



PLAN COMMISSION AGENDA ITEM EXECUTIVE SUMMARY

Project Title/Address:	The Quad St. Charles (Charlestowne Mall PUD)		
City Staff:	Russell Colby, Planning Division Manager		
PUBLIC HEARING 10/21/14		MEETING 10/21/14	X

APPLICATION: Final Plat of Subdivision

ATTACHMENTS AND SUPPORTING DOCUMENTS:

Staff Report	Approved PUD Preliminary Site Plan
Final Plat Application, received 10/10/14	PUD Ord. 2013-Z-19

SUMMARY:

The Quad St. Charles project is the redevelopment of the Charlestowne Mall property. The City has been reviewing components of the project over the past year. A summary of the review and approval process is provided in the Staff Report.

Phase 1 of the project is under construction. This initial phase includes relocation of mall ring road, site utility work and site grading to create lots for new freestanding buildings along Main St. The Phase 1 improvements are planned to be completed in 2014.

The developer is now proposing a subdivision to formally designate the 5 outlots located along Main St. and south of the ring road.

SUGGESTED ACTION:

Review the Final Plat of Subdivision.

Staff has found the application materials to be complete and the Final Plat to be in compliance with the approved PUD Preliminary Plan.

Upon resolution of outstanding staff comments, staff recommends approval of the Final Plat of Subdivision.

INFO / PROCEDURE – FINAL PLAT OF SUBDIVISION:

- Final Plat is the actual plat document that will be recorded with the County to formally create new lots, dedicate streets, and provide easements, etc.
- Recommendation is based on conformance with the approved PUD Preliminary Plan and compliance with all other code requirements (including Zoning & Subdivision Codes). Staff has provided an analysis in the Staff Report.
- A public hearing is not required for this type of application.
- No findings of fact are applicable to this application.

Community & Economic Development
 Planning Division

Phone: (630) 377-4443

Fax: (630) 377-4062



Staff Report

TO: Chairman Todd Wallace
 And the Members of the Plan Commission

FROM: Russell Colby
 Planning Division Manager

RE: The Quad St. Charles (Charlestowne Mall PUD) - Final Plat of Subdivision for Outlots

DATE: October 17, 2014

I. APPLICATION INFORMATION:

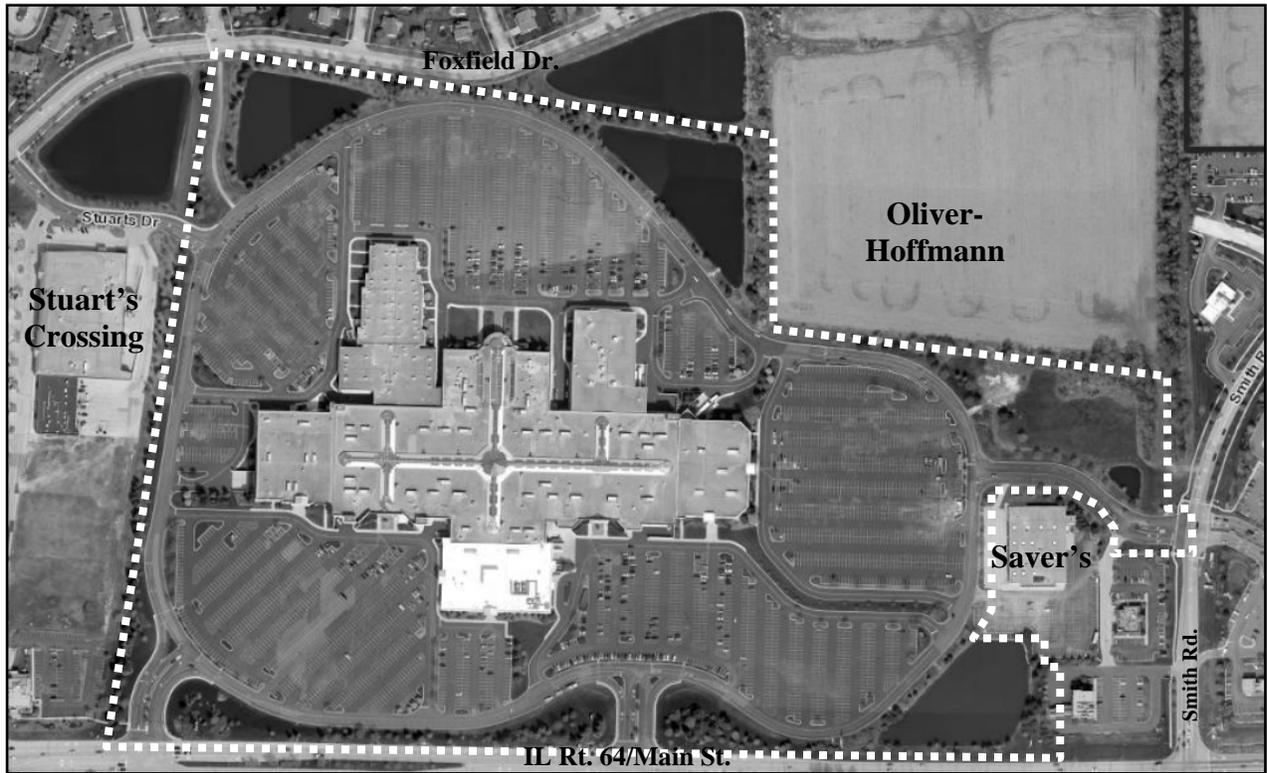
Project Name: The Quad St. Charles

Applicant: SC 3800 Main, LLC

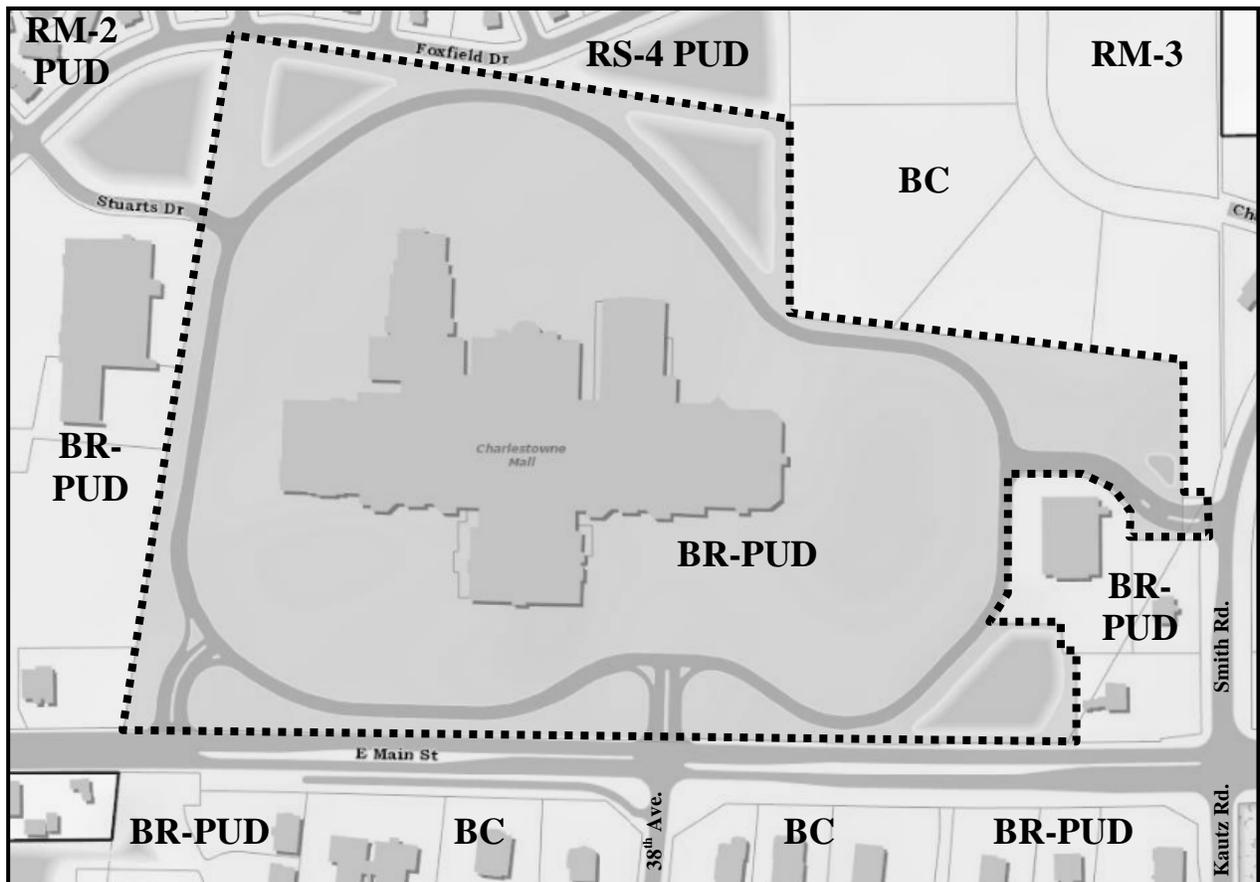
Purpose: Approval of a Final Plat to subdivide 5 outlots along Main St.

