

**AGENDA  
CITY OF ST. CHARLES  
PLANNING & DEVELOPMENT COMMITTEE  
ALD. TODD BANCROFT – CHAIRMAN  
MONDAY, OCTOBER 12, 2015 - 7:00 PM  
CITY COUNCIL CHAMBERS  
2 E. MAIN STREET**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. POLICE DEPARTMENT**
  - a. Recommendation to Approve a Class B-2 Liquor License for Isacco’s Kitchen at 131 S. 1<sup>st</sup> Street and Subsequent Liquor Code Modifications to Section 5.08.250.
  - b. Recommendation to Approve Recommended Personnel Changes for the Police Department
- 4. COMMUNITY & ECONOMIC DEVELOPMENT**
  - a. Presentation of a Concept Plan for Pheasant Run.
  - b. Plan Commission recommendation to approve a Final Plat of Subdivision for Heritage Green PUD.
  - c. Plan Commission Recommendation to approve an Amendment to the Delnor PUD to permit an illuminated monument sign (975 N. 5<sup>th</sup> Ave.).
  - d. Plan Commission recommendation to approve a General Amendment to Title 17 of the St. Charles Municipal Code (Zoning Ordinance) pertaining to nonconforming lots in the RT-4 and CBD-2 zoning districts and lot area and lot width requirements in the CBD-2 zoning district.
  - e. Presentation of a Conceptual Site Plan for Camp Kane.
- 5. ADDITIONAL BUSINESS**
- 6. EXECUTIVE SESSION**
  - Personnel
  - Pending Litigation
  - Probable or Imminent Litigation
  - Property Acquisition
  - Collective Bargaining
- 7. ADJOURNMENT**



ST. CHARLES  
SINCE 1834

### AGENDA ITEM EXECUTIVE SUMMARY

Title: Recommendation to Approve a Class B-2 Liquor License for Isacco’s Kitchen at 131 S. 1<sup>st</sup> Street and Subsequent Liquor Code Modifications to Section 5.08.250

Presenter: Mayor Rogina/ Atty. McGuirk

*Please check appropriate box:*

<input type="checkbox"/>	Government Operations	<input type="checkbox"/>	Government Services
X	Planning & Development 10.12.2015	<input type="checkbox"/>	City Council
<input type="checkbox"/>	Public Hearing	<input type="checkbox"/>	Liquor Commission

Estimated Cost:	<input type="checkbox"/>	Budgeted:	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
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If NO, please explain how item will be funded:

**Executive Summary:**

Isacco’s Kitchen is moving to 131 S. 1<sup>st</sup> Street and in order to accommodate the scope of this new location, the Liquor Commission proposes the license for this establishment be changed from a B-1 license to a B-2 license.

In addition, the Liquor Commission recommends that language be added to Section 5.08.250 to further clarify “Q – Licenses – Curb/Drive-Through Service.” These modifications are included in the attached, proposed ordinance.

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

Ordinance

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

Recommendation to approve a Class B-2 Liquor License for Isacco’s Kitchen at 131 S. 1<sup>st</sup> Street and subsequent liquor code modifications to Section 5.08.250.

*For office use only:*

*Agenda Item Number: 3a*

City of St. Charles, Illinois

ORDINANCE NO. 2015-M-\_\_\_\_\_

An Ordinance amending title 5 "Business Licenses and Regulations", Section 5.08.250 "Regulations Applicable Generally" of the St. Charles Municipal Code

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES, KANE AND DUPAGE COUNTIES, ILLINOIS, AS FOLLOWS:

SECTION ONE: That Title 5 "Business Licenses and Regulations", Section 5.08.250 "Regulations Applicable Generally", of the St. Charles Municipal Code, be and is hereby amended as follows:

Q. Licenses – Curb/Drive-Through Service.

No license issued under this chapter authorizes the sale, gift or delivery of alcoholic liquor utilizing curb service, drive-through window without City Council approval, or any other similar methodology unless said delivery is part of a catering package and the associated liquor order is made in conjunction with said food order or the alcohol delivered was purchased at the sales location and is part of a special order/special event delivery. All other such sales, gifts or deliveries are prohibited.

SECTION TWO: That, after the adoption and approval hereof, this Ordinance shall (i) be printed or published in book or pamphlet form, published by the authority of the City Council of the City of St. Charles, 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.

SECTION THREE: This Ordinance shall be in full force and effect ten (10) days from and after its passage by a vote of the majority of the corporate authorities now holding office, approval and publication in the manner provided by law.

PRESENTED to the City Council of the City of St. Charles, Illinois, this \_\_\_ day of \_\_\_\_\_, 2015.

PASSED by the City Council of the City of St. Charles, Illinois this \_\_\_ day of \_\_\_\_\_, 2015.

APPROVED by the Mayor of the City of St. Charles, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Raymond P. Rogina, Mayor

ATTEST:

\_\_\_\_\_  
Nancy Garrison  
City Clerk

COUNCIL VOTE:

Ayes : \_\_\_\_\_

Nays : \_\_\_\_\_  
Absent : \_\_\_\_\_



ST. CHARLES  
SINCE 1834

## AGENDA ITEM EXECUTIVE SUMMARY

Title: Recommendation to Approve Recommended Personnel Changes for the Police Department

Presenter: Chief Keegan

*Please check appropriate box:*

	Government Operations		Government Services
X	Planning & Development 10.12.15		City Council
	Public Hearing		

Estimated Cost: \_\_\_\_\_ Budgeted: YES  NO

If NO, please explain how item will be funded:

### Executive Summary:

Due to recent attrition, the St. Charles Police Department would like to take this opportunity to make several personnel changes, which we feel will better serve the citizens of St. Charles and our Department. Please see the attached memo from Chief Keegan, which outlines these recommended changes.

### Attachments: *(please list)*

Memo from Chief Keegan; Ordinance

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

Recommendation to approve recommended personnel changes to the Police Department.

*For office use only:*

*Agenda Item Number: 3b*



# Memo

Date: 10/6/2015  
To: Mark Koenen, City Administrator  
From: James Keegan, Chief of Police  
CC: Ray Rogina, Mayor  
Re: Police Department Reorganization

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As outlined below and discussed in both planning meetings and reorganization proposals, I am recommending the following modifications to our City Code pursuant to City Council approval.

The below captioned recommendation alters the command structure of the police department to enhance and improve communication, accountability and balance the span of control among command personnel.

## Chapter 2.32

### POLICE DEPARTMENT14

#### Sections:

- 2.32.010** Created - Composition.
- 2.32.020** Appointments, promotion, and vacancy filling.
- 2.32.030** Powers and duties of police chief and department.
- 2.32.040** Fee for Bail/Bond Administration.
- 2.32.050** Deleted in its entirety.
- 2.32.060** Private occupations.

#### **2.32.020 Appointments, promotion, and vacancy filling.**

B. The Deputy Chief, Commander ~~Traffic & Special Events, and Commander of of Investigations, Commander of Patrol, and Commander of Administration~~ shall be exempt rank(s) and position(s) and shall be appointed or promoted by the City Administrator upon the recommendation of the Chief of Police and shall be subject to removal by the City Administrator.

The provisions of 65 Illinois Compiled Statutes 5/10-2.1-4, as amended, shall not apply to appointments, promotions or removals for the position(s) of Chief of Police, Deputy Chief, Commander ~~Traffic & Special Events, and Commander of~~ [Investigations, Commander of Patrol, and Commander of Administration](#). (Ord. 2009-M-57 § 1; Ord. 2008-M-93 § 2.)

C. Any full-time member of the Police Department appointed as Chief of Police, Deputy Chief, Commander ~~Traffic & Special Events, and Commander of~~ [Investigations, Commander of Patrol, and Commander of Administration](#) unless outlined herein, shall not retain any reversionary rights in any former position and shall not be returned to such position if removed or resigned from his appointed position. (Ord. 2009-M-57 § 1.)

1. Any full-time member of the Police Department holding the rank of Deputy Police Chief, Commander ~~Traffic & Special Events, and Commander of~~ [Investigations, Commander of Patrol, and Commander of Administration](#) upon enactment of this ordinance shall be classified during his or her term in such position as on furlough from the Police Department at the rank to which he or she is entitled under the Board of Fire and Police Commissioners at the beginning of his or her term of office. If he or she resigns or retires from the appointed rank or is removed by the appointing authority, said officer shall revert to his or her permanent rank, if any, in the Police Department as established under statute or City ordinance, unless removed from the department by the Board of Fire and Police Commissioners. If the employee reverts to a prior rank, the employee shall be entitled to all the benefits and emoluments of that rank, without regard as to whether a vacancy then exists in that rank.

In addition to the Command structure changes outline above, some additional ancillary changes are taking place to support positions, including: the merging of the training and accreditation coordinator position; and the expanded role of an administrative assistant.

Thank you in advance for your cooperation in this matter. As always, I stand ready to discuss my recommendations at your convenience.

JTK/jtk

City of St. Charles, Illinois

ORDINANCE NO. 2015-M-\_\_\_\_\_

An Ordinance amending title 2 “Administration and Personnel”, Section 2.32.020 “Appointments, Promotion, and Vacancy Filling” of the St. Charles Municipal Code

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES, KANE AND DUPAGE COUNTIES, ILLINOIS, AS FOLLOWS:

SECTION ONE: That Title 2 "Administration and Personnel", Section 2.32.020 “Appointments, Promotion, and Vacancy Filling”, of the St. Charles Municipal Code, be and is hereby amended as follows:

**2.32.020 Appointments, promotion, and vacancy filling.**

B. The Deputy Chief, Commander of ~~Traffic & Special Events, and Commander of~~ Investigations, Commander of Patrol, and Commander of Administration shall be exempt rank(s) and position(s) and shall be appointed or promoted by the City Administrator upon the recommendation of the Chief of Police and shall be subject to removal by the City Administrator.

~~The provisions of 65 Illinois Compiled Statutes 5/10-2.1-4, as amended, shall not apply to appointments, promotions or removals for the position(s) of Chief of Police, Deputy Chief, Commander of Traffic & Special Events, and Commander of~~ Investigations, Commander of Patrol, and Commander of Administration. (Ord. 2009-M-57 § 1; Ord. 2008-M-93 § 2.)

C. Any full-time member of the Police Department appointed as Chief of Police, Deputy Chief, Commander of ~~Commander of Traffic & Special Events, and Commander of~~ Investigations, Commander of Patrol, and Commander of Administration unless outlined herein, shall not retain any reversionary rights in any former position and shall not be returned to such position if removed or resigned from his appointed position. (Ord. 2009-M-57 § 1.)

1. Any full-time member of the Police Department holding the rank of Deputy Police Chief, Commander of ~~Traffic & Special Events, and Commander of~~ Investigations, Commander of Patrol, and Commander of Administration upon enactment of this ordinance shall be classified during his or her term in such position as on furlough from the Police Department at the rank to which he or she is entitled under the Board of Fire and Police Commissioners at the beginning of his or her term of office. If he or she resigns or retires from the appointed rank or is removed by the appointing authority, said officer shall revert to his or her permanent rank, if any, in the Police Department as established under statute or City ordinance, unless removed from the department by the Board of Fire and Police Commissioners. If the employee reverts to a prior rank, the employee shall be entitled to all the benefits and emoluments of that rank, without regard as to whether a vacancy then exists in that rank.

SECTION TWO: That, after the adoption and approval hereof, this Ordinance shall (i) be printed or published in book or pamphlet form, published by the authority of the City Council of the City of St. Charles, 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.



**SECTION THREE:** This Ordinance shall be in full force and effect ten (10) days from and after its passage by a vote of the majority of the corporate authorities now holding office, approval and publication in the manner provided by law.

PRESENTED to the City Council of the City of St. Charles, Illinois, this \_\_\_\_ day of \_\_\_\_\_, 2015.

PASSED by the City Council of the City of St. Charles, Illinois this \_\_\_\_ day of \_\_\_\_\_, 2015.

APPROVED by the Mayor of the City of St. Charles, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Raymond P. Rogina, Mayor

ATTEST:


\_\_\_\_\_  
Nancy Garrison  
City Clerk

COUNCIL VOTE:

Ayes : \_\_\_\_\_

Nays : \_\_\_\_\_

Absent : \_\_\_\_\_

	<b>AGENDA ITEM EXECUTIVE SUMMARY</b>					
	Title:		Presentation of a Concept Plan for Pheasant Run			
	Presenter:		Russell Colby			
<i>Please check appropriate box:</i>						
	Government Operations				Government Services	
X	Planning & Development (10/12/15)				City Council	
Estimated Cost:			Budgeted:	YES		NO
If NO, please explain how item will be funded:						
<b>Executive Summary:</b>						
<p>The subject property is the Pheasant Run Resort, a 149 acre site located at the southwest corner of Main St./IL Route 64 and Kautz Road. The property is located on the eastern end of St. Charles in DuPage County, bordering the DuPage County Airport in the City of West Chicago to the east and south.</p> <p>The principal use of the property is a hotel/resort with a number of ancillary facilities, including a golf course, restaurants and entertainment uses, and meeting and convention spaces. The property is zoned BR Regional Business District, with a Special Use for a Golf Course. In 2014, the property was purchased by St. Charles Resort LLC, and the property is being operated and managed by the Hostmark Hospitality Group.</p> <p>St. Charles Resort LLC is proposing land use changes for the site, which contemplate new retail/office and residential uses on the property. At this stage, the applicant is seeking input on the proposed land uses before further developing a more detailed site plan for the property. In addition to the Concept Plan, the applicant has provided a detailed “Statement of Development Summary”.</p>						
<b>Plan Commission Review:</b>						
<p>The Plan Commission reviewed the Concept Plan on 10/6/15. Commissioners’ comments were as follows:</p> <ul style="list-style-type: none"> <li>• Support for the retail and office components as proposed.</li> <li>• Enthusiasm for the renovation of the hotel.</li> <li>• Representatives from the DuPage Airport spoke in opposition to residential development on the site due to the potential for noise complaints from future residents. Plan Commissioners felt the potential noise impact needs to be considered in any the future planning for residential uses.</li> <li>• Regarding residential use, most commissioners felt that a conventional single-family or townhome residential subdivision may not be appropriate, but a development within a club/resort environment may be appropriate.</li> </ul>						
<b>Attachments:</b> <i>(please list)</i>						
Staff Memo, Application for Concept Plan, Concept Plan						
<b>Recommendation / Suggested Action</b> <i>(briefly explain):</i>						
Provide feedback on the Concept Plan. The staff memo lists a number of questions the Committee may consider when providing feedback.						
<i>For office use only:</i>		Agenda Item Number: 4a				

Community & Economic Development  
 Planning Division

Phone: (630) 377-4443

Fax: (630) 377-4062



ST. CHARLES  
 SINCE 1834

**Staff Report**

**TO:** Chairman Todd Bancroft  
 And Members of the Planning & Development Committee

**FROM:** Russell Colby, Planning Division Manager

**RE:** Pheasant Run - Concept Plan for Redevelopment

**DATE:** October 2, 2015

**APPLICATION INFORMATION:**

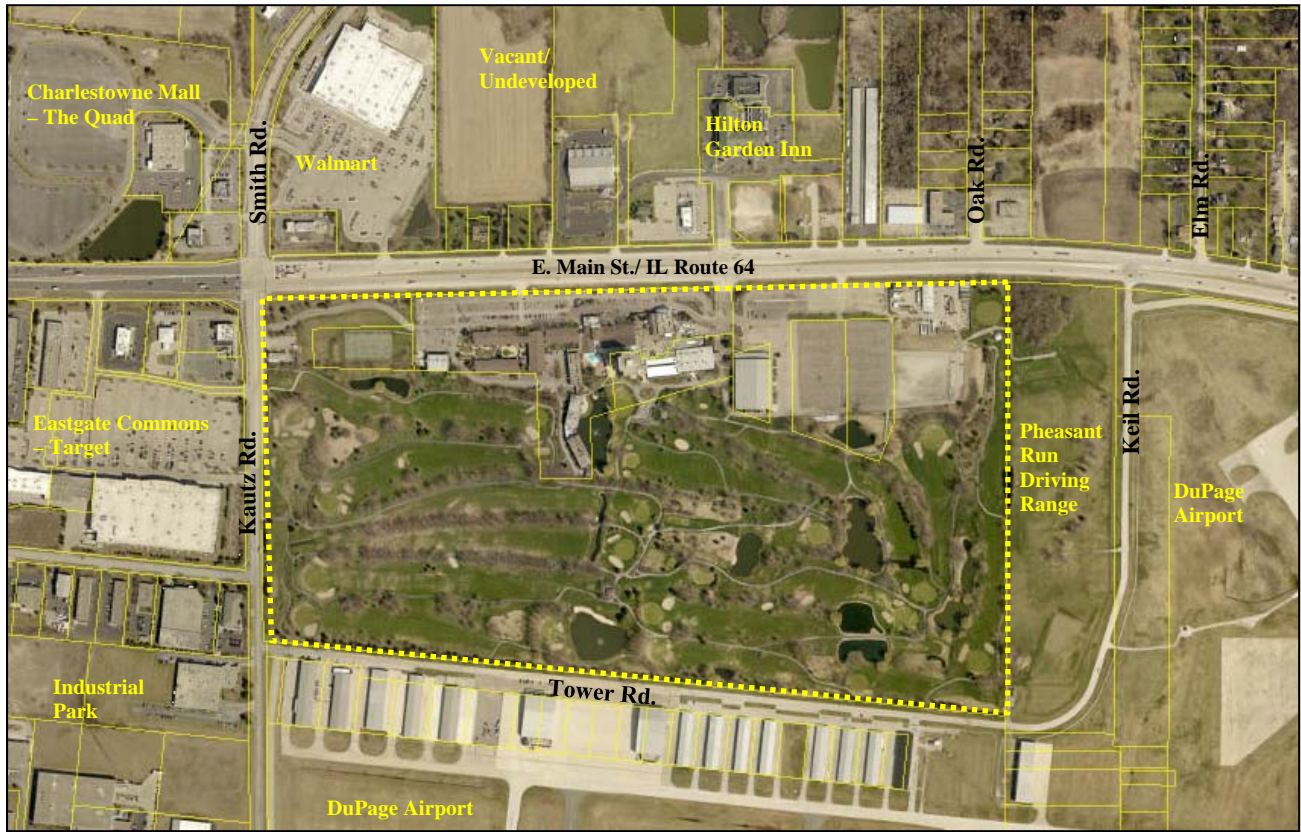
**Project Name:** Pheasant Run Concept Plan

**Applicant:** St. Charles Resort LLC / Hostmark Hospitality

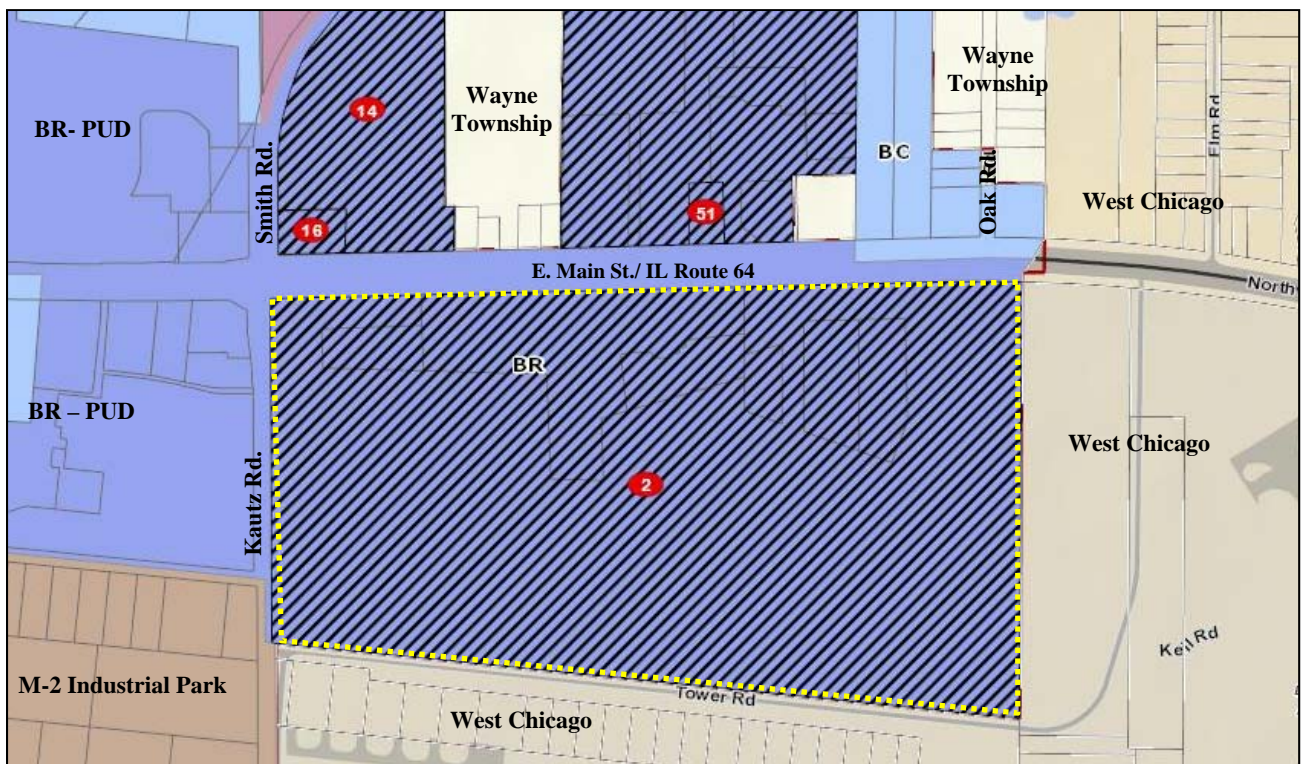
**Purpose:** Feedback on land use changes to include retail, office and residential land uses on existing resort and golf course property

<b>General Information:</b>		
<b>Site Information</b>		
Location	Pheasant Run Resort, 4051 E. Main St.	
Acres	149 acres	
Application:	Concept Plan	
Applicable City Code Sections	Title 17, Chapter 17.14 – Business and Mixed Use Districts Title 17, Chapter 17.12 - Residential Districts	
<b>Existing Conditions</b>		
Land Use	Hotel/resort, golf course, exposition center	
Zoning	BR Regional Business District, Special Use for Golf Course	
<b>Zoning Summary</b>		
North	BR Regional Business District Unincorporated Wayne Township property	McDonalds, Walmart, DuPage Expo, Culver's, Hilton Garden Inn Residential houses, farm land
East	City of West Chicago	Pheasant Run driving range on Dupage Airport Authority property
South	City of West Chicago	DuPage Airport
West	BR Regional Business District - PUD	Eastgate Commons shopping center- Target and Portillo's
<b>Comprehensive Plan Designation</b>		
Hotel Property: Corridor and Regional Commercial; Golf Course property: Open Space		

### Aerial Photo



### Zoning Map



## II. OVERVIEW

### Background

The subject property is the Pheasant Run Resort, a 149 acre site located at the southwest corner of Main St./IL Route 64 and Kautz Road. The property is located on the eastern end of St. Charles in DuPage County, bordering the DuPage County Airport in the City of West Chicago to the east and south.

The principal use of the property is a hotel/resort with a number of ancillary facilities, including a golf course, restaurants and entertainment uses, and meeting and convention spaces. The resort first opened in 1963. The property was annexed into the City of St. Charles in 1965.

The resort was expanded incrementally through the early 2000s. Major additions include the 16-story hotel tower in 1980; the 35,000 square foot Mega Center convention space in 1985; and the expansion of the theater and reconfiguration of the Main St. entrance to the property in 2002.

In 2014, the property was purchased by St. Charles Resort LLC, and the property is being operated and managed by the Hostmark Hospitality Group.

The property is zoned BR Regional Business District, with a Special Use for a Golf Course.

