



ST. CHARLES
SINCE 1834

AGENDA ITEM EXECUTIVE SUMMARY

Title:	Motion to approve An Ordinance Amending Ordinance No. 1987-Z-4 (Firethorne PUD) and Granting Approval of a Minor Change to PUD Preliminary Plan for Firethorne Apartments, 1320-1370 Brook St. (Firethorne PUD Dean St. access)
Presenter:	Rita Tungare

Please check appropriate box:

	Government Operations		Government Services
	Planning & Development	X	City Council (3/16/15)
	Public Hearing		

Estimated Cost:	NA	Budgeted:	YES		NO	
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If NO, please explain how item will be funded:

Executive Summary:

At the 3/9/15 meeting of the Planning & Development Committee, several conditions were placed upon a recommendation for approval of the Special Use Amendment and Minor Change applications that would allow a paved vehicular access drive from Firethorne Apartments to Dean St. These conditions were as follows:

1. Right-in, right-out only access.
2. Three-inch raised median at the north end of the access drive to inhibit left turns.
3. Stop sign and “no left turn” sign at the north end of the access drive.
4. Speed bump, either permanent or removable, per the direction of staff.
5. Landscaping on either side of the drive to the agreement of the adjacent property owners.
6. Installation of a fence along the front yard of the property directly across Dean St., subject to agreement of the property owner.

The applicant has submitted revised plans that reflect all of the conditions listed above. Note that the raised median curb is mountable to accommodate the turning radius of a fire truck entering and exiting the drive from the inside lane. The Fire Department has stated that a full curb may be possible. If a full curb is to be used, a revised turning radius exhibit would be required to demonstrate that a fire truck would be able to access the drive.

Also, the Committee had directed the applicant to work with staff to determine whether a permanent or removable speed bump should be used. The Fire Department indicated that either type would be acceptable. Staff directed the applicant to choose their preference. The applicant has chosen a removable speed bump. The ordinance specifies a date range during which the speed bump can be removed (November 15 – March 15).

The applicant’s representative has submitted a letter summarizing their response to the conditions of approval.

Attachments: *(please list)*

Applicant Response Letter (dated 3/11/15), An Ordinance Amending Ordinance No. 1987-Z-4 (Firethorne PUD) and Granting Approval of a Minor Change to PUD Preliminary Plan for Firethorne Apartments, 1320-1370 Brook St. (Firethorne PUD Dean St. access)

Recommendation / Suggested Action *(briefly explain):*

Approve Ordinance Amending Ordinance No. 1987-Z-4 (Firethorne PUD) and Granting Approval of a Minor Change to PUD Preliminary Plan for Firethorne Apartments, 1320-1370 Brook St. (Firethorne PUD Dean St. access)

<i>For office use only:</i>	<i>Agenda Item Number:</i> IIC4
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DOMMERMUTH, COBINE, WEST, GENSLER, PHILIPCHUCK, CORRIGAN AND BERNHARD, LTD.

ATTORNEYS AT LAW

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1910 - 1998

March 11, 2015

ANN M. EDMONDS

John F. Philipchuck, Esq.
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630-470-6656

Honorable Raymond Rogina and
City Council Members
2 East Main Street
St. Charles, Illinois 60174

**Re: Firethorne Apartments Access Driveway
1320-1370 Brook Street, St. Charles**

Dear Mayor Rogina and City Aldermen:

At the March 9, 2015, meeting of the Planning and Development Committee, Firethorne Apartments, LLC, received unanimous approval of its petition for a Special Use and a Minor Change to the PUD to allow for the construction of an access road to Dean Street with conditions. The plans have been modified to comply with those conditions as follows:

1. A right-in, right-out access driveway from the apartment building north to Dean Street.
2. Landscaping agreeable to the petitioner and the owners of the properties contiguous to the access driveway.
3. A stop sign for vehicles exiting the driveway onto Dean Street.
4. A raised median and "No Left Turn" sign to prohibit left turns from the access driveway onto Dean Street. The raised median will be a concrete median with mountable curb. The mountable curb is being utilized to allow a fire truck to use this entrance. The truck turning movement for the fire truck has been added to the plan.
5. A portable speed bump that can be removed for snow plowing and maintenance of the access driveway by Firethorne Apartments.