General Information:		
Site Information		
Location	3700-3850 E. Main St.	
Acres	82 acres	
Applications	Final Plat of Subdivision	
Applicable Zoning Code Sections/ Ordinances	Title 16, Subdivision Code Ordinance 2013-Z-19 – The Quad/Charlestowne Mall PUD Ordinance	
Existing Conditions		
Land Use	Enclosed shopping mall	
Zoning	BR – Regional Business (PUD)	
Zoning Summary		Current Land Uses
North	BC-Community Business (Oliver Hoffmann) RS-4 Residential PUD (Charlemagne Sub.)	Vacant/farmed Single Family Residential
East	BC-Community Business & BR Regional Business	Retail/Restaurant
South	BC-Community Business & BR Regional Business	Retail/Restaurant/Office
West	BR- Regional Business PUD (Stuart’s Crossing)	Retail/Restaurant
Comprehensive Plan Designation		
Corridor/Regional Commercial		

Aerial Photograph



Location and Surrounding Zoning



II. PROJECT OVERVIEW:

BACKGROUND

The Quad St. Charles project is the redevelopment of the Charlestowne Mall property. The City has been reviewing components of the project over the past year. A summary of the review and approval process is provided in the section below.

Phase 1 of the project is under construction. This initial phase includes relocation of mall ring road, site utility work and site grading to create lots for new freestanding buildings along Main St. The Phase 1 improvements are planned to be completed in 2014.

The developer is now proposing a subdivision to formally designate the 5 outlots located along Main St. and south of the ring road.

Major exterior demolition and site work around the mall building itself is planned to start in Spring 2015, including demolition of portions of the building. The developers are working to coordinate parking and access to the anchor stores and theater, which will remain open during the duration of the construction. Work on the site and the mall building is planned to be completed in 2016.

REVIEW AND APPROVAL PROCESS

PUD:

In November 2013, the City Council approved an amendment to the Charlestowne Mall PUD to create new zoning and development standards for the redevelopment of the mall property, which is to be known as The Quad St. Charles. PUD Ordinance 2013-Z-19 is attached.

The PUD Amendment approved the following documents:

- A **Concept Site Plan** meant to demonstrate the design intent of the project.
- A **PUD Standards exhibit** listing the zoning and subdivision requirements that will apply to future development proposals at the site.

PUD Preliminary Plans approved:

In May 2014, the City Council approved the following documents (Ord. 2014-Z-9):

- An overall **Site Plan** identifying the site and parking lot layout, pedestrian pathways, the proposed mall building footprint and locations for future outlot buildings.
- **Preliminary Engineering Plans** for:
 - Demolition of the former Sears anchor store, an adjacent portion of the west end of the mall, and the existing foodcourt wing.
 - Site grading and parking lot reconfiguration and reconstruction.
 - Site utility work.

A Minor Change to the Site and Engineering Plans was approved by the City Council in August 2014 (Ord. 2014-Z-18). The Minor Change approved the following changes:

- Shifting the ring road further north to accommodate additional parking outside of the ring road for the outlots fronting on Main St.
- Reducing the depth of future outlot Retail B (southeast of Carson's)
- Minor revisions to the pedestrian access paths at the north and southwest entrances to the mall building.
- Minor revisions to the layout of utilities serving the Main St. outlots (specifically watermain).

The latest site plan approved by the City is attached (plan dated 7/17/14).

PUD Preliminary Plans to be submitted:

Additional components of the PUD Preliminary Plan will be submitted for review in the coming months. These documents are being developed based on the final site and engineering plans.

- **Architectural building elevations** for the mall structure, including the newly constructed and reconstructed portions of the mall building.
- **Landscape plans** for the mall property, excluding the out lots.
- **Lighting and photometric plan**
- **Sign Plan** for mall freestanding signs and building signs.

Future Applications:

Future PUD Preliminary Plans will be required as each outlot is proposed for development, and will include:

- Site Engineering
- Landscaping
- Building Architecture
- Freestanding and building signage for the outlot

III. ANALYSIS OF PLANS

PUD STANDARDS

The PUD lists the following standards applicable to subdivisions of the property:

Subdivision Standards	
Number & Configuration of Lots	PUD shall be considered a single zoning lot, regardless of subdivision. Subdivision shall be permitted for any anchor stores, Retail A or B, and any outlot buildings, provided adequate easements are provided.
Min. Lot Width	None
Min. Lot Area	None

The proposed subdivision complies with the PUD standards.

COMPLIANCE WITH PUD PRELIMINARY PLAN

The proposed lots are in compliance with the approved PUD Site and Engineering Plans (dated 7/17/14).

COMPLIANCE WITH SUBDIVISION CODE REQUIREMENTS FOR PLATS

City staff has reviewed the Final Plat for compliance with Subdivision Code requirements and has the following comments:

Easements

- Perimeter utility and drainage easements are typically provided along all lot lines; however, these may not be necessary on all lots lines for this situation. Additionally, new utility easements will be needed for recently installed or relocated sanitary and water utilities. Staff will work with the applicant to determine what easements are necessary.
- The existing ring road access easement will need to be vacated and relocated to the new location of the ring road. This could be shown on this plat or on a separate document. For the time being, the existing ring road easement provides access to each of the proposed lots.
- Cross-access easements should be provided across the outlots to provide access between future parking areas within the outlots and provide access to the ring road easement.
- A chart needs to be added showing the easement areas being granted per lot.

Signature Blocks

- An Illinois Department of Transportation (IDOT) signature certificate needs to be added to the Final Plat, since the subdivision abuts IDOT right-of-way. IDOT will likely require easement language preventing direct access from the new outlots to Route 64.
- A “Return to City of St. Charles” note needs to be added.

IV. RECOMMENDATION

Review the Final Plat of Subdivision.

Staff has found the application materials to be complete and the Final Plat to be in compliance with the approved PUD Preliminary Plan.

Upon resolution of outstanding staff comments, staff recommends approval of the Final Plat of Subdivision.

V. ATTACHMENTS

- Application
- Proposed Final Plat of Subdivision
- Approved PUD Preliminary Site Plan (7/17/14)
- PUD Ord. 2013-Z-19

CITY OF ST. CHARLES

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

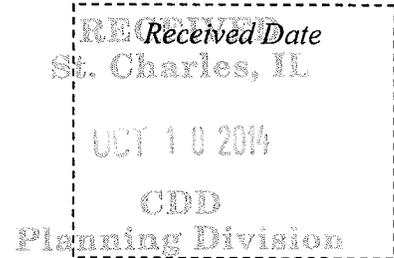


COMMUNITY DEVELOPMENT/PLANNING DIVISION

PHONE: (630) 377-4443 FAX: (630) 377-4062

FINAL PLAT APPLICATION

CITYVIEW	
Project Name:	<u>The Quad</u>
Project Number:	<u>2013 -PR- 013</u>
Application Number:	<u>2014 -AP- 036</u>



Instructions:

To request approval of Final Plat for a Subdivision or Planned Unit Development (PUD), complete this application and submit it with all required attachments to the Planning Division. For PUDs, a PUD Final Plan Application should normally be submitted at the same time. For all other subdivisions, a Subdivision Final Engineering Plan Application should normally be submitted at the same time.

When the application is complete and the engineering plans are substantially in compliance with requirements, the final plat will be placed on a Plan Commission agenda for review.

1. Property Information:	Parcel Number (s): 09-25-200-032; 09-25-200-027; 09-25-200-025; 09-25-200-016; 09-25-200-017; 09-25-200-031	
	Proposed Subdivision Name: The Quad St. Charles - Unit 2	
2. Applicant Information:	Name SC 3800 Main LLC (Contact: F. Ron Krausz)	Phone 415-732-5600
	Address 44 Montgomery Street, Suite 3300 San Francisco, CA 94104	Fax 415-732-5699
		Email frkrausz@krauszco.com
3. Record Owner Information:	Name Same as applicant	Phone
	Address	Fax
		Email
4. Billing: <i>To whom should costs for this application be billed?</i>	Name Same as applicant	Phone
	Address	Fax
		Email

Attachment Checklist

- APPLICATION:** Completed application form signed by the applicant
- APPLICATION FEE:** Refer to attached Schedule of Application Fees
- 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 1/2 x 11 inch paper

FINAL PLAT SUBMITTAL CHECKLIST (Completed)

PLANS: N/A

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 Planning Commission - Twenty-Two (22) full size copies, Three (3) 11" by 17" and a PDF electronic file on a CD-ROM.

COVENANTS: ^{N/A} One copy of proposed agreements, provisions, or covenants which will govern the use, maintenance, and continued protection of the planned development and any of its common open space.

WORKSHEETS (For residential developments): N/A

- Park and School land/cash worksheets in accordance with Title 16 of the St. Charles Municipal Code with population projections establishing anticipated population and student yields.
- Inclusionary Housing Worksheet

ADDITIONAL APPLICATION: N/A

- For Planned Unit Developments, a PUD Final Plan Application has been submitted.
- For all other Subdivisions, a Subdivision Final Engineering Plan Application has been submitted.

