. Location, size, shape, height, and use of existing and proposed structures
4. Location and description of streets, sidewalks, and fences
5. Surrounding land uses
6. Date, north point, and scale
7. Ground elevation contour lines
8. Building/use setback lines
9. Location of any significant natural features
10. Location of any 100-year recurrence interval floodplan and floodway boundaries
11. Location and classification of wetland areas as delineated in the National Wetlands Inventory
12. Existing zoning classification of property
13. Existing and proposed land use
14. Area of property in square feet and acres
15. Proposed off-street parking and loading areas
16. Number of parking spaces provided, and number required by ordinance
17. Angle of parking spaces
18. Parking space dimensions and aisle widths
19. Driveway radii at the street curb line
20. Width of driveways at sidewalk and street curb line
21. Provision of handicapped parking spaces
22. Dimensions of handicapped parking spaces
23. Depressed ramps available to handicapped parking spaces
24. Location, dimensions and elevations of freestanding signs
25. Location and elevations of trash enclosures
26. Provision for required screening, if applicable
27. Exterior lighting plans showing:
    a. Location, height, intensity and fixture type of all proposed exterior lighting
    b. Photometric information pertaining to locations of proposed lighting fixtures

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.

Lexington Homes, LLC

By: _____ Date: December 4, 2009

Moises Cukierman

Authorized Agent

RECEIVED
St. Charles, IL

JUL 22 2011

CDD
Planning Division

FINDINGS OF FACT SHEET – SPECIAL USE FOR A PLANNED UNIT DEVELOPMENT (PUD)

The St. Charles Zoning Ordinance requires the Plan Commission to consider the factors listed below in making a recommendation to the City Council.

As the applicant, the "burden of proof" is on you to show how your proposed Planned Unit Development meets the applicable standards. Therefore, you need to "make your case" by explaining specifically how the project meets each of the following standards.

The Lexington Club
PUD Name

July __, 2011
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.

Response: The Applicant has worked closely with various staff members and consultants of the City for approximately two years so as to better

implement the design objectives for the subject property as enunciated in the City's amended Comprehensive Plan. These efforts have been focused on and address the City's stated objectives of establishing a distinctive and attractive residential development within the subject property through the elimination of dilapidated buildings and structures, the mitigation of existing environmental hazards and the transition of land use to a residential community which emphasizes and implements pedestrian activity and social interaction throughout the existing and proposed neighborhoods. Connections will be provided to the future park district trail proposed for development within the soon to be abandoned railroad spur line located immediately north of the subject property, as well as pedestrian links to the stream located south of the subject property. Considerable emphasis has been placed on working with varied, yet compatible, architectural designs within and between the proposed product types within the subject property. The proposed pedestrian links, open space and architectural components of the proposed planned unit development all serve to implement the purposes and objectives as set forth and articulated in the City's Zoning Ordinance for planned unit developments.

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.

Response: For the reasons as set forth in item (i), above, the planned unit development will deviate from the applicable requirements of the City's Zoning Ordinance with respect to the following items:

A. RT-3 Detached Single Family:

(a) Increase the maximum building coverage from 25% to 45% for the proposed detached single family dwelling units;
(b) Decrease the interior side yards from the required 5.6' down to 5';
(c) Reduce the minimum rear yard requirement from 30' to 25'

B. RM-2 Attached Single Family:

(a) Townhome Units:
  (i) Increase in the maximum building coverage from 35% to 40% for the attached townhome dwelling units;
  (ii) Reduce the minimum front yard setback from 20' to 15' for the townhomes identified in the Application as the "B" unit;
  (iii) Reduce the minium corner side yard setack from 20' down to 15';
  (iv) Reduce the minimum separation between buildings from 20' down to 18';
  (v) Reduce the minimum rear yard from 25' down to 20' for Buildings 38, 38, 40 and 41;
  (vi) Increase the maximum number of dwelling units per building from 5 to 6 for Buildings 52 and 53.
(b) Rowhome Units:
  (i) Reduce the rear yards from 25' down to 20' for the attached townhome dwelling units where said rear yards do not abut adjacent residential property;
  (ii) Reduce the minimum corner side yard setback from 20' down to 10' in order to provide for the City's request for the dedication of additional public street right-of-way to accommodate the continuation of Mark Street;
  (iii) Reduce the minimum lot width from 24' down to 20';
  (iv) Reduce the allowable lot area per dwelling unit from 4,300 SF/Unit to 2,150 SF/Unit

The configurations and challenging topographical and land planning conditions of the subject property make it impractical to fully conform with the aforesaid bulk regulations under the Zoning Ordinance, and without the allowance of said exceptions the ability to implement the integrated pedestrian paths, open spaces, architectural diversity and natural preservation efforts as set forth in the proposed planned unit development will not be feasible. The PUD will comply with all applicable requirements of laws and regulations pertaining to disabilities, including the Americans with Disabilities Act.