In addition, a representative for Firethorne Apartments, LLC, has provided information and spoken with Mark Romano, owner of the property located at 1320 Dean Street, and the parties are working together to determine the type of fence to be installed across the frontage of Mr. Romano's property.

On behalf of the residents of Firethorne Apartments, we would like to thank Alderman Bancroft and Alderman Turner for their assistance in scheduling meetings and working with property owners to assist in negotiating a compromise in this matter, keeping in mind the safety of the Firethorne Apartment residents and the input of the neighbors.

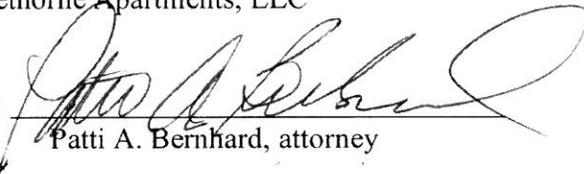
March 11, 2015

Page 2

We respectfully request that the City Council approve the petitioner's request for a Special Use and a Minor Change to the PUD with the above stated conditions to allow for the construction of an access driveway to Dean Street.

Respectfully,
Firethorne Apartments, LLC

By:



Patti A. Bernhard, attorney

Cc: Angela Herman
Debra Roeder
Al Lieberman

City of St. Charles, IL
Ordinance No. 2015-Z-__

**An Ordinance Amending Ordinance No. 1987-Z-4 (Firethorne PUD) and
Granting Approval of a Minor Change to PUD Preliminary Plan for
Firethorne Apartments, 1320-1370 Brook St. (Firethorne PUD Dean St.
access)**

WHEREAS, an Application to amend Ordinance No. 1987-Z-4 “An Ordinance Granting a Special Use as a Planned Unit Development for the Firethorne Apartments PUD” and a request for a Minor Change to the PUD Preliminary Plan approved by said Ordinance No. 1987-Z-4, was filed by Firethorne Apartments, LLC (“Applicant”) pertaining to the real estate legally described in Exhibit “A” (“Subject Property”) attached hereto, commonly known as Firethorne Apartments, 1320-1370 Brook St., for the purpose of allowing a paved vehicular access drive to Dean St.; and,

WHEREAS, Notice of Public Hearing on said Application was published on or about October 23, 2014, 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 November 18, 2014 on said Application 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 Application and all interested parties had an opportunity to be heard; and,

WHEREAS, the Plan Commission recommended approval of said Application on or about November 18, 2014; and,

WHEREAS, the Planning and Development Committee of the City Council recommended approval of said Application and request for a Minor Change to the PUD Preliminary Plan on or about March 9, 2015; and,

WHEREAS, the City Council of the City of St. Charles has received the recommendations of the Plan Commission and Planning and Development Committee 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. The preambles set forth hereinabove are incorporated herein as substantive provisions of this Ordinance as if fully set out in this Section 1.

2. The City Council of the City of St. Charles hereby adopts the Findings of Fact of the Plan Commission as fully set forth in Exhibit “B” hereto, as its Findings of Fact.

3. That Section 2.H of Ordinance No. 1987-Z-4 “An Ordinance Granting a Special Use as a Planned Unit Development for the Firethorne Apartments PUD” is hereby deleted in its entirety and replaced with the following:

“There shall be no vehicular access to the Subject Realty from West Main Street. Access to the Subject Realty from Dean Street shall be limited to a right-in, right-out access drive, subject to the following conditions:

- a. That a stop sign and “no left turn” sign be installed at the north end of the access drive for vehicles exiting onto Dean Street.
- b. That a raised median be provided at the north end of the access drive to inhibit left turns into and out of the access drive.
- c. That a speed bump be installed on the access drive. (The speed bump may be removed between November 15 and March 15 to allow for snow plowing.)
- d. That landscaping be provided along the east and west sides of the access drive, generally in conformance with the attached plan and subject to the approval of the property owners adjacent to the access drive to the east and west.
- e. That a fence be provided in the front yard of the property directly across Dean Street from the access drive (1320 Dean Street), subject to agreement by the property owner.”