### Proposal

St. Charles Resort LLC is proposing land use changes for the site, which contemplate the following:

- Downsizing the hotel to reduce the number of hotel rooms, including demolition of an older western wing of the hotel.
- Reconfiguring the hotel entrance and lobby areas, including changes to the parking lots fronting on Main St.
- New retail/commercial land uses along Route 64, with a larger retail area at the northwest corner of the site (corner of Kautz Rd. and Main St.) and a smaller retail/office area at northeast corner of the site.
- Potential elimination or reduction in size of the golf course.
- Residential land uses and open space in the area currently occupied by the golf course.

At this stage, the applicant is seeking input on the proposed land uses before further developing a more detailed site plan for the property.

The applicant has provided a detailed “Statement of Development Summary” addressing the current state of Pheasant Run and discussing each land use component of the proposal.

### Review Process

The purpose of the Concept Plan review is to enable the developer to obtain informal input on a concept prior to spending considerable time and expense in the preparation of detailed plans and drawings. The Concept Plan process also serves as a forum for citizens and owners of neighboring property to ask questions and express their concerns and views regarding the potential development. Following the conclusion of the Concept Plan review, the developer can decide whether to formally pursue the project.

### III. STAFF ANALYSIS

#### A. COMPREHENSIVE PLAN

The 2013 Comprehensive Plan Land Use Map identifies the site with two land use areas:

##### **Parks/Open Space (Golf Course)**

##### **Corridor/Regional Commercial (Developed portion of the property)**

*“Areas designated as Corridor/Regional Commercial are intended to accommodate larger shopping centers and developments that serve a more regional function, drawing a customer base that extends beyond the City limits. These areas often have a mix of “big box” stores, national retailers, and a “critical mass” of multiple stores and large shared parking areas. Areas designated for Corridor/Regional Commercial are located primarily in larger consolidated areas along the City’s heavily traveled corridors and intersections. Commercial service uses can also have an appropriate place in regional commercial areas, but must be compatible with adjacent and nearby retail and commercial shopping areas and be located as to not occupy prime retail locations.”*

Pheasant Run is located in the East Gateway Sub Area, which lists the following goals and objectives:

##### ***Subarea Goals***

*The East Gateway subarea represents a unique opportunity for economic development, revitalization and stabilization with for a specific context within the City of St. Charles. The overall vision for the subarea includes the following:*

- *Revitalization of the Subarea’s retail areas that maximizes the locational assets within this area of the City.*
- *Improved connectivity and circulation within the Subarea providing logical and efficient connections between compatible uses.*
- *Better separation of incompatible land uses to protect residential neighborhoods while at the same time help define the City’s business areas.*
- *Attractive streets and sites to distinguish this Subarea and key corridors from neighboring communities.*
- *A mix of uses that that help diversify the City’s economy and provide places to live, work, and shop.*

##### ***Subarea Objectives***

- *Improve the appearance of the Kirk Road and Main Street Corridors to assist in strengthening the community’s identity and appearance through installation of streetscaping, wayfinding and gateway elements.*
- *Use landscaping appropriately to enhance commercial areas, screen unsightly areas, and provide an attractive streetscape and overall setting for the area.*
- *Improve the overall connectivity and mobility within the Subarea through both public streets and internal connection to provide a predictable and navigable environment.*
- *Preserve surrounding neighborhoods through the use of screening, buffering, and better separation from commercial development.*
- *Create market-responsive development parcels that can accommodate projects of an appropriate scale and phasing over time.*

- *Take advantage of proximity to DuPage Airport and Pheasant Run as activity generators.*
- *Reposition the Charlestowne Mall site to foster its renaissance or its redevelopment.*
- *Enhance the character of both existing and new development through site improvements, facade enhancements, consistent signage regulation, and attractive building design and materials.*

## B. ZONING

The property is currently located in the BR Regional Business zoning district. The purpose statement of the BR District:

*“The purpose of the BR Regional Business District is to provide locations along Strategic Regional Arterial corridors for shopping centers and business uses that draw patrons from St. Charles, surrounding communities and the broader region. The BR District consists primarily of large-scale development that has the potential to generate significant automobile traffic. It should be designed in a coordinated manner with an interconnected street network that is consistent with the City’s Comprehensive Plan. Uncoordinated, piecemeal development of small parcels that do not fit into a larger context are discouraged in the BR District. Compatible land uses, access, traffic circulation, stormwater management and natural features, all should be integrated into an overall development plan. Because this district is primarily at highvisibility locations, quality building architecture, landscaping and other site improvements are required to ensure superior aesthetic and functional quality.”*

### Proposed Land Use

The Concept Plan identifies four land use areas.

The current BR zoning will permit all of the non-residential development phases:

- Hotel Phase, 22 acres
- Retail Phase, 16 acres
- Retail-Office Phase, 7 acres

Residential development is not permitted within the BR district. The residential portion of the plan would need to be rezoned to a zoning district that permits multi-family residential development, such as the RM-3 zoning district.

### Zoning Approval Process:

Development of the property per the Concept Plan could be approved by:

- Rezoning the residential portion of the Concept Plan to a residential zoning district

And either:

- Subdivision only: Approving an overall Subdivision Preliminary Plat, followed by one or more Final Plats of Subdivision to create building lots as each area of the site is proposed for development.

- Subdivision and partial PUD: Approving an overall Subdivision Preliminary Plat, followed by one or more Final Plats of Subdivision to create building lots as each area of the site is proposed for development. A PUD could be requested for a portion of the property if needed (such as the residential portion only).
- Overall PUD: Approving an overall PUD plan for the entire site, followed by approving PUD Preliminary Plans as each portion of the property is proposed for development, followed by Final Plats of Subdivision to create building lots as each area of the site is proposed for development.

At this stage, given the limited information available, staff has not identified a need for a PUD for this project, other than potential building heights in excess of the maximum allowed in the RM-3 district (45 feet or 4 stories).

#### PUD vs. Subdivision and “straight zoning”

With a PUD, the Plan Commission and City Council will review site, engineering, building architecture, and landscaping plans for each building lot.

With only a Subdivision, the Plan Commission and City Council review will be limited to the overall lot layout, access and street network design, and any required public infrastructure improvements.

### C. SITE LAYOUT AND ACCESS

Access to the property is limited to IL Route 64/Main St. and Kautz Rd. No access is available through the DuPage Airport property. Both adjacent roads through the Airport (Tower Rd. and Keil Rd.) are private roads for use of the airport.

- Route 64 is under IDOT jurisdiction. Full access from Route 64 is currently limited to the existing signalized intersection at the main entrance to the hotel. Due to IDOT intersection and traffic signal spacing requirements, a second full access may not be feasible. Two right-in/right-out access points also exist on the property. Relocation of access points or additional access points into the site will require further input from IDOT based on the proposed roadway layout.
- Kautz Road is under City jurisdiction. The City would require all new access points to align with existing access points to the west (including the two Eastgate Commons access drives and Illinois Ave.) The existing access to Kautz Road near Route 64 would need to be removed as it is too close to the Route 64 intersection.
- A potential street network design would likely include:
  - A private commercial frontage road running from Kautz Rd. through the hotel property.
  - A collector street looping through and providing primary access to the residential area, connecting Kautz Rd. to Route 64. This road could be public or private depending on the land use and site design.
- A pedestrian network could connect each of the land use areas within the site, allowing for the residents to access the open space and retail uses and utilize the hotel amenities.



#### D. BUILDING DESIGN

Architectural elevations were not submitted as part of the Concept Plan. However, given the size of the site, the location and the existing development, there is the potential to incorporate buildings of varying heights and sizes within the project.

#### E. ENGINEERING REVIEW

Assessment of the following will be required should the project move forward:

- Stormwater detention: A series of man-made ponds on the site serve some stormwater function, but this system would need to be reassessed based on the development plans.
- Utility service: The site is currently partially served by City utilities, but generally the systems are inadequate to service the proposed development. Due to the location at the eastern end of the City, the City's utilities systems terminate at this property. Further development of the site will require system extensions and looping through the site.
- A traffic study will be required. Since Route 64 has been recently widened, further improvements may not be needed. The southern portion of Kautz Road adjacent to the site may require improvement based on the road network design.

#### F. INCLUSIONARY HOUSING

Currently, the requirement to provide affordable units within a residential development does not apply. However, the City is in the process of updating the Inclusionary Housing Ordinance, which could result in the requirement being reactivated in some form. The project would be subject to the requirements in effect at the time of the development approval by the City (in the case of a PUD) or at the time of building permit (in the case of a non-PUD development).

#### G. SCHOOL AND PARK DISTRICT REVIEW

The Concept Plan has been forwarded to the School and Park Districts for information. Based upon the limited information regarding the residential uses, staff did not request formal comments.

### IV. **SUGGESTED ACTION**

Review the Concept Plan and provide comments to the developer. Staff is recommending the Committee provide feedback on the following:

- ✓ The land use vision for the property.
- ✓ Proposed residential land uses.
- ✓ Potential building height.
- ✓ Other comments from the Committee regarding how they would like to see the property redeveloped.

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

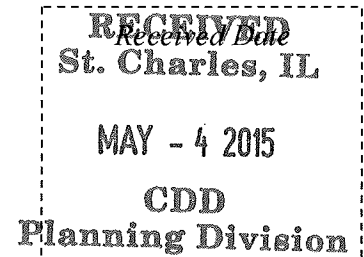


COMMUNITY & ECONOMIC DEV./PLANNING DIVISION

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

**CONCEPT PLAN APPLICATION**

<b>CITYVIEW</b>	
Project Name:	Pheasant Run
Project Number:	2015 -PR- 009
Application Number:	2015 -AP- 014



*To request review of a Concept Plan for a property, complete this application and submit it with all required attachments to the Planning Division.*

*When the application is complete and has been reviewed by City staff, we will schedule a Plan Commission review, as well as a review by the Planning and Development Committee of the City Council. While these are not formal public hearings, property owners within 250 ft. of the property are invited to attend and offer comments.*

*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.*

<b>1. Property Information:</b>	Location: 4051 E. Main Street; south side of North Avenue (Route 64); East of Kautz Road; North of Tower Road; and west of Kiel Road	
	Parcel Number (s): 01-30-300-015 thru 019 01-30-300-048; 01-30-400-005	
	Proposed Project Name: Pheasant Run	
<b>2. Applicant Information:</b>	Name St. Charles Resort LLC - Attn: Peter Connolly c/o Hostmark Hospitality Group	Phone 847-517-9100
	Address 1300 E. Woodfield Road, Suite 400 Schaumburg, IL 60173	Fax 847-517-9797
		Email pconnolly@hostmark.com
<b>3. Record Owner Information:</b>	Name St. Charles Resort LLC c/o Hostmark Hospitality Group	Phone 847-517-9100
	Address 1300 E. Woodfield Road, Suite 400 Schaumburg, IL 60173	Fax 847-517-9797
		Email pconnolly@hostmark.com

**Please check the type of application:**

- PUD Concept Plan:** Proposed Name: Pheasant Run Resort
- Subdivision Concept Plan** Proposed Name: \_\_\_\_\_
- Other Concept Plan** \_\_\_\_\_

**Zoning and Use Information:**

Current zoning of the property: B-R Regional Business

Is the property a designated Landmark or in a Historic District? No

Current use of the property: Pheasant Run Resort

Proposed zoning of the property: B-R PUD? Yes

Proposed use of the property: Mixed Use Residential, Retail, Office and Hotel

Comprehensive Plan Designation: Corridor Regional Commercial and Parks Open Space

**Attachment Checklist**

**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.

**REIMBURSEMENT OF FEES INITIAL DEPOSIT:**

Deposit of funds in escrow with the City. Required deposit is based on review items (number of applications filed) and the size of the site:

Number of Review Items	Under 5 Acres	5-15 Acres	16-75 Acres	Over 75 Acres
1	\$1,000	\$2,000	\$3,000	\$4,000
2 or 3	\$2,000	\$4,000	\$5,000	\$7,000
4 or more	\$3,000	\$5,000	\$7,000	\$10,000

**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%).

*NOTE: Private covenants and deed restrictions can limit private property rights with respect to the use of land even though the City's Zoning Ordinance may authorize the use or a less restrictive use. We strongly advise that*

*you perform a title search on the property to determine if there any private covenants containing use restrictions or other deed restrictions. As those private covenants and deed restrictions may conflict with the City's Zoning Ordinance, it is further recommended that you consult with an attorney to obtain an opinion with respect to whether your intended use is compatible with those restrictions.*

☒ **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.

☒ **AERIAL PHOTOGRAPH:**

Aerial photograph of the site and surrounding property at a scale of not less than 1"=400', preferably at the same scale as the concept plan.

☒ **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. A pdf document file or files of all plans shall be required with each submittal. The number of paper plans required shall be as determined by the Director of Community Development, based upon the number of copies needed for review.

#### **Copies of Plans:**

Initial Submittal - Ten (10) full size copies for non-residential projects OR Twelve (12) full size copies for residential projects; Three (3) 11" by 17"; and a PDF electronic file (On a CD-ROM or may be emailed to the Project Manager). For subsequent submittals, please contact the Project Manager to determine how many copies are required.

#### **Concept Plans shall show:**

1. Existing Features:

- Name of project, north arrow, scale, date
- Boundaries of property with approximate dimensions and acreage
- Existing streets on and adjacent to the tract
- Natural features including topography, high and low points, wooded areas, wetlands, other vegetative cover, streams, and drainage ways.
- General utility locations or brief explanation providing information on existing sanitary sewer, storm sewer, water, and other utilities necessary to service the development.

2. Proposed Features:

- Name of project, north arrow, scale, date
- Boundaries of property with approximate dimensions and acreage
- Site plan showing proposed buildings, pedestrian and vehicular circulation, proposed overall land use pattern, open space, parking, and other major features.
- Architectural elevations showing building design, color and materials (if available)
- General utility locations or brief explanation providing information on existing sanitary sewer, storm sewer, water, and other utilities necessary to service the development

❑ **SUMMARY OF DEVELOPMENT:**

Written information including:

- List of the proposed types and quantities of land use, number and types of residential units, building coverage, floor area for nonresidential uses and height of proposed buildings, in feet and number of stories.
- Statement of the planning objectives to be achieved and public purposes to be served by the development, including the rationale behind the assumptions and choices of the applicant
- List of anticipated exceptions or departures from zoning and subdivision requirements, if any

❑ **PARK AND SCHOOL LAND/CASH 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 SUMMARY:** For residential developments, submit information describing how the development will comply with the requirements of Chapter 17.18, Inclusionary Housing.

❑ **LIST OF PROPERTY OWNERS WITHIN 250 FT.**

Fill out the attached form or submit on a separate sheet. The form or the list must be signed and notarized.

**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
	5/1/15
Applicant or Authorized Agent	Date

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

STATE OF ILLINOIS )  
                              ) SS.

COOK COUNTY                    )

I, PETER D. CONNOLLY, being first duly sworn on oath depose and say that I am  
an <sup>Agent</sup> ~~Officer~~ of Saint Charles Resort, LLC, a Delaware Limited  
Liability Company (L.L.C.), and that the following persons are all of the members of the said

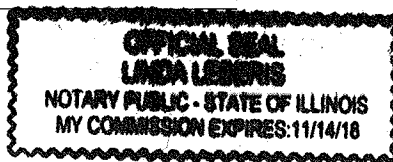
L.L.C.:	<u>Saint Charles Resort Holdings, LLC</u>	<u>100%</u>
	_____	_____
	_____	_____
	_____	_____
	_____	_____
	_____	_____
	_____	_____
	_____	_____

By: *Peter D. Connolly*, ~~Manager~~ <sup>Authorized Agent</sup>

Subscribed and Sworn before me this 1<sup>st</sup> day of

May, 20 15.

*Linda Leberis*  
Notary Public



## **PHEASANT RUN – CONCEPT PLAN**

### **STATEMENT OF DEVELOPMENT SUMMARY**

#### **Serious Issues Facing Pheasant Run.**

The 149 acre Pheasant Run property has fallen on hard times. In order to return the property to its position of prominence in the St. Charles community, it is necessary for ownership and the City to understand the dynamics and market conditions that played a part in its downturn. These factors include:

- 1) In today's western suburban hotel market demand for a 480 hotel room facility no longer exists. Pheasant Run enjoyed prominence in the 1960 and 1970's. Arthur Anderson's Q Center in St. Charles was a great benefactor for Pheasant Run and was the principal driver for the development of much of the hotel room inventory in the area, providing a great resource for filling hotel rooms and creating demand for the golf course. Following the demise of Anderson when the Q Center closed, the demand at Pheasant Run and the other hotels in the market dropped precipitously. In addition new hotel facilities in the trade area have significantly impacted the occupancy of the hotel.
- 2) Opening of the Q Center as a public conference facility created new competition for large meetings in an already struggling market. Pheasant Run lost over One Million dollars in revenue a year over the past several years.
- 3) In addition to the general decline in the number of people playing golf there have been a number of modern and very good golf courses built in the immediate area of the property, resulting in fewer players with numerous course options, of which Pheasant Run is one of the least desirable.
- 4) The lack of reinvestment in the facility by its prior ownership exacerbated the decline of Pheasant Run as a premier facility in this area. During recent years, Pheasant Run was allowed to limp along without any reinvestment into the facility and without any apparent plan on how to compete effectively in the market place. The current owner, St Charles Resort, LLC, acquired the property out of foreclosure with an eye towards returning Pheasant Run back to its historical prominence.

As a result of these factors, ownership has been forced to rethink not only the existing and future uses of the property but also the basic business model upon which Pheasant Run was planned and built. Ownership hopes that with the insight and financial assistance of the City, Pheasant Run can retake its place as a gem of which the City can be proud.

#### **Road to Recovery**

The first step towards bringing Pheasant Run back into prominence is to reduce the number of hotel rooms to a number more consistent with market requirements. The main hotel tower and the three closest hotel wings (running north and south just west of the hotel tower) with a total of 300 rooms will remain and be renovated. The 180 hotel rooms located in the three oldest hotel buildings to the west of the hotel tower will be demolished. Given the amount of meeting space in the hotel, the average group size in the market, and a renewed focus on corporate transient guests with a renovated hotel and

meeting facility, operating the property at the lower key count should greatly improve the operating results and get the hotel on the road towards breaking even.

However given the costs involved with providing the necessary public utility infrastructure adequate to service the entire property, mere renovation of the hotel into a facility capable of competing in the marketplace will not be sufficient for long term survival. Additional work is required and the land adjacent to the hotel tower must be redeveloped to further support the infrastructure costs and bring this entire property back into a useful, viable and vibrant part of the St. Charles community.

Ownership has made inquiry into the market place, talked with commercial and residential developers in order to discern what land uses are most likely to be embraced by the market and development community. Ownership has been encouraged by the generally positive responses and expressions of interest. Among the conclusions reached based on those informal discussions is that ownership must demonstrate its commitment to the existing Hotel Tower and the hotel amenities that support the hotel complex. At the same time it is clear that rethinking the benefits of maintaining a golf course is not only appropriate but required if the entire property is to be embraced by the market.

#### **Elements of Proposed Concept Plan.**

The Concept Plan presented identifies 4 principal areas of development on the property. The actual acreage of each of the four development areas of the property is not yet finalized. The Concept Site Plan is intended as a concept that will undergo refinement as the market demands become more clear.

- 1) **Main Hotel Complex (approximately 22 acres).** The hotel tower will be renovated to address a number of the existing facility's shortcomings. Given the current cash flow from the hotel, renovation possibilities are limited. However a higher degree of amenities in the hotel tower are needed in order to bring the hotel back into prominence.

The first priority is to downsize the hotel to a more realistic room count which can properly serve the market without being too large to financially survive. To accommodate this, 3 obsolete buildings consisting of 180 rooms will be demolished. The remaining hotel buildings will be remodeled and brought up to modern day standards. The extent, breadth, and depth of the hotel renovations will be determined as part of an overall financial plan, which will be discussed with the City as part of an economic incentive request. It is anticipated that the Hotel Parcel will consist of approximately 22 acres.

The extent of the renovation will depend upon the City's willingness to provide financial support. Ownership has prepared a renovation plan that will address issues such as:

- i. bringing the hotel rooms up to more current standards;
- ii. upgrading the insufficient check-in and lobby area,
- iii. addressing the conflicting design schemes and outdated décor, furniture and soft goods; and
- iv. addressing the inefficient interior space and layout for conferences, meetings and related food services.

With financial assistance, ownership can provide more structural renovations to eliminate the internal circulation maze, create a new entrance to the hotel centering on the main lobby, create a lounge area and private bar with new food service opportunities. In addition the retail areas will be modernized to attract smaller retailers and other community organizations to



connect the hotel with the larger St. Charles community. A new ballroom will be created, and major renovations will be made to the indoor/outdoor pool area. These more costly “structural” improvements cannot be made without financial assistance from St. Charles.

**2) Commercial parcel at the northwest corner of the property (SEC of Kautz Road and North Avenue (approximately 10 to 20 acres)).**

We envision retail/commercial development along North Avenue at Kautz Road. Conversations with residential, retail and commercial developers revealed that the parcel at the southeast corner of Kautz Road and North Avenue is desirable for retail purposes. Based on those conversations, the Concept Plan will consist of approximately 10 to 20 acres of commercial property with frontage on both Kautz Road and North Avenue. The parcel will have more frontage on North Avenue and will extend from Kautz Road to the hotel parcel.

Plans call for the demolition of the hotel laundry building at the northwest corner of the property at Kautz Road and North Avenue. Demolition of the outdated hotel wings along North Avenue will also take place.

**3) Retail/office and/or multiple family use for the parcel of property at the northeast corner of the property on North Avenue (approximately 7 acres).**

We envision development along North Avenue east of the Hotel Parcel to be approximately 7 acres in size and could be retail, office, multiple family or some combination of those uses. At this stage, it is anticipated that this parcel might see redevelopment activity after the Retail Parcel at the corner of North Avenue and Kautz Road is developed.

Plans would include the demolition and possible relocation of the golf maintenance building from the northeast corner of the property.

**4) Residential development south of the above three phases that front North Avenue (approximately 104 acres).**

The balance of the property, located south of the above three parcels that front on North Avenue is anticipated to be multiple family residential. Details of how this parcel will be developed are not yet finalized. Discussions in the market place indicate that the location of this parcel is highly desirable for a combination of single family (detached and attached), townhomes and multiple family residential units. Ownership has also heard from residential developers that multiple family units consisting of from 300 to up to 600 units in a luxury apartment product could be very successful.

It is not clear what height developers would be interested in at this time. Depending on the developer, it is anticipated that the height of the building(s) could be from 3 to 5 stories. Even if the golf course is deemed not to be an amenity worth keeping, there is sufficient land area to provide significant open space. The decision to retain any part of the golf course will be driven by the market.

**High Infrastructure Costs.**

The electric and public utilities and public improvement costs required to develop these four phases of the property are higher than for most properties since the City's electrical system has not been extended south of North Avenue in sufficient capacity to adequately serve even the existing hotel facility. These costs are so high that ownership is compelled to request that St Charles consider providing economic assistance. The property itself cannot support those infrastructure costs.

**Conclusion**

It is the desire of ownership to create a premier hotel and conference center with commercial uses that will augment the hotel complex and serve to enhance the City's retail sales tax base. The residential component will benefit from the amenities of the hotel and commercial development to be built on the property and existing adjacent to the property.

We appreciate the opportunity to bring you this exciting Concept Plan.

St Charles Resort, LLC.