C. With respect to all of the Property, whether zoned under the RT-3 District or RM-2 District, the following deviations are requested:

(a) Permit the use of .042 gauge vinyl siding as one of the materials allowed for use on all exterior building elevations. (Section 17.06.050(F))

(b) Permit a disproportionate mix of building materials on exterior building elevations in order to allow the concentration of masonry elements and features on the more highly visible front and side building elevations. (Section 17.06.050(F)(3))

(c) Waive all requirements to include the construction of, and/or the payment of a fee-in-lieu for, affordable housing units. (Chapter 17.18)

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

Submit responses on form: "Findings of Fact Sheet – Special Use"

Response: See responses on Findings of Fact Sheet - Special Use

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

Response: The subject property is currently occupied by unproductive and dilapidated structures which constitute a blight on the landscape. In addition, past industrial activity upon the subject property has resulted in certain environmental contaminations which further inhibits the benefit and value of the subject property in its existing condition. The proposed PUD will eliminate the blighted condition, address the environmental challenges and convert the subject property into an attractive residential community which provides diversified and affordable housing for residents of the community and places the subject property on a sound footing for improvement of the City's tax base. These are the objectives which have been identified by the City as a part of its amendment

to its Comprehensive Plan for the subject area and the proposed PUD will compliment and facilitate the implementation of those objectives.

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

Response: As addressed above, the proposed PUD has been designed around and in substantial conformance with the City's recent amendment to its Comprehensive Plan for the subject property. The proposed dwelling types, residential density, site plan, utility plan, landscape plan and open space planning all are directed at accommodating the specific goals and objectives as set forth in the amended Comprehensive Plan.

FINDINGS OF FACT SHEET – SPECIAL USE

The St. Charles Zoning Ordinance requires the Plan Commission to consider the factors listed below in making a recommendation to the City Council.

As the applicant, the "burden of proof" is on you to show how your proposed Special Use will comply with each of the applicable standards. Therefore, you need to "make your case" by explaining specifically how your project meets each of the following standards.

The Lexington Club	November __, 2009
Project Name or Address	*Date*

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

On the basis of the evidence presented at the public hearing, the Plan Commission shall record its reasons for recommending approval or denial of the petition (findings of fact) in accordance with the following standards:

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

Response: Pursuant to a recent amendment to its Comprehensive Plan, the City has identified the subject property as an area in transition and provides for a change in land use from the past industrial activities to a residential use which will be more in harmony with the adjacent residential neighborhoods. In addition, the City has identified objectives of removing the existing industrial buildings and foundations as well as the mitigation of existing environmental problems affecting the site in order to benefit the public health, safety and welfare of the community. The proposed Special Use is designed in response to the transitional use objectives as set forth in the amended Comprehensive Plan and will serve to promote the public convenience and public health, safety and welfare if approved.

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

Response: The proposed Special Use has been designed to address and comply with all applicable laws and regulations pertaining to public utilities, access, drainage and storm water detention so as to bring the subject property in full compliance with today's standards. This will eliminate several deficiencies which exist within the subject property under its past and current condition. Based upon preliminary design analysis it appears that there is and will be sufficient line and service capacity to accommodate the infrastructure requirements generated by

the subject property when fully developed in conformance with 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.

Response: The Special Use will implement the planning objectives as identified in the City's amended Comprehensive Plan for the subject property, thereby transitioning the use of the subject property to a much more compatible residential character in keeping with the adjacent residential neighborhoods. The density of the proposed dwelling units, together with the architecture and quality of the dwelling unit designs, will be consistent with the objectives of the amended Comprehensive Plan and the adjacent residential neighborhoods. As a result, the Special Use will not be injurious to the use and enjoyment of other residential and industrial property in the immediate vicinity where the use is already permitted nor will it substantially diminish or impair values within the adjacent residential and industrial neighborhoods.

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.

Response: The adjacent residential neighborhoods have been previously developed and are well established. The implementation of the Special Use will, therefor, not impede nor negatively impact the normal or orderly development and improvement of the surrounding residential neighborhoods. The proposed site plan for the Special Use has been designed to be sensitive to impacts generated from adjacent non-residential properties, which properties are also fully developed.

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.

Response: If adopted and implemented, the Special Use will serve to promote and improve the public health, safety, comfort and general welfare of the community by facilitating the elimination of existing dilapidated structures, the mitigation of environmental hazards and the transition of land use to a more compatible residential character with existing residential neighborhoods.

F. Conformance with Codes: That the proposed Special Use conforms to all existing Federal, State and local legislation and regulation and meets or exceeds all applicable provisions of this Title, except as may be varied pursuant to a Special Use for Planned Unit Development.

Response: The proposed Special Use will fully conform with all applicable federal, state and local legislation and regulations, including, without limitation, the City's Zoning Ordinance and Subdivision Ordinance, except as to those variations or deviations which are expressly approved by the City as a part of the Special Use.

