



## AGENDA ITEM EXECUTIVE SUMMARY

Title:	Motion to approve a Resolution Granting a Sixth Extension to Begin Construction Following Recording of the PUD Final Plat for the First Street Redevelopment PUD Phase III
Presenter:	Rita Tungare, Community Development Director

*Please check appropriate box:*

	Government Operations		Government Services
	Planning & Development	X	City Council – New Business (7/16/12)

Estimated Cost:	N/A	Budgeted:	YES		NO	
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If NO, please explain how item will be funded:

**Executive Summary:**

Phase III of the First Street Redevelopment PUD includes all of the property on the riverfront and includes Building 1 (River Terrace), Buildings 2 and 3 and the second parking deck (River Loft), the east plaza and river walk, and Building 9 (1 W. Main St/former Manor site).

The Final Plat of Subdivision for Phase III was recorded on December 8, 2008, and per Section 17.04.420 of the Zoning Ordinance, construction within the phase, as authorized by the issuance of a building permit, must begin within two years from the date of Final Plat recording for that specific phase. On May 7, 2012, the City Council granted a fifth construction extension, which extended the deadline to July 17, 2012 (Resolution #2012-36).

To date, no building permits have been issued for construction on any portion of the Phase III site.

Without any further extension, approval of the PUD Preliminary Plans for the Phase III buildings and site improvements will lapse. The Special Use for PUD Ordinance, which established the Zoning Standards for the site, will remain in place. However, if no extension is granted, PUD Preliminary Plans (including building architecture, streetscape, and landscape designs) will require a new review and approval by the Plan Commission and City Council.

The Zoning Ordinance allows the City Council to grant no more than a one-year extension to begin construction.

The City of St. Charles, as a landowner within the site, was a signatory to the Final Plat of Subdivision. City Council approval of the developer’s extension request will constitute the City’s authorization for the extension.

This approval relates only to the PUD plan approvals for the property and has no direct relation to the timing provisions of the Redevelopment Agreement.

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

Resolution

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

Staff recommends approval of a construction extension for Phase III of the First Street Redevelopment PUD to May 7, 2013.

<i>For office use only</i>	<i>Agenda Item Number:</i> IC
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**City of St. Charles, Illinois  
Resolution No. \_\_\_\_\_**

**A Resolution Granting a Sixth Extension to Begin Construction Following  
Recording of the PUD Final Plat for the  
First Street Redevelopment PUD Phase III**

**Presented & Passed by the  
City Council on \_\_\_\_\_**

WHEREAS, on December 8, 2008, the Final Plat of Subdivision for Phase III of the First Street Redevelopment PUD was recorded in the Kane County Recorders Office as Document Number 2008K089916; and

WHEREAS, Section 17.04.420 of the St. Charles Zoning Ordinance requires that if construction for each phase of the PUD, as authorized by the issuance of a building permit, does not begin within two (2) years of the date of the recording of the PUD Final Plat for that phase, approval of the PUD Preliminary Plans for the phase shall lapse; and

WHEREAS, on November 10, 2010, the City Council approved Resolution No. 2010-44, granting a 12-month extension to begin construction, extending the date from December 8, 2010 to December 8, 2011; and

WHEREAS, on December 6, 2011, the City Council approved Resolution No. 2011-106, granting an extension to begin construction, extending the date from December 8, 2011 to January 17, 2012; and

WHEREAS, on January 17, 2012, the City Council approved Resolution No. 2012-2, granting an extension to begin construction, extending the date from January 17, 2012 to February 21, 2012; and

WHEREAS, on February 21, 2012, the City Council approved Resolution No. 2012-15, granting an extension to begin construction, extending the date from February 21, 2012 to May 7, 2012; and

WHEREAS, on May 7, 2012, the City Council approved Resolution No. 2012-36, granting an extension to begin construction, extending the date from May 7, 2012 to July 17, 2012; and

WHEREAS, to-date no building permits have been issued for construction within said phase; and

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WHEREAS, on Keith Kotche, on behalf of property owners First Street Development LLC, and Joseph Klein, on behalf of property owners SMN Development LLC, have requested an extension to begin construction of buildings in Phase III.

NOW THEREFORE, be it resolved by the Mayor and City Council of the City of St. Charles, Kane and DuPage Counties, Illinois that pursuant to Section 17.04.420 of the St. Charles Zoning Ordinance, an extension to begin construction following recording of the PUD Final Plat shall be granted for Phase III of the First Street Redevelopment PUD. Construction shall begin no later than May 7, 2013, and the PUD Preliminary Plan shall remain valid until May 7, 2013.

PRESENTED to the City Council of the City of St. Charles, Illinois, this 16th day of July 2012.

PASSED by the City Council of the City of St. Charles, Illinois, this 16th day of July 2012.

APPROVED by the Mayor of the City of St. Charles, Illinois, this 16th day of July 2012.

\_\_\_\_\_  
Donald P. DeWitte, Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

COUNCIL VOTE:

Ayes:

Nays:

Absent:

Abstain: