AGENDA
CITY OF ST. CHARLES
PLAN COMMISSION
CHAIRMAN TODD WALLACE

TUESDAY, MARCH 18, 2014 - 7:00 P.M.
COUNCIL CHAMBERS
2 E. MAIN ST., ST. CHARLES, IL 60174

1. Call to order.

2. Roll Call -

Chairman Todd Wallace	Brian Doyle	James Holderfield
Vice Chairman Tim Kessler	Steve Gaugel	Tom Pretz
Sue Amatangelo	Curt Henningson	Tom Schuetz

Auditory Members - Holly Cabel, St. Charles Park District
- Donald Schlomann, School District #303

3. Presentation of minutes of the March 4, 2014 meeting.

PUBLIC HEARING

4. General Amendment (City of St. Charles)
Requirements for the regulation of Medical Cannabis Cultivation Centers and Medical Cannabis Dispensing Organizations

MEETING

5. General Amendment (City of St. Charles)
Requirements for the regulation of Medical Cannabis Cultivation Centers and Medical Cannabis Dispensing Organizations

6. The Quad St. Charles (Charlestowne Mall PUD)(SC 3800 Main, LLC)
Application for PUD Preliminary Plan
- Site Plan dated 3/14/14
- Preliminary Engineering Plan dated 2/26/14

Application for Final Plat of Subdivision
- Final Plat dated 2/25/14

7. Meeting Announcements
Tuesday, April 8, 2014 at 7:00pm Council Chambers
Tuesday, April 22, 2014 at 7:00pm Council Chambers
Tuesday, May 6, 2014 at 7:00pm Council Chambers

8. **Additional Business from Plan Commission Members, Staff, or Citizens.**

9. **Adjournment**

MINUTES
CITY OF ST. CHARLES, IL
PLAN COMMISSION
TUESDAY, MARCH 4, 2014

Members Present:	Todd Wallace, Chairman Tim Kessler, Vice Chairman Brian Doyle Steve Gaugel Curt Henningson James Holderfield Tom Pretz Tom Schuetz
Members Absent:	Sue Amatangelo
Also Present:	Matthew O'Rourke, Economic Dev. Division Mgr.
	Court Reporter

1. Call to order
The meeting was called to order at 7:00 p.m. by Chairman Wallace.

2. Roll Call
Vice Chair Kessler called the roll. A quorum was present.

2. Presentation of minutes of the February 18, 2014 meeting.

A motion was made by Mr. Kessler, seconded by Mr. Doyle and unanimously passed by voice vote to accept the minutes of the February 18, 2014 meeting.

PUBLIC HEARING

4. General Amendment (Robin Massey)
Chapter 17.14 "Business and Mixed Use Districts", Chapter 17.16 "Office/Research, Manufacturing, and Public Land Districts", Chapter 17.20 "Use Standards", Chapter 17.24 "Off-Street Parking, Loading & Access", and Chapter 17.30 "Definitions" pertaining to requirements for the regulation of Pet Care Facilities and Kennels.

The attached transcript prepared by Chicago Area Real Time Court Reporting is by reference hereby made a part of these minutes.

Mr. Kessler made a motion to continue the public hearing to after Item 5 on the agenda. Seconded by Mr. Schuetz.

Roll Call Vote:

Ayes:	Henningson, Wallace, Kessler, Schuetz, Gaugel, Holderfield, Doyle
Nays:	Pretz
Absent:	Amatangelo

Motion carried: 7-1

5. Fydoland, 1317 E. Main St. (Robin Massey)
Application for a Special Use for a Pet Care Facility

The attached transcript prepared by Chicago Area Real Time Court Reporting is by reference hereby made a part of these minutes.

Mr. Kessler made a motion to close the public hearing on item 4. Seconded by Mr. Schuetz.

Roll Call Vote:
Ayes: Henningson, Doyle, Wallace, Kessler, Schuetz, Gaugel, Holderfield, Pretz
Nays:
Absent: Amatangelo
Motion carried: 8-0

4. General Amendment (Robin Massey)
Chapter 17.14 "Business and Mixed Use Districts", Chapter 17.16 "Office/Research, Manufacturing, and Public Land Districts", Chapter 17.20 "Use Standards", Chapter 17.24 "Off-Street Parking, Loading & Access", and Chapter 17.30 "Definitions" pertaining to requirements for the regulation of Pet Care Facilities and Kennels.

The public hearing on Item 4 was reopened.

The attached transcript prepared by Chicago Area Real Time Court Reporting is by reference hereby made a part of these minutes.

Mr. Kessler made a motion to close the public hearing on item 4. Seconded by Mr. Gaugel.

Roll Call Vote:
Ayes: Henningson, Doyle, Wallace, Kessler, Schuetz, Gaugel, Holderfield, Pretz
Nays:
Absent: Amatangelo
Motion carried: 8-0

6. General Amendment (City of St. Charles)
Requirements for the regulation of Medical Cannabis Cultivation Centers and Medical Cannabis Dispensing Organizations.

The attached transcript prepared by Chicago Area Real Time Court Reporting is by reference hereby made a part of these minutes.

Mr. Kessler made a motion to continue the public hearing for this item to the Plan Commission meeting on March 18, 2014 at 7pm in the Council Chambers. Seconded by Mr. Schuetz.

Roll Call Vote:
Ayes: Henningson, Wallace, Kessler, Schuetz, Gaugel, Holderfield, Pretz
Nays: Doyle
Absent: Amatangelo
Motion carried: 7-1

MEETING

7. General Amendment (Robin Massey)
Chapter 17.14 "Business and Mixed Use Districts", Chapter 17.16 "Office/Research, Manufacturing, and Public Land Districts", Chapter 17.20 "Use Standards", Chapter 17.24 "Off-Street Parking, Loading & Access", and Chapter 17.30 "Definitions" pertaining to requirements for the regulation of Pet Care Facilities and Kennels.

The attached transcript prepared by Chicago Area Real Time Court Reporting is by reference hereby made a part of these minutes.

Mr. Kessler made a motion to recommend approval of Item 7 with condition a that staff recommend language that would require opaque screening in dog runs abutting residential, retail, commercial, and public right-of-way. Seconded by Mr. Henningson.

Roll Call Vote:
Ayes: Henningson, Doyle, Wallace, Kessler, Schuetz, Gaugel, Holderfield, Pretz
Nays:
Absent: Amatangelo
Motion carried: 8-0

8. Fydoland, 1317 E. Main St. (Robin Massey)
Application for a Special Use for a Pet Care Facility

The attached transcript prepared by Chicago Area Real Time Court Reporting is by reference hereby made a part of these minutes.

Mr. Kessler made a motion to recommend approval of the FYDOLand at 1317 East Main Street, the application for a special use for a pet care facility. Seconded by Mr. Schuetz and Henningson.

Mr. Doyle made a motion to amend the original motion with a condition that the east-facing dog run be removed. Seconded by Mr. Pretz.

Roll Call Vote on the motion to amend the original motion:
Ayes: Doyle, Kessler, Schuetz, Pretz
Nays: Gaugel, Holderfield, Henningson, Wallace
Absent: Amatangelo
Motion Failed: 4-4

Roll Call Vote (original motion):

Ayes:	Doyle, Kessler, Schuetz, , Gaugel, Holderfield, Henningson, Wallace
Nays:	Pretz
Absent:	Amatangelo
Motion carried:	7-1

9. General Amendment (City of St. Charles)
Requirements for the regulation of Medical Cannabis Cultivation Centers and Medical Cannabis Dispensing Organizations.
No action was taken on this item.

10. Meeting Announcements
Tuesday, March 18, 2014 at 7:00pm Council Chambers
Tuesday, April 8, 2014 at 7:00pm Council Chambers
Tuesday, April 22, 2014 at 7:00pm Council Chambers

11. Additional Business from Plan Commission Members, Staff, or Citizens. Mr. O'Rourke informed the Plan Commission that he may not be around as often due to his new position as the Economic Development Division Manager.

12. Adjournment at 9:27PM

S100253A

STATE OF ILLINOIS)
) SS.
COUNTY OF K A N E)

BEFORE THE PLAN COMMISSION
OF THE CITY OF ST. CHARLES

In Re the Matter of:)
)
General Amendment, Chapter 17.14,)
Business and Mixed Use Districts;)
Chapter 17.16, Office/Research,)
Manufacturing, and Public Land)
Districts; Chapter 17.20, Use)
Standards; Chapter 17.24,)
Off-Street Parking, Loading, and)
Access; and Chapter 17.30,)
Definitions Pertaining to)
Requirements for the Regulation)
of Pet Care Facilities and)
Kennels.)

REPORT OF PROCEEDINGS
PUBLIC HEARING

St. Charles City Hall, 2 East Main Street
St. Charles, Illinois 60174
February 4, 2014
7:00 p.m. to 8:57 p.m.

Reported by: Melanie L. Humphrey-Sonntag,
CSR, RDR, CRR, CCP, FAPR
Notary Public, Kane County, Illinois

PRESENT:

MR. TODD WALLACE, Chairman;

MR. TIM KESSLER, Vice Chairman;

MR. BRIAN DOYLE, Member;

MR. STEVE GAUGEL, Member;

MR. CURT HENNINGSON, Member;

MR. JIM HOLDERFIELD, Member;

MR. TOM PRETZ, Member; and

MR. TOM SCHUETZ, Member.

ALSO PRESENT:

MR. MATTHEW O'ROURKE, Planner.

CHAIRMAN WALLACE: This meeting of the St. Charles Planning Commission will come to order.

Tim.

VICE CHAIRMAN KESSLER: Gaugel.

MEMBER GAUGEL: Here.

VICE CHAIRMAN KESSLER: Schuetz.

MEMBER SCHUETZ: Here.

VICE CHAIRMAN KESSLER: Doyle.

MEMBER DOYLE: Here.

VICE CHAIRMAN KESSLER: Pretz.

MEMBER PRETZ: Here.

VICE CHAIRMAN KESSLER: Henningson.

MEMBER HENNINGSON: Here.

VICE CHAIRMAN KESSLER: Wallace.

CHAIRMAN WALLACE: Here.

VICE CHAIRMAN KESSLER: Kessler, here.

CHAIRMAN WALLACE: All right. Item 3 on the agenda, presentation of minutes of the February 18th, 2014, meeting.

Is there a motion to approve?

VICE CHAIRMAN KESSLER: So moved.

CHAIRMAN WALLACE: Second?

MEMBER DOYLE: Second.

CHAIRMAN WALLACE: All right.

All in favor?

(Ayes heard.)

CHAIRMAN WALLACE: Opposed?

(No response.)

CHAIRMAN WALLACE: Motion passes unanimously.

(Member Holderfield joined the proceedings.)

CHAIRMAN WALLACE: And Item No. 4 on your agenda is a general amendment, Robin Massey, Chapter 17.14, business and mixed districts; Chapter 17.16, office/research, manufacturing, and public land districts; Chapter 17.20, use standards; Chapter 17.24, off-street parking, loading, and access; and Chapter 17.30, definitions pertaining to requirements for the regulation of pet care facilities and kennels.

This item as well as the two after it are both -- are all public hearings, and for a public hearing I just want to explain what our procedure is.

The Plan Commission is appointed by the City Council and commissioned to conduct public hearings for applications that come before the City for certain things. The Plan Commission hears all of

the evidence relating to the application, both in support of the application as well as against it.

Once the Plan Commission has decided that they have all of the information in order to make a recommendation to the City Council, then the public hearing will be closed and, either that same day or at a subsequent meeting, the Plan Commission will vote whether to recommend approval or denial of the application to the City Council.

Any questions?

(No response.)

CHAIRMAN WALLACE: All right.

Everything that is being said today is on record. There's a court reporter that's in the room today, and, therefore, she can only take one voice at a time. So I would ask that everyone please restrain from talking until you're recognized by the Chair.

And if you do wish to speak, you can approach the lectern, speak into the microphone, state your first and last name, spell your last name, and state your address for the record.

At this time we will go ahead -- can we swear in for all three applications at the same time, all three hearings?

MR. O'ROURKE: Yeah. I don't see why not.

CHAIRMAN WALLACE: Okay. So anyone who wishes to offer any testimony, including making comments or asking any questions for any of the items that are on the agenda for public hearing, I ask that you now be sworn in.

Please raise your right hand.

(Four witnesses duly sworn.)

CHAIRMAN WALLACE: Thank you. You may be seated.

All right.

VICE CHAIRMAN KESSLER: When we did the roll, I didn't call Mr. Holderfield.

MEMBER HOLDERFIELD: I was a little late because of a fire truck.

VICE CHAIRMAN KESSLER: Okay. That's a good excuse.

CHAIRMAN WALLACE: All right. Mr. Holderfield is present, as well.

Thank you.

All right. Any questions regarding procedure?

(No response.)

CHAIRMAN WALLACE: What we will do is, first of all, we'll have the Applicant present testimony, and then I will ask for questions of the Applicant and then for any other testimony. And then the Applicant will finish up, and at that time we will either close or continue the public hearing.

Matt, are you ready?

MR. O'ROURKE: I am ready.

CHAIRMAN WALLACE: All right. Go ahead.

MR. O'ROURKE: Thank you.

The Applicant for this application is Robin Massey, the owner of FYDOLand, but due to the nature of how this is being worked out with staff in coordination with the Applicant, we felt it would be better if staff gave the presentation for the general amendment this evening just because we're the ones that kind of know the ordinance a little better than Ms. Massey.

So with that --

CHAIRMAN WALLACE: Just so everyone knows, Items 4 and 5 are related because Item 5 is FYDOLand, which is what this one will have an impact on.

MR. O'ROURKE: Correct.

CHAIRMAN WALLACE: Okay.

MR. O'ROURKE: Yeah. I can go ahead and say that this ordinance amendment is in conjunction with the special use amendment that's next. Basically, it's not allowed currently in the Zoning Ordinance as it is proposed for this property.

Essentially, there's a number of services that FYDOLand offers that would be considered probably personal care services, which is allowed in a number of the retail districts throughout town, but, really, the overnight stay portion and the day care would classify this use as a kennel, and which this is a special use limited to very specific zoning districts, particularly BC, BR, and the M2 zoning districts.

So, therefore, when staff started working with the Applicant, we realized that this property -- it doesn't meet, from a use standpoint, what's allowed in the Zoning Ordinance, so we -- staff worked with the Applicant to file this application to amend the Zoning Ordinance and to come up with a way to possibly allow this use in more of a retail sort of capacity, so what you have before you is a general amendment for that purpose.

When staff looked at what the Applicant

proposes to do with her business and the different items that are somewhat retail related -- and some of them are very retail related, as I mentioned; a number of them -- a number of the things that they're proposing would already be allowed in the underlying zoning district -- we looked at this and said, "Well, are there other communities out there kind of doing anything similar?" because this is kind of a quasi-overnight boarding, kennel, retail use.

And what we found is that a number of communities have started to view these in slightly different ways. Staff has included a summary of that as a table in the staff memo.

But essentially what we found was they sort of combined these into a use in many of these other communities here in Illinois that essentially has limitations on the overnight stays and the boarding for the most part but it does allow all these to exist under one umbrella in a more retail sort of environment.

So what staff is proposing in conjunction with the Applicant is, first, to create a new use called "Pet Care Facility," which has been defined in your staff materials.

Second, this new use would be a special use so every one that gets proposed, if it has that overnight boarding and doggy day care sort of capacity, would be classified as this. They'd be required to get a special use because there could be potential impacts on surrounding property owners, especially when you start considering outdoor exercise areas. So it's being proposed as a special use in the retail districts of BL, BC, and BR.

Along with that, really, this model in the retail district, staff looked at it as kind of replacing kennel, to some extent, so what staff is proposing is that kennel as a special use be removed from the BC and BR zoning districts and this essentially would take its place.

We've also generated some use -- very specific use requirements for these. Some of these are modeled after our kennel use standards. In particular, the operation of the day care and the overnight boarding standards, we have modified it slightly. In a kennel the outdoor areas can be used from 9:00 -- up until 9:00 p.m.

We've modified this, because of the retail surroundings, to be 7:00 p.m., so all the animals

would have to be away and inside the facility, if they're being boarded overnight, after 7:00 p.m. until 7:00 a.m. in the morning.

We've also stated that these businesses cannot be located directly abutting a residentially zoned property. So if a property line shares any property line with a residential property, it would not be permitted there, even as a special use.

We've also created some parking standards for these uses. We've essentially used the same as a personal services where -- dog grooming-type business and other types of pet care establishments. That's the same parking standard. We felt that that was a good use for this. It would be pretty much the same sort of customer flow in and out, that sort of thing, as one of those businesses would traditionally have.

And that really summarizes the finer details of what staff is proposing. I'm happy to open it up to any questions you have at this point.

CHAIRMAN WALLACE: Tim.

MR. O'ROURKE: Tim.

VICE CHAIRMAN KESSLER: There are other similar -- or at least one that I know of -- in town, another similar facility in town, and that's in the

M2 district, I believe.

It's on the east side, off Dean Street.

MEMBER SCHUETZ: Yeah.

VICE CHAIRMAN KESSLER: Pardon me. On the east side -- or west side, I'm sorry. On the west side, at Dean and Randall.

MR. O'ROURKE: Oh, yeah.

VICE CHAIRMAN KESSLER: Similar use. Are these the same requirements?

MR. O'ROURKE: They would be. It's my understanding that facility is not in the city limits because there's no special use approved for a kennel anywhere within the city of St. Charles.

This is the one off Dean Street as you head a little bit . . . am I thinking of the right place, the kennel?

MEMBER SCHUETZ: Yeah.

MR. O'ROURKE: Yeah. That facility is technically not incorporated.

If I'm thinking of the right one. I'd have to look it up.

VICE CHAIRMAN KESSLER: You're thinking of the right one. I don't know about that.

MR. O'ROURKE: We could -- we did --

we were asked that question, and if I'm thinking of the right address, it was not in the city of St. Charles. Pretty much surrounded by the city of St. Charles but not in it.

VICE CHAIRMAN KESSLER: Okay. And the kennels are allowed in other zoning districts; correct?

MR. O'ROURKE: They are currently, yes.

VICE CHAIRMAN KESSLER: And I guess what I'm trying to get to, is this -- the way you've written this, is this similar to the same ordinance as a kennel or the same . . . what's different about it?

MR. O'ROURKE: It's -- you know, that's a great point. I should have mentioned that.

Basically, as it's defined in the "Definitions" section as we've anticipated it, the major difference will be, to qualify as a pet care facility, 50 percent of the business or less would be overnight boarding.

So if you had more than 50 of your business not being something else, just overnight boarding, it could not qualify as a pet care facility. Then you'd be a kennel.

VICE CHAIRMAN KESSLER: Okay.

MR. O'ROURKE: So the -- 50 percent of the business has to be, you know, the sale of pet care products, grooming, those other uses. So it couldn't strictly be just doggy day care or overnight boarding. I did neglect to mention that. I'm sorry.

VICE CHAIRMAN KESSLER: All right. Thank you.

MEMBER SCHUETZ: I have a question.

CHAIRMAN WALLACE: Yes.

MEMBER SCHUETZ: As far as it cannot abut or be adjacent to residential, how far away does residential have to be?

MR. O'ROURKE: The way we've written this is if it shares a property line. There was no distance requirement. We started to look at that, and it would be -- it becomes sort of a . . . you know, how do we address that with -- what staff's difficulty was is we weren't sure -- like when we notice something for a special use, that we have that 250-foot limit.

MEMBER SCHUETZ: Right.

MR. O'ROURKE: We have to skip right-of-ways and we have to skip other roads, and we weren't sure if this kind of standard would have to do

that. So we basically said, because of the retail use and the fact that some of our zoning districts are so close to residential and -- we could have said 500 foot, but we weren't sure what 500 foot would mean, necessarily, because you might have to skip the whole right-of-way with Route 64.

We felt, based on what the Applicant was proposing, especially with that in mind, that this was a better way to approach it, just saying you can't directly abut residential property. So there is no distance requirement for this.

CHAIRMAN WALLACE: In your memo you address the noise issue, Section C3.

MR. O'ROURKE: Uh-huh.

CHAIRMAN WALLACE: When you looked at other ordinances in other communities -- well, first of all, does the kennel special use have something similar?

MR. O'ROURKE: This is . . . Item 3 under the use standards is directly taken from the kennel use.

CHAIRMAN WALLACE: From the kennel use?

MR. O'ROURKE: Yeah. This is exactly the same requirement.

CHAIRMAN WALLACE: Okay.

MR. O'ROURKE: Yeah. Most of the other communities in the area for kennels do have a similar use requirement.

CHAIRMAN WALLACE: Okay.

MR. O'ROURKE: And some of the other ones for pet care facilities do, too. That's not quite as consistent, though.

CHAIRMAN WALLACE: Do you think it's sufficiently enforceable as written?

MR. O'ROURKE: You know, it could be -- there could be some difficulty in enforcing that, especially with one code enforcement officer. We couldn't find a better way to do it, in all honesty. And it's an existing standard in our ordinance, so we felt more comfortable sticking with what's already been approved than trying to come up with a different way to do it.

CHAIRMAN WALLACE: Is there another section in the City Code that covers noise like this in other districts?

MR. O'ROURKE: There is. Our noise standards are in a different title completely.

CHAIRMAN WALLACE: Yeah.

MR. O'ROURKE: I can't remember off the top of my head which one it is, but that's the one that talks about you can't make more noise than 60 decibels --

CHAIRMAN WALLACE: Yeah.

MR. O'ROURKE: -- at a certain time of night. It is in there. I'd have to search and find what title it's in. I think it's 9 but I'd have to find it again.

CHAIRMAN WALLACE: All right.

So if there was some type of chronic issue, it potentially would be covered by that --

MR. O'ROURKE: Yes, it would.

CHAIRMAN WALLACE: -- and the complainant wouldn't have to say, "Well, yeah, it was -- over a seven-minute period, it was an average of at least 12 animal noises per minute" or something like that?

MR. O'ROURKE: Right. We would -- if it became a chronic issue and there was -- like we'd probably have -- we'd have to send somebody out there with some sort of meter that measures that.

CHAIRMAN WALLACE: And that essentially would be covered under another section of the Code?

MR. O'ROURKE: It is. It's definitely under a different title. I just can't remember which one it is.

CHAIRMAN WALLACE: That's fine.

All right. Other questions?

Yes.

MEMBER DOYLE: So you said that, regarding the special -- current special use for kennels, one of the impacts that warrants a special use is the outdoor exercise areas that can have an impact on the surrounding properties.

MR. O'ROURKE: Correct.

MEMBER DOYLE: So do we have a recommendation here to limit further the hours of operation that outside areas can be used for a pet care facility?

MR. O'ROURKE: We do.

MEMBER DOYLE: Right. Did you consider other limitations or other considerations, such as location of the -- of outdoor exercise areas, screening of outdoor exercise areas?

MR. O'ROURKE: We did. The screening, I think, is something that the business owners tend to do, so we didn't write a standard for that, but we

certainly could amend the proposal to incorporate that.

We also did look at trying to look -- locate outdoor exercise areas, but to figure out a way -- a standard that made sense for -- once we started thinking of scenarios, it -- there was no good way to write it clearly.

So you could say "You can have it here because of" -- whatever reason. There was just too many -- there was too many rabbit holes that we started going down, so we kind of backed off of that.

MEMBER DOYLE: Well, if I can just comment, I'm thinking -- I don't know whether these are comparable examples, but I'm thinking of an issue that came in front of the Commission recently about . . . I'm forgetting what they're called now but the -- the sort of drop-off boxes for shoes and books and -- and --

MR. O'ROURKE: Yes. The donation drop boxes, sure.

MEMBER DOYLE: Donation drop boxes. Thank you.

And there was a recommendation that we approved and recommended on to the Planning and

Development Committee that those donation boxes had to be located away from the street view, away from the park view so -- you know, they are regarded as unsightly if they're out in the parkway -- and to -- they have to be positioned around the back of a property so that they're not visible from the parkway.

MR. O'ROURKE: Right.

MEMBER DOYLE: I don't know offhand what screening provisions may be included for garbage receptacles.

MR. O'ROURKE: The -- they do have to be screened on three sides by an opaque wall of some kind, so that can be a fence, masonry. And then the other side is the gate.

MEMBER DOYLE: I guess the question I'm raising here -- and I'll get, you know -- is if, per your comment earlier, outdoor exercise areas are one reason that kennels -- sort of -- the use of kennels are a special use in these areas -- because they have -- because those outside areas can have an impact on surrounding parcels -- then it seems to me like you may want to look at some sort of language in this ordinance or in zoning that would provide some provisions to safeguard that.

MR. O'ROURKE: Sure. No, I think it's a great point.

I guess the only . . . and we can -- screening these areas is a little easier than saying it can't be visible from the public street because, some properties, that might be the only place where the outside exercise area could work. You know, if it's like on the side of the building is what I'm thinking of. So . . .

MEMBER DOYLE: Well.

MR. O'ROURKE: When staff looked at it, we didn't want to kind of limit it that much just based on the zoning standards.

But I think -- I mean, if that's something the Commission feels they think is a good -- it's an excellent point, so we should consider that.

MEMBER DOYLE: Yeah. I guess I'd be interested to know what other Commissioners -- you know, how strongly the other Commissioners feel about that.

VICE CHAIRMAN KESSLER: Let me just make sure I understand what you're talking about.

And that is the screening -- the screening between -- from adjoining properties? Is this where

you're going? And how it is screened or how you enforce the screening?

MEMBER DOYLE: I'm really thinking more about the view from the parkway. And I -- I -- there are some pictures in the back of the staff packet about -- you know, of some of the other facilities in Elgin and Huntley --

MR. O'ROURKE: Yeah. That's for the other --

MEMBER DOYLE: -- some diagrams that show outside exercise areas, and there's one picture that shows the chain-link fence that has some of the opaque -- sort of the plastic screening inside the chain-link.

MR. O'ROURKE: Right.

MEMBER DOYLE: At this point I'm not suggesting what the remedy should be; I'm just saying that I can envision tasteful treatments that are respectful of surrounding properties, and I can envision a business that has an 8-foot chain-link fence facing Main Street with --

MR. O'ROURKE: Sure.

MEMBER DOYLE: -- without any attempt to provide any screening or to -- you know, and . . . and

let's be honest what's going to happen in these areas.

MR. O'ROURKE: I understand.

MEMBER SCHUETZ: Wouldn't they have to abide by the new landscape ordinance to cover that?

MR. O'ROURKE: The landscape ordinance -- the Dumpster screening's in a different section.

MEMBER SCHUETZ: Not Dumpster. Just in general.

MR. O'ROURKE: The fence section of the Code, I'd have to look at that to see if it even allows the chain-link in the commercial areas because -- I'd have to double-check that.

I'm not sure if it does. It might.

MEMBER DOYLE: I guess --

MR. O'ROURKE: We're trying to encourage people not to do that.

VICE CHAIRMAN KESSLER: I guess what I would say is I think of as much concern -- if not more -- is not us looking in as those dogs looking out.

MEMBER SCHUETZ: Yeah.

VICE CHAIRMAN KESSLER: I mean, if you -- if they're -- if they're on -- you know, behind

a fence and they see cars going by and people walking by, that's going to create some havoc.

I think that is of as much concern as how it looks from the outside. Frankly, I'm not that concerned about how it looks from the outside as long as it's in an area that is not -- I mean, I'd suspect they're not going to put it in front of a building.

But . . . the biggest concern -- and the reason I brought up the Ruffner's is because I know that they have an outside area where they take dogs. And they're away from any residential area, you know, and they're perfectly safe where they're at.

MR. O'ROURKE: Sure.

MEMBER KESSLER: But those dogs get to barking, and you hear them all over the neighborhood. And they're really careful about when they're out and, you know, what times of day, and they really try to mitigate it, I suppose, by not letting as many dogs out at a time or, you know, shortening the length of time.

But there's no traffic around there, around where they're at. There is going to be here.

MEMBER DOYLE: Right.

VICE CHAIRMAN KESSLER: So -- I don't

know. I'm not sure where I'm headed with this, Matt, because I'm not sure there's anything I can really write into it. I mean, it has to be --

MR. O'ROURKE: Yeah. That's kind of the --

VICE CHAIRMAN KESSLER: It's going to take care of itself. If this is a problem, if they're loud and unruly and cause havoc in the neighborhood and their neighbors don't like it, something's going to happen.

MR. O'ROURKE: Yeah. To be frank, staff had plenty of conversation about this topic and is there a way to write it.

We just . . . to come up with a way that's enforceable and that would actually allow this use somewhere, it just -- the two didn't really seem to really mesh, I guess for a better sense of the word. Everything we wrote would be so restrictive, I don't know that you could ever have a facility like this open anywhere so --

MEMBER DOYLE: Well, can I ask --

MR. O'ROURKE: -- that's why we tried to kind of work with --

MEMBER DOYLE: Can I ask what the intent

is for this particular parcel?

MR. O'ROURKE: In terms of . . .

MEMBER DOYLE: In terms of the outside exercise area.

MR. O'ROURKE: Sure. I think --

MEMBER DOYLE: In terms of what -- you're saying that you weren't certain how to write it so that it would still be -- that the use could still proceed.

So what is being envisioned for this particular use, and what kinds of limitations would obstruct that use from proceeding?

MR. O'ROURKE: I think it -- I mean, it -- in a general sense, if we're talking about how this would affect all the properties in town, if we want to enter it that way to make sense, to talk about this business in that context --

MEMBER DOYLE: Well -- yeah. For instance, if I could just -- I think if we could hear what is being envisioned for this particular use and how it . . . what sort of -- I assume that the Applicant wants it -- wants the business to be appealing from the street and --

VICE CHAIRMAN KESSLER: Protect the

dogs.

MEMBER DOYLE: -- I'd just be curious to hear how the Applicant envisions that and what sort of limitations that maybe they have imposed on themselves to make certain that that takes place.

CHAIRMAN WALLACE: Tim.

VICE CHAIRMAN KESSLER: Can I ask -- you know, that's -- I believe that's going to be coming up in Item 5 so --

MR. O'ROURKE: It is. That is a separate item.

VICE CHAIRMAN KESSLER: -- we should perhaps, you know, revisit this --

MEMBER DOYLE: Okay.

VICE CHAIRMAN KESSLER: -- after we're done with that and then just kind of stay on this amendment right now because we're not going to, you know, take action on either of them until they're both done anyway.

MEMBER DOYLE: Okay.

MR. O'ROURKE: I think, if the Applicant wanted to come up and maybe talk to how these types of facilities are generally run and then -- you know, so we can -- in the context, you know, of the

ordinance -- I don't see an issue with that.

I mean, maybe not just worry so much about where the dog yard is on this specific site but how outside exercise areas are usually maintained or that kind of stuff -- or how they try to locate them generally.

I think that would be perfectly appropriate, if you want to do that.

CHAIRMAN WALLACE: Uh-huh.

MR. O'ROURKE: I would prefer the Applicant or their representative --

MR. COOKE: Or the representative.

MR. O'ROURKE: Sure.

MR. COOKE: I'm Jim Cooke. I'm an attorney for the Applicant, C-o-o-k-e, 215 Illinois Street, St. Charles.

And I guess I have a question or a -- it's both a question and a statement for you.

As you're discussing the limitations and the concerns that you have about the screening, among other things, it occurs to me perhaps this map amendment -- that would be a way to address that, because this amendment would be to allow the special use in the future for each facility that would come

before you seeking a special use.

And the special use itself typically, as I understand it, oftentimes has qualifications or requirements that they have to fulfill as part of the special use.

So on a case-by-case basis, you would be in a position to recommend the special use be qualified with, let's say, specific screening on the east side, west side, north or south or whatever the case may be, and that's how you could deal with the screening issue rather than trying to confine it -- or define it, I should say -- on your map amendment, which might be too restrictive.

That's just a suggestion I would make for you to consider, if that would be okay.

And then --

VICE CHAIRMAN KESSLER: Okay. We will.

MR. COOKE: I'm sorry?

VICE CHAIRMAN KESSLER: We will.

MR. COOKE: I saw where the discussion was going, and I wasn't sure if you were thinking of trying to put it in the map amendment itself, which would be more restrictive.

VICE CHAIRMAN KESSLER: I agree, which

was why I suggested that maybe we would like to also hear from her.

MR. COOKE: So having said that and trying to be as quick as I can, I'm the attorney. My client, Robin Massey, is the Applicant. She'll speak in a moment.

We have Karen Comstock here, who represents the owner of the property, Dolores Morrison, or perhaps -- everyone knows Rex's Cork and Fork if you've lived here a long time; and Phil Bus is here as a consultant, also.

So rather than take any more of your time, if you'd like, she has a presentation -- she was here for the special use application or she can do it now -- to just give you an idea of what -- a better idea, I should say -- of what the, you know, use would be.

CHAIRMAN WALLACE: Well --

MR. COOKE: It's your pleasure.

CHAIRMAN WALLACE: I mean, I guess that I'd prefer to go through . . . I don't know. It's up to the Plan Commission. I mean, procedurally, I think that we have to close a public hearing or continue a public hearing before we can commence another one.

VICE CHAIRMAN KESSLER: Can we commence it after Item 5 -- or recommence?

CHAIRMAN WALLACE: Possibly.

VICE CHAIRMAN KESSLER: Why don't we just do that?

CHAIRMAN WALLACE: Okay. Well, then I guess --

VICE CHAIRMAN KESSLER: I agree. I'd like to see it.

CHAIRMAN WALLACE: Well, then I guess the question is -- I don't have any problem with that.

VICE CHAIRMAN KESSLER: Do you have a problem?

MR. O'ROURKE: I was just going to offer a suggestion.

CHAIRMAN WALLACE: I'm sorry. Go ahead.

MR. O'ROURKE: I think it -- you know, it's certainly within the purview of the Plan Commission if they want to maybe basically continue this public hearing and then move to the next public hearing, and then they can always, you know, just -- they could continue it to --

VICE CHAIRMAN KESSLER: We can recommence.

MR. O'ROURKE: Yeah. You can continue it to later this evening.

MR. COOKE: You can come back and do it later.

MR. O'ROURKE: Yeah. They published that, you know, for tonight, so I don't see -- it's announced that way, so I don't see why you couldn't do that, as well.

CHAIRMAN WALLACE: Yeah, that's fine. I just don't want to get too far into the subject matter of the next application without commencing that portion of the public hearing.

MR. COOKE: Sure.

MR. O'ROURKE: Right. That would be staff's concern, as well.

CHAIRMAN WALLACE: So I guess I'll ask the Plan Commission if there's anything further from the information that's already been presented specifically on the general amendment that we have questions on or . . . at the very least, I want to solicit additional testimony on that before we would continue this.

And then we can go into the next item, and then, if there's anything else that's raised, we could

always bring that back up as it relates specifically to the general amendment.

So does anyone have an issue with that?

VICE CHAIRMAN KESSLER: None.

MEMBER GAUGEL: No.

CHAIRMAN WALLACE: Then at this time I'll just ask if any member of the public has anything specifically relating to the general amendment, any comments or questions at this time, not specifically relating to FYDOLand, which is the next item but just to the general amendment.

(No response.)

CHAIRMAN WALLACE: Anyone?

(No response.)

CHAIRMAN WALLACE: All right.

Then at this time if -- a motion to continue the public hearing would be in order.

VICE CHAIRMAN KESSLER: So moved.

MEMBER SCHUETZ: Second.

CHAIRMAN WALLACE: Okay. It's been moved and seconded.

Any discussion?

(No response.)

CHAIRMAN WALLACE: All right. Tim.

VICE CHAIRMAN KESSLER: Gaugel.
MEMBER GAUGEL: Yes.
VICE CHAIRMAN KESSLER: Schuetz.
MEMBER SCHUETZ: Yes.
VICE CHAIRMAN KESSLER: Doyle.
MEMBER DOYLE: Yes.
VICE CHAIRMAN KESSLER: Pretz.
MEMBER PRETZ: No.
VICE CHAIRMAN KESSLER: Holderfield.
MEMBER HOLDERFIELD: Yes.
VICE CHAIRMAN KESSLER: Henningson.
MEMBER HENNINGSON: Yes.
VICE CHAIRMAN KESSLER: Wallace.
CHAIRMAN WALLACE: Yes.
VICE CHAIRMAN KESSLER: Kessler, yes.
CHAIRMAN WALLACE: All right. That passes by a vote of 7 to 1.

And just so we're clear, that's continuing it to after Item No. 5 on the agenda.

(Recess taken, 7:29 p.m. to 8:42 p.m.)

CHAIRMAN WALLACE: Now, Item No. 4 was a continued public hearing, which is now reopened.

And at this point in time, if there were any

questions or comments from members of the audience on Item No. 4, you can make those at this time.

MS. PETKUS: Okay. You're stating that this will be continued to another date; right?

CHAIRMAN WALLACE: No. No.

MS. PETKUS: Okay. Are there going to be any other public discussions for people?

CHAIRMAN WALLACE: Matt, do you want to . . .

MS. PETKUS: I'm confused.

MR. O'ROURKE: Certainly.

How the process works is, once the Plan Commission has finished considering this item in terms of what they're asked to consider, it goes to the Planning and Development Committee, which is a committee of the whole of the City Council, and they'll consider the same item.

MS. PETKUS: And that's a public meeting?

MR. O'ROURKE: It's absolutely a public meeting. It's the second Monday of every month at 7:00 p.m. We've tentatively scheduled this one, depending on how long it was here for, for the April 14th meeting.

It won't be on before that meeting because we -- we would have to turn our staff materials in.

MS. PETKUS: Okay. In other words, at that particular time I can bring in my tenants who would like to attend and get their opinions and comments? That's acceptable?

Because I would like to discuss this with all my tenants.

CHAIRMAN WALLACE: The City Council isn't required to solicit public testimony, but I believe, as a matter of practice, they do.

MR. O'ROURKE: Yes. And it's a different format where it's not an open public hearing to consider all testimony, but they have certainly let concerned residents come up and speak. It's -- the conversation is a little more brief. You know, they don't spend as much time going through the details.

But if a group of residents -- or even if they want to have like a representative get up there, they'll certainly entertain that. We would just ask that -- staff -- that we have -- let the Chairman have some notice that -- if you're planning to bring some folks there, just so they know to ask for that.

MS. PETKUS: Okay. I guess my question

is, is that beneficial to me to do that, to inform all my tenants and ask them to come and give their opinions? Would that make an impact at all or not? Is it worth it?

MR. O'ROURKE: I don't think we could opine on that.

CHAIRMAN WALLACE: Yeah. I mean, it's . . . by that time it will already have been -- I mean, it's kind of out of our hands at that point. It's in the City Council's hands.

And, yeah, that's also why I suggested that -- you know, there are four Aldermen that have direct interest in this because two of them are where you live -- or where you own property -- and two are where this property is.

MS. PETKUS: May I know who those people are?

MR. O'ROURKE: It's Ward 1.

CHAIRMAN WALLACE: Do you know off the top of your head?

Ward 1 is Dan Stellato and Ron Silkaitis, and Ward 4 is Jim Martin and Jo Krieger.

MS. PETKUS: Okay.

CHAIRMAN WALLACE: And all of their

contact information is on the City Web site --

MS. PETKUS: Okay. So what ward is it again?

CHAIRMAN WALLACE: -- as well as all the other Aldermen, as well.

MR. O'ROURKE: 1 and 4.

MS. PETKUS: 1 and 4? Okay. Thank you.

CHAIRMAN WALLACE: Yes, 1 and 4.

All right. Any other -- where are we at?

VICE CHAIRMAN KESSLER: We were about to reopen.

MR. O'ROURKE: I think you just reopened the public hearing.

CHAIRMAN WALLACE: Right. We're on Item No. 4.

And are there any other comments or questions or testimony? complaints?

VICE CHAIRMAN KESSLER: About Item No. 4?

CHAIRMAN WALLACE: Concerns?

VICE CHAIRMAN KESSLER: Yeah, I have a concern. Let's talk about this screening thing. I love this double-screening thing. I -- the double-screening.

I think that, you know, what they offered to do in front -- I don't even -- I don't want to refer to 5 because that's a different issue but --

MR. O'ROURKE: No, no, no. I understand.

VICE CHAIRMAN KESSLER: -- but, you know, it makes sense to me based on what we have heard, you know, from residents; it makes sense to me based on my experience with Ruffner's where -- I mean, I -- that place has been there for -- I don't know -- 10 years, so I have a little bit of experience with what a kennel is like. They have a lot more dogs there. It's not the issue that people think it is.

But I also think that, you know, given some of the concerns and -- I think it was Exhibit I with -- and she's right. Movement close by a run causes dogs to get agitated. My dog barks. Somebody walks by on the street and they start barking. But that's one dog.

I think the double-screening idea could be really helpful for properties that -- and particularly in this case -- and I don't know how you would phrase it, Matt -- there's retail uses on either side.

And if you were to double-screen anything

abutting a retail use, that would make sense to me, and I don't know how you can do that.

MR. O'ROURKE: I would say, if that's the concern -- and particularly the type of screening -- what staff would recommend as a matter of practice -- I -- double-screening, it's great that they had offered to do that. I don't know if we want to have that as a standard, that you must put in two fences.

I would say you could certainly create -- or add a condition to what's been recommended by staff that says it has to be a hundred percent opaque screening, and we could eliminate chain-link with slats as a material type.

VICE CHAIRMAN KESSLER: Yeah, but I think we're not -- I'm not sure I'm making my point on the screening, what I'm referring to as screening.

I'm not trying to stop people from seeing things -- I mean not just to stop people from seeing what's behind there -- it's to also protect the dogs from activity, outside activity.

MR. O'ROURKE: Sure.

VICE CHAIRMAN KESSLER: So I think those are two different things. I'm not so sure that that

standard that you're referring to would accomplish that.

MR. O'ROURKE: The standard that I said would basically require board-on-board, solid fence, wood or masonry.

So I think you would eliminate that see-through concern, is why I suggested you could come up with a standard like that. I don't -- I mean, if it's a solid privacy fence made out of something other than cyclone or chain-link fence with slats, I think you're pretty much -- it's going to be -- and "a hundred percent opaque" means you can't see through it either way. So I think that's -- that's why I suggested that.

CHAIRMAN WALLACE: Which would also allow the type of fencing that they're suggesting?

MR. O'ROURKE: It would for part of the fence. I understand part of it was chain-link with slats.

VICE CHAIRMAN KESSLER: But -- but -- but -- yes.

CHAIRMAN WALLACE: Well, but -- go ahead.

VICE CHAIRMAN KESSLER: In the areas

that, you know, they suggest they would put it -- on Main Street --

MR. O'ROURKE: Okay. So you wouldn't want that to be a standard requirement for the whole --

VICE CHAIRMAN KESSLER: No. I'm saying anything that abuts residential property. Because on the back side it's industrial property.

CHAIRMAN WALLACE: Well --

VICE CHAIRMAN KESSLER: On the back --

CHAIRMAN WALLACE: No, no, no. You said "residential." You meant retail.

VICE CHAIRMAN KESSLER: I meant retail. I did mean retail.

CHAIRMAN WALLACE: Yeah. So abutting retail, commercial, or public thoroughfare is what you're talking about?

VICE CHAIRMAN KESSLER: Right. Yeah.

MEMBER HOLDERFIELD: Double-screening? Is that the --

VICE CHAIRMAN KESSLER: Double-screening.

CHAIRMAN WALLACE: Or opaque? Double-screening or --

MR. O'ROURKE: Yeah. I hesitate to get into double-screening just because requiring two fences side by side -- if an applicant wants to do that, sure, but it could -- you know, as a practice it could lead to maintenance issues that not all tenants -- you know, sometimes the space between the two fences becomes a weird no-man's-land for maintenance reasons.

I don't know if, as a staff, we'd want to put something like that in an ordinance, knowing that there could be, you know, maintenance concerns between the two fences.

So I'd prefer, as staff, just to say in those areas, if you want to leave it specific to what Chairman Wallace said, it would just be an opaque fence that can't be cyclone. I think that's a better standard based on my experience.

You could also add landscaping to those standards. I mean for everybody. It's . . . you know.

VICE CHAIRMAN KESSLER: Which we have anyway.

MR. O'ROURKE: But we don't require all fences in these areas get landscaping, so that would

be an additional standard in this case.

VICE CHAIRMAN KESSLER: Okay.

CHAIRMAN WALLACE: Does the Applicant have any comment on this, on these standards?

MS. MASSEY: No. We'd agree.

CHAIRMAN WALLACE: All right.

Any other questions? comments?

MEMBER DOYLE: Yeah.

CHAIRMAN WALLACE: Okay. Brian.

MEMBER DOYLE: Matt, do you have a map that you can bring up of BL districts throughout the city?

MR. O'ROURKE: Yeah. It would be just the zoning layer, but I can do that.

MEMBER DOYLE: White Matt's bringing that up, the discussion here and the observation earlier this evening that the current special use for kennels does not include the BL district raises the question for me as to whether or not this special use application should include BL for -- you know, whether we consider the locations of expanding the zoning to BL across the city and whether -- because that -- if there is a chance that BL is going to more frequently abut or have impacts on surrounding residential areas,

it just seems to me that a number of different considerations that have come up all point to -- all point to a possible need there to be mindful of surrounding impacts and . . . could you speak to, Matt, the rationale for expanding this particular use, this new use --

MR. O'ROURKE: Sure.

MEMBER DOYLE: -- to BL in addition to BR and BC?

MR. O'ROURKE: I think part of the rationale was this is a -- this was not a staff-generated application. This was an application filed by someone outside the City who was looking for -- to use a certain particular property for this reason that is zoned BL. So I think it -- it probably would have been very unnice of staff if we were to leave BL out of this proposal altogether.

But in all honesty, we were -- we were working with the Applicant to see if there was a way to, you know, kind of achieve in the Zoning Ordinance what it is they're requesting.

MEMBER DOYLE: Yeah.

MR. O'ROURKE: Also, staff looked at this as -- you know, we've created in the definition

the 50 percent rule, and that's the dividing line between what we're considering a kennel and a pet care facility. And based on that and the fact that they're required to do something else that's retail related, we felt that it -- having it in all three of the primary, you know, sort of arterial commercial districts, excluding downtown, made sense.

MEMBER DOYLE: Yeah. I guess my comment there would be that . . . that the existence of outside animal exercise areas, dog runs, the noise -- although it's contained, although it's mitigated -- by the nature of this business, particularly this application -- those elements of the use are still the thing that warrants a special use. They are the things -- and those elements of the use are the things that lead the Applicant -- the -- this application to say it can't be adjacent to any -- abutting a residential area.

And then in this case we have an example where, well, what happens if the residential area is not directly abutting but it is kitty-corner and within a -- within a close proximity? What is our responsibility in that case, then, to consider the impacts?

MR. O'ROURKE: You know, just one thing I -- as I'm thinking of it -- this wasn't part of staff's initial analysis -- is there's far more properties in our more intense commercial districts -- BC, BR -- that border residential than there are in BL.

MEMBER DOYLE: There are far more properties in BC and BR that border residential districts?

MR. O'ROURKE: Yeah, just because there's not that many BL properties. But I mean, if we move, you know -- the Charlestowne Mall, which is BR, our most intense commercial district, that abuts all these residential properties.

So I think -- if I'm following your chain of thought a little bit is -- removing it as a special use from BL and just leaving it in BC/BR would not eliminate this concern at all.

MEMBER DOYLE: Okay.

MR. O'ROURKE: Because, I mean, all our commercial districts are kind of integrated into the fabric of the city, which is a combination of these residential areas and these other things, especially BC. It's -- you can see here -- I mean, there is

residential surrounding, basically, the periphery of all these sites.

MEMBER DOYLE: I think that -- that makes sense.

And that -- that is what I'm trying to determine here --

MR. O'ROURKE: Yeah. I kind of thought maybe --

MEMBER DOYLE: -- whether or not BL, in some aspect, is somehow more residential, you know, or -- or is a transitionary use from residential to main strip commercial.

And what you're saying, that --

MR. O'ROURKE: Yeah.

MEMBER DOYLE: -- not so much.

MR. O'ROURKE: Really, I think the difference between BL and the other purely commercial-type districts was lot size, was the bigger consideration when they were -- we were going through the 2006 ordinance amendment and a recognition that smaller lots can accommodate all those other uses that you typically see in more commercial areas, particularly heavy-intensity units like drive-throughs.

You know, there's a specific provision in BL that a drive-through can't be on a lot that's under an acre because it just -- that's what it takes. And that's why we have the minimum-acre lot size in the other districts.

MEMBER DOYLE: Okay. So then to -- just to wrap that up -- that makes sense to me. And I think it addresses the question I was raising, which is, you know, are we expanding this to -- in a way that impacts residences -- residential areas more than currently.

The other thing that I would say is I appreciate the comment that Mr. Cooke made earlier tonight about the fact that this is a special use. It wasn't -- I hadn't really tuned in on that and thought that through, but, clearly, any such application is going to come before this Commission because of the special use application, and that provides us with the opportunity to consider things such as screening.

And . . . and so that -- that observation sort of diminishes my concern about screening as far as this particular application is concerned, because it can be addressed through the special use

application.

MR. O'ROURKE: Yeah. I would just state that that's -- that was the rationale for staff creating this as a special use and even leaving it as a special use in the other, more intense commercial districts, because the residential properties around there -- there's always going to be a noise concern that needs to be evaluated.

CHAIRMAN WALLACE: All right. Any other questions? comments?

(No response.)

VICE CHAIRMAN KESSLER: Well, I would make a motion to . . .

CHAIRMAN WALLACE: Anything else from the public?

(No response.)

CHAIRMAN WALLACE: Applicant?

(No response.)

CHAIRMAN WALLACE: All right.

VICE CHAIRMAN KESSLER: I'll make a motion to close the public hearing on Item 4.

MEMBER GAUGEL: Second.

CHAIRMAN WALLACE: Okay. Moved and seconded.

Any discussion on the motion?

(No response.)

CHAIRMAN WALLACE: Tim.

VICE CHAIRMAN KESSLER: Gaugel.

MEMBER GAUGEL: Yes.

VICE CHAIRMAN KESSLER: Schuetz.

MEMBER SCHUETZ: Yes.

VICE CHAIRMAN KESSLER: Doyle.

MEMBER DOYLE: Yes.

VICE CHAIRMAN KESSLER: Pretz.

MEMBER PRETZ: Yes.

VICE CHAIRMAN KESSLER: Holderfield.

MEMBER HOLDERFIELD: Yes.

VICE CHAIRMAN KESSLER: Henningson.

MEMBER HENNINGSON: Yes.

VICE CHAIRMAN KESSLER: Wallace.

CHAIRMAN WALLACE: Yes.

VICE CHAIRMAN KESSLER: Kessler, yes.

CHAIRMAN WALLACE: All right. That concludes Item 4 on your agendas.

PROCEEDINGS CONCLUDED AT 8:57 P.M.

STATE OF ILLINOIS)
) SS.
COUNTY OF K A N E)

I, MELANIE L. HUMPHREY-SONNTAG, Certified Shorthand Reporter No. 084-004299, CSR, RDR, CRR, CCP, FAPR, and a Notary Public in and for the County of Kane, State of Illinois, do hereby certify that I reported in shorthand the proceedings had in the above-entitled matter and that the foregoing is a true, correct, and complete transcript of my shorthand notes so taken as aforesaid.

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed my Notarial Seal this 12th day of March, 2014.

M. L. Humphrey-Sonntag

Certified Shorthand Reporter
Registered Diplomate Reporter
Certified Realtime Reporter
Certified CART Provider
Fellow of the Academy of
Professional Reporters

My commission expires
May 31, 2017

S100253B

STATE OF ILLINOIS)
) SS.
COUNTY OF K A N E)

BEFORE THE PLAN COMMISSION
OF THE CITY OF ST. CHARLES

In Re the Matter of:)
)
FYDOLand Requests a Special Use)
for a Pet Care Facility; Property)
Located at 1317 East Main Street.)

REPORT OF PROCEEDINGS
PUBLIC HEARING

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

February 4, 2014
7:29 p.m. to 8:42 p.m.

Reported by: Melanie L. Humphrey-Sonntag,
CSR, RDR, CRR, CCP, FAPR
Notary Public, Kane County, Illinois

PRESENT:

MR. TODD WALLACE, Chairman;

MR. TIM KESSLER, Vice Chairman;

MR. BRIAN DOYLE, Member;

MR. STEVE GAUGEL, Member;

MR. CURT HENNINGSON, Member;

MR. JIM HOLDERFIELD, Member;

MR. TOM PRETZ, Member; and

MR. TOM SCHUETZ, Member.

ALSO PRESENT:

MR. MATTHEW O'ROURKE, Planner.

CHAIRMAN WALLACE: So next on the agenda is Item 5, FYDOLand, 1317 East Main Street, Robin Massey, application for a special use for a pet care facility.

For this item we have exhibits.

Exhibit A is FYDOLand business plan dated 1/26/2014; Exhibit B, letter of support, Anderson Animal Shelter, dated 1/28/2014; Exhibit C, letter of support, Buffy Cramer-Hammann -- is that doctor of psychology? -- dated 1/27/2014; Item D, letter of support, Kim Ashbaugh; Exhibit E, letter of support, Nick Hanson, Village of Huntley, dated 1/23/2014; Exhibit F, letter of support, Mike and Suzette Zell, dated 1/28/2014; Exhibit G, letter of support, Laurel A. Vietzen, dated 1/27/2014; Exhibit H, pictures of existing FYDOLand facilities in Elgin -- or in Huntley and Elgin; and Exhibit I, letter from the property owner of 1307 East Main Street, Mary Ann Krempel, dated 2/25/2014.

Are there any further exhibits?

MR. O'ROURKE: Not at this time.

CHAIRMAN WALLACE: Okay.

All right. Do you want to go ahead?

MR. O'ROURKE: Yeah, I guess.

CHAIRMAN WALLACE: All right. Go ahead.

MR. O'ROURKE: Robin Massey, the owner of FYDOLand, and also, in this case, the property owner has submitted an application for a special use for a pet care facility -- pending approval of a general amendment to create the use category of "Pet Care Facility" -- at 1317 East Main Street.

Staff has summarized its analysis in the staff materials that you have been presented. I think at this point it's probably best to turn it over to the Applicant so they can do a formal presentation, and then we can go from there.

CHAIRMAN WALLACE: Thank you.

MR. COOKE: Do you want my identification again for this?

THE COURT REPORTER: (The court reporter shook her head from side to side.)

MR. COOKE: Okay. I'm the same person that I was two minutes ago. I'm Jim Cooke. I'm here on behalf of the Applicant.

I think that the staff has sort of summarized the application quite thoroughly. We certainly concur with everything. It's a very positive use. It's taking an existing building that's

now not being used, right on Main Street, and adapting it to a use that we think is very good for the city.

I think it will offer something to many of the citizens in this city to be able to use it. It will create some synergy in that area, and, certainly, it's consistent with your comprehensive plan to that extent.

THE COURT REPORTER: I'm sorry?

MR. COOKE: "It's consistent with your comprehensive plan to that extent."

THE COURT REPORTER: Thank you.

MR. COOKE: So -- but rather than go on -- I guess -- do you want to see any pictures? I guess I can -- does anyone care? They all know what -- you all know about the facility and which building it is, et cetera. That's been given to you.

I'd like to introduce Robin Massey now. She is the Applicant. She's going to give you a brief overview of what the business is like, what she does, and help you understand exactly the extent of the operation.

CHAIRMAN WALLACE: Were you sworn in at the beginning?

MS. MASSEY: Yes.

CHAIRMAN WALLACE: Okay.

MS. MASSEY: Good evening. My name's Robin Massey, 10 North 521 Manchester Court, Elgin, Illinois, and I am one of the co-owners of FYDOLand. FYDOLand -- the name came up F-Y-D-O, "for your dog only."

We fit a unique niche that is not currently seen -- and I'm glad that one of the Planning Commissioners actually brought up Ruffner's as an example. Ruffner's is what is considered a traditional kennel. They have over 110 kennels that are there.

What FYDOLand is is we're an all-encompassed, full-service center for dogs. We do services like you're talking about. We also provide retail. We also provide education.

Educating the public about canines is one way to increase -- I lost my word there -- increase the value of your community. We see dogs that are given up all the time, put into shelters. We see stray dogs all the time. We see people abusing dogs all the time.

Now we have a center where we have one place where everybody can come for all of their dogs' needs,

conveniently located, hopefully, on Route 64.

So that's one of the things I wanted to address, is that Ruffner's is not the same. That is what is considered a traditional kennel. We are a pet care facility catering solely to dogs.

One of the other issues that you brought up was noise. One of the things that we address with noise is that we don't have that many dogs outside at one time. Our average facility holds 40 dogs total, maximum, so there would not ever be 40 dogs outside at any one time, which would help minimize noise.

Some of the packets that -- and the packet you were given specifically outlines how we handle the noise issue. I don't know if any of you have that right now, but I'll be happy to read it to you out loud.

Okay. The buildings -- all the buildings that we operate are low ceilings. They're not high ceilings to begin with, which suppresses the noise. The dogs will only be outside for a minimum amount of time, and the Applicants -- we will comply with all City ordinances.

One of the letters -- I don't know if it was in the packet that was given to you, but it's in the

current packet that we passed out -- was a letter from Sarosh from the City of Elgin, the planning commissioner -- one of the . . . director of planning over there.

And he specifically states in there that there's never been an issue with noise or complaints. And in that location we actually back up to a neighborhood there. We went through zoning. So this isn't my first rodeo having to go in front of a commission to tell you how we differ from all the other facilities that are out there.

One of the questions that Mr. Doyle had, also, was screening. In some of the pictures in there, you will see that we do have a side location on one of our buildings that faces the main road. And what was required for us to do there was to put landscaping in front of the fencing, and that's something that we've complied with.

We've looked into all the issues that you've addressed, and we wanted to address them. We wanted to have a place that was safe, sanitary, convenient, and would meet the needs of the community.

And I love St. Charles. Always have. I think it's got a strong background in history and

family values, and that's what FYDOLand is about. We already have two other locations. We're looking to grow. It will continue to be a family-owned operation, and we'll continue to help all communities around, two- and four-legged alike.

Thank you very much.

CHAIRMAN WALLACE: Let me just ask you a question first.

Jim, the item that's handed out, do you want that to be entered as an exhibit?

MR. COOKE: Yes, please.

CHAIRMAN WALLACE: Or is this the . . . wait a minute. Is this the business plan?

MR. O'ROURKE: It does look the same except I know Robin just mentioned a letter that I did not have from Elgin that was included in that.

Was that in the materials you passed out?

MS. MASSEY: Right. This is just an abridged version. This also has all of the awards that we've won in it, newspapers that we've been announced in, and --

CHAIRMAN WALLACE: We'll just do Exhibit J.

Any objection?

MR. O'ROURKE: Yeah, it sounds substantially different.

CHAIRMAN WALLACE: All right. Any objection?

VICE CHAIRMAN KESSLER: No.

CHAIRMAN WALLACE: Okay. Exhibit J. All right. And then as . . . I just have one question.

I don't know if you had a chance to read the letters. There was one from a property owner at 1307 East Main Street.

MS. MASSEY: Uh-huh.

CHAIRMAN WALLACE: And, you know, letters, when they're sent in to the Plan Commission, are given some consideration, but the problem is we can't ask questions of the people that write them, so, therefore, the weight, you know, is -- is -- I don't know -- in my opinion, minimal.

But I do want to ask you what response you have as far as that goes with the adjoining property, you know, operating a business where people are sitting outside, that sort of thing.

What do you expect or, in your experience, what have you -- have you had this come up before?

MS. MASSEY: We have, like I said, with the Elgin location, that backs right up to a neighborhood, and so there was some concern about that. There's never been an issue with it.

But to specifically address that issue with the property on Main Street, we are not intending on putting a dog run on the west side of the property at all.

CHAIRMAN WALLACE: Okay. So it's just -- I saw it in the diagram. It's in the back, along the back, and then along the east side?

MS. MASSEY: Correct. Correct.

CHAIRMAN WALLACE: And that will be abutting, though, the Honda dealer; correct?

MS. MASSEY: Right. Right. They haven't expressed any concern with this.

Actually, one of the papers that I put in there -- we've done the research -- like I said, this isn't my first rodeo -- and the average amount of noise that's on Main Street is comparable to a group of barking dogs.

CHAIRMAN WALLACE: Yeah.

MS. MASSEY: So we're really not going to be looking at increasing any noise.

And to the rear of us is a manufacturing plant, which also is around the same -- it creates about the same amount of decibels as a group of barking dogs.

CHAIRMAN WALLACE: All right. Thank you.

MS. MASSEY: Thank you.

CHAIRMAN WALLACE: You might want to wait up here, though.

Questions?

Tom.

MEMBER SCHUETZ: I have a question.

MS. MASSEY: Sure.

MEMBER SCHUETZ: I'm a dog lover if that matters.

MR. COOKE: We like you for that.

MEMBER SCHUETZ: However, you said the capacity is 40 outside -- or your capacity of your facility -- excuse me; I'll redirect that -- capacity of the facility is 40.

MS. MASSEY: Right.

MEMBER SCHUETZ: At any one time, how many do you normally have outside? And whatever that answer is, are they on -- free to run? How big is

this area?

You know . . .

MS. MASSEY: The packet that you just received --

MEMBER SCHUETZ: Right.

MS. MASSEY: -- shows the dimensions of the outside dog runs.

MEMBER SCHUETZ: All right. I was looking for that.

MS. MASSEY: We actually have two different dog rooms, so the dogs are divided up. So there would never be two rooms going out at any one, given time.

So if you're looking at maximum amount of dogs going out, it would be 20, maximum. And they're typically out for about 10 minutes at a time. That's it. And then they come back inside.

And they are being monitored by trained personnel. We have a lot of activities that we do. One thing we do is we do limit their play outside, meaning we don't -- we're not throwing balls and Frisbees and stuff like that, so we're not getting them in that excited state. We keep that type of work inside, also, because the temperature's more

controlled. So that's one way that we maintain it.

One, we limit the number of dogs that go outside; three, we work to redirect them, as well.

MEMBER SCHUETZ: Okay. Thank you.

CHAIRMAN WALLACE: Steve, you've got something?

MEMBER GAUGEL: Yeah.

Can you clarify? This is dogs only --

MS. MASSEY: Yes.

MEMBER GAUGEL: -- is that correct?

MS. MASSEY: Correct.

MEMBER GAUGEL: Okay. I was reading -- as I was reading through your business plan, it said -- referenced "pet care" so -- but it is dogs only; correct?

MS. MASSEY: It is. The reason we put "pet care" in there is that is part of our business plan, and in Elgin we do in-home pet-sitting services. That's not a service that we do at our other stores, but that's part of it.

MEMBER GAUGEL: One other question: What percentage of the boarding is -- do you anticipate this facility to be as compared to the total business?

MS. MASSEY: It's less than 25 percent of the full square footage.

MEMBER GAUGEL: Okay. Thank you.

CHAIRMAN WALLACE: Brian?

MEMBER DOYLE: Following on the previous conversation, could you just describe -- you mentioned screening for the dog run that has a short profile that faces the front parkway.

MS. MASSEY: What we envision for that?

MEMBER DOYLE: Yeah.

MS. MASSEY: Yeah. We will actually put a 6-foot privacy fence along the part that meets the parkway so it wouldn't be seen and give the landscaping in front of it like we've done as you see in our Elgin photo, as well.

MEMBER DOYLE: So in addition to -- so there's a 6-foot chain-link fence which contains the dog run.

MS. MASSEY: Correct.

MEMBER DOYLE: And then in front of that you would have a privacy fence --

MS. MASSEY: Correct.

MEMBER DOYLE: -- which blocks the view of the dog run?

MS. MASSEY: Yes, sir.
MEMBER PRETZ: And she said landscaping.
MEMBER DOYLE: And landscaping. Okay. Is that practice -- is what you just described typical for your other locations?
MS. MASSEY: What we do?
MEMBER DOYLE: What you just described --
MS. MASSEY: Yes. Oh, absolutely.
MEMBER DOYLE: -- that type of screening.
MS. MASSEY: Absolutely. Absolutely. And in our Elgin location, that is a 6-foot privacy fence that goes around there.
Huntley did not require it, but we actually have it between us and the building that's next to us.
MEMBER DOYLE: Okay. Thank you.
MS. MASSEY: You're welcome.
MEMBER HOLDERFIELD: I just want to clarify a little bit.
On the screening on the east-side dog run --
MS. MASSEY: Uh-huh.
MEMBER HOLDERFIELD: -- as I think I heard -- sound just dies in this room -- that it's

going to be screened only on the parkway side.

What about the east side that goes, in fact, to the south? That's all going to be open toward the street?

MS. MASSEY: No. I'm sorry.

We would have screening around there like was mentioned before. It's a weave that goes through so that they can't see through it. There's different grades of it. The grade that we're anticipating putting in there is a grade where the dogs can't see through it. It's not just a light thing; it's a heavy --

MEMBER HOLDERFIELD: But along the front side is the weave section, you say. But you're also going to put plants; is that correct? Would that be along the . . .

MS. MASSEY: I'm sorry. On the front we're going to put a wood 6-foot privacy fence in so it looks really nice.

MEMBER HOLDERFIELD: And then on the side --

MS. MASSEY: And then on the front --

MEMBER HOLDERFIELD: So it's about 21 feet?

MS. MASSEY: Right. Right. It's about 21 feet.

MEMBER HOLDERFIELD: 45 feet going back to the south?

MS. MASSEY: Right.

So the side is going to have the plastic weave. The front will have the plastic weave, but then we'll have another 6-foot wood fence in front of that.

MEMBER HOLDERFIELD: In front of that?

MS. MASSEY: Yes. And then some landscaping, too.

VICE CHAIRMAN KESSLER: How does this compare in size to your other facilities?

MS. MASSEY: This is going to be the largest FYDOLand that we have. The first one that we have is approximately -- a little under 4,000 square feet. The Huntley one is about 4500 square feet. The total square footage for this building, including the two levels, will be 8,000 square feet.

And this is a project that I take to heart because this is going to be the future FYDOLand and the model for all of our other future FYDOLands. And we love the idea of having it here in St. Charles.

VICE CHAIRMAN KESSLER: So your other facilities are 25 dogs?

MS. MASSEY: Yeah. One facility holds a maximum of 20. The other facility holds a maximum of 20 -- or 40. Excuse me. So this one, you know, we're looking at a little bit more.

MEMBER KESSLER: And I want to touch again on -- I'm going to call it double-screening -- that Jim touched on.

You're going to do a double screen on the north side of the dog run, which is on the east side of the building?

Okay? The 21-foot --

MS. MASSEY: Yes.

VICE CHAIRMAN KESSLER: The north side, front of the building, Main Street you're going to do a double screen there?

MS. MASSEY: Correct.

VICE CHAIRMAN KESSLER: It's going to be chain-link, the weave, as well as the 6-foot?

MS. MASSEY: Correct.

VICE CHAIRMAN KESSLER: Is that the only place you envision doing it on the site?

MS. MASSEY: Well, the whole thing --

where the two dog runs are going to be we'll have the chain-link with the weave. They'll all have that. But in the front of the building --

VICE CHAIRMAN KESSLER: The only double screen would be at that location?

MS. MASSEY: Right. Right.

VICE CHAIRMAN KESSLER: I don't know. And I'm looking at your . . . diagram here --

MS. MASSEY: Okay.

VICE CHAIRMAN KESSLER: -- and I can't really tell -- I assume it's quite a distance from the dog run that's on the south side of the building --

MS. MASSEY: Uh-huh.

VICE CHAIRMAN KESSLER: -- from the west side of that dog run to the other property.

MS. MASSEY: Right. It is quite a bit of distance.

VICE CHAIRMAN KESSLER: Can anybody . . .

(Discussion off the record.)

MR. O'ROURKE: Excuse me. Sorry.

VICE CHAIRMAN KESSLER: Do I have it?

MR. O'ROURKE: It's in the staff memo. I'm pulling it up on the screen now.

So this white boundary is, basically, the property lines for the property, and then -- so the dog run would be in this area, and it would be -- the property line is right there.

VICE CHAIRMAN KESSLER: So that's even behind the southernmost line of the parking lot for the property?

That's even further south?

MEMBER HOLDERFIELD: Yes.

VICE CHAIRMAN KESSLER: Oh, it is? Okay.

MS. MASSEY: And there's also an easement between the two with trees, as well, between the two properties.

VICE CHAIRMAN KESSLER: Okay.

And I gather -- you may have said this, but I want to be clear.

Do you do this double-screening anywhere else on your other facilities?

MS. MASSEY: Yes. Huntley has double-screening.

VICE CHAIRMAN KESSLER: Huntley does?

MS. MASSEY: Uh-huh.

VICE CHAIRMAN KESSLER: Okay. And does

it have it all the way around the dog run or just --

MS. MASSEY: Yes.

VICE CHAIRMAN KESSLER: -- in the area of the streets or where it's over next to the other property?

MS. MASSEY: No, this -- at our Huntley location the front is just screened, but we're back -- and we're back way off the road, so it's not an issue. But we did put a double fence between us and the property right next to us.

VICE CHAIRMAN KESSLER: Okay. Thank you.

MS. MASSEY: You're welcome.

CHAIRMAN WALLACE: Any other questions from the Planning Commissioners?

MEMBER DOYLE: I just want to confirm. Looking at the cover page of the -- this application, the zoning summary, the west side is the White Stag restaurant, which is the business that submitted the letter you referenced earlier, Todd.

And that's the opposite side of the building that the dog run would be affecting?

MR. COOKE: Correct. That's correct.

MS. MASSEY: Correct.

CHAIRMAN WALLACE: All right. Any other questions from the Planning Commission?

(No response.)

CHAIRMAN WALLACE: All right. Any questions from any member of the public?

(No response.)

CHAIRMAN WALLACE: All right.

Oh, yeah.

MS. PETKUS: Is this time for us to talk or . . . or is -- do we have to wait until a later time?

CHAIRMAN WALLACE: Yeah. Yeah. But were you sworn in at the beginning?

MS. PETKUS: Do you want me to walk up to the front or --

CHAIRMAN WALLACE: Yeah.

MS. PETKUS: Okay.

Yeah, my name is Barb Petkus --

CHAIRMAN WALLACE: Okay. Were you sworn in?

MS. PETKUS: Okay.

CHAIRMAN WALLACE: Okay.

(One witness duly sworn.)

CHAIRMAN WALLACE: All right. Go ahead.

MS. PETKUS: Okay. Once again, my name is Barbara Petkus, P-e-t-k-u-s, and I am the owner of the apartment complex directly across, 1408 East Main, and I also own the house east of the apartment, 1416 East Main.

I am totally confused as to even why this is being put here. I think it's going to ruin my business. I have an apartment building that my father built in 1962. We've been there 52 years. I have really good tenants. I have invested hundreds of thousands of dollars into maintaining and renovating this building. It's going to ruin my ability to get good tenants.

I'm very, very concerned. I have many tenants that work at night; they want it quiet during the day. There's going to be barking.

I had a tenant years ago who lived in my house, and she had a Labrador mix. She was walking him one day, got spooked by the cars, took off, got on Route 64. She ran into the street, stopped all the traffic, and, luckily, she was able to retrieve her dog.

This is a main concern. I don't see how this is good for the city of St. Charles. It's going

to cause accidents.

How am I going to be able to rent my apartments?

I don't understand why this is even being presented at this time; very, very concerned.

I have a million-dollar building. The property is going to be devalued. There's going to be a sign that says "FYDOLand." How am I going to get new tenants? They're going to look at this -- "I don't want to live here." I have plenty of trouble with the traffic as it is right now, and I'm just very, very worried that this is not good for St. Charles.

Okay?

CHAIRMAN WALLACE: All right. Thank you.

All right. Any other questions or comments?

Yes.

MS. BOSSERT: I haven't been sworn.

CHAIRMAN WALLACE: All right.

(One witness duly sworn.)

CHAIRMAN WALLACE: All right. Please go ahead and state your name, spell your last name.

MS. BOSSERT: Okay. My name is

Diane Bossert, B-o-s-s-e-r-t, and I live at 29 Hunt Club Drive. I also own the unit at 75 Hunt Club Drive, which is -- faces Main.

And there are people -- 44 -- 88 private homes, condos, these people live in. And the noise from the dogs and -- I mean, we can say anything we want about "Well, there's this; we're going to do that." The bottom line is, when dogs are out, dogs bark.

And I know, when I go out and sit on my balcony, to hear dogs barking -- and it's also in a different category than hearing vehicles. The vehicles are not pleasant going by, but I don't think anybody here would want to have a kennel -- I'm not talking about a place where you bring the dog in and, inside, it's going to be groomed for a little while and then people pick it up. We're talking about a dog kennel.

And that -- to me, that really bothers me. I've lived in St. Charles for 25 years, and I love what they've been doing with it and what you've been doing with the downtown and everything, but I feel like we ought to do something to enhance this, not to bring something in that does just the opposite.

And I don't think this is a plus in any way, shape, or form for St. Charles even if I didn't live across the street. And 81 other people live there, and it will be like a mad, mad, mad world.

And dogs listen to -- they'll hear the traffic next door; there's people talking, coming and going. We know how dogs are interested in everything and everybody, and they're going to be out there. And they're not going to be out there for 10 minutes out of a whole day, 20 of them, and then another 20 out there for 10 minutes.

It's going to be, what, 9:00 to 9:00 or 9:00 to 7:00? Those dogs are going to be out there, and they should be out there and having fun. I'm happy for them. I want that for them. I mean, I love dogs. I love animals. But do I want to hear dogs barking and barking and the traffic going by?

Not to mention it will truly devalue my property and my neighbors', all of us, and it will be very upsetting to the people -- and there's a lot of people that are older in my building. They're going to be -- they're incredibly upset about the whole thing.

I mean this is -- these are homes. These

are our homes. It's right across the street there. It's going to truly -- like I say, the traffic's going by. Okay. We deal with that.

The dealership's there and it's like -- it will be a mad, mad, mad world. That's the only way I can explain it and I can picture it. And I don't see sitting on my balcony and having a cup of tea in peace.

And, also, it will devalue the property.

And, also, I really, really believe that it is not in the best interests of St. Charles. It doesn't help bring it up. I think it's just the opposite. That's my personal opinion.

And I love what we've been doing here, and I think it's really important to St. Charles. It draws people. It's so attractive and it has a charm about it. There's no way you can say a dog kennel has charm about it or that brings anything that would -- people would want to be around.

So no -- I'm absolutely against it, and 81 other people who live across the street that will be listening to it are also dead set against it.

So I don't know how I can put more strongly about how detrimental it will be. And -- to have --

we need something there that will enhance St. Charles. So I really don't -- can't think of anything else that I can express the same thoughts in any other different words so --

CHAIRMAN WALLACE: All right. Thank you.

MS. BOSSERT: Okay.

MR. COOKE: May I speak?

CHAIRMAN WALLACE: Yeah. One second. Matt, where -- kennels that -- I'm just looking back through your memo. And I'm sure it's in here somewhere but . . . what zoning districts are kennels allowed in now?

MR. O'ROURKE: Currently, they're allowed in BC, BR, and M2 as a special use.

CHAIRMAN WALLACE: As a special use. So the same as what this would be, a special use.

MR. O'ROURKE: This is zoned BL, this property.

CHAIRMAN WALLACE: Oh, I'm sorry. I'm sorry. So -- wait. They're in BC?

MR. O'ROURKE: BR and M2.

CHAIRMAN WALLACE: So, theoretically, they'd be allowed in the property adjoining this

property? Actually, two of the properties adjoining this property?

MR. O'ROURKE: Yes. The properties to the east are both zoned B --

CHAIRMAN WALLACE: The property to the south is M1?

MR. O'ROURKE: Right. They'd have to go through the same special use process and meet the definitions -- the same as for kennels, so there would be that process involved.

But, yes, that is accurate.

CHAIRMAN WALLACE: Okay. All right.

Jim?

MR. COOKE: Thank you.

I understand the concerns of the adjoining property owners, the neighbors -- I guess not really adjoining because they're quite a bit -- a few blocks down.

But I'd like my client to address a couple concerns. One that -- I'll just point them both out to you.

Number one, I think we can't underestimate or understate that it's highly unlikely that any noise coming from the dogs -- I'm not saying they're going

to be mute but -- that any noise coming from the dogs when they are outside will even approach or exceed the noise from traffic on Route 64 now.

I've stood there myself -- and, again, I'm sure you can get used to it living here, but it's quite loud. It actually serves as somewhat of an audio screen.

The second thing is -- and I'll have her address what she does with the dogs but -- most of the activity is not outside. It's not in the run. They are only out for 10 minutes at a time or whatever time period she explained.

The activity -- the schematic that you have in the handout -- they have, you know, exercise rooms, et cetera, and most of the activity is done inside, in the enclosed area where the noise won't be coming out.

And can you address that, please?

MS. MASSEY: Jim pretty much hit it on the head for what he said, but there are a couple things I'd also like to address.

Excessive barkers we've actually expelled out of our day care. That's one thing.

The second thing is I definitely welcome you, encourage you to come see our other FYDOLands so

you can see we are not traditional kennels. We don't have 110, 125 dogs, which is what I call warehousing.

It's very clean and they're very upscale, and it definitely, I feel, would enhance St. Charles or I wouldn't be down here at all. We definitely don't want to be a detriment to the community. We want to be an asset to your community.

And once you come see FYDOLands, I really, truly feel that you'll see what an asset it could be.

MS. PETKUS: Can I say something?

MS. MASSEY: Okay.

MS. PETKUS: Okay. I'm a property owner --

CHAIRMAN WALLACE: Wait. Wait. If you want to speak, you have to come up to the microphone --

MS. PETKUS: Oh, I'm sorry. Excuse me.

CHAIRMAN WALLACE: -- so we can hear you.

MS. PETKUS: You don't have to convince me of the benefit of -- I admire you for doing --

THE COURT REPORTER: Could you speak into the microphone, please, ma'am?

VICE CHAIRMAN KESSLER: She admires her for doing this, I believe.

CHAIRMAN WALLACE: Just pull it over. Pull it down to her. There you go.

MS. PETKUS: Okay. I was just saying I admire her for starting this business and trying to run a successful dog business because I do like dogs. I have a schnauzer. Okay? But I just don't feel that this is the appropriate location for such a business.

How am I supposed to get new tenants? Respectable people are looking for apartments. I don't understand how I'm going to attract tenants. They're going to see the sign, "FYDOLand." They're going to say, "Okay. Noise. Dogs."

How do I convince people that are living there to stay? Because they can pick up and move whenever they feel like it. What am I supposed to do? Make excuses because there's a dog place now?

I make a living off of my apartment building, and I'm worried what's going to happen to it. If I can't rent it, I'm going to walk away. It's going to be Section 8. I can't continue running a business that's not profitable. And how do I get new tenants? I'm not going to make excuses for you. I have to run my business.

CHAIRMAN WALLACE: You?

Hold on one second, Jim.

MS. BOSSERT: Also, I'm not -- am I correct in understanding that it's -- the run is going to be on the east side?

CHAIRMAN WALLACE: Yeah. There's one run on the east side and then one run on the south side.

MS. MASSEY: That's correct.

MS. BOSSERT: So the east side is right in my direction.

CHAIRMAN WALLACE: Yeah. It's abutting the Honda dealership.

MS. BOSSERT: All right. So that will be right in our direction. And when it's a summer day in warm weather, that's going to be a major issue.

And, also, that -- to be perfectly honest, that -- if it's going to be a dog kennel that moves in there, I'd personally want to put my property up for sale and move out before it's obvious we have a dog kennel there.

And this is a serious issue. So -- and I do respect you, also, what you're wanting to do. I do. And we all have our own issues and that, you know.

MS. MASSEY: Right.

MS. BOSSERT: But, you know . . . okay.

MR. COOKE: I think I broke this microphone.

CHAIRMAN WALLACE: We'll bill you.

MR. COOKE: Thanks a lot.

I think everyone -- I think we all respect everybody's interest. I think there's no question. I think the only issue that I'd point out -- and I'm not trying to be argumentative.

I don't believe that the objectors really understand the concept or the nature of this operation. It's not a true kennel. Most of the activity is indoors or closed. She's already stated that she will do the screening and the landscaping necessary.

I suppose if she -- if it would make this woman feel better, you would put a screen -- put a screen on this east side if you had to.

MS. MASSEY: Yes.

MR. COOKE: So she would extend the 6-foot privacy wall if she had -- if you wanted to add it to the special use, if that was an amendment.

And, you know, the dogs aren't out on a constant basis. They're out for a short period of

time, and then they go back inside for their activities.

So -- and, frankly, we don't have the benefit of having people that have been adjacent to the other FYDOLands that are already in operation to testify. We only have my client to testify today. But the operations in those locations have not been objectionable and have not created any kind of mass move-out or concern.

MS. MASSEY: No.

MR. COOKE: And I think that -- I think it just falls under a misconception as part -- and I'm hoping that you'll understand. This is a different type of operation.

CHAIRMAN WALLACE: Do you have any response to the argument of diminishment of the property value of surrounding properties?

MR. COOKE: I don't think -- well, my initial response is it doesn't diminish the property values whatsoever.

If you want to be comparative, let's look at it the way it is now. It's a vacant building that's been sitting there vacant, occasionally it's been used for parking or used for extra cars from the dealership

in the past. I don't think that is enhancing the property value.

This is an adaptive use, realization of the property that -- again, within the parameters that we've defined here tonight -- does not raise an objectionable use. Like if you talk to the bar to the west of here, we have a limitation that you can write in the special use of 7:00 -- seven o'clock -- 7:00 in the morning -- or 7:00 at night to 7:00 in the morning.

Most of the activity outside of that bar will probably be after 6:00 or 7:00 at night. There's going to be people -- if you look at the dog run in the back, it's offset a little bit more to the east. It is not over here on this side of the property.

And so I think -- I think every consideration has been given to the fact that there is some noise, which I think will be minimal. I think it won't be that much of an impact on the adjacent property which is immediately adjacent to it.

I -- again, I don't intend to be argumentative. I appreciate these people's concern. There's nothing more important than your property. I understand that.

But I do think that we have to take into consideration the fact that Route 64 is a great, very busy thoroughfare, and the noise is very loud.

And I think we have -- we -- I can't present it to you now, but we've had some facts in the past that the decibel level of the cars going across Route 64 -- or going up and down Route 64 on an ongoing, continuing basis -- is greater than any noise that any dog -- outdoor play area, not kennel -- this is not a kennel where they're out all the time.

MS. MASSEY: Right.

MR. COOKE: These are supervised dogs in a play area. They're not just turned out. I think, when we think "dog kennel," we think of these, you know, chain-link fence, little areas that are maybe 10 or 15 feet long, all adjacent to each other, 10 or 15 in a row, and dogs are let out there and people and cars come by and they make noise because they see stuff.

Well, first of all, they're not going to be seeing cars since they're all on the other side of the building or on one of the east-side dog runs. They've got the 6-foot fence. So they're not going to see -- I think, when a dog sees a car, they start barking and

want to chase it. I'm not saying that all dogs want to do that. I don't want to discriminate against dogs that don't, but some want to do that.

They're not going to be seeing other dogs. They're not going to be seeing those cars. That's not going to be in their line of vision, so that's not a concern.

And, again, this is not a traditional kennel, so you're not going to have the same kind of noise. I think you're going to find any kind of noise from Route 64 will be far in excess -- will be in excess of what would come from this facility.

And I just think it's a lack of understanding of how the facility will be run.

THE COURT REPORTER: I'm sorry?

MR. COOKE: I think it's a lack of understanding of how the facility will be run.

THE COURT REPORTER: Thank you. Sorry.

CHAIRMAN WALLACE: Ms. Bossert.

MS. BOSSERT: Well, I realize the decibel level, but there is a difference between the decibel level of a car going by and decibel level of sitting there and all these dogs are barking. And there is a difference in how it affects you. It's --

a bunch of dogs barking is -- we all know what it's like.

And it's true, this may be a different kind of kennel. The bottom line, it has an outdoor area. There's going to be 40 dogs, and they are certainly -- even if they are 20 at a time out, they're not going to be out -- 20 -- for 10 minutes and then 20 for 10 minutes over the whole period of that day.

I mean, we know that's not realistic. That's not going to be reality.

And like I said, the decibel level -- to listen to one dog barking in a neighborhood if you're sitting there -- if you're laying in bed, whatever it is -- can drive you crazy. But . . . a bunch of dogs barking? Cars going by?

It's just . . . totally unacceptable.

CHAIRMAN WALLACE: Ms. Massey, I just have a -- you can respond to that, but the other question that I have is -- you had mentioned that you expel -- I don't know what you call them -- serial barkers or something --

MS. MASSEY: Excessive barkers.

CHAIRMAN WALLACE: How often does that happen?

MS. MASSEY: Not very often. It's not necessary because we have means that we do to try to control the barking. But if it gets to the point of where it's creating a hazard for our employees or for the other dogs -- what a lot of people don't understand about dogs -- I've been involved in canine behavior -- I've been in canine behaviors for over 17 years.

A lot of people don't understand pack mentality, and they think, you know -- and unfortunately -- that if one starts, the rest of them are going to start. But if there's a strong leader there that can redirect, they calm down. There are techniques that we can use to calm them down, and it's just not that big of a deal. It really isn't. It hasn't been in any of the other communities that we've been in, and I don't foresee it being an issue in this community, either.

And, again, I -- and I definitely welcome them to come see a FYDOLand, see what it's about.

And may I also add that, as being part of the special use, you have ordinances in place -- perhaps -- you know, if you pass this one tonight -- plus noise ordinances that -- if it were an issue, you

have means to come back to control that with us.

Thank you.

CHAIRMAN WALLACE: All right.

Any other questions?

MEMBER SCHUETZ: I have a question on the facade.

On Exhibit H -- H? Yes. This looks very nice. I'm just curious. I haven't seen any of your FYDOLands in other locations.

Are they all -- do -- the facade that's currently there on the abandoned building, how will that change?

MS. MASSEY: We're going to spruce it up, but it will primarily stay the same. It will look like a house on the outside. However, we're putting -- the doors that are currently there are solid wood doors. We're putting glass doors in there to make it more inviting.

And there will be -- we'll have signs that are up to code for the outside, as well, plus the landscaping that we'll be required to put in around the sign and around the building, so it's really going to spruce it up quite a bit.

MEMBER SCHUETZ: And the parking lot,

from what I recall, is in pretty bad shape. Will that be all --

MS. MASSEY: No, it's actually in pretty good shape.

MEMBER SCHUETZ: Oh. It's just got parked cars on it all the time.

CHAIRMAN WALLACE: Were you sworn in?

MS. COMSTOCK: No.

CHAIRMAN WALLACE: Okay. Come on up.

MS. COMSTOCK: Oh, yay. I thought I was going to get out of this. I don't want to.

CHAIRMAN WALLACE: Raise your hand.

(One witness duly sworn.)

CHAIRMAN WALLACE: All right. If you could state your name and spell your last name, please.

MS. COMSTOCK: Karen Comstock, C-o-m-s-t-o-c-k. Address, 71 North 12th Avenue, St. Charles.

As of right now, we haven't known what the building was going to be used for, so we're -- we have rented to McGrath Honda. All those cars that you see out there are their employees' cars, which has helped financially for us, too, having an empty building and

then renting it.

I talked with a couple groups this last fall and said "What do I do with the blacktop now?" And they said there's a few cracks that need to be filled and then just the black put over it and redone, so it's in pretty good condition.

It needs to be updone but -- or to be done again -- and it will be done before -- as soon as it gets warm enough to do it.

Okay?

CHAIRMAN WALLACE: Has there been any other interest in line where what the previous use was?

MS. COMSTOCK: There was but, with the economy the way it's been -- we had a number of people come in with the idea of "I'm a chef and I don't" -- you know, "I want to own a building -- a business" -- I'm losing my voice. Excuse me.

But it wasn't financially -- we didn't know how far they could really take it because you have to do more than just be a chef, which is important, but you need to have the skills to run a restaurant.

We also had AutoZone come in. They wanted to come in until they found out the road was going in,

so then they -- and then in the meantime, then, Robin came in.

I'm excited. I went to one of her places because I was like you. A kennel, to me, is a bunch of dogs in a back room barking.

I went into the facility and intentionally walked outside to see what kind of barking was involved. There were a few of -- this is just my story so I don't know every day, but I do believe this is true. I heard a few "arf, arf, arf," you know, and then -- and there was a little barking as they walk in because they know they're going to be fed.

So that was something I experienced, but there is a person out there the whole time. They're not just left out there. And it is true they were only out there the amount of time that she said. It's not an outdoor time for these dogs.

I'm kind of happy they're coming in because I think she's wonderful. She's a businesswoman. I know she knows her stuff. I've been to the other place. We've been a little bit picky who came in because of the people who came at other times, and this is kind of fun so . . .

CHAIRMAN WALLACE: Other questions --

thank you.

MS. COMSTOCK: Okay.

CHAIRMAN WALLACE: Other questions? Yeah, Brian.

MEMBER DOYLE: I just would like to confirm -- I'm looking at the comprehensive plan map with the designations, and then we also have the aerial photograph here.

I'd just like to confirm my understanding for the individuals that came up and have buildings nearby.

MR. O'ROURKE: Uh-huh.

MEMBER DOYLE: Directly across from the property in question is a property that's to the east of 13th Street that is a business -- a business parcel? Right? A business?

MR. O'ROURKE: All right. Are we looking at this right here, the mechanic's business?

MEMBER DOYLE: I'm not certain what the businesses are.

What I want to -- what I want to determine is, where are the residential -- residences in question?

MR. O'ROURKE: The apartment building

that was referenced earlier is this one here.

MEMBER DOYLE: Okay.

MR. O'ROURKE: I believe Hunt -- and this is the Hunt Club there.

MEMBER DOYLE: And the other parcels in between those are also residential parcels, multifamily residential?

MS. MASSEY: No.

MR. O'ROURKE: They're former single-family homes listed on those, but they are zoned BL, commercial.

MEMBER DOYLE: Okay. The reason I ask is that the --

MR. O'ROURKE: Jim corrected me. The structures were former single-family homes, but they have been office for a long time. That's why those are BL so . . .

MEMBER DOYLE: So -- and what's the distance that we're talking from the building in question to that parcel, the -- the -- it appears to be a long white parcel -- or a long white building -- that you're saying is a residence?

MR. O'ROURKE: Let me see if I can get into the system here to do that because I don't know

off the top of my head.

MEMBER DOYLE: Okay.

Mr. Chairman, I would just draw the Plan Commissioners' attention to -- on page -- on the first page of the staff report for this application, the comprehensive plan designation for this parcel is neighborhood commercial.

And if you look in the . . . and in the comprehensive plan itself there is -- and I have to get back to it -- I think that the language regarding that, that category, may be instructive or helpful here.

If you'll just bear with me, I'll find it.

Neighborhood commercial is defined as "Areas designated as neighborhood commercial are intended toward smaller-scale retail and service commercial areas geared towards providing for the daily shopping, service, and convenience needs of surrounding neighborhoods. Uses in the neighborhood commercial area should be of a scale and intensity to be considered generally compatible with adjacent and nearby residential uses."

So the reason why I wanted to see what the designation here is is because my first blush,

frankly, was that this is a commercial strip, and as a commercial strip, I would expect that there's a fair amount of noise.

But the categorization in the comp plan actually is of neighborhood commercial, and the last sentence there, that "generally compatible with adjacent and nearby residential uses" . . . it's not definitive. It's not conclusive. But it is something that I just feel like we should attend to and consider as we weigh the merits of the application with the concerns that have been raised by people with local residential buildings.

CHAIRMAN WALLACE: Matt?

MR. O'ROURKE: Yes.

CHAIRMAN WALLACE: Do you want to -- what are you finding out there?

MR. O'ROURKE: I'm just putting up distances. To answer the earlier question, the distance from -- this is the former Rex's Cork and Fork building -- to the apartment building is 244 feet and then to Hunt Club is 614 feet.

Approximately, if this -- this is pretty close but it's not a hundred percent accurate.

MEMBER DOYLE: And I would make one more

observation here: Chairman Wallace, you asked earlier about what zoning part there is -- kennels are currently a special use in, and BL is not one of them.

Now, Matt, my sense here is that, as you go along this corridor --

MR. O'ROURKE: Uh-huh.

MEMBER DOYLE: -- it changes from BL to BC and back to BL -- I don't know. Is there a consistency? I mean, in terms of like . . . if we look at the --

MR. O'ROURKE: Not really until you get to about the east-side Jewel. In fact, I can pull the zoning layer up on this system.

MEMBER DOYLE: Uh-huh.

MR. O'ROURKE: From, basically, the downtown proper -- which I'll say starts around Seventh Avenue -- to at least Dunham, it's kind of a hodgepodge of all sorts of zoning classifications.

MEMBER DOYLE: So it switches -- so there's not a --

MR. O'ROURKE: There's not a general progression.

MEMBER DOYLE: -- continuous stream and, say, this is all BL and then it's all BC?

MR. O'ROURKE: Exactly. It doesn't really have that sort of a character to it.

MEMBER DOYLE: So is that -- is that . . . in your opinion, Matt, is that a result of just sort of the changing nature of this area, changing from maybe what had been residential at one point to commercial leases now or . . .

MR. O'ROURKE: You know, it's --

MEMBER DOYLE: I mean --

MR. O'ROURKE: It's hard to say because this part of town does not follow what I'll call the linear, more traditional development pattern.

I mean, a hundred years ago this was all industrial. I mean, this whole area was industrial. This was the fringe of St. Charles, and it was industrial, and it was very intensive industrial uses here.

And then over time and -- you know, it sort of morphed somewhat to residential and then to more commercial.

It's really hard to say it had a linear development like you would see in a newer developing suburb.

MEMBER DOYLE: Can you move the screen

so we can see -- so we've got BL and then . . .

MR. O'ROURKE: So they're -- this is the property.

MEMBER DOYLE: Yeah. So it's right on the edge of the BL district, and then actually across from the parcels in question is BC --

MR. O'ROURKE: Yeah. These are BC.

MEMBER DOYLE: -- next to it.

CHAIRMAN WALLACE: The Honda dealership.

MR. O'ROURKE: This is directly east. These are the BL parcels. This is the residential apartment building. This is Hunt Club.

And then you see some manufacturing properties here. These are M1.

Then this is the Piemonte dealership, some more BC, and then more residential, and then you see -- and then this is M2. This is the Coke facility.

You see it kind of bounces around until, really, you get to -- this is Jewel here, is when you see more of that traditional sort of newer commercial development.

MEMBER DOYLE: Uh-huh.

CHAIRMAN WALLACE: Matt, quick question:

Was any consideration given in the application process that you know of to doing a map amendment in lieu of more zoning?

MR. O'ROURKE: That actually was the first thought of both the Applicant and staff.

The problem is the BC has that minimum 1-acre lot area requirement, and this property is under an acre so just -- it wouldn't work so we didn't pursue that.

CHAIRMAN WALLACE: Okay.

All right. And the other thing regarding the comprehensive plan designation for neighborhood commercial, how far does that extend?

Do you have a --

MR. O'ROURKE: I don't know if that's been loaded on, if the updated one has been loaded on here.

We have a -- we have a land use map, and I think it might be fairly old. Sorry for all the bouncing around there.

This -- yeah, this represents the former comprehensive plan. This layer hasn't been updated yet, so I wouldn't rely on this.

I just think -- I think Commissioner Doyle

makes a great point about neighborhood commercial and what that should be. And that definition was left intentionally loose because we were not sure how all these neighborhoods blend together because everything is such a hodgepodge, especially as we get around that kind of perimeter-of-downtown area.

MEMBER DOYLE: Uh-huh.

MR. O'ROURKE: I mean, you could easily look at certain parts of the comprehensive plan and say, "No, this doesn't make any sense" and then look at other ones and say, "It makes perfect sense."

I know I highlighted one in the findings of fact for this particular ordinance that I think talks about providing opportunities for new business models specifically, and that this kind of represents that.

So . . . it -- the comprehensive plan is always one of those things we need to analyze as a whole but not individual kinds of things so . . .

MEMBER DOYLE: Well, if I may make a comment here -- and this is sort of looking backwards a little bit to the other public hearing, which I understand is sort of dormant right now, but I think it's relevant since this application's contingent on the outcome of that application.

Notwithstanding the claim, the assertion that's being made that this is not a kennel, this is a different kind of business, the application for that new use category contains within it a provision that says that it can't be immediately adjacent to any residential parcel.

MR. O'ROURKE: It can't abut.

MEMBER DOYLE: It can't abut --

MR. O'ROURKE: Right. That's the proposed use standard.

MEMBER DOYLE: -- a residential parcel.

That seems to suggest to me that there is -- there's a reasonable concern of the impact around the surrounding residential parcels and that that's inappropriate to be abutting another residential parcel.

This area is very fluid, and I think that there are cases that could be made -- I -- the case that has been made by the Applicant and the Applicant's attorney I think is sound in that it's a commercial strip, and so there are certain uses that we anticipate for a commercial strip except that we have this BL area, and the use of the BL area is a little bit more nuanced, a little bit more sensitive

to surrounding residential uses, according to the comp plan.

And we have two residential areas that are very close by here and attend -- members of the public here who are testifying that they're concerned about the impact on their use of their own property. And since it's a special use anyway, we would have a responsibility to consider and weigh that testimony and look at it in relation to the comp plan.

And I guess where I'm going with this is that I think there is a basis for the residents nearby to say, "Maybe this -- maybe there are some -- maybe there's a reason to be concerned here." I mean, maybe there's a concern to have some reservation about this.

And I say that -- I don't -- I really don't think it's conclusive. I don't think that it's a clear-cut case of one or the other because this is a very fluid, dynamic area, and -- but I tend to look at these frameworks as a way of trying to reconcile when we have conflicting choices.

So I just put that out there, since it is a public hearing, for you to respond to.

MR. COOKE: If I can respond to that partially, I think that's a very rational and

appropriate way to look at it. And, you know, you're in a position where you have to weigh the equities, as it were.

And, of course, we would -- we would argue that this is a unique facility. It's not just a kennel. But you've heard that 5 times or 10 times tonight, so I'm not going to say it anymore.

Maybe to make it a little bit easier and more palatable for these people, probably the one component of this whole facility that might -- we don't think we have much impact but they may fear that it could impact, most on their properties, where they're located -- would be the east-side dog run.

My client is willing to eliminate that from this proposal. She will eliminate the east-side dog run, just make the dog run to the back of the property, so there would no longer be the potential for any dogs in the dog run to the east that would be the ones that might most affect them.

And that would be -- that's in response to their questions tonight and to allay the -- maybe to complicate the matter even further because she wants to be a good neighbor.

I truly believe -- I'm going to tell you --

I'm testifying on her behalf, of course, so you have to consider the source but -- you know, I think we can't forget that this is a vacant facility that's been vacant for a number -- I've represented this family for a while. It's been vacant for a while. What Karen was saying earlier, you have to understand there has been some interest but, basically, it's been people who are trying to steal the property or that really don't have a viable use. They're just fishing.

And quite honestly, there's no -- I will tell you right now that there -- based upon the last -- I don't know how many years it's been vacant now -- there's no real likelihood of any use in the near future.

And this is why it's so attractive to us, because it's viable -- it's a good owner, it's a good operation, and we think it will enhance the area.

We really don't think that -- don't forget that most of the activity is indoors. Now, if we get rid of this east-side run, everything is in the back, so if there is any noise -- which we don't think it will be objectionable -- it will be more to the back.

And it may be a fluid area, but this is maybe -- this is an upgrade to what's there now

so . . .

CHAIRMAN WALLACE: Okay.

Yes.

MS. BOSSERT: Shouldn't there also be consideration of the fact that -- like Barbara Petkus, where you can see, is directly across the street? This is her business. And it's been there a long time and this is her livelihood, and she has been a lifetime resident of St. Charles.

Shouldn't that also be taken into consideration, that she's a citizen and resident of St. Charles and has lived here a lifetime and had a business, that she pays taxes into St. Charles and is a very good -- takes well -- good care of her place and everything, that she should be put in jeopardy and possibly or probably lose her business because someone who does not live in St. Charles comes in and wants to open up a business? But this person does not live in St. Charles. They are just going to open up a business in St. Charles.

Should that not also come into consideration?

So -- say that business would thrive with the dogs. Barbara Petkus' business, say, would go

down. A lot. I really think the whole picture has to be looked at, and, to me, those are serious considerations. We're a community.

CHAIRMAN WALLACE: Well -- and as far as our procedures go, we're required to take a look at every application within the context of very specific findings of fact. And so, you know, while there -- you know, while the City Council is able to look at other things, it's our charge simply to take a look at the application itself, fit them within our findings of fact, and to make a recommendation based on that.

And, you know, that's what we look at. That's what -- we apply all the evidence, either for or against, to the findings of fact.

MS. BOSSERT: I understand that --

CHAIRMAN WALLACE: That's one of the reasons why one of us asked about property values.

MR. COOKE: It may make you feel a little bit better -- notwithstanding the fact that this woman is going to operate the business -- that building has been owned by the Morrison family, who have been here probably every bit as long as -- I can't say it's a battle as to who's been longer, but I can say Rex's Cork and Fork and everything else --

they've been in this community and lived here and paid taxes and tried to keep a thriving business going in there for many, many years.

So it's not a -- this is not a quid pro quo here. I understand.

MS. BOSSERT: I'm not trying to say --

MR. COOKE: Well, you were trying to say that -- I understand. I understand.

CHAIRMAN WALLACE: Hold on. Hold on there.

MS. BOSSERT: No. What I'm saying is -- no. I'm not saying that they certainly don't have rights and that -- I have no idea. I'm just informing you of how long they have lived here.

But I'm saying right now, as the situation stands, Barbara has an apartment complex across the street, and this is her livelihood, and a business coming in from outside can absolutely put her out of business.

And I also live very close. And like I said, there's 81 other residents who this will have an impact on.

Now, as a community, I get -- I realize we have rules and laws and et cetera. But we also cannot

leave out the human factor and the factor that we are a community. And that we get -- we want the best for everybody.

CHAIRMAN WALLACE: All right.

Any other questions or comments?

(No response.)

CHAIRMAN WALLACE: Yes.

MS. PETKUS: Okay. I still maintain that this is the wrong location for this operation. It needs to be in some facility -- maybe west of town, another city -- that is enclosed, maybe an industrial park -- that is not going to create the barking noise. No matter what, there's going to be a stigma attached to this.

VICE CHAIRMAN KESSLER: Wait a minute. I live on Main Street on the west side. Wouldn't . . .

MS. PETKUS: I would put it in an industrial area, brick building.

MS. BOSSERT: Good point.

MS. PETKUS: There's a lot of vacant buildings all over town. Okay?

Put it in an area that's not going to disturb the public. Okay? You have -- this is more

or less how -- people traveling from the east, going west, west to east -- it's people visiting.

They're going to hear this barking noise. They won't understand why it's -- you know, in the middle of the city's the barking noise.

Regardless of what you people are saying, there's going to be barking. Okay? It's going to be periodically here, there, different types of dogs. There could be Great Danes; there could be schnauzers; there could be Boston terriers barking at different times. What they're saying is hypothetical. Okay? Once you put it into reality, things are going to be different.

I'm going to try to be renting my apartments. People are going to see this facility, automatically associate it with barking. People don't want to hear barking.

Okay. I have enough trouble as it is renting my apartments. I have very, very good tenants. The average tenant has lived there about 10 years. I have had people that have lived there 25 years.

They expect quiet. All right? I don't allow parties. I screen everybody very, very

carefully. I want to make sure that I give my people quiet enjoyment. They're paying good rent to live there, and it's my responsibility to ensure that it's quiet, and I provide that to them.

I haven't discussed this with any of my tenants yet, but I'm sure, once I tell them -- I have leases coming up. They're free to move on. They can pick up and go anywhere they want.

Once I explain this to my tenants, I know they're going to protest. And I can bring them for another meeting, and they can speak their own words as to what they think of this.

But I still feel that this is totally inadequate. It's inappropriate. There are many other places they could have this. Don't put it on Main Street.

Cars are going to be going by. They're going to hear noise. They're going to get spooked. They're going to make noise. There's a restaurant next door. It's inadequate.

So I don't see the sense of it when there's so many different areas that are better for this type of business.

Thank you.

CHAIRMAN WALLACE: Yes.

MS. MASSEY: Just to address what she just said, I am sympathetic to what you said.

There is an upscale apartment complex right across the street -- I mean directly across the street -- from our FYDOLand in Elgin. They -- and they had a similar concern to yours.

Never once have they had a problem in five years. Never once. And people live there.

(Discussion off the record.)

MS. MASSEY: It could but what you're saying --

THE COURT REPORTER: I didn't hear what you said. Excuse me.

MS. MASSEY: She said it still could -- she said it still could happen hypothetically.

Exactly. It could happen hypothetical in this direction and actually can be advantageous for you, as well.

And there are means to curb this if there were actually a problem.

MS. PETKUS: I don't see a problem --

CHAIRMAN WALLACE: Hold on. Hold on. Hold on.

If you're going to speak, I'd ask that you come up to the microphone, please. The court reporter has to take down every word that's said here.

MS. PETKUS: I'm trying to run a business. Okay?

I don't see this being positive. How is this good for me?

Okay. Say in the end they get in there, they're running their business, and it doesn't work like you're saying it does and I get complaints from my tenants.

What do I do? I could have half a building move out, and then I can't pay my property taxes. I have to come up with $50,000 every year. Every year my taxes are going up.

What happens? What recourse do I have if all this impacts me negatively? What do I do? Where do I go? Who do I talk to? What am I supposed to do?

I have to keep this building running. I can't just abandon it. What do I do? Do I go complain to you?

MS. MASSEY: No. You go to the City.

MEMBER DOYLE: Ma'am --

MS. PETKUS: Yes.

MEMBER DOYLE: -- may I ask a question?

MS. PETKUS: Yes.

MEMBER DOYLE: You -- there are two concerns that I've heard you raise tonight.

One concern is about the stigma and image, and the other concern is about noise.

It's my personal opinion that the stigma and image is a little bit too subjective for the Commission to consider as a detrimental impact on surrounding properties.

But as far as noise is concerned, the application that -- the other application that we have in front of us regarding the creation of the special use includes very specific provisions about noise, and that becomes a built-in enforcement issue.

And I . . . I mean, I would -- I think Matt could attest to this. There would be remedies to surrounding property owners if the Applicant -- if what the Applicant is saying is going to happen does not come to pass.

So there are -- I mean, our responsibility is to look at the intent of this parcel and intent of this area, and there are -- frankly, there are mixed uses here. Your property is right across from a

business commercial property, and -- and that's why I say it's not -- it's not conclusive.

I feel like there is a . . . there is a potential concern here that we have to -- that we have to consider and we have to weigh, but I would just . . . we have to sort of parse out which things are material injuries to you and to your -- potentially material injuries to you rather than perceived injuries.

MS. PETKUS: Okay. How do we do that?

MEMBER DOYLE: Well, I --

MS. PETKUS: I would rather have it done now, before it's too late. How do we do that? How do we accomplish that?

MEMBER DOYLE: What I'm responding to, you know, is -- in general, not to you but also to other members of the Commission -- is that there are provisions in the application that we have in front of us about noise and about the remedies for noise.

So I think that that's one of the things that we're going to have to take a look at when we look at the other application.

MS. PETKUS: Okay. All right.

CHAIRMAN WALLACE: Tim.

VICE CHAIRMAN KESSLER: You know, I mentioned that I live on Main Street, and I know that, over the last 40 years that I've lived there, that many applications have come up not just in front of this Plan Commission but previous Plan Commissions that weren't in keeping with the surrounding Code -- zoning.

In fact, in just our block, we're the only -- the only block on the west side that's completely residential. Every other block has -- is either all business commercial or partially residential, business commercial. So I've had this same dilemma many, many times that you have tonight.

When I think about the mixed uses that are on Main Street, both east side and west side, and I think about the distance of -- you're not directly across the street, you're to the east; the Hunt Club property is even farther away -- you're a residential property surrounded by commercial.

So -- I mean, I think, as Brian pointed out, that's a mixed use right there. I certainly understand your concern about what kind of businesses are going in generally on Main Street but, more specifically, near your property.

But our job is to weigh the appropriateness of a business that's on Main Street, and the perceived injury, as Brian points out, that you expressed is something that we can't consider at the Planning Commission. Those types of discussions would take place when it gets to the City Council.

So whatever we end up doing tonight you have to understand is not to say we don't share your concern because we do. But we have to look at the actual use as it pertains to the findings of fact for the zoning and ordinances that are in that area.

So I just want to tell you I know what you're -- I know where you're coming from. I live on Main Street, and I've lived on Main Street for almost 40 years in a residence, single-family. So I understand the concern.

But just know that this isn't the end of it for you. You can -- you know, if we vote to recommend approval -- because we don't approve anything; we just recommend for or against it -- it goes to the City Council.

So when you say, you know, "What can I do?" you -- it's not over here. All right?

MS. PETKUS: Thanks.

VICE CHAIRMAN KESSLER: Thanks.

MS. BOSSERT: One last word: You say that, well, image cannot come into consideration, but is that not what the whole downtown renovation area was about in St. Charles, image, and drawing people to St. Charles?

That's all I have to say. Thank you.

CHAIRMAN WALLACE: All right.

Further questions, comments from the Plan Commission?

(No response.)

CHAIRMAN WALLACE: Anything else from the audience?

(No response.)

CHAIRMAN WALLACE: All right. Does the Applicant wish to say anything further before I entertain a motion to close the public hearing or continue the public hearing.

MR. O'ROURKE: I just was going to mention that you can always continue it to the next meeting, as well, so --

CHAIRMAN WALLACE: Yeah.

MR. O'ROURKE: That's why I got up.

VICE CHAIRMAN KESSLER: I would make a

motion that we close the public hearing.

MEMBER SCHUETZ: I'll second that.

CHAIRMAN WALLACE: All right.

The motion has been made and seconded.

Is there any discussion on that motion?

(No response.)

CHAIRMAN WALLACE: Before we vote, the one thing that I would just note, based on Tim's comments, if this . . . whatever the recommendation is, assuming that it's made at tonight's meeting, at what point will it be before the Planning and Development Committee?

MR. O'ROURKE: We have it tentatively scheduled for the April meeting.

CHAIRMAN WALLACE: April?

MR. O'ROURKE: Yeah. I can get that -- a better date.

April 14th is the regular meeting -- Planning and Development Committee meeting.

CHAIRMAN WALLACE: Okay. And then do you have any . . . I'm trying to find out here . . . what ward this property is in.

Actually, it -- your property is in the Fourth Ward. This property is not. It's across the

street from it, and I don't know what ward that is.

The only reason that I mention that is because we all have Aldermen who are ultimately going to be the ones that sit on the Planning and Development Committee as well as City Council, and they're going to be the ones that are going to take our recommendation.

The First Ward is the one that is -- actually contains this property. So you're in the Fourth Ward. The property is in the First Ward, just for information.

So . . . any other -- anything else on the motion?

Yes.

MEMBER HOLDERFIELD: I just wish you would rephrase the motion again so I could hear it. I didn't hear what you said the motion actually was.

CHAIRMAN WALLACE: Oh, the motion is just to close the public hearing.

MEMBER HOLDERFIELD: Okay.

CHAIRMAN WALLACE: Yes. Yes. And saying that we have enough evidence -- we feel we can make a recommendation, informed recommendation, to the City Council.

MEMBER HOLDERFIELD: All right.

MEMBER DOYLE: And, Mr. Chairman, I would point out that that is a recommendation to close the public hearing for the special use application. The other --

CHAIRMAN WALLACE: Correct.

MEMBER DOYLE: -- public hearing has been continued.

CHAIRMAN WALLACE: That is correct, yeah. This is just for Item 5 on the agenda. The other -- Item 4 was continued, and we'll take that up after voting on the pending motion. All right?

And --

MS. PETKUS: One more question? One --

CHAIRMAN WALLACE: Well, we have a motion that's pending right now, and so only discussion can come from Plan Commission members at this point in time.

MS. PETKUS: Okay.

CHAIRMAN WALLACE: Anything further?

(No response.)

CHAIRMAN WALLACE: Okay.

Tim.

VICE CHAIRMAN KESSLER: Gaugel.

MEMBER GAUGEL: Yes.
VICE CHAIRMAN KESSLER: Schuetz.
MEMBER SCHUETZ: Yes.
VICE CHAIRMAN KESSLER: Doyle.
MEMBER DOYLE: Yes.
VICE CHAIRMAN KESSLER: Pretz.
MEMBER PRETZ: Yes.
VICE CHAIRMAN KESSLER: Henningson.
MEMBER HENNINGSON: Yes.
VICE CHAIRMAN KESSLER: Wallace.
CHAIRMAN WALLACE: Yes.
VICE CHAIRMAN KESSLER: Kessler, yes. I'm sorry. Holderfield.
MEMBER HOLDERFIELD: Yes.
CHAIRMAN WALLACE: All right.
The public hearing for Item No. 5 is closed.
PROCEEDINGS CONCLUDED AT 8:42 P.M.

STATE OF ILLINOIS)
) SS.
COUNTY OF K A N E)

I, MELANIE L. HUMPHREY-SONNTAG, Certified Shorthand Reporter No. 084-004299, CSR, RDR, CRR, CCP, FAPR, and a Notary Public in and for the County of Kane, State of Illinois, do hereby certify that I reported in shorthand the proceedings had in the above-entitled matter and that the foregoing is a true, correct, and complete transcript of my shorthand notes so taken as aforesaid.

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed my Notarial Seal this 12th day of March, 2014.

M. L. Humphrey-Sonntag

Certified Shorthand Reporter
Registered Diplomate Reporter
Certified Realtime Reporter
Certified CART Provider
Fellow of the Academy of
Professional Reporters

My commission expires
May 31, 2017

S100253C

STATE OF ILLINOIS)
) SS.
COUNTY OF K A N E)

BEFORE THE PLAN COMMISSION
OF THE CITY OF ST. CHARLES

In Re the Matter of:)
)
General Amendment, Medical)
Cannabis.)

CONTINUED REPORT OF PROCEEDINGS
PUBLIC HEARING

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

February 4, 2014
8:57 p.m. to 9:04 p.m.

Reported by: Melanie L. Humphrey-Sonntag,
CSR, RDR, CRR, CCP, FAPR
Notary Public, Kane County, Illinois

PRESENT:

MR. TODD WALLACE, Chairman;

MR. TIM KESSLER, Vice Chairman;

MR. BRIAN DOYLE, Member;

MR. STEVE GAUGEL, Member;

MR. CURT HENNINGSON, Member;

MR. JIM HOLDERFIELD, Member;

MR. TOM PRETZ, Member; and

MR. TOM SCHUETZ, Member.

ALSO PRESENT:

MR. MATTHEW O'ROURKE, Planner.

CHAIRMAN WALLACE: Next on --

MR. O'ROURKE: Mr. Chairman --

CHAIRMAN WALLACE: Yes.

MR. O'ROURKE: -- before you open that -- or open the continued public hearing, was the Commission considering voting on these items tonight?

And the only reason I ask is it may be of interest to do that before we move on to that next public hearing just for the folks that are in attendance this evening.

CHAIRMAN WALLACE: Yeah. Well, actually, as far as that goes, one of the questions I was going to ask you, Matt, is regarding Items 6 and 9 on the agenda.

Is there any time issue with addressing those tonight versus continuing those to another date?

MR. O'ROURKE: No. In fact, when we originally were speaking with the Applicant, we anticipated this could go more than one evening here at the Plan Commission, which is why we tentatively scheduled April 14th.

So if you did want to hold off on a recommendation until March 13th -- or 18th --

CHAIRMAN WALLACE: No, on the next item.

MR. O'ROURKE: I'm sorry. I read "7." You said "6," didn't you?

CHAIRMAN WALLACE: What was that?

MR. O'ROURKE: Yeah. I read "Item 7" when you said "6." I'm sorry.

CHAIRMAN WALLACE: No, no, no. I mean on the cannabis issues.

MR. O'ROURKE: Yeah. Staff has -- the City Planning and Development Committee is expecting this item in March.

CHAIRMAN WALLACE: They are? Okay.

MR. O'ROURKE: But we can always pull that off.

MEMBER KESSLER: What is the time sensitivity on that?

MR. O'ROURKE: It's -- you know, as staff has worked through this and spoken to some people, just making sure we have something in place as this becomes more of a reality.

VICE CHAIRMAN KESSLER: Do we have anybody with a half a million dollars coming before us to get a license?

MR. O'ROURKE: I'll be honest. We were contacted.

VICE CHAIRMAN KESSLER: Pardon me?
MR. O'ROURKE: We were contacted. Very preliminary -- I don't know how serious it was -- but somebody asked if it was possible.
VICE CHAIRMAN KESSLER: Oh.
MR. O'ROURKE: So I think there is somewhat of a need to at least address it further so --
CHAIRMAN WALLACE: Perhaps they can come in and give us additional testimony. That would help us out in deciding.
MR. O'ROURKE: Yeah. I don't -- I don't think it was that serious of an inquiry but there was one.
VICE CHAIRMAN KESSLER: Have you seen the requirements for processing licensing? Half a million dollars.
CHAIRMAN WALLACE: All right.
MEMBER PRETZ: I think that we should push 7 and 9 to our next meeting.
CHAIRMAN WALLACE: 6 and 9?
VICE CHAIRMAN KESSLER: The cannabis.
MEMBER PRETZ: 6 and 9.
VICE CHAIRMAN KESSLER: Is that a

motion?

CHAIRMAN WALLACE: Well . . .

MEMBER PRETZ: I'll make a motion.

CHAIRMAN WALLACE: I guess what we can do -- I mean, we can open and continue the public hearing for Item 6 or we could address 7 first.

I'd prefer to get through the public hearings if we are going to continue it to another date, but it's the Plan Commission's prerogative.

VICE CHAIRMAN KESSLER: You would prefer to do what? Go through the public hearing on No. 6?

CHAIRMAN WALLACE: Well, we have to at least open it in order to continue.

VICE CHAIRMAN KESSLER: We can open and close it.

CHAIRMAN WALLACE: Yeah, continue it.

VICE CHAIRMAN KESSLER: Oh, continue it, open and continue it, which is what I would suggest.

CHAIRMAN WALLACE: All right.

In that case, Item 6 on the agenda is a general amendment, City of St. Charles, requirements for regulation of medical cannabis cultivation centers and medical cannabis dispensing organizations.

Is there a motion?

VICE CHAIRMAN KESSLER: I would make a motion to continue the public hearing in Item 6 on the agenda.

MEMBER SCHUETZ: I'll second that.

CHAIRMAN WALLACE: Okay. Any discussion on the motion?

(No response.)

CHAIRMAN WALLACE: Matt, did you have anything before I take up --

MR. O'ROURKE: Just -- sorry, Steve.

We asked Mr. Huffman to be here for that hearing, and he's been here the whole night.

Sorry.

MEMBER DOYLE: I actually was sort of looking forward to discussing this this evening.

VICE CHAIRMAN KESSLER: So was I and I'd like to have more time.

MEMBER DOYLE: You'd like to have more time?

Well, I think we can continue it if we need to, but I think if the -- in . . . to relate this back to the other question of which items we continue, if the Applicant for FYDOLand was informed that we might need to continue that to another meeting and the

Applicant is willing to come back, I would like to be able to -- there are two motions there or two applications, and I would like to be able to give them our full attention, which is -- you know, it's now nine o'clock. I think they warrant the full discussion.

I would prefer that we continue with this public hearing that's on the agenda, the third public hearing that's on the agenda, and, if need be, continue it but discuss it tonight.

VICE CHAIRMAN KESSLER: Well, I think it becomes a matter of time. I mean, how much time do you think you would want to spend on Item 6?

I'm just --

MEMBER DOYLE: My comments are pretty straightforward, actually. I don't know.

VICE CHAIRMAN KESSLER: Okay. But you suspect that there could be some time spent on Item No. 6 --

MEMBER DOYLE: Yes.

VICE CHAIRMAN KESSLER: -- which is why you would suggest that perhaps the Applicant for FYDOLand come back another time?

MEMBER DOYLE: Yes.

VICE CHAIRMAN KESSLER: And I would counter that simply by saying I suspect that their urgency is greater than the urgency for the City to pass an ordinance on Item No. 6.

MEMBER DOYLE: Okay.

VICE CHAIRMAN KESSLER: And I think it would be more fair to the Applicant to deal with their issue and put off the cannabis issue.

MEMBER DOYLE: Yeah. I just -- to Matt's point, we have another individual in the audience who has been here for two hours.

And this is our agenda. This is the order of our agenda so . . .

CHAIRMAN WALLACE: He's on the City payroll.

MEMBER DOYLE: That being said, you know, I . . .

MR. O'ROURKE: He's an exempt employee I'll point out.

MEMBER DOYLE: As a colleague of mine said, it's not a hill to die on but that's my comment.

VICE CHAIRMAN KESSLER: Okay.

CHAIRMAN WALLACE: All right.

It's been moved and seconded to continue the

public hearing for Item 6.

Any further discussion on that motion?

(No response.)

MR. O'ROURKE: Was there an actual first and second?

We --

VICE CHAIRMAN KESSLER: Yes. I made a motion.

MEMBER SCHUETZ: And I seconded.

CHAIRMAN WALLACE: And Tom.

And it's to continue it to the March 18th meeting; correct?

MR. O'ROURKE: Yes. That would be --

CHAIRMAN WALLACE: March 18th, 2014.

All right. Tim.

VICE CHAIRMAN KESSLER: Gaugel.

MEMBER GAUGEL: Yes.

VICE CHAIRMAN KESSLER: Schuetz.

MEMBER SCHUETZ: Yes.

VICE CHAIRMAN KESSLER: Doyle.

MEMBER DOYLE: No.

VICE CHAIRMAN KESSLER: Pretz.

MEMBER PRETZ: Yes.

VICE CHAIRMAN KESSLER: Holderfield.

MEMBER HOLDERFIELD: Yes.
VICE CHAIRMAN KESSLER: Henningson.
MEMBER HENNINGSON: Yes.
VICE CHAIRMAN KESSLER: Wallace.
CHAIRMAN WALLACE: Yes.
VICE CHAIRMAN KESSLER: Kessler, yes.
CHAIRMAN WALLACE: All right. That passes by a vote of 7 to 1, and Item 6 is concluded.
PROCEEDINGS CONTINUED AT 9:04 P.M.

STATE OF ILLINOIS)
) SS.
COUNTY OF K A N E)

I, MELANIE L. HUMPHREY-SONNTAG, Certified Shorthand Reporter No. 084-004299, CSR, RDR, CRR, CCP, FAPR, and a Notary Public in and for the County of Kane, State of Illinois, do hereby certify that I reported in shorthand the proceedings had in the above-entitled matter and that the foregoing is a true, correct, and complete transcript of my shorthand notes so taken as aforesaid.

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed my Notarial Seal this 12th day of March, 2014.

M.L. Humphrey-Sonntag

Certified Shorthand Reporter
Registered Diplomate Reporter
Certified Realtime Reporter
Certified CART Provider
Fellow of the Academy of
Professional Reporters

My commission expires
May 31, 2017

S100253D

STATE OF ILLINOIS)
) SS.
COUNTY OF K A N E)

BEFORE THE PLAN COMMISSION
OF THE CITY OF ST. CHARLES

In Re the Matter of:)
)
Plan Commission Regular Meeting.)

REPORT OF PROCEEDINGS
REGULAR MEETING

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

February 4, 2014
9:04 p.m. to 9:27 p.m.

Reported by: Melanie L. Humphrey-Sonntag,
CSR, RDR, CRR, CCP, FAPR
Notary Public, Kane County, Illinois

PRESENT:

MR. TODD WALLACE, Chairman;

MR. TIM KESSLER, Vice Chairman;

MR. BRIAN DOYLE, Member;

MR. STEVE GAUGEL, Member;

MR. CURT HENNINGSON, Member;

MR. JIM HOLDERFIELD, Member;

MR. TOM PRETZ, Member; and

MR. TOM SCHUETZ, Member.

ALSO PRESENT:

MR. MATTHEW O'ROURKE, Planner.

CHAIRMAN WALLACE: Moving on to Item No. 7, general amendment, Robin Massey, Chapter 17.14, business and mixed use districts; Chapter 17.16, office/research, manufacturing, public land districts; Chapter 17.20, use standards; Chapter 17.24, off-street parking, loading, and access; and Chapter 17.30, definitions pertaining to requirements for the regulation of pet care facilities and kennels.

VICE CHAIRMAN KESSLER: I'd make a motion.

I would make a motion to recommend approval of Item 7, general amendment, on our agenda, Chapter 17.14, business and mixed use districts; Chapter 17.16, office/research, manufacturing, and public land districts; Chapter 17.20, use standards; Chapter 17.24, off-street parking, loading, and access; and Chapter 17.30, definitions pertaining to requirements for the regulation of pet care facilities and kennels with the -- and I'd also like to add that I would like staff to recommend language that would require opaque screening in dog runs that -- abutting residential, retail, commercial, and public thoroughfares.

MEMBER HENNINGSON: Second.

CHAIRMAN WALLACE: All right. Curt?

MEMBER HENNINGSON: (Indicating.)

CHAIRMAN WALLACE: It's been moved and seconded. Discussion?

MEMBER DOYLE: So just --

CHAIRMAN WALLACE: Brian.

MEMBER DOYLE: The recommendation -- the additional recommendation regarding opaque screening, that is of the type that -- the weave -- "opaque screening" is a weave that goes through the chain-link? That would qualify?

CHAIRMAN WALLACE: No, that would not.

VICE CHAIRMAN KESSLER: That would not.

CHAIRMAN WALLACE: "Opaque" would be a hundred percent opaque. So whether they're -- what they're talking about with a -- that type of fence and then a secondary wooden fence -- I mean, they're talking about having two separate fences, one of which is a chain-link -- would be in a row with plastic -- and then a second wooden, 6-foot wooden fence, which would create an opaque screen.

MR. O'ROURKE: Yeah. I guess, from staff's perspective, how we would craft that condition would be in those identified, you know, abutting

areas, we would require a hundred percent opaque fencing material up to a certain height, probably 6 foot, that would be made out of -- we'd probably specify certain materials it couldn't be made of, and I think chain-link would be one of those.

You know, whether they do the double fence or not, I think that's up to the applicant. I think what we would require that screening.

MEMBER DOYLE: Could you repeat the types of abutting properties that would require that?

VICE CHAIRMAN KESSLER: Residential, retail, commercial, and public thoroughfares.

MEMBER DOYLE: Retail, commercial.

So right now on the south side of this property there's a parcel --

VICE CHAIRMAN KESSLER: Manufacturing.

MEMBER DOYLE: Manufacturing. Okay.

VICE CHAIRMAN KESSLER: To the west is retail -- to the west is retail, restaurant and bar, and to the east is commercial, car dealer.

MEMBER DOYLE: So in this case, there would be a requirement for there to be an opaque fence along the entire eastern length of that dog run?

VICE CHAIRMAN KESSLER: On the south

side, yes -- or on the east side, yes.

CHAIRMAN WALLACE: East side.

VICE CHAIRMAN KESSLER: East side, correct.

MEMBER DOYLE: Which is more than what . . . I understand. We were talking about the -- I know that has been --

MEMBER SCHUETZ: -- eliminated.

VICE CHAIRMAN KESSLER: Well, they've offered to eliminate it.

MEMBER DOYLE: Let's talk about the original proposal since this is really just for the use.

VICE CHAIRMAN KESSLER: Okay. But what do you mean by "the original"? Did you mean this Applicant's proposal or this --

MEMBER DOYLE: I mean in the case of -- when we were talking about this in the context of the public hearing about this motion, this had been sort of hypothetical -- considered a hypothetical use; right?

But there is a dog run that is on the eastern portion --

VICE CHAIRMAN KESSLER: Yes.

MEMBER DOYLE: -- and the opaque fence was -- that the Applicant described -- is limited to the north side facing the public thoroughfare?

VICE CHAIRMAN KESSLER: That is correct.

MEMBER DOYLE: But there would not be an opaque fence that would run the entire 45-foot length abutting --

VICE CHAIRMAN KESSLER: That's also correct.

MEMBER SCHUETZ: That's correct.

MEMBER DOYLE: Okay.

VICE CHAIRMAN KESSLER: I asked that question simply because it's my opinion -- and, again, I prefer to -- not just the view from the public's eye but --

MEMBER DOYLE: Right.

VICE CHAIRMAN KESSLER: -- for the animals, as well.

Activity is -- if you can limit the activity that they're exposed to, it would help everybody.

MEMBER DOYLE: Okay.

CHAIRMAN WALLACE: All right.

MR. O'ROURKE: Can I ask just one clarification?

You said "public thoroughfares." I just want to clarify -- did you mean right-of-ways? Any public street or just major arterial roads?

VICE CHAIRMAN KESSLER: I would say --

CHAIRMAN WALLACE: Right-of-ways.

MR. O'ROURKE: I thought so. That's why I wanted to ask, because you said "thoroughfares," which I think in the zoning world means a little bit something different than "right-of-way."

VICE CHAIRMAN KESSLER: Meaning every street.

MR. O'ROURKE: Every public street with a right-of-way, you would be required to have that opaque.

VICE CHAIRMAN KESSLER: Yes.

MR. O'ROURKE: I'm thinking of corner lots, things like that.

VICE CHAIRMAN KESSLER: Yes.

MR. O'ROURKE: Okay. I just wanted to clarify that.

CHAIRMAN WALLACE: Just to clarify, the motion was for public right-of-way, not thoroughfare.

And, Curt, you seconded the motion. Do you agree?

MEMBER HENNINGSON: Yes.
CHAIRMAN WALLACE: Okay.
So discussion on that point.
MEMBER DOYLE: One more question for Matt.
Matt, is there a similar requirement or restriction for kennels right now?
MR. O'ROURKE: There would not be.
MEMBER DOYLE: There is not.
MR. O'ROURKE: No.
MEMBER DOYLE: Okay. So I just would make the observation that we are using this application to add a restriction that is not -- currently not in practice and not in effect on kennels, which are a less-desirable use for the -- you know, according to the applications that we have.
VICE CHAIRMAN KESSLER: And I would say that that restriction on the kennels is by where they're allowed, what zoning district they're allowed in.
CHAIRMAN WALLACE: The kennels as they are right now aren't allowed in BL anywhere.
MEMBER SCHUETZ: They're in M.
CHAIRMAN WALLACE: No -- well, yeah,

BC and BR --

MEMBER DOYLE: BC and BR.

CHAIRMAN WALLACE: -- as special uses.

MEMBER DOYLE: And per the earlier conversation, we sort of determined that the distinction between BL, BC, and BR is not -- not what I had thought it might be. It really is a matter of the lot size.

MR. O'ROURKE: Right. But I would just -- I -- and I think it just came up during the public hearings, that this proposal is to eliminate kennels from BC and BR as well as allow these as special uses in BC/BR. So kennels will only be allowed in M2 based on what staff is proposing.

MEMBER DOYLE: Okay.

MEMBER SCHUETZ: Right.

MEMBER DOYLE: Okay.

CHAIRMAN WALLACE: Okay. Yes. All right. Any other discussion?

(No response.)

CHAIRMAN WALLACE: All right.

VICE CHAIRMAN KESSLER: Gaugel.