CITY OF ST. CHARLES

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

DEPARTMENT: COMMUNITY DEVELOPMENT/PLANNING PHONE: (630) 377-4443 FAX: (630) 377-4062

PUD PRELIMINARY PLAN APPLICATION

Received Date
RECEIVED
DEC 1 0 2009
PLANNING OFFICE

CITYVIEW
PROJECT NAME: Lexington Club PUD
PROJECT NO.: 2007 -PR- 022
APPLICATION NO.: 2009 -AP- 044

To request review 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 a 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:	Parcel Number(s): 09-27-303-001; 09-28-400-002; 09-28-452-003; 09-28-476-019; 09-28-477-003; and 09-28-477-014	
	Proposed Name of PUD: The Lexington Club	
2. Applicant Information:	Name: Lexington Homes, LLC	Phone: (773) 829-4755
	Address: 1731 N. Marcey Street, Suite 200	Fax: (773) 360-0301
	Chicago, IL 60614	Email:mcukierman@lexingtonchicago.com
3. Record Owner Information:	Name: St. Charles-333 North Sixth Street, LLC c/o Marilyn Magafas	Phone: (847) 481-1839
	Address: 3436 N. Kennicott, Suite 100	Fax: (847) 259-1663
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	Address: 1731 N. Marcey St., Suite 200 Chicago, IL 60614	Fax: (773) 360-0301
		Email: mcukierman@lexingtonchicago.com

Attachment Checklist

Note: The City Staff, Plan Commission, or City Council, may request other pertinent information during the review process.

- ❑ **APPLICATION:** Completed application form signed by the applicant
- ❑ **APPLICATION FEE:** Application fee in accordance with Appendix B of the Zoning Ordinance.
- ❑ **REIMBURSEMENT OF FEES AGREEMENT:**

  An original, executed Reimbursement of Fees Agreement and deposit of funds in escrow with the City, as provided by Appendix B of the Zoning Ordinance.
- ❑ **PROOF OF OWNERSHIP and DISCLOSURE:**

  a) a current title policy report; or

  b) a deed and a current title search.

  If the owner is not the applicant, an original letter of authorization from the owner permitting the applicant to act on his/her behalf is required. If the owner or applicant is a Trust, a disclosure of all beneficiaries; if the owner or applicant is a Partnership, a disclosure of all partners; if the owner or applicant is a Corporation, a disclosure of all owners with an interest of at least ten percent (10%).
- ❑ **LEGAL DESCRIPTION:** For entire subject property, on 8 ½ x 11 inch paper
- ❑ **PLAT OF SURVEY:**

  A current plat of survey for the Subject Realty showing all existing improvements on the property, prepared by a registered Illinois Professional Land Surveyor.
- ❑ **SOIL AND WATER CONSERVATION DISTRICT APPLICATION:**

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

  Copy of Endangered Species Consultation Agency Action to be filed with the Illinois Department of Natural Resources. http://dnrecocat.state.il.us/ecopublic/
- ❑ **PLANS:**

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

  Copies of Plans:

  - Initial Submittal - Fifteen (15) full size copies, Three (3) 11" by 17", and a PDF electronic file on a CD-ROM.
  - Revision Submittal for Plan Commission - Twenty-Two (22) full size copies, Three (3) 11" by 17" and a PDF electronic file on a CD-ROM.
- ❑ **SITE/ENGINEERING PLAN:**

  A plan or plans showing the following information:

  1. Accurate boundary lines with dimensions
  2. Existing and proposed easements: location, width, purpose

3. Streets on and adjacent to the tract: Name and right-of-way width, center line elevation, and culverts
4. Location, size, shape, height, and use of existing and proposed structures
5. Location and description of streets, sidewalks, and fences
6. Surrounding land uses
7. Legal and common description
8. Date, north point, and scale
9. Existing and proposed topography
10. All parcels of land intended to be dedicated for public use or reserved for the use of all property owners with the proposal indicated
11. Location of utilities
12. Building/use setback lines
13. Location of any significant natural features
14. Location of any 100-year recurrence interval floodplain and floodway boundaries
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27. Depressed ramps available to handicapped parking spaces
28. Location, dimensions and elevations of freestanding signs
29. Location and elevations of trash enclosures
30. Provision for required screening, if applicable
31. Provision for required public sidewalks
32. Certification of site plan by a registered land surveyor or professional engineer
33. Geometric plan showing all necessary geometric data required for accurate layout of the site
34. Grading plans showing paving design, all storm sewers, and detention/retention facilities including detention/retention calculations) and erosion control measures
35. Utility plans showing all storm sewers, sanitary sewers, watermains, and appropriate appurtenant structures
36. Exterior lighting plans showing:
    - Location, height, intensity and fixture type of all proposed exterior lighting

- Photometric information pertaining to locations of proposed lighting fixtures

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

❑ **SKETCH PLAN FOR LATER PHASES OF PUD:**

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

- General location of arterial and collector streets
- Location of any required landscape buffers
- Location of proposed access to the site from public streets
- Maximum number of square feet of floor area for nonresidential development
- Maximum number of dwelling units for residential development
- Open space and storm water management land

❑ **ARCHITECTURAL PLANS:**

Architectural plans and data for all principal buildings shall be submitted in sufficient detail to permit an understanding of the exterior appearance and architectural style of the proposed buildings, the number, size and type of dwelling units, the proposed uses of nonresidential and mixed use buildings, total floor area and total building coverage of each building.

❑ **TREE PRESERVATION PLAN:**

Tree Preservation Plan when required in accordance with Chapter 8.30 of the St. Charles Municipal Code. The information required for this plan may be included as part of the Landscape Plan set.