June 3, 2015

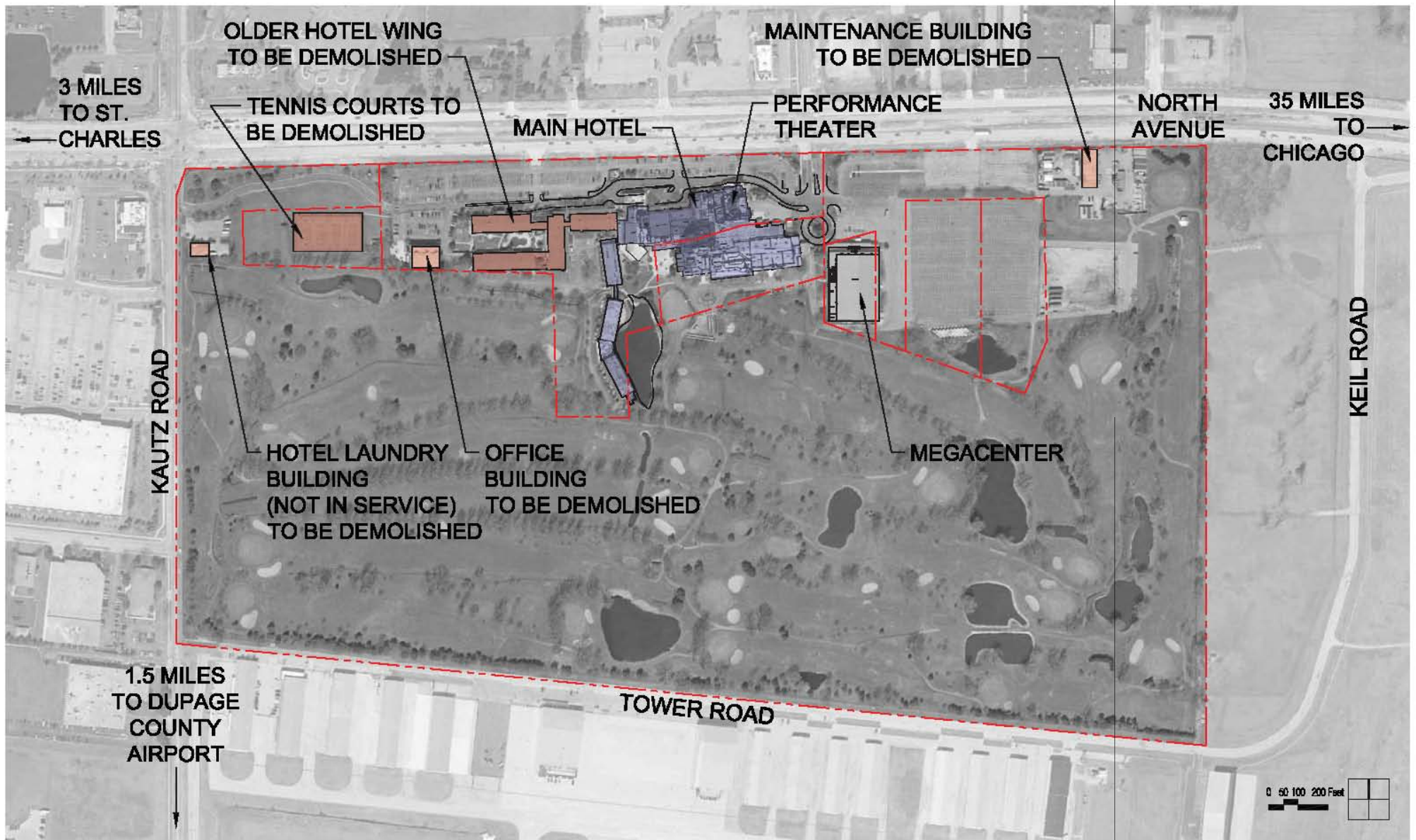


# PHEASANT RUN RESORT

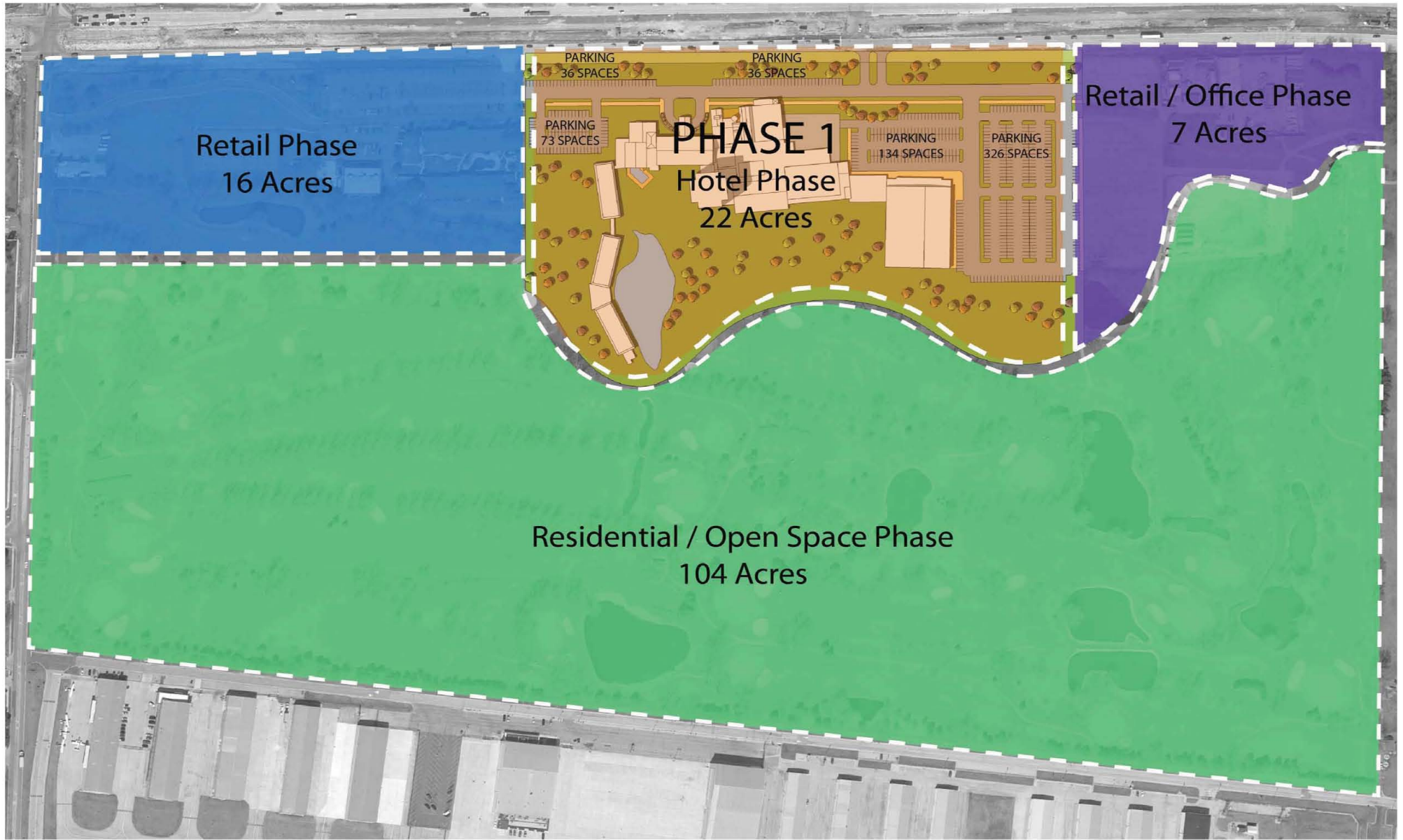
## CONCEPT PLAN PRESENTATION



PRESENTED BY VOA ASSOCIATES  
JULY 2015



current site plan





## AGENDA ITEM EXECUTIVE SUMMARY

Title:	Plan Commission Recommendation to approve Final Plat of Subdivision for Heritage Green PUD (309 S. 6 <sup>th</sup> Ave)
Presenter:	Russell Colby

*Please check appropriate box:*

	Government Operations		Government Services
X	Planning & Development – 10/12/15		City Council
	Public Hearing		

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

**Executive Summary:**

The subject property comprises most of a city block bound by S. 5th, Indiana, S. 6th and Ohio Avenues and is the location of the Raymond Judd House, 309 S. 6th Ave., a City designated Historic Landmark.

In February 2015, the City approved PUD Ordinance No. 2015-Z-3, approving the Heritage Green PUD project. The Judd House will be converted into 4 apartment units and 3 additional townhome buildings will be constructed on the remainder of the development site, with 3 units in each townhome building.

A Final Plat of Subdivision has been submitted for approval. The Final Plat is in conformance with the Preliminary Subdivision Plat that was approved with the PUD ordinance.

Staff has a number of relatively minor comments listed in the Staff Report.

**Plan Commission Review**

The Plan Commission reviewed the application on October 6, 2015. The Commission voted 8-0 to recommend approval of the Final Plat of Subdivision.

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

Plan Commission Resolution, Staff Report, Applications for Final of Subdivision, Final Plat, Heritage Green PUD Ordinance

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

Staff recommends approval of the Final Plat of Subdivision, contingent upon resolution of staff comments prior to City Council action.

<i>For office use only:</i>	<i>Agenda Item Number:</i> 4b
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**City of St. Charles, Illinois**  
**Plan Commission Resolution No. 16-2015**

**A Resolution Recommending Approval of a Final Plat of Subdivision for  
Heritage Green PUD (309 S. 6<sup>th</sup> Ave)**

**Passed by Plan Commission on October 6, 2015**

WHEREAS, it is the responsibility of the St. Charles Plan Commission to review Final Plats of Subdivision; and

WHEREAS, the Plan Commission has reviewed the Final Plat of Subdivision for Heritage Green PUD (309 S. 6<sup>th</sup> Ave.) dated September 8, 2015; and

WHEREAS, the Plan Commission finds the Final Plat of Subdivision to be in conformance with the PUD Preliminary Plans approved for Heritage Green PUD by Ordinance 2015-Z-3.

NOW, THEREFORE, be it resolved by the St. Charles Plan Commission to recommend to the City Council approval of the Final Plat of Subdivision for Heritage Green PUD (309 S. 6<sup>th</sup> Ave.) dated September 8, 2015; contingent upon the resolution of all staff comments prior to City Council action.

Voice Vote:

Ayes: Wallace, Kessler, Holderfield, Schuetz, Doyle, Frio, Pretz, Spruth

Nays: None

Absent: Macklin-Purdy

Motion Carried.

PASSED, this 6th day of October 2015.

---

Chairman  
St. Charles Plan Commission

Community & Economic Development  
 Planning Division

Phone: (630) 377-4443  
 Fax: (630) 377-4062



ST. CHARLES  
 SINCE 1834

**STAFF REPORT**

**TO:** Chairman Todd Bancroft  
 And Members of the Planning & Development Committee

**FROM:** Russell Colby  
 Planning Division Manager

**RE:** Heritage Green PUD (309 S. 6<sup>th</sup> Ave.) – Final Plat of Subdivision

**DATE:** October 7, 2015

**I. APPLICATION INFORMATION:**

**Project Name:** Heritage Green PUD (309 S. 6<sup>th</sup> Ave.)

**Applicant:** Bob Rasmussen, JRD Development Inc.

**Purpose:** Final Plat of Subdivision approval

<b>General Information:</b>		
<b>Site Information</b>		
Location	309 S. 6 <sup>th</sup> Ave. (Block bound by Rt. 25/5 <sup>th</sup> , 6 <sup>th</sup> , Indiana & Ohio Aves.)	
Acres	35,424 square feet (0.88 acres)	
Applications:	Final Plat of Subdivision	
Applicable City Code Sections	Title 16, Subdivisions and Land Improvement PUD Ordinance 2015-Z-3 (Heritage Green PUD)	
<b>Existing Conditions</b>		
Land Use	Existing Judd House and vacant development site	
Zoning	CBD-2 Mixed Use Business District	
<b>Zoning Summary</b>		
North	CBD-2 Mixed Use Business	Heritage Square
East	RT-4 Trad. Single & Two Family Res.	1 to 2 unit residential houses
South	RT-4 Trad. Single & Two Family Res.	1 to 2 unit residential houses
West	RT-4 Trad. Single & Two Family Res.	1 to 2 unit residential houses
<b>Comprehensive Plan Designation</b>		
Single Family Attached Residential		



## II. OVERVIEW

The subject property comprises most of a city block bound by S. 5th, Indiana, S. 6th and Ohio Avenues and is the location of the Raymond Judd House, 309 S. 6th Ave., a City designated Historic Landmark.

In February 2015, the City approved PUD Ordinance No. 2015-Z-3, approving the Heritage Green PUD project.

The project was previously called Foxwood Square and included the Judd House and construction of 10 townhome units around the property. Only 1 townhome building of 2 units was constructed in 2007 (at the northeast corner of the site). No further construction occurred at the site. The townhome units are now under separated ownership.

A new owner, represented by Bob Rasmussen of JRD Development, received approval earlier this year to convert the Judd House into 4 apartment units and construct 3 additional townhome buildings on the remainder of the development site, with 3 units in each townhome building.

## III. ANALYSIS

A Final Plat of Subdivision has been submitted for approval. The Final Plat is in conformance with the Preliminary Subdivision Plat that was approved with the PUD ordinance.

Staff has a number of relatively minor comments:

1. Existing easements granted as part of the previous platting of the property for the Riverside Church and Foxwood Square developments will need to be abrogated, either on this document or on a separate Plat of Vacation. Suggest adding a note stating:
  - a. Utility Easement, Landscape Easement, Pedestrian Easement and Vehicular and Pedestrian Ingress/Egress Easement granted by “Foxwood Square Planned Unit Development City of St. Charles, Kane County Illinois” recorded as Doc. No. 2007K079062, are hereby abrogated.
  - b. City Utility Easement granted by “Final Plat of Riverside Community Church” recorded as Doc. No. 2004K074998, is hereby abrogated.
2. An 8 ft. access easement for the sidewalk along 6<sup>th</sup> Avenue will need to be retained and shown on the plat, or abrogated and re-granted on the plat.
3. The ingress-egress easements are not completely drawn on the plat. This will need to be corrected.
4. The ingress-egress easements needs to note that it benefits all lots in the subdivision, in addition to the existing townhome building (Lot 1 in the “Foxwood Square Planned Unit Development City of St. Charles, Kane County Illinois” recorded as Doc. No. 2007K079062)
5. The County Recorder may not allow for lot numbers that include letters. The numbering scheme may need to be changed from 3a, 3b, 3c to 301, 302, 303, etc.

Final Engineering plans are currently under review by staff. The infrastructure improvements are minor and are limited to modifying services for the proposed buildings.

Although stormwater detention is not required for the project, an updated stormwater report needs to be provided demonstrating that the stormwater runoff will not be increased post development. This document will update the information provided with the original Foxwood Square project from 2007.

#### **IV. PLAN COMMISSION REVIEW**

The Plan Commission reviewed the application on October 6, 2015. The Commission voted 8-0 to recommend approval of the Final Plat of Subdivision.

#### **V. SUGGESTED ACTION**

Staff recommends approval of the Final Plat of Subdivision, subject to resolution of all staff comments prior to City Council action.

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



COMMUNITY & ECONOMIC DEV./PLANNING DIVISION

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

**FINAL PLAT OF SUBDIVISION APPLICATION**

<b>For City Use</b>	
Project Name:	<u>Heritage Green Final Plat</u>
Project Number:	<u>2014</u> -PR- <u>022</u>
Application Number:	<u>2015</u> -AP- <u>034</u>

*Received Date*  
**RECEIVED**  
**St. Charles, IL**  
  
SEP 21 2015  
  
**CDD**  
**Planning Division**

*To request approval of Final Plat for a Subdivision, complete this application and submit it with all required attachments to the Planning Division.*

*When this application is complete and the plans are substantially in compliance with requirements, the Final Plat will be placed on a Plan Commission agenda for review.*

*The information you provide must be complete and accurate. If you have any questions, please call the Planning Division and we will be happy to assist you.*

<b>1. Property Information:</b>	Location: <u>309 S. 6th Ave</u>	
	Parcel Number (s): <u>09-34-208-000, 09-34-208-003, 09-34-208-004, 09-34-208-007, 09-34-208-009, 09-34-208-008</u>	
	Proposed Subdivision Name: <u>Heritage Green</u>	
<b>2. Applicant Information:</b>	Name <u>Bob Rasmussen</u>	Phone <u>630-774-9101</u>
	Address <u>409 Illinois Ave #1-0</u> <u>St. Charles, IL 60174</u>	Fax <u>630-443-9008</u>
		Email <u>Bob@midwestcustomhomes.com</u>
<b>3. Record Owner Information:</b>	Name <u>Redemption Holdings, LLC</u>	Phone
	<u>679 Heartland Drive</u> <u>Sugar Grove, IL 60554</u>	Fax
		Email

**Please check the type of application:**

- Subdivision:**
  - ~~XXXX~~ Preliminary Subdivision Plat was previously approved by the City
  - ~~XXXX~~ Combined Preliminary-Final Review Process (Preliminary Plat Application filed concurrently)
- Planned Unit Development (PUD):**
  - ~~XXXX~~ PUD Preliminary Plan was previously approved by the City
  - ~~XXXX~~ Combined Preliminary-Final Review Process (PUD Preliminary Plan Application filed concurrently)
  - PUD Final Plan application filed concurrently

This application is not required for a Minor Subdivision (Per City Code Section 16.04.040: Meets all subdivision design standards, no more than 4 lots, no utility extensions or new streets, no stormwater detention required, lots meet minimum zoning standards)

**Attachment Checklist:**

*For Combined Preliminary-Final Review or where multiple applications have been submitted concurrently, do not submit duplicate checklist items or plans. Fee must be paid for each application.*

**APPLICATION FEE:**

Application fee in accordance with Appendix A of the Subdivision Code. (\$300)

**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.

**REIMBURSEMENT OF FEES INITIAL DEPOSIT:**

Deposit of funds in escrow with the City. Required deposit is based on review items (number of applications filed) and the size of the site:

Number of Review Items	Under 5 Acres	5-15 Acres	16-75 Acres	Over 75 Acres
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**PROOF OF OWNERSHIP and DISCLOSURE:**

Submit one of the following:

- 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%).

*NOTE: Private covenants and deed restrictions can limit private property rights with respect to the use of land even though the City's Zoning Ordinance may authorize the use or a less restrictive use. We strongly advise that you perform a title search on the property to determine if there any private covenants containing use restrictions or other deed restrictions. As those private covenants and deed restrictions may conflict with the City's Zoning Ordinance, it is further recommended that you consult with an attorney to obtain an opinion with respect to whether your intended use is compatible with those restrictions.*

**□ 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:**

Ten (10) full size copies, Three (3) 11" by 17", and a PDF electronic file (On a CD-ROM or may be emailed to the Project Manager). For subsequent submittals, please contact the Project Manager to determine how many copies are required.

**□ SUBDIVISION PLAT – DRAWING REQUIREMENTS/CHECKLIST:**

Complete the attached checklist and ensure that all required information is included on the plat.

**□ FINAL ENGINEERING PLANS – DRAWING REQUIREMENTS/CHECKLIST:**

Complete the attached checklist and ensure that all required information is included on the Final Engineering Plans.

**□ ENGINEER'S COST ESTIMATE SPREADSHEET:**

See attached form.

**□ STORMWATER MANAGEMENT PERMIT APPLICATION (if not already filed)**

**□ STORMWATER REPORT**

**□ FINANCIAL GUARANTEE & LAND IMPROVEMENT AGREEMENT**

When submitting the application, provide a draft or description of the proposed guarantee for the payment and completion of Land Improvements (consisting of proposed form, amount and provider of completion guarantee collateral - bond, cash, or letter of credit).

- For Letter of Credit form, see City Code Title 16, Appendix C.
- For Land Improvement Agreement, see City Code Title 16, Appendix D.

*A Financial Guarantee and Land Improvement Agreement must be provided prior to the City signing the Final Plat of Subdivision and recording the plat.*

**□ COPIES OF THIRD PARTY PERMIT/APPROVALS**

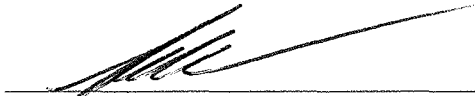
- Illinois EPA Water Pollution Control Permit for sanitary sewer extension


- 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

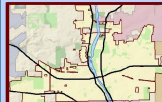
**WORKSHEETS (Residential Development only)**

- **PARK AND SCHOOL LAND/CASH 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**

**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 9-21-15  
Date

  
 \_\_\_\_\_  
 Applicant or Authorized Agent 9-18-15  
Date



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  
Printed on: November 13, 2013 08:35 AM



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Powered by Precision GIS

P.I.N. NUMBERS:  
 09-34-208-003  
 09-34-208-004  
 09-34-208-006  
 09-34-208-007  
 09-34-208-008  
 09-34-208-009

# PLAT OF SUBDIVISION HERITAGE GREEN

PARCEL 1 AND LOTS 2 THROUGH 6 ALL INCLUSIVE IN FOXWOOD SQUARE PLANNED UNIT DEVELOPMENT, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF, RECORDED JULY 30, 2007, AS DOCUMENT NO. 2007K079062, IN CITY OF ST CHARLES, KANE COUNTY, ILLINOIS.

LOT NUMBER	AREA	SQ.FT.
1	4,073	
2	4,073	
3	4,073	
4	5,293	
<b>OUTLOT</b>	<b>18,162</b>	

DIRECTOR OF COMMUNITY DEVELOPMENT (or Designee)

STATE OF ILLINOIS )  
 COUNTY OF KANE ) ss  
 I, \_\_\_\_\_ do hereby certify that the required improvements have been installed, or the required guarantee bond has been posted for the completion of all required land improvements.

Director of Community Development  
 Dated at \_\_\_\_\_, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_.

### CITY COUNCIL CERTIFICATE

Approved and accepted this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_.  
 CITY COUNCIL OF CITY OF ST. CHARLES, ILLINOIS

Mayor  
 Attest: City Clerk

### COUNTY CLERK CERTIFICATE

STATE OF ILLINOIS )  
 COUNTY OF KANE ) ss  
 I, \_\_\_\_\_ County Clerk of Kane County, Illinois, do hereby certify that there are no delinquent general taxes, no unpaid forfeited 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 \_\_\_\_\_, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_.

County Clerk

### ILLINOIS DEPARTMENT OF TRANSPORTATION

CITY OF ST. CHARLES ) ss  
 This plat has been approved by the Illinois Department of Transportation with respect to roadway access pursuant to Section 2 of "An Act to revise the law in relation to plats", as amended. A plan that meets the requirements contained in the Department's "Policy on Permits for Access Driveways" will be required by the Department.  
 Dated this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_.

By: \_\_\_\_\_

### PLAN COMMISSION CERTIFICATE

STATE OF ILLINOIS )  
 COUNTY OF KANE ) ss  
 Approved this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_.  
 CITY OF ST. CHARLES PLAN COMMISSION  
 Chairman

### OWNER'S CERTIFICATE

STATE OF ILLINOIS )  
 COUNTY OF KANE ) ss  
 This is to certify that the undersigned is the owner of the land described in the annexed plat, and that he has caused the same to be surveyed and subdivided as indicated thereon, for the use and purposes therein set forth, and does hereby acknowledge and adopt the same under the style and title thereon indicated.  
 Also, this is to certify that property being subdivided aforesaid, and to the best of the owner's knowledge and belief, said subdivision lies entirely within the limits of:  
 St. Charles Community Unit School District 303.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_.