ITEMS TO BE SUBMITTED PRIOR TO CITY COUNCIL APPROVAL:

- Guarantee for completion of Land Improvements, consisting of proposed form, amount and provider of completion guarantee collateral (bond, cash, or letter of credit) **N/A**
- Illinois EPA Water Pollution Control Permit for sanitary sewer extension **N/A**
- Illinois EPA Division of Public Water Supplies Permit for water mains **N/A**
- Notice of Intent (NOI) letter/permit for NPDES Stormwater Discharge for sites 5 acres and larger **N/A**
- IDNR Office of Water Resources Permit (for work in flood plain) **N/A**
- Wetlands Permit from Army Corps of Engineers **N/A**
- Kane County DOT and/or IDOT signature on Final Plat (if applicable) **WORKING ON**
- Offsite easements and right of way necessary to construct the required Land Improvements **N/A**

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



Record Owner Date



Applicant or Authorized Agent Date

Krausz Management One, LLC

44 MONTGOMERY ST • SUITE 3300 • SAN FRANCISCO • CA • 94104 • PHONE (415) 732-5600 • FAX (415) 732-5699

April 30, 2014

City of St. Charles
2 East Main Street
St. Charles, Illinois 60174

Re: Authority of Signatory for SC 3800 Main LLC

Dear Sirs and Madams:

As the Sole Member and Manager of Krausz Management One, LLC, a Delaware limited liability company, I hereby certify and represent to you that:

1. Krausz Management One, LLC is the Manager of SC 3800 Main LLC, a Delaware limited liability company; and
2. The following individuals are authorized to sign documents and instruments on behalf of SC 3800 Main LLC, and enter into any and all contracts, agreements, and other binding documents and instruments on behalf of SC 3800 Main LLC: F. Ron Krausz, or Daniel W. Krausz; and
3. The recipient of this certificate is entitled to rely on these representations in the absence of a subsequently-delivered written notice to the contrary.

Very truly yours,

Krausz Management One, LLC,
a Delaware limited liability company

By:

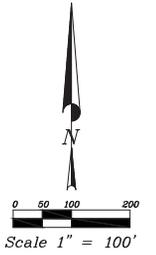


F. Ron Krausz, its Member and Manager

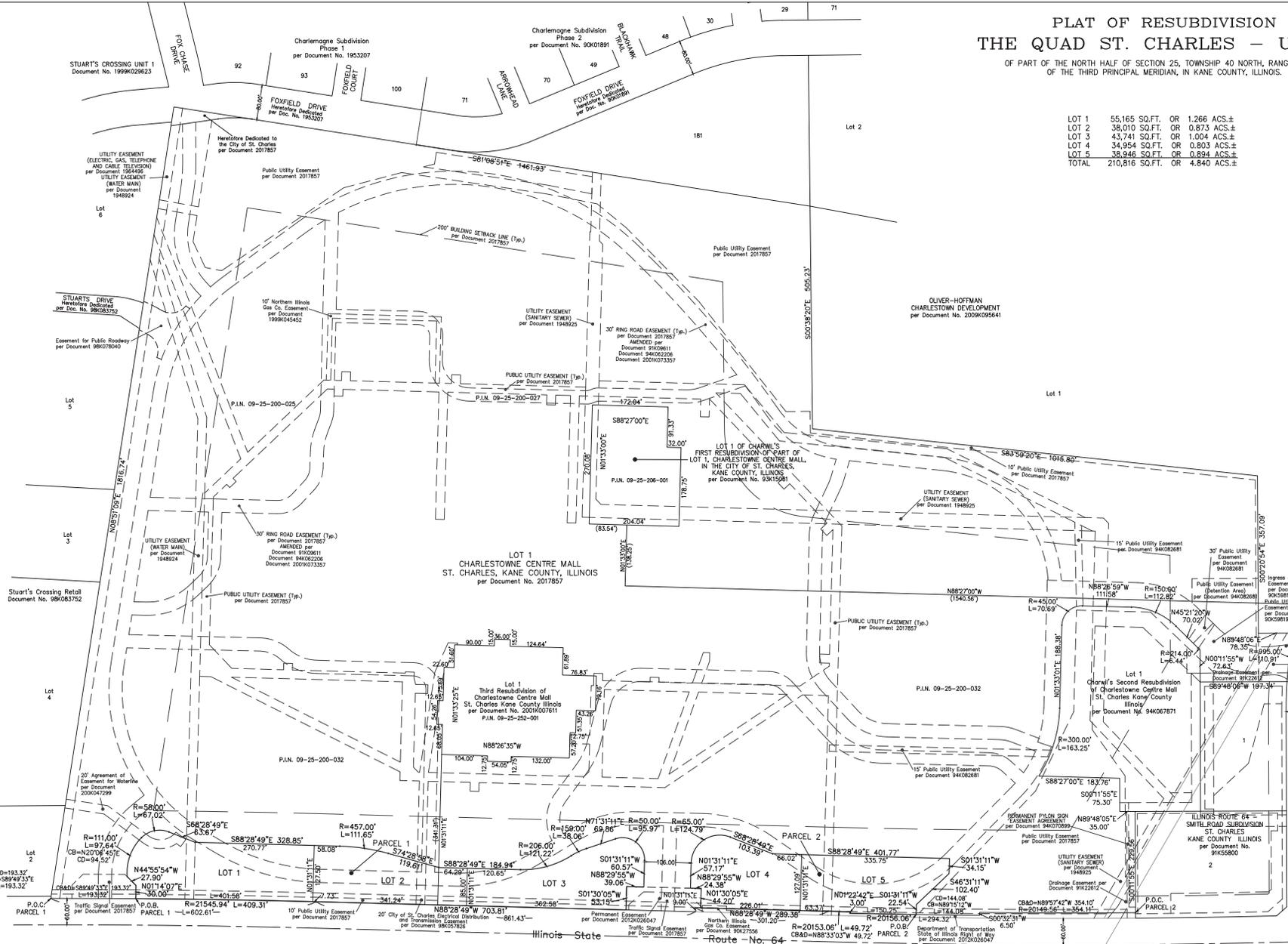
PLAT OF RESUBDIVISION THE QUAD ST. CHARLES - UNIT 2

OF PART OF THE NORTH HALF OF SECTION 25, TOWNSHIP 40 NORTH, RANGE 8 EAST
OF THE THIRD PRINCIPAL MERIDIAN, IN KANE COUNTY, ILLINOIS.

LOT 1	55,165 SQ.FT.	OR	1.266 ACS.±
LOT 2	38,010 SQ.FT.	OR	0.873 ACS.±
LOT 3	43,741 SQ.FT.	OR	1.004 ACS.±
LOT 4	34,954 SQ.FT.	OR	0.803 ACS.±
LOT 5	38,946 SQ.FT.	OR	0.894 ACS.±
TOTAL	210,816 SQ.FT.	OR	4.840 ACS.±



Scale 1" = 100"
BASIS OF BEARINGS:
NAD 83, ILLINOIS STATE PLANE, EAST ZONE (201)



Charter One Center
Unit One
per Document No.
92003-291521

Access and Egress
Easement
per Document
90628919

Public Utilities
Easement
per Document
90628919

Access Easement 1
Controlled by Document
93K102455 and
Accessed by
Document 946037039
and Assigned by
Document 946070900

JACOB & HEPNER
S U R V E Y O R S
1910 S. Highland Avenue, Suite 100, Lombard, IL 60148
PHONE: (630) 453-6600, FAX: (630) 653-6601
www.jacobandhepner.com
Illinois Professional Design Firm
License No. 048-0000703 Exp. 4/30/15

SURVEY NO.:	F021
ORDERED BY:	THE KRAUSZ COMPANIES
DESCRIPTION:	PLAT OF RESUBDIVISION
DATE PREPARED:	OCTOBER 7, 2014
SCALE	1" = 100'
DRAWN BY	CM

PLAT OF RESUBDIVISION
THE QUAD ST. CHARLES — UNIT 2
 OF PART OF THE NORTH HALF OF SECTION 25, TOWNSHIP 40 NORTH, RANGE 8 EAST
 OF THE THIRD PRINCIPAL MERIDIAN, IN KANE COUNTY, ILLINOIS.

STATE OF ILLINOIS)
) SS
 COUNTY OF DUPAGE)

OWNER'S CERTIFICATE
 This is to certify that SC 3800 MAIN LLC, a Delaware limited liability company is the owner of the property described in the annexed plat and has caused the same to be surveyed, resubdivided, platted, and recorded as indicated thereon, for the uses and purposes therein set forth, and does hereby acknowledge and adopt the same under the style and title thereon indicated.

Pursuant to Section 1.005 of the Plat Act, 765 ILCS 205, this document shall serve as the notarized statement concerning the school district statement to be submitted simultaneously with the Final Plat of Resubdivision for THE QUAD ST. CHARLES — UNIT 2, in Kane County, Illinois.