❑ **LANDSCAPE PLAN:**

Landscape Plan showing the following information:

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

- ☐ **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.

- ☐ **INCLUSIONARY HOUSING SUMMARY:** For residential developments, submit information describing how the development will comply with the requirements of Chapter 17.18, Inclusionary Housing, including:

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

- ☐ **SUBDIVISION PRELIMINARY PLAN CHECKLIST:**

  If the PUD Preliminary Plan involves the subdivision of land, a completed Subdivision Preliminary Plan Checklist must be submitted. This Subdivision Checklist may reference the same set(s) of plans as the preceding checklists for Site/Engineering, Sketch Plan, Tree Preservation, and Landscape Plans, but the additional information required by the Subdivision Preliminary Plan Checklist must be included, where applicable.

- ☐ **APPLICATION FOR SPECIAL USE FOR A PUD:**

  The application for PUD Preliminary Plan must be accompanied by an application for a Special Use for a PUD, unless the Special Use was previously granted and no amendment is needed. Documentation required for both applications need not be duplicated.

- ☐ **HISTORIC DESIGNATION:** Is the property a designated Landmark or in a Historic District? _____

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.

Lexington Homes, LLC

By: _____ Date: December 4, 2009

Moises Cukierman

Authorized Agent

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STATEMENT OF PUBLIC BENEFITS AND DEPARTURES FROM EXISTING ZONING REQUIREMENTS

Re: The Lexington Club PUD

The Lexington Club is a proposed 142 unit residential neighborhood consisting of a mix of 28 detached single family dwellings, 102 two story townhomes and 12 three story rowhomes ("**Development**"), all to be constructed on the industrial site formerly known as the Applied Composites property ("**Property**"). The Property is currently a blighted and environmentally contaminated industrial site within walking distance to the downtown. In conjunction with the Development all existing structures have been or will be demolished and the environmental contamination will be mitigated in compliance with all applicable laws and regulations. The proposed site plan and residential dwelling units have been designed to be in harmony with the residential character of the surrounding neighborhood and to eliminate the incompatibility which has existed due to past industrial use of the Property. The Applicant has followed the City's approved Neighborhood Land Use Plan that calls for medium density residential redevelopment of the Property. The Applicant also is proposing to preserve the State Street Creek as well as to bring the Property into full conformity with all applicable storm water management and detention requirements.

A. With respect to departures from the applicable zoning requirements within the portion of the Development proposed to be zoned **RT-3 (Single Family),** the following deviations are requested:

1. Increase the allowable building coverage from 30% to 45%. The inclusion of dwelling units with a master bedroom and bath on the first floor necessitates a larger maximum building coverage ratio. Not all dwelling units will require a 45% coverage.

2. Decrease the interior side yards from the required 5.6' down to 5'.

3. Reduce the minimum rear yard requirement from 30' to 25'. It is anticipated that some of the single family floorplans will allow for deeper rear yards than the requested minimum.

B. With respect to departures from the applicable zoning requirements within the portion of the Development proposed to be zoned **RM-2 (Attached Single Family),** the following deviations are requested.

1. Townhome Units:

   (i) Reduce the allowable lot area per dwelling unit from 4,300 SF/Unit to 3,900 SF/Unit.

   (ii) Reduce the minimum front yard setback from 20' to 15' for the townhomes identified in the Application as the "B" unit. The purpose for this request is to provide variation and articulation in the streetscape within the townhome designs. In all cases where

off-street parking in a driveway is to occur, a minimum 20' separation between the garage door and the right-of-waywill be provided.

(iii) Reduce the minimum corner side yard setback from 20' down to 15'.

(iv) Reduce the minimum separation between buildings from 20' down to 18'.

(v) Reduce the minimum rear yard from 25' down to 20' for Buildings 38, 39, 40 and 41 as identified on the proposed preliminary site plan.

(vi) Increase the maximum number of dwelling units per building from 5 to 6 for Buildings 52 and 53 as identified on the proposed preliminary site plan.

2. Rowhome Units:

(i) Reduce the minimum front yard setback from 20' down to 15'. The northeasterly portion of the Property in which the rowhomes are proposed (Mark Street and Sixth Street) poses significant design challenges. Said area is a narrow strip of land with severe topography.

(ii) Reduce the minimum corner side yard setback from 20' down to 10' in order to provide for the City's request for the dedication of additional public street right-of-way to accommodate the continuation of Mark Street.

(iii) Reduce the minimum lot width from 24' down to 20'

(iv) Reduce the allowable lot area per dwelling unit from 4,300 SF/Unit to 2,150 SF/Unit

C. With respect to all of the Property, whether zoned under the RT-3 District or RM-2 District, the following deviations are requested:

1. Permit the use of .042 gauge vinyl siding as one of the materials allowed for use on all exterior building elevations. (Section 17.06.050(F))

2. Permit a disproportionate mix of building materials on exterior building elevations in order to allow the concentration of masonry elements and features on the more highly visible front and side building elevations. (Section 17.06.050(F)(3))

3. Waive all requirements to include the construction of, and/or the payment of a fee-in-lieu for, affordable housing units. (Chapter 17.18)