### NOTARY PUBLIC CERTIFICATE

STATE OF ILLINOIS )  
 COUNTY OF KANE ) ss  
 I, \_\_\_\_\_ a notary public, in and for said county, in the state aforesaid, do hereby certify that \_\_\_\_\_ personally known to me to be the same person whose names are subscribed to the foregoing instrument as such owners, appeared before me this day in person and acknowledged that they signed and delivered the annexed plat as their own free and voluntary act for the use and purposes therein set forth.  
 Given under my hand and Notarial Seal this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_ of \_\_\_\_\_, Illinois.  
 Notary Public

### MORTGAGEE'S CERTIFICATION

Approved and accepted by \_\_\_\_\_ as Mortgagee.  
 Dated at \_\_\_\_\_, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_.  
 By: \_\_\_\_\_  
 Attest: \_\_\_\_\_

### SURVEYOR'S CERTIFICATE

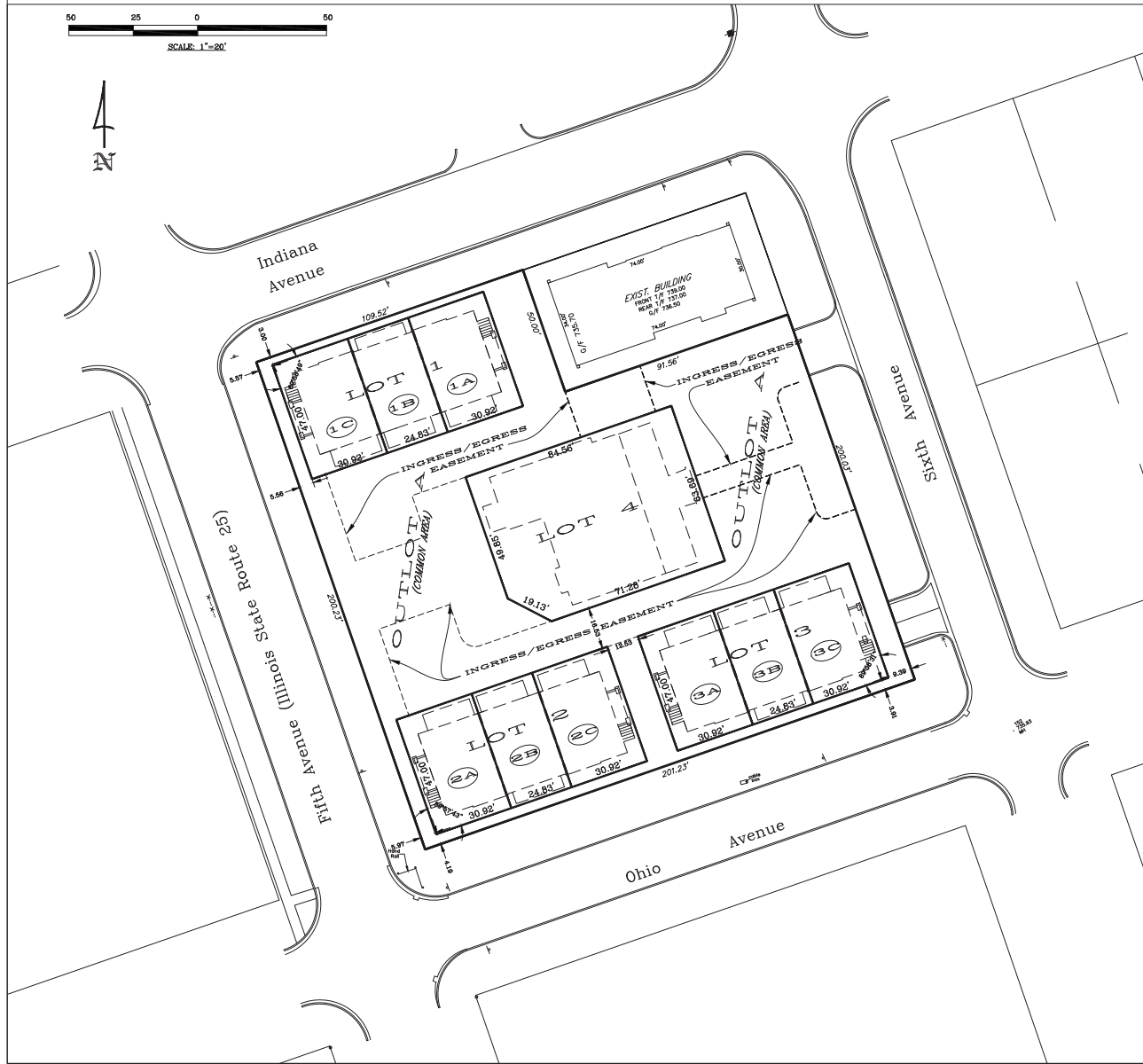
STATE OF ILLINOIS )  
 COUNTY OF DUPAGE ) ss  
 This is to certify that I, \_\_\_\_\_ Illinois Land Surveyor No. \_\_\_\_\_ have surveyed and subdivided the following described property:  
 PARCEL 1 AND LOTS 2 THROUGH 6 ALL INCLUSIVE IN FOXWOOD SQUARE PLANNED UNIT DEVELOPMENT, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF, RECORDED JULY 30, 2007, AS DOCUMENT NO. 2007K079062, IN CITY OF ST CHARLES, KANE COUNTY, ILLINOIS.  
 Given under my hand and seal of \_\_\_\_\_, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_.

Norbert Lambert, P.L.S.  
 ILLINOIS PROFESSIONAL LAND SURVEYOR  
 NO. \_\_\_\_\_

**UTILITY EASEMENT PROVISIONS**  
 A PERMANENT, NON-EXCLUSIVE EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE CITY OF ST. CHARLES (HEREINAFTER "CITY") AND TO ALL PUBLIC UTILITY COMPANIES OF ANY KIND OPERATING UNDER FRANCHISE AGREEMENT GRANTING THEM EASEMENT RIGHTS FROM THE CITY OF ST. CHARLES, INCLUDING BUT NOT LIMITED TO, SBC, NICOOR GAS COMPANY, COMCAST CABLE AND TO THEIR SUCCESSORS AND ASSIGNS (HEREINAFTER "UTILITIES") IN, UPON, ACROSS, UNDER AND THROUGH ALL LOTS AND PARCELS SHOWN HEREON, FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, RECONSTRUCTING, INSPECTING, OPERATING, REPAIRING, RENOVATING, ALTERING, ENLARGING, REMOVING, REPAIRING, CLEANING AND MAINTAINING ELECTRICAL, CABLE TELEVISION, COMMUNICATION, GAS, TELEPHONE OR OTHER UTILITY LINES OR APPURTENANCES, SANITARY SEWERS, STORM SEWERS, GRAINAGE WAYS, STORM WATER DETENTION OR RETENTION, WATER MAINS, AND ANY AND ALL MANHOLES, HYDRANTS, PIPES, CONNECTIONS, CATCH BASINS, BUFFALO RIDGES, VALVES, AND WITHOUT LIMITATION, SUCH OTHER INSTALLATIONS AS MAY BE REQUIRED TO FURNISH PUBLIC UTILITY SERVICE TO THE SUBDIVIDED AREA, AND SUCH APPURTENANCES AND ADDITIONS THERETO AS SAID CITY AND UTILITIES MAY DEEM REASONABLY NECESSARY, TOGETHER WITH THE RIGHT OF ACCESS THERETO FOR THE NECESSARY PERSONNEL AND EQUIPMENT TO DO ANY OR ALL OF THE ABOVE WORK, PROVIDED THAT NO SUCH EASEMENT SHALL EXTEND INTO ANY AREA OTHER NOW OR HEREAFTER IMPROVED WITH A PERMANENT STRUCTURE APPROVED BY THE CITY. FURTHER, ALL SUCH FRANCHISES SHALL BE REQUIRED TO RESTORE THE EASEMENT PREMISES BY PROPERLY GRADING AND RESTORING THE SURFACE TREATMENT (E.G. PAVING, SOIL, ETC.) TO PRE-EXISTENCE CONDITION IN PROMPT MANNER UPON THE SUBSTANTIAL COMPLETION OF SUCH WORK. THE RIGHT IS ALSO HEREBY GRANTED TO SAID CITY AND UTILITY COMPANIES TO CUT DOWN, TRIM, OR REMOVE ANY TREES, SHRUBS OR OTHER PLANTS AND OBJECTS THAT INTERFERE WITH THE OPERATION OF OR ACCESS TO SAID UTILITY INSTALLATION, IN, ON, UPON, ACROSS, UNDER OR THROUGH SAID EASEMENT. SAID EASEMENT MAY BE USED FOR PLANTING OF SHRUBS AND LANDSCAPING AND OTHER PURPOSES IN ACCORDANCE WITH FINAL PLAN APPROVAL BY SAID CITY OF ST. CHARLES, AND PROVIDED SUCH PLANTING, LANDSCAPING OR OTHER PURPOSES DO NOT THEN OR LATER INTERFERE WITH THE EASEMENT RIGHTS. WHERE SAID EASEMENT IS USED FOR STORM OR SANITARY SEWERS, OTHER UTILITY INSTALLATIONS SHALL BE SUBJECT TO THE PRIOR APPROVAL OF SAID CITY OF ST. CHARLES, SO AS NOT TO INTERFERE WITH THE GRAVITY FLOW IN SAID SEWER OR SEWERS.

**NOTES:**  
 1-DIRECT VEHICULAR ACCESS SHALL NOT BE ALLOWED TO FIFTH AVENUE (ILLINOIS STATE ROUTE 25) OR OHIO AVENUE.  
 2-A UTILITY EASEMENT IS HEREBY ESTABLISHED ACROSS ALL LOTS AND PARCELS IN ACCORDANCE WITH THE APPROPRIATE EASEMENT PROVISIONS CONTAINED HEREIN.

LAMBERT & ASSOCIATES  
 ILLINOIS PROFESSIONAL LAND SURVEYORS  
 955 W. LIBERTY DRIVE  
 WHEATON, IL 60187  
 630.653.6331  
 I. DESIGN FIRM NO. 184-006511





IIc2

**City of St. Charles, Illinois**

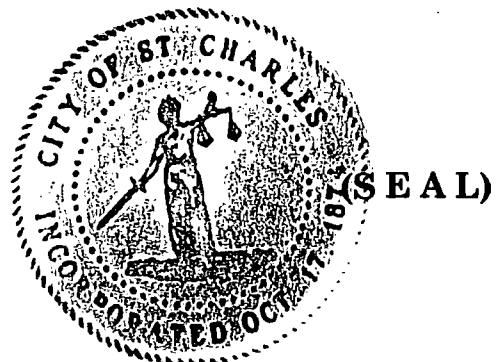
**Ordinance No. 2015-Z-3**

**Motion to approve an Ordinance Granting Approval of  
a Map Amendment, Amendment to Special Use for  
Planned Unit Development and PUD Preliminary Plan  
for Heritage Green (Foxwood Square PUD, 309 S. 6th  
Ave.).**

**Adopted by the  
City Council  
of the  
City of St. Charles  
February 17, 2015**

**Published in pamphlet form by  
authority of the City Council  
of the City of St. Charles,  
Kane and Du Page Counties,  
Illinois, February 23, 2015**

*Nancy Garrison*  
\_\_\_\_\_  
City Clerk



**City of St. Charles**  
**Ordinance No. 2015-Z-3**

**An Ordinance Granting Approval of a Map Amendment,  
Amendment to Special Use for Planned Unit Development and  
PUD Preliminary Plan for Heritage Green  
(Foxwood Square PUD, 309 S. 6<sup>th</sup> Ave.)**

WHEREAS, on or about December 23, 2014, JRD Development Inc. (“the Applicant”) filed petitions for 1) Map Amendment from the RT-4 Traditional Single and Two Family Residential District to the CBD-2 Mixed Use Business District, 2) Amendment to Special Use for Planned Unit Development Ordinance 2007-Z-4, “An Ordinance Granting an Amendment to Special Use and PUD Preliminary Plan Approval (Foxwood Square PUD – 309 S. 6<sup>th</sup> Ave.)”, and 3) PUD Preliminary Plan, all for the real estate as legally described on Exhibit “A” attached hereto and incorporated herein (the "Subject Realty"), for the purpose of constructing four (4) multiple-family residential units in the Raymond Judd Mansion (309 S. 6th Ave.) and three (3), three-unit townhome buildings on the remainder of the property; and

WHEREAS, the required Notice of Public Hearing on said petitions for Map Amendment and Amendment to Special Use for Planned Unit Development was published on or about January 3, 2015, 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 January 20, 2015, on said petitions 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 petitions and all interested parties were afforded an opportunity to be heard; and,

WHEREAS, the Subject Realty is within a designated City Historic Landmark site, and the Historic Preservation Commission reviewed the application and provided its recommendation for approval to the Plan Commission on January 7, 2015; and

WHEREAS, the Plan Commission made the required Findings of Fact and recommended approval of said petitions on or about January 20, 2015; and,

WHEREAS, the Planning & Development Committee of the City Council recommended approval of said petitions on or about February 9, 2015; and,

WHEREAS, the City Council of the City of St. Charles has received the recommendations of the Plan Commission and Planning & 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 though fully set out in this Section 1.

2. That passage of this Ordinance shall constitute approval of the petition for a Map Amendment for the Subject Realty from the RT-4 Traditional Single and Two Family Residential District to the CBD-2 Mixed Use Business District, and the Findings of Fact for Map Amendment attached hereto and incorporated herein as Exhibit "B" are expressly adopted by the corporate authorities of the City.

3. That the Special Use for Planned Unit Development heretofore granted with respect to the Subject Realty by Ordinance No. 2007-Z-4, being "An Ordinance Granting an Amendment to Special Use and PUD Preliminary Plan Approval (Foxwood Square PUD – 309 S. 6<sup>th</sup> Ave.)", is hereby amended by deleting the provisions in their entirety, and by substituting the provisions hereof, governing the Special Use as a Planned Unit Development for the Subject Realty. In connection with such approval, 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 Amendment to Planned Unit Development is in the public interest and adopts the Findings of Fact for Amendment to Special Use for Planned Unit Development, set forth on Exhibit "C", which is attached hereto and incorporated herein.

4. 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 CBD-2 Mixed Use Business Zoning District, as amended, and all other applicable requirements of the St. Charles Zoning Ordinance, as amended, except as specifically provided 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 individual buildings. 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 subdivision.

5. That passage of this Ordinance shall constitute approval of the PUD Preliminary Plan, reduced copies of which are attached hereto and incorporated herein as Exhibit "E", such the following documents and illustrations are hereby approved 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:

- Preliminary Engineering Plans titled "Heritage Green" prepared by County Engineers, Inc., dated 1/20/15 and received 2/5/15
- Preliminary Plat of Subdivision titled "Plat of Subdivision, Heritage Green" prepared by Lambert & Associates, dated 1/20/15 and received 2/5/15
- Landscape Plan prepared by Country Scope, dated 2/4/15 and received 2/5/15
- Architectural Elevations titled "Proposed Townhomes at Heritage Green" prepared by Marshall Architects:
  - Preliminary End Elevation dated 12/22/14
  - Preliminary Street Side Elevation dated 1/4/15
  - Preliminary Rear Elevation dated 12/28/14

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.

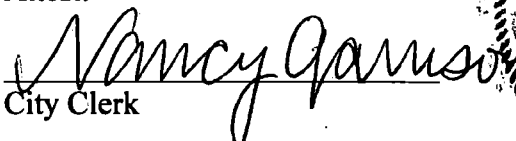
PRESENTED to the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 16th day of February, 2015.

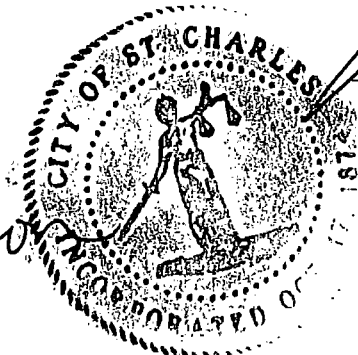
PASSED by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 16th day of February, 2015.

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

  
Raymond P. Rogina, Mayor

Attest:

  
City Clerk



COUNCIL VOTE:

Ayes: 9  
Nays:  
Absent: 1  
Abstain:

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

DATE: \_\_\_\_\_

**Exhibit A**

**Subject Realty  
Legal Description**

The subject property is located at 309 S. 6th Ave., St. Charles, Illinois, 60174; includes the vacant parcels located within the block bound by S. 5th Ave. (Illinois Route 25), Indiana Ave., S. 6th Ave., and Ohio Ave.; and is legally described as follows:

**LOTS 2, 3, 4, 5 & 6 AND PARCEL 1 IN FOXWOOD SQUARE PLANNED UNIT DEVELOPMENT, CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT 2007K079062 IN KANE COUNTY, ILLINOIS.**

**Exhibit B**

**Findings of Fact for Map Amendment**

**1. The existing uses and zoning of nearby property.**

The Property is bordered by the CBD-2 district to the north and RT-4 to the east, west and south. Property to the north has multi-family and office uses. All other adjoining properties are residential.

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

The zoning requested will help the value of the subject property by allowing the 3-unit buildings as they are more cost effective to build. The neighboring properties will benefit by the completion of a now defunct development.

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

The inability to renovate the Judd mansion to a 4-unit apartment building as well as create more reasonably priced townhomes currently makes the site a non-viable location for development.

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

The current zoning does not allow for an economically viable development.

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

The development has lied dormant for 7+ years.

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

The community needs nice, reasonably priced residential units close to downtown. The community also needs additional rental units near downtown.

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

The Comprehensive Plan remains residential we are consistent with the use.

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

N/A

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

The proposed CBD-2 zoning will allow the development to conform.

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

The area is constantly being re-developed in many residential ways through tear downs and rehabs of existing structures.



**Exhibit C**

**Findings of Fact for Amendment to Special Use for PUD**

**The amendment to a Special Use for a PUD is in the public interest, based on the following criteria:**

- i. The proposed PUD advances one or more of the purposes of the Planned Unit Development procedure stated in Section 17.04.400.A:**
  - 1. To promote a creative approach to site improvements and building design that results in a distinctive, attractive development that has a strong sense of place, yet becomes an integral part of the community.**
  - 2. To create places oriented to the pedestrian that promote physical activity and social interaction, including but not limited to walkable neighborhoods, usable open space and recreational facilities for the enjoyment of all.**
  - 3. To encourage a harmonious mix of land uses and a variety of housing types and prices.**
  - 4. To preserve native vegetation, topographic and geological features, and environmentally sensitive areas.**
  - 5. To promote the economical development and efficient use of land, utilities, street improvements, drainage facilities, structures and other facilities.**
  - 6. To encourage redevelopment of sites containing obsolete or inappropriate buildings or uses.**
  - 7. To encourage a collaborative process among developers, neighboring property owners and residents, governmental bodies and the community.**

Numbers 1, 2, 3, 5, 6, 7. This development will be a great example of saving a historical home (the Judd Mansion) while incorporating new townhomes on adjacent parcels. We have increased the parking and green space from the current PUD that is in place. We will be creating different architecture and finishes amongst the buildings. The development will bring new families into our downtown.

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

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

- 1. The PUD will provide community amenities beyond those required by ordinance, such as recreational facilities, public plazas, gardens, public art, pedestrian and transit facilities.**
- 2. The PUD will preserve open space, natural beauty and critical environmental areas in excess of what is required by ordinance or other regulation.**
- 3. The PUD will provide superior landscaping, buffering or screening.**
- 4. The buildings within the PUD offer high quality architectural design.**
- 5. The PUD provides for energy efficient building and site design.**
- 6. The PUD provides for the use of innovative stormwater management techniques.**
- 7. The PUD provides accessible dwelling units in numbers or with features beyond what is required by the Americans with Disabilities Act (ADA) or other applicable codes.**
- 8. The PUD provides affordable dwelling units in conformance with, or in excess of, City policies and ordinances.**
- 9. The PUD preserves historic buildings, sites or neighborhoods.**

Item B and numbers 2, 4 and 9. The PUD will create more open space than the current PUD. We will be renovating and saving the historic Judd Mansion. We will be introducing high quality architectural designs to the neighborhood.

**iii. The proposed PUD conforms with the standards applicable to Special uses (section 17.04.330.C.0):**

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

Creating for rent and for sale homes near town will benefit out town.

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

The infrastructure is currently in place and is sufficient.

**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 development will bring new homes into the neighbourhood and will in turn help reflect the increased values in this area as redevelopment continues.

- 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 special use will have no impact on the long term development in the area.

- 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.**

There will be no effect on the safety or comfort of the neighboring properties.

- 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 development will conform to all current codes.

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

The development will create more homes and thus bring new families to our town. This will increase tax base and the economic well-being of the city.

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

The Comprehensive Plan indicates the city's desire to keep this area residential as does the proposed PUD.

**Exhibit D**

**PUD Development Standards**

<b>Permitted and Special Uses shall be limited to:</b>	Dwelling, Multiple Family Dwelling, Two Family Dwelling, Townhouse Dwelling, Single Family
<b>Maximum Number of Dwelling Units</b>	Total of 13 units No more than: 9 Two-Family or Townhouse Units; 4 Multiple Family Units, to be located in the existing Raymond Judd House
<b>Minimum Lot Area Per Unit</b>	2,724 sf per dwelling unit
<b>Minimum Yard Setbacks along all streets</b>	5 ft.
<b>Maximum number of buildings</b>	4
<b>Minimum amount of Off-Street Parking to be provided</b>	2 spaces per dwelling unit
<b>Building Foundation Landscaping: Minimum number of trees per townhome building</b>	3 adjacent to each building, plus 3 to be located elsewhere within the site

**Exhibit E**  
**PUD Preliminary Plans**

# HERITAGE GREEN

PARCEL 1 AND LOTS 2 THROUGH 6 ALL INCLUSIVE IN FOXWOOD SQUARE PLANNED UNIT DEVELOPMENT, IN THE CITY OF SAINT CHARLES, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF, RECORDED JULY 30, 2007, AS DOCUMENT NO. 2007K078082, IN KANE COUNTY, ILLINOIS

CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS

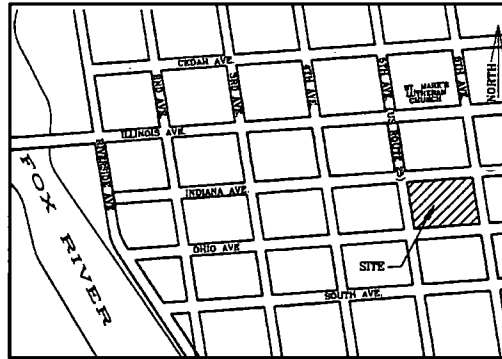
WARNING



CALL BEFORE YOU DIG  
(800) 487-3872

## CITY OF ST. CHARLES NOTES

1. ALL PERVIOUS AREA SHALL BE SOCCED OVER A MINIMUM OF 6" OF TOP SOIL UNLESS OTHER LANDSCAPING METHODS ARE APPROVED ON THE LANDSCAPING PLAN.
  2. ALL CONDUIT OR PIPE CONSTRUCTED UNDER EXISTING OR PROPOSED PAVED SURFACES AND WALLS SHALL BE BACKFILLED WITH GRANULAR BACKFILL THOROUGHLY COMPACTED IN ACCORDANCE WITH THE SPECIFICATIONS.
  3. ALL PAVING, SIDEWALK, AND EXCAVATION WORK SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS OF THE ILLINOIS DEPARTMENT OF TRANSPORTATION (DOT) AND THE CITY OF ST. CHARLES STANDARD DETAILS, CODES AND REQUIREMENTS.
  4. ALL SEWER AND WATER MAIN WORK SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR WATER AND SEWER MAIN CONSTRUCTION IN ILLINOIS AND CITY OF ST. CHARLES CONSTRUCTION STANDARDS.
  5. CONTRACTOR TO GUARANTEE ALL MATERIALS AND WORKMANSHIP FOR A PERIOD OF ONE (1) YEAR AFTER ACCEPTANCE BY THE CITY.
  6. ALL EXISTING UTILITIES OR IMPROVEMENTS, INCLUDING WALLS, CURBS, PAVEMENT AND PAVEMENTS DAMAGED OR REMOVED DURING CONSTRUCTION SHALL BE PROMPTLY RESTORED TO THEIR RESPECTIVE ORIGINAL CONDITION.
  7. THE CONTRACTOR SHALL NOTIFY ALL UTILITY COMPANIES PRIOR TO CONSTRUCTION TO VERIFY IN THE FIELD ALL EXISTING AND UNDERGROUND UTILITIES ADJACENT TO THE PROJECT, AND BE RESPONSIBLE FOR PROTECTION OF SAME.
  8. ALL CONCRETE SHALL BE 8 BAG MIX, 3500 PSI CONCRETE AT 14 DAYS. CURING MATERIAL SHALL BE NEUMEKING CURING COMPOUND AND SHALL BE WHITE IN COLOR TO ASSURE ADEQUATE COVERAGE.
  9. CONTRACTOR SHALL NOTIFY CITY 48 HOURS IN ADVANCE OF CONSTRUCTION OF UNDERGROUND WORK. NO UNDERGROUND WORK SHALL BE COVERED UNTIL SAME HAS BEEN INSPECTED BY THE CITY. APPROVAL TO PROCEED MUST BE OBTAINED FROM THE CITY PRIOR TO INSTALLING PAVEMENT BASE, FINISHER BINDER, PAVEMENT SURFACE, AND PRIOR TO POURING ANY CONCRETE AFTER FORMS HAVE BEEN SET.
  10. IF APPLICABLE ALL NEW REINFORCED CONCRETE PIPE STORM SEWER 12" AND LARGER BINDER SHOWN ON THE PLANS SHALL BE ASTM DESIGNATION C-70 MINIMUM CLASS. CLASS B. ALL PIPE WITH LESS THAN 3" OF COVER AND MORE THAN 15" OF COVER SHALL BE CLASS V. ALL JOINTS SHALL BE 10" RING RUBBER GASKET CONFORMING TO ASTM C-381 SPECIFICATIONS. ALL STORM SEWERS WITH LESS THAN 1.25" OF COVER AND ALL DUCTILE IRON PIPE STORM SEWERS BINDER SHOWN ON THE PLANS SHALL BE DUCTILE IRON PIPE CLASS 32 AND SPECIFICATIONS A-21.51 WITH PUSH-ON OR MECHANICAL JOINTS AND POLYETHYLENE ENCASEMENT.
  11. BITUMINOUS PAVEMENT MATERIAL MUST BE PLACED IN TWO LIFTS. THICKNESS OF EACH LIFT SHALL BE AS SHOWN ON APPROVED PLANS. ALL MATERIAL SHALL BE CLASS 1 BITUMINOUS AS PER DOT STANDARDS. THE FINAL SURFACE COURSE SHALL NOT BE INSTALLED UNTIL THE CITY HAS APPROVED THE COMPACTION OF THE BINDER MATERIAL. THE BINDER COURSE SHALL NOT BE INSTALLED UNTIL THE COMPACTION OF THE STONE BASE HAS BEEN APPROVED BY THE CITY. THE FINAL SURFACE COURSE MAY NOT BE INSTALLED UNTIL THE MAJOR PORTION OF BUILDING CONSTRUCTION HAS BEEN COMPLETED AS DETERMINED AND APPROVED BY THE CITY.
- NOTE: IN CASE OF CONFLICT WITH OTHER NOTES AND SPECIFICATIONS, THE CITY STANDARD NOTES AND DETAILS SHALL APPLY.