MEMBER GAUGEL: Yes.

VICE CHAIRMAN KESSLER: Schuetz.

MEMBER SCHUETZ: Yes.
VICE CHAIRMAN KESSLER: Doyle.
MEMBER DOYLE: Yes.
VICE CHAIRMAN KESSLER: Pretz.
MEMBER PRETZ: Yes.
VICE CHAIRMAN KESSLER: Holderfield.
MEMBER HOLDERFIELD: Yes.
VICE CHAIRMAN KESSLER: Henningson.
MEMBER HENNINGSON: Yes.
VICE CHAIRMAN KESSLER: Wallace.
CHAIRMAN WALLACE: Yes.
VICE CHAIRMAN KESSLER: Kessler, yes.
CHAIRMAN WALLACE: All right.

That passes unanimously. That concludes Item 7 on the agenda.

Item 8 is FYDOLand, 1317 East Main Street, Robin Massey, application for special use for a pet care facility.

Is there a motion?

VICE CHAIRMAN KESSLER: I would make a motion to recommend approval of the FYDOLand at 1317 East Main Street, the application for a special use for a pet care facility.

MEMBER SCHUETZ: Second.

MEMBER HENNINGSON: Second.

CHAIRMAN WALLACE: I'm sorry.

Tom, was that you?

MEMBER SCHUETZ: Somebody else, too.

CHAIRMAN WALLACE: Okay.

VICE CHAIRMAN KESSLER: Who did you get down?

THE COURT REPORTER: Both.

CHAIRMAN WALLACE: Both? Okay. Thank you.

All right. Any discussion?

MEMBER DOYLE: Is it then a fact that the application that we are recommending has removed the dog run on the eastern face of the building?

Has that been retracted?

VICE CHAIRMAN KESSLER: That wasn't included -- I mean, that was not my thought when I made the recommendation.

MEMBER DOYLE: I -- well -- but I guess I want to know what the application is at this point. That was -- that was stated verbally during the public hearing.

And I don't know -- so -- so it -- it has an impact on what we're recommending.

MR. O'ROURKE: I would say just -- as long as the Applicant is agreeable -- make that a condition of the recommendation of how -- just because the proposal in front of us this evening still shows it there, and that would eliminate any confusion.

I think just from a . . . basically, you'd be recommending approval contingent upon the removal of the eastern dog run, and, basically, the staff ensures that that gets done because it -- I mean, they . . . if you don't have it in there, they could always -- you know, they -- I don't think they'll do this, but if they change their mind, it's not part of the recommendation, and then we have -- are under no obligation to forward that to the City Council if it's not part of it.

MEMBER DOYLE: I would just like to point out that the -- this is a modification that the Applicant has put forward. It is not a condition that we are imposing upon the Applicant. It is an offer that the Applicant has made in consideration of public testimony that was offered during the public hearing.

And so I feel that, if the offer was sincere and it is the Applicant's wish to make that concession as a -- as a good gesture to the business' neighbors,

then I -- I don't think we have to do anything.

VICE CHAIRMAN KESSLER: But we're making it a condition.

MEMBER DOYLE: That's a technicality of the recommendation because of the documentation we have in front of us.

But, you know . . . I would just . . .

VICE CHAIRMAN KESSLER: Let's leave it up to him.

MEMBER HENNINGSON: I seconded the motion because of the -- to just do it the way it was proposed in the documentation.

CHAIRMAN WALLACE: Well, yeah. The motion is to recommend approval. Now, if you want to make a motion to amend, we can consider that.

MEMBER DOYLE: Could we get clarification from the Applicant on their intent?

MR. COOKE: Quite candidly, it was intended to be in response to the comments tonight and at the pleasure of the Commission.

We're willing to do so if that's what the pleasure of the Commission is. If not, I mean, we certainly are going to screen it regardless.

I mean, we're not being disingenuous.

I mean, it's at the pleasure the Commission. I'm not going to try to mislead you.

Obviously, we would like to see this approved --

MEMBER DOYLE: Uh-huh.

MR. COOKE: -- and we're willing to be pliable to some extent, and timing is a factor test. As everyone knows, time is money, as they say.

I mean -- so we prefer not to have our application defeated. If it's the pleasure of the Board that they -- or the Commission, I should say -- they feel it's important to have that with it, so be it.

We don't feel it would be a problem, but we're willing to be amenable to your direction.

VICE CHAIRMAN KESSLER: I'll tell you what I would like to see us do -- I'm not sure how I'd do this parliamentary -- in a parliamentary fashion -- but I'd like to vote on the motion -- or -- I'd like to have a vote on -- I'd like them separate. I don't want it to be a condition.

CHAIRMAN WALLACE: Well, we can -- I mean, there is a motion that's on the table. If there's a motion to amend it, we can consider that.

Otherwise, if there's no further discussion, we call the question, then we'll vote on the motion that's on the table.

If it's voted up, then this matter is done. If it isn't, then we'll consider other motions.

VICE CHAIRMAN KESSLER: So how would you -- so make a -- somebody could amend the motion on the table?

CHAIRMAN WALLACE: Correct. Yeah.

Yeah. We can have -- I'll entertain a motion to amend the primary motion.

MEMBER GAUGEL: Question: If we were to amend it to eliminate that dog run to the east and the Applicant later wants to come back and do that, they would just have to put forth a new application, and we would have to approve it at that point?

CHAIRMAN WALLACE: Is there an administrative procedure to do that or --

MR. O'ROURKE: It depends on the time. If they present it to the Planning and Development Committee with both dog runs, then they would be forwarded the Plan Commission's recommendation to remove.

But if the Planning and Development

Committee doesn't see an issue with that and they approve it with both, it could go that way.

If it was to happen after the special use ordinance is approved ultimately by the City Council, they'd have to amend the special use.

CHAIRMAN WALLACE: Yeah. So they'd have to go through the procedure again in order to amend it.

MEMBER GAUGEL: Thank you.

I appreciate the Applicant's willingness to work with the community. I also think that it would be a good thing to have.

If the purpose is for noise abatement -- having two dogs myself, I know sometimes separates them -- separating them, you know, keeps them quieter -- and I would -- I think it would be a good option for the facility from a pure noise standpoint, personally.

MEMBER DOYLE: To have the second run?

MEMBER GAUGEL: To have the second run, correct.

MEMBER HENNINGSON: Like I said earlier, the reason I seconded the motion was to go with the original plan that was presented from the --

MEMBER GAUGEL: And I would agree with that.

MEMBER HOLDERFIELD: With both dog runs?

MEMBER HENNINGSON: Yes, just as presented in the plan that they sent to us.

MEMBER GAUGEL: Yes.

MEMBER HENNINGSON: And I think we should take a vote on that. And if someone wants to make a motion after that, they can.

VICE CHAIRMAN KESSLER: Do you want to make a motion to amend it?

MEMBER DOYLE: Well, procedurally, I think that once we make a -- once we take a vote on this main motion, I don't know that there's any pretext to make a second motion.

CHAIRMAN WALLACE: Well, only if the first motion is defeated.

MEMBER DOYLE: Yeah.

VICE CHAIRMAN KESSLER: Or you could recommend -- you could make a motion to amend.

MEMBER DOYLE: I make a motion to amend to attach a condition that the east-facing dog run -- that we recommend approval contingent upon the removal of the east-facing dog run.

CHAIRMAN WALLACE: Is there a second to the motion?

MEMBER PRETZ: I will second it.

CHAIRMAN WALLACE: Okay. It's been moved and seconded.

Discussion on the motion to amend only?

Yeah, Brian.

MEMBER DOYLE: As we discussed at some length during the public hearing, there are some considerations already in the -- you know, and I could list them all out but there -- there is the consideration that -- about adjacent to a residential parcel, which, to me, already sort of introduces the legitimate concern about impact on surrounding residential areas.

We have members of the public here who have testified that they are concerned about the detrimental impact on their properties, and I feel that it is the responsibility of the Plan Commission to weigh that and to give it due consideration.

In the course of those discussions, the Applicant made a generous offer to remove this dog run, and I think that offer increased the likelihood of this application being approved when it comes to

the Planning and Development Committee.

And since it has been put forward and since it . . . I can only assume that it is a reasonable concession on the part of the Applicant, I feel it addresses some of those -- granted, nonconclusive -- concerns that I expressed earlier, and it makes me more inclined to recommend approval of this application.

I think without the -- without the removal of that, then it just presses that issue a little bit more. And so I'm more comfortable with recommending approval without the dog run, and that's why I'm making that motion.

VICE CHAIRMAN KESSLER: I appreciate that. I appreciate that your bent is to try to mitigate both concerns, from both sides.

You know, this is the noise; this is the residential. And I do understand.

I think there's something here that -- I have to say this is not a typical discussion about a use that might be detrimental to a property next to a residential.

This is Route 64. This is Main Street. This is a six-lane highway. It's not the same

condition that you're going to find on Seventh Avenue or Prairie Street or Dean Street or any of the other, you know, streets in town.

The -- and believe me. I live on Main Street, and I know the consideration that they have. The apartment building is 244 feet away across Main Street, a six-lane highway. It's not close. It's not -- the noise from the road is more than they'll ever hear from -- they don't hear cars across the street.

I don't -- I don't have the same concern.

I also am very concerned that they're willing to eliminate half of their outdoor dog space for a -- I would be more concerned about having 40 dogs in the building with no place to go.

And so I think the idea of the screening, the opaque screening -- they aren't going to know those dogs are there.

MEMBER DOYLE: So -- okay. So let me just -- we've just approved a motion that requires opaque screening along the entire eastern face.

VICE CHAIRMAN KESSLER: Yes.

MEMBER DOYLE: Okay.

VICE CHAIRMAN KESSLER: Yes. That was

the general tenor of the motion.

MEMBER DOYLE: And when we were discussing that, Tom, you said that that's gone, that it's not -- it's not necessarily.

MEMBER SCHUETZ: Right. I didn't realize --

MEMBER DOYLE: So . . . that . . . that's a -- that's a second -- that's another factor to weigh here.

MR. O'ROURKE: Can I just offer one more thing up? Not that I want to muddy it too much.

But, you know, it -- depending on the recommendation tonight, you know, if it's just voted -- recommended for approval as presented originally, if -- I'm assuming a similar conversation will happen at P&D.

The Applicant could always again offer to eliminate it at that time, as well, with the P&D committee so -- it's not like, just because if you don't recommend it that way, if you don't feel it's really an integral part of this being an appropriate special use, then that goes away completely at that point. You know, this conversation could bear on it.

I'm not saying that it doesn't belong in

this recommendation, but I'm just saying it's one more thing to consider.

MEMBER DOYLE: Yeah.

MEMBER HENNINGSON: Well, something else to consider, too.

The Applicant and their consultant and their attorney, as well as our staff spent hours looking at this, and the two separate areas worked for them.

So it works for me.

CHAIRMAN WALLACE: All right. Well, let's -- let's vote on the motion to amend.

VICE CHAIRMAN KESSLER: The motion to amend? Okay.

CHAIRMAN WALLACE: Correct. That's the motion that's pending.

VICE CHAIRMAN KESSLER: Gaugel.

MEMBER GAUGEL: No.

VICE CHAIRMAN KESSLER: Schuetz.

MEMBER SCHUETZ: Yes.

VICE CHAIRMAN KESSLER: Doyle.

MEMBER DOYLE: Yes.

VICE CHAIRMAN KESSLER: Pretz.

MEMBER PRETZ: Yes.

VICE CHAIRMAN KESSLER: Holderfield.

MEMBER HOLDERFIELD: No.
VICE CHAIRMAN KESSLER: Henningson.
MEMBER HENNINGSON: No.
VICE CHAIRMAN KESSLER: Wallace.
CHAIRMAN WALLACE: No.
VICE CHAIRMAN KESSLER: Kessler, yes.
CHAIRMAN WALLACE: All right. That motion failed by a vote of 3 to 5, so the pending motion that is on the table is a motion to recommend approval of the application for special use.

Is there any further discussion on that motion?

(No response.)

VICE CHAIRMAN KESSLER: Ready?
CHAIRMAN WALLACE: Yeah.
VICE CHAIRMAN KESSLER: Okay.
Gaugel.
MEMBER GAUGEL: Yes.
VICE CHAIRMAN KESSLER: Schuetz.
MEMBER SCHUETZ: Yes.
VICE CHAIRMAN KESSLER: Doyle.
MEMBER DOYLE: Yes.
VICE CHAIRMAN KESSLER: Pretz.
MEMBER PRETZ: No.

VICE CHAIRMAN KESSLER: Holderfield.
MEMBER HOLDERFIELD: Yes.
VICE CHAIRMAN KESSLER: Henningson.
MEMBER HENNINGSON: Yes.
VICE CHAIRMAN KESSLER: Wallace.
CHAIRMAN WALLACE: Yes.
VICE CHAIRMAN KESSLER: Kessler, yes.
CHAIRMAN WALLACE: All right. That motion passes by a vote of 7 to 1, and that concludes Item No. 8 on the agenda.

Item 9 --

MR. COOKE: Thank you.
CHAIRMAN WALLACE: -- will be taken up on March 18th, and Item 10 is meeting announcements.

If anyone knows that they will not be able to be present -- I don't know if this is right, Matt.
VICE CHAIRMAN KESSLER: Oh, March 18?
CHAIRMAN WALLACE: I don't think that we're going to be meeting on March 18th and then on March 8th.
MR. O'ROURKE: No. I was just thinking -- Mr. Colby put this together, and he's been sick the last two days, so I'm not exactly sure.
CHAIRMAN WALLACE: All right.

MR. O'ROURKE: I believe it's April 8th. Let me double-check that.

CHAIRMAN WALLACE: All right.

Yeah, I think so. That's 14 days before.

MR. O'ROURKE: Yeah. I think it's -- yeah. Yeah it would be April 8th.

CHAIRMAN WALLACE: Okay. Any additional business from Planning Commission members?

(No response.)

CHAIRMAN WALLACE: All right. Staff?

MR. O'ROURKE: Just one item: For those of you who maybe haven't seen my picture all over the Web site, I have a -- I have basically been offered and accepted a new position here with the City of St. Charles. I'll now be the Economic Development Division Manager, so I'm --

(Applause.)

MR. O'ROURKE: Thank you.

The reason I bring it tonight --

VICE CHAIRMAN KESSLER: You won't be having beer with us anymore?

MR. O'ROURKE: You know, I think my involvement on a, you know, purely staff level in some of these projects will probably be diminished as time

goes on, another planner maybe gets hired to replace me in that capacity, but I'll still be here.

I'll still be around. I'm still going to make sure -- I'll be involved in projects in a different capacity, but I'll be still be here.

VICE CHAIRMAN KESSLER: Okay.

MR. O'ROURKE: And everything I've done in the last six years is still here, so they might need me once in a while.

VICE CHAIRMAN KESSLER: Good. Congratulations.

MEMBER HENNINGSON: Good luck to you.

CHAIRMAN WALLACE: You made yourself indispensable; right?

MR. O'ROURKE: I hope so.

CHAIRMAN WALLACE: All right. Any -- any other comments?

(No response.)

CHAIRMAN WALLACE: All right. Is there a motion to adjourn?

VICE CHAIRMAN KESSLER: So moved.

MEMBER DOYLE: Second.

CHAIRMAN WALLACE: All in favor?

(Ayes heard.)

CHAIRMAN WALLACE: Opposed?

(No response.)

CHAIRMAN WALLACE: The City of St. Charles Planning Commission is adjourned at 9:27 p.m.

PROCEEDINGS CONCLUDED AT 9:27 P.M.

STATE OF ILLINOIS)
) SS.
COUNTY OF K A N E)

I, MELANIE L. HUMPHREY-SONNTAG, Certified Shorthand Reporter No. 084-004299, CSR, RDR, CRR, CCP, FAPR, and a Notary Public in and for the County of Kane, State of Illinois, do hereby certify that I reported in shorthand the proceedings had in the above-entitled matter and that the foregoing is a true, correct, and complete transcript of my shorthand notes so taken as aforesaid.

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed my Notarial Seal this 12th day of March, 2014.

M.L. Humphrey-Sonntag

Certified Shorthand Reporter
Registered Diplomate Reporter
Certified Realtime Reporter
Certified CART Provider
Fellow of the Academy of
Professional Reporters

My commission expires
May 31, 2017

ST. CHARLES SINCE 1834	**PLAN COMMISSION AGENDA ITEM EXECUTIVE SUMMARY**			
	Project Title/ Address:	General Amendment to Zoning Ordinance (Medical Cannabis Cultivation Centers and Medical Cannabis Dispensing Organizations)		
	City Staff:	Matthew O'Rourke Planner		
	Please check appropriate box (x)			
	PUBLIC HEARING 3/18/14	X	**MEETING 3/18/14**	X

APPLICATIONS UNDER CONSIDERATION:

Concept Plan

ATTACHMENTS AND SUPPORTING DOCUMENTS

Staff Memo	Map 1: Properties Within 2,500 Feet Buffer Map
Application & Attachments	Map 2: Properties Within 1,000 Feet Buffer Map
Legal Opinion for John McGuirk; dated 1/2/2014 Legal Opinion for John McGuirk; dated 2/11/2014	Map of State of Illinois Police Districts

EXECUTIVE SUMMARY:

Background

In August of 2013, Governor Quinn signed into law the **"Compassionate Use of Medical Cannabis Pilot Program Act"** hereafter referred to as the "State Act". The majority of the law pertains to the sales, distribution, and eligible users of medical cannabis. However there are specific provisions that relate to the location of Medical Cannabis Cultivation Centers and Medical Cannabis Dispensing Organizations.

Proposal

Staff is proposing to establish the following regulations and criteria for the location of Medical Cannabis Cultivation Centers and Medical Cannabis Dispensing Organizations:

- Establish these facilities as permitted uses in the M-2 Limited Manufacturing District.
- Create location standards that replicate those established in the State Act.
- Create parking standards for these uses.
- Establish use definitions for these facilities that replicate those established in the State Act.

RECOMMENDATION / SUGGESTED ACTION *(briefly explain)***:**

Conduct the public hearing and close if all the testimony has been taken.

Staff has placed this item on the meeting portion of the agenda for a recommendation, should the Plan Commission feel they have adequate information to recommend on the item tonight.

Staff recommends approval of the General Amendment Application and has provided the attached draft Findings of Fact to support that recommendation.

Community Development
Planning Division
Phone: (630) 377-4443
Fax: (630) 377-4062

ST. CHARLES
SINCE 1834

STAFF REPORT

TO: Chairman Todd Wallace
And Members of the Plan Commission

FROM: Matthew O'Rourke, AICP, Planner

RE: General Amendments to Title 17 (Zoning Ordinance) Requirements for Medical Cannabis Cultivation Centers and Medical Cannabis Dispensing Organizations.

DATE: February 28, 2014

I. GENERAL INFORMATION

Project Name: General Amendments to Title 17 (Zoning Ordinance) - Requirements for Medical Cannabis Cultivation Centers and Medical Cannabis Dispensing Organizations

Applicant: City of St. Charles, Planning Division

Purpose: Create regulations for Medical Cannabis Cultivation Centers and Medical Cannabis Dispensing Organizations in accordance with State Law "Compassionate Use of Medical Cannabis Pilot Program Act"

II. BACKGROUND

In August of 2013, Governor Quinn signed into law the **"Compassionate Use of Medical Cannabis Pilot Program Act"** hereafter referred to as the "State Act". The majority of the law pertains to the sales, distribution, and eligible users of medical cannabis. However there are specific provisions that relate to the location of Medical Cannabis Cultivation Centers and Medical Cannabis Dispensing Organizations.

A. RELEVANT PROVISIONS OF THE "COMPASSIONATE USE OF MEDICAL CANNABIS PILOT PROGRAM ACT"

The Act contains certain provisions related to the number of medical cannabis facilities in the State and location criteria regarding these facilities. The following is a list of all pertinent requirements that are related to zoning regulations:

- "A unit of local government may enact reasonable zoning ordinances or resolutions, not in conflict with this Act or with Department of Agriculture or Department of Public Health rules, regulating registered medical cannabis cultivation centers or medical cannabis dispensing organizations. No unit of local government, including a home rule unit, or school district may regulate registered medical cannabis organizations other than

as provided in this Act and may not unreasonably prohibit the cultivation, dispensing, and use of medical cannabis authorized by this Act. This Section is a denial and limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State."

- The State of Illinois Department of Agriculture may not issue more than 22 cultivation center licenses. Only 1 Medical Cannabis Cultivation Center will be permitted in each State of Illinois Police District. There are 22 State Police Districts. The following location standards are established in the State Act:
  - "A registered cultivation center may not be located within 2,500 feet of the property line of a pre-existing public or private preschool or elementary or secondary school or day care center, day care home, group day care home, part day child care facility, or an area zoned for residential use."
- The State of Illinois Department of Agriculture may not issue more than 60 Dispensing Organization Licenses. The following location standards are established in the State Act:
  - "A dispensing organization may not be located within 1,000 feet of the property line of a pre-existing public or private preschool or elementary or secondary school or day care center, day care home, group day care home, or part day child care facility. A registered dispensing organization may not be located in a house, apartment, condominium, or an area zoned for residential use."

B. PROPOSAL

Staff is proposing to establish the following regulations and criteria for the location of Medical Cannabis Cultivation Centers and Medical Cannabis Dispensing Organizations:

- Establish these facilities as permitted uses in the M-2 Limited Manufacturing District.
- Create location standards that replicate those established in the State Act.
- Create parking standards for these uses.
- Establish use definitions for these facilities that replicate those established in the State Act.

III. PROPOSED AMENDMENTS

A. STAFF ANALYSIS

1. Use Standards and Location Criteria

Staff used the distance criteria established in the State Act for cultivation centers and dispensing organizations to generate maps illustrating which properties these uses could not be located on based on their proximity to residential zoning, daycares, schools, etc. These maps are attached to this memo as Attachments 1 and 2. There are residential areas outside of the City's limits that are not shown on these maps. However, these properties will impact the location of any cannabis related uses.

Based on this analysis there is limited number of properties that are outside the distance requirements stated in the State Act.

- Cultivations Centers – These facilities could only be located on a small number of properties in the industrial area on the east side of town. All of these properties are zoned M-2 Limited Manufacturing.
- Dispensing Facilities – There are an increased number of eligible properties for dispensing facilities per the standards of the State Act. These properties are typically

in the commercial and manufacturing areas. However, a number of these commercial properties are located within close proximity to residentially zoned parcels. The downtown CBD-1 and CBD-2 Zoning Districts are considered residential for purposes of this amendment.

B. AMENDMENTS TO TABLE 17.16-1 OFFICE/RESEARCH, MANUFACTURING AND PUBLIC LANDS PERMITTED AND SPECIAL USES

Based on the eligible location analysis, Staff is proposing that **Table 17.16-1 Office/Research, Manufacturing and Public Lands Permitted and Special Uses** of the Zoning Ordinance be amended to permit Medical Cannabis Cultivation Centers and Medical Cannabis Dispensing Organization in the M-2 Limited Manufacturing District.

Cultivation Centers- Based on the 2,500 foot buffer map these uses can only be permitted in a small section of the M-2 Zoning District.

Dispensing Organizations- Staff is proposing that Dispensing Organizations be permitted uses only in the M-2 Zoning District. Staff is proposing that all medical cannabis related activities be situated in one district. Staff wants to ensure that these uses are located in a specific area. This will aid City staff in terms of reviewing the location of these uses, should a license be issued by the State.

C. AMENDMENTS TO CHAPTER 17.20 USE STANDARDS

Staff is proposing to amend section **17.20.030 Standards for Specific Uses** of the Zoning Ordinance. The use standards established will replicate those established in the State Act. This amendment will create the following use standard categories:

1. Medical Cannabis Cultivation Center

Medical Cannabis Cultivation Centers are subject to the following standards: A registered cultivation center may not be located within 2,500 feet of the property line of a pre-existing public or private preschool or elementary or secondary school or day care center, day care home, group day care home, part day child care facility, or an area zoned for residential use.

2. Medical Cannabis Dispensing Organization

Medical Cannabis Dispensing Organizations are subject to the following standards: A dispensing organization may not be located within 1,000 feet of the property line of a pre-existing public or private preschool or elementary or secondary school or day care center, day care home, group day care home, or part day child care facility. A registered dispensing organization may not be located in a house, apartment, condominium, or an area zoned for residential use.

D. AMENDMENTS TO CHAPTER 17.24 OFF-STREET PARKING, LOADING & ACCESS

Staff is proposing to amend **Table 17.24-3 Required Off-Street Parking** to create new parking categories for Medical Cannabis Cultivation Centers and Medical Cannabis Dispensing Organizations.

1. Medical Cannabis Cultivation Centers

Staff is proposing that Medical Cannabis Cultivation Center be added to the Industrial and Office Uses listed in Table 17.24-3. The proposed parking requirement is 1 space per every 1,000 Square Feet of gross floor area. This is the same parking requirement for manufacturing and warehouse uses.

TABLE 17.24-3 REQUIRED OFF-STREET PARKING	
USE	PARKING REQUIREMENT
INDUSTRIAL AND OFFICE USES	
Medical Cannabis Cultivation Centers	1 per 1,000 of GFA

2. Medical Cannabis Dispensing Organizations

Staff is proposing that Medical Cannabis Dispensing Organization be added to the Retail and Service Uses section of Table 17.24-3. The proposed parking requirement is 4 spaces per every 1,000 square feet of gross floor area. This requirement is the same for all uses classified as Retail Sales establishments.

TABLE 17.24-3 REQUIRED OFF-STREET PARKING	
USE	PARKING REQUIREMENT
RETAIL AND SERVICE USES	
Medical Cannabis Dispensing Organizations	4 per 1,000 of GFA

E. AMENDMENTS TO CHAPTER 17.30 "DEFINITIONS"

Staff is proposing to amend Section 17.30.020 "Use Definitions" to create the following new use definitions for Medical Cannabis Cultivation Centers and Medical Cannabis Dispensing Organizations:

1. **Medical Cannabis Cultivation Center** - A facility operated by an organization or business that is registered by the State of Illinois Department of Agriculture to perform necessary activities to provide only registered medical cannabis dispensing organizations with usable medical cannabis.

2. **Medical Cannabis Dispensing Organization** - A facility operated by an organization or business that is registered by the State of Illinois Department of Financial and Professional Regulation to acquire medical cannabis from a registered cultivation center for the purpose of dispensing cannabis, paraphernalia, or related supplies and educational materials to registered qualifying patients.

The proposed definitions are the same as listed in the State Act.

F. LEGAL OPINION

Staff has asked the City's Legal Counsel John McGuirk, of the Law Firm of Hoscheit, McGuirk, McCracken & Cuscaden, P.C., to review these proposed amendments in conjunction with the State Act. Based on his review of the State Act, McGuirk has

determined that the proposed amendments are appropriate. A copy of McGuirk's legal opinion is attached to this memo as Attachment 3.

VIII. PLAN COMMISSION COMMENTS – 2/4/2014 PUBLIC HEARING

The Plan Commission held a public hearing on the proposed amendments on 2/4/2014. During that hearing, the Commission commented that Dispensing Organizations should be considered in retail or office Zoning Districts since these facilities are similar to retail/office uses. The Plan Commission asked staff and legal counsel to examine the business and office Zoning Districts in town and determine if a Dispensing Organization could be located in these districts. In particular, the Commission asked staff and counsel to determine if any residential use is permitted in a Zoning District by right, would that mean a Dispensing Organization could not be located in that District.

The City's legal counsel John McGuirk has provided a follow-up opinion (Attachment 5). McGuirk's opinion states "the statute provides that a dispensing organization may not be located in 'an area zoned for residential use' (410 ILCS 130/130(d)). My interpretation of that language is that it prohibits a dispensing organization from being located in any zoning district that allows for residential use."

The following table illustrates what potential residential uses are permitted in a designated Zoning District.

Zoning District	Residential Uses Permitted
BL- Local Business	• Dwelling, Upper Level • Dwelling, Single-Family
BC-Community Business	• Assisted Living Facility (Special Use)
BR-Regional Business	• **No Residential Uses Permitted**
CBD-1 Central Business	• Artist Live/Work Space • Assisted Living Facility (Special Use) • Dwelling, Upper Level • Dwelling, Multi-Family
CBD-2 Central Business	• Artist Live/Work Space • Assisted Living Facility • Dwelling, Upper Level • Dwelling, Auxiliary • Dwelling, Multi-Family • Dwelling, Townhouse • Dwelling, Two-Family • Dwelling, Single-Family • Group Home, Large • Group Home, Small • Independent Living Facility
OR- Office/Research	• Assisted Living
M-1 Special Manufacturing	• Artist Live/Work Space
M-2 Limited Manufacturing	• **No Residential Uses Permitted**

The two Zoning Districts that do not permit any residential uses are the BR-Regional Business District and the M-2 Limited Manufacturing District. It should also be noted that many of the properties in the BR District are also in Planned Unit Developments. In many instances these PUDs have specific use lists approved as part of the PUD. Therefore, a Dispensing Organization would have to propose to amend the PUD to permit the use in that PUD.

IX. RECOMMENDATION

Conduct the public hearing and close if all the testimony has been taken.

Staff has placed this item on the meeting portion of the agenda for a recommendation, should the Plan Commission feel they have adequate information to recommend on the item tonight.

Staff recommends approval of the General Amendment Application and has provided the attached draft Findings of Fact to support that recommendation.

VII. ATTACHMENTS

1. Mao of State of Illinois Police Districts
2. Map 1: Properties Within 2,500 Feet Buffer Map
3. Map 2: Properties Within 1,000 Feet Buffer Map
4. Legal Opinion for John McGuirk; dated 1/2/2014
5. Legal Opinion for John McGuirk; dated 2/11/2014

FINDINGS OF FACT
GENERAL AMENDMENT

(Amendments to the Requirements for Medical Cannabis Cultivation Centers and Medical Cannabis Dispensing Organizations)

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

   Medical Cannabis Cultivation Centers and Medical Cannabis Dispensing Organizations are not directly addressed in the Comprehensive Plan. These uses are proposed in the M-2 Limited Manufacturing Zoning District, which is designated as "Industrial/Business Park" on the Future Land Use Map.

2. **The consistency of the proposed amendment with the intent and general regulations of this Title.**

   The proposed amendments fit within the structure of the Zoning Ordinance and do not change the intent of the existing ordinance requirements. The changes to **Table 17.16-1 Office/Research, Manufacturing and Public Lands Permitted and Special Uses, Section 17.20.030 Specific Use Standards, Table 17.24-3 Required Off-Street Parking, and 17.30.020 "Use Definitions"** create regulations for the new uses of Medical Cannabis Cultivation Centers and Medical Cannabis Dispensing Organizations. These amendments are consistent with the framework created in Title 17 the Zoning Ordinance for all permitted uses.

3. **Whether the proposed amendment corrects an error or omission, adds clarification to existing requirements, is more workable than the existing text, or reflects a change in policy.**

   The proposed amendments will establish new permitted uses in relation to a change in State of Illinois policy. The proposed amendments create new permitted uses and standards for use categories that were recently created by the **Compassionate Use of Medical Cannabis Pilot Program Act.**

4. **The extent to which the proposed amendment would be in the public interest and would not serve solely the interest of the applicant.**

   The amendment has been proposed by the City of St. Charles in response to a State law. Providing reasonable zoning regulation consistent with the law is in the public interest.

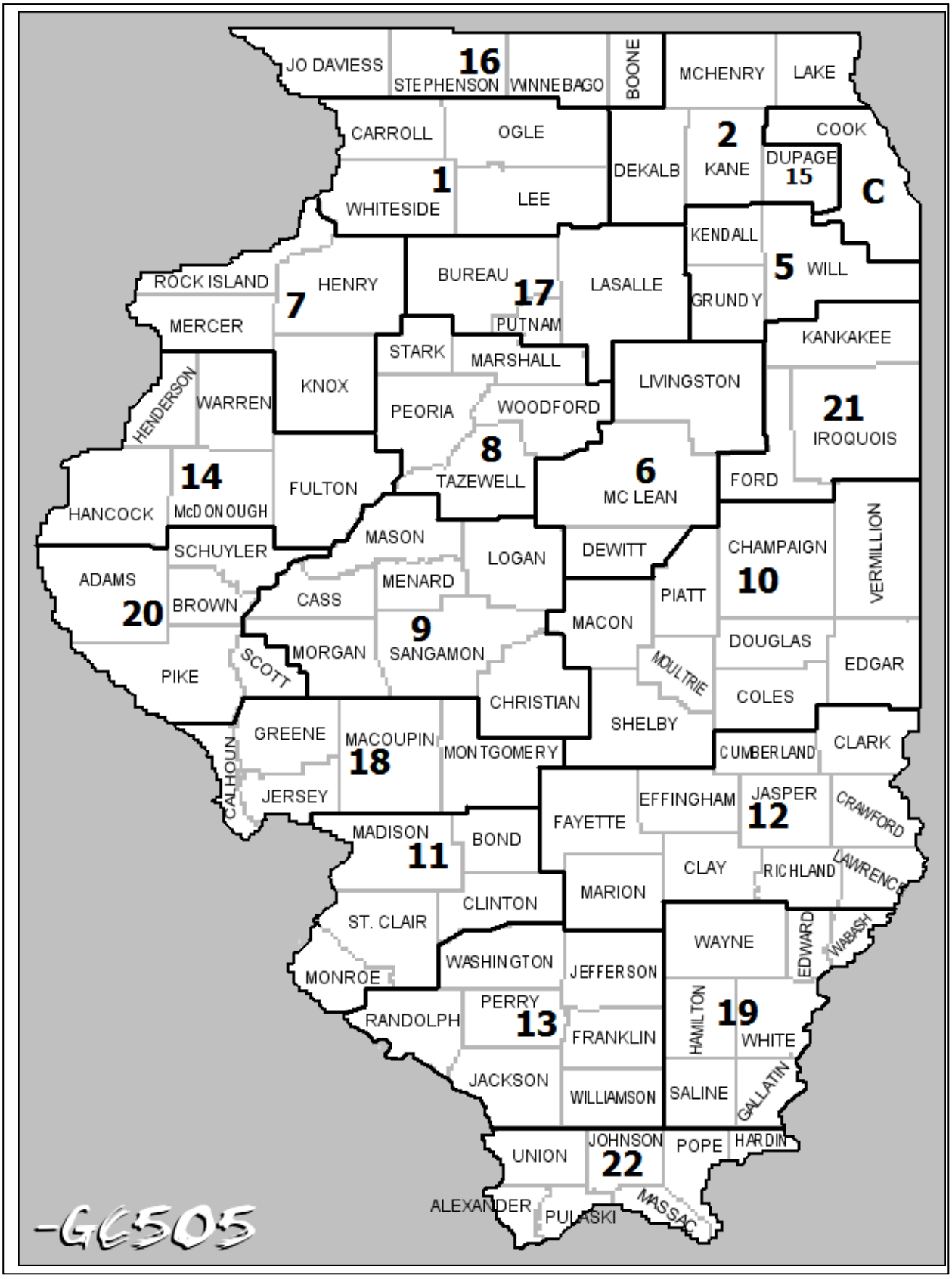
5. **The extent to which the proposed amendment creates nonconformities.**

   The proposed amendments will not create any new nonconformities. The proposed amendments are for two new use categories that did not previously exist in the Zoning Ordinance and were only recently permitted in the State of Illinois. There are no existing Medical Cannabis Cultivation Centers or Medical Cannabis Dispensing Organizations in the City; therefore, no nonconformities can be created.

6. **The implications of the proposed amendment on all similarly zoned property in the City.**

   These amendments will apply to all properties in the M-2 Limited Manufacturing Zoning District, subject to the proposed use standards.

Map of Police Districts – State of Illinois



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

GENERAL AMENDMENT APPLICATION (ZONING ORDINANCE)

CITYVIEW PROJECT NO: 2014PR002
CITYVIEW APPLICATION NO: 2014AP002
PROJECT NAME: G.A. Medical Cannabis

RECEIVED
St. Charles, IL
JAN 16 2014
CDD
Planning Division
Received Date

Instructions:

To request an amendment to the text of the St. Charles Zoning Ordinance, complete this application and submit it with all required attachments to the Planning Office.

We will review submittals for completeness and for compliance with applicable requirements prior to establishing a meeting or public hearing date for an application.

The information you provide must be complete and accurate. If you have a question please call the Planning Office and we will be happy to assist you.

1. Applicant Information:	Name **City of St. Charles**	Phone 630-377-4443
	Address 2 E. Main Street St. Charles IL, 60174	Fax 630-377-4062
		Email morourke@stcharlesil.gov

2. Billing: *To whom should costs for this application be billed?*	Name **City of St. Charles**	Phone 630-377-4443
	Address 2 E. Main Street St. Charles IL, 60174	Fax 630-377-4062
		Email morourke@stcharlesil.gov

Attachment Checklist

☐ Application Fee (make checks payable to the City of St. Charles)

☐ Reimbursement of Fees Agreement: An original, executed Reimbursement of Fees Agreement and deposit of funds with the City, as provided by Exhibit B of the Zoning Ordinance.

☐ Wording of the requested text amendment (see next page)

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

Matthew O'Rourke
Signature – Applicant

1/16/14
Date

Requested Text Amendment

To amend Section(s See Attached of the St. Charles Zoning Ordinance. The wording of the proposed amendment is: (attach sheets if necessary)

See Attached

Chapter 17.16 "Office/Research, Manufacturing, and Public Land Districts"
Chapter 17.20 "Use Standards"
Chapter 17.24 "Off-Street Parking, Loading & Access"
Chapter 17.30 "Definitions"

Pertaining to requirements for Medical Cannabis Cultivation Centers and Medical Cannabis Dispensing Organizations.

MEMORANDUM

To: ***Rita Tungare / Matthew O'Rourke***

From: ***John M. McGuirk***

Date: ***January 2, 2014***

RE: ***Compassionate Use of Medical Cannabis Pilot Program Act***

(410 ILCS 130/1 et seq.)

As you know, the Compassionate Use of Medical Cannabis Pilot Program Act goes into effect on January 1, 2014. Your staff has done a great deal of research regarding the impact of the new Act upon municipalities. You have asked that I review the Act and provide you with some feedback with respect to some of the important provisions of the Act. To that end, I have reviewed the Act in detail and have also reviewed the proposed amendments to the zoning code proposed by your staff as well as the various maps and other documents prepared to demonstrate the areas in which cultivation centers and dispensaries could do business in the City of St. Charles.

It is important to note that the Medical Use of Marijuana is regulated pursuant to a pilot program. The law was created with a "sunset" provision which provides that if the legislature does not renew the program, it will cease to operate four (4) years from the effective date. The Act allows physicians to recommend the therapeutic use of marijuana to treat certain medical conditions that are set forth in the Act. The Act details thirty-three (33) medical conditions. Qualified patients can receive written certification to use medical marijuana if they register and are approved by the Department of Public Health. Each patient is prescribed no more than 2.5 ounces of usable cannabis during a fourteen (14) day period. The Department of Public Health, the Department of Financial and Professional Regulation and the Department of Agriculture play important roles in the implementation of the Act. Qualifying patients are known as "card holders" in the Act and are given cards designating their right to possess medical marijuana.

There are two facilities that are provided for by and regulated under the Act – cultivation centers and dispensaries. A cultivation center is defined as a facility operated by an organization or business that is registered with the Department of Agriculture to perform necessary activities to provide registered marijuana cannabis to dispensing organizations or "dispensaries." A registration for a cultivation center is issued by the Department of Agriculture. A dispensary which dispenses cannabis is operated by a dispensing agent who has been issued a document issued by the Department of Financial and Professional Regulation. There are background checks run on the individuals who run the cultivation centers as well as the dispensaries and various other safeguards with respect to inspection, maintenance of maintenance of databases by the various state agencies.

The most significant feature of the act is its limitation on the location of cultivation centers as well as dispensaries. A registered cultivation center may not be located within 2,500 feet of a property line of a pre-existing public or private preschool or elementary or secondary school or daycare center, daycare home, group daycare home, part daycare facility or in areas zoned for residential use. This requirement takes in a large area within the city as the staff has recognized in preparing various maps. One of the things that we discussed at our meeting was the definition of residential use in the Act. My interpretation is that any zoning district that provides for residential use including mixed use districts would fall within that classification and thus the 2,500 feet of the property line of those areas would also be areas in which cultivation centers could not be located. Additionally, it should be noted that a cultivation center may not sell or distribute any cannabis to any individual or entity other than a dispensary organization registered under the Act. There should be no individual purchases or other activity at a cultivation center itself. The Act also requires that a cultivation center must maintain a 24-hour surveillance system to monitor the interior and exterior of the registered cultivation center facility and must be accessible to authorized law enforcement.

The limitation on dispensaries location is defined in a similar fashion as that of cultivation centers except that a dispensing organization may not be located within 1,000 feet of the property limits of a pre-existing public or private preschool or elementary or secondary school or daycare center, daycare home, group daycare home, or part day childcare facility. A registered dispensing organization may not be located in a house, apartment, condominium or in areas zoned for residential use. Again, that definition eliminates a broad scope of geographical area of the city and that has been laid out in detail by the staff in the various maps.

The Department of Agriculture, the Department of Public Health and the Department of Financial and Professional Regulation are charged with establishing certain rules and regulations within 120 days from the effective date of the Act. Some of the information that I have seen from the Illinois Municipal League Attorneys Forum indicates that many other municipalities have taken the position that they would not be addressing any issue relating to the Act until those rules are adopted by those state agencies. Most likely the final rules and regulations will not be completed until April 2014.

The Act does provide that municipalities may enact reasonable zoning ordinances or resolutions not in conflict with the Act. It specifically states that local governments, including home rule units, may not regulate the medical cannabis organizations other than as provided in the Act and may not unreasonably prohibit the cultivation, dispensing and use of medical cannabis authorized by the Act. It is specifically noted in the Act that it is a denial and limitation on concurrent exercise of home rule units of power and functions exercised by the state.

Based on my review of the recommendation of the staff that certain amendments be made to the zoning code specifically allowing for cultivation centers as permitted uses in the M-2 district, I would agree that that type of amendment makes sense given that it seems to be the only area that falls outside the 1,000 and 2,500 foot limitations for dispensaries and cultivation centers. A question was also raised about requiring the use of specific types of security systems and I assume that that question is addressed primarily to dispensaries. Since such security systems

would not be unreasonable or at least do not appear to be unreasonable, in my view such a requirement is permitted. Also, there was a question as to whether or not we could impose a home rule sales tax on medical cannabis. That is less clear. There is a provision in the Act that requires cultivation centers to pay a 7% sales tax. That provision specifically provides that the tax is not the responsibility of the dispensing organization or a qualifying patient. The Act further states that the sales tax shall be in addition to other taxes imposed by the state or any municipal corporation. Therefore, it seems clear that a cultivation center could be taxed but less clear as to whether a dispensary could be subject to a home rule sales tax. That issue requires more in depth research.

In conclusion, making various changes in the zoning ordinance to permit cultivation centers and dispensaries in certain areas is prudent. I have read news excerpts for other municipalities who have dealt with this issue including Naperville. In one of the summaries that I read, it indicated that Naperville adopted an ordinance allowing for drive-thru pick up of medical marijuana at dispensaries. It also further limited the location of dispensing facilities by providing that they can open in industrial areas without a hearing (which I assume means they have defined dispensaries as a permitted use within industrial areas) but would require a hearing in other retail areas outside the downtown. I think the point of what I was reading was that they were trying to make the opening of the dispensary outside of the industrial areas more difficult which can be done in a number of ways including increasing the area of restriction around schools or residential areas. However, it appears from my review our staff's research that the limitations that are provided by the Act are sufficient given the location of our schools and residential areas and that there is no need to provide anything more stringent than what the state statute provides.

I would be happy to discuss any question or concerns that you may have with respect to the Act. A detailed Reference Sheet prepared by the Marijuana Policy Project setting out all the provisions of the Act is attached for your reference.