4. That passage of this Ordinance shall constitute approval of a Minor Change to PUD Preliminary Plan such that the following documents and illustrations are hereby approved, a reduced copy of which is attached hereto and incorporated herein as Exhibit “C”, subject to compliance with such conditions, corrections, and modifications as may be required by the Director of Community and Economic Development and the Director of Public Works to comply with the requirements of the St. Charles Municipal Code:

- Site Plan, dated 3/13/2015
- Catchment Exhibit, dated 3/13/2015
- Autoturn/Landscape Plan, dated 3/13/2015

5. That the Subject Property may be developed and used only in accordance with all ordinances of the City now in effect or hereafter amended.

6. 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 16th day of March 2015.

PASSED by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 16th day of March 2015.

APPROVED by the Mayor of the City of St. Charles, Kane and DuPage Counties,
Illinois this 16th day of March 2015.

Raymond P. Rogina, Mayor

Attest:

Nancy Garrison, City Clerk

Vote:

Ayes:

Nays:

Absent:

Abstain:

Date: _____

APPROVED AS TO FORM:

City Attorney

DATE: _____

EXHIBIT A
LEGAL DESCRIPTION

LOT 1 IN FIRETHORNE, ACCORDING TO PLAT OF SUBDIVISION RECORDED AS DOCUMENT 1948130 AS AMENDED BY CERTIFICATE OF CORRECTION RECORDED 1989 AS DOCUMENT 1998705, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

PIN #09-28-378-156

EXHIBIT B
FINDINGS OF FACT

AMENDMENT TO SPECIAL USE FOR A PLANNED UNIT DEVELOPMENT (PUD)
(FIRETHORNE APARTMENTS PUD – 1320-1370 BROOK ST.)

- i. **The proposed PUD advances one or more of the purposes of the Planned Unit Development procedure stated in Section 17.04.400.A:**
Existing PUD development. Modification is being done to add another access driveway to provide a second means of ingress and egress from the complex.

- ii. **The proposed PUD and PUD Preliminary Plans conform to the requirements of the underlying zoning district or districts in which the PUD is located and to the applicable Design Review Standards contained in Chapter 17.06, except where:**
 - A. **Conforming to the requirements would inhibit creative design that serves community goals, or**
 - B. **Conforming to the requirements would be impractical and the proposed PUD will provide benefits that outweigh those that would have been realized by conforming to the applicable requirements. Factors listed in Section 17.04.400.B shall be used to justify the relief from requirements:**
N/A.

- iii. **The proposed PUD conforms with the standards applicable to Special Uses (section 17.04.330.C.2):**
 - A. **Public Convenience: The Special Use will serve the public convenience at the proposed location.**
Construction of a permanent additional access drive to Dean Street will allow an additional means of ingress and egress to the property.

 - B. **Sufficient Infrastructure: That adequate utilities, access roads, drainage and/or necessary facilities have been, or are being, provided.**
The land is available now only as an emergency access. A paved driveway with curb and gutter will now be provided.

 - 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 additional drive access will allow the site generated traffic an alternate means of entering and exiting the property.

 - 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 area is already developed with residential uses.

 - 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 revision of the Special Use to add a new paved permanent driveway will create a safer development rather than a detrimental effect by having an additional all weather access for emergency vehicles and the residents of the apartment complex.

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 new driveway will be designed and constructed to comply with the ordinances of the City of St. Charles.

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

The modification of the existing PUD site plan to allow for an additional paved driveway access will be safer for the residents in the development by having another way in and out of the apartment complex and a more useable emergency vehicle access.

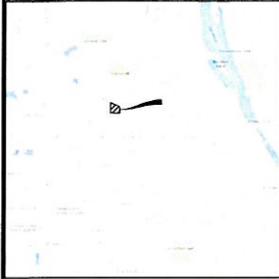
v. The proposed PUD conforms to the purposes and intent of the Comprehensive Plan.

The existing PUD is in conformance with the Comprehensive Plan.