Dated this ____ day of _____, 201__.

SC 3800 MAIN LLC,
 a Delaware limited liability company

By: Krausz Management One, LLC,
 a Delaware limited liability company,
 its Manager

By: _____
 F. Ron Krausz, its Member

STATE OF _____)
) SS
 COUNTY OF _____)

I, the undersigned, a Notary Public in and for said county, in the state aforesaid, do hereby certify that _____ of _____, an _____ corporation,

and _____ of said corporation, personally known to me to be the same persons whose names are subscribed to the foregoing

instrument as such _____ and _____ respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act and as the free and voluntary act of said corporation for the uses and purposes therein set forth, and caused the corporate seal of said corporation to be affixed thereto as their own free and voluntary act, and as the free and voluntary act of said corporation for the uses and purposes set forth.

Given under my hand and seal this ____ day of _____, 201__.

By: _____ Notary public Commission Expires _____

PLAN COMMISSION CERTIFICATE

STATE OF ILLINOIS)
) SS
 COUNTY OF KANE)

APPROVED THIS ____ DAY OF _____, 201__ A.D.

CITY OF ST. CHARLES PLAN COMMISSION

 CHAIRMAN

CITY COUNCIL CERTIFICATE

STATE OF ILLINOIS)
) SS
 COUNTY OF KANE)

APPROVED AND ACCEPTED THIS ____ DAY OF _____, A.D. 201__.

CITY COUNCIL OF THE CITY OF ST. CHARLES, ILLINOIS.

BY _____ MAYOR

ATTEST _____ CITY CLERK

CERTIFICATE AS TO SPECIAL ASSESSMENTS

STATE OF ILLINOIS)
) SS
 COUNTY OF KANE)

I DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT, OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS OR ANY DEFERRED INSTALLMENTS THEREOF THAT HAVE BEEN APPORTIONED AGAINST THE TRACT OF LAND INCLUDED IN THE PLAT.

DATED AT THE CITY OF ST. CHARLES, THIS ____ DAY OF _____, A.D. 201__.

BY _____ COLLECTOR OF SPECIAL ASSESSMENTS

DIRECTOR OF COMMUNITY DEVELOPMENT

STATE OF ILLINOIS)
) SS
 COUNTY OF KANE)

I, _____ DO HEREBY CLARIFY THAT THE REQUIRED IMPROVEMENTS HAVE BEEN INSTALLED, OR THE REQUIRED GUARANTEE BOND HAS BEEN POSTED FOR THE COMPLETION OF ALL REQUIRED LAND IMPROVEMENTS.

DATED AT THE CITY OF ST. CHARLES,
 THIS ____ DAY OF _____, A.D. 201__.

DIRECTOR OF COMMUNITY DEVELOPMENT

CERTIFICATE OF COUNTY CLERK

STATE OF ILLINOIS)
) SS
 COUNTY OF KANE)

I, _____ COUNTY CLERK OF KANE COUNTY, ILLINOIS,
 DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT TAXES, NO UNPAID FORFEITED TAXES, NO UNPAID CURRENT GENERAL TAXES AND NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND INCLUDED IN THE ANNEXED PLAT.

I FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THE ANNEXED PLAT.

GIVEN UNDER MY HAND AND SEAL OF THE COUNTY CLERK AT GENEVA, ILLINOIS,
 THIS ____ DAY OF _____ IN THE YEAR 201__ A.D.

BY _____ COUNTY CLERK

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
) SS
 COUNTY OF DUPAGE)

THIS IS TO CERTIFY THAT I, CARL J. COOK, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-003543, HAVE SURVEYED AND RESUBDIVIDED THE FOLLOWING DESCRIBED PROPERTY:

THAT PART OF LOT 1 OF CHARLESTOWNE CENTRE MALL ST. CHARLES, KANE COUNTY, ILLINOIS SUBDIVISION, BEING A SUBDIVISION OF PART OF THE NORTH HALF OF SECTION 25, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT 2017857, DESCRIBED AS FOLLOWS:

PARCEL 1:
 COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE EASTERLY ALONG THE SOUTH LINE OF SAID LOT 1, BEING A CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 21545.94, AN ARC LENGTH OF 193.32 FEET AND A CHORD THAT BEARS SOUTH 89 DEGREES 49 MINUTES 31 SECONDS EAST, A DISTANCE OF 193.32 FEET TO THE SOUTHEAST CORNER OF A TRAFFIC SIGNAL EASEMENT PER SAID DOCUMENT 2017857 AND THE POINT OF BEGINNING; THENCE THE FOLLOWING 2 COURSES ALONG SAID TRAFFIC SIGNAL EASEMENT: 1) NORTH 01 DEGREES 14 MINUTES 07 SECONDS EAST, A DISTANCE OF 30.00 FEET; 2) THENCE NORTH 44 DEGREES 55 MINUTES 54 SECONDS WEST, A DISTANCE OF 27.90 FEET; THENCE NORTHEASTERLY ALONG A CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 110.00 FEET, AN ARC LENGTH OF 97.64 FEET AND A CHORD THAT BEARS NORTH 20 DEGREES 06 MINUTES 59 SECONDS EAST, A DISTANCE OF 94.52 FEET TO A POINT OF COMPOUND CURVATURE; THENCE EASTERLY ALONG A CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 58.00 FEET, AN ARC LENGTH OF 67.02 FEET TO A POINT OF TANGENCY; THENCE SOUTH 88 DEGREES 28 MINUTES 49 SECONDS EAST, A DISTANCE OF 42.97 FEET; THENCE SOUTH 88 DEGREES 28 MINUTES 49 SECONDS EAST, A DISTANCE OF 328.85 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 62.07 FEET, AN ARC LENGTH OF 111.65 FEET TO A POINT OF TANGENCY; THENCE SOUTH 74 DEGREES 28 MINUTES 58 SECONDS EAST, A DISTANCE OF 119.61 FEET; THENCE SOUTH 89 DEGREES 28 MINUTES 49 SECONDS EAST, A DISTANCE OF 184.94 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 208.00 FEET, AN ARC LENGTH OF 102.22 FEET TO A POINT OF REVERSE CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 150.00 FEET, AN ARC LENGTH OF 38.06 FEET TO A POINT OF TANGENCY; THENCE NORTH 71 DEGREES 31 MINUTES 11 SECONDS EAST, A DISTANCE OF 69.86 FEET TO A POINT OF CURVATURE; THENCE EASTERLY AND SOUTHERLY ALONG A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 50.00 FEET, AN ARC LENGTH OF 65.97 FEET TO A POINT OF TANGENCY; THENCE SOUTH 01 DEGREES 31 MINUTES 11 SECONDS WEST, A DISTANCE OF 60.57 FEET TO THE NORTH LINE OF A PERMANENT EASEMENT PER DOCUMENT 201026047; THENCE THE FOLLOWING 2 COURSES ALONG SAID PERMANENT EASEMENT: 1) NORTH 88 DEGREES 29 MINUTES 55 SECONDS WEST, A DISTANCE OF 39.06 FEET; 2) THENCE SOUTH 01 DEGREES 30 MINUTES 05 SECONDS WEST, A DISTANCE OF 53.15 FEET TO SAID SOUTH LINE OF LOT 1; THENCE THE FOLLOWING 2 COURSES ALONG SAID SOUTH LINE: 1) NORTH 88 DEGREES 28 MINUTES 49 SECONDS WEST, A DISTANCE OF 703.81 FEET TO A POINT OF CURVATURE; 2) THENCE WESTERLY ALONG A CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 21545.94 FEET, AN ARC LENGTH OF 408.31 FEET TO SAID POINT OF BEGINNING.