LAW OFFICES

HOSCHEIT, MCGUIRK, MCCRACKEN & CUSCADEN, P.C.

1001 EAST MAIN STREET, SUITE G
SAINT CHARLES, ILLINOIS 60174-2203

JOHN J. HOSCHEIT
JOHN M. MCGUIRK
KATE L. MCCRACKEN
DOUGLAS R. CUSCADEN

TELEPHONE: 630.513.8700
FACSIMILE: 630.513.8799

February 11, 2014

Via Email Only
morourke@stcharlesil.gov

EMAILED
2/11/14

Mr. Matthew O'Rourke
City of St. Charles
Community and Economic Development

RE: Dispensing Organizations

Dear Matt:

This is a follow up to our recent conversation regarding the public hearing before the Planning Commission on February 4, 2014. It appears that the Planning Commission is seeking more information with respect to areas within the City that could accommodate dispensing organizations under the Medical Cannabis Pilot Program Act. As we discussed and as you are well aware, the statute provides that a dispensing organization may not be located in "an area zoned for residential use" (410 ILCS 130/130(d)). My interpretation of that language is that it prohibits a dispensing organization from being located in any zoning district that allows for residential use. Had the legislature meant for dispensing organizations to be prohibited only in zoning districts zoned exclusively for residential use, it is my opinion that it would have stated that specifically.

You indicated that the staff will develop maps to demonstrate to the Planning Commission where dispensing organizations can be located given our interpretation of the restrictions set forth in the statute.

If you need any further information or interpretations with respect to the statute, please contact me. Also, please let me know if you require my attendance at any future Planning Commission meetings relating to this issue.

Very truly yours,
Hoscheit, McGuirk, McCracken & Cuscaden, P.C.

John M. McGuirk

JMM/lmk

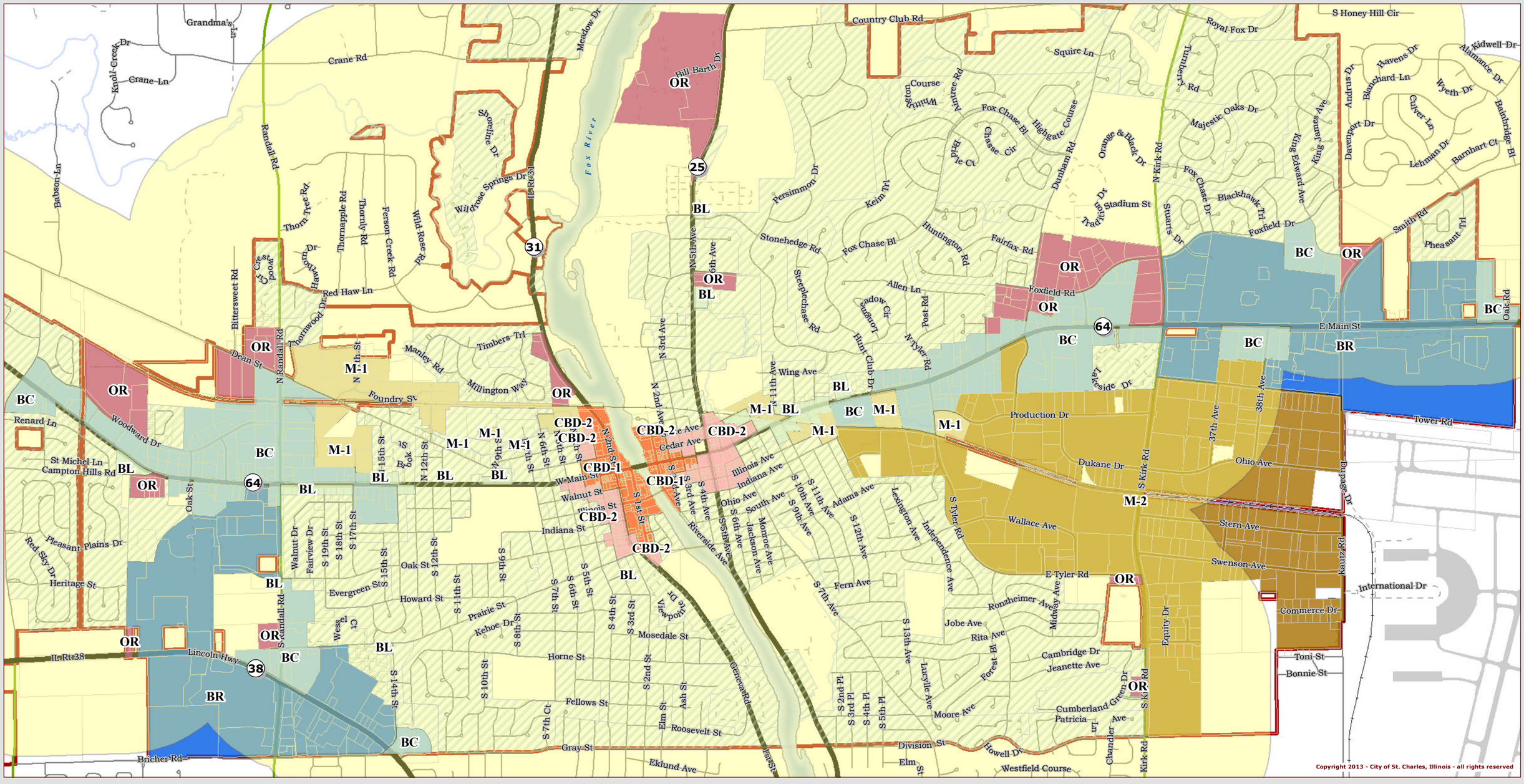
HMM&C

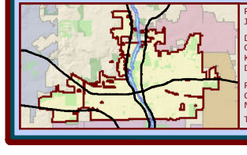
City of St. Charles, Illinois

Two East Main Street St. Charles, IL 60174-1984
Phone: 630-377-4400 Fax: 630-377-4440 - www.stcharlesil.gov

Commercial, Industrial, and Office Zoned Properties within 2,500 Ft of Residential Zoned Properties

RAYMOND ROGINA *Mayor*
BRIAN TOWNSEND *City Administrator*





Publication Date:
June 21, 2013

Data Source:
City of St. Charles, Illinois
Kane County, Illinois
Dupage County, Illinois

Projection: Transverse Mercator
Coordinate System: Illinois State Plane East
North American Datum 1983
TH #: 130606143201070

0 0.125 0.25 0.5 Miles

2500 Ft Buffer
Residential

BC BL BR CBD-1 CBD-2 M-1 M-2 OR

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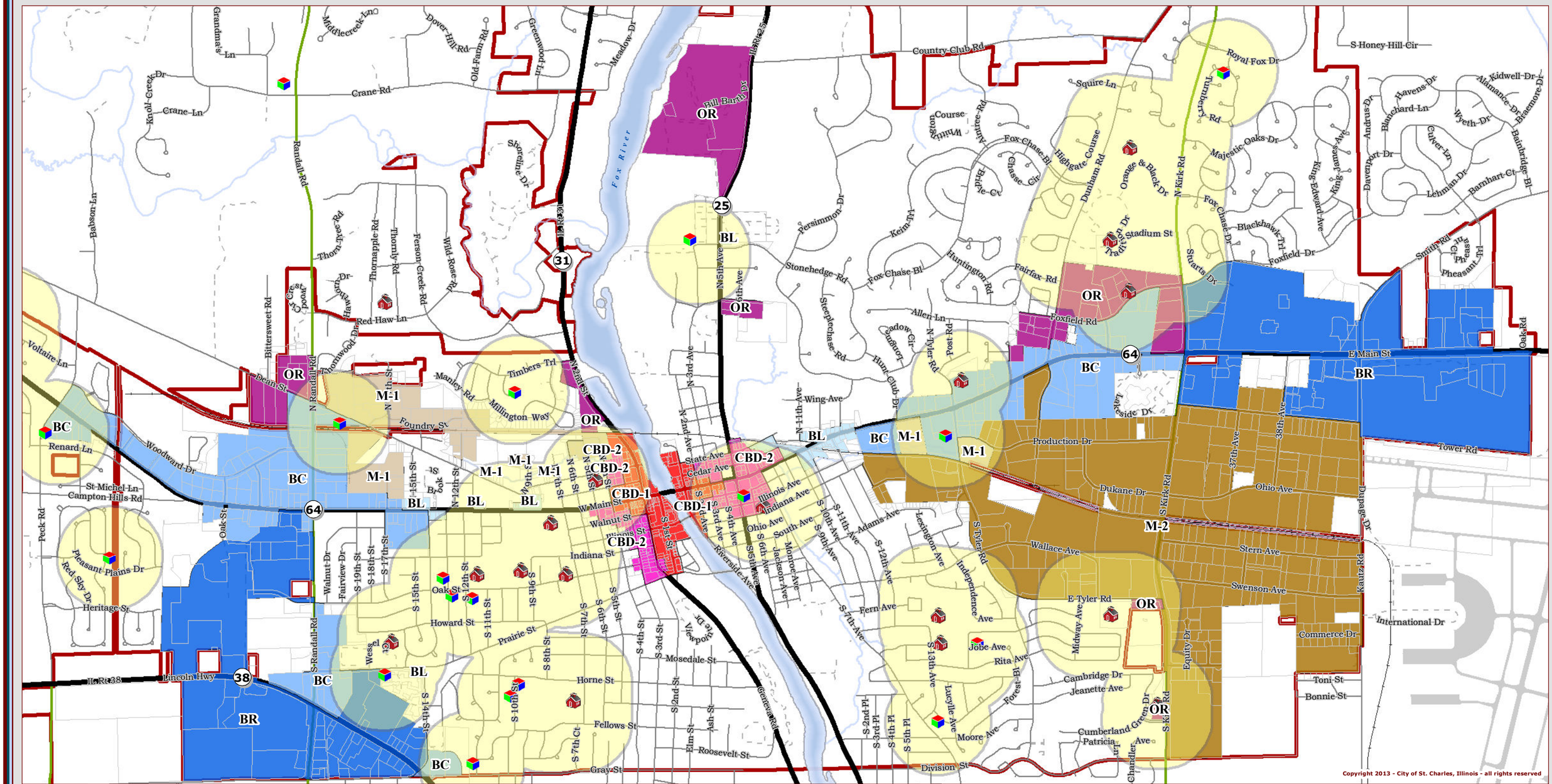
City of St. Charles, Illinois

Two East Main Street St. Charles, IL 60174-1984
Phone: 630-377-4400 Fax: 630-377-4440 - www.stcharlesil.gov

Commercial, Industrial, and Office Zoned Properties within 1,000 Ft of School and Day Care Facilities

RAYMOND ROGINA *Mayor*
BRIAN TOWNSEND *City Administrator*



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Projection: Transverse Mercator
Coordinate System: Illinois State Plane East
North American Datum 1983

TH #: 130606143201070

0 0.125 0.25 0.5 Miles

- Day Care Facility
- School Facility
- 1,000 Ft Buffer

BC, BL, BR, CBD-1, CBD-2, M-1, M-2, OR

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ST. CHARLES SINCE 1834	**PLAN COMMISSION AGENDA ITEM EXECUTIVE SUMMARY**			
	Project Title/ Address:	The Quad St. Charles/Charlestowne Mall PUD- PUD Preliminary Plan and Final Plat of Subdivision		
	City Staff:	Russell Colby, Planning Division Manager		
	Please check appropriate box (x)			
	PUBLIC HEARING		**MEETING 3/18/14**	X

APPLICATIONS UNDER CONSIDERATION:

PUD Preliminary Plan
Final Plat of Subdivision

ATTACHMENTS AND SUPPORTING DOCUMENTS

Staff Report	Developer response to Engineering Comments
Approval Process Summary	Application Materials
Engineering Review Comments	PUD Ord. #2013-Z-19

EXECUTIVE SUMMARY:

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. 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.

The developer is now commencing the PUD Preliminary Plan approval stage of the project. Documents being presented for approval at this time include:

- 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.

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. Plans will include architectural building elevations, landscape plans, lighting and photometric plans, and a sign plan. Plan review for the outlots will occur as each is proposed for development.

The developer has also submitted a Final Plat of Subdivision to create a building lot for the existing theater.

RECOMMENDATION / SUGGESTED ACTION *(briefly explain)***:**

Staff recommends approval of the Site Plan, Preliminary Engineering Plan and the Final Plat of Subdivision, subject to resolution of staff comments prior to City Council action.

Community & Economic Development
Planning Division
Phone: (630) 377-4443
Fax: (630) 377-4062

ST. CHARLES
SINCE 1834

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) – Site Plan, Preliminary Engineering Plan and Final Plat of Subdivision for Theater Building

DATE: March 14, 2014

I. APPLICATION INFORMATION:

Project Name: The Quad St. Charles

Applicant: SC 3800 Main, LLC

Purpose: a.) Approval of Site Plan and Preliminary Engineering Plan for the overall site (excluding the outlot building pads)

b.) Approval of a Final Plat to subdivide a lot for the theater anchor building

General Information:

Site Information	
Location	3700-3850 E. Main St.
Acres	82 acres

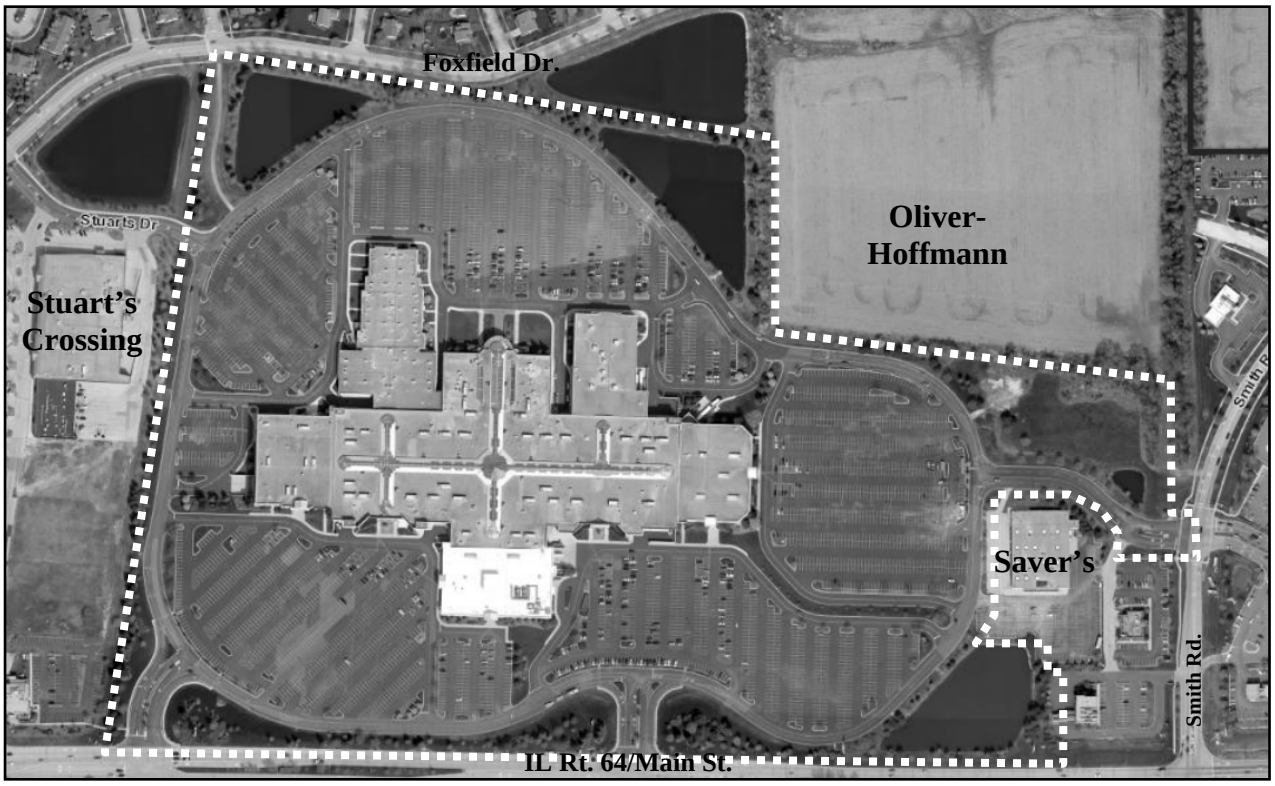
Applications	**PUD Preliminary Plan for overall site** **Final Plat of Subdivision for theater anchor building**
Applicable Zoning Code Sections/ Ordinances	Table 17.14-2 Business and Mixed-Use Districts Bulk Regulations Ordinance 2013-Z-19 – The Quad/Charlestowne Mall PUD Ordinance

Existing Conditions	
Land Use	Enclosed shopping mall
Zoning	BR – Regional Business (PUD)

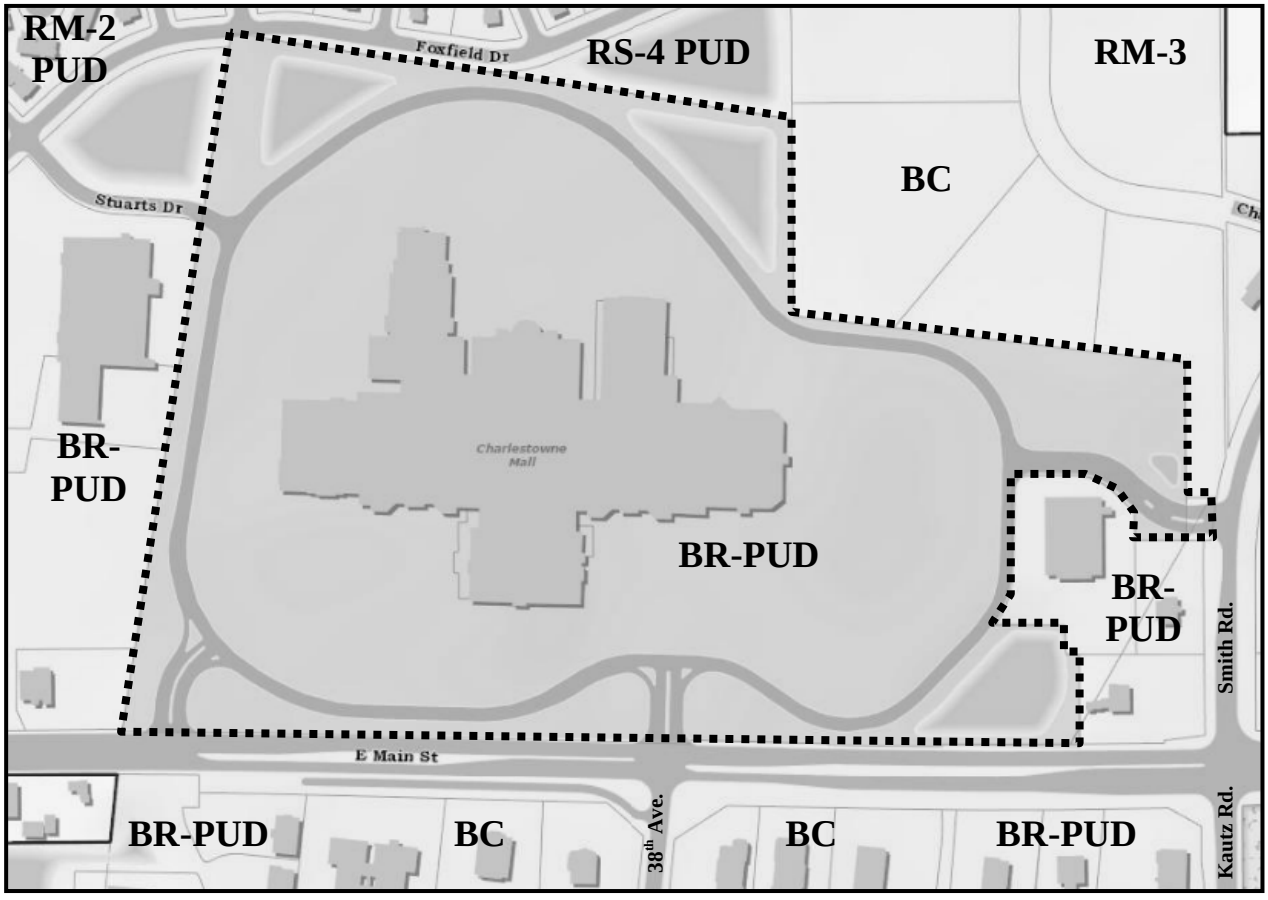
Zoning Summary		Current Land Uses
North	BC-Community Business (Oliver Hoffmann) RS-4 Residential PUD (Charlemagne Sub.)	Vacant/farmed Single Family Residential
East	BC-Community Business & BR Regional Business	Retail/Restaurant
South	BC-Community Business & BR Regional Business	Retail/Restaurant/Office
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

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.

PLANS CURRENTLY UNDER REVIEW

The developer is now commencing the PUD Preliminary Plan approval stage of the project. Documents being presented for approval at this time include:

- 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.

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.

These documents are scheduled to be submitted in June and would be before the Plan Commission in late June or early July.

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

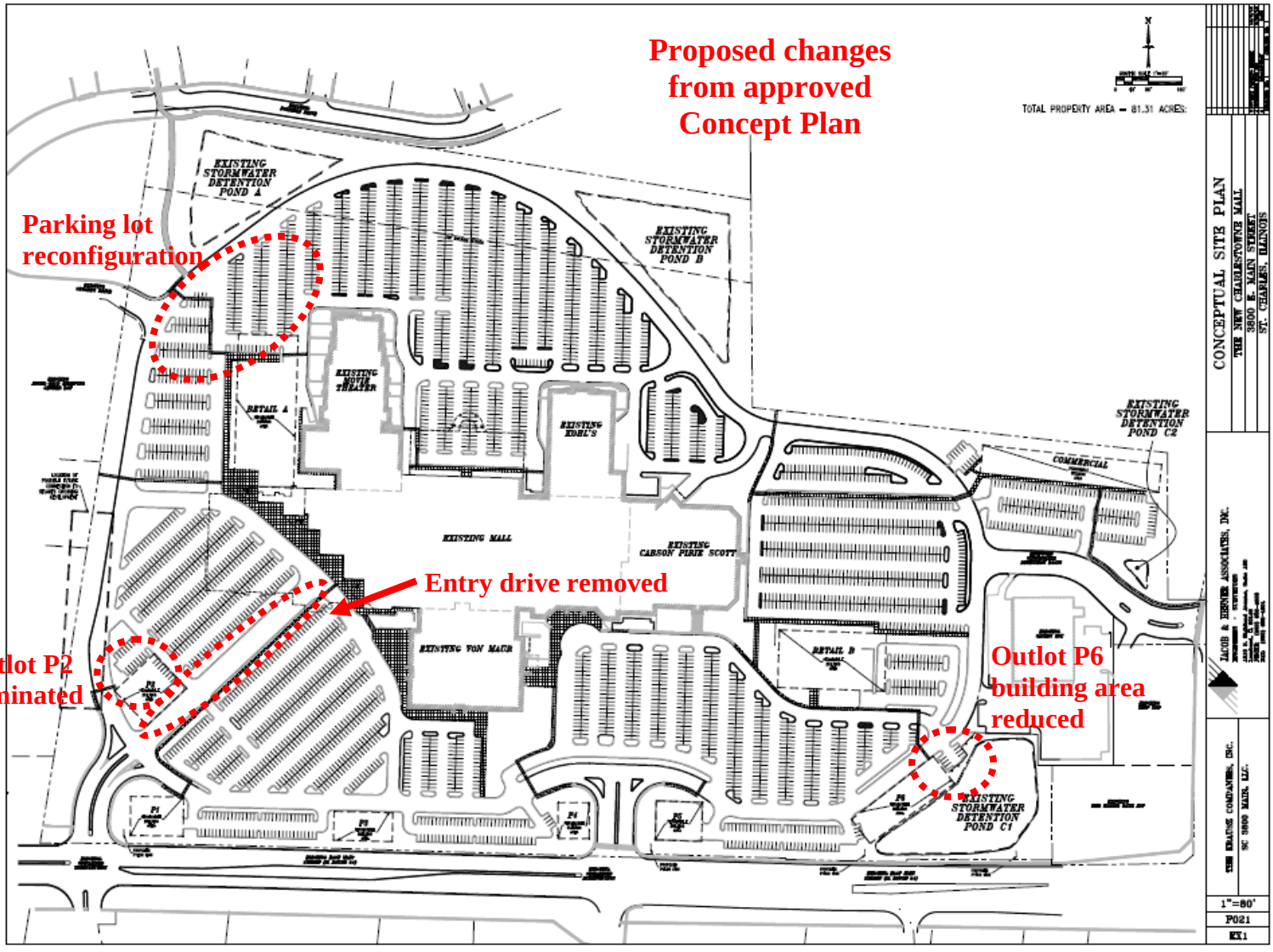
III. ANALYSIS OF PLANS

CONCEPT SITE PLAN

The overall site layout is substantially similar to the Concept Site Plan that was approved with the PUD ordinance. Changes to the site plan:

- Outlot building footprints and parking lots have been omitted from this plan, as these will be reviewed and approved later.
- Outlot building site P2, which was located inside the ring road at the southwest corner of the property, has been removed.
- The entry drive from the southwest entrance/ring road intersection to the mall building has been removed.
- Some areas of the parking lot have been slightly reconfigured.
- The permissible building area identified for outlot P6 adjacent to pond C1 has been reduced.

Approved Concept Site Plan with locations of changes:



PUD STANDARDS

The developer has provided the following preliminary data about the buildings sizes:

Building	Gross Leasable Square footage
Kohls	82,280
Classic Cinemas	77,300
Von Maur	141,808
Carson Pirie Scott	141,800
Retail A, B, C, D (estimate)	62,627
Mall & Food Court	267,850
Total	**773,665**

Staff reviewed the plans for compliance with the PUD Standards. The review is detailed in the table below.

PUD STANDARD PER ORD. 2013-Z-19		PROPOSED SITE PLAN
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.	Per PUD Ordinance
Minimum Setbacks from Perimeter Property Lines		
Front/Rt.64 & Smith Rd.	Parking: 20 ft. for parking stalls; 15 ft. for circulation drives associated with drive-through uses. Buildings: 20 ft.	Per PUD Ordinance- applies to Main St. outlots
Rear/abutting Charlemagne Subdivision	Parking: Existing location per approved PUD Preliminary Plans. Buildings: 200 ft. to Charlemagne Subdivision property line	Per PUD Ordinance- No changes to existing setback
Sides/other property lines	Buildings: 15 ft. Parking: 0 ft.	Per PUD Ordinance
Maximum Building Size		
Maximum Building Height	Mall Building: Roofline maximum elevation: 829 ft. above sea level (existing mall skylight ridge) Parapets maximum elevation: 846 ft. above sea level (existing mall skylight peak) Feature elements maximum 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.	To be reviewed with Architectural Plans
Maximum Floor Area	1,200,000 square feet of Gross Floor Area (GFA) 925,000 square feet of Gross Leasable Area (GLA)	GFA: TBD GLA: 773,665 s.f. for mall, anchors, Retail A, B, C, D

PUD STANDARD PER ORD. 2013-Z-19		PROPOSED SITE PLAN
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 buidings 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.	3,850 spaces for mall building, anchors, and retail A,B,C,D buildings. Parking ratio of 4.88 per 1,000 s.f. Outlots will provide 4 spaces per 1,000 each.
Signs		
Freestanding/ Identification Signs	3 Shopping Center signs: Area: 225 sf Height: 30 ft. (To display shopping center name, anchor tenants, Retail A & B) 1 cinema readerboard sign, Area: 150 sf. Height: 15 ft. Outlot buildings (P1 to P6): 1 monument sign per building Area: 50 sf. Height: 8 ft. Existing off-site sign for 3880 E. Main St./ Lot 1of Charwil's Second Resubdivision/ Saver's store, may remain per approved PUD Preliminary Plans.	To be reviewed with Sign Plan and as outlots are proposed for development.
Wall Signs	Anchor stores: 1 per side. Retail A & B: 1 per business per side. Outlots: 1 per side. 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. For other stores/restaurants in the mall building with exterior frontage/storefronts, 1 per business.	To be reviewed with Sign Plan and as outlots are proposed for development.
Directional Signs	2 at each access point into the site. At each intersections of an entrance drive and the ring road, 1 per leg of the intersection. Signs may contain mall name/logo and business name/logo of Anchors, Retail A or B, or Outlots.	To be reviewed with Sign Plan and as outlots are proposed for development.

PUD STANDARD PER ORD. 2013-Z-19		PROPOSED SITE PLAN
Landscaping Standards		
Overall % of landscaped area	Per Ordinance requirements: 20% landscape area over entire site.	More than 20% of site remains to be landscaped.
Bufferyards	Existing setback and landscaping along Charlemagne Subdivision to be maintained in conformance with the approved PUD Preliminary Plan.	No changes to existing landscaping on north property line.
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.	To be reviewed with Landscape Plan for mall building and outlots.
Public Street frontage	Per Ordinance requirements along Main St. frontage; flexibility to provide lower plantings in lieu of some trees.	To be reviewed with Landscape Plan for outlots.
Parking Lot Screening	Per Ordinance requirements: 30" screening of 50% of the parking lot frontage.	To be reviewed with Landscape Plan for outlots.
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.	To be reviewed with Landscape Plan for mall building.
Building Design and Material Requirements		
Building Design & material requirements	Per Ordinance requirements contained in Section 17.06.030, and: • 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.	To be reviewed with Architectural Plans.
Access Locations		
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.	Access points will be constructed when access to other sites is provided.
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.	Subdivision for theater building anchor meets PUD criteria.
Min. Lot Width	None	-
Min. Lot Area	None	-

STAFF REVIEW OF PLANS

Preliminary Engineering Plan

Staff has conducted a review of the Preliminary Engineering Plans and has provided comments to the developer. The outstanding comments are minor and primarily relate to design or placement of underground utilities. Resolution of the comments will not significantly alter the site plan. The developer's engineer has provided a response letter stating that they will address the comments in the next plan submittal prior to City Council action.

Landscape and Lighting Plans

Staff provided the following comments for the developer to consider in preparation of the Landscape and Lighting Plans:

1. The Landscape Plan will need to identify what landscaping is remaining, with an assessment of the condition of the landscaping. Some plantings along the buildings are overgrown or crowded.
2. Landscaping in the islands and medians at the entry points is unattractive and can limit visibility. This landscaping should be replanted with lower perennials or groundcovers.
3. The landscape plan should provide more detail on the design of the pedestrian walkways at the mall entrances and the use of the open spaces between the sidewalks and the building.
4. Landscaping at the southwest corner of the site (west of the westerly entrance) is dense and blocks the view of the mall from traffic traveling east on Rt. 64. This landscaping should be thinned out (remove some or all evergreens). The westerly most pylon sign might have better visibility in this location.
5. The area at the southeast corner of the Von Maur building may provide an opportunity for some type of focal point feature that can take advantage of the visibility and grade change. (This could be a structure, sign, or landscape feature, with a walkway connecting the adjacent sidewalks)
6. A decorative pedestrian scale light could be used in certain locations, such as along the mall building and potentially at site entrances or along pedestrian paths.
7. The overhead lighting on the pedestrian pathway from Foxfield Rd., if replaced, should be replaced with a pedestrian scale fixture.

Final Plat of Subdivision

The developer has requested approval of a Final Plat of Subdivision to create a new lot for the existing theater anchor building. The developer intends to sell the building and lot to the operators of the theater, Classic Cinemas.

The PUD Ordinance allows a lot to be created for the anchor stores, as was done for the Kohl's and Von Maur buildings, which are under separate ownership from the rest of the mall property. The existing COREA document for the mall (Construction, Operation, and Reciprocal Easement Agreement) provides for parking, access and utilities to service the building lot.

Staff has determined that perimeter utility easements for the lot, which are typically required when a new lot is created, are not required for this type of subdivision, as appropriate utility easements already exist around the building.

IV. RECOMMENDATION

Staff recommends approval of the Site Plan, Preliminary Engineering Plan and the Final Plat of Subdivision, subject to resolution of staff comments prior to City Council action.

V. ATTACHMENTS

- The Quad St. Charles Review and Approval Process Summary
- Development Engineering Review comments dated 3/12/14
- Response letter from Developer's Engineer, Jacob & Heffner dated 3/14/14
- Application materials
- PUD Ord. 2013-Z-19

The Quad St. Charles – Plan Approval Process

3/14/14

PUD Amendment- Approved on 11/4/13 (Ordinance #2013-Z-19)

- Approved a **Concept Site Plan** to demonstrate design intent of the project
- Approved new **PUD Standards** for the site (zoning and subdivision requirements)

PUD Preliminary Plans for the Overall Site and Mall Building

Preliminary Engineering Plan – For Plan Commission Review 3/18/14

- Overall site and parking lot layout, excluding outlot properties
- Engineering design for the site improvements

Preliminary Landscape Plan – In process (to be reviewed by Plan Commission and City Council)

- Landscape Plan for all portions of mall property, excluding outlot properties

Preliminary Architectural Plans – In process (to be reviewed by Plan Commission and City Council)

- Building elevations and materials for the newly constructed and reconstructed portions of the mall building

Preliminary Signage Plan – In process (to be reviewed by Plan Commission and City Council)

- New freestanding signs for the mall

PUD Preliminary Plans for the Outlots (Retail A, B , C, D and Main St. outlots)

To be submitted and reviewed as each outlot is proposed for development, to include:

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

Subdivisions for Anchors or Outlots

- Final Plat for Theater Anchor Building – For Plan Commission review 3/18/14
- Final Plat for other anchors/outlots – May be submitted as outlots are developed
    - (A subdivision to create new building lots for each outlot building is not required but may be requested by the property owner)

Community & Economic Development
Development Engineering Division
Phone: (630) 443-3677
Fax: (630) 377-4062

ST. CHARLES
SINCE 1834

Memo

Date: 3/12/2014

To: Russell Colby,

From: Christopher Tiedt, P.E.

RE: The Quad St. Charles

I have reviewed the submittal for The Quad St. Charles project located at 3800 E. Main Street The following documents were reviewed.

- Plat of Resubdivision The Quad St. Charles- Unit 1 prepared by Jacob and Hefner dated February 25, 2014 (2-pages)
- Preliminary Site Improvement Plans for The Quad St. Charles prepared by Jacob and Hefner dated February 26, 2014 (25-pages)

I have reviewed the above documents for conformance with the City of St. Charles Ordinances, Kane County Stormwater Ordinances and general engineering and construction practices. The following comments are offered up for your consideration:

Plat of Resubdivision:

1. Title 16 requires that perimeter easements are to be granted around each created lot. Given that the proposed lot lines appear to be the edge of the existing building, it would be appropriate that a variance is granted so that these easements are not required.
2. Title 16 requires that two permanent monuments be installed per City standards and that locations of these monuments are shown on the plat. Given that the proposed lot lines appear to be the edge of the existing building, it would be appropriate that a variance is granted so that these monuments are not required.

Preliminary Engineering Plans:

3. Sheet C2.6-C3.0: Please identify how watermain abandonments will be accomplished. (ie plugged, cut and cap, etc.)
4. Sheet C2.7: There is a note that calls out for 20' of watermain to be abandoned at the north end of the existing Sears store, but that portion of watermain to be abandoned is not depicted. Please revise accordingly.

5. Sheet C3.0: A sidewalk is suggested along the NW edge of Pond C2 to connect the proposed crosswalk to the permissible building area on the west side of Pond C2.
6. Sheet C3.4: Paving of the bike path has not been included even though it is shown as be partially removed to accommodate new pavement on Sheet C2.4. Please revise accordingly.
7. Sheet C4.0-C4.4: It is understood that plans will be submitted for the construction on the proposed building pads, but temporary grading of the building pads shall be identified on these pages until that construction takes place.
8. Sheet C4.0-C4.4: Existing topography a minimum of 50', 100' preferred, on neighboring properties, particularly in the area of the Oliver-Hoffman property and along the north property line, needs to be delineated to insure overland drainage routes and surrounding properties are not adversely impacted by the proposed grading.
9. Sheet C4.0-C4.4: Please identify the emergency overland flow routes throughout the site and for the detention ponds.
10. Sheet C4.0-C4.4: Please identify proposed grading changes that will be made to the detention ponds to accommodate the additional detention volumes.
11. Sheet C4.2: Please identify how this detention pond will be modified as the permissible building area encroaches into the HWL area of the existing detention pond.
12. Sheet C4.3: Consideration needs to be given to the design of the sidewalk along the west side of the property in the area where overland flows will cross the sidewalk and along the edge of the existing drainage swale.
13. Sheet C5.0-5.4: All existing and proposed watermain and appurtenances shall have a minimum of 20' separation from all structures.
14. Sheet C5.0-5.4: All proposed buildings will require a separate domestic and fire service that is tapped off of a public watermain. Please add a note that calls this out and show these services and service sizes.
15. Sheet C5.1-C5.4: Please revise "General Utility Notes" to reflect City standards.
    a. CA-7 (virgin crushed limestone) shall be used within 3' of all paved areas and shall be and FA-6 (clean brown sand) used in all unpaved areas for trench backfill.
    b. All storm sewer 15" or smaller shall be PVC SDR 26.
16. Sheet C5.1: The 8" watermain extension across the east access drive needs to be terminated with a valve and fire hydrant for flushing purposes.
17. Sheet C5.2: Please remove the note calling out a proposed pressure connection at the NE corner of Savers.
18. Sheet C5.2: Please call out flared end sections with grates on the storm pipes being placed in the detention pond.
19. Sheet C5.2 and C5.3: The proposed 6" valve near fire hydrant 5A & 6A should be moved to the south side of the fire hydrants so the hydrants can remain publicly owned and maintained. In the current configuration, these hydrants would be considered private.
20. Sheet C5.3: Where will the services for Retail C come from? Please identify these services. It might be best to redirect these sanitary services to the west to

for Retail A and Retail C to remove the privately owned sanitary service located under the theater.

Stormwater Comments:

21. A stormwater permit application, application fee and afull stormwater report with calculations will need to be submitted. This report must demonstrate that post-development runoff conditions for the proposed project on the property are equal to or less than the pre-developed, existing conditions of the property.
22. An exhibit identifying the post-development drainage basin areas and the pre-development drainage basin areas will need to be included with the report.

General Comments:

23. Will the outlots and retail lots be owned by separate owners, or will they remain under one ownership? This information will be needed to determine what utilities will be publicly owned and maintained and what utilities will be privately owned and maintained. Once this is determined, we will require that all utilities be labeled accordingly during Final Engineering.
24. Anticipated sewer flows should be provided to insure that there is adequate capacity in the existing mains that proposed sanitary sewers are being connected to and to demonstrate whether or not there is an overall increase from the mall property.
25. IEPA permits will be required for the construction of the proposed water and sanitary main. No work on either of these utilities will be allowed until permits are obtained.
26. Demolition of existing utilities and the installation of proposed utilities will need to be closely coordinated to insure system reliability and minimum utility service requirements for the remaining stores located throughout the site.
27. It appears that there currently is no work being proposed in the Route 64 ROW. If this should change, and IDOT permit will be required for any/all work performed in the Route 64 ROW.
28. An Engineer's Estimate for the proposed improvements will need to be prepared and submitted to the City for review.
29. Easements will be required over all new publicly owned utilities. These easements must be in place prior to public acceptance of public utilities.

PW Comments:

Water

30. The existing 16" water main along the west side of the mall is extremely deep. Verify depths to determine if relocation of this section is even required.
31. Add note that the contractor is responsible for passing pressure tests when using existing valves.
32. Additional valves will be required to be installed along water main relocations sections to allow for pressure testing, chlorination and sampling of the newly installed pipe. This can be discussed and revised during Final Engineering.
33. Plan for hydrants to be installed within 75' of buildings which have fire department connections.
34. Valve vaults cannot be located under parking stalls.

35. Pressure connections cannot be built in-line. Pressure connections require two 90 degree bends which will affect hydraulic flow. Hydra-Stops of the existing water main may allow for inline relocation of water mains. Care must be taken to decide if this is the correct method because the section of water main will be out of service for the complete installation and testing period.
36. Pressure taps cannot be made at bends.
37. Provide numbering system for all valves and pressure taps.

Sheet C5.2:

38. FH4, specify pressure connection not 'cut-in'.

Sheet C5.3:

39. Relocating hydrant FH8 to the south side of the proposed water main will help meet the 75' fire department connection spacing requirement.

Sheet C5.4:

40. Relocated hydrant FH13 cannot have a 'cut-in' connection.
41. The existing service lines cannot be extended without taking them out of service for the construction and testing time period.

Environmental:

42. All new commercial buildings are to have inspection manholes placed within 10 to 15 feet of the foundation.

Public Works Engineering:

43. There are historical flooding issues with Pond A that should be taken into consideration during the engineering.

The applicant's design professionals are responsible for performing and checking all design computations, dimensions, details and specifications in accordance with all applicable codes and regulations, and obtaining all permits necessary to complete this work. In no way does this review relieve the applicant's design professionals of the duties to comply with the law and any applicable codes and regulations, nor does it relieve the Contractors in any way from their sole responsibility for the quality and workmanship of the work and for strict compliance with the permitted plans and specifications.

JACOB & HEFNER
ASSOCIATES

1910 S. Highland Avenue, Suite 100
Lombard, IL 60148
P 630-652-4600
F 630-652-4601

March 14, 2014
F021

Christopher Tiedt, P.E.
Development Engineering Division Manager
City of St. Charles
2 E Main Street
St. Charles, Illinois 60174

Re: **Preliminary PUD**
The Quad – St. Charles
St. Charles, Illinois

Dear Mr. Tiedt,

After reviewing the comments presented in your March 12, 2014 memorandum and discussing them with you and City staff, we do not take exception to any of the comments. All comments presented will be addressed with the submittal of the final construction documents for this phase of the project. The final construction documents will be submitted on or before April 15, 2014 for your further review.

Please call if you have any questions.

Sincerely,
JACOB & HEFNER ASSOCIATES, INC.

William L. Bohne, P.E.
President

Cc: Mr. Charles H. May II – SC 3800 Main, LLC.

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

PUD PRELIMINARY PLAN APPLICATION

Received Date
St. Charles, IL
FEB 27 2014
CDD
Planning Division

CITYVIEW
Project Name: Charlestowne Mall
Project Number: 2013 -PR- 013
Application Number: 2014 -AP- 010

Instructions:

To request approval 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 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): 09-25-200-032; 09-25-200-027; 09-25-200-025; 09-25-200-016; 09-25-200-017; 09-25-200-031	
	Proposed Name of PUD: 3800 E. Main Street Saint Charles, Illinois 60174	
2. Applicant:	Name: SC 3800 Main, LLC Contact: David Pyle	Phone 415-732-5600
	Address: 44 Montgomery Street, Suite 3300 San Francisco, CA 64104	Fax: 415-732-5699
		Email : david@tkcre.com
3. Record Owner:	Name: Same as Applicant	Phone
	Address	Fax
		Email
4. Billing: *Who is responsible for paying application fees and reimbursements?*	Name: Same as Applicant	Phone
	Address	Fax
		Email

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
15. Location and classification of wetland areas as delineated in the National Wetlands Inventory
16. Existing zoning classification of property
17. Existing and proposed land use
18. Area of property in square feet and acres
19. Proposed off-street parking and loading areas
20. Number of parking spaces provided, and number required by ordinance
21. Angle of parking spaces
22. Parking space dimensions and aisle widths
23. Driveway radii at the street curb line
24. Width of driveways at sidewalk and street curb line
25. Provision of handicapped parking spaces
26. Dimensions of handicapped parking spaces
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.