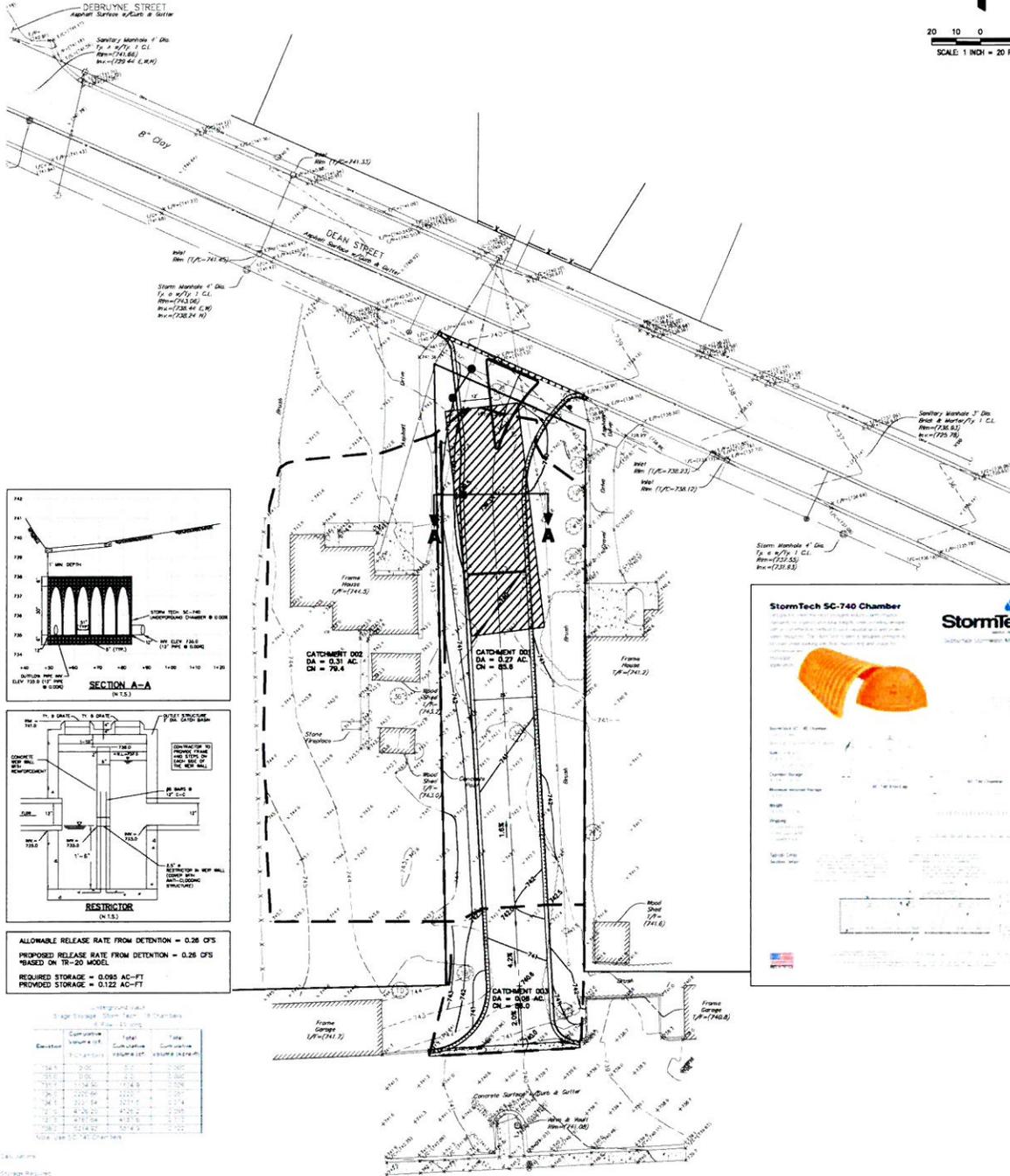
EXHIBIT C
PLANS

CATCHMENT EXHIBIT FOR FIRETHORNE APARTMENTS

LOT 1 IN FIRETHORNE, ACCORDING TO PLAT OF SUBDIVISION RECORDED AS DOCUMENT 1948130 AS AMENDED BY CERTIFICATE OF CORRECTION RECORDED 1989 AS DOCUMENT 1998705, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.



LOCATION MAP



StormTech SC-740 Chamber

StormTech
 Sustainable Stormwater Management

StormTech SC-740 Chamber is a precast, reinforced concrete chamber designed for stormwater detention and storage. It features a corrugated interior for increased storage capacity and a sturdy, durable construction. The chamber is available in various sizes and configurations to meet specific site requirements.