PARCEL 2:
 COMMENCING AT THE INTERSECTION OF THE WEST LINE OF LOT 2 IN ILLINOIS ROUTE 64 — SMITH ROAD SUBDIVISION PER DOCUMENT 9185850 WITH THE NORTH LINE OF ILLINOIS STATE ROUTE NO. 64 PER DOCUMENT 201026047; THENCE THE FOLLOWING 7 COURSES ALONG SAID NORTH LINE: 1) WESTERLY ALONG A CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 20149.36, AN ARC LENGTH OF 3541.1 FEET AND A CHORD THAT BEARS NORTH 89 DEGREES 37 MINUTES 45 SECONDS WEST, A DISTANCE OF 3541.0 FEET; 2) THENCE SOUTH 00 DEGREES 32 MINUTES 31 SECONDS WEST, A DISTANCE OF 6.50 FEET; 3) THENCE WESTERLY ALONG A CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 20156.0, AN ARC LENGTH OF 144.08 FEET AND A CHORD THAT BEARS NORTH 89 DEGREES 15 MINUTES 12 SECONDS WEST, A DISTANCE OF 144.08 FEET TO THE POINT OF BEGINNING; 4) THENCE CONTINUING ALONG SAID CURVE, AN ARC LENGTH OF 150.29 FEET; 5) THENCE NORTH 01 DEGREES 27 MINUTES 45 SECONDS EAST, A DISTANCE OF 3.00 FEET; 6) THENCE WESTERLY ALONG A CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 20155.0 FEET, AN ARC LENGTH OF 49.72 FEET AND A CHORD THAT BEARS NORTH 88 DEGREES 33 MINUTES 03 SECONDS WEST, A DISTANCE OF 49.72 FEET TO A POINT OF TANGENCY; 7) THENCE NORTH 88 DEGREES 28 MINUTES 49 SECONDS WEST, A DISTANCE OF 289.30 FEET TO SAID PERMANENT EASEMENT PER DOCUMENT 201026047; THENCE THE FOLLOWING 2 COURSES ALONG SAID PERMANENT EASEMENT: 1) NORTH 01 DEGREES 30 MINUTES 05 SECONDS EAST, A DISTANCE OF 44.20 FEET; 2) THENCE NORTH 88 DEGREES 29 MINUTES 55 SECONDS WEST, A DISTANCE OF 24.38 FEET; THENCE NORTH 01 DEGREES 31 MINUTES 11 SECONDS EAST, A DISTANCE OF 57.17 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY AND SOUTHEASTERLY ALONG A CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 65.00 FEET, AN ARC LENGTH OF 124.79 FEET TO A POINT OF TANGENCY; THENCE SOUTH 88 DEGREES 28 MINUTES 49 SECONDS EAST, A DISTANCE OF 203.0 FEET; THENCE SOUTH 88 DEGREES 28 MINUTES 49 SECONDS EAST, A DISTANCE OF 407.77 FEET; THENCE SOUTH 01 DEGREES 31 MINUTES 11 SECONDS WEST, A DISTANCE OF 34.15 FEET; THENCE SOUTH 46 DEGREES 31 MINUTES 11 SECONDS WEST, A DISTANCE OF 102.40 FEET; THENCE SOUTH 01 DEGREES 31 MINUTES 11 SECONDS WEST, A DISTANCE OF 22.54 FEET TO SAID POINT OF BEGINNING.

DIVIDING THE SAME INTO LOTS AS SHOWN BY THE ANNEXED PLAT WHICH IS A CORRECT REPRESENTATION OF SAID SURVEY AND RESUBDIVISION. ALL DISTANCES ARE SHOWN IN FEET AND DECIMALS THEREOF.

ACCORDING TO A SCALED INTERPRETATION OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP HAVING A MAP NUMBER OF 170808000 FOR KANE COUNTY, ILLINOIS AND INCORPORATED AREAS, THE SUBJECT TRACT FALLS WITHIN PANEL NUMBER 1708080270H. ACCORDING TO THIS MAP INDEX SHEET HAVING A MAP REVISION DATE OF JULY 17, 2012, PANEL NUMBER 1708080270H WAS NOT PRINTED, NO SPECIAL FLOOD ZONE AREAS.

GIVEN UNDER MY HAND AND SEAL AT LOMBARD, ILLINOIS,
 THIS 10th DAY OF OCTOBER, 2014.

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-003543
 COOK & HENNER ASSOCIATES, INC.



SURVEY NO.:	P021
ORDERED BY:	THE KRAUSZ COMPANIES
DESCRIPTION:	PLAT OF RESUBDIVISION
DATE PREPARED:	OCTOBER 7, 2014
SCALE:	1" = 100'
DRAWN BY:	CM

JACOB & HEFNER ASSOCIATES
 1910 S. HighRoad, Suite 100, Lombard, IL 60148
 PHONE: (630) 652-6600, FAX: (630) 652-6601
 www.jacobandhefner.com
 Illinois Professional Design Firm
 License No. 184800073, Exp. 6/30/15

PLAT OF RESUBDIVISION, THE QUAD ST. CHARLES - UNIT 2

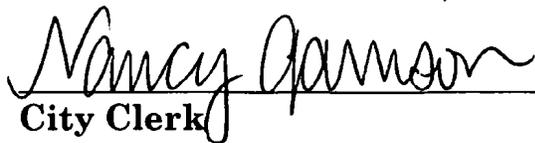
City of St. Charles, Illinois

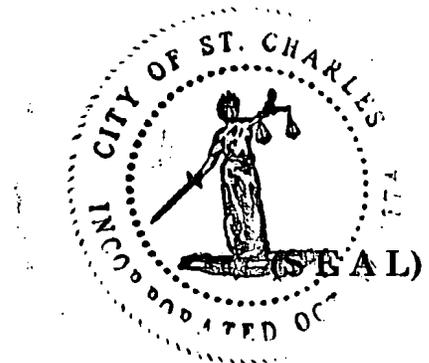
Ordinance No. 2013-Z-19

**An Ordinance Amending a Special Use for Planned Unit
Development (Charlestowne Mall PUD - 3800 E. Main
St.)**

**Adopted by the
City Council
of the
City of St. Charles
November 4, 2013**

**Published in pamphlet form by
authority of the City Council
of the City of St. Charles,
Kane and Du Page Counties,
Illinois, November 8, 2013**


City Clerk



DATE OF PREPARATION 11/08/13
BY: [Signature]

RECEIVED 11/04/13
PAGE

**City of St. Charles, IL
Ordinance No. 2013-Z-19**

**An Ordinance Amending a Special Use for Planned Unit Development
(Charlestowne Mall PUD – 3800 E. Main St.)**

WHEREAS, on or about September 19, 2013, SC 3800 Main, LLC. (“the Applicant”), with authorizations from Charlestowne Mall Investments, LLC., Von Maur, Inc., and the City of St. Charles, filed a petition for a Special Use for Planned Unit Development for the purpose of amending an existing Special Use for Planned Unit Development to establish new Planned Unit Development standards for the real estate described in Exhibit “A”; said Exhibit being attached hereto and made a part hereof, (the “Subject Realty”); and,

WHEREAS, on or about September 19, 1988, the City passed and approved Ordinance No.1988-Z-10, being an “Ordinance Granting a Special Use as a Planned Unit Development for Charles Towne Mall” which ordinance approved a planned unit development, which was subsequently amended by Ordinance Nos. 1989-Z-8, 1991-Z-2, 1994-Z-8, and 1995-Z-16; and

WHEREAS, from and after the date of passage and approval of this Ordinance, Ordinance No.1988-Z-10 and all subsequent amendments shall be null, void and of no further force or effect with respect to the Subject Realty; and,

WHEREAS, the required Notice of Public Hearing on said petition for Special Use for Planned Unit Development was published on or about September 21, 2013, in a newspaper having general circulation within the CITY, to-wit, the Kane County Chronicle newspaper, all as required by the statutes of the State of Illinois and the ordinances of the CITY; and,

WHEREAS, pursuant to said notice, the Plan Commission conducted a public hearing on or about October 8, 2013 and October 22, 2013 on said petition in accordance with the statutes of the State of Illinois and the ordinances of the CITY; and,

WHEREAS, at said Public Hearing, the Applicant presented testimony in support of said petition and all interested parties were afforded an opportunity to be heard; and,

WHEREAS, the Plan Commission recommended approval of said petition on or about October 22, 2013; and,

WHEREAS, the Planning & Development Committee of the City Council recommended approval of said petition on or about October 28, 2013; and,

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

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES, KANE AND DUPAGE COUNTIES, ILLINOIS, as follows:

1. That passage of this Ordinance shall constitute approval of a Special Use for Planned Unit Development pursuant to the provisions of Title 17 of the St. Charles Municipal Code, as amended, and based upon the Applicant's petition and the evidence presented at the Public Hearing, the City Council hereby finds that the Planned Unit Development is in the public interest and adopts the Findings of Fact for Special Use for Planned Unit Development, set forth on Exhibit "B", which is attached hereto and incorporated herein.

2. That Special Use for Planned Unit Development heretofore granted with respect to the Subject Realty by Ordinance No.1988-Z-10, being an "Ordinance Granting a Special Use as a Planned Unit Development for Charles Towne Mall" which ordinance approved a planned unit development, which was subsequently amended by Ordinance Nos. 1989-Z-8, 1991-Z-2, 1994-Z-8, and 1995-Z-16, shall be null, void and of no further force or effect with respect to the Subject Realty; except that all previously approved PUD Preliminary Plans and Final Plats of Subdivision approved pursuant to Ordinance No. 1988-Z-10 and its subsequent amendments shall remain valid under the Special Use for Planned Unit Development approved under Section 1 of this Ordinance.

3. That passage of this Ordinance shall constitute approval of the Concept Plan entitled "Conceptual Site Plan" (The New Charlestowne Mall); Jacob & Hefner Associates, Inc., dated 10/9/2013, attached hereto and incorporated herein as Exhibit "C", such that this document is hereby approved to depict the design intent for future PUD Preliminary Plan applications to be submitted for review and approval in accordance with the procedures outlined in the St. Charles Municipal Code.