LOCATION MAP  
NOT TO SCALE

## SHEET INDEX

TITLE	SHEET NO.
TITLE SHEET.....	1
TOPOGRAPHY & DEMOLITION PLAN.....	2
GEOMETRIC PLAN.....	3
GRADING PLAN.....	4
UTILITY PLAN.....	5
LANDSCAPING PLAN	
PLAN OF SUBDIVISION	

## LEGEND

	PROPOSED STORM SEWER		PROPOSED SPOT GRADE
	EXISTING STORM SEWER		EXISTING SPOT GRADE
	PROPOSED SANITARY SEWER		PROPOSED CONTOUR
	EXISTING SANITARY SEWER		EXISTING CONTOUR
	PROPOSED WATER MAIN		SALT FENCE
	EXISTING WATER MAIN		OVERFLOW DIRECTION
	PROPOSED SANITARY MANHOLE		PROPOSED CURB
	EXISTING SANITARY MANHOLE		EXISTING CURB
	EXISTING STORM STRUCTURE		PROPOSED EDGE OF PAVEMENT
	PROPOSED STORM STRUCTURE		
	PROPOSED FIRE HYDRANT		
	PROPOSED GATE VALVE		

## UNDERGROUND UTILITY NOTE:

The location of existing underground utilities, such as water mains, sewers, gas lines, etc., as shown on the plans, has been determined from the best available information and is given for the convenience of the Contractor. However, the Owner and the Engineer do not assume responsibility in the event that during construction, utilities other than those shown may be encountered, and that the actual location of those which are shown may be different from the location as shown on the plans.

## USE OF DRAWINGS

Client agrees not to use or permit any other person to use plans, drawings, or other product prepared by the Engineer, which plans, drawings, or other work product are not final and which are not signed, and stamped or sealed by the Engineer and contain the words "Reserved For Construction".

## HOLD HARMLESS STATEMENT

The Engineer is not overseeing the construction of this project. The use of these Drawings and Specifications by and Contractor, Subcontractor, Builders, Mechanics, Tradesmen or Workers shall constitute a Hold Harmless Agreement between the User and the Engineer. The User shall in fact agree to hold the Engineer harmless for any responsibility in regard to construction means, methods, techniques, sequences or procedures and for any safety precautions and programs in connection with the work and further shall hold the Engineer harmless for costs and problems arising from the negligence of Contractor, Subcontractor, Builders, Mechanics, Tradesmen or Workers. The use of these Drawings also implies that the Engineer shall take no responsibility for the user User's failure to carry out the work in accordance with the Drawing and Specifications.

STATE OF ILLINOIS  
COUNTY OF KANE (SS)

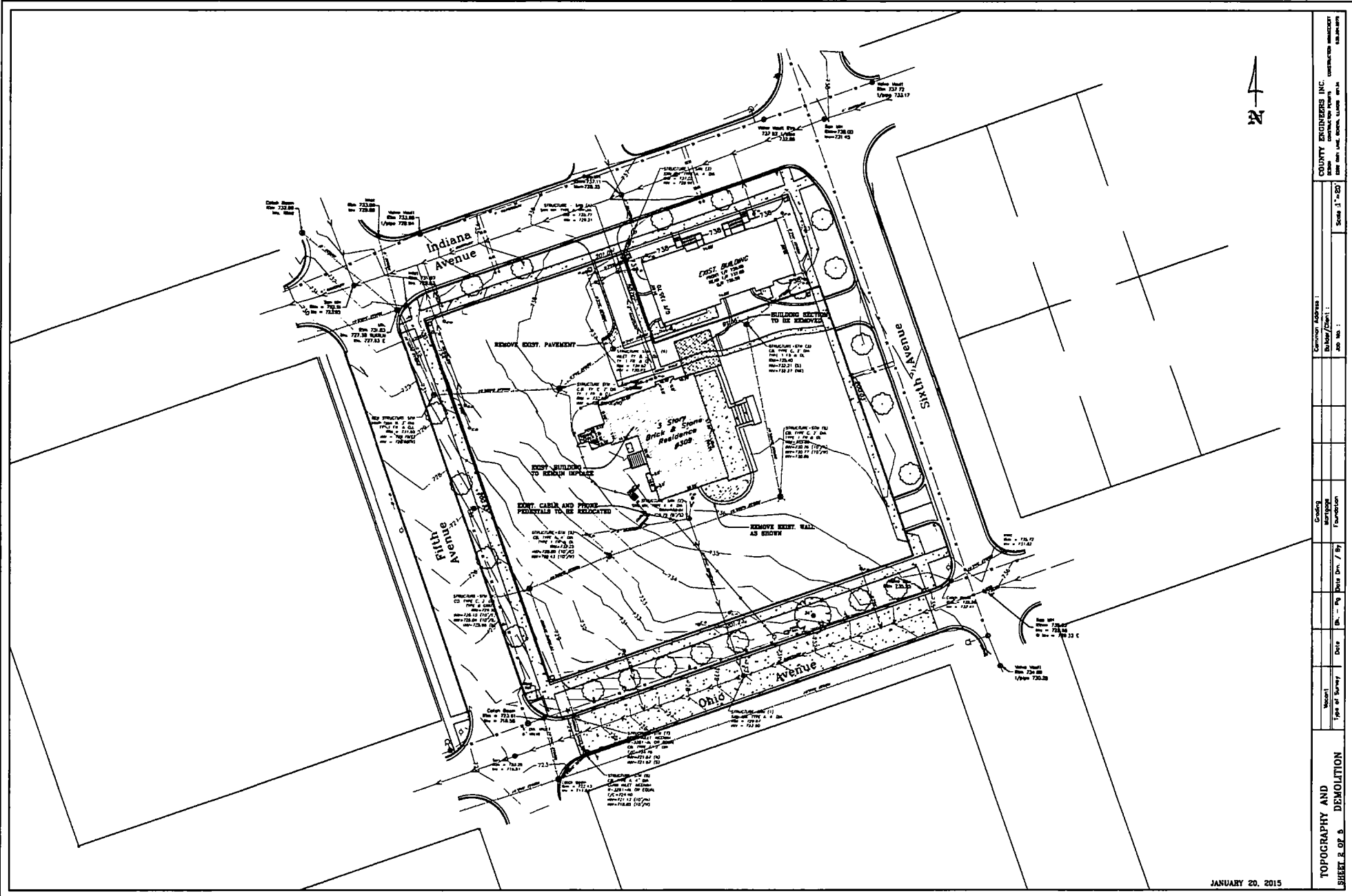
TO THE BEST OF MY KNOWLEDGE AND BELIEF THE DRAINAGE OF SURFACE WATERS WILL NOT BE CHANGED BY THE CONSTRUCTION OF SUCH SUBDIVISION OR ANY PART THEREOF. OR, THAT IF SUCH SURFACE WATER DRAINAGE WILL BE CHANGED REASONABLE PROVISION HAS BEEN MADE FOR COLLECTION AND DIVERSION OF SUCH SURFACE WATERS INTO PUBLIC AREAS OR DRAINS WHICH THE SUBDIVISION HAS A RIGHT TO USE AND THAT SUCH SURFACE WATERS WILL BE PLANNED FOR IN ACCORDANCE WITH GENERALLY ACCEPTED ENGINEERING PRACTICES SO AS TO REDUCE THE LIKELIHOOD OF DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF THE CONSTRUCTION OF THE SUBDIVISION.



BRADSHAW JAFARI  
REGISTERED PROFESSIONAL ENGINEER  
RENEWAL DATE: 11/30/15

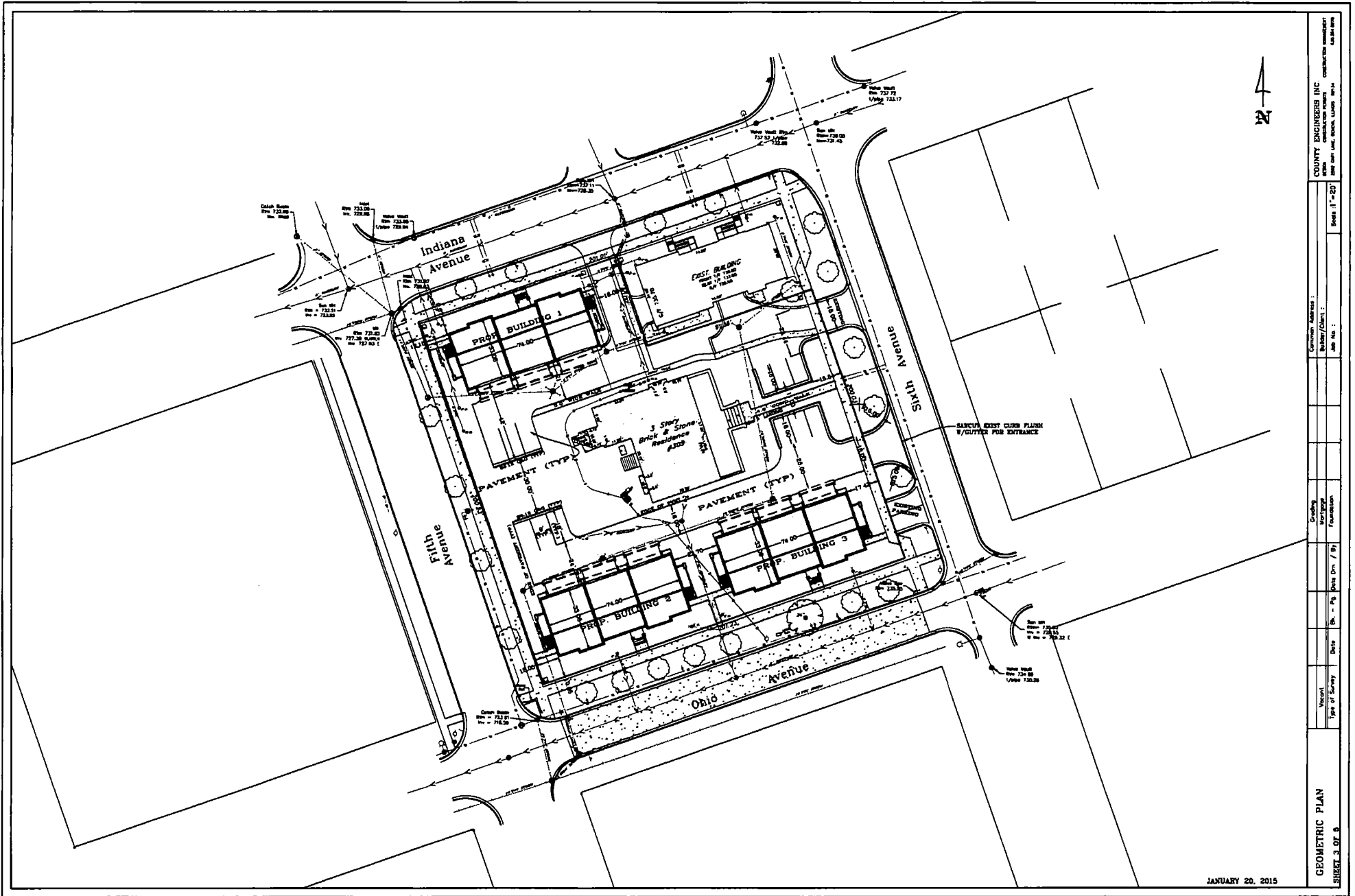
COUNTY ENGINEERS INC.  
2202 GARY LANE, GENEVA, ILLINOIS 60134  
630.364.6976 ceillinois@aol.com

JANUARY 20, 2015



TOPOGRAPHY AND DEMOLITION		COUNTY ENGINEERS INC.	
SHEET 2 OF 3		DATE: 1/20/15	
Client:	Project:	Address:	City:
Scale:	Drawn:	Checked:	Reviewed:
Notes:	Revised:	Approved:	Professional Seal:

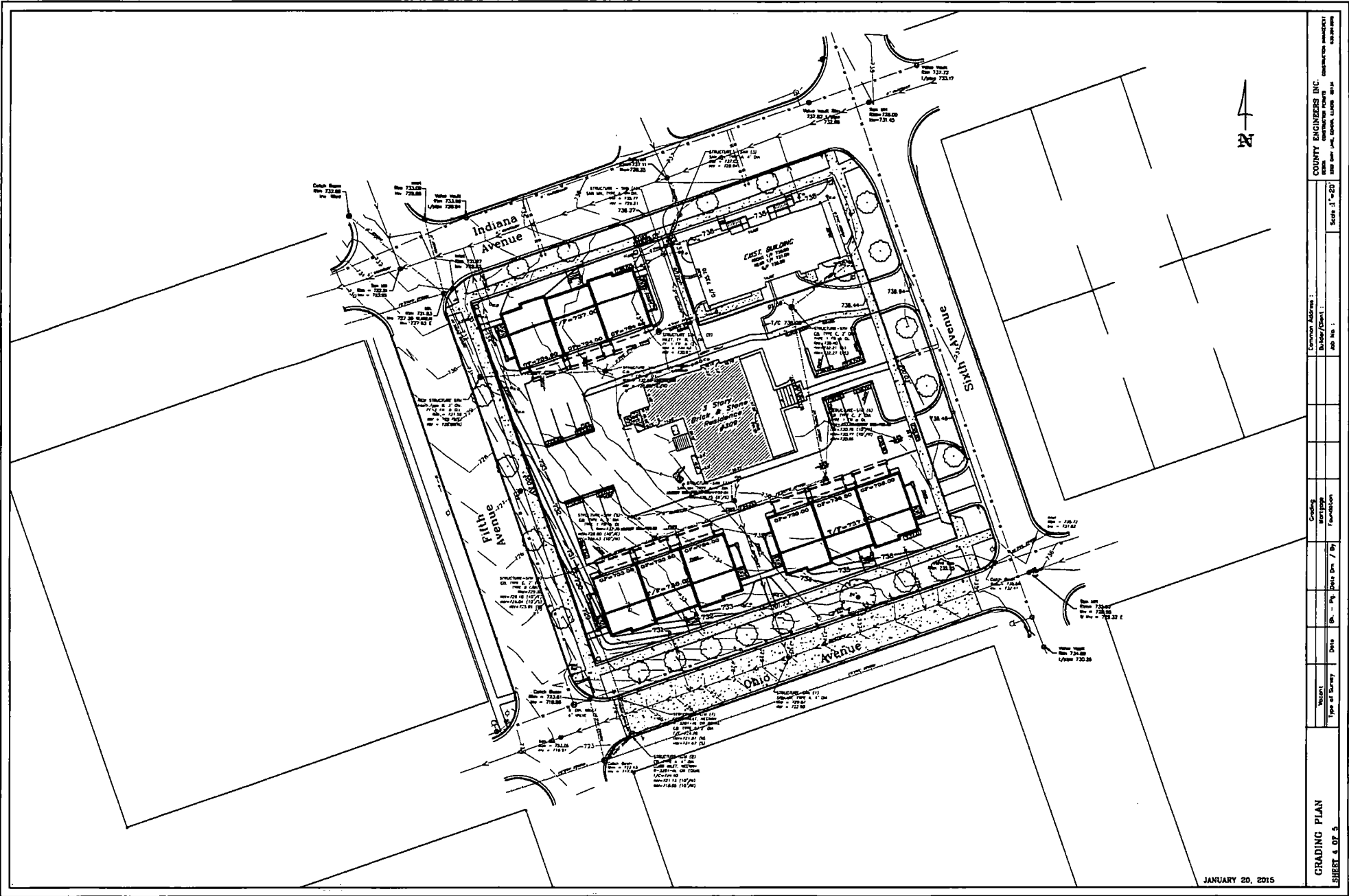
JANUARY 20, 2015



<b>GEOMETRIC PLAN</b> SHEET 3 OF 5		Station: 1+20.00
County Engineers Inc. Construction Plans 1000 East Main Street, Columbus, Ohio 43215	Drawing No.: 15-01	Scale: 1" = 20'
Client: [Blank]	Project: [Blank]	Date: [Blank]
Designer: [Blank]	Checker: [Blank]	Date: [Blank]
Date: [Blank]	Date: [Blank]	Date: [Blank]

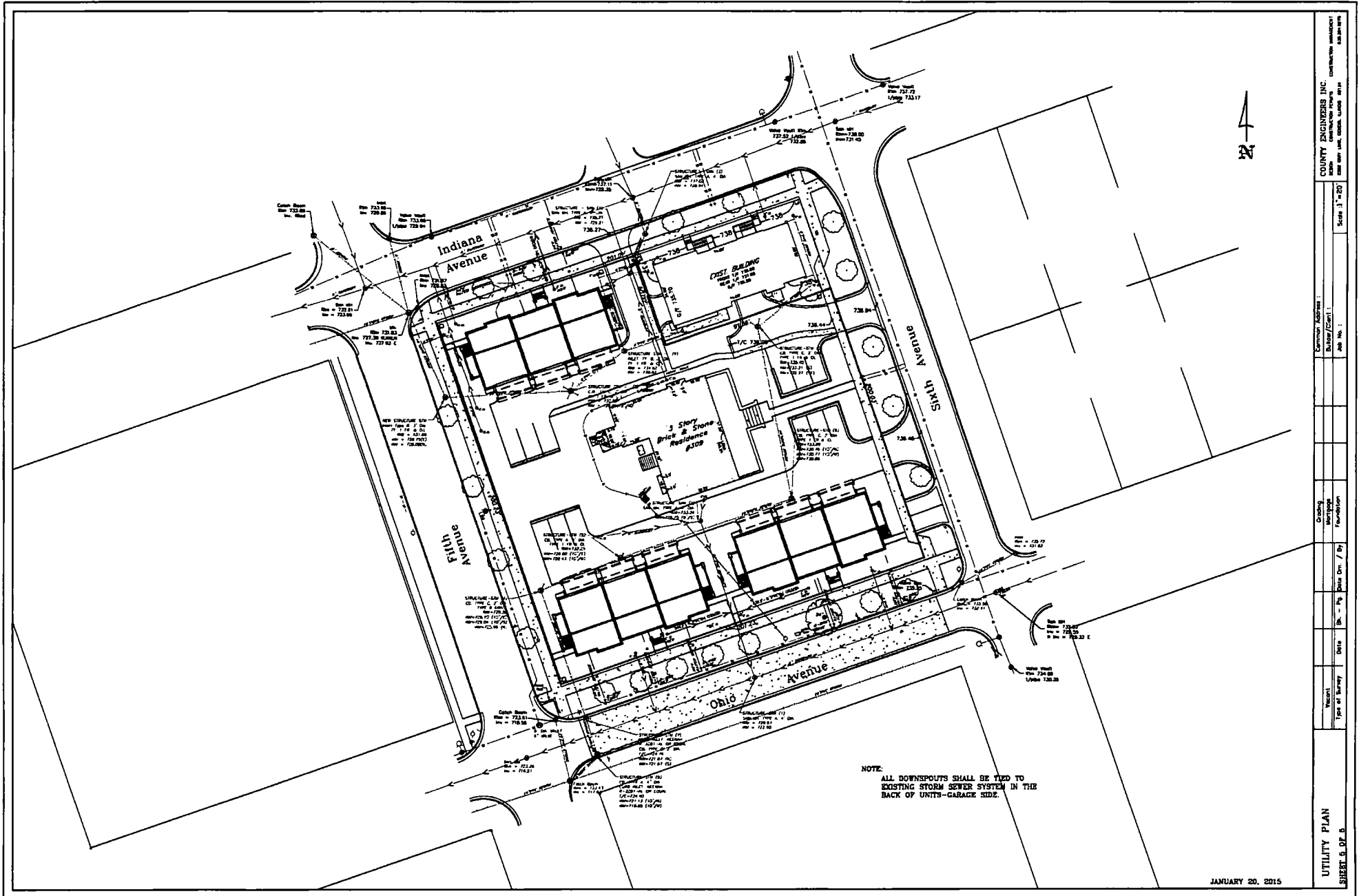
JANUARY 20, 2015





JANUARY 20, 2015

<b>GRADING PLAN</b> <b>SHEET 4 OF 5</b>		Common Address : Block/Chart : Job No. :	Scale : 1" = 20' Date :	COUNTY ENGINEERS INC. REGISTERED PROFESSIONAL ENGINEERS 1008 WEST 10TH AVENUE, SUITE 100 DENVER, COLORADO 80202
Grading Foundation	Date Dn / By Date	No. of Sheets Type of Survey	No. of Sheets Type of Survey	No. of Sheets Type of Survey



NOTE:  
ALL DOWNSPOUTS SHALL BE TIED TO  
EXISTING STORM SEWER SYSTEM IN THE  
BACK OF UNITS - GARAGE SIDE.

JANUARY 20, 2015

UTILITY PLAN SHEET 5 OF 5	Worksheet: Type of Survey:	Date:	Sh. - Pg.	Date:	Status:	Grading Multipipe Foundation	Common Address: Building/Cont.: Job No.:	COUNTY ENGINEERS, INC. ENGINEERS 1000 W. 10th St., Suite 100 Des Moines, IA 50319 Phone: 515-281-1111 Fax: 515-281-1112
								Scale: 1" = 20' Date:



Common Address:	
Builder/Client:	
Job No.:	
Scale:	NTS
Grading	
Manholes	
Foundation	
Bk. - Pg.	Date Dm. / M / Yr
Version	Date
Type of Survey	

**P.L.N. NUMBERS:**  
 09-34-208-003  
 09-34-208-004  
 09-34-208-006  
 07-34-208-007  
 07-34-208-008  
 07-34-208-009

# PLAT OF SUBDIVISION HERITAGE GREEN

PARCEL 1 AND LOTS 2 THROUGH 4 ALL INCLUSIVE IN FOXWOOD SQUARE PLANNED UNIT DEVELOPMENT, IN THE CITY OF SAINT CHARLES, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF, RECORDED JULY 30, 2007, AS DOCUMENT NO. 2007K079082, IN KANE COUNTY, ILLINOIS.