_____
Record Owner Date
F. Ron Krausz, Manager of its Manager

_____
Applicant or Authorized Agent Date
F. Ron Krausz, Manager of its Manager

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

Received Date
St. Charles, IL
FEB 27 2014
CDD
Planning Division

CITYVIEW
Project Name: Charlestowne Mall
Project Number: 2013 -PR- 013
Application Number: 2014 -AP- 011

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):	
	Proposed Subdivision Name:	
2. Applicant Information:	Name: SC 3800 Main LLC (Contact: David Pyle)	Phone:415-732-5600
	Address: 44 Montgomery Street, Suite 3300 San Francisco, CA 64104	Fax415-732-5699
		Email: david@tkcre.com
3. Record Owner Information:	Name: SC 3800 Main LLC	Phone: 415-732-5600
	Address: 44 Montgomery Street, Suite 3300 San Francisco, CA 64104	Fax: 415-732-5699
		Email: david@tkcre.com
4. Billing: *To whom should costs for this application be billed?*	Name: SC 3800 Main LLC	Phone 415-732-5600
	Address: 44 Montgomery Street, Suite 3300 San Francisco, CA 64104	Fax: 415-732-5699
		Email: david@tkcre.com

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 ½ x 11 inch paper
- ❑ **FINAL PLAT SUBMITTAL CHECKLIST (Completed)**
- ❑ **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 Planning Commission - Twenty-Two (22) full size copies, Three (3) 11" by 17" and a PDF electronic file on a CD-ROM.

- ❑ **COVENANTS**: One copy of proposed agreements, provisions, or convents which will govern the use, maintenance, and continued protection of the planned development and any of its common open space.
- ❑ **WORKSHEETS (For residential developments):**
  - 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:**
  - 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)
- ❑ Illinois EPA Water Pollution Control Permit for sanitary sewer extension
- ❑ Illinois EPA Division of Public Water Supplies Permit for water mains
- ❑ Notice of Intent (NOI) letter/permit for NPDES Stormwater Discharge for sites 5 acres and larger
- ❑ IDNR Office of Water Resources Permit (for work in flood plain)
- ❑ Wetlands Permit from Army Corps of Engineers
- ❑ Kane County DOT and/or IDOT signature on Final Plat (if applicable)
- ❑ Offsite easements and right of way necessary to construct the required Land Improvements

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

F. Ron KRAUSZ, Manager of its Manager

Applicant or Authorized Agent Date

F. Ron KRAUSZ Manager of its Manager

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

Nancy Garrison
City Clerk

(SEAL)

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:

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.

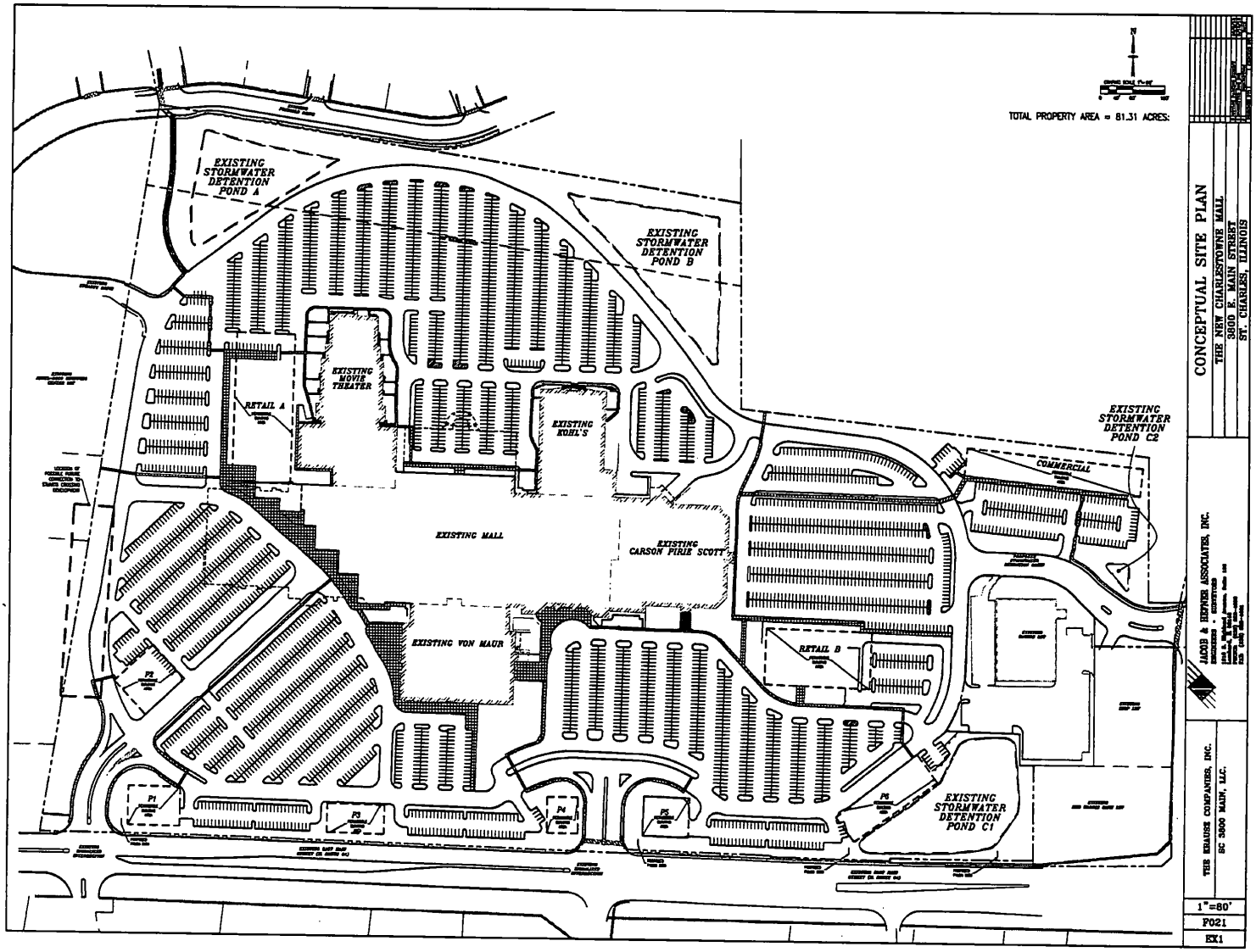
The PUD amendment will facilitate site improvements that further the goals of the Comprehensive Plan.

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



CONCEPTUAL SITE PLAN

THE NEW CHARLESTOWNE MALL
3800 E. MAIN STREET
ST. CHARLES, ILLINOIS

JACOB & HEFNER ASSOCIATES, INC.

THE KRAUSE COMPANIES, INC.
DC 3800 MAIN, LLC.

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	
• **Front/Rt.64 & Smith Rd.**	Parking: 20 ft. for parking stalls; 15 ft. for circulation drives associated with drive-through uses. Buildings: 20 ft.
• **Rear/abutting Charlemagne Subdivision**	Parking: Existing location per approved PUD Preliminary Plans. Buildings: 200 ft. to Charlemagne Subdivision property line
• **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.

	Outlot buildings (P1 to P6): 1 monument sign per building Area: 50 sf. Height: 8 ft. Existing off-site sign for 3880 E. Main St./ Lot 1of Charwil's Second Resubdivision/ Saver's store, may remain per approved PUD Preliminary Plans.
Wall Signs	Anchor stores: 1 per side. Retail A & B: 1 per business per side. Outlots: 1 per side. 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. For other stores/restaurants in the mall building with exterior frontage/storefronts, 1 per business.
Directional Signs	2 at each access point into the site. At each intersections of an entrance drive and the ring road, 1 per leg of the intersection. Signs may contain mall name/logo and business name/logo of Anchors, Retail A or B, or Outlots.
Landscaping Standards	
• **Overall % of landscaped area**	Per Ordinance requirements: 20% landscape area over entire site.
• **Bufferyards**	Existing setback and landscaping along Charlemagne Subdivision to be maintained in conformance with the approved PUD Preliminary Plan.
• **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.
• **Public Street frontage**	Per Ordinance requirements along Main St. frontage; flexibility to provide lower plantings in lieu of some trees.
• **Parking Lot Screening**	Per Ordinance requirements: 30" screening of 50% of the parking lot frontage.
• **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: • 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.

(SEAL)

Nancy Garrison
Municipal Clerk

FOXFIELD DRIVE

EXISTING STORMWATER DETENTION POND A

EXISTING STORMWATER DETENTION POND B

STUARTS DRIVE

DIRECTIONAL SIGN

JEWEL-OSCO SHOPPING CENTER LOT

RETAIL A

EXISTING MOVIE THEATER

EXISTING KOHL'S

RETAIL C

RETAIL D

PERMISSIBLE BUILDING AREA & PERMISSIBLE PARKING AREA. FUTURE BUILDING LAYOUTS AND CONFIGURATIONS WILL BE DETERMINED AT LATER DATE

EXISTING MALL

EXISTING CARSON PIRIE SCOTT

EXISTING VON MAUR

OVERALL SITE PLAN NOTES:

BUILDING SIZES, LOCATIONS, AND CONFIGURATIONS ARE CONCEPTUAL AND SUBJECT TO CHANGE

PERMISSIBLE BUILDING AREA & PERMISSIBLE PARKING AREA & TEMPORARY CONSTRUCTION STAGING AREA

EXISTING STORMWATER DETENTION POND C2

DIRECTIONAL SIGN

PR. GUARDRAIL

STAIRS

RETAIL B

PERMISSIBLE BUILDING AREA & PERMISSIBLE PARKING AREA. FUTURE BUILDING LAYOUTS AND CONFIGURATIONS WILL BE DETERMINED AT LATER DATE

SAVERS LOT

IHOP LOT

SMITH ROAD

DIRECTIONAL SIGN

DIRECTIONAL SIGN

EXISTING STORMWATER DETENTION POND C1

BMO HARRIS BANK LOT

PERMISSIBLE BUILDING AREA & PERMISSIBLE PARKING AREA. FUTURE BUILDING LAYOUTS AND CONFIGURATIONS WILL BE DETERMINED AT LATER DATE

PERMISSIBLE BUILDING AREA & PERMISSIBLE PARKING AREA. FUTURE BUILDING LAYOUTS AND CONFIGURATIONS WILL BE DETERMINED AT LATER DATE

PYLON SIGN

PYLON SIGN

PYLON SIGN

PYLON SIGN MONUMENT SIGN FOR SAVERS TO REMAIN

EAST MAIN STREET (IL ROUTE 64)

EAST MAIN STREET (IL ROUTE 64)

N

GRAPHIC SCALE 1"= 80'

0 40' 80' 160'

#	DESCRIPTION	DATE
2	REVISED PER CITY	5/14/14
1	ORIGINAL PLAN DATE	5/13/14

DESIGNED BY: | CHECKED BY:

PRELIMINARY SITE PLAN

THE QUAD ST. CHARLES

3800 E. MAIN STREET

ST. CHARLES, ILLINOIS

JACOB & HEFNER ASSOCIATES
1910 S. Highland Avenue, Suite 100, Lombard, IL 60148
PHONE: (630) 652-4600, FAX: (630) 652-4601
www.jacobandhefner.com

SC 3800 MAIN, LLC.

1"=80'

F021

EX1

PRELIMINARY SITE IMPROVMENT PLANS
FOR
THE QUAD ST. CHARLES
ST. CHARLES, ILLINOIS
SC 3800 MAIN, LLC

F021
THE QUAD ST. CHARLES
2/26/14

LEGEND (JACOB AND HEFNER ASSOCIATES, INC.)

PROPOSED	DESCRIPTION	EXISTING
	STORM SEWER	
8W	WATER MAIN WITH SIZE	W
	SANITARY SEWER	
	RIGHT-OF-WAY	
842	CONTOUR	701
805.25	SPOT GRADE	701.30
	SANITARY MANHOLE	
	STORM MANHOLE	
	STORM INLET	
	STORM CATCH BASIN	
	FIRE HYDRANT	
	PRESSURE CONNECTION	
	GATE VALVE W/VAULT	
	STREET LIGHT	
	STREET LIGHT W/MAST	
	OVERFLOW DIRECTION	
	CURB	
XX	SILT FENCE	
	ROAD SIGN	
UGE	UNDERGROUND ELECTRIC	E
G	UNDERGROUND GAS	G
	UTILITY POLE	
	DEPRESSED CURB FOR RAMP/DRIVEWAY	
TF	TOP OF FOUNDATION	
GF	GARAGE FLOOR, AT REAR OF GARAGE	
TD	TOP OF CURB, DEPRESSED	
TW	TOP OF RETAINING WALL	
R=	RIM FOR STRUCTURES	
R	RISER FOR SANITARY SERVICE	
HWL/NWL	HIGH/NORMAL WATER LEVEL	
T	TRANSFORMER	
X	FENCE LINE	X
	GUARD RAIL	
	FORCE MAIN	
	UNDERGROUND TELEPHONE	T
	UNDERGROUND ELECTRIC	E
	OVERHEAD ELECTRIC	OHE
	GAS LINE	G

LOCATION MAP
CHARLESTOWNE MALL
3800 E MAIN ST
ST CHARLES, KANE COUNTY, IL

N

NOTES:

1. EXISTING CONDITIONS, BOUNDRIES AND CONTROL POINTS SHOWN ON THESE PLANS WERE OBTAINED FROM AN ALTA, DATED 7/23/2013, PREPARED BY JOHNSON-WESTERN SURVEYING, L.L.C.

2. SOME EXISTING UTILITY AND TOPOGRAPHIC INFORMATION SHOWN ON THESE PLANS WERE OBTAINED FROM KNOWN AVAILABLE INFORMATION INCLUDING HISTORIC SITE DEVELOPMENT UTILITY, GRADING AND DRAINAGE PLANS FOR CHARLESTOWNE MALL, REVISED 6/25/1990, PREPARED BY THE SEAR-BROWN GROUP; RECORD DRAWINGS, REVISED 6/21/1990, PREPARED BY THE SEAR-BROWN GROUP; REGAL THEATER CHARLESTOWNE CENTRE MALL, REVISED 8/13/1998, PREPARED BY THE SEAR-BROWN GROUP; PRECISION GIS, PRINTED 7/24/2013, PROVIDED BY CITY OF ST. CHARLES; CLASSIC CINEMAS CHARLESTOWNE 18 PERMIT SET, REVISED 8/29/2001, PREPARED BY TK ARCHITECTS INC.; LOT 1 OF THE RESUBDIVISION OF CHARLESTOWNE MALL, REVISED 7/08/1993, PREPARED BY THE SEAR-BROWN GROUP; AND KOHL'S STORE CHARLESTOWNE CENTRE MALL, REVISED 5/14/1993, PREPARED BY RSP ARCHITECTS, LTD.

CONTACTS:

APPLICANT
SC 3800 MAIN, LLC.
CONTACT: DAVID E. PYLE
44 MONTGOMERY ST. SUITE 3300
SAN FRANCISCO, CA 94104
(P) (415) 732-5600
(F) (415) 732-5699

CIVIL ENGINEER
JACOB & HEFNER ASSOCIATES, INC.
CONTACT: BILL BOHNE, P.E.
1910 S. HIGHLAND AVENUE, SUITE 100
LOMBARD, IL 60148
(P) (630) 652-4600
(F) (630) 652-4601

CITY OF ST. CHARLES

DEVELOPMENT ENGINEERING DIVISION
CONTACT: CHRISTOPHER TIEDT, P.E.
2 E. MAIN ST
ST. CHARLES, IL 60174
(P) (630) 443-3677
(F) (630) 377-4062

PLANNING DIVISION
CONTACT: RUSSELL COLBY
2 E. MAIN ST
ST. CHARLES, IL 60174
(P) (630) 762-6925
(F) (630) 377-4062

No.	Description	Date
	REVISIONS	
2	REVISED PER OWNER	2/26/14
1	ISSUED FOR REVIEW	9/19/13

DRAWING INDEX

SHEET	TITLE
C1.0	COVER SHEET
C2.0	OVERALL EXISTING CONDITIONS PLAN
C2.1	PAVEMENT DEMOLITION PLAN NE QUADRANT
C2.2	PAVEMENT DEMOLITION PLAN SE QUADRANT
C2.3	PAVEMENT DEMOLITION PLAN SW QUADRANT
C2.4	PAVEMENT DEMOLITION PLAN NW QUADRANT
C2.5	UTILITY DEMOLITION PLAN NE QUADRANT
C2.6	UTILITY DEMOLITION PLAN SE QUADRANT
C2.7	UTILITY DEMOLITION PLAN SW QUADRANT
C2.8	UTILITY DEMOLITION PLAN NW QUADRANT
C3.0	OVERALL PROPOSED SITE PLAN
C3.1	PROPOSED PAVING PLAN NE QUADRANT
C3.2	PROPOSED PAVING PLAN SE QUADRANT
C3.3	PROPOSED PAVING PLAN SW QUADRANT
C3.4	PROPOSED PAVING PLAN NW QUADRANT
C4.0	OVERALL GRADING PLAN
C4.1	GRADING PLAN NE QUADRANT
C4.2	GRADING PLAN SE QUADRANT
C4.3	GRADING PLAN SW QUADRANT
C4.4	GRADING PLAN NW QUADRANT
C5.0	OVERALL UTILITY PLAN
C5.1	UTILITY PLAN NE QUADRANT
C5.2	UTILITY PLAN SE QUADRANT
C5.3	UTILITY PLAN SW QUADRANT
C5.4	UTILITY PLAN NW QUADRANT

MUNICIPALITY: ST CHARLES
COUNTY: KANE
TOWNSHIP: 40N
RANGE: 8E
SECTION: 25

JACOB & HEFNER
ASSOCIATES
1910 S. Highland Avenue, Suite 100, Lombard, IL 60148
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N

GRAPHIC SCALE 1"= 80'

0 40' 80' 160'

LEGEND

EXISTING MALL AND ADJOINING STRUCTURES TO REMAIN

EXISTING MALL AND ADJOINING STRUCTURES TO BE DEMOLISHED

LEGEND			
=	EXISTING STORM SEWER TO REMAIN	=	EXISTING STORM SEWER TO BE REMOVED
=	EXISTING SANITARY SEWER TO REMAIN	=	EXISTING SANITARY SEWER TO BE REMOVED
=	EXISTING WATERMAIN TO REMAIN	=	EXISTING WATERMAIN TO BE REMOVED
=	EXISTING ELECTRIC LINES TO REMAIN	=	EXISTING ELECTRIC LINES TO BE REMOVED
=	EXISTING GAS LINES TO REMAIN	=	EXISTING GAS LINES TO BE REMOVED
=	EXISTING CURB AND GUTTER TO REMAIN	=	EXISTING CURB AND GUTTER BETO REMOVED

NOTES:

1. EXISTING CONDITIONS, BOUNDRIES AND CONTROL POINTS SHOWN ON THESE PLANS WERE OBTAINED FROM AN ALTA, DATED 7/23/2013, PREPARED BY JOHNSON-WESTERN SURVEYING, L.L.C.

2. SOME EXISTING UTILITY AND TOPOGRAPHIC INFORMATION SHOWN ON THESE PLANS WERE OBTAINED FROM KNOWN AVAILABLE INFORMATION INCLUDING HISTORIC SITE DEVELOPMENT UTILITY, GRADING AND DRAINAGE PLANS FOR CHARLESTOWNE MALL, REVISED 6/25/1990, PREPARED BY THE SEAR-BROWN GROUP; RECORD DRAWINGS, REVISED 6/21/1990, PREPARED BY THE SEAR-BROWN GROUP; REGAL THEATER CHARLESTOWNE CENTRE MALL, REVISED 8/13/1998, PREPARED BY THE SEAR-BROWN GROUP; PRECISION GIS, PRINTED 7/24/2013, PROVIDED BY CITY OF ST. CHARLES; CLASSIC CINEMAS CHARLESTOWNE 18 PERMIT SET, REVISED 8/29/2001, PREPARED BY TK ARCHITECTS INC.; LOT 1 OF THE RESUBDIVISION OF CHARLESTOWNE MALL, REVISED 7/08/1993, PREPARED BY THE SEAR-BROWN GROUP; AND KOHL'S STORE CHARLESTOWNE CENTRE MALL, REVISED 5/14/1993, PREPARED BY RSP ARCHITECTS, LTD.

OVERALL EXISTING CONDITIONS PLAN

THE QUAD ST. CHARLES

3800 E. MAIN STREET

ST. CHARLES, ILLINOIS

#	DESCRIPTION	DATE	CHECKED BY:
2	REVISED PER OWNER	2/28/14	
1	ORIGINAL PLAN DATE	2/5/14	

JACOB & HEFNER ASSOCIATES

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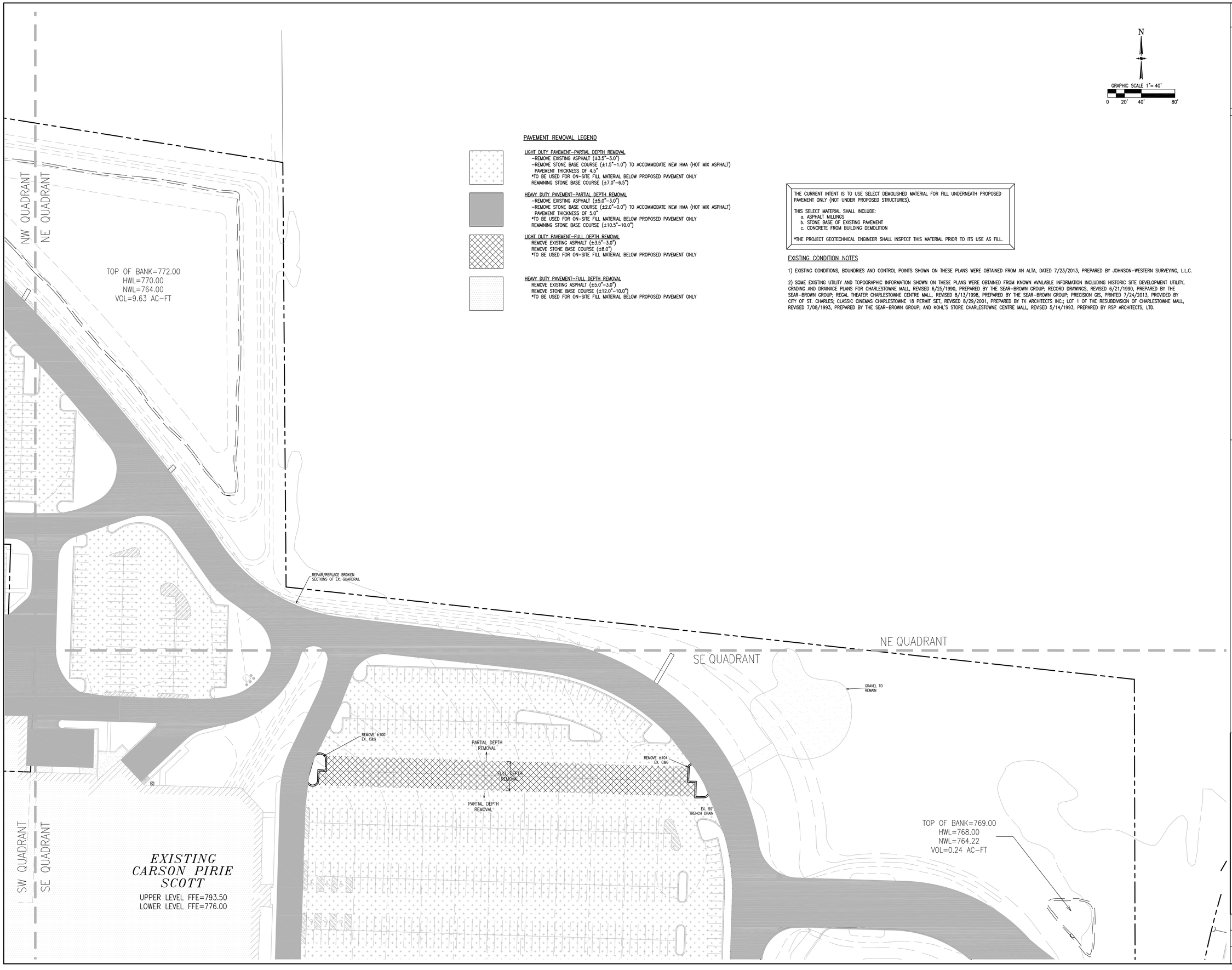
PHONE: (630) 652-6600, FAX: (630) 652-6601
www.jacobandhefner.com

SC 3800 MAIN, LLC.

1"=80'

F021

C2.0



N

GRAPHIC SCALE 1"= 40'

0 20' 40' 80'

PAVEMENT REMOVAL LEGEND

LIGHT DUTY PAVEMENT-PARTIAL DEPTH REMOVAL
- -REMOVE EXISTING ASPHALT (±3.5"-3.0")
- -REMOVE STONE BASE COURSE (±1.5"-1.0") TO ACCOMMODATE NEW HMA (HOT MIX ASPHALT) PAVEMENT THICKNESS OF 4.5"
- *TO BE USED FOR ON-SITE FILL MATERIAL BELOW PROPOSED PAVEMENT ONLY
- REMAINING STONE BASE COURSE (±7.0"-6.5")

HEAVY DUTY PAVEMENT-PARTIAL DEPTH REMOVAL
- -REMOVE EXISTING ASPHALT (±5.0"-3.0")
- -REMOVE STONE BASE COURSE (±2.0"-0.0") TO ACCOMMODATE NEW HMA (HOT MIX ASPHALT) PAVEMENT THICKNESS OF 5.0"
- *TO BE USED FOR ON-SITE FILL MATERIAL BELOW PROPOSED PAVEMENT ONLY
- REMAINING STONE BASE COURSE (±10.5"-10.0")

LIGHT DUTY PAVEMENT-FULL DEPTH REMOVAL
- REMOVE EXISTING ASPHALT (±3.5"-3.0")
- REMOVE STONE BASE COURSE (±8.0")
- *TO BE USED FOR ON-SITE FILL MATERIAL BELOW PROPOSED PAVEMENT ONLY

HEAVY DUTY PAVEMENT-FULL DEPTH REMOVAL
- REMOVE EXISTING ASPHALT (±5.0"-3.0")
- REMOVE STONE BASE COURSE (±12.0"-10.0")
- *TO BE USED FOR ON-SITE FILL MATERIAL BELOW PROPOSED PAVEMENT ONLY

THE CURRENT INTENT IS TO USE SELECT DEMOLISHED MATERIAL FOR FILL UNDERNEATH PROPOSED PAVEMENT ONLY (NOT UNDER PROPOSED STRUCTURES).

THIS SELECT MATERIAL SHALL INCLUDE:
- a. ASPHALT MILLINGS
- b. STONE BASE OF EXISTING PAVEMENT
- c. CONCRETE FROM BUILDING DEMOLITION

*THE PROJECT GEOTECHNICAL ENGINEER SHALL INSPECT THIS MATERIAL PRIOR TO ITS USE AS FILL.

EXISTING CONDITION NOTES

1) EXISTING CONDITIONS, BOUNDRIES AND CONTROL POINTS SHOWN ON THESE PLANS WERE OBTAINED FROM AN ALTA, DATED 7/23/2013, PREPARED BY JOHNSON-WESTERN SURVEYING, L.L.C.

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DESIGNED BY:	DESCRIPTION	DATE
	1 ORIGINAL PLAN DATE	2/5/14
	2 REVISED PER OWNER	2/25/14

CHECKED BY:

PAVEMENT DEMOLITION PLAN
NE QUADRANT
THE QUAD ST. CHARLES
3800 E. MAIN STREET
ST. CHARLES, ILLINOIS

JACOB & HEFNER ASSOCIATES
1910 S. Highland Avenue, Suite 100, Lombard, IL 60148
PHONE: (630) 652-4600, FAX: (630) 652-4601
www.jacobandhefner.com

SC 3800 MAIN, LLC.

1"=40'

F021

C2.1

NE QUADRANT

SE QUADRANT

SW QUADRANT

SE QUADRANT

EXISTING CARSON PIRIE SCOTT

UPPER LEVEL FFE=793.50

LOWER LEVEL FFE=776.00

GRAPHIC SCALE 1"= 40'

0 20' 40' 80'

GRAVEL TO REMAIN

REMOVE ±100' EX. C&G

PARTIAL DEPTH REMOVAL

FULL DEPTH REMOVAL

PARTIAL DEPTH REMOVAL

REMOVE ±104' EX. C&G

PARTIAL DEPTH REMOVAL

FULL DEPTH REMOVAL

REMOVE ±135' EX. C&G

REMOVE ±183' EX. C&G

REMOVE ±85' EX. C&G

REMOVE ±698' EX. C&G

REMOVE ±699' EX. C&G

REMOVE ±107' EX. C&G

REMOVE ±218' EX. C&G

PARTIAL DEPTH REMOVAL

FULL DEPTH REMOVAL

PARTIAL DEPTH REMOVAL

FULL DEPTH REMOVAL

REMOVE ±138' EX. C&G

REMOVE ±194' EX. C&G

REMOVE ±759' EX. C&G

REMOVE ±85' EX. C&G

REMOVE ±386' EX. GUARDRAIL

REMOVE EX. MONUMENT SIGN

STORMWATER DETENTION BASIN C2

TOP OF BANK=769.00

HWL=768.00

NWL=764.22

VOL=0.24 AC-FT

STORMWATER DETENTION BASIN C1

TOP OF BANK=770.00

HWL=768.00

NWL=763.50

VOL=8.18 AC-FT

SMITH ROAD

Road

EXISTING EAST MAIN STREET (IL ROUTE 64)

No.

PAVEMENT REMOVAL LEGEND

LIGHT DUTY PAVEMENT-PARTIAL DEPTH REMOVAL (TOTAL PROJECT: ±76,900 SY)
- -REMOVE EXISTING ASPHALT (±3.5"-3.0")
- -REMOVE STONE BASE COURSE (±1.5"-1.0") TO ACCOMMODATE NEW HMA (HOT MIX ASPHALT) PAVEMENT THICKNESS OF 4.5"
- *TO BE USED FOR ON-SITE FILL MATERIAL BELOW PROPOSED PAVEMENT ONLY
- REMAINING STONE BASE COURSE (±7.0"-6.5")

HEAVY DUTY PAVEMENT-PARTIAL DEPTH REMOVAL (TOTAL PROJECT: ±34,100 SY)
- -REMOVE EXISTING ASPHALT (±5.0"-3.0")
- -REMOVE STONE BASE COURSE (±2.0"-0.0") TO ACCOMMODATE NEW HMA (HOT MIX ASPHALT) PAVEMENT THICKNESS OF 5.0"
- *TO BE USED FOR ON-SITE FILL MATERIAL BELOW PROPOSED PAVEMENT ONLY
- REMAINING STONE BASE COURSE (±10.5"-10.0")

LIGHT DUTY PAVEMENT-FULL DEPTH REMOVAL (TOTAL PROJECT: ±59,900 SY)
- REMOVE EXISTING ASPHALT (±3.5"-3.0")
- REMOVE STONE BASE COURSE (±8.0")
- *TO BE USED FOR ON-SITE FILL MATERIAL BELOW PROPOSED PAVEMENT ONLY

HEAVY DUTY PAVEMENT-FULL DEPTH REMOVAL (TOTAL PROJECT: ±28,200 SY)
- REMOVE EXISTING ASPHALT (±5.0"-3.0")
- REMOVE STONE BASE COURSE (±12.0"-10.0")
- *TO BE USED FOR ON-SITE FILL MATERIAL BELOW PROPOSED PAVEMENT ONLY

THE CURRENT INTENT IS TO USE SELECT DEMOLISHED MATERIAL FOR FILL UNDERNEATH PROPOSED PAVEMENT ONLY (NOT UNDER PROPOSED STRUCTURES).

THIS SELECT MATERIAL SHALL INCLUDE:
- a. ASPHALT MILLINGS
- b. STONE BASE OF EXISTING PAVEMENT
- c. CONCRETE FROM BUILDING DEMOLITION

*THE PROJECT GEOTECHNICAL ENGINEER SHALL INSPECT THIS MATERIAL PRIOR TO ITS USE AS FILL.

EXISTING CONDITION NOTES

1) EXISTING CONDITIONS, BOUNDRIES AND CONTROL POINTS SHOWN ON THESE PLANS WERE OBTAINED FROM AN ALTA, DATED 7/23/2013, PREPARED BY JOHNSON-WESTERN SURVEYING, L.L.C.

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	DESCRIPTION	DATE
2	REVISED PER OWNER	2/26/14
1	ORIGINAL PLAN DATE	2/5/14
	DESIGNED BY:	CHECKED BY:

PAVEMENT DEMOLITION PLAN
SE QUADRANT
THE QUAD ST. CHARLES
3800 E. MAIN STREET
ST. CHARLES, ILLINOIS

JACOB & HEFNER ASSOCIATES
1910 S. Highland Avenue, Suite 100, Lombard, IL 60148
PHONE: (630) 652-4600, FAX: (630) 652-4601
www.jacobandhefner.com

SC 3800 MAIN, LLC.

1"=40'

F021

C2.2

QUADRANT NW
QUADRANT SW

EXISTING MOVIE THEATER
FFE=776.00

EXISTING KOHL'S
UPPER LEVEL FFE=793.50
LOWER LEVEL FFE=776.00

EXISTING SEARS DEPARTMENT STORE
UPPER LEVEL FFE=793.50
LOWER LEVEL FFE=776.00

EXISTING MALL
UPPER LEVEL FFE=793.50
LOWER LEVEL FFE=776.00

EXISTING VON MAUR
UPPER LEVEL FFE=793.50
LOWER LEVEL FFE=776.00

SW QUADRANT
SE QUADRANT

REMOVE ±70' EX. C&G
REMOVE ±131' EX. C&G
REMOVE ±102' EX. C&G
REMOVE ±640' EX. C&G
REMOVE ±138' EX. C&G
REMOVE ±50 SF EX. SIDEWALK
REMOVE ±341' EX. C&G
REMOVE ±135' EX. C&G
REMOVE ±345' EX. C&G
REMOVE ±93' EX. C&G
REMOVE ±91' EX. C&G
REMOVE ±688' EX. C&G
FULL DEPTH REMOVAL
REMOVE ±306' EX. C&G
REMOVE ±1,200 SF EX. SIDEWALK
REMOVE EX. RETAINING WALL
REMOVE ±170' EX. C&G
REMOVE EX. CONC STAIRS
PARTIAL DEPTH REMOVAL
REMOVE EX. RETAINING WALL
REMOVE EX. RETAINING WALL
REMOVE ±4,430 SF EX. SIDEWALK
REMOVE EX. BRICK PAVERS
REMOVE ±705' EX. C&G
REMOVE ±2,625 SF EX. SIDEWALK
REMOVE ±121' EX. C&G
REMOVE ±370' EX. C&G
REMOVE EX. BRICK PAVERS
REMOVE 1,530 SF EX. SIDEWALK
REMOVE ±123' EX. C&G
REMOVE ±388' EX. C&G
REMOVE ±135' EX. C&G
REMOVE ±275' EX. C&G
REMOVE ±82' EX. C&G
REMOVE ±137' EX. C&G
REMOVE ±125' EX. C&G
REMOVE ±3,230 SF EX. SIDEWALK
REMOVE ±205' EX. C&G
REMOVE ±102' EX. C&G
REMOVE ±48' EX. C&G
REMOVE ±143' EX. C&G
REMOVE ±127' EX. C&G
REMOVE ±89' EX. C&G
REMOVE ±97' EX. C&G
REMOVE ±112' EX. C&G
REMOVE ±133' EX. C&G
REMOVE ±124' EX. C&G
REMOVE ±275' EX. C&G
REMOVE ±89' EX. C&G
REMOVE ±509' EX. C&G
REMOVE ±91' EX. C&G
REMOVE ±93' EX. C&G
REMOVE ±582' EX. C&G
REMOVE ±41' EX. C&G
REMOVE ±89' EX. C&G
REMOVE EX. MONUMENT SIGN
EX. CONC SIDEWALK

REMOVE EX. CONC STAIRS
REMOVE ±3,178 SF EX. SIDEWALK
REMOVE EX. CONC STAIRS
PORTION OF EX. MALL STRUCTURE TO BE DEMOLISHED
APPROXIMATE LIMITS OF BUILDING DEMOLITION (±33,000 SF)

PAVEMENT REMOVAL LEGEND

LIGHT DUTY PAVEMENT–PARTIAL DEPTH REMOVAL
–REMOVE EXISTING ASPHALT (±3.5"–3.0")
–REMOVE STONE BASE COURSE (±1.5"–1.0") TO ACCOMMODATE NEW HMA (HOT MIX ASPHALT) PAVEMENT THICKNESS OF 4.5"
*TO BE USED FOR ON–SITE FILL MATERIAL BELOW PROPOSED PAVEMENT ONLY
REMAINING STONE BASE COURSE (±7.0"–6.5")

HEAVY DUTY PAVEMENT–PARTIAL DEPTH REMOVAL
–REMOVE EXISTING ASPHALT (±5.0"–3.0")
–REMOVE STONE BASE COURSE (±2.0"–0.0") TO ACCOMMODATE NEW HMA (HOT MIX ASPHALT) PAVEMENT THICKNESS OF 5.0"
*TO BE USED FOR ON–SITE FILL MATERIAL BELOW PROPOSED PAVEMENT ONLY
REMAINING STONE BASE COURSE (±10.5"–10.0")

LIGHT DUTY PAVEMENT–FULL DEPTH REMOVAL
REMOVE EXISTING ASPHALT (±3.5"–3.0")
REMOVE STONE BASE COURSE (±8.0")
*TO BE USED FOR ON–SITE FILL MATERIAL BELOW PROPOSED PAVEMENT ONLY

HEAVY DUTY PAVEMENT–FULL DEPTH REMOVAL
REMOVE EXISTING ASPHALT (±5.0"–3.0")
REMOVE STONE BASE COURSE (±12.0"–10.0")
*TO BE USED FOR ON–SITE FILL MATERIAL BELOW PROPOSED PAVEMENT ONLY

SIDEWALK–FULL DEPTH REMOVAL
REMOVE EXISTING CONCRETE (±4.0")
REMOVE STONE BASE COURSE (±4.0")
*TO BE USED FOR ON–SITE FILL MATERIAL BELOW PROPOSED PAVEMENT ONLY

REFER TO SHEET C2.1 PAVEMENT DEMOLITION PLAN NE QUADRANT, FOR PAVEMENT DEMOLITION NOTES.

N
GRAPHIC SCALE 1"= 40'
0 20' 40' 80'

EXISTING EAST MAIN STREET (IL ROUTE 64)
Center Line

PAVEMENT DEMOLITION PLAN
SW QUADRANT
THE QUAD ST. CHARLES
3800 E. MAIN STREET
ST. CHARLES, ILLINOIS

	DESIGNED BY:	CHECKED BY:
2	REVISED PER OWNER	2/26/14
1	ORIGINAL PLAN DATE	2/5/14
	DESCRIPTION	DATE

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SC 3800 MAIN, LLC.

1"=40'
F021
C2.3

THE CURRENT INTENT IS TO USE SELECT DEMOLISHED MATERIAL FOR FILL UNDERNEATH PROPOSED PAVEMENT ONLY (NOT UNDER PROPOSED STRUCTURES).

THIS SELECT MATERIAL SHALL INCLUDE:
a. ASPHALT MILLINGS
b. STONE BASE OF EXISTING PAVEMENT
c. CONCRETE FROM BUILDING DEMOLITION

*THE PROJECT GEOTECHNICAL ENGINEER SHALL INSPECT THIS MATERIAL PRIOR TO ITS USE AS FILL.

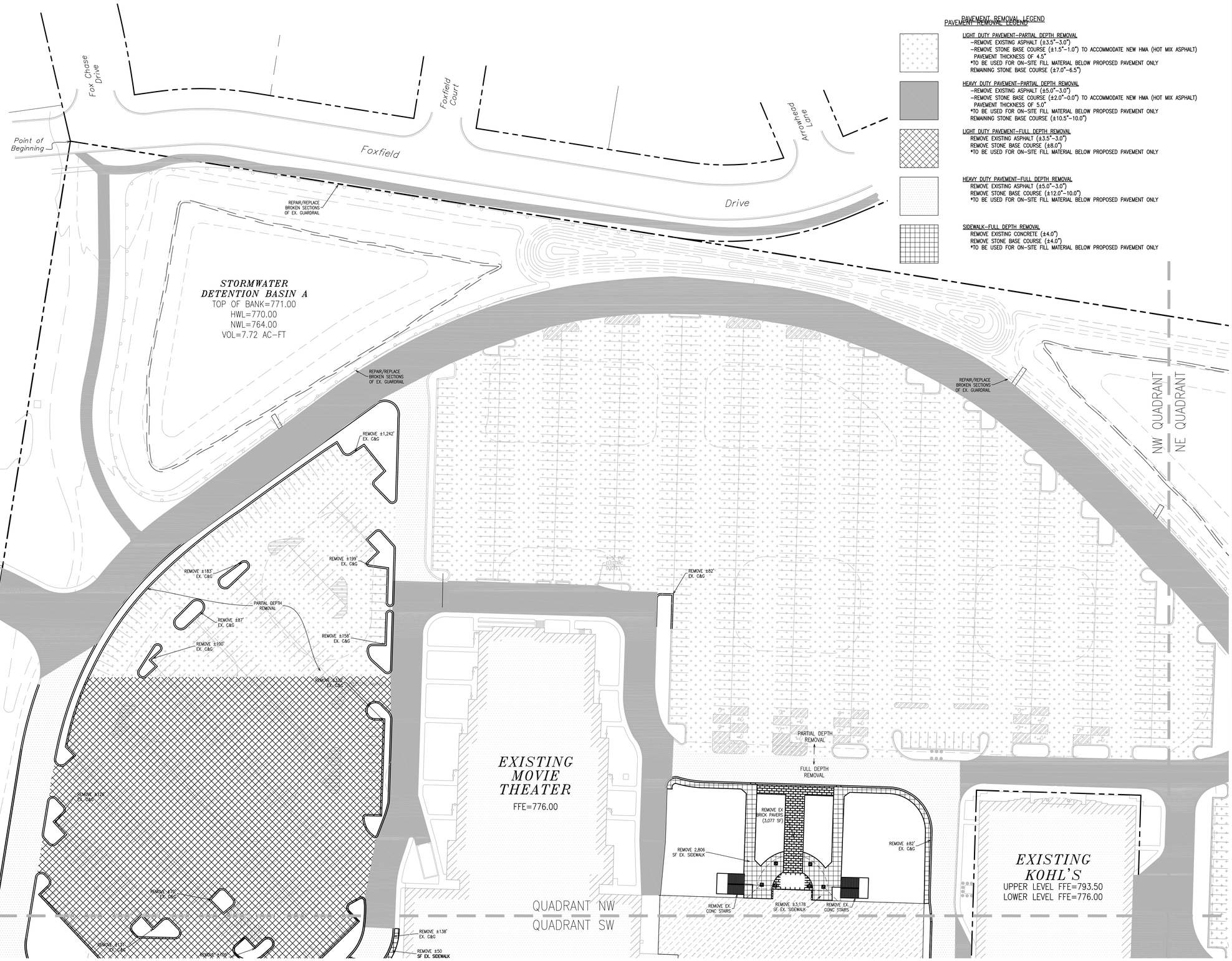
EXISTING CONDITION NOTES

1) EXISTING CONDITIONS, BOUNDRIES AND CONTROL POINTS SHOWN ON THESE PLANS WERE OBTAINED FROM AN ALTA, DATED 7/23/2013, PREPARED BY JOHNSON-WESTERN SURVEYING, L.L.C.

2) SOME EXISTING UTILITY AND TOPOGRAPHIC INFORMATION SHOWN ON THESE PLANS WERE OBTAINED FROM KNOWN AVAILABLE INFORMATION INCLUDING HISTORIC SITE DEVELOPMENT UTILITY, GRADING AND DRAINAGE PLANS FOR CHARLESTOWNE MALL, REVISED 6/25/1990, PREPARED BY THE SEAR-BROWN GROUP; RECORD DRAWINGS, REVISED 6/21/1990, PREPARED BY THE SEAR-BROWN GROUP; REGAL THEATER CHARLESTOWNE CENTRE MALL, REVISED 8/13/1998, PREPARED BY THE SEAR-BROWN GROUP; PRECISION GIS, PRINTED 7/24/2013, PROVIDED BY CITY OF ST. CHARLES; CLASSIC CINEMAS CHARLESTOWNE 18 PERMIT SET, REVISED 8/29/2001, PREPARED BY TK ARCHITECTS INC.; LOT 1 OF THE RESUBDIVISION OF CHARLESTOWNE MALL, REVISED 7/08/1993, PREPARED BY THE SEAR-BROWN GROUP; AND KOHL'S STORE CHARLESTOWNE CENTRE MALL, REVISED 5/14/1993, PREPARED BY RSP ARCHITECTS, LTD.