4. Application and approval of new PUD Preliminary Plan(s), pursuant to the procedures in Title 17 of the St. Charles Municipal Code, Section 17.04.410(F), "PUD Preliminary Plan process for lots within an existing PUD", shall be required prior to any demolition or reconstruction of any portion of the mall building, modifications to the configuration of the parking lot, or construction of any additional buildings on the subject property. Subsequent to the approval of a new PUD Preliminary Plan(s), future changes to the PUD Preliminary Plan(s) plans may be reviewed and approved in accordance the procedures contained in Title 17 of the St. Charles Municipal Code, Section 17.04.430, "Changes in Planned Unit Developments."

5. A Construction, Operation, and Reciprocal Easement Agreement ("COREA") has been entered into by the owners of the subject property. The City shall have no responsibility with respect to the COREA and may approve PUD Preliminary Plans or issue permits without regard to the COREA. The owners shall be jointly responsible for amending the COREA in any manner necessary to modify the site, or otherwise securing the joint authorization of the owners, prior to constructing any improvements to the site. The owners shall provide to the City notice and copies of any amendments to the COREA.

6. The Subject Realty shall be developed only in accordance with all ordinances of the City as now in effect and as hereafter amended (except as specifically varied herein), and subject to the terms, conditions and restrictions set forth herein, as follows:

- a. Zoning: The property shall be subject to the requirements of the BR Regional Business Zoning District, as amended, and all other applicable requirements of the St. Charles Zoning Ordinance, as amended, except as specifically varied in the "PUD Standards" attached hereto and incorporated herein as Exhibit "D".
- b. Subdivision: The subject property shall be considered a single PUD zoning lot for the purpose of Zoning Ordinance compliance. The subject property may be subdivided to create separate parcels for the anchor stores or any other freestanding building constructed on the site. Such subdivision shall require the submission of a Final Plat of Subdivision application, pursuant to the procedures and requirements of Title 16 of the St. Charles Municipal Code, for review by the City. At the time of application, the applicant shall demonstrate that all necessary easements (including, but not limited to, access, parking and utilities) have been provided to adequately serve the proposed lot.

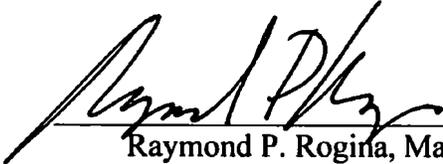
7. That after the adoption and approval hereof, the Ordinance shall (i) be printed or published in book or pamphlet form, published by the authority of the Council, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation within the City of St. Charles.

PRESENTED to the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 4th day of November 2013.

PASSED by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 4th day of November 2013.

APPROVED by the Mayor of the City of St. Charles, Kane and DuPage Counties, Illinois this 4th day of November 2013.




Raymond P. Rogina, Mayor

Attest:

Nancy Garrison
City Clerk

COUNCIL VOTE:

Ayes: 10
Nays: 0
Absent:
Abstain:

APPROVED AS TO FORM:

City Attorney

DATE: _____

Exhibit "A"

Legal Description (Subject Property)

The subject property is located at 3700, 3740, 3800, 3810, 3840, & 3850 E. Main Street (Illinois Route 64), St. Charles, Illinois, 60174, and is legally described as follows:

THAT PART OF LOT 1, CHARLESTOWNE CENTRE MALL ST. CHARLES, KANE COUNTY, ILLINOIS ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT 2017857 AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWESTERLY CORNER OF SAID LOT 1; THENCE EASTERLY ALONG A NORTHERLY LINE OF SAID LOT 1461.93 FEET TO A NORTHEASTERLY CORNER OF SAID LOT; THENCE SOUTHERLY ALONG AN EASTERLY LINE OF SAID LOT 505.23 FEET TO AN ANGLE IN SAID EASTERLY LINE; THENCE EASTERLY ALONG A NORTHERLY LINE OF SAID LOT 1015.80 FEET TO A NORTHEASTERLY CORNER OF SAID LOT; THENCE SOUTHERLY ALONG AN EASTERLY LINE OF SAID LOT 357.09 FEET TO A POINT THAT IS 110.0 FEET NORTHERLY OF THE NORTH LINE OF LOT 1, ILLINOIS ROUTE 64 - SMITH ROAD SUBDIVISION, ST CHARLES, KANE COUNTY, ILLINOIS (MEASURED ALONG SAID EASTERLY LINE EXTENDED); THENCE EASTERLY AT RIGHT ANGLES TO THE EAST LINE OF SAID NORTHEAST QUARTER 78.35 FEET TO THE WESTERLY LINE OF SMITH ROAD AS ESTABLISHED BY DOCUMENT 90K59922; THENCE SOUTHERLY ALONG SAID WESTERLY LINE, BEING A CURVE TO THE LEFT HAVING A RADIUS OF 995.0 FEET, 110.91 FEET TO THE NORTHEAST CORNER OF LOT 1 IN SAID ILLINOIS ROUTE 64-SMITH ROAD SUBDIVISION; THENCE WESTERLY ALONG A NORTH LINE OF SAID SUBDIVISION 197.34 FEET TO A NORTHWEST CORNER THEREOF; THENCE SOUTHERLY ALONG A WEST LINE OF SAID SUBDIVISION 293.27 FEET TO AN ANGLE IN SAID WEST LINE; THENCE WESTERLY ALONG A NORTH LINE OF SAID SUBDIVISION 148.48 FEET TO A NORTHWEST CORNER THEREOF; THENCE SOUTHERLY ALONG A WEST LINE OF SAID SUBDIVISION 242.05 FEET TO THE SOUTHWEST CORNER OF LOT 2 IN SAID SUBDIVISION; THENCE WESTERLY ALONG THE NORTH LINE OF ILLINOIS STATE ROUTE NO. 64 AND THE SOUTH LINE OF LOT 1 IN SAID CHARLESTOWNE CENTER MALL 2463.67 FEET TO THE SOUTHWEST CORNER OF LOT 1 IN SAID CHARLESTOWNE CENTRE MALL; THENCE NORTHERLY ALONG THE WESTERLY LINE OF SAID CHARLESTOWNE CENTRE MALL 1816.74 FEET TO THE POINT OF BEGINNING (INCLUDING LOT 1 OF CHARWIL'S FIRST RESUBDIVISION OF PART OF LOT 1 CHARLESTOWNE CENTRE MALL, IN THE CITY OF ST. CHARLES, KANE COUNTY ILLINOIS, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT 93K15081); (ALSO INCLUDING LOT 1 CHARWIL'S THIRD RESUBDIVISION OF CHARLESTOWNE MALL, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT 2001K007611); (EXCEPT LOT 1 OF CHARWIL'S SECOND RESUBDIVISION OF CHARLESTOWNE CENTRE MALL, ST. CHARLES, KANE COUNTY, ILLINOIS ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT 94K067871); AND (EXCEPT THAT PART OF LOT 1, CHARLESTOWNE CENTRE MALL, BEING PART OF THE NORTHEAST 1/4 OF SECTION 25, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT 201857, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 2 IN ILLINOIS ROUTE 64-SMITH ROAD SUBDIVISION, BEING A SUBDIVISION OF THAT PART OF THE NORTHEAST 1/4 OF SECTION 25, TOWNSHIP 40 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 11, 1991, AS DOCUMENT 91K55800, THENCE NORTHWESTERLY 698.41 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 20162.06

FEET (CHORD BEARS NORTH 89 DEGREES 22 MINUTES 06 SECONDS WEST, 698.38 FEET), SAID CURVE BEING THE NORTH RIGHT OF WAY LINE OF ILLINOIS ROUTE 64 (NORTH AVENUE) PER DOCUMENT NO. 92K04278, THENCE NORTH 88 DEGREES 22 MINUTES 33 SECONDS WEST ALONG SAID NORTH RIGHT OF WAY LINE OF ILLINOIS ROUTE 64, FOR A DISTANCE OF 301.20 FEET; THENCE NORTH 01 DEGREES 37 MINUTES 27 SECONDS EAST, 9.00 FEET; THENCE SOUTH 88 DEGREES 22 MINUTES 33 SECONDS EAST, 301.20 FEET; THENCE SOUTHEASTERLY 49.72 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 20153.06 FT (CHORD BEARS SOUTH 88 DEGREES 26 MINUTES 48 SECONDS EAST, 49.72 FEET); THENCE SOUTH 01 DEGREES 28 MINUTES 58 SECONDS WEST, 3.00 FEET; THENCE SOUTHEASTERLY 294.32 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 20156.06 FEET, (CHORD BEARS SOUTH 88 DEGREES 56 MINUTES 08 SECONDS EAST, 294.31 FEET. THENCE NORTH 00 DEGREES 38 MINUTES 46 SECONDS EAST, 6.50 FEET; THENCE SOUTHEASTERLY 354.05 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 20149.56 FEET, (CHORD BEARS SOUTH 89 DEGREES 51 MINUTES 26 SECONDS EAST, 354.04 FEET TO THE POINT ON THE WEST LINE OF SAID LOT 2; THENCE SOUTH 00 DEGREES 06 MINUTES 12 SECONDS EAST ALONG SAID LINE, 12.50 FEET TO THE POINT OF BEGINNING, IN KANE COUNTY, ILLINOIS.