**DIRECTOR OF COMMUNITY DEVELOPMENT (or Designee)**  
 STATE OF ILLINOIS )  
 COUNTY OF KANE ) ss

I, \_\_\_\_\_ do hereby certify that the required improvements have been installed, or the required guarantees have been posted for the completion of all required land improvements.

Director of Community Development  
 Dated at \_\_\_\_\_ Illinois, this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20\_\_

**CITY COUNCIL CERTIFICATE**  
 Approved and accepted this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20\_\_  
 CITY COUNCIL OF CITY OF  
 ST. CHARLES, ILLINOIS

Mayor  
 Attest:  
 City Clerk

**COUNTY CLERK CERTIFICATE**  
 STATE OF ILLINOIS )  
 COUNTY OF KANE ) ss

I, \_\_\_\_\_ County Clerk of Kane County, Illinois, do hereby certify that there are no outstanding general taxes, no unpaid forfeited taxes, and no responsible tax sales against any of the lots 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 \_\_\_\_\_ Illinois, this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20\_\_  
 County Clerk

**ILLINOIS DEPARTMENT OF TRANSPORTATION**  
 STATE OF ILLINOIS )  
 CITY OF ST. CHARLES ) ss

This plat has been approved by the Illinois Department of Transportation with respect to roadway access pursuant to Section 2 of "An Act to amend the law in relation to plats", as amended, a plan that meets the requirements contained in the Department's "Policy on Permits for Access Driveways to State Highways" will be required by the Department.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20\_\_  
 By \_\_\_\_\_

**PLAN COMMISSION CERTIFICATE**  
 STATE OF ILLINOIS )  
 COUNTY OF KANE ) ss

Approved this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20\_\_  
 CITY OF ST. CHARLES PLAN COMMISSION  
 Chairman

**OWNER'S CERTIFICATE**  
 STATE OF ILLINOIS )  
 COUNTY OF KANE ) ss

This is to certify that the undersigned is the owner of the land described in the annexed plat, and that he has caused the same to be surveyed and subdivided as indicated therein, for the use and purposes therein set forth, and does hereby acknowledge and accept the same under the style and title therein indicated.

Also, this is to certify that property being subdivided hereunder, and to the best of the owner's knowledge and belief, said subdivision has entirely within the limits of:  
 St. Charles Community Unit School District 303.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20\_\_

**NOTARY CERTIFICATE**  
 STATE OF ILLINOIS ) SS  
 COUNTY OF KANE )

I, \_\_\_\_\_ a Notary Public, in and for said county, in the state aforesaid, do hereby certify that \_\_\_\_\_ personally known to me to be the same person whose name is subscribed to the foregoing instrument as such owner, appeared before me this day in person and acknowledged that they signed and delivered the annexed plat as their own free and voluntary act for the use and purposes therein set forth.

GIVEN under my hand and seal of \_\_\_\_\_ Illinois, this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20\_\_ at \_\_\_\_\_ Illinois  
 Notary Public

**MORTGAGEE'S CERTIFICATION**

Approved and accepted by \_\_\_\_\_ as Mortgagee

Dated at \_\_\_\_\_ Illinois, this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20\_\_

By \_\_\_\_\_  
 Attest: \_\_\_\_\_

**SURVEYOR'S CERTIFICATE**  
 STATE OF ILLINOIS )  
 COUNTY OF DUPAGE ) ss

This is to certify that I, \_\_\_\_\_ Illinois Registered Land Surveyor No. \_\_\_\_\_ have surveyed and subdivided the following described property:

PARCEL 1 AND LOTS 2 THROUGH 4 ALL INCLUSIVE IN FOXWOOD SQUARE PLANNED UNIT DEVELOPMENT, IN THE CITY OF SAINT CHARLES, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF, RECORDED JULY 30, 2007, AS DOCUMENT NO. 2007K079082, IN KANE COUNTY, ILLINOIS.

GIVEN under my hand and seal of \_\_\_\_\_ Illinois, this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20\_\_

Harbert Lambert, P.L.S.  
 Illinois Registered Land Surveyor  
 No. \_\_\_\_\_

**UTILITY EASEMENT PROVISIONS**

A permanent, non-exclusive easement is hereby reserved for and granted to the CITY OF ST. CHARLES (HEREINAFTER "CITY") and to ALL PUBLIC UTILITY COMPANIES OF ANY KIND OPERATING UNDER FRANCHISE AGREEMENT GRANTED THEM EASEMENT RIGHTS FROM THE CITY OF ST. CHARLES, INCLUDING BUT NOT LIMITED TO, BEECH GROVE GAS COMPANY, COMCAST CABLE AND TO THEIR SUCCESSORS AND ASSIGNS (HEREINAFTER "UTILITIES") IN, UPON, ACROSS, UNDER AND THROUGH ALL LOTS AND PARCELS SHOWN HEREON FOR THE PURPOSES OF INSTALLING, MAINTAINING, OPERATING, REPAIRING, REPLACING, IMPROVING, ENLARGING, ALTERING, CHANGING, RELOCATING, EXTENDING, LEASING AND MAINTAINING ELECTRICAL, CABLE TELEVISION, COMMUNICATION, GAS TELEPHONE OR OTHER UTILITY LINES OR APPURTENANCES, SANITARY SEWER, STORM SEWER, DRAINAGE DRAINS, STORM WATER DETENTION OR RETENTION BASINS, AND ANY AND ALL CHANNELS, PIPES, TRENCHES, TUBES, DITCHES, EGRESS TRENCHES, AND WITHOUT LIMITATION SUCH OTHER INSTALLATIONS AS MAY BE REQUIRED TO FURNISH PUBLIC UTILITY SERVICE TO THE BUSINESS AREA, AND SUCH IMPROVEMENTS AND INSTALLATIONS AS SAID CITY AND UTILITIES MAY DEEM REASONABLY NECESSARY, TOGETHER WITH THE RIGHT OF ACCESS THEREFOR FOR THE NECESSARY MATERIALS AND EQUIPMENT TO GO ANY OF ALL OF THE ABOVE NOW, HERETO OR IN THE FUTURE, SHALL BE REQUIRED TO RESTORE THE EASEMENT PROVIDED BY PROPERTY GRANTS AND RESTORING THE SURFACE TREATMENT (E.G. PAVING, ETC.) TO THE SATISFACTION OF THE CITY. THE RESTORATION SHALL BE COMPLETED WITHIN THE SUBSTANTIAL COMPLETION OF SUCH WORK. THE RIGHT IS ALSO HEREBY GRANTED TO SAID CITY AND UTILITY COMPANIES TO CUT DOWN, REMOVE OR REMOVE ANY TREES, SHRUBS OR OTHER PLANTS AND OBJECTS THAT INTERFERE WITH THE OPERATION OF ACCESS TO SAID CITY AND UTILITY INSTALLATIONS, IN, UPON, ACROSS, UNDER OR THROUGH SAID EASEMENT. SAID EASEMENT MAY BE USED FOR PLANTING OF TREES AND LANDSCAPING AND OTHER PURPOSES IN ACCORDANCE WITH FINAL PLANS APPROVED BY SAID CITY OF ST. CHARLES, AND PROVIDED SUCH PLANTING, LANDSCAPING OR OTHER PURPOSES DO NOT INTERFERE WITH THE OPERATION OF SAID CITY AND UTILITY INSTALLATIONS. SAID EASEMENT IS USED FOR STORM OR SANITARY SEWERS, OTHER UTILITY INSTALLATIONS SHALL BE SUBJECT TO THE PRIOR APPROVAL OF SAID CITY OF ST. CHARLES, SO AS NOT TO INTERFERE WITH THE GRANTY FLOW IN SAID SEWER OR SEWERS.

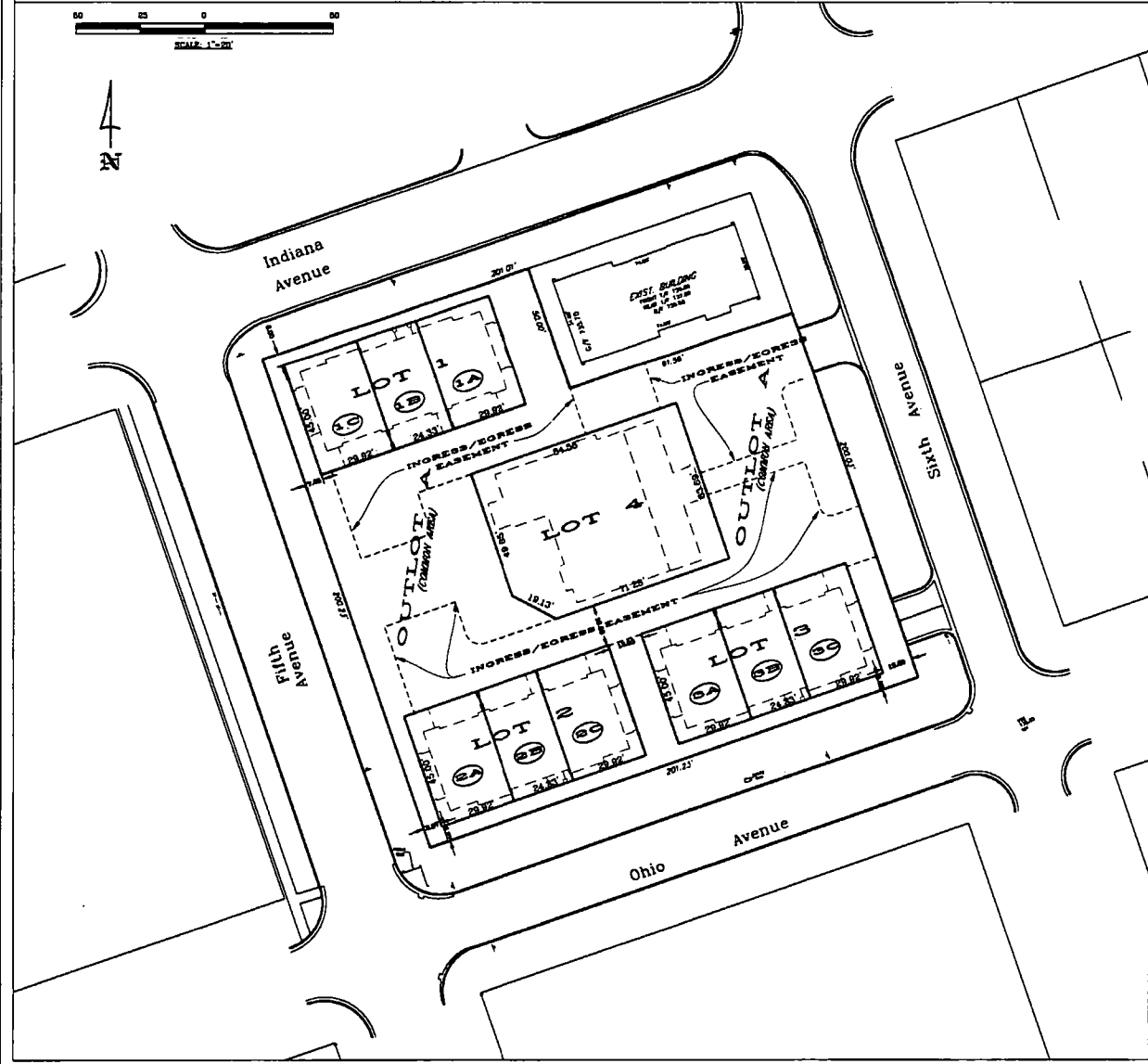
**SPECIAL FLOOD HAZARD AREA CERTIFICATE**

This is to certify that the parcels included in the nature of said (are/are not) located in any Special Flood Hazard Area identified for the City/Town/County of \_\_\_\_\_ Illinois by the Federal Emergency Management Agency in the Flood Insurance Rate Map, Parcel No. \_\_\_\_\_ Dated \_\_\_\_\_ 20\_\_

Illinois Registered Land Surveyor No. \_\_\_\_\_

**COUNTY ENGINEERS INC.**  
 PLANNING, DESIGN, CONSTRUCTION  
 2200 EAST LANE, CHICAGO, IL 60614  
 800.366.8976  
 COUNTENGR.COM

**LAMBERT & ASSOCIATES**  
 ILLINOIS PROFESSIONAL LAND SURVEYORS  
 823 N. WERTY AVE.  
 CHICAGO, IL 60617  
 848.653.1411  
 6 DESIGN FIRM NO 184-008311 JANUARY 20, 2013 SHEET 1 OF 1



RECEIVED  
St. Charles, IL  
CDP  
Planning Division

San MH  
Rim = 722.51  
Inv = 723.05

Rim 731.83  
Inv. 727.38 W.W.N.P.  
Inv. 727.93 E



Landscaping Plan  
BY LANDSCAPE SCAPES  
DATE: 01-11-11  
PROJECT: 11-11-11

Catch Basin  
Rim = 723.61  
Inv = 718.50

Indiana Avenue

Inlet  
Rim 731.97  
Inv. 728.83

San MH  
Rim = 727.11  
Inv = 728.35

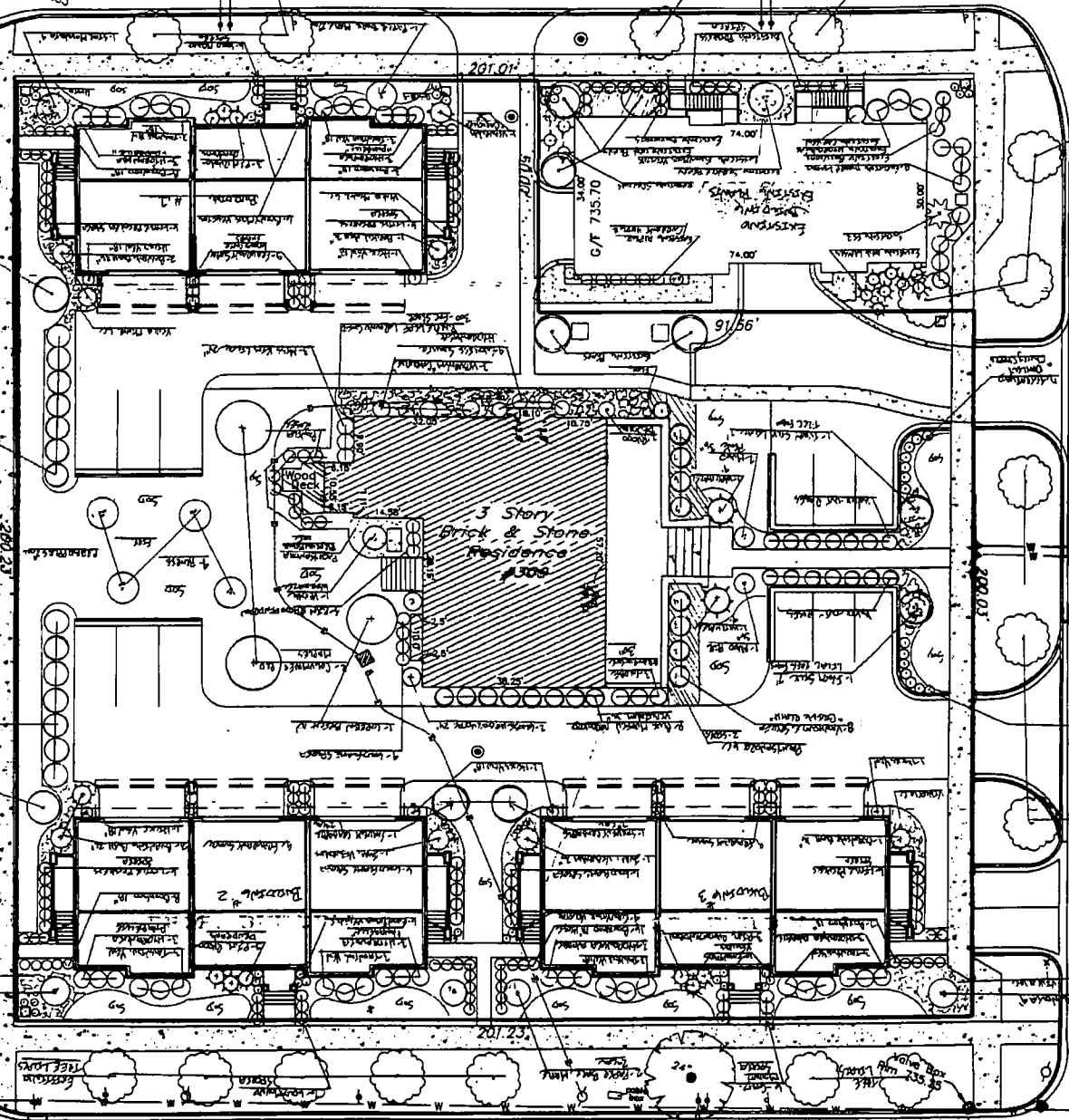
Value Vault Rim  
737.52 1/2 pipe  
752.86

San MH  
Rim = 738.00  
Inv = 731.45

Fifth Avenue

Sixth Avenue

Ohio Avenue



201.01

517.02

61.56

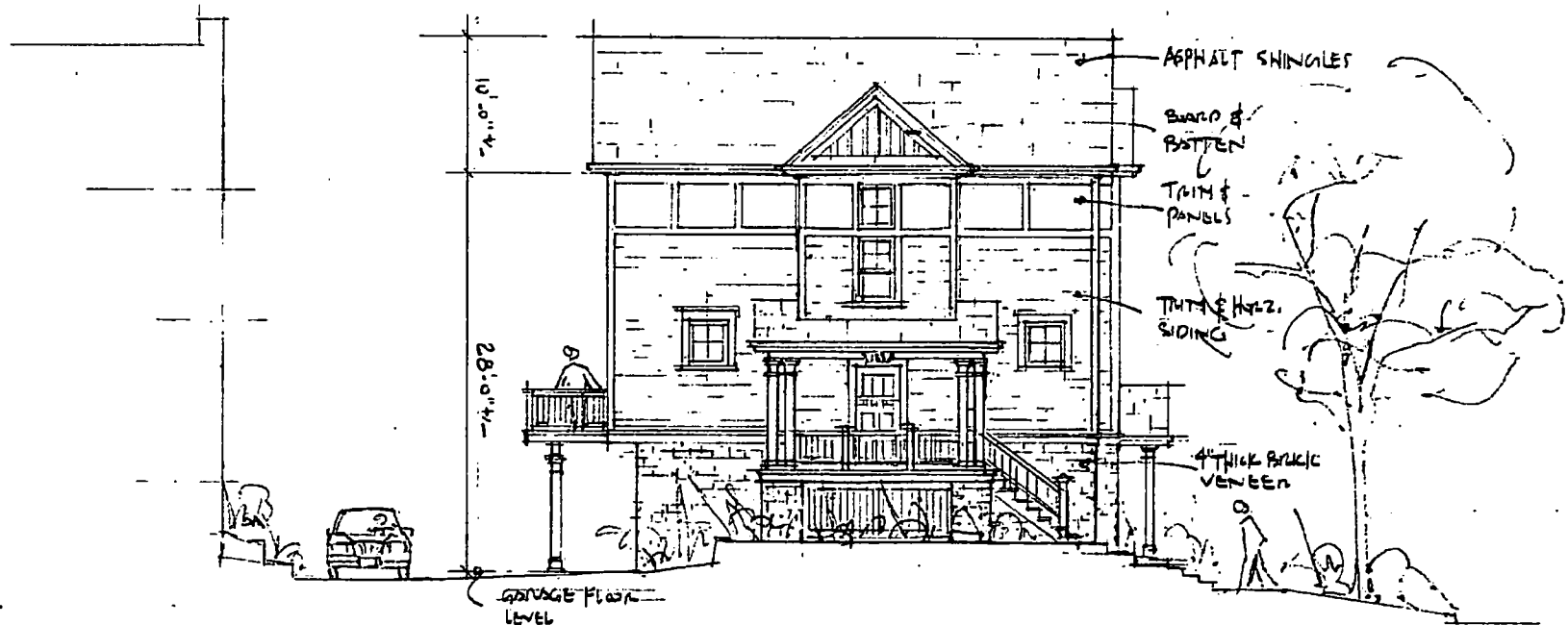
200.02

201.25

24.00

3.00

3.00



PRELIMINARY END ELEVATION 12.22.14  
 1/8" = 1'-0" MARSHALL ARCHITECTS  
 PROPOSED TOWN HOMES AT "HERITAGE GREEN"  
 (PREVIOUSLY KNOWN AS "FOXWOOD SQUARE P. U. D.")

SHEET \_\_\_\_\_  
 OF: 2



PRELIMINARY STREET SIDE ELEVATION 1-4-15

1/8" = 1'-0"

MARSHALL ARCHITECTS

PROPOSED TOWN HOMES AT "HERITAGE GREEN"

(PREVIOUSLY KNOWN AS "FOXWOOD SQUARE P.U.D.")

SHEET  
2  
OF 2



PRELIMINARY REAR ELEVATION 12.28.14

1/8" = 1'-0"

MARSHALL ARCHITECTS

PROPOSED TOWN HOMES AT "HERITAGE GREEN"

(PREVIOUSLY KNOWN AS "FOXWOOD SQUARE P.U.D.")

SHEET

3

OF 3



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.

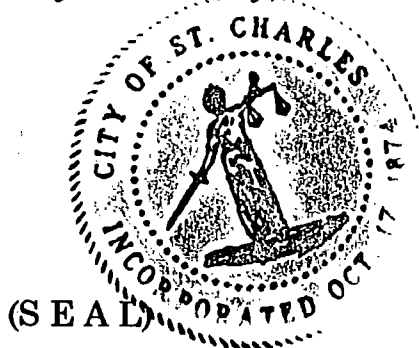
I further certify that on February 17, 2015, the Corporate Authorities of such municipality passed and approved Ordinance No. 2015-Z-3, entitled

"Motion to approve an Ordinance Granting Approval of  
a Map Amendment, Amendment to Special Use for  
Planned Unit Development and PUD Preliminary  
Plan for Heritage Green (Foxwood Square PUD, 309 S.  
6th Ave.)."

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

The pamphlet form of Ordinance No. 2015-Z-3, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on February 23, 2015, 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 17th  
day of February, 2015.



*Nancy Garrison*  
Municipal Clerk



## AGENDA ITEM EXECUTIVE SUMMARY

Title:	Recommendation to approve an Amendment to the Delnor PUD to permit an illuminated monument sign (975 N. 5 <sup>th</sup> Ave.)
Presenter:	Ellen Johnson

*Please check appropriate box:*

	Government Operations		Government Services
X	Planning & Development – (10/12/15)		City Council
	Public Hearing		

Estimated Cost:	N/A	Budgeted:	YES		NO	
-----------------	-----	-----------	-----	--	----	--

If NO, please explain how item will be funded:

**Executive Summary:**

The subject property, 975 N. 5<sup>th</sup> Ave., is the site of Delnor Glen Senior Living. Development of the property is subject to PUD Ordinance No. 2001-Z-38. Per the PUD ordinance, the monument sign at the entrance off of N. 5<sup>th</sup> Ave. may not be internally illuminated.

The applicant, Accurate Report, Inc., representing Delnor Glen, is seeking approval of an amendment to the Special Use for PUD to permit internal illumination of the existing monument sign.

**Plan Commission Recommendation**

The Plan Commission held a public hearing on the Special Use amendment on 9/22/15 and recommended approval by a vote of 7-0.