N

GRAPHIC SCALE 1"= 40'
0 20' 40' 80'



PAVEMENT REMOVAL LEGEND

PAVEMENT REMOVAL LEGEND

LIGHT DUTY PAVEMENT-PARTIAL DEPTH REMOVAL
-REMOVE EXISTING ASPHALT (±3.5"-3.0")
-REMOVE STONE BASE COURSE (±1.5"-1.0") TO ACCOMMODATE NEW HMA (HOT MIX ASPHALT) PAVEMENT THICKNESS OF 4.5"
*TO BE USED FOR ON-SITE FILL MATERIAL BELOW PROPOSED PAVEMENT ONLY
REMAINING STONE BASE COURSE (±7.0"-6.5")

HEAVY DUTY PAVEMENT-PARTIAL DEPTH REMOVAL
-REMOVE EXISTING ASPHALT (±5.0"-3.0")
-REMOVE STONE BASE COURSE (±2.0"-0.0") TO ACCOMMODATE NEW HMA (HOT MIX ASPHALT) PAVEMENT THICKNESS OF 5.0"
*TO BE USED FOR ON-SITE FILL MATERIAL BELOW PROPOSED PAVEMENT ONLY
REMAINING STONE BASE COURSE (±10.5"-10.0")

LIGHT DUTY PAVEMENT-FULL DEPTH REMOVAL
REMOVE EXISTING ASPHALT (±3.5"-3.0")
REMOVE STONE BASE COURSE (±8.0")
*TO BE USED FOR ON-SITE FILL MATERIAL BELOW PROPOSED PAVEMENT ONLY

HEAVY DUTY PAVEMENT-FULL DEPTH REMOVAL
REMOVE EXISTING ASPHALT (±5.0"-3.0")
REMOVE STONE BASE COURSE (±12.0"-10.0")
*TO BE USED FOR ON-SITE FILL MATERIAL BELOW PROPOSED PAVEMENT ONLY

SIDEWALK-FULL DEPTH REMOVAL
REMOVE EXISTING CONCRETE (±4.0")
REMOVE STONE BASE COURSE (±4.0")
*TO BE USED FOR ON-SITE FILL MATERIAL BELOW PROPOSED PAVEMENT ONLY

	DESCRIPTION	DATE
2	REVISED PER OWNER	2/26/14
1	ORIGINAL PLAN DATE	2/5/14
	DESIGNED BY:	CHECKED BY:

PAVEMENT DEMOLITION PLAN
NW QUADRANT
THE QUAD ST. CHARLES
3800 E. MAIN STREET
ST. CHARLES, ILLINOIS

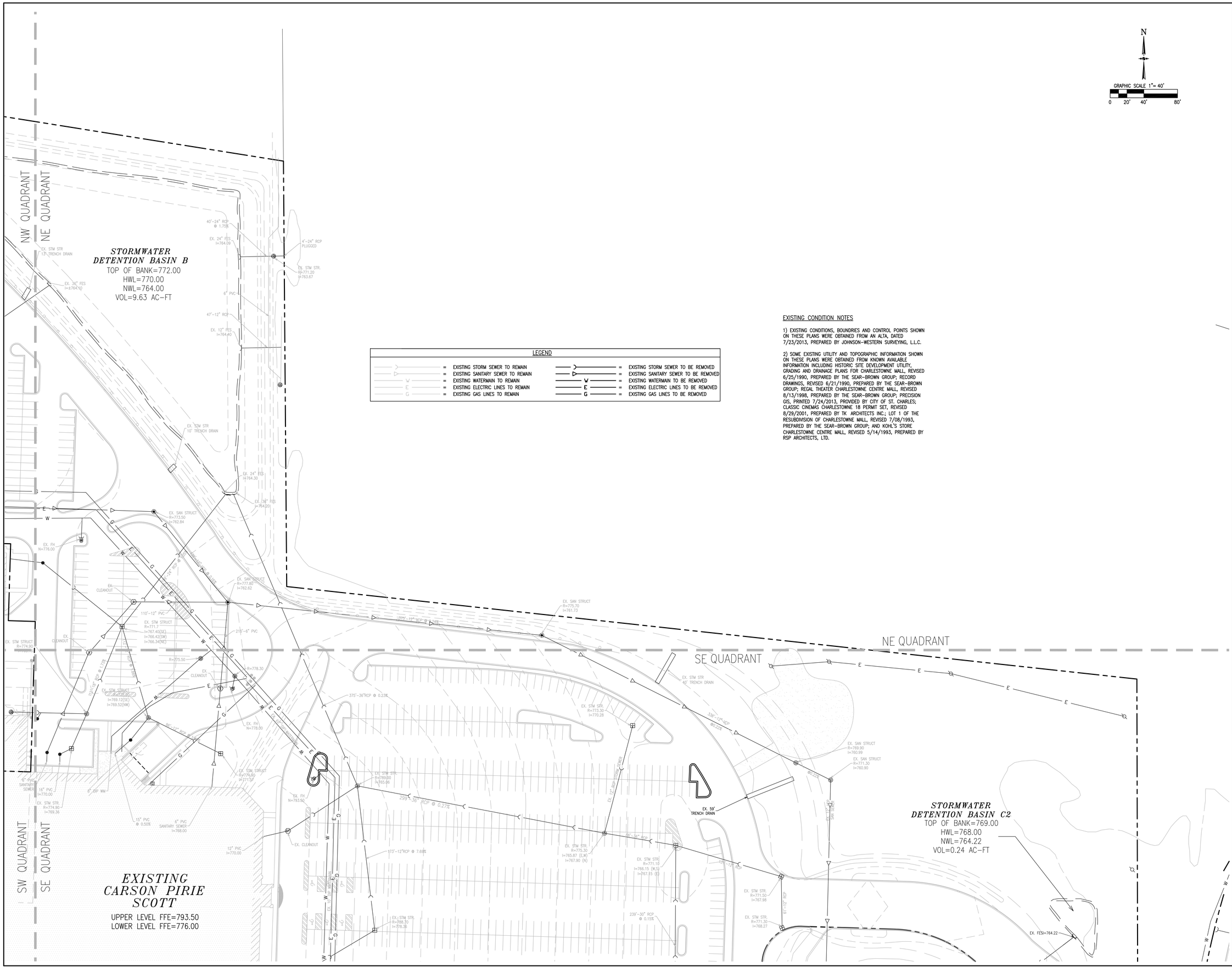
JACOB & HEFNER ASSOCIATES
1910 S. Highland Avenue, Suite 100, Lombard, IL 60148
PHONE: (630) 652-4600, FAX: (630) 652-4601
www.jacobandhefner.com

SC 3800 MAIN, LLC.

1"=40'

F021

C2.4



LEGEND			
	= EXISTING STORM SEWER TO REMAIN		= EXISTING STORM SEWER TO BE REMOVED
	= EXISTING SANITARY SEWER TO REMAIN		= EXISTING SANITARY SEWER TO BE REMOVED
W	= EXISTING WATERMAIN TO REMAIN	W	= EXISTING WATERMAIN TO BE REMOVED
E	= EXISTING ELECTRIC LINES TO REMAIN	E	= EXISTING ELECTRIC LINES TO BE REMOVED
G	= EXISTING GAS LINES TO REMAIN	G	= EXISTING GAS LINES TO BE REMOVED

EXISTING CONDITION NOTES

1) EXISTING CONDITIONS, BOUNDRIES AND CONTROL POINTS SHOWN ON THESE PLANS WERE OBTAINED FROM AN ALTA, DATED 7/23/2013, PREPARED BY JOHNSON-WESTERN SURVEYING, L.L.C.

2) SOME EXISTING UTILITY AND TOPOGRAPHIC INFORMATION SHOWN ON THESE PLANS WERE OBTAINED FROM KNOWN AVAILABLE INFORMATION INCLUDING HISTORIC SITE DEVELOPMENT UTILITY, GRADING AND DRAINAGE PLANS FOR CHARLESTOWNE MALL, REVISED 6/25/1990, PREPARED BY THE SEAR-BROWN GROUP; RECORD DRAWINGS, REVISED 6/21/1990, PREPARED BY THE SEAR-BROWN GROUP; REGAL THEATER CHARLESTOWNE CENTRE MALL, REVISED 8/13/1998, PREPARED BY THE SEAR-BROWN GROUP; PRECISION GIS, PRINTED 7/24/2013, PROVIDED BY CITY OF ST. CHARLES; CLASSIC CINEMAS CHARLESTOWNE 18 PERMIT SET, REVISED 8/29/2001, PREPARED BY TK ARCHITECTS INC.; LOT 1 OF THE RESUBDIVISION OF CHARLESTOWNE MALL, REVISED 7/08/1993, PREPARED BY THE SEAR-BROWN GROUP; AND KOHL'S STORE CHARLESTOWNE CENTRE MALL, REVISED 5/14/1993, PREPARED BY RSP ARCHITECTS, LTD.

N

GRAPHIC SCALE 1"= 40'
0 20' 40' 80'

#	DESCRIPTION	DATE
2	REVISED PER OWNER	2/26/14
1	ORIGINAL PLAN DATE	2/5/14
#	DESIGNED BY:	CHECKED BY:

UTILITY DEMOLITION PLAN
NE QUADRANT
THE QUAD ST. CHARLES
3800 E. MAIN STREET
ST. CHARLES, ILLINOIS

JACOB & HEFNER ASSOCIATES
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www.jacobandhefner.com

SC 3800 MAIN, LLC.

1"=40'

F021

C2.5

NE QUADRANT

SE QUADRANT

SW QUADRANT

SE QUADRANT

EXISTING CARSON PIRIE SCOTT

UPPER LEVEL FFE=793.50

LOWER LEVEL FFE=776.00

STORMWATER DETENTION BASIN C2

TOP OF BANK=769.00

HWL=768.00

NWL=764.22

VOL=0.24 AC-FT

STORMWATER DETENTION BASIN C1

TOP OF BANK=770.00

HWL=768.00

NWL=763.50

VOL=8.18 AC-FT

EXISTING EAST MAIN STREET (IL ROUTE 64)

SMITH ROAD

CONC. PVMNT

GRAPHIC SCALE 1"= 40'

0 20' 40' 80'

EXISTING CONDITION NOTES

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LEGEND

- = EXISTING STORM SEWER TO REMAIN
- = EXISTING SANITARY SEWER TO REMAIN
- W = EXISTING WATERMAIN TO REMAIN
- E = EXISTING ELECTRIC LINES TO REMAIN
- G = EXISTING GAS LINES TO REMAIN
- = EXISTING STORM SEWER TO BE REMOVED
- = EXISTING SANITARY SEWER TO BE REMOVED
- W = EXISTING WATERMAIN TO BE REMOVED
- E = EXISTING ELECTRIC LINES TO BE REMOVED
- G = EXISTING GAS LINES TO BE REMOVED

DESIGNED BY:	DESCRIPTION	DATE
	2 REVISED PER OWNER	2/25/14
	1 ORIGINAL PLAN DATE	2/5/14

CHECKED BY:

UTILITY DEMOLITION PLAN
SE QUADRANT
THE QUAD ST. CHARLES
3800 E. MAIN STREET
ST. CHARLES, ILLINOIS

JACOB & HEFNER ASSOCIATES
1910 S. Highland Avenue, Suite 100, Lombard, IL 60148
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SC 3800 MAIN, LLC.

1"=40'

F021

C2.6

QUADRANT NW
QUADRANT SW

EXISTING MOVIE THEATER
FFE=776.00

PORTION OF EX. MALL STRUCTURE TO BE DEMOLISHED

APPROXIMATE LIMITS OF BUILDING DEMOLITION (±33,000 SF)

EXISTING KOHL'S
UPPER LEVEL FFE=793.50
LOWER LEVEL FFE=776.00

SW QUADRANT

SE QUADRANT

EXISTING SEARS DEPARTMENT STORE
UPPER LEVEL FFE=793.50
LOWER LEVEL FFE=776.00

REFER TO SHEET C2.5 UTILITY DEMOLITION PLAN NE QUADRANT, FOR DEMOLITION NOTES.

N

GRAPHIC SCALE 1"= 40'
0 20' 40' 80'

EXISTING MALL
UPPER LEVEL FFE=793.50
LOWER LEVEL FFE=776.00

LEGEND

= EXISTING STORM SEWER TO REMAIN	= EXISTING STORM SEWER TO BE REMOVED
= EXISTING SANITARY SEWER TO REMAIN	= EXISTING SANITARY SEWER TO BE REMOVED
W = EXISTING WATERMAIN TO REMAIN	W = EXISTING WATERMAIN TO BE REMOVED
E = EXISTING ELECTRIC LINES TO REMAIN	E = EXISTING ELECTRIC LINES TO BE REMOVED
G = EXISTING GAS LINES TO REMAIN	G = EXISTING GAS LINES TO BE REMOVED

EXISTING VON MAUR
UPPER LEVEL FFE=793.50
LOWER LEVEL FFE=776.00

EXISTING EAST MAIN STREET (IL ROUTE 64)

Illinois State Route

Center Line

DESIGNED BY:	DRAWN BY:	CHECKED BY:
1 ORIGINAL PLAN DATE	DESCRIPTION	DATE
2 REVISED PER OWNER		2/26/14
		2/5/14

UTILITY DEMOLITION PLAN
SW QUADRANT
THE QUAD ST. CHARLES
3800 E. MAIN STREET
ST. CHARLES, ILLINOIS

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www.jacobandhefner.com

SC 3800 MAIN, LLC.

1"=40'

F021

C2.7

LEGEND

=	EXISTING STORM SEWER TO REMAIN	=	EXISTING STORM SEWER TO BE REMOVED
=	EXISTING SANITARY SEWER TO REMAIN	=	EXISTING SANITARY SEWER TO BE REMOVED
=	EXISTING WATERMAIN TO REMAIN	=	EXISTING WATERMAIN TO BE REMOVED
=	EXISTING ELECTRIC LINES TO REMAIN	=	EXISTING ELECTRIC LINES TO BE REMOVED
=	EXISTING GAS LINES TO REMAIN	=	EXISTING GAS LINES TO BE REMOVED

EXISTING CONDITION NOTES

1) EXISTING CONDITIONS, BOUNDRIES AND CONTROL POINTS SHOWN ON THESE PLANS WERE OBTAINED FROM AN ALTA, DATED 7/23/2013, PREPARED BY JOHNSON-WESTERN SURVEYING, L.L.C.

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N

GRAPHIC SCALE 1"= 40'

0 20' 40' 80'

Fox Chase Drive

Foxfield Court

Foxfield Drive

Arrowhead Lane

Point of Beginning

Stuarts Drive

STORMWATER DETENTION BASIN A
TOP OF BANK=771.00
HWL=770.00
NWL=764.00
VOL=7.72 AC-FT

EXISTING MOVIE THEATER
FFE=776.00

EXISTING KOHL'S
UPPER LEVEL FFE=793.50
LOWER LEVEL FFE=776.00

QUADRANT NW
QUADRANT SW
NW QUADRANT
NE QUADRANT

REMOVE/RELOCATE LIGHT POLE & BASE (TYP.)

REMOVE 5' 24" RCP

REPLACE STM STR STRUCTURE

ADJUST EX. STRUCTURE

REMOVE 201'± EX. ELEC. LINE

RELOCATE EX. ELEC. EQUIPMENT

REMOVE 369'± EX. ELEC. LINE

REMOVE 247'± EX. SAN SEWER

REMOVE 188'± EX. STM SEWER

REMOVE EX. STRM STRUCT

REMOVE 30'± 10" WATERMAIN

REMOVE 81'± EX. STM SEWER

REMOVE 203' GAS MAIN

REMOVE EX. SAN STR

REMOVE EX. STM STR R=774.70 I=768.33

REMOVE EX. STM STRUCT R=774.70 I=768.13(SE) I=767.36(W,NE)

ADJUST SAN RIM

ADJUST SAN RIM

PORTION OF EX. WALL STRUCTURE

1	ORIGINAL PLAN DATE	2/5/14
2	REVISED PER OWNER	2/26/14
	DESCRIPTION	DATE
	DESIGNED BY:	
	CHECKED BY:	

UTILITY DEMOLITION PLAN
NW QUADRANT
THE QUAD ST. CHARLES
3800 E. MAIN STREET
ST. CHARLES, ILLINOIS

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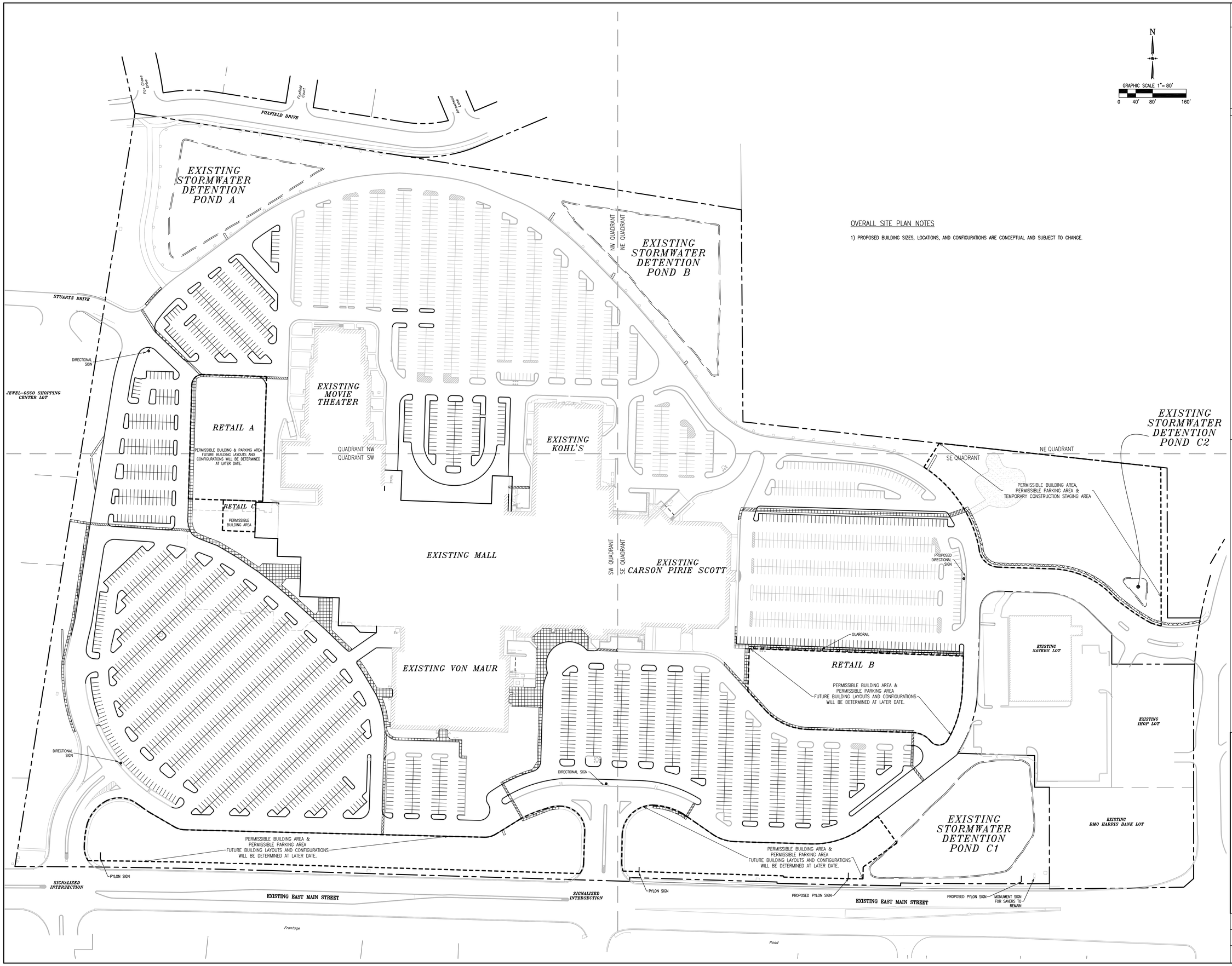
SC 3800 MAIN, LLC.

1"=40'

F021

C2.8



OVERALL SITE PLAN NOTES

1) PROPOSED BUILDING SIZES, LOCATIONS, AND CONFIGURATIONS ARE CONCEPTUAL AND SUBJECT TO CHANGE.

DESIGNED BY:	DESCRIPTION	DATE
2	REVISED PER OWNER	2/25/14
1	ORIGINAL PLAN DATE	2/5/14

OVERALL PROPOSED SITE PLAN

THE QUAD ST. CHARLES
3800 E. MAIN STREET
ST. CHARLES, ILLINOIS

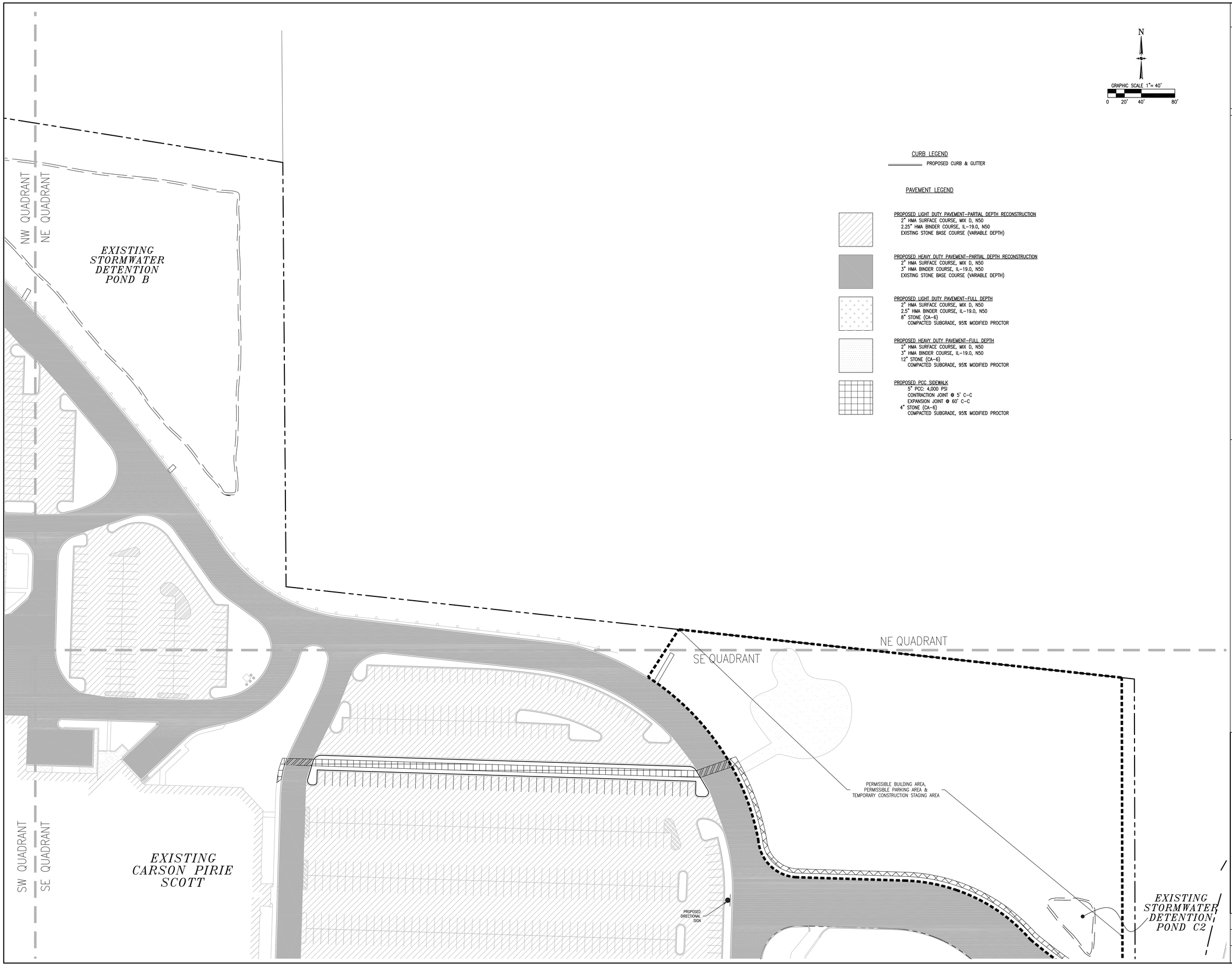
JACOB & HEFNER ASSOCIATES
1910 S. Highland Avenue, Suite 100, Lombard, IL 60148
PHONE: (630) 652-6600, FAX: (630) 652-6601
www.jacobandhefner.com

SC 3800 MAIN, LLC.

1"=80'

F021

C3.0



#	DESCRIPTION	DATE
2	REVISED PER OWNER	2/25/14
1	ORIGINAL PLAN DATE	2/5/14

DESIGNED BY: | CHECKED BY:

PROPOSED PAVING PLAN
NE QUADRANT
THE QUAD ST. CHARLES
3800 E. MAIN STREET
ST. CHARLES, ILLINOIS

JACOB & HEFNER
ASSOCIATES
1910 S. Highland Avenue, Suite 100, Lombard, IL 60148
PHONE: (630) 652-4600, FAX: (630) 652-4601
www.jacobandhefner.com

SC 3800 MAIN, LLC.

1"=40'

F021

C3.1

NE QUADRANT

SE QUADRANT

SW QUADRANT

SE QUADRANT

EXISTING CARSON PIRIE SCOTT

N

GRAPHIC SCALE 1"= 40'

0 20' 40' 80'

PERMISSIBLE BUILDING AREA,
PERMISSIBLE PARKING AREA &
TEMPORARY CONSTRUCTION STAGING AREA

PROPOSED DIRECTIONAL SIGN

EXISTING STORMWATER DETENTION POND C2

GUARDRAIL

EXISTING SAVERS' LOT

PERMISSIBLE BUILDING AREA &
PERMISSIBLE PARKING AREA
FUTURE BUILDING LAYOUTS AND CONFIGURATIONS
WILL BE DETERMINED AT LATER DATE.

PROPOSED DIRECTIONAL SIGN

EXISTING STORMWATER DETENTION POND C1

PERMISSIBLE BUILDING AREA &
PERMISSIBLE PARKING AREA
FUTURE BUILDING LAYOUTS AND CONFIGURATIONS
WILL BE DETERMINED AT LATER DATE.

PYLON SIGN

PROPOSED PYLON SIGN

PROPOSED PYLON SIGN

EXISTING EAST MAIN STREET

CURB LEGEND

PROPOSED CURB & GUTTER

PAVEMENT LEGEND

PROPOSED LIGHT DUTY PAVEMENT–PARTIAL DEPTH RECONSTRUCTION
2" HMA SURFACE COURSE, MIX D, N50
2.25" HMA BINDER COURSE, IL–19.0, N50
EXISTING STONE BASE COURSE (VARIABLE DEPTH)

PROPOSED HEAVY DUTY PAVEMENT–PARTIAL DEPTH RECONSTRUCTION
2" HMA SURFACE COURSE, MIX D, N50
3" HMA BINDER COURSE, IL–19.0, N50
EXISTING STONE BASE COURSE (VARIABLE DEPTH)

PROPOSED LIGHT DUTY PAVEMENT–FULL DEPTH
2" HMA SURFACE COURSE, MIX D, N50
2.5" HMA BINDER COURSE, IL–19.0, N50
8" STONE (CA–6)
COMPACTED SUBGRADE, 95% MODIFIED PROCTOR

PROPOSED HEAVY DUTY PAVEMENT–FULL DEPTH
3" HMA BINDER COURSE, IL–19.0, N50
12" STONE (CA–6)
COMPACTED SUBGRADE, 95% MODIFIED PROCTOR

PROPOSED PCC SIDEWALK
5" PCC: 4,000 PSI
CONTRACTION JOINT @ 5' C–C
EXPANSION JOINT @ 60' C–C
4" STONE (CA–6)
COMPACTED SUBGRADE, 95% MODIFIED PROCTOR

	DESCRIPTION	DATE
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	DESIGNED BY:	CHECKED BY:

PROPOSED PAVING PLAN
SE QUADRANT
THE QUAD ST. CHARLES
3800 E. MAIN STREET
ST. CHARLES, ILLINOIS

JACOB & HEFNER ASSOCIATES
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SC 3800 MAIN, LLC.

1"=40'

F021

C3.2

PERMISSIBLE BUILDING & PARKING AREA
FUTURE BUILDING LAYOUTS AND CONFIGURATIONS WILL BE DETERMINED AT LATER DATE.

RETAIL A

RETAIL C

PERMISSIBLE BUILDING AREA

QUADRANT NW
QUADRANT SW

EXISTING MOVIE THEATER

EXISTING KOHL'S

EXISTING MALL

EXISTING VON MAUR

SW QUADRANT
SE QUADRANT

CURB LEGEND

PROPOSED CURB & GUTTER

PAVEMENT LEGEND

PROPOSED LIGHT DUTY PAVEMENT–PARTIAL DEPTH RECONSTRUCTION
2" HMA SURFACE COURSE, MIX D, N50
2.25" HMA BINDER COURSE, IL-19.0, N50
EXISTING STONE BASE COURSE (VARIABLE DEPTH)

PROPOSED HEAVY DUTY PAVEMENT–PARTIAL DEPTH RECONSTRUCTION
2" HMA SURFACE COURSE, MIX D, N50
3" HMA BINDER COURSE, IL-19.0, N50
EXISTING STONE BASE COURSE (VARIABLE DEPTH)

PROPOSED LIGHT DUTY PAVEMENT–FULL DEPTH
2" HMA SURFACE COURSE, MIX D, N50
2.5" HMA BINDER COURSE, IL-19.0, N50
8" STONE (CA-6)
COMPACTED SUBGRADE, 95% MODIFIED PROCTOR

PROPOSED HEAVY DUTY PAVEMENT–FULL DEPTH
2" HMA SURFACE COURSE, MIX D, N50
3" HMA BINDER COURSE, IL-19.0, N50
12" STONE (CA-6)
COMPACTED SUBGRADE, 95% MODIFIED PROCTOR

PROPOSED PCC SIDEWALK
5" PCC, 4,000 PSI
CONTRACTION JOINT @ 5' C-C
EXPANSION JOINT @ 60' C-C
4" STONE (CA-6)
COMPACTED SUBGRADE, 95% MODIFIED PROCTOR

N

GRAPHIC SCALE 1"= 40'
0 20' 40' 80'

PROPOSED DIRECTIONAL SIGN

PERMISSIBLE BUILDING AREA &
PERMISSIBLE PARKING AREA
FUTURE BUILDING LAYOUTS AND CONFIGURATIONS
WILL BE DETERMINED AT LATER DATE.

PYLON SIGN

PYLON SIGN

SIGNALIZED INTERSECTION

EXISTING EAST MAIN STREET

SIGNALIZED INTERSECTION

DESIGNED BY:	DESCRIPTION	DATE	CHECKED BY:
1	ORIGINAL PLAN DATE	2/5/14	
2	REVISED PER OWNER	2/25/14	

PROPOSED PAVING PLAN
SW QUADRANT
THE QUAD ST. CHARLES
3800 E. MAIN STREET
ST. CHARLES, ILLINOIS

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SC 3800 MAIN, LLC.

1"=40'

F021

C3.3

N

GRAPHIC SCALE 1"= 40'

0 20' 40' 80'

CURB LEGEND

PROPOSED CURB & GUTTER

PAVEMENT LEGEND

PROPOSED LIGHT DUTY PAVEMENT–PARTIAL DEPTH RECONSTRUCTION
2" HMA SURFACE COURSE, MIX D, N50
2.25" HMA BINDER COURSE, IL–19.0, N50
EXISTING STONE BASE COURSE (VARIABLE DEPTH)

PROPOSED HEAVY DUTY PAVEMENT–PARTIAL DEPTH RECONSTRUCTION
2" HMA SURFACE COURSE, MIX D, N50
3" HMA BINDER COURSE, IL–19.0, N50
EXISTING STONE BASE COURSE (VARIABLE DEPTH)

PROPOSED LIGHT DUTY PAVEMENT–FULL DEPTH
2" HMA SURFACE COURSE, MIX D, N50
2.5" HMA BINDER COURSE, IL–19.0, N50
8" STONE (CA–6)
COMPACTED SUBGRADE, 95% MODIFIED PROCTOR

PROPOSED HEAVY DUTY PAVEMENT–FULL DEPTH
2" HMA SURFACE COURSE, MIX D, N50
3" HMA BINDER COURSE, IL–19.0, N50
12" STONE (CA–6)
COMPACTED SUBGRADE, 95% MODIFIED PROCTOR

PROPOSED PCC SIDEWALK
5" PCC: 4,000 PSI
CONTRACTION JOINT @ 5' C–C
EXPANSION JOINT @ 60' C–C
4" STONE (CA–6)
COMPACTED SUBGRADE, 95% MODIFIED PROCTOR

Fox Chase Drive

FOXFIELD DRIVE

Foxfield Court

Arrowhead Lane

EXISTING STORMWATER DETENTION POND A

STUARTS DRIVE

PROPOSED DIRECTIONAL SIGN

RETAIL A

PERMISSIBLE BUILDING & PARKING AREA
FUTURE BUILDING LAYOUTS AND CONFIGURATIONS WILL BE DETERMINED AT LATER DATE.

EXISTING MOVIE THEATER

EXISTING KOHL'S

NW QUADRANT

NE QUADRANT

QUADRANT NW

QUADRANT SW

PROPOSED PAVING PLAN
NW QUADRANT
THE QUAD ST. CHARLES
3800 E. MAIN STREET
ST. CHARLES, ILLINOIS

2	REVISED PER OWNER	2/25/14	
1	ORIGINAL PLAN DATE	2/5/14	
#	DESCRIPTION	DATE	CHECKED BY:

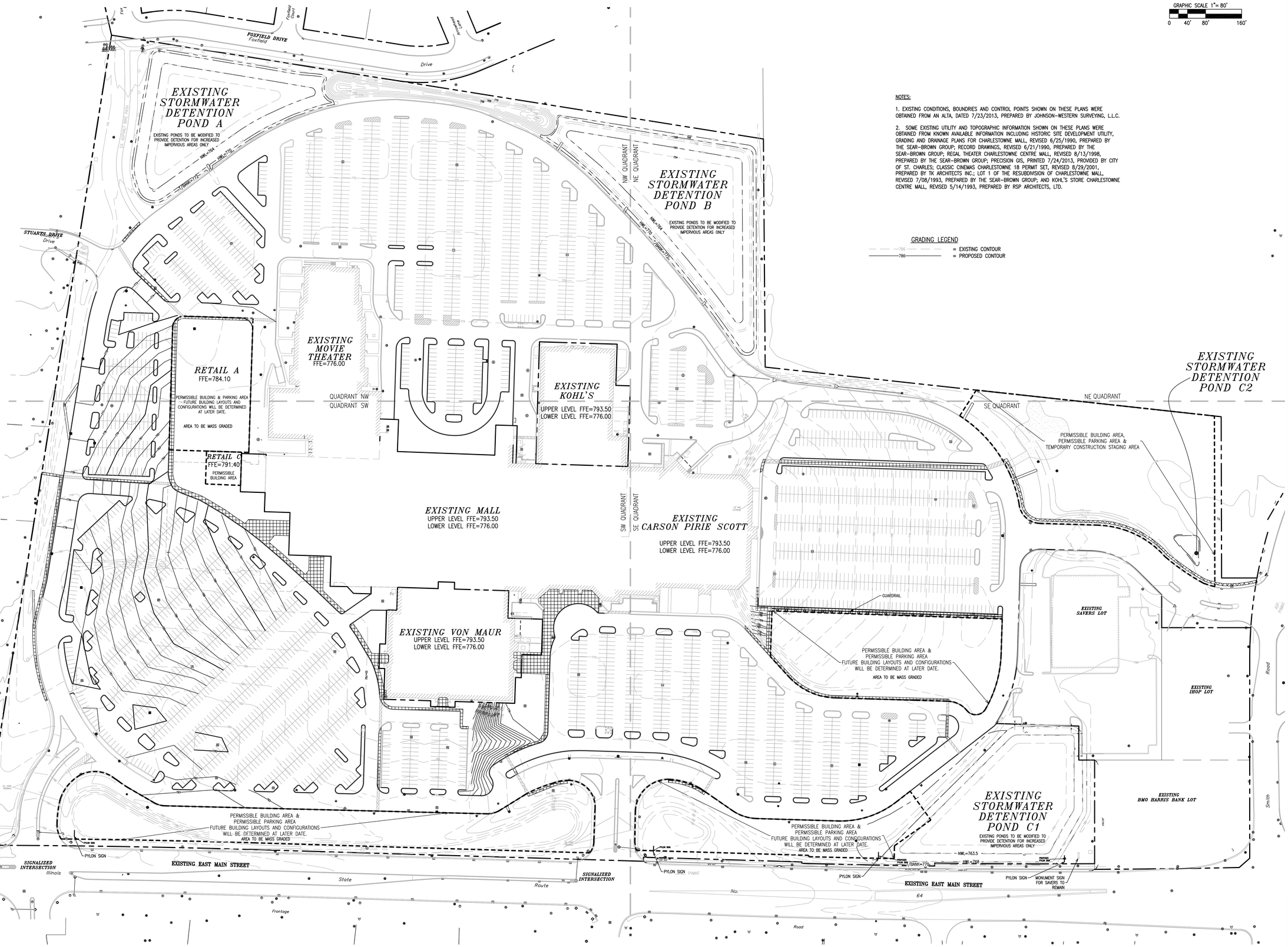
JACOB & HEFNER ASSOCIATES
1910 S. Highland Avenue, Suite 100, Lombard, IL 60148
PHONE: (630) 652-4600, FAX: (630) 652-4601
www.jacobandhefner.com

SC 3800 MAIN, LLC.

1"=40'

F021

C3.4



NOTES:

1. EXISTING CONDITIONS, BOUNDRIES AND CONTROL POINTS SHOWN ON THESE PLANS WERE OBTAINED FROM AN ALTA, DATED 7/23/2013, PREPARED BY JOHNSON-WESTERN SURVEYING, L.L.C.

2. SOME EXISTING UTILITY AND TOPOGRAPHIC INFORMATION SHOWN ON THESE PLANS WERE OBTAINED FROM KNOWN AVAILABLE INFORMATION INCLUDING HISTORIC SITE DEVELOPMENT UTILITY, GRADING AND DRAINAGE PLANS FOR CHARLESTOWNE MALL, REVISED 6/25/1990, PREPARED BY THE SEAR-BROWN GROUP; RECORD DRAWINGS, REVISED 6/21/1990, PREPARED BY THE SEAR-BROWN GROUP; REGAL THEATER CHARLESTOWNE CENTRE MALL, REVISED 8/13/1998, PREPARED BY THE SEAR-BROWN GROUP; PRECISION GIS, PRINTED 7/24/2013, PROVIDED BY CITY OF ST. CHARLES; CLASSIC CINEMAS CHARLESTOWNE 18 PERMIT SET, REVISED 8/29/2001, PREPARED BY TK ARCHITECTS INC.; LOT 1 OF THE RESUBDIVISION OF CHARLESTOWNE MALL, REVISED 7/08/1993, PREPARED BY THE SEAR-BROWN GROUP; AND KOHL'S STORE CHARLESTOWNE CENTRE MALL, REVISED 5/14/1993, PREPARED BY RSP ARCHITECTS, LTD.

GRADING LEGEND

786 = EXISTING CONTOUR

786 = PROPOSED CONTOUR

OVERALL GRADING PLAN

THE QUAD ST. CHARLES

3800 E. MAIN STREET

ST. CHARLES, ILLINOIS

#	DESCRIPTION	DATE	DESIGNED BY:	CHECKED BY:
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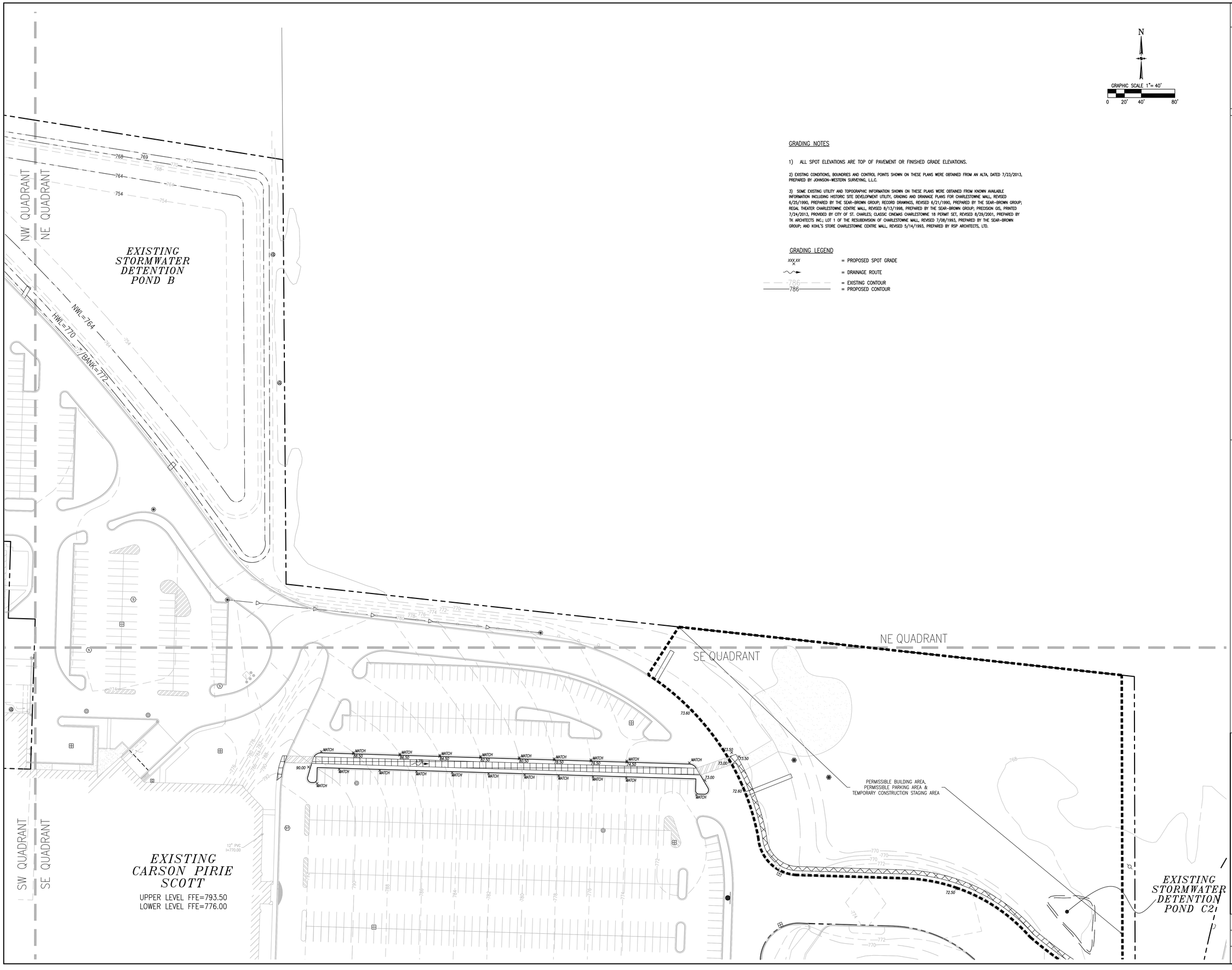
SC 3800 MAIN, LLC.