As stated above, the Property is a blighted and environmentally contaminated industrial site. Because of its existing conditions, which include extensive derelict improvements which require demolition and removal, soil contamination which requires proper remediation, and extraordinary topographical conditions which require extensive mass earth moving, the redevelopment of the Property poses very severe economic

challenges. As a result, Applicant has found it essential to seek City assistance through "pay as you go", developer note based tax increment financing which carries no City obligation or recourse ("TIF Assistance"), in order to establish economic feasibility sufficient to support the Development. In discussing the TIF Assistance with representatives of the City, Applicant found the level of assistance required under the original plans exceeds the level which might be found acceptable by the Corporate Authorities of the City. Applicant's original and revised concept plans, reviewed by the Plan Commission and Development Committee, incorporated a full compliment of affordable housing units in conformance with the Inclusionary Housing provision of the City Code. The succeeding discussions with City staff concerning the TIF Assistance brought attention to the cost to the Development of providing the affordable housing component. In light of (i) the significant cost to the Development of the affordable housing component, (ii) the unique circumstances of the Property, (iii) the public benefit which will be derived through the clean-up and redevelopment of an "in-town" blighted area, and (iv) the findings contained in the City's 2010 St. Charles Housing Market Affordability Snapshot ("2010 Affordability Snapshot"), which confirms sufficient levels of affordable owner occupied and rental units, Applicant has removed all affordable housing units from the Development and is requesting the full waiver of the affordable housing requirements under the Inclusionary Housing provisions contained in Chapter 17.18 of the City Code. If not for the very unique and unusual circumstances which pertain exclusively to the Property, Applicant would not be seeking said waiver. As stated above, all prior plans included the affordable units. However, it has become clear that the Development will not proceed without TIF Assistance and TIF Assistance cannot be expanded to include the cost of providing affordable housing. Since it is only the unique factual circumstances confronting the Property which justify consideration of the waiver, and the elimination of the affordable units from the plan will not materially alter the City's current compliance with affordability standards as identified in the 2010 Affordability Snapshot, Applicant believes that in this limited and tightly defined circumstance, the requested waiver is justified and will not establish a precedent which will undermine the long term objectives of said Chapter 17.18.

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CONSTRUCTION SCHEDULE

- Entitlements complete by: Fall 2011
- Tree Clearing/Demo/ Environmental start up: Late Fall/Winter 2011-12
- Site work: Spring/Summer 2012
- Building construction starts: Fall/Winter 2012
- Finished Models open: Spring 2013

SUMMARY OF PROPOSED DEVELOPMENT

ST. CHARLES
SINCE 1834

Name of Development Lexington Club

Number of years expected for build out _____

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Acreage or Square Ft. Breakdown:

Area of residential development	20.05 ac.
Area of nonresidential development	0
Area of private open space	0
Area of stormwater ponds/basins	6.90 ac
Park land dedication	0
School land dedication	0
Total Acres	26.95 ac.

Residential Breakdown:

	Number of units
Single Family Detached:	28
Attached Single Family (Townhomes):	124
Multi-Family:	
Other:	
Total Dwelling Units	142

Gross Density (Total D.U./Total Residential Acres)	7.08 Du/ac
Estimated Total Population (from Park Worksheet)	289.6
Estimated Student Population (from School Worksheet)	46.8

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RESIDENTIAL ZONING COMPLIANCE TABLE

Name of Development: **Lexington Club-Attached Single Family**

	Zoning District Requirement	Existing PUD Requirement (if applicable)	Proposed
	District: RM-2	Ordinance #:	
Minimum Lot Area	4,300 SF/ Du		3,900 sf/Du TH 2,150 sf/Du RH
Minimum Lot Width	24'		26'- TH 20' RH
Maximum Building Coverage	35%		35%
Maximum Building Height	40'		40'
Minimum Front Yard	20'		20'-TH Typical 15'-TH B Unit 15'-Rowhomes
Interior Side Yard	10'		9' –TH 10' RH
Exterior Side Yard	20'		15'-TH 10'-RH
Minimum Rear Yard	25'/5' to alley		25'/5' to alley
Yards Adjoining Major Arterials[1]	NA		NA
% Overall Landscape Area	20%		20%
Building Foundation Landscaping			
% Interior Parking Lot Landscape	NA		NA
Landscape Buffer Yards[2]	6' min. ht.		6' min. ht.
# of Parking spaces	2 per unit		TH -2/un.(gar.)+ 2/unit(driveway) RH- 2/unit

[1] For purposes of this Section, Major Arterials include Randall Road, Main Street west of Randall Road, Main Street East of Tyler Road, and Kirk Road.

[2] Within the zoning districts specified, a Landscape Buffer Yard shall be provided along any lot line that abuts or is across a street from property in any RE, RS, or RT District. See Chapter 17.26 for planting and screening requirements for Landscape Buffers.