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

Plan Commission Resolution, Staff Report, Application for Special Use

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

Recommendation to approve an Amendment to the Special Use for Planned Unit Development for 975 N. 5<sup>th</sup> Ave. – Delnor PUD.

<i>For office use only:</i>	<i>Agenda Item Number:</i> 4c
-----------------------------	-------------------------------

**City of St. Charles, Illinois**  
**Plan Commission Resolution No. 15-2015**

**A Resolution Recommending Approval of an Application for an Amendment to  
Special Use for PUD Ordinance 2001-Z-38 to allow an illuminated monument  
sign at 975 N. 5<sup>th</sup> Avenue, Delnor PUD (Accurate Repro, Inc.)**

**Passed by Plan Commission on September 22, 2015**

WHEREAS, it is the responsibility of the St. Charles Plan Commission to hold public hearings and review requests for Special Uses; and

WHEREAS, the Plan Commission held a public hearing and has reviewed the petition for an Amendment to Special Use for PUD Ordinance 2001-Z-38 to allow an illuminated monument sign at 975 N. 5th Avenue, Delnor Glen PUD (Accurate Repro, Inc.); and

WHEREAS, the Plan Commission finds approval of said petition to be in the public interest of the City of St. Charles based upon the following criteria:

CRITERIA FOR PLANNED UNIT DEVELOPMENTS (PUDs)

- i. **The proposed PUD advances one or more of the purposes of the Planned Unit Development procedure stated in Section 17.04.400.A:**
- 1. To promote a creative approach to site improvements and building design that results in a distinctive, attractive development that has a strong sense of place, yet becomes an integral part of the community.**
  - 2. To create places oriented to the pedestrian that promote physical activity and social interaction, including but not limited to walkable neighborhoods, usable open space and recreational facilities for the enjoyment of all.**
  - 3. To encourage a harmonious mix of land uses and a variety of housing types and prices.**
  - 4. To preserve native vegetation, topographic and geological features, and environmentally sensitive areas.**
  - 5. To promote the economical development and efficient use of land, utilities, street improvements, drainage facilities, structures and other facilities.**
  - 6. To encourage redevelopment of sites containing obsolete or inappropriate buildings or uses.**
  - 7. To encourage a collaborative process among developers, neighboring property owners and residents, governmental bodies and the community.**

The PUD is already established and the proposed amendment does not have an adverse impact on the purposes that were advanced by the creation of the PUD.

**Resolution 15-2015**

- 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:**
  - B. Conforming to the requirements would inhibit creative design that serves community goals, or**
  - C. 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.**

Relief from the zoning ordinance requirement that prohibits illuminated signage in the RM-2 zoning district is warranted due to the zones being split between the east and west side of Fifth Avenue. For consistency it is suggested to allow for the same sign design illumination and style as set forth by the neighboring 964 N. Fifth Avenue location.

- iii. **The proposed PUD conforms with the standards applicable to Special uses (section 17.04.330.C.0):**

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

No impact.

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

No impact.

- 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.**

No impact.

- 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.**

No impact.

**Resolution 15-2015**

**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.**

No impact.

**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.**

No impact.

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

No impact.

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

No impact.

NOW, THEREFORE, be it resolved by the St. Charles Plan Commission to recommend to City Council approval of an Amendment to Special Use for PUD Ordinance 2001-Z-38 to allow an illuminated monument sign at 975 N. 5th Avenue, Delnor Glen PUD (Accurate Repro, Inc.).

Roll Call Vote:

Ayes: Wallace, Kessler, Doyle, Holderfield, Pretz, Macklin-Purdy, Spruth

Nays:

Absent: Frio, Schuetz

Motion carried: 7-0

PASSED, this 22nd day of September 2015.

---

Chairman  
St. Charles Plan Commission

Community & Economic Development  
 Planning Division

Phone: (630) 377-4443  
 Fax: (630) 377-4062



**Staff Report**

**TO:** Chairman Todd Bancroft  
 And Members of the Planning & Development Committee

**FROM:** Ellen Johnson, Planner

**RE:** Amendment to Special Use for Planned Unit Development – Delnor PUD (975 N. 5<sup>th</sup> Ave.)

**DATE:** October 6, 2015

**I. APPLICATION INFORMATION**

**Project Name:** Delnor PUD, 975 N. 5<sup>th</sup> Ave.

**Applicant:** Accurate Repor, Inc.

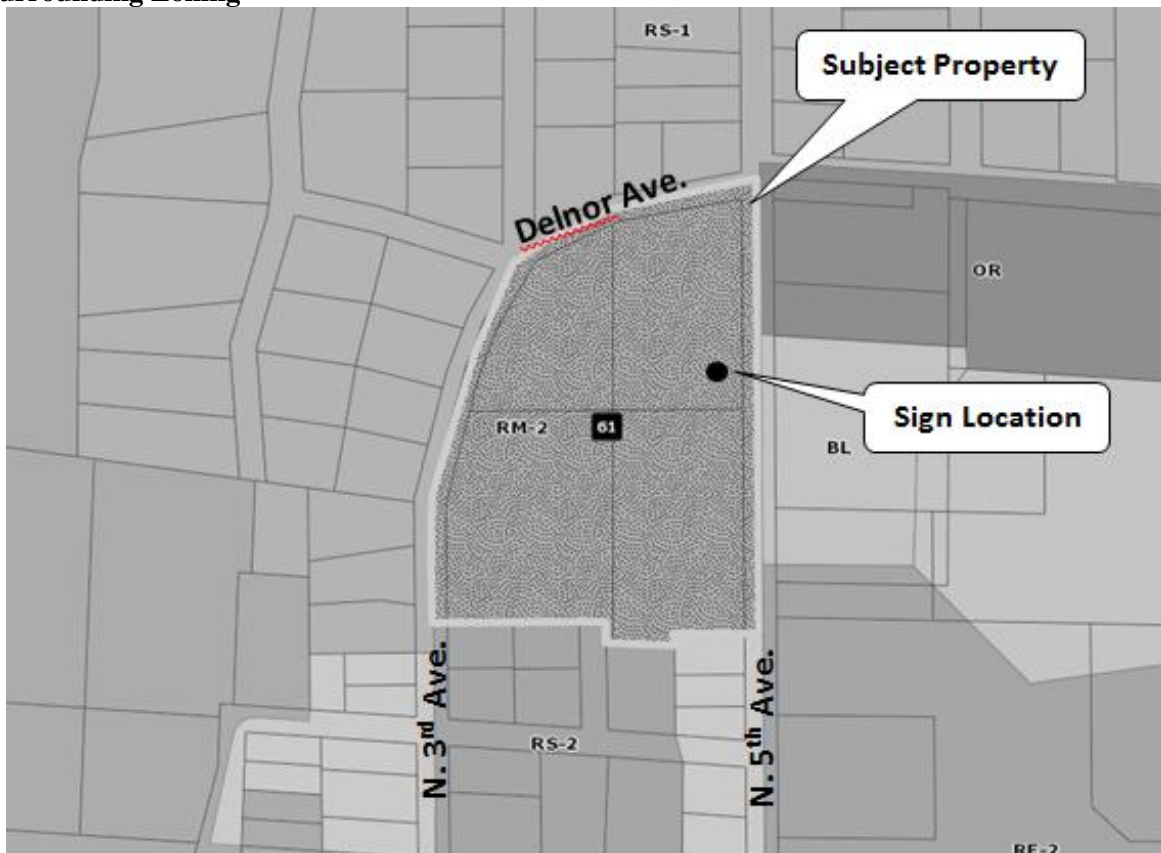
**Purpose:** Amend the Delnor PUD to allow one illuminated monument sign on the property.

<b>General Information:</b>		
<b>Site Information</b>		
Location	975 N. 5 <sup>th</sup> Ave.	
Acres	8.8 acres	
Applications	<b>1) Special Use for a Planned Unit Development</b>	
Applicable Ordinances and Zoning Code Sections	17.04 Administration 17.28 Signs Ordinance No. 2001-Z-38 “An Ordinance amending Special Use Ordinance No. 1997-M-116 and Granting a Special Use as a Planned Unit Development (Delnor PUD)”	
<b>Existing Conditions</b>		
Land Use	Residential- assisted living facility; age-restricted townhomes	
Zoning	RM-2 Medium Density Multi-Family Residential (Delnor PUD)	
<b>Zoning Summary</b>		
North	RS-1 Low Density Suburban Single-Family Residential	Single-family homes
East	OR Office/Research BL Local Business RE-2 Single-Family Estate	St. Charles Episcopal Church; medical offices
South	RS-2 Suburban Single-Family Residential RT-1 Traditional Single-Family Residential	Single-family homes
West	RS-1 Low Density Suburban Single-Family Residential	Single-family homes
<b>Comprehensive Plan Designation</b>		
Multi-Family Residential; Single-Family Attached Residential		

**Aerial Photo**



**Surrounding Zoning**



## II. BACKGROUND

The subject property is the site of Delnor Glen Senior Living. The complex consists of 80 assisted living units in the former Delnor Hospital building and 28 independent living townhome units.

Conversion of the former Delnor Hospital building into an assisted living facility was approved in 1997 under Ordinance No. 1997-M-116 “An Ordinance Repealing Special use Ordinance No. 1977-Z-31 and Granting a Special Use as a Planned Unit Development (Delnor Assisted Living Center PUD)”, and the facility opened in 1998. In 2001, Ordinance No. 2001-Z-38 “An Ordinance Amending Special Use Ordinance No. 1997-M-116 and Granting a Special Use as a Planned Unit Development (Delnor PUD)” was approved. This ordinance amended the PUD to include additional property for construction of the townhomes.

The site plan, architectural elevations, and landscape plan for the assisted living facility from the 1997 ordinance were incorporated into the 2001 ordinance. These plans provide a rendering of a monument sign and show the location of the sign at the north side of the entrance drive off of N. 5<sup>th</sup> Ave.

In March 2015, staff approved permit plans for a new monument sign to replace the existing monument sign at the entrance off of N. 5<sup>th</sup> Ave. Staff determined replacement of the monument sign would be an “Authorized Administrative Change to the PUD” under Section 17.04.430.C of the Zoning Ordinance, due to the fact that the sign complied with applicable Zoning Ordinance sign standards and would be located in the same location, would be approximately the same size, would utilize brick to match the building, would not be internally illuminated, and that the landscaping around the sign would be the same. The new sign was installed in May 2015.

## III. PROPOSAL

Accurate Repro, Inc., represented by Scott Ladendorf, has applied for a PUD amendment on behalf of Peggy Faught, Executive Director of Delnor Glen Senior Living, in order to permit internal illumination of the monument sign on the property. Details of the proposal are as follows:

- Amend Ordinance No. 2001-Z-38 to add language stating that one monument sign may be internally illuminated.
- The existing monument sign at the entrance off of N. 5<sup>th</sup> Ave. would be internally illuminated.

## IV. ANALYSIS

### A. SIGN REGULATIONS

Ordinance No. 2001-Z-38 states,

*“The Subject Realty may be developed only in accordance with all ordinances of the City as now in effect or hereafter amended and in accordance with the additional procedures, definitions, uses and restrictions contained herein and set forth in Exhibits B, C, and D.”*

There is no language in the ordinance regarding sign requirements. Therefore, the sign requirements of the Zoning Ordinance apply to this property.

The property is zoned RM-2 Medium Density Multi-Family Residential. Per **Ch. 17.28 Signs, Table 17.28-1**, development identification signs, *“shall not be internally illuminated”*.

Because deviations from Zoning Ordinance requirements may be granted through a PUD ordinance, Ordinance No. 2001-Z-38 may be amended to permit an internally illuminated monument sign on the property.



The applicant states in the application materials that the property across the street, 960-970 N. 5<sup>th</sup> Ave., which is also owned and operated by Cadence Health/Northwestern Medicine, has an internally illuminated monument sign. This property is used for medical offices and is zoned BL Local Business. Internally illuminated signage is permitted in the BL zoning district. The applicant's intent is for the Delnor Glen sign to match the design of the sign at 960-970 N. 5<sup>th</sup> Ave.

**B. PUD AMENDMENT LANGUAGE**

Below is the proposed amendment to Ordinance No. 2001-Z-38, Section 3.A “Zoning Requirements and Standards”:

*4. Signage: One monument sign, the location of which is illustrated in Exhibit C, may be internally illuminated.*

**V. PLAN COMMISSINO RECOMMENDATION**

The Plan Commission held a public hearing on the Special Use for PUD amendment on 9/22/15 and voted 7-0 to recommend approval.

**VI. ATTACHMENTS**

- Application for Special Use; received 7/16/2015
- Sign Rendering; dated 3/20/2015
- Photo of existing sign
- Excerpt from Ordinance No. 2001-Z-38 (Exhibit C)

# CITY OF ST. CHARLES

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



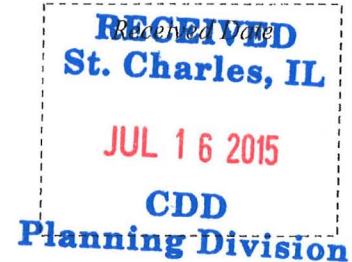
COMMUNITY & ECONOMIC DEV./PLANNING DIVISION

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

## SPECIAL USE APPLICATION

(To request a Special Use or Amendment, or a Special Use for PUD or Amendment)

<b>For City Use</b>	
Project Name:	<u>Delnor PUD - sign Amendment</u>
Project Number:	<u>2015 -PR- 015</u>
Application Number:	<u>2015 -AP- 024</u>



*To request a Special Use for a property, or to request to amend an existing Special Use Ordinance for a property, complete this application and submit it with all required attachments to the Planning Division.*

*City staff will review submittals for completeness and for compliance with applicable requirements prior to establishing a public hearing date for an application.*

*The information you provide must be complete and accurate. If you have a question please call the Planning Division and we will be happy to assist you.*

<b>1. Property Information:</b>	Location: 975 North 5th Avenue	
	Parcel Number (s): 09-27-178-011.000	
	Proposed Name: Delnor Glen Senior Living	
<b>2. Applicant Information:</b>	Name Accurate Repro, Inc	Phone 630.428.4433
	Address 2368 Corporate Lane, Suite 100 Naperville, IL. 60563	Fax 630.428.4449
		Email signs@accuraterepro.com
<b>3. Record Owner Information:</b>	Name Cadence Health	Phone 630.933.2000
	Address 25 N. Winfield Road Winfield, IL. 60190	Fax
		Email John.Yep@CadenceHealth.org

**Please check the type of application:**

- Special Use for Planned Unit Development - PUD Name:** \_\_\_\_\_
- New PUD
- Amendment to existing PUD- Ordinance #: 2001-Z-38
- PUD Preliminary Plan filed concurrently
- Other Special Use (from list in the Zoning Ordinance):** \_\_\_\_\_
- Newly established Special Use
- Amendment to an existing Special Use Ordinance #: \_\_\_\_\_

**Information Regarding Special Use:**

Comprehensive Plan designation of the property: \_\_\_\_\_

Is the property a designated Landmark or in a Historic District? No

What is the property's current zoning? RM-2 (Medium Density Multi-Family)

What is the property currently used for? Senior Living Facility

If the proposed Special Use is approved, what improvements or construction are planned?

We are proposing internally illuminating the new ground sign which is currently being installed as a non-illuminated box sign.

**For Special Use Amendments only:**

Why is the proposed change necessary?

For consistency and visibility. The adjacent property, 964 N. 5th Avenue, is also owned and operated by Cadence Health; the proposed sign is to be consistent in design & aesthetics as with 964 N. 5th Avenue

What are the proposed amendments? (Attach proposed language if necessary)

Add language under section 3.A.

One monument sign, the location of which is illustrated in Exhibit C, may be internally illuminated.

**Note for existing buildings:**

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

**Attachment Checklist:**

*If multiple zoning or subdivision applications will be submitted concurrently, do not submit duplicate checklist items or plans. Fee must be paid for each application.*

**□ APPLICATION FEE:**

Application fee in accordance with Appendix B of the Zoning Ordinance. (Special Use for PUD \$1,000; all other Special Use requests \$750)

**□ 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.

**□ REIMBURSEMENT OF FEES INITIAL DEPOSIT:**

Deposit of funds in escrow with the City. Required deposit is based on review items (number of applications filed) and the size of the site:

Number of Review Items	Under 5 Acres	5-15 Acres	16-75 Acres	Over 75 Acres
1	\$1,000	\$2,000	\$3,000	\$4,000
2 or 3	\$2,000	\$4,000	\$5,000	\$7,000
4 or more	\$3,000	\$5,000	\$7,000	\$10,000

**□ 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%).

*NOTE: Private covenants and deed restrictions can limit private property rights with respect to the use of land even though the City's Zoning Ordinance may authorize the use or a less restrictive use. We strongly advise that you perform a title search on the property to determine if there any private covenants containing use restrictions or other deed restrictions. As those private covenants and deed restrictions may conflict with the City's Zoning Ordinance, it is further recommended that you consult with an attorney to obtain an opinion with respect to whether your intended use is compatible with those restrictions.*

**□ LEGAL DESCRIPTION:** For entire subject property, on 8 1/2 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.

**□ FINDINGS OF FACT:**

Fill out the attached forms or submit responses on a separate sheet (*Submit "Criteria for PUD" for any PUD application; "Findings for Special Use" for all other Special Use applications.*)

**□ LIST OF PROPERTY OWNERS WITHIN 250 FT.:**

Fill out the attached form or submit on a separate sheet. The form or the list must be signed and notarized.

❑ **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/>

*Submit the application form and fee directly to the Kane-DuPage Soil and Water Conservation District. Provide a copy with this application.*

❑ **ENDANGERED SPECIES REPORT:**

Copy of Endangered Species Consultation Agency Action to be filed with the Illinois Department of Natural Resources. <http://dnr.illinois.gov/EcoPublic/>

*Fill out the online form, print the report and submit with this application.*

❑ **TRAFFIC STUDY:** If requested by the Director of Community Development.

*Staff will advise you whether a traffic study is recommended based on the project. Regardless, the Plan Commission or City Council may request a traffic study as a part of the review process.*

❑ **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 - Ten (10) full size copies, Three (3) 11" by 17", and a PDF electronic file (On a CD-ROM or may be emailed to the Project Manager). For subsequent submittals, please contact the Project Manager to determine how many copies are required.


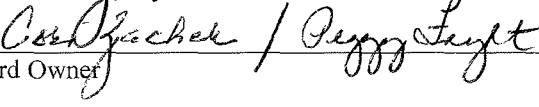
❑ **SITE PLAN (Note: For a Special Use for PUD, submit PUD Preliminary Plan Application in lieu of Site Plan)**

A plan or plans showing the following information:

1. Accurate boundary lines with dimensions
2. Streets on and adjacent to the tract: Name and right-of-way width
3. Location, size, shape, height, and use of existing and proposed structures
4. Location and description of streets, sidewalks, and fences
5. Surrounding land uses
6. Date, north point, and scale
7. Ground elevation contour lines
8. Building/use setback lines
9. Location of any significant natural features
10. Location of any 100-year recurrence interval floodplain and floodway boundaries
11. Location and classification of wetland areas as delineated in the National Wetlands Inventory
12. Existing zoning classification of property
13. Existing and proposed land use
14. Area of property in square feet and acres
15. Proposed off-street parking and loading areas
16. Number of parking spaces provided, and number required by ordinance
17. Angle of parking spaces
18. Parking space dimensions and aisle widths
19. Driveway radii at the street curb line
20. Width of driveways at sidewalk and street curb line

- 21. Provision of handicapped parking spaces
- 22. Dimensions of handicapped parking spaces
- 23. Depressed ramps available to handicapped parking spaces
- 24. Location, dimensions and elevations of freestanding signs
- 25. Location and elevations of trash enclosures
- 26. Provision for required screening, if applicable
- 27. Exterior lighting plans showing:
  - a. Location, height, intensity and fixture type of all proposed exterior lighting
  - b. Photometric information pertaining to locations of proposed lighting fixtures

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

  
 / \_\_\_\_\_  
 Record Owner \_\_\_\_\_ Date 6/30/15



\_\_\_\_\_  
 Applicant or Authorized Agent Date

## CRITERIA FOR PLANNED UNIT DEVELOPMENTS (PUDs)

*\*For Special Use for PUD or PUD Amendment applications.\**

*The St. Charles Zoning Ordinance requires the Plan Commission to consider the criteria listed below in making a recommendation to the City Council on whether a proposed Planned Unit Development is in the public interest.*



*As the applicant, the "burden of proof" is on you to provide information that addresses the criteria below in order to demonstrate that the project is in the public interest.*

*(You may utilize this form or provide the responses on another sheet.)*

2001-Z-38

PUD Name

Date

### **From the St. Charles Zoning Ordinance, Section 17.04.410.3:**

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

- i. The proposed PUD advances one or more of the purposes of the Planned Unit Development procedure stated in Section 17.04.400.A:**
  1. To promote a creative approach to site improvements and building design that results in a distinctive, attractive development that has a strong sense of place, yet becomes an integral part of the community.
  2. To create places oriented to the pedestrian that promote physical activity and social interaction, including but not limited to walkable neighborhoods, usable open space and recreational facilities for the enjoyment of all.
  3. To encourage a harmonious mix of land uses and a variety of housing types and prices.
  4. To preserve native vegetation, topographic and geological features, and environmentally sensitive areas.
  5. To promote the economical development and efficient use of land, utilities, street improvements, drainage facilities, structures and other facilities.
  6. To encourage redevelopment of sites containing obsolete or inappropriate buildings or uses.
  7. To encourage a collaborative process among developers, neighboring property owners and residents, governmental bodies and the community

The PUD is already established and the proposed amendment does not have an adverse impact on the purposes that were advanced by the creation of the PUD

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

- A. **Conforming to the requirements would inhibit creative design that serves community goals, or**
- B. **Conforming to the requirements would be impractical and the proposed PUD will provide benefits that outweigh those that would have been realized by conforming to the applicable requirements.**

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

1. The PUD will provide community amenities beyond those required by ordinance, such as recreational facilities, public plazas, gardens, public art, pedestrian and transit facilities.
2. The PUD will preserve open space, natural beauty and critical environmental areas in excess of what is required by ordinance or other regulation.
3. The PUD will provide superior landscaping, buffering or screening.
4. The buildings within the PUD offer high quality architectural design.
5. The PUD provides for energy efficient building and site design.
6. The PUD provides for the use of innovative stormwater management techniques.
7. The PUD provides accessible dwelling units in numbers or with features beyond what is required by the Americans with Disabilities Act (ADA) or other applicable codes.
8. The PUD provides affordable dwelling units in conformance with, or in excess of, City policies and ordinances.
9. The PUD preserves historic buildings, sites or neighborhoods.

Relief from the zoning ordinance requirement that prohibits illuminated signage in the RM-2 zoning district is warranted due to the zones being split between the east & west side of Fifth Avenue. For consistency it is suggested to allow for the same sign design illumination & style as set forth by the neighboring 964 N. Fifth Avenue location.

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**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.

No impact

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

No impact

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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.

No impact

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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.

No impact

\_\_\_\_\_

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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.

No impact

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- 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.

No impact

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

No impact

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

No impact

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LETTER OF AUTHORIZATION TO OBTAIN A SPECIAL USE AMENDMENT

June 26, 2015

To whom it may concern:

I, Peggy Faught, as agent for the property listed as Delnor Glen Senior Living, 975 North Fifth Ave., St. Charles, IL 60174, do authorize Scott Ladendorf of Accurate Repro Inc. or his signed agent to pursue a Special Use Amendment pertaining to an illuminated ground sign for the above referenced property on my behalf.