AND (EXCEPT THAT PART OF LOT 1, CHARLESTOWNE CENTRE MALL, BEING PART OF THE NORTHEAST 1/4 OF SECTION 25, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT 201857, DESCRIBED AS FOLLOWS:: COMMENCING AT THE SOUTHWEST CORNER OF LOT 2 IN ILLINOIS ROUTE 64-SMITH ROAD SUBDIVISION, BEING A SUBDIVISION OF THAT PART OF THE NORTHEAST 1/4 OF SECTION 25, TOWNSHIP 40 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 11, 1991, AS DOCUMENT 91K55800, THENCE WESTERLY ON THE SOUTH LINE OF SAID LOT 1, AND ON A 20162.06 FOOT RADIUS CURVE CONCAVE TO THE NORTH, 698.41 FEET, THE CHORD OD SAID CURVE BEARS AN ASSUMED BEARING NORTH 89 DEGREES 22 MINUTES 06 SECONDS WEST, 698.38 FEET TO A POINT OF TANGENCY OF SAID CURVE ON SAID SOUTH LINE; THENCE NORTH 88 DEGREES 22 MINUTES 33 SECONDS WEST ON SAID SOUTH LINE, 301.20 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 88 DEGREES 22 MINUTES 33 SECONDS WEST ON SAID SOUTH LINE, A DISTANCE OF 157.62 FEET; THENCE NORTH 01 DEGREES 36 MINUTES 21 SECONDS EAST, 53.15 FEET; THENCE SOUTH 88 DEGREES 23 MINUTES 39 SECONDS EAST, 169.44 FEET; THENCE SOUTH 01 DEGREES 36 MINUTES 21 SECONDS WEST, 44.21 FEET; THENCE NORTH 88 DEGREES 22 MINUTES 33 SECONDS WEST, 11. 82 FEET; THENCE SOUTH 01 DEGREES 37 MINUTES 27 SECONDS WEST, 9.00 TO THE POINT OF BEGINNING IN KANE COUNTY, ILLINOIS.

Exhibit "B"

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 mall property is obsolete in design. The property lacks character/uniqueness, has no visual presence from Main Street, and does not have clearly designated front entrances. The PUD Amendment will establish standards to enable a more modern, distinctive development to establish a new sense of place for a facility that is already integral to 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.

The mall property was designed primarily for customers arriving by automobile and has very limited facilities to accommodate pedestrians. The PUD amendment will provide an opportunity for the property to be redeveloped with improved building entrances and pedestrian infrastructure. A continuous pathway system will be established on the site to facilitate pedestrian movement into the site and between buildings. New landscaping and new outlot buildings around the mall will help reduce the scale of the parking lot.

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

Not applicable.

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

Not applicable.

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

The PUD amendment will facilitate the redevelopment of an underutilized commercial site.

The redevelopment will utilize existing utilities and site improvements to the extent possible.

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

The PUD amendment will facilitate the redevelopment of a property that is obsolete in terms of building and site design.

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

The City engaged in a Comprehensive Plan rewriting process from June 2011 to September 2013, with a focus on both the mall property itself and the larger East Gateway commercial area that the mall anchors. The community had an opportunity to provide input and ideas for revitalizing the mall, and those ideas were incorporated into the plan document that was adopted by the City.

The developer used the Comprehensive Plan as reference for developing the concept site plan submitted in support of this application. The developer also has taken steps to engage the community, including hosting a neighborhood meeting at the mall.

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.
New outdoor public spaces will be created at the reconstructed entrances to the mall.
2. The PUD will preserve open space, natural beauty and critical environmental areas in excess of what is required by ordinance or other regulation.
Not applicable.
3. The PUD will provide superior landscaping, buffering or screening.
The PUD amendment will facilitate an update to the site's landscaping, which is sparse within the site but is heavy and overgrown along the site's Main St. frontage. The Comprehensive Plan has called for a reduction of landscaping along the Main St. frontage. The existing landscaping and buffering along the north property line will be maintained.
4. The buildings within the PUD offer high quality architectural design.
The PUD amendment will facilitate an improved, modernized architectural design for the building, including better screening of existing loading docks, incorporating complementary architecture in the reconstructed portions of the building, and establishing new, prominent front entrances with pedestrian-oriented streetscaping.
5. The PUD provides for energy efficient building and site design.
Not applicable.

6. The PUD provides for the use of innovative stormwater management techniques.
The proposed site improvements will include naturalizing the existing stormwater detention basins and introducing bioswales and rain gardens into some parking lot islands.
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.
Not applicable.
8. The PUD provides affordable dwelling units in conformance with, or in excess of, City policies and ordinances.
Not applicable.
9. The PUD preserves historic buildings, sites or neighborhoods.
Not applicable.

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 PUD will remain primarily an enclosed retail shopping mall that will continue to serve the public with a shopping location.

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

The proposed redevelopment will utilize existing infrastructure, which was installed based upon a development of similar land use and intensity. A Traffic Memorandum prepared by HLR demonstrates that the proposed redevelopment will generate a comparable volume of traffic compared to the mall as approved by the City in 1995. Additionally, much of the infrastructure around the site has been enhanced in recent years, including Route 64, which has been widened to increase capacity.

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

The proposed redevelopment of the mall site will not constitute a change in land use or an increase in intensity of land use; therefore the amended Special Use will not have a new a negative effect on nearby property. Existing buffering of the site from residential properties to the north will be maintained.

- D. Effect on Development of Surrounding Property: That the establishment of the Special Use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

The mall site serves as an anchor for the East Gateway business district and the mall's existing condition has been a detriment to the viability of businesses in the area. The proposed redevelopment to modernize the mall site will encourage new investment in underutilized and undeveloped sites around the mall.

- E. Effect on General Welfare: That the establishment, maintenance or operation of the Special Use will not be detrimental to or endanger the public health, safety, comfort or general welfare.

The proposed redevelopment of the mall site will not constitute a change in land use or an increase in intensity of land use; therefore the amended Special Use will not have a new a negative effect on the general welfare.

- 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 proposed redevelopment will comply with all code requirements, except for PUD deviations identified in the PUD Development Standards document.

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

The mall site serves as an anchor for the East Gateway business district and the mall's existing condition has been a detriment to the viability of businesses in the area. The proposed redevelopment to modernize the mall site will encourage new investment in underutilized and undeveloped sites around the mall.

Redevelopment and modernization of the mall is strategically important for the City as the East Gateway business district contributes significantly to the City's tax base and economic well-being.

The concept plan being presented in support of the PUD amendment proposes substantial changes to the mall property that will be beneficial to the physical development of the East Gateway business district.

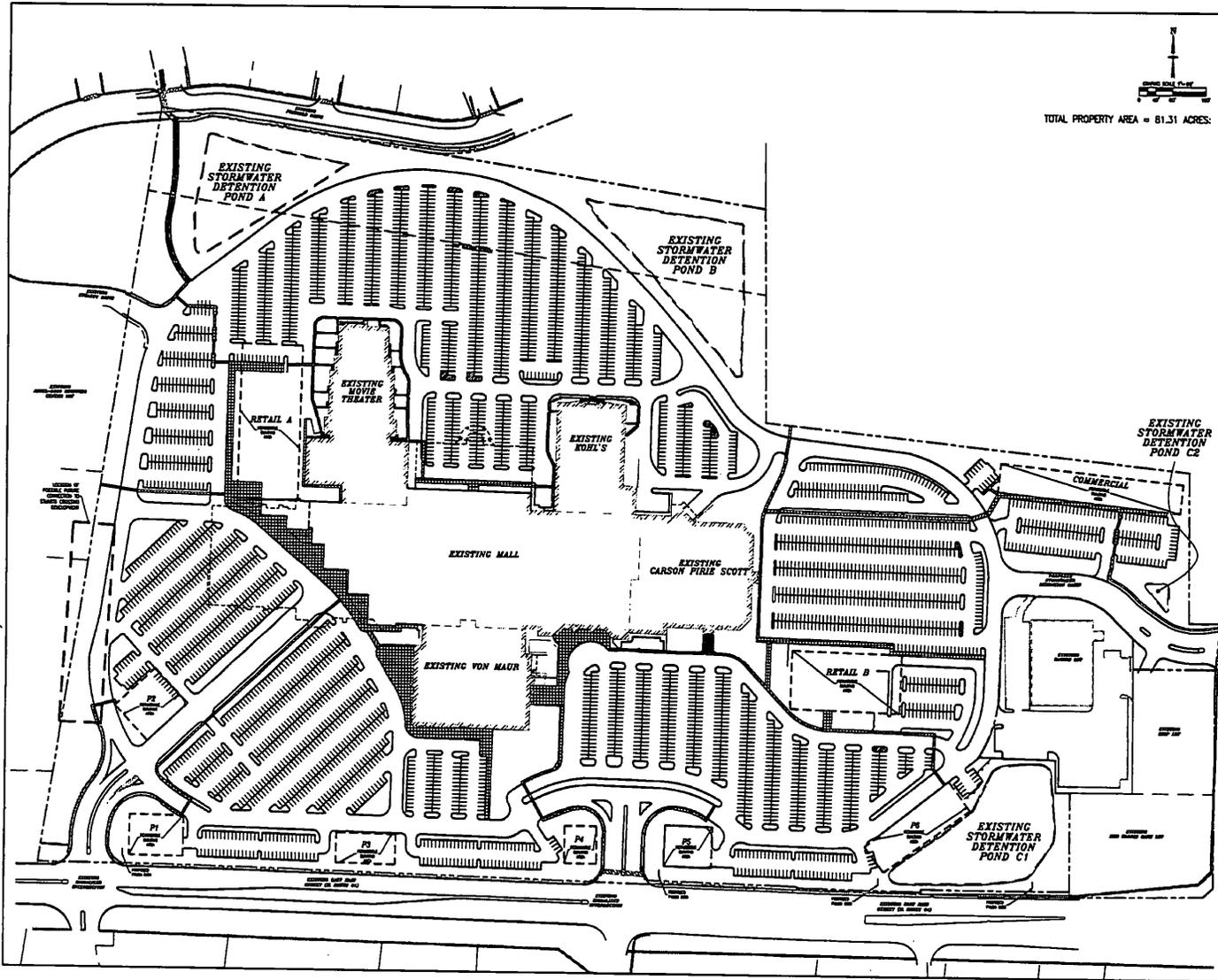
5. The proposed PUD conforms to the purposes and intent of the Comprehensive Plan.