ALLOWABLE RELEASE RATE FROM DETENTION = 0.26 CFS
 PROPOSED RELEASE RATE FROM DETENTION = 0.26 CFS
 BASED ON TR-20 MODEL
 REQUIRED STORAGE = 0.085 AC-FT
 PROVIDED STORAGE = 0.122 AC-FT

Intermittent Rain

Event	Duration	Intensity	Volume (cu ft)	Volume (cu ft)	Volume (cu ft)
1	15	0.50	1500	1500	1500
2	15	0.50	1500	1500	1500
3	15	0.50	1500	1500	1500
4	15	0.50	1500	1500	1500
5	15	0.50	1500	1500	1500
6	15	0.50	1500	1500	1500
7	15	0.50	1500	1500	1500
8	15	0.50	1500	1500	1500
9	15	0.50	1500	1500	1500
10	15	0.50	1500	1500	1500
11	15	0.50	1500	1500	1500
12	15	0.50	1500	1500	1500
13	15	0.50	1500	1500	1500
14	15	0.50	1500	1500	1500
15	15	0.50	1500	1500	1500
16	15	0.50	1500	1500	1500
17	15	0.50	1500	1500	1500
18	15	0.50	1500	1500	1500
19	15	0.50	1500	1500	1500
20	15	0.50	1500	1500	1500

PREPARED FOR:
FIRETHORNE APARTMENTS
 1350 BROOK STREET
 ST. CHARLES, IL 60174
 (630) 513-1113

PREPARED BY:
CEMCON, Ltd.
 Consulting Engineers, Land Surveyors & Planners
 2280 White Oaks Circle, Suite 100
 Aurora, Illinois 60502-9875
 P: 630.862.2100 F: 630.862.2199
 E-Mail: ccoo@cemcon.com Website: www.cemcon.com

DISC NO.: FILE NAME: PRECOVER
 DRAWN BY: BCD FLD BK / PG. NO.: BK / PG.
 COMPLETION DATE: 09-22-14 JOB NO.: 904.093
 XREF: TDPO PROJECT MANAGER: MK

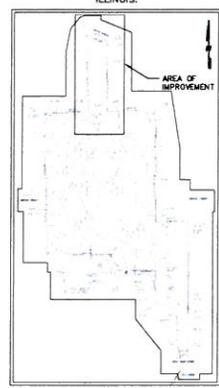
AUTOTURN/LANDSCAPE PLAN FOR **FIRETHORNE APARTMENTS**

LOT 1 IN FIRETHORNE, ACCORDING TO PLAT OF SUBDIVISION RECORDED AS DOCUMENT 1948130 AS AMENDED BY CERTIFICATE OF CORRECTION RECORDED 1989 AS DOCUMENT 1998705, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