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RESIDENTIAL ZONING COMPLIANCE TABLE

Name of Development: **Lexington Club- Single Family**

	Zoning District Requirement	Existing PUD Requirement (if applicable)	Proposed
	District: RT-3	Ordinance #:	
Minimum Lot Area	5,000 sf		5,700-6,000 sf
Minimum Lot Width	50'		56'
Maximum Building Coverage	30%		45%
Maximum Building Height	32'		32'
Minimum Front Yard	20'		20'
Interior Side Yard	5.6'; 5.8'		5'
Exterior Side Yard	20'		20' Typical 15' (Lot 17)
Minimum Rear Yard	30'		25'
Yards Adjoining Major Arterials[1]	NA		NA
% Overall Landscaped Area	20%		20%
Building Foundation Landscaping			
% Interior Parking Lot Landscaping	NA		NA
Landscape Buffer Yards[2]	6' min. ht.		6' min. ht.
# of Parking spaces	2/unit		2/ unit (garage)+ 2 /unit (driveway)

[1] For purposes of this Section, Major Arterials include Randall Road, Main Street west of Randall Road, Main Street East of Tyler Road, and Kirk Road.

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

Land/Cash Worksheet

Dwelling Type/Bedroom Count		# of Units	Park	Est. Park Pop.	Elem. School	Est. Pop.	Middle School	Est. Pop.	High School	Est. Pop.
Detached Single Family										
	3 bedroom	28	2.899	81.172	0.369	10.332	0.173	4.844	0.184	5.152
	4 bedroom	0	3.764	0	0.53	0	0.298	0	0.36	0
	5 bedroom	0	3.77	0	0.345	0	0.248	0	0.3	0
Attached Single Family (Townhomes)										
	1 bedroom	0	1.193	0	0	0	0	0	0	0
	2 bedroom	56	1.99	111.44	0.088	4.928	0.048	2.688	0.038	2.128
	3 bedroom	58	2.392	138.736	0.234	13.572	0.058	3.364	0.059	3.422
Multi Family (Condo/Apartment)										
	Efficiency	0	1.294	0	0	0	0	0	0	0
	1 bedroom	0	1.758	0	0.002	0	0.001	0	0.001	0
	2 bedroom	0	1.914	0	0.086	0	0.042	0	0.046	0
	3 bedroom	0	3.053	0	0.234	0	0.123	0	0.118	0
		142								
Estimated Population				331.348		28.832		10.896		10.702
Park Acreage @ 10 acres per 1,000 population				**3.31348**						
Park land area to be dedicated				**0.15152**	50' x 132' lot on 9th Street					
Park Cash in Lieu @ $240,500 per acre				**$760,452.55**						
Elementary School Acreage @.025 acres per student						0.7208				
Middle School Acreage @ .0389 acres per student								0.4238544		
High School Acreage @ .072 acres per student										0.770544
Total School Acreage				**1.9151984**						
Total School Cash in Lieu @ $240,500 per acre				**$460,605.22**						

GRAND TOTAL OF SCHOOL & PARK CASH PAYMENTS	**$1,221,057.76**	**$ 6,294 /UNIT**	
1 1/2 Mile Jurisdiction Park Cash in Lieu	**$331,348.00**	(Not for development within City of St. Charles)	
1 1/2 Mile Jurisdiction School Cash in Lieu	**$191,519.84**	(Not for development within City of St. Charles)	

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OWNER AUTHORIZATION

To: City of St. Charles, Illinois

Re: Application for The Lexington Club ("Project")
333 N. 6th Street, St. Charles, Illinois ("Property")

The undersigned, Ronald J. Benach, Managing Member of St. Charles-333 North Sixth Street, LLC, an Illinois limited liability company ("Owner"), hereby authorizes Lexington Homes, LLC and Rathje & Woodward, LLC, as attorneys, to execute all necessary petitions and other documents and to attend and give testimony at all public hearings and meetings on behalf of Owner before the Corporate Authorities of the City of St. Charles, Illinois, and such of its appointed boards and committees as may be necessary and appropriate, with respect to the above referenced Project pertaining to the above referenced Property, as legally described in Exhibit "A" attached hereto.

This authorization shall remain in force and effect unless and until expressly terminated by written notice given by Owner to the City of St. Charles.

Dated this 20th day of December 2007.

St. Charles-333 North Sixth Street, LLC

By: _____
Print Name: Ronald Benach
Title: Managing Member

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

STATE OF ILLINOIS)
) SS.
COUNTY OF KANE)

I, RONALD J. BENACH, being first duly sworn on oath depose and say that I am Manager of St. Charles-333 North Sixth Street, 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.:

RONALD J. BENACH

By: _____, Manager

Subscribed and Sworn before me this 30th day of November 2009.

Marilyn Magafas
Notary Public

Official Seal
Marilyn Magafas
Notary Public-State of Illinois
My Commission Expires: 05/04/11

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

STATE OF ILLINOIS)
) SS.
COUNTY OF KANE)

I, Wayne Moretti, being first duly sworn on oath depose and say that I am Manager of Lexington Homes, 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.:

Ronald J. Benach	
Jeffrey Benach	
Max Plzak	

By: _____, Manager

Subscribed and Sworn before me this 30th day of November 2009.

_____
Notary Public

OFFICIAL SEAL
KAREN E SCHELL
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:08/07/12

Huff & Huff, Incorporated
environmental engineers
and consultants

915 Harger Road, Suite 330
Oak Brook, IL 60523
Phone: (630) 684-9100
Fax: (630) 684-9120
Website: http://huffnhuff.com

To: Tom Meyer

From: James E. Huff, P.E.