The PUD amendment will facilitate site improvements that further the goals of the Comprehensive Plan.

The City recently adopted a new Comprehensive Plan that addresses the Charlestowne Mall site in detail. The site is discussed in the East Gateway Subarea Plan located in Chapter 8 of the document. The East Gateway area was subject to considerable discussion during the comprehensive planning process, including a visioning workshop designed specifically to gather input on how the mall site could be redeveloped. Feedback from that workshop was used to draft the Charlestowne Mall Framework Plan (p. 105) and Repositioning Alternatives (p. 106). The plans presented in support of the PUD amendment request incorporate some of those recommendations including: the introduction of outlot buildings around the mall property, the demolition and reconfiguration of vacant portions of the mall building, and façade improvements to the mall building.

Additionally, the East Gateway Improvement Plan (p. 103) identifies other potential improvements that have been incorporated into the concept site plans for the mall property, including: a landscaping reduction along Main St.; better pedestrian connections to commercial sites; and cross access between commercial sites.

Exhibit "C"
Concept Site Plan



TOTAL PROPERTY AREA = 81.31 ACRES:

CONCEPTUAL SITE PLAN THE NEW CHARLESTON MALL 3800 E. MAIN STREET ST. CHARLES, ILLINOIS	
JACOBS & REYNOLDS ASSOCIATES, INC. <small>100 N. WASHINGTON STREET, SUITE 100 ST. CHARLES, ILLINOIS 62205 TEL: 618-339-1100 FAX: 618-339-1101</small>	THE REYNOLDS COMPANIES, INC. <small>80 3800 MAIN, LLC</small>
1" = 80' F021 EX1	

Exhibit “D”

PUD Standards

Permitted and Special Uses	
	Per Table 17.14-1 of the Zoning Ordinance (BR Regional Business District), except that 3 Drive-Through Facilities shall be Permitted Uses.
Minimum Setbacks from Perimeter Property Lines	
<ul style="list-style-type: none"> • Front/Rt.64 & Smith Rd. 	Parking: 20 ft. for parking stalls; 15 ft. for circulation drives associated with drive-through uses. Buildings: 20 ft.
<ul style="list-style-type: none"> • Rear/abutting Charlemagne Subdivision 	Parking: Existing location per approved PUD Preliminary Plans. Buildings: 200 ft. to Charlemagne Subdivision property line
<ul style="list-style-type: none"> • Sides/other property lines 	Buildings: 15 ft. Parking: 0 ft.
Maximum Building Size	
Maximum Building Height	Mall Building: Roofline max. elevation: 829 ft. above sea level (existing mall skylight ridge) Parapets max. elevation: 846 ft. above sea level (existing mall skylight peak) Feature elements max. elevation: 854 ft. above sea level All other buildings: Building height shall not exceed 50 ft. from the average finished ground level measured 10 ft. out from exterior walls.
Maximum Floor Area	1,200,000 square feet of Gross Floor Area (GFA) 925,000 square feet of Gross Leasable Area (GLA)
Minimum Parking Requirement	
Number of parking stalls required	4 spaces per 1,000 square feet of GLA, calculated over all buildings on the site (excluding internal hallways, corridors and courts in the mall building). Parking located outside of the ring road for outlot buildings shall be provided at 4 spaces per 1,000 square feet of GLA. Where outlot buildings share a parking lot, a parking reduction for shared parking may be requested in accordance with the procedures in the Zoning Ordinance.
Signs	
Freestanding/ Identification Signs	3 Shopping Center signs (To display shopping center name, anchor store business names, Retail A & B business names) Area: 225 sf Height: 30 ft. 1 cinema readerboard sign, Area: 150 sf. Height: 15 ft.

	<p>Outlot buildings (P1 to P6): 1 monument sign per building Area: 50 sf. Height: 8 ft.</p> <p>Existing off-site sign for 3880 E. Main St./ Lot 1 of Charwil's Second Resubdivision/ Saver's store, may remain per approved PUD Preliminary Plans.</p>
Wall Signs	<p>Anchor stores: 1 per side.</p> <p>Retail A & B: 1 per business per side.</p> <p>Outlots: 1 per side.</p> <p>Anchor buildings located at the rear of the mall building (Cinema and Kohl's): Wall sign permitted on south mall elevation; cinema sign may be a marquee extending above the parapet/roofline.</p> <p>For other stores/restaurants in the mall building with exterior frontage/storefronts, 1 per business.</p>
Directional Signs	<p>2 at each access point into the site.</p> <p>At each intersections of an entrance drive and the ring road, 1 per leg of the intersection.</p> <p>Signs may contain mall name/logo and business name/logo of Anchors, Retail A or B, or Outlots.</p>
Landscaping Standards	
<ul style="list-style-type: none"> • Overall % of landscaped area 	Per Ordinance requirements: 20% landscape area over entire site.
<ul style="list-style-type: none"> • Bufferyards 	Existing setback and landscaping along Charlemagne Subdivision to be maintained in conformance with the approved PUD Preliminary Plan.
<ul style="list-style-type: none"> • Building foundation 	Building foundation areas to be landscaped, but flexibility is granted to provide a comparable alternative design, including a "streetscape" design along walkways (trees in grates and/or planter islands etc.) or providing landscaping on the opposite side of a drive-through lane.
<ul style="list-style-type: none"> • Public Street frontage 	Per Ordinance requirements along Main St. frontage; flexibility to provide lower plantings in lieu of some trees.
<ul style="list-style-type: none"> • Parking Lot Screening 	Per Ordinance requirements: 30" screening of 50% of the parking lot frontage.
<ul style="list-style-type: none"> • Interior Parking Lot 	No percentage requirement. All rows shall end with landscape islands, except where truck circulation is impeded. All islands shall be planted with shade trees and/or low shrubs/ groundcover.

Building Design and Material Requirements	
Building Design & material requirements	Per Ordinance requirements contained in Section 17.06.030, and: <ul style="list-style-type: none"> • EIFS may exceed 10% per façade, but shall not be used on the lower 10 ft. of any building. EIFS will generally be used for accent features and not as a primary façade material. • Screening of existing loading docks shall be improved to the extent possible, but full screening shall not be required. • Exterior Design elements of the reconstructed and new portions of the project, though varied, shall be complementary with the existing anchor buildings.
Access Locations	
	Existing access points shown on the Concept Site Plan, plus future cross access to west (Stuart's Crossing) and east (Oliver Hoffmann) shall be permitted.
Subdivision Standards	
Number & Configuration of Lots	PUD shall be considered a single zoning lot, regardless of subdivision. Subdivision shall be permitted for any anchor stores, Retail A or B, and any outlot buildings, provided easements as determined essential by the City are provided.
Minimum Lot Width	None
Minimum Lot Area	None

State of Illinois)
)
) ss.
Counties of Kane and DuPage)

Certificate

I, NANCY GARRISON, certify that I am the duly elected and acting Municipal City Clerk of the City of St. Charles, Kane and DuPage Counties, Illinois.

I further certify that on November 4, 2013, the Corporate Authorities of such municipality passed and approved Ordinance No. 2013-Z-19, entitled

"An Ordinance Amending a Special Use for Planned
Unit Development (Charlestowne Mall PUD – 3800 E.
Main St.),"

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2013-Z-19, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on November 8, 2013, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at St. Charles, Illinois, this 4th day of November 2013.



Nancy Garrison
Municipal Clerk