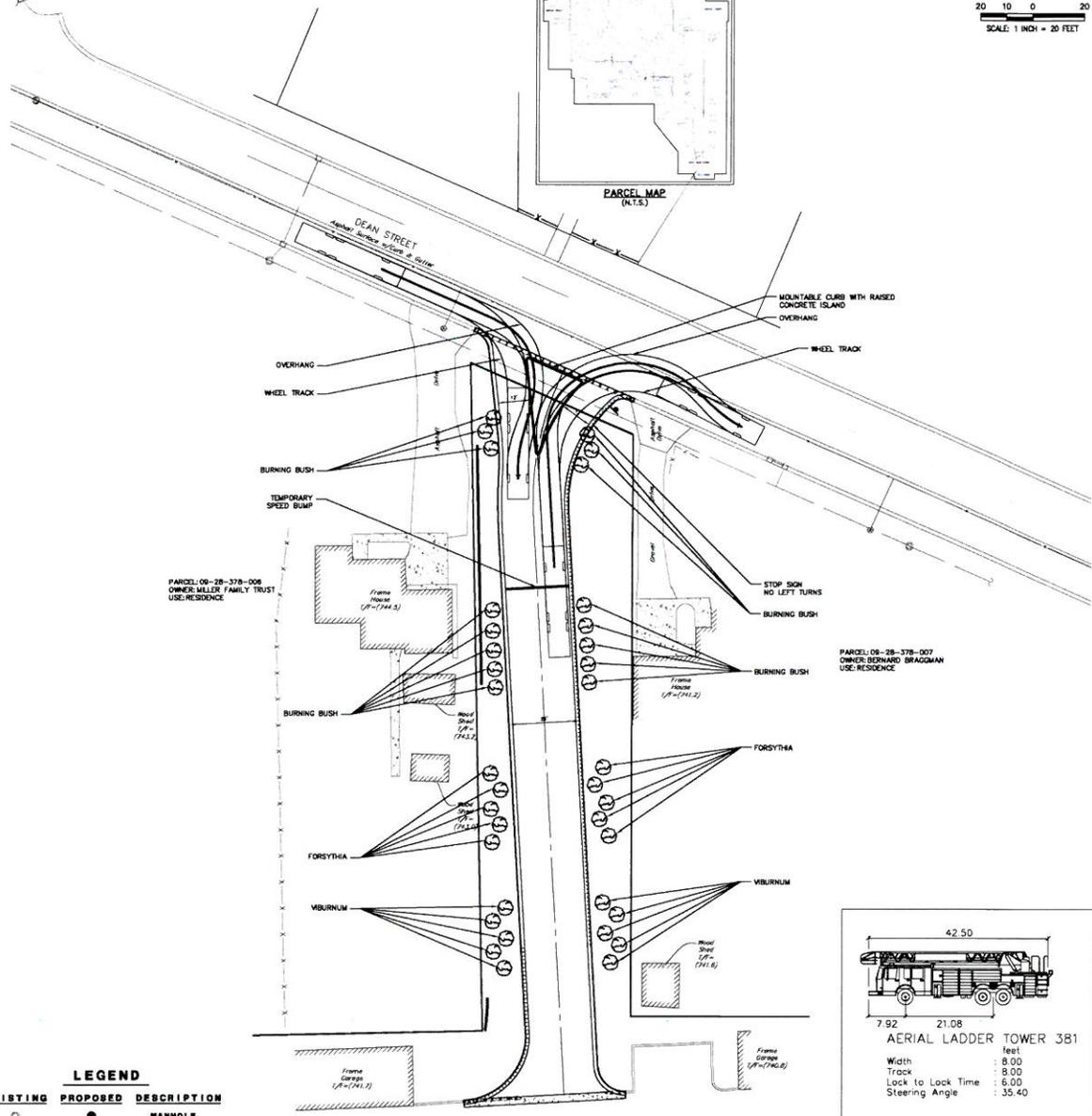


LOCATION MAP

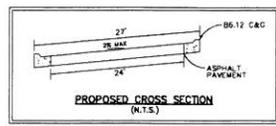
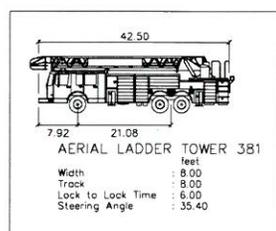
DEBRUYNE STREET
Aerial Surface w/Part of Curb



20 10 0 20
SCALE: 1 INCH = 20 FEET



LEGEND		
EXISTING	PROPOSED	DESCRIPTION
		MANHOLE
		CATCH BASIN
		INLET
		CLEAROUT
		SLOPE INLET BOX
		HEADWALL
		END SECTION
		STORM SEWER
		SANITARY SEWER
		WATERMAIN
		VALVE & BOX
		WATER VALVE IN VAULT
		FIRE HYDRANT
		CONTOURS
		ELEVATIONS
		STREET LIGHT
		WATERMAIN PROTECTION
		SILT FENCE INLET PROTECTOR
		TEMPORARY STRAW BALE CHECK
		SILT FENCE DITCH CHECK
		RIP-RAP
		OVERFLOW ROUTE
		REVERSE PITCHED CURB



PREPARED FOR:
FIRETHORNE APARTMENTS
1350 BROOK STREET
ST. CHARLES, IL 60174
(630) 513-1113

PREPARED BY:
CEMCON, Ltd.
Consulting Engineers, Land Surveyors & Planners
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DRAWN BY: BCD FLD. BK. / PC. NO.: BK./PG.
COMPLETION DATE: 09-22-14 JOB NO.: 904.093
XREF : TOPO PROJECT MANAGER : JMK