Date: July 15, 2011

Subject: Applied Composites Corp., St. Charles
Environmental Summary

Huff & Huff, Inc. has been involved with the Applied Composites site in St. Charles since 2006. We have reviewed the available environmental investigations on this site and have conduced follow-up subsurface investigations on behalf of TWJ and subsequently Lexington Homes to better quantify the remaining environmental issues on the property. As I understand Lexington Homes' intentions, it plans to remediate the site through a *No Further Remediation* Letter from the Illinois EPA. The site has not yet been enrolled in the Site Remediation Program, but the project is currently at an appropriate status that such enrollment would be appropriate in the near future.

The buildings had a number of pits, vaults, and sumps that have not been tested, but oil has been observed in some of these below ground structures. With the buildings now gone, further characterization would be appropriate with the physical removal of the concrete pits. In addition, very limited groundwater sampling has been conducted to date on the site, and this will need to be completed going forward.

Presented herein a summary of the identified Recognized Environmental Conditions (RECs) that have been identified on the property and their current status. This is followed with a general description of the next steps to be completed to secure an NFR Letter.

Summary of Current Environmental Conditions

REC-1 Former Buried Drum Area

One area on the property, identified herein as REC-1 currently has a deed restriction of industrial/commercial placed on it from historic activities, as described below. With

adequate characterization, and possible further remediation, this deed restriction can be removed through the Site Remediation Program (SRP) at the Illinois EPA.
Buried drums were reported in this area. H&H conducted two test pits in this area and found stiff grey silty clay. No odors or drums were detected. Soil samples from 1 ft and also 3 ft bgs were analyzed for VOCs. Additional soil samples will be necessary, but limited additional soil removal would be expected.

REC-2 Former Settling Lagoons

In 2009, H&H mobilized to the site to specifically investigate the former settling lagoons. A series of soil borings and soil testing revealed no areas that are above the Tier 1 Remedial Objectives. This material does not require remediation, and can be used as clean fill elsewhere on the property, if desired. If removed offsite, it qualifies as Clean Construction Demolition Debris mixed with clean soil.

REC-3 Mounds on Western Portion of the Property

There are a lot of mounds in the western portion of the property. Some or all of these contain rubbish, fiberglass debris, etc. Access requires tree removal, and not all of the mounds may contain rubbish. Removal of this material would be much easier after the tree clearing for development is completed as part of site grading. As solid waste is discovered, it could be removed to a landfill co-currently with the grading.

Samples were collected from three mounds that were dug into and tested for VOCs (one sample) and semi-volatile organic compounds (SVOCs) in two samples. Low levels of bis(2-ethylhexly)phthalate (0.358 mg/kg) and di-n-butyl phthalate (0.746 mg/kg) were detected in two mounds. Both are common plasticizers in many plastics. Fiberglass waste was observed in both mounds excavated, although it appeared to be more in the top soil in the mound, with more dirt deeper in the mounds. Removal of the debris portion of all of the mounds will be necessary, with grading the remainder of the mounds. It is likely that any mounds with debris will have to be directed to landfills.

REC-4 Leaking Gasoline UST

A single sample from a test pit in the backfill from 8 to 9 feet below ground surface (bgs) contained 1.51 mg/kg benzene, 37.3 mg/kg ethyl benzene, and 158 mg/kg xylenes. Further delineation, including groundwater impacts and remediation will be necessary in this area.

REC-5 Leaking Panapol UST

Two separate excavations were dug in this area. The first contained no detectable VOCs at 7 feet bgs. The second test pit (REC-5A) at 8 feet was also void of VOCs, but contained elevated polynuclear aromatic hydrocarbons (PAHs). Excavation and landfilling will be necessary.

RECs 6, 7, 8, 9

These RECs are associated with a heating oil UST and oil observed in the press pits, storm sewer in building 4, and oil staining near the transformer areas. None of these have been by H&H, previous investigations revealed minor impacts.

REC-10 Abandoned Phenol UST

A soil sample from 9 ft bgs was collected and tested for both volatile organic compounds (VOCs) and phenols in the native soil, adjacent to the former tank cavity. No VOCs or phenol was detected. The phenol tank was reported fiberglass, and was crushed and put in the excavation. The test pit was conducted inside a concrete berm which we believe was the tank location. If correct, this tank appears to have been removed and not placed back within the excavation. Some remediation may be necessary to remove the tank pieces and possibly tank backfill if they are located.

REC-11 Former Lacquer ASTs and Peroxide Storage Shed

Samples were collected from 4 ft and also from 8 ft below ground surface on the north side of the shed. No VOCs were detected in either sample. Barring uncovering some contamination during grading, no remediation in this area is necessary.

Suggested Approach

The following bullets provide a general approach for moving toward a focused NFR letter. Initially we would suggest enrolling the entire site as one application; however, as development proceeds, we could focus remedial efforts in the areas to be developed first, and divide the property at that time into several remedial applications.