1"=80'

F021

C4.0



N

GRAPHIC SCALE 1"= 40'

0 20' 40' 80'

GRADING NOTES

1) ALL SPOT ELEVATIONS ARE TOP OF PAVEMENT OR FINISHED GRADE ELEVATIONS.

2) EXISTING CONDITIONS, BOUNDRIES AND CONTROL POINTS SHOWN ON THESE PLANS WERE OBTAINED FROM AN ALTA, DATED 7/23/2013, PREPARED BY JOHNSON-WESTERN SURVEYING, L.L.C.

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GRADING LEGEND

- xxx.xx = PROPOSED SPOT GRADE
- = DRAINAGE ROUTE
- 786 = EXISTING CONTOUR
- 786 = PROPOSED CONTOUR

	DESIGNED BY:	DRAWN BY:	CHECKED BY:
1	ORIGINAL PLAN DATE	2/5/14	
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DESCRIPTION DATE

GRADING PLAN
NE QUADRANT
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1"=40'

F021

C4.1

NE QUADRANT

SE QUADRANT

SW QUADRANT

SE QUADRANT

EXISTING CARSON PIRIE SCOTT

UPPER LEVEL FFE=793.50
LOWER LEVEL FFE=776.00

12" PVC
I=770.00

GRAPHIC SCALE 1"= 40'
0 20' 40' 80'

PERMISSIBLE BUILDING AREA,
PERMISSIBLE PARKING AREA &
TEMPORARY CONSTRUCTION STAGING AREA

EXISTING STORMWATER DETENTION POND C2

GUARDRAIL

PR. 5 SETS OF 5-6 STEPS (7" RISER/ 11" TREAD)

PERMISSIBLE BUILDING AREA &
PERMISSIBLE PARKING AREA
FUTURE BUILDING LAYOUTS AND CONFIGURATIONS
WILL BE DETERMINED AT LATER DATE.

AREA TO BE MASS GRADED

EXISTING SAVERS LOT

EXISTING IHOP LOT

EXISTING STORMWATER DETENTION POND C1

EXISTING BMO HARRIS BANK LOT

PERMISSIBLE BUILDING AREA &
PERMISSIBLE PARKING AREA
FUTURE BUILDING LAYOUTS AND CONFIGURATIONS
WILL BE DETERMINED AT LATER DATE.

AREA TO BE MASS GRADED

PYLON SIGN

PROPOSED PYLON SIGN

PROPOSED PYLON SIGN

NWL=763.5

HWL=768

BANK=770

501.20'

R=20,162.06'

698.43'

EXISTING EAST MAIN STREET

PYLON SIGN

PYLON SIGN

MONUMENT SIGN FOR SAVERS TO REMAIN

242.05'

GRADING LEGEND

XXX.XX	= PROPOSED SPOT GRADE
	= DRAINAGE ROUTE
786	= EXISTING CONTOUR
786	= PROPOSED CONTOUR

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Road

Smith

No.

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GRADING PLAN
SE QUADRANT
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1"=40'

F021

C4.2

PERMISSIBLE BUILDING & PARKING AREA
FUTURE BUILDING LAYOUTS AND CONFIGURATIONS WILL BE DETERMINED AT LATER DATE.
AREA TO BE MASS GRADED

RETAIL A
FFE=784.10

RETAIL C
FFE=791.40

PERMISSIBLE BUILDING AREA
AREA TO BE MASS GRADED

QUADRANT NW
QUADRANT SW

EXISTING MOVIE THEATER
FFE=776.00

EXISTING KOHL'S
UPPER LEVEL FFE=793.50
LOWER LEVEL FFE=776.00

EXISTING MALL
UPPER LEVEL FFE=793.50
LOWER LEVEL FFE=776.00

EXISTING VON MAUR
UPPER LEVEL FFE=793.50
LOWER LEVEL FFE=776.00

SW QUADRANT

SE QUADRANT

VARIABLE HEIGHT CURB

ADJUST EX. RIMs TO PR. GRADE (TYP.)

GRADING NOTES

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GRADING LEGEND

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= DRAINAGE ROUTE
786 = EXISTING CONTOUR
786 = PROPOSED CONTOUR

N

GRAPHIC SCALE 1"= 40'
0 20' 40' 80'

PERMISSIBLE BUILDING AREA &
PERMISSIBLE PARKING AREA
FUTURE BUILDING LAYOUTS AND CONFIGURATIONS
WILL BE DETERMINED AT LATER DATE.
AREA TO BE MASS GRADED

PYLON SIGN

SIGNALIZED INTERSECTION
Illinois

EXISTING EAST MAIN STREET

State

Route

SIGNALIZED INTERSECTION

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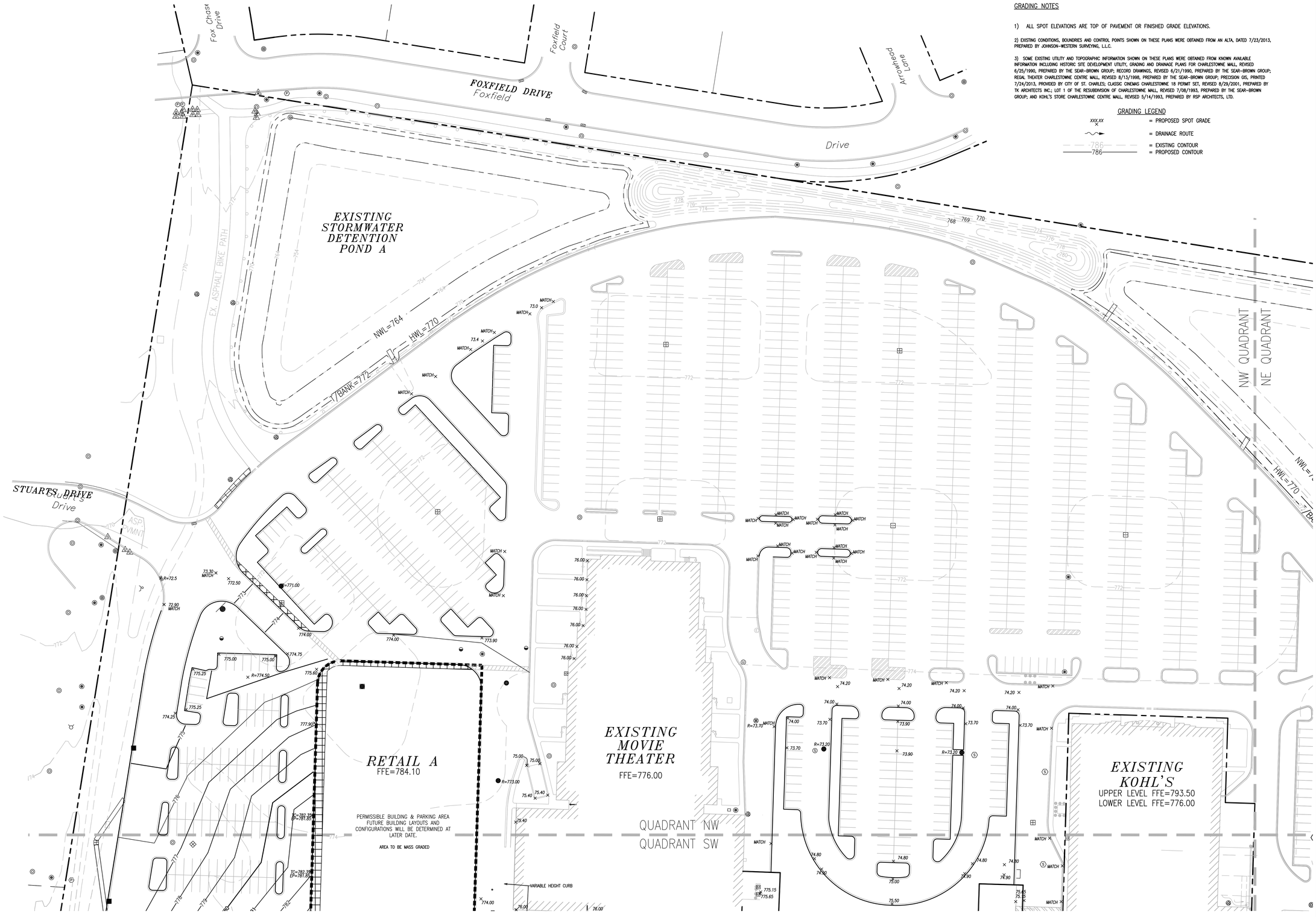
1"=40'
F021
C4.3



N

GRAPHIC SCALE 1"= 40'

0 20' 40' 80'

GRADING NOTES

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GRADING LEGEND

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~~→	= DRAINAGE ROUTE
786	= EXISTING CONTOUR
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1"=40'

F021

C4.4

N

GRAPHIC SCALE 1"= 80'

0 40' 80' 160'

NOTES:

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UTILITY LEGEND			
=	EXISTING STORM SEWER TO REMAIN	=	PROPOSED STORM SEWER
=	EXISTING SANITARY SEWER TO REMAIN	=	PROPOSED SANITARY SEWER
=	EXISTING WATERMAIN TO REMAIN	=	PROPOSED WATERMAIN
=	EXISTING ELECTRIC LINES TO REMAIN	=	PROPOSED ELECTRIC LINES
=	EXISTING GAS LINES TO REMAIN	=	PROPOSED GAS LINES

FOXFIELD DRIVE

EXISTING STORMWATER DETENTION POND A

RETAIL A

EXISTING STORMWATER DETENTION POND B

NW QUADRANT

NE QUADRANT

STUARTS DRIVE

JEWEL-OSCO SHOPPING CENTER LOT

RETAIL A

PERMISSIBLE BUILDING & PARKING AREA FUTURE BUILDING LAYOUTS AND CONFIGURATIONS WILL BE DETERMINED AT LATER DATE.

RETAIL C

PERMISSIBLE BUILDING AREA

QUADRANT NW

QUADRANT SW

EXISTING MOVIE THEATER

FFE=776.00

EXISTING KOHL'S

UPPER LEVEL FFE=793.50

LOWER LEVEL FFE=776.00

EXISTING STORMWATER DETENTION POND C2

NE QUADRANT

SE QUADRANT

PERMISSIBLE BUILDING AREA, PERMISSIBLE PARKING AREA & TEMPORARY CONSTRUCTION STAGING AREA

EXISTING MALL

UPPER LEVEL FFE=793.50

LOWER LEVEL FFE=776.00

SW QUADRANT

SE QUADRANT

EXISTING CARSON PIRIE SCOTT

UPPER LEVEL FFE=793.50

LOWER LEVEL FFE=776.00

EXISTING VON MAUR

UPPER LEVEL FFE=793.50

LOWER LEVEL FFE=776.00

RETAIL B

PERMISSIBLE BUILDING AREA & PERMISSIBLE PARKING AREA

FUTURE BUILDING LAYOUTS AND CONFIGURATIONS WILL BE DETERMINED AT LATER DATE.

EXISTING SAVERS LOT

EXISTING STORMWATER DETENTION POND C1

PERMISSIBLE BUILDING AREA & PERMISSIBLE PARKING AREA FUTURE BUILDING LAYOUTS AND CONFIGURATIONS WILL BE DETERMINED AT LATER DATE.

PERMISSIBLE BUILDING AREA & PERMISSIBLE PARKING AREA FUTURE BUILDING LAYOUTS AND CONFIGURATIONS WILL BE DETERMINED AT LATER DATE.

EXISTING EAST MAIN STREET

SIGNALIZED INTERSECTION

SIGNALIZED INTERSECTION

EXISTING EAST MAIN STREET

2	REVISED PER OWNER	2/26/14
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CHECKED BY:

OVERALL UTILITY PLAN

THE QUAD ST. CHARLES

3800 E. MAIN STREET

ST. CHARLES, ILLINOIS

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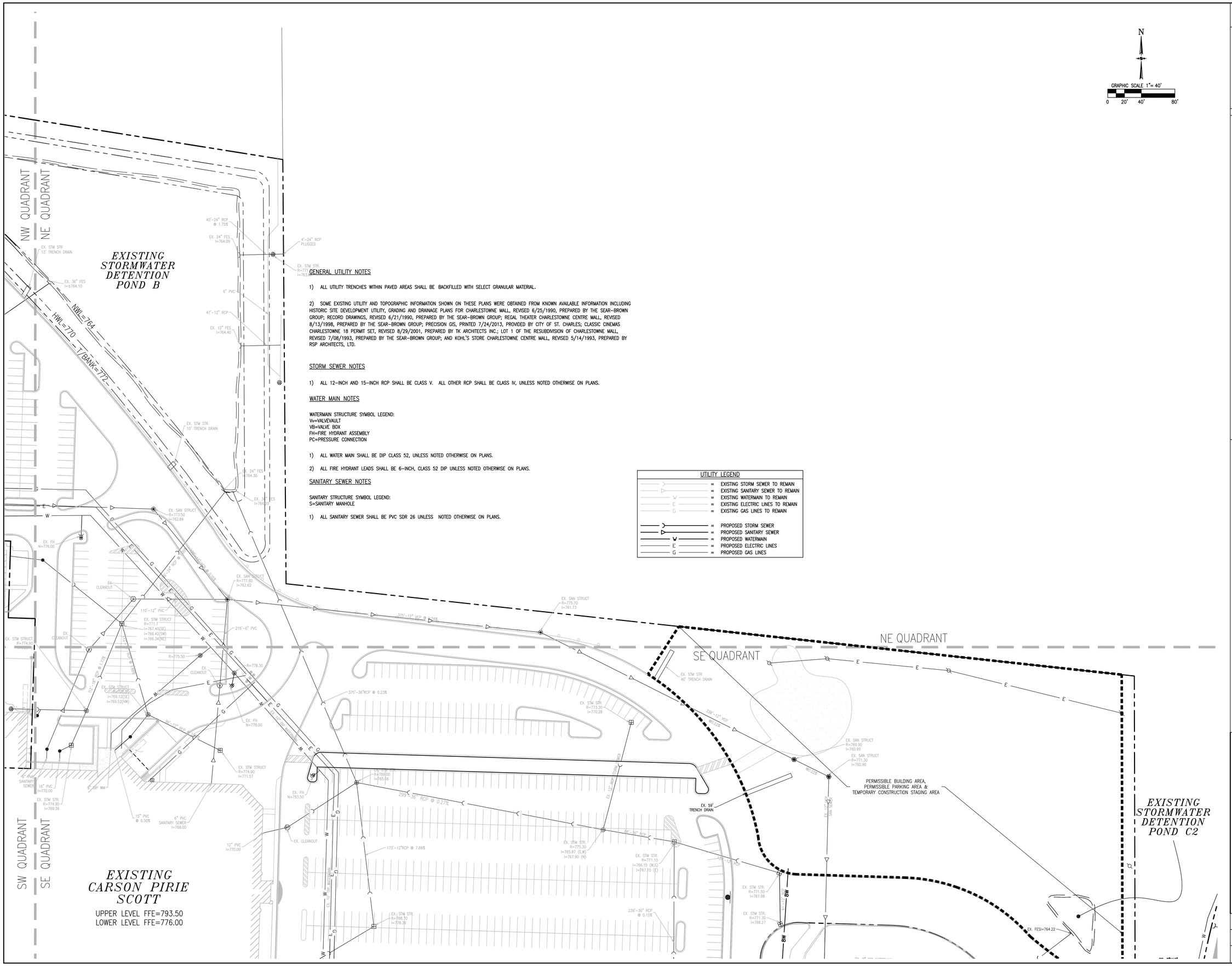

GENERAL UTILITY NOTES

1) ALL UTILITY TRENCHES WITHIN PAVED AREAS SHALL BE BACKFILLED WITH SELECT GRANULAR MATERIAL.

2) SOME EXISTING UTILITY AND TOPOGRAPHIC INFORMATION SHOWN ON THESE PLANS WERE OBTAINED FROM KNOWN AVAILABLE INFORMATION INCLUDING HISTORIC SITE DEVELOPMENT UTILITY, GRADING AND DRAINAGE PLANS FOR CHARLESTOWNE MALL, REVISED 6/25/1990, PREPARED BY THE SEAR-BROWN GROUP; RECORD DRAWINGS, REVISED 6/21/1990, PREPARED BY THE SEAR-BROWN GROUP; REGAL THEATER CHARLESTOWNE CENTRE MALL, REVISED 8/13/1998, PREPARED BY THE SEAR-BROWN GROUP; PRECISION GIS, PRINTED 7/24/2013, PROVIDED BY CITY OF ST. CHARLES; CLASSIC CINEMAS CHARLESTOWNE 18 PERMIT SET, REVISED 8/29/2001, PREPARED BY TK ARCHITECTS INC.; LOT 1 OF THE RESUBDIVISION OF CHARLESTOWNE MALL, REVISED 7/08/1993, PREPARED BY THE SEAR-BROWN GROUP; AND KOHL'S STORE CHARLESTOWNE CENTRE MALL, REVISED 5/14/1993, PREPARED BY RSP ARCHITECTS, LTD.

STORM SEWER NOTES

1) ALL 12-INCH AND 15-INCH RCP SHALL BE CLASS V. ALL OTHER RCP SHALL BE CLASS IV, UNLESS NOTED OTHERWISE ON PLANS.

WATER MAIN NOTES

WATERMAIN STRUCTURE SYMBOL LEGEND:
Vv=VALVEVAULT
VB=VALVE BOX
FH=FIRE HYDRANT ASSEMBLY
PC=PRESSURE CONNECTION

1) ALL WATER MAIN SHALL BE DIP CLASS 52, UNLESS NOTED OTHERWISE ON PLANS.

2) ALL FIRE HYDRANT LEADS SHALL BE 6-INCH, CLASS 52 DIP UNLESS NOTED OTHERWISE ON PLANS.

SANITARY SEWER NOTES

SANITARY STRUCTURE SYMBOL LEGEND:
S=SANITARY MANHOLE

1) ALL SANITARY SEWER SHALL BE PVC SDR 26 UNLESS NOTED OTHERWISE ON PLANS.

UTILITY LEGEND

	= EXISTING STORM SEWER TO REMAIN
	= EXISTING SANITARY SEWER TO REMAIN
W	= EXISTING WATERMAIN TO REMAIN
E	= EXISTING ELECTRIC LINES TO REMAIN
G	= EXISTING GAS LINES TO REMAIN
	= PROPOSED STORM SEWER
	= PROPOSED SANITARY SEWER
W	= PROPOSED WATERMAIN
E	= PROPOSED ELECTRIC LINES
G	= PROPOSED GAS LINES

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1"=40'

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C5.1

NE QUADRANT

SE QUADRANT

SW QUADRANT

SE QUADRANT

EXISTING CARSON PIRIE SCOTT

UPPER LEVEL FFE=793.50
LOWER LEVEL FFE=776.00

PERMISSIBLE BUILDING AREA,
PERMISSIBLE PARKING AREA &
TEMPORARY CONSTRUCTION STAGING AREA

EXISTING STORMWATER DETENTION POND C2

EXISTING SAVERS' LOT

EXISTING STORMWATER DETENTION POND C1

GUARDRAIL

RETAIL B

PERMISSIBLE BUILDING AREA &
PERMISSIBLE PARKING AREA
FUTURE BUILDING LAYOUTS AND CONFIGURATIONS
WILL BE DETERMINED AT LATER DATE.

PERMISSIBLE BUILDING AREA &
PERMISSIBLE PARKING AREA
FUTURE BUILDING LAYOUTS AND CONFIGURATIONS
WILL BE DETERMINED AT LATER DATE.

EXISTING EAST MAIN STREET

CONC. PVMNT

GRAPHIC SCALE 1"= 40'
0 20' 40' 80'

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UTILITY LEGEND

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=	EXISTING SANITARY SEWER TO REMAIN
W =	EXISTING WATERMAIN TO REMAIN
E =	EXISTING ELECTRIC LINES TO REMAIN
G =	EXISTING GAS LINES TO REMAIN
=	PROPOSED STORM SEWER
=	PROPOSED SANITARY SEWER
W =	PROPOSED WATERMAIN
E =	PROPOSED ELECTRIC LINES
G =	PROPOSED GAS LINES

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UTILITY PLAN
SE QUADRANT
THE QUAD ST. CHARLES
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ASSOCIATES
1910 S. Highland Avenue, Suite 100, Lombard, IL 60148
PHONE: (630) 652-4600, FAX: (630) 652-4601
www.jacobandheffner.com

SC 3800 MAIN, LLC.

1"=40'

F021

C5.2

PERMISSIBLE BUILDING & PARKING AREA
FUTURE BUILDING LAYOUTS AND CONFIGURATIONS WILL BE DETERMINED AT LATER DATE.

RETAIL A

RETAIL C

PERMISSIBLE BUILDING AREA

QUADRANT NW
QUADRANT SW

EXISTING MOVIE THEATER
FFE=776.00

EXISTING KOHL'S
UPPER LEVEL FFE=793.50
LOWER LEVEL FFE=776.00

EXISTING MALL
UPPER LEVEL FFE=793.50
LOWER LEVEL FFE=776.00

SW QUADRANT

SE QUADRANT

EXISTING VON MAUR
UPPER LEVEL FFE=793.50
LOWER LEVEL FFE=776.00

P2
FFE=783.85

GRAPHIC SCALE 1"= 40'
0 20' 40' 80'

GENERAL UTILITY NOTES

1) ALL UTILITY TRENCHES WITHIN PAVED AREAS SHALL BE BACKFILLED WITH SELECT GRANULAR MATERIAL.

2) SOME EXISTING UTILITY AND TOPOGRAPHIC INFORMATION SHOWN ON THESE PLANS WERE OBTAINED FROM KNOWN AVAILABLE INFORMATION INCLUDING HISTORIC SITE DEVELOPMENT UTILITY, GRADING AND DRAINAGE PLANS FOR CHARLESTOWNE MALL, REVISED 6/25/1990, PREPARED BY THE SEAR-BROWN GROUP; RECORD DRAWINGS, REVISED 6/21/1990, PREPARED BY THE SEAR-BROWN GROUP; REGAL THEATER CHARLESTOWNE CENTRE MALL, REVISED 8/13/1998, PREPARED BY THE SEAR-BROWN GROUP; PRECISION GIS, PRINTED 7/24/2013, PROVIDED BY CITY OF ST. CHARLES; CLASSIC CINEMAS CHARLESTOWNE 18 PERMIT SET, REVISED 8/29/2001, PREPARED BY TK ARCHITECTS INC.; LOT 1 OF THE RESUBDIVISION OF CHARLESTOWNE MALL, REVISED 7/08/1993, PREPARED BY THE SEAR-BROWN GROUP; AND KOHL'S STORE CHARLESTOWNE CENTRE MALL, REVISED 5/14/1993, PREPARED BY RSP ARCHITECTS, LTD.

STORM SEWER NOTES

1) ALL 12-INCH AND 15-INCH RCP SHALL BE CLASS V. ALL OTHER RCP SHALL BE CLASS IV, UNLESS NOTED OTHERWISE ON PLANS.

WATER MAIN NOTES

WATERMAIN STRUCTURE SYMBOL LEGEND:
Vv=VALVEVAULT
VB=VALVE BOX
FH=FIRE HYDRANT ASSEMBLY
PC=PRESSURE CONNECTION

1) ALL WATER MAIN SHALL BE DIP CLASS 52, UNLESS NOTED OTHERWISE ON PLANS.

2) ALL FIRE HYDRANT LEADS SHALL BE 6-INCH, CLASS 52 DIP UNLESS NOTED OTHERWISE ON PLANS.

SANITARY SEWER NOTES

SANITARY STRUCTURE SYMBOL LEGEND:
S=SANITARY MANHOLE

1) ALL SANITARY SEWER SHALL BE PVC SDR 26 UNLESS NOTED OTHERWISE ON PLANS.

UTILITY LEGEND

- = EXISTING STORM SEWER TO REMAIN
- = EXISTING SANITARY SEWER TO REMAIN
- W = EXISTING WATERMAIN TO REMAIN
- E = EXISTING ELECTRIC LINES TO REMAIN
- G = EXISTING GAS LINES TO REMAIN
- = PROPOSED STORM SEWER
- = PROPOSED SANITARY SEWER
- W = PROPOSED WATERMAIN
- E = PROPOSED ELECTRIC LINES
- G = PROPOSED GAS LINES

SIGNALIZED INTERSECTION
Illinois State Route
EXISTING EAST MAIN STREET
SIGNALIZED INTERSECTION
Center Line

DESIGNED BY:	
CHECKED BY:	
2 REVISED PER OWNER	2/26/14
1 ORIGINAL PLAN DATE	2/5/14
DESCRIPTION	DATE

UTILITY PLAN
SW QUADRANT
THE QUAD ST. CHARLES
3800 E. MAIN STREET
ST. CHARLES, ILLINOIS

JACOB & HEFNER ASSOCIATES
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SC 3800 MAIN, LLC.

1"=40'

F021

C5.3

GENERAL UTILITY NOTES

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2) SOME EXISTING UTILITY AND TOPOGRAPHIC INFORMATION SHOWN ON THESE PLANS WERE OBTAINED FROM KNOWN AVAILABLE INFORMATION INCLUDING HISTORIC SITE DEVELOPMENT UTILITY, GRADING AND DRAINAGE PLANS FOR CHARLESTOWNE MALL, REVISED 6/25/1990, PREPARED BY THE SEAR-BROWN GROUP; RECORD DRAWINGS, REVISED 6/21/1990, PREPARED BY THE SEAR-BROWN GROUP; REGAL THEATER CHARLESTOWNE CENTRE MALL, REVISED 8/13/1998, PREPARED BY THE SEAR-BROWN GROUP; PRECISION GIS, PRINTED 7/24/2013, PROVIDED BY CITY OF ST. CHARLES; CLASSIC CINEMAS CHARLESTOWNE 18 PERMIT SET, REVISED 8/29/2001, PREPARED BY TK ARCHITECTS INC.; LOT 1 OF THE RESUBDIVISION OF CHARLESTOWNE MALL, REVISED 7/08/1993, PREPARED BY THE SEAR-BROWN GROUP; AND KOHL'S STORE CHARLESTOWNE CENTRE MALL, REVISED 5/14/1993, PREPARED BY RSP ARCHITECTS, LTD.

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Vv=VALVEVAULT
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FH=FIRE HYDRANT ASSEMBLY
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SANITARY STRUCTURE SYMBOL LEGEND:
S=SANITARY MANHOLE

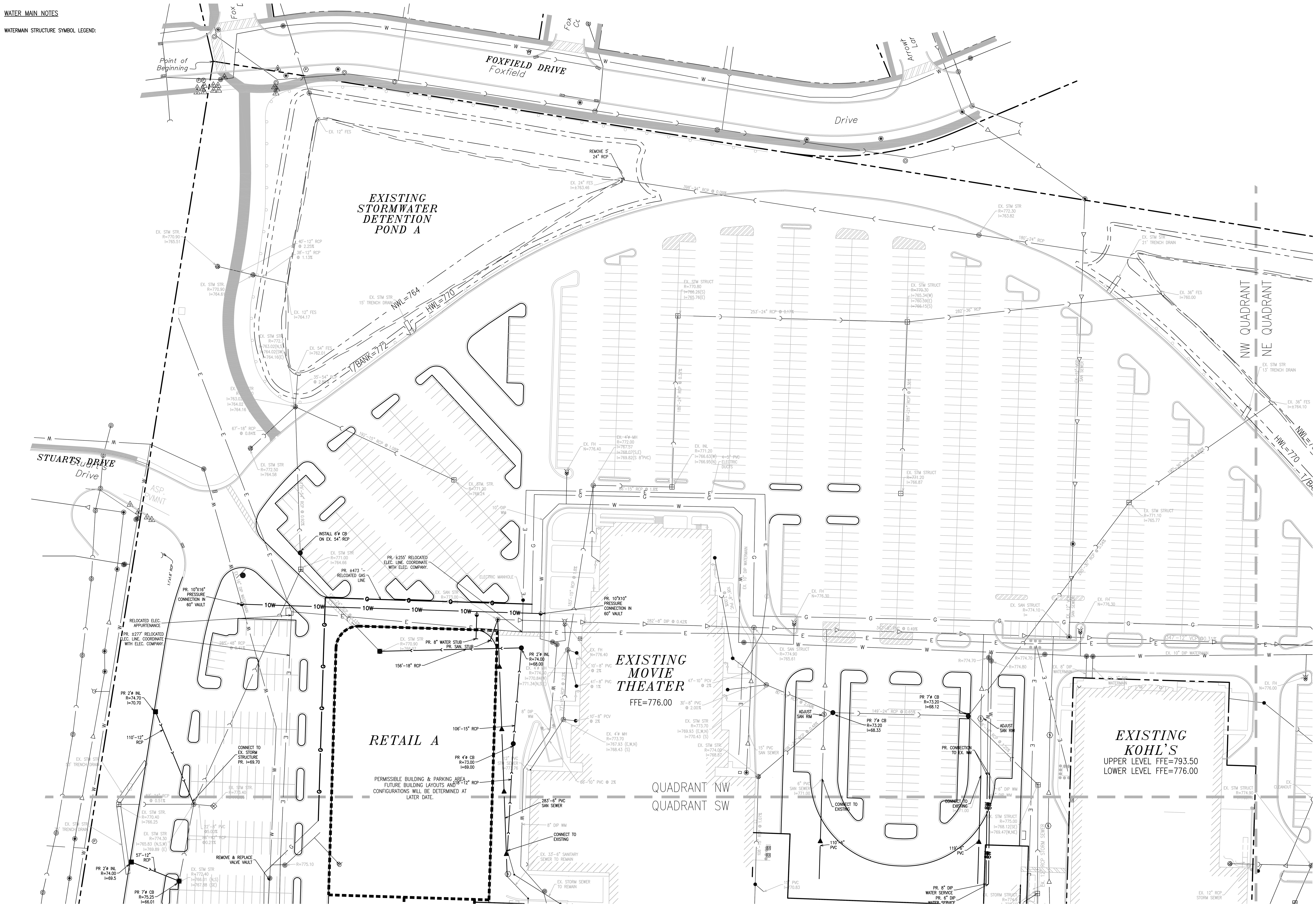
1) ALL SANITARY SEWER SHALL BE PVC SDR 26 UNLESS NOTED OTHERWISE ON PLANS.

UTILITY LEGEND

= EXISTING STORM SEWER TO REMAIN
= EXISTING SANITARY SEWER TO REMAIN
W = EXISTING WATERMAIN TO REMAIN
E = EXISTING ELECTRIC LINES TO REMAIN
G = EXISTING GAS LINES TO REMAIN
= PROPOSED STORM SEWER
= PROPOSED SANITARY SEWER
W = PROPOSED WATERMAIN
E = PROPOSED ELECTRIC LINES
G = PROPOSED GAS LINES

N

GRAPHIC SCALE 1"= 40'
0 20' 40' 80'



#	DESCRIPTION	DATE
2	REVISED PER OWNER	2/26/14
1	ORIGINAL PLAN DATE	2/5/14

DESIGNED BY: CHECKED BY:

UTILITY PLAN
NW QUADRANT
THE QUAD ST. CHARLES
3800 E. MAIN STREET
ST. CHARLES, ILLINOIS

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SC 3800 MAIN, LLC.

1"=40'

F021

C5.4

PLAT OF RESUBDIVISION
THE QUAD ST. CHARLES – UNIT 1

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

N

0 50 100 200

Scale 1" = 100'

BASIS OF BEARINGS:

NAD 83, ILLINOIS STATE PLANE, EAST ZONE (1201)

STUART'S CROSSING UNIT 1
Document No. 1999K029623

FOX CHASE DRIVE

Charlemagne Subdivision
Phase 1
per Document No. 1953207

FOXFIELD COURT

Charlemagne Subdivision
Phase 2
per Document No. 90K01891

BLACKHAWK TRAIL

ARROWHEAD LANE

FOXFIELD DRIVE

92 93 100 71 70 49 48 30

80.00'

1" Iron Pipe found at Corner

Mag Nail found 0.18'S & Online

P.O.C.

496.41'

Heretofore Dedicated to the City of St. Charles per Document 2017857

181

Lot 2

S81°08'51"E 1461.93'

Public Utility Easement per Document 2017857

Lot 6

S08°51'09"W 429.67'

200' BUILDING SETBACK LINE (Typ.) per Document 2017857

1" Iron Pipe found at Corner

Public Utility Easement per Document 2017857

STUARTS DRIVE

3/4" Iron Pipe found 0.39' E'ly Easement for Public Roadway per Document 98K078040

10' Northern Illinois Gas Co. Easement per Document 1999K045452

S88°26'00"E 78.60'
S01°34'00"W 5.00'
S88°26'00"E 53.50'
S01°34'00"W 72.00'
S88°26'00"E 8.65'
S01°34'00"W 36.00'
S88°26'00"E 8.65'

P.O.B.

N01°34'00"E 77.00'
S88°26'00"E 8.65'
N01°34'00"E 36.00'
S88°26'00"E 8.65'

30' RING ROAD EASEMENT (Typ.) per Document 2017857 AMENDED per Document 91K09611 Document 2001K073357 Document 94K062206

OLIVER-HOFFMAN CHARLESTOWN DEVELOPMENT per Document No. 2009K095641

S00°38'20"E 505.23'

PUBLIC UTILITY EASEMENT (Typ.) per Document 2017857

Lot 5

N01°34'00"E 112.00'
S88°26'00"E 51.40'

LOT 1

S01°34'00"W 112.00'
S88°26'00"E 8.65'
S01°34'00"W 51.33'
S88°26'00"E 30.65'
S01°34'00"W 99.00'
N88°26'00"W 5.00'
S01°34'00"W 55.50'
N88°26'00"W 252.40'

N01°34'00"E 205.83'

172.04'
S88°27'00"E
91.33'
32.00'
270.08'
N01°33'00"E
178.75'
204.04'

LOT 1 OF CHARWIL'S FIRST RESUBDIVISION OF PART OF LOT 1, CHARLESTOWNE CENTRE MALL, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS per Document No. 93K15081

Lot 1

3/4" Iron Pipe found at Corner

S83°59'20"E 1015.80'

1/2" Iron Rod found 0.13'S & Online

Charter One Center Unit One per Document No. R2003-291521

N08°51'09"E 1616.74'

3/4" Iron Pipe found 0.37' E'ly

Lot 3

3/4" Iron Pipe found 0.36' E'ly

Stuart's Crossing Retail Document No. 98K083752

LOT 1
CHARLESTOWNE CENTRE MALL
ST. CHARLES, KANE COUNTY, ILLINOIS
per Document No. 2017857

N01°33'00"E (1538.25')

N88°27'00"W (1540.56')

S00°20'54"E 357.09'

N88°26'59"W 111.58'
R=150.00'
L=112.82'

R=45.00'
L=70.69'

Cross Notch found at Corner

N45°21'20"W 70.02'

Iron Pipe found at Corner

Cross Notch found at Corner

1" Iron Pipe found at Corner

Mag Nail found 0.16'SE'ly & Online

N89°48'06"E 78.35'

Cross Notch found at Corner

R=995.00'
N00°11'55"W
L=110.91'
72.63'

R=214.00'
L=6.44'

S89°48'06"W 197.34'

1" Iron Pipe found 0.17'S & Online

Lot 4

90.00' 15.00' 36.00' 15.00' 124.64'
22.60' 51.60' 61.89' 76.83' 79.16'
12.65' 54.26' 75.69'
68.05'
N01°33'25"E
Lot 1
Third Resubdivision of Charlestowne Centre Mall
St. Charles Kane County Illinois
per Document No. 2001K007611
43.26' 51.35' 57.20' 12.75'
N88°26'35"W
104.00' 12.75' 54.05' 12.75' 132.00'

Lot 1
Charwil's Second Resubdivision of Charlestowne Centre Mall St. Charles Kane County Illinois
per Document No. 94K067871

N01°33'01"E 188.38'

Iron Pipe found at Corner

R=300.00'
L=163.25'

Iron Pipe found at Corner

S88°27'00"E 183.76'

3/4" Iron Pipe found 0.16'S & 0.11'E

S00°11'55"E 75.30'

3/4" Iron Pipe found 0.15'S & 0.17'W

N89°48'05"E 35.00'

1 1/4" Iron Pipe found at Corner

ILLINOIS ROUTE 64 – SMITH ROAD SUBDIVISION, ST. CHARLES KANE COUNTY ILLINOIS per Document No. 91K55800

S00°11'55"E 299.56'

1

2

Smith Road

Kane County

DuPage County

3/4" Iron Pipe found 0.10' E'ly

Lot 2

(341.31')
N01°31'11"E

N01°31'11"E 9.00'

S01°22'42"W 3.00'

N00°32'31"E 6.50'

3/4" Iron Pipe found 0.10'S & Online

R=21545.94' L=602.61'

Iron Rod w/Alum. IDOT Cap found at Corner

N88°28'49"W 861.43'

Department of Transportation of the State of Illinois Permanent Easement per Document 2012K026047

R=20153.06'
L=49.72'

S88°28'49"E 301.20'

Iron Rod w/Alum. IDOT Cap found at Corner

R=20156.06' L=294.32'

Iron Rod w/Alum. IDOT Cap found at Corner

R=20149.56' L=354.11'

Department of Transportation of the State of Illinois Right of Way per Document 2012K026047

60.00'

Illinois State Route No. 64

JACOB & HEFNER ASSOCIATES
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www.jacobandhefner.com
Illinois Professional Design Firm
License No. 184-003073 Exp. 4/30/15

SURVEY NO.:	F021		
ORDERED BY:	THE KRAUSZ COMPANIES		
DESCRIPTION:	PLAT OF RESUBDIVISION		
DATE PREPARED:	FEBRUARY 25, 2014		
SCALE	1" = 100'	DRAWN BY	CM

PLAT OF RESUBDIVISION
THE QUAD ST. CHARLES – UNIT 1

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

CERTIFICATE OF OWNER AND NOTARY

STATE OF _____)
) SS
COUNTY OF _____)

THIS IS TO CERTIFY THAT THE UNDERSIGNED IS THE OWNER OF THE PROPERTY DESCRIBED IN THE ANNEXED PLAT, HAS CAUSED THE SAME TO BE PLATTED AS INDICATED HEREON, FOR THE USES AND PURPOSES THEREIN SET FORTH AND DOES HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE THEREON INDICATED.
TO THE BEST OF THE OWNER'S KNOWLEDGE THE SCHOOL DISTRICT IN WHICH THE TRACT OF LAND LIES, IS IN THE FOLLOWING DISTRICT: ST. CHARLES COMMUNITY UNIT SCHOOL DISTRICT 303.

DATED AT _____,

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

STATE OF _____)
) SS
COUNTY OF _____)

I, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY KNOWN TO ME TO BE THE SAME PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING OWNER'S CERTIFICATE, AS SUCH OWNERS, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT HE OR SHE SIGNED AND DELIVERED THE SAID INSTRUMENT AS THEIR OWN FREE AND VOLUNTARY ACT, FOR THE USES AND PURPOSES THEREIN SET FORTH.

DATED THIS _____ DAY OF _____, A.D., 201__.

_____ (NOTARY PUBLIC)

_____
(PRINTED SIGNATURE)

MY COMMISSION EXPIRES: _____

MY COUNTY OF RESIDENCE: _____

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, 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:
COMMENCING AT THE NORTHWESTERLY CORNER OF SAID LOT 1; THENCE SOUTH 81 DEGREES 08 MINUTES 51 SECONDS EAST ALONG THE MOST NORTHERLY LINE OF SAID LOT 1, A DISTANCE OF 496.41 FEET; THENCE SOUTH 08 DEGREES 51 MINUTES 09 SECONDS WEST, A DISTANCE OF 429.67 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 88 DEGREES 26 MINUTES 00 SECONDS EAST, A DISTANCE OF 78.60 FEET; THENCE SOUTH 01 DEGREES 34 MINUTES 00 SECONDS WEST, A DISTANCE OF 5.00 FEET; THENCE SOUTH 88 DEGREES 26 MINUTES 00 SECONDS EAST, A DISTANCE OF 53.50 FEET; THENCE SOUTH 01 DEGREES 34 MINUTES 00 SECONDS WEST, A DISTANCE OF 72.00 FEET; THENCE SOUTH 88 DEGREES 26 MINUTES 00 SECONDS EAST, A DISTANCE OF 8.65 FEET; THENCE SOUTH 01 DEGREES 34 MINUTES 00 SECONDS WEST, A DISTANCE OF 36.00 FEET; THENCE SOUTH 88 DEGREES 26 MINUTES 00 SECONDS EAST, A DISTANCE OF 8.65 FEET; THENCE SOUTH 01 DEGREES 34 MINUTES 00 SECONDS WEST, A DISTANCE OF 112.00 FEET; THENCE SOUTH 88 DEGREES 26 MINUTES 00 SECONDS EAST, A DISTANCE OF 8.65 FEET; THENCE SOUTH 01 DEGREES 34 MINUTES 00 SECONDS WEST, A DISTANCE OF 51.33 FEET; THENCE SOUTH 88 DEGREES 26 MINUTES 00 SECONDS EAST, A DISTANCE OF 30.65 FEET; THENCE SOUTH 01 DEGREES 34 MINUTES 00 SECONDS WEST, A DISTANCE OF 99.00 FEET; THENCE NORTH 88 DEGREES 26 MINUTES 00 SECONDS WEST, A DISTANCE OF 5.00 FEET; THENCE SOUTH 01 DEGREES 34 MINUTES 00 SECONDS WEST, A DISTANCE OF 55.50 FEET; THENCE NORTH 88 DEGREES 26 MINUTES 00 SECONDS WEST, A DISTANCE OF 252.40 FEET; THENCE NORTH 01 DEGREES 34 MINUTES 00 SECONDS EAST, A DISTANCE OF 205.83 FEET; THENCE SOUTH 88 DEGREES 26 MINUTES 00 SECONDS EAST, A DISTANCE OF 51.40 FEET; THENCE NORTH 01 DEGREES 34 MINUTES 00 SECONDS EAST, A DISTANCE OF 112.00 FEET; THENCE SOUTH 88 DEGREES 26 MINUTES 00 SECONDS EAST, A DISTANCE OF 8.65 FEET; THENCE NORTH 01 DEGREES 34 MINUTES 00 SECONDS EAST, A DISTANCE OF 36.00 FEET; THENCE SOUTH 88 DEGREES 26 MINUTES 00 SECONDS EAST, A DISTANCE OF 8.65 FEET; THENCE NORTH 01 DEGREES 34 MINUTES 00 SECONDS EAST, A DISTANCE OF 77.00 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 INDEX HAVING A MAP NUMBER OF 17089CINDOC FOR KANE COUNTY, ILLINOIS AND INCORPORATED AREAS, THE SUBJECT TRACT FALLS WITHIN PANEL NUMBER 17089C0270H. ACCORDING TO THIS MAP INDEX SHEET WHICH HAS A MAP REVISION DATE OF AUGUST 3, 2009, PANEL NUMBER 17089C0270H WAS NOT PRINTED BECAUSE IT CONTAINS NO SPECIAL FLOOD HAZARD AREAS.

GIVEN UNDER MY HAND AND SEAL AT LOMBARD, ILLINOIS,

THIS 26th DAY OF FEBRUARY, 2014.

CARL J. COOK
035-003543
PROFESSIONAL
LAND SURVEYOR
STATE OF ILLINOIS
Renewable
11-30-14
LOMBARD

_____
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035–003543
JACOB & HEFNER ASSOCIATES, INC.

JACOB & HEFNER
ASSOCIATES
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Illinois Professional Design Firm
License No. 184-003073 Exp. 4/30/15

SURVEY NO.:			
ORDERED BY:	THE KRAUSZ COMPANIES		
DESCRIPTION:	PLAT OF RESUBDIVISION		
DATE PREPARED:	FEBRUARY 25, 2014		
SCALE	1" = 100'	DRAWN_BY	CM