- Install, develop and sample a series of ten monitoring wells, four around the perimeter and the remainder at locations of RECs most likely to have impacted groundwater.
- Oversee the removal of the pits/sumps beneath the buildings and test for potential impacts. If found, secure landfill approval and excavate and landfill impacted soils.
- Prepare application to enroll in the SRP Program, based on the identified contaminants found during the investigations completed to date.
- With Client, prioritize the RECs, and mobilize to the site and conduct step out sampling, using either a drill rig or back-hoe, to complete delineation. If using a backhoe, landfill the impacted soils that are encountered.
- As each REC is completed, we will prepare a Site Investigation Report by area. This will allow IEPA to basically sign off on areas as they delineated, and allow us to complete remediation on the same phased approach.
- If necessary, risk assessments (Tier 2 or Tier 3) modeling will be completed by REC, and separate Remedial Objectives Reports prepared for IEPA review.

- Remedial Action Plans will be prepared, by RECs for IEPA review. These will likely be combined with the Remedial Objectives Reports.
- As each area is successfully remediated, a separate Remedial Action Completion Report will be prepared for IEPA review.

The above approach works well as long as groundwater impacts do not co-mingle from RECs. When that occurs, the modeling becomes more complex and requires addressing groundwater impacts over a larger area. From a timing perspective, we would recommend that the groundwater monitoring and the pit/sump removal/testing be completed this year, and the site enrolled in late 2011. This would give the Illinois EPA the winter to review the initial reports and then in 2012, the further delineation and remediation could occur at a rapid rate.

Summary

Based on the subsurface investigations completed to date, we estimate that 8,000 to 9,000 cu yd of soil will require removal and disposal. This excludes the former settling ponds, which does not require any remedial activity. Further delineations in many of the REC areas and the pits beneath the buildings are necessary, and can begin in an organized manner with the buildings now removed. The approach outlined above will lead to securing NFR letters in an organized manner, and can be adjusted based on site conditions encountered and development schedule. At this point, our goal would be to secure a focused NFR without any use restrictions, which includes removing the industrial/commercial use restriction that currently applies to REC 1.

Sincerely,

(Clarita R. Lao)

for James E. Huff, P.E.
Senior Vice President

ST. CHARLES PARK DISTRICT
101 South Second Street • St. Charles, IL 60174 • Ph: 630-584-1055 • Fax: 630-584-1396 • stcparks.org

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St. Charles, IL
AUG 11 2011
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Planning Division

August 8, 2011

Mr. Russell Colby
Planning Division Manager
City of St. Charles
Community Development Department
2 East Main Street
St. Charles, IL 60174

RE: Lexington Club PUD Proposal

Dear Russell:

After sending my letter of August 3, 2011 I discovered that the Park District agreed to accept the open space dedications and cash donations as they appear on the plans you submitted for review on July 28, 2011. Please see the attached letter dated April 21, 2010 indicating such agreement.

The Park District will stand by the commitment expressed in that letter, though a wider access point to the future Union Pacific trail way is preferred for the reasons mentioned in my August 3, 2011 letter.

I apologize for any confusion this may have caused.

Sincerely,

Ray Ochromowicz

Ray Ochromowicz (CPRP)
Director of Parks & Recreation

PC:
Board of Park Commissioners
Laura Rudow
John Wessel

April 21, 2010

Mr. Hank Stillwell
Attorney at Law
Rathje & Woodward, LLC
300 East Roosevelt, Suite 300
Wheaton, IL 60187

RE: The Lexington Club

Dear Hank:

As a follow-up to our meeting of April 7, 2010, Commissioner James Cooke and I reviewed with the Park Board at its meeting of April 13, 2010 the revised development plan for the above proposed subdivision, dated April 5, 2010. It was the consensus of the Park Board that the Park District receive, in addition to a cash donation, title to two 20-foot wide parcels for development of walking paths – one connecting to the District's Ninth Street parcel located south of the proposed development and one connecting to the existing railroad right-of-way north of the proposed development. In lieu of title to the two above described pathways, the District would be willing to accept a 20-foot wide easement for each pathway as described above, providing that the developer also provides, at no cost to the Park District nor credit against the City's Dedications Ordinance, title to a strip of property, approximately 132 feet long and 30 feet wide running contiguous to the District's 30 foot wide, future entryway into the park site, said parcel to be used for park purposes.

I hope to hear from you in the near future so that I may contact the City with a final resolution.

Thank you.

Sincerely,

ST. CHARLES PARK DISTRICT

James O. Breen
Director

JOB/cb

PC: Park Board of Commissioners
Dennis Ryan, Superintendent of Parks and Planning
John Wessel, Assistant Superintendent of Planning, Design & Construction

Community Unit School District 303

"Empowering and Inspiring All"

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Brad Cauffman
Asst. Superintendent for Business Services/CFO
(630) 377-4819
Brad.Cauffman@d303.org

October 13, 2011

Russell Colby
Planning Division Manager
City of St. Charles

Dear Mr. Colby:

St. Charles Community Unit School District 303 has received the Land-Cash worksheet for the Lexington Club PUD, we have reviewed the calculations and agree that they comply with the City of St. Charles' Land-Cash ordinance.

If you need any further information, please contact me.

Sincerely,

Brad Cauffman
Assistant Superintendent for
Business Services/CFO