Peggy Faught, Executive Director, Agent

June 26, 2015

[Peggy.Faught@Cadencehealth.org](mailto:Peggy.Faught@Cadencehealth.org)

630-443-8220

Sworn and subscribed to before me this 26<sup>th</sup> day of June, 2015 and being personally known to me as

Peggy Faught, Executive Director of Delnor Glen

Notary Public \_\_\_\_\_



My commission expires: 5/7/18

for State of Illinois

August 5, 2015

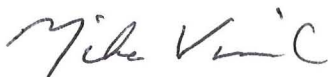
Ms. Ellen Johnson  
Planner  
City of St. Charles  
2 E. Main Street  
St. Charles, IL 60174

Dear Ms. Johnson,

In response to your inquiry of July 16, 2015, I am writing to advise that Peggy Faught, Executive Director of Delnor Glen Senior Living, represented by Scott Ladendorf of Accurate Repro, is authorized to apply on behalf of CDH-Delnor Health System d/b/a Cadence Health for approval of a Special Use Amendment from the City of St. Charles for the purpose of permitting an illuminated ground sign for Delnor Glen Senior Living located at 975 N. 5<sup>th</sup> Avenue, St. Charles, IL 60175.

Please do not hesitate to contact me if you should have any questions.

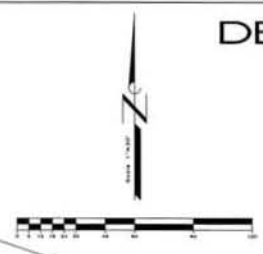
Sincerely,



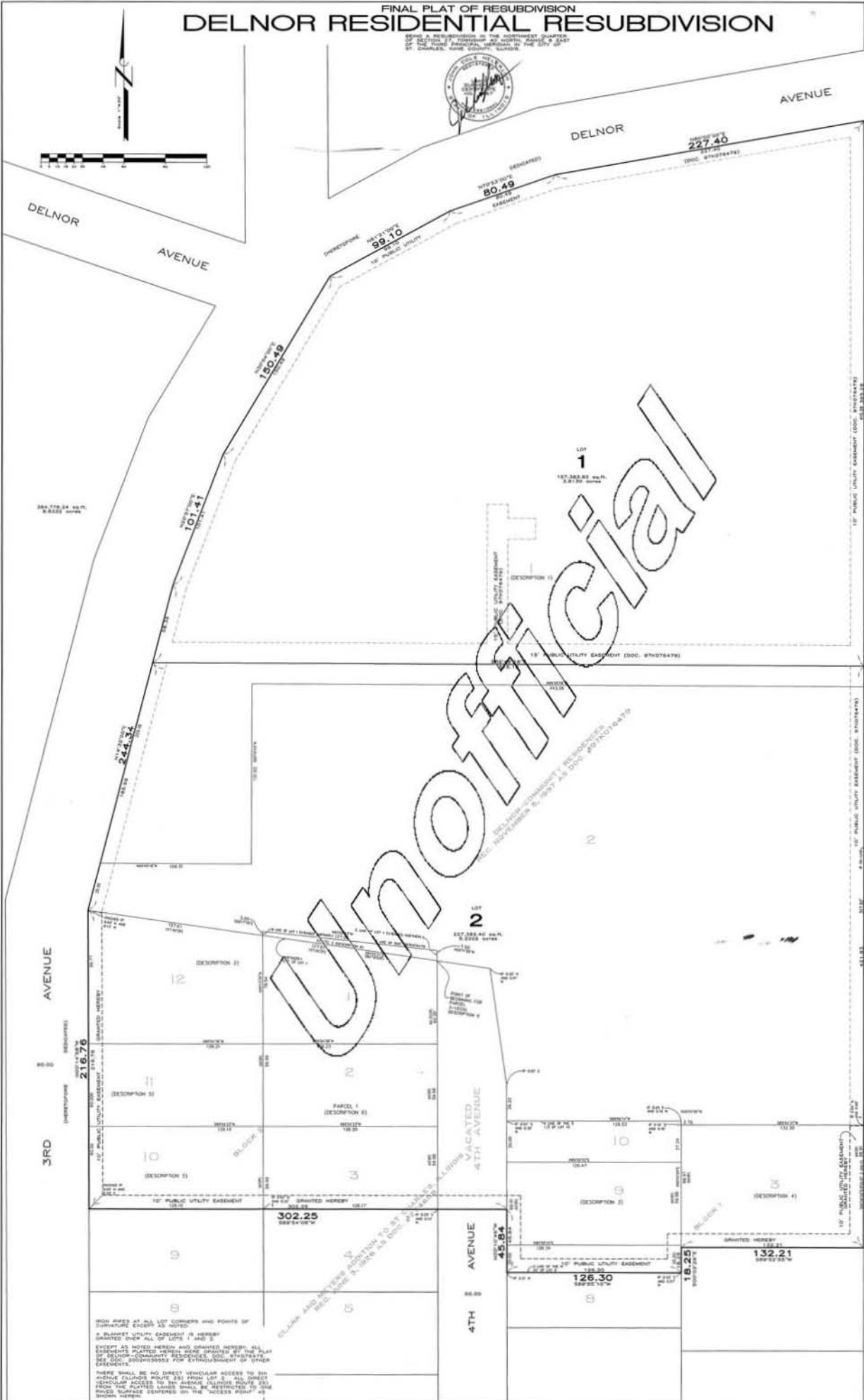
Mike Vivoda  
Senior Vice President, Corporate Development  
President, West Region  
Northwestern Memorial HealthCare

# FINAL PLAT OF RESUBDIVISION DELNOR RESIDENTIAL RESUBDIVISION

BEING A RESUBDIVISION OF THE NORTH-EAST QUARTER  
SECTION 10, TOWNSHIP 19 NORTH, RANGE 14 EAST  
OF THE 6TH PRINCIPAL MERIDIAN IN THE CITY OF  
CHARLES, HANE COUNTY, MISSOURI.



PREPARED BY: **Craig R. Knoche & Associates**  
 CIVIL ENGINEERS, P.C.  
 200240745015  
 DATE: JAN 19 2024



CORNERS AT ALL LOT CORNERS AND POINTS OF  
 DISCONTINUITY EXCEPT AS NOTED.  
 A PUBLIC UTILITY EASEMENT IS HEREBY  
 GRANTED OVER ALL OF LOTS 1 AND 2.  
 EXCEPT AS NOTED HEREIN AND GRANTED HEREIN, ALL  
 EASEMENTS PLATTED HEREIN WERE GRANTED BY THE PLAT  
 OF THE COMMUNITY RESUBDIVISION, DOC. # 200240745015  
 SEE DOC. # 200240745015 FOR EXTENSIVE LIST OF OTHER  
 EASEMENTS.  
 THERE SHALL BE NO DIRECT VEHICULAR ACCESS TO OR  
 FROM ANY LOT OR ROUTE 231 FROM LOT 1. ALL DIRECT  
 VEHICULAR ACCESS TO 5TH AVENUE (ROUTE 231)  
 FROM THE PLATTED LANDS SHALL BE RESTRICTED TO ONE  
 PAVED SURFACE CENTERED ON THE ACCESS POINT AS  
 SHOWN HEREIN.

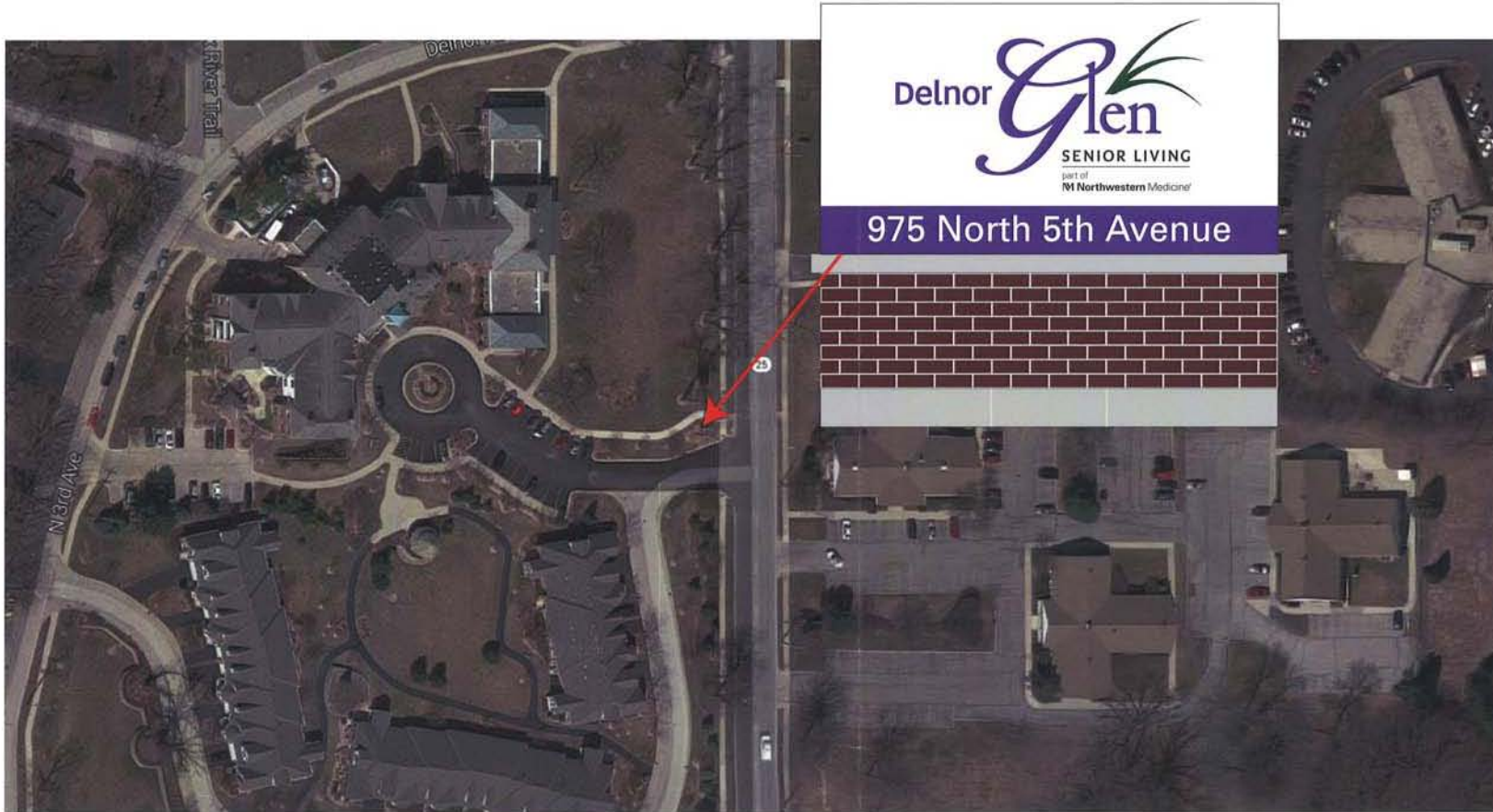
**PLAT OF RESUBDIVISION**

PREPARED FOR:

**Craig R. Knoche & Associates**  
 Civil Engineers, P.C.

DATE: 10-30-01  
 FILE: 1-025892  
 SHEET NO. 1-025

SHEET NO. 1  
 OF 2



**A** AERIAL  
Not to Scale

**Accurate Repro, Inc.**  
 Total Copy, Graphic & Sign Solution  
 2368 Corporate Lane, Suite 100  
 Naperville, IL 60563  
 P: (630) 428-4433 F: (630) 428-4449  
 www.accuraterepro.com

**Client Name:**  
Northwestern Medicine  
**Location:**  
Delnor Glen Senior Living  
 975 North 5th Avenue  
 St. Charles, IL

**Start Date:** 03/10/2015  
**Last Revision:** 03/20/2015  
**Job#:** N/A  
**Drawing#:** Delnor\_Glen\_v4  
**Page:** 3 of 3

.....  
 Client Approval  
 .....  
 .....  
 Landlord Approval

**Sales Rep:**  
Scott Ladendorf  
**Designer:**  
Scott Ladendorf



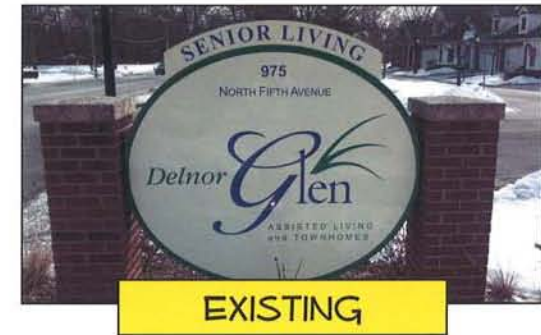
**NON-Illuminated Push-Through Style Monument Sign**

<b>Quantity:</b>	One (1)
<b>Faces:</b>	Two (2)
<b>Height:</b>	4'4"
<b>Length:</b>	8'0"
<b>Height from Grade:</b>	7'4"
<b>Total Square Feet:</b>	35 SF
<b>Depth:</b>	16"

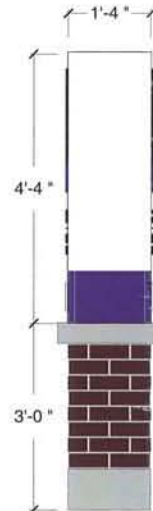
**Existing Conditions:**  
 Removal of existing stone base and signage  
 Dig & form new foundation in exact location of existing sign  
 New Brick base to match existing building brick  
 Landscaping to remain unchanged

**Electrical Notes:**  
 NO ELECTRICAL CONNECTIONS ALLOWED TO SIGN  
 Tie into existing ground lighting and stub into foundation  
 Electrical run is for possible future use pending PUD amendments  
 External Disconnect Switch  
 UL Approved & Labeled

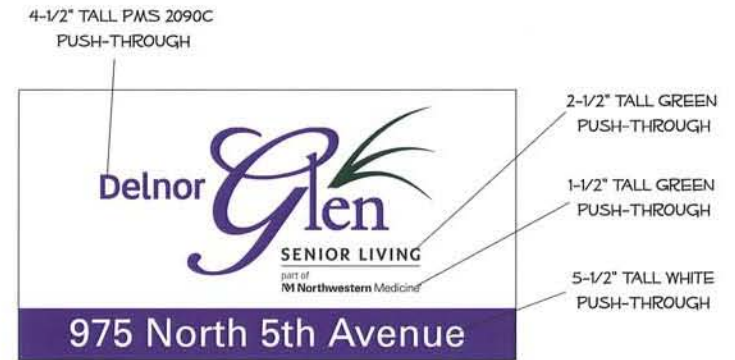
**Signage Notes:**  
 - 16" deep Extruded Aluminum Cabinets painted White & PMS 2090C  
 - .125" Shoe Boxed Aluminum Faces painted White & PMS 2090C  
 - 1/2" thick Acrylic Push Through copy with Opaque Vinyl faces  
 - Sign to be fabricated for internal lighting upgrade at later date if allowed by city



**A** MONUMENT FRONT ELEVATION  
 1/4" = 1' Scale



**B** MONUMENT SIDE ELEVATION  
 1/4" = 1' Scale



**C** SIGN FACE DETAIL  
 1/4" = 1' Scale

**Accurate Repro, Inc.**  
 Total Copy, Graphic & Sign Solution  
 2368 Corporate Lane, Suite 100  
 Naperville, IL 60563  
 P-(630) 428-4433 F-(630) 428-4449  
 www.accuraterepro.com

**Client Name:** Northwestern Medicine  
**Location:** Delnor Glen Senior Living  
 975 North 5th Avenue  
 St. Charles, IL

**Start Date:** 03/10/2015  
**Last Revision:** 03/20/2015  
**Job#:** N/A  
**Drawing#:** Delnor\_Glen\_v4  
**Page:** 1 of 3

Client Approval  
 Landlord Approval

**Sales Rep:** Scott Ladendorf  
**Designer:** Scott Ladendorf  
 MEMBER IFA LISTED

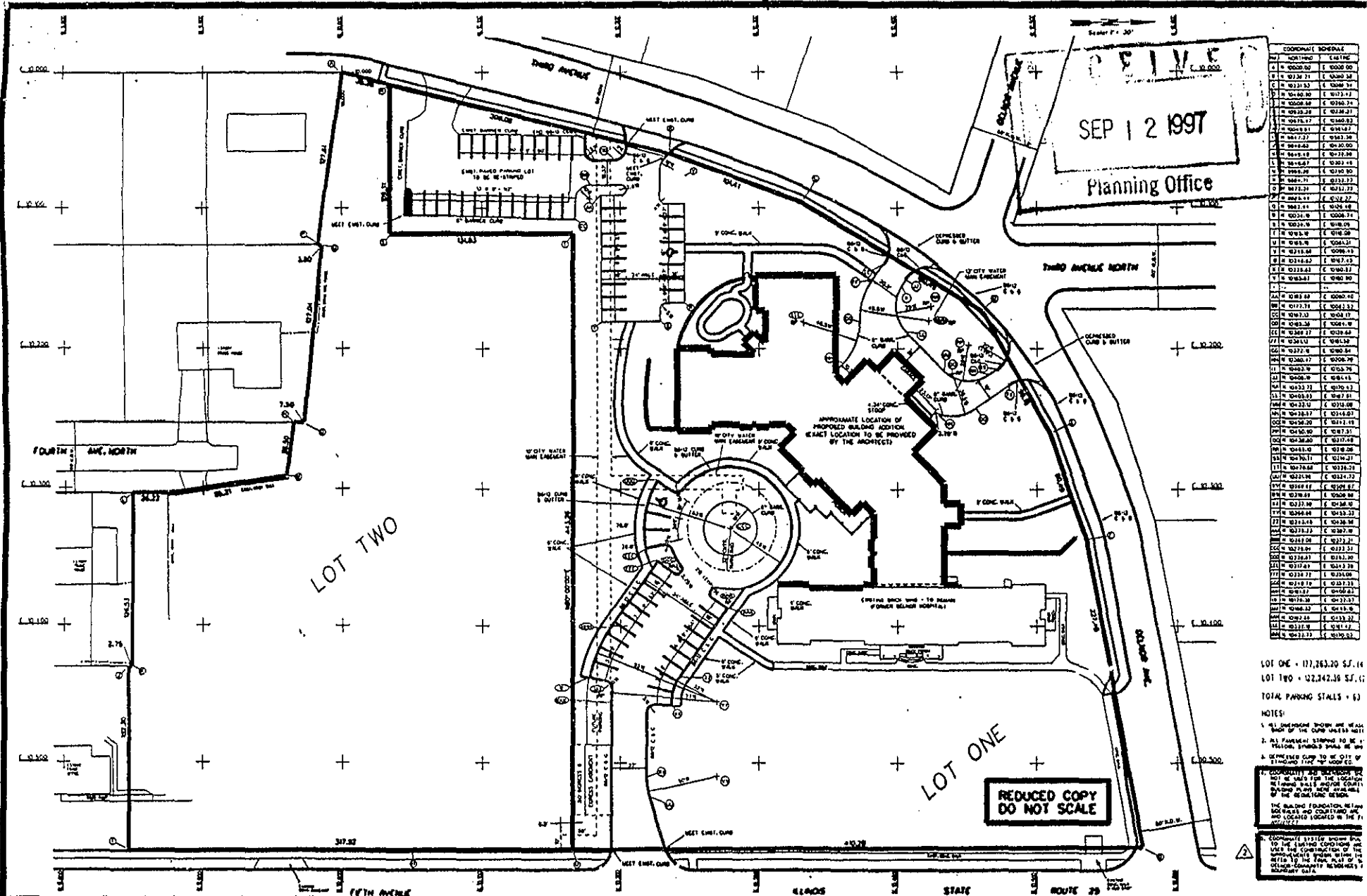


Delnor *Glen*  
SENIOR LIVING  
971 Four Seasons Medicine  
975 North 5th Avenue

The sign is a white rectangular panel with a brick base and a dark blue horizontal band at the bottom. It is mounted on a black metal post that also holds a white, globe-shaped lamp. The sign is surrounded by landscaping including tall grasses, purple flowers, and red flowers. In the background, there are large trees and a paved walkway.



# Exhibit C



COORDINATE SCHEDULE			
NO.	NORTHING	EASTING	COORDINATE
1	0000.00	0000.00	0000.00
2	0036.31	0000.00	0036.31
3	0072.62	0000.00	0072.62
4	0108.93	0000.00	0108.93
5	0145.24	0000.00	0145.24
6	0181.55	0000.00	0181.55
7	0217.86	0000.00	0217.86
8	0254.17	0000.00	0254.17
9	0290.48	0000.00	0290.48
10	0326.79	0000.00	0326.79
11	0363.10	0000.00	0363.10
12	0399.41	0000.00	0399.41
13	0435.72	0000.00	0435.72
14	0472.03	0000.00	0472.03
15	0508.34	0000.00	0508.34
16	0544.65	0000.00	0544.65
17	0580.96	0000.00	0580.96
18	0617.27	0000.00	0617.27
19	0653.58	0000.00	0653.58
20	0689.89	0000.00	0689.89
21	0726.20	0000.00	0726.20
22	0762.51	0000.00	0762.51
23	0798.82	0000.00	0798.82
24	0835.13	0000.00	0835.13
25	0871.44	0000.00	0871.44
26	0907.75	0000.00	0907.75
27	0944.06	0000.00	0944.06
28	0980.37	0000.00	0980.37
29	1016.68	0000.00	1016.68
30	1052.99	0000.00	1052.99
31	1089.30	0000.00	1089.30
32	1125.61	0000.00	1125.61
33	1161.92	0000.00	1161.92
34	1198.23	0000.00	1198.23
35	1234.54	0000.00	1234.54
36	1270.85	0000.00	1270.85
37	1307.16	0000.00	1307.16
38	1343.47	0000.00	1343.47
39	1379.78	0000.00	1379.78
40	1416.09	0000.00	1416.09
41	1452.40	0000.00	1452.40
42	1488.71	0000.00	1488.71
43	1525.02	0000.00	1525.02
44	1561.33	0000.00	1561.33
45	1597.64	0000.00	1597.64
46	1633.95	0000.00	1633.95
47	1670.26	0000.00	1670.26
48	1706.57	0000.00	1706.57
49	1742.88	0000.00	1742.88
50	1779.19	0000.00	1779.19
51	1815.50	0000.00	1815.50
52	1851.81	0000.00	1851.81
53	1888.12	0000.00	1888.12
54	1924.43	0000.00	1924.43
55	1960.74	0000.00	1960.74
56	1997.05	0000.00	1997.05
57	2033.36	0000.00	2033.36
58	2069.67	0000.00	2069.67
59	2105.98	0000.00	2105.98
60	2142.29	0000.00	2142.29
61	2178.60	0000.00	2178.60
62	2214.91	0000.00	2214.91
63	2251.22	0000.00	2251.22
64	2287.53	0000.00	2287.53
65	2323.84	0000.00	2323.84
66	2360.15	0000.00	2360.15
67	2396.46	0000.00	2396.46
68	2432.77	0000.00	2432.77
69	2469.08	0000.00	2469.08
70	2505.39	0000.00	2505.39
71	2541.70	0000.00	2541.70
72	2578.01	0000.00	2578.01
73	2614.32	0000.00	2614.32
74	2650.63	0000.00	2650.63
75	2686.94	0000.00	2686.94
76	2723.25	0000.00	2723.25
77	2759.56	0000.00	2759.56
78	2795.87	0000.00	2795.87
79	2832.18	0000.00	2832.18
80	2868.49	0000.00	2868.49
81	2904.80	0000.00	2904.80
82	2941.11	0000.00	2941.11
83	2977.42	0000.00	2977.42
84	3013.73	0000.00	3013.73
85	3050.04	0000.00	3050.04
86	3086.35	0000.00	3086.35
87	3122.66	0000.00	3122.66
88	3158.97	0000.00	3158.97
89	3195.28	0000.00	3195.28
90	3231.59	0000.00	3231.59
91	3267.90	0000.00	3267.90
92	3304.21	0000.00	3304.21
93	3340.52	0000.00	3340.52
94	3376.83	0000.00	3376.83
95	3413.14	0000.00	3413.14
96	3449.45	0000.00	3449.45
97	3485.76	0000.00	3485.76
98	3522.07	0000.00	3522.07
99	3558.38	0000.00	3558.38
100	3594.69	0000.00	3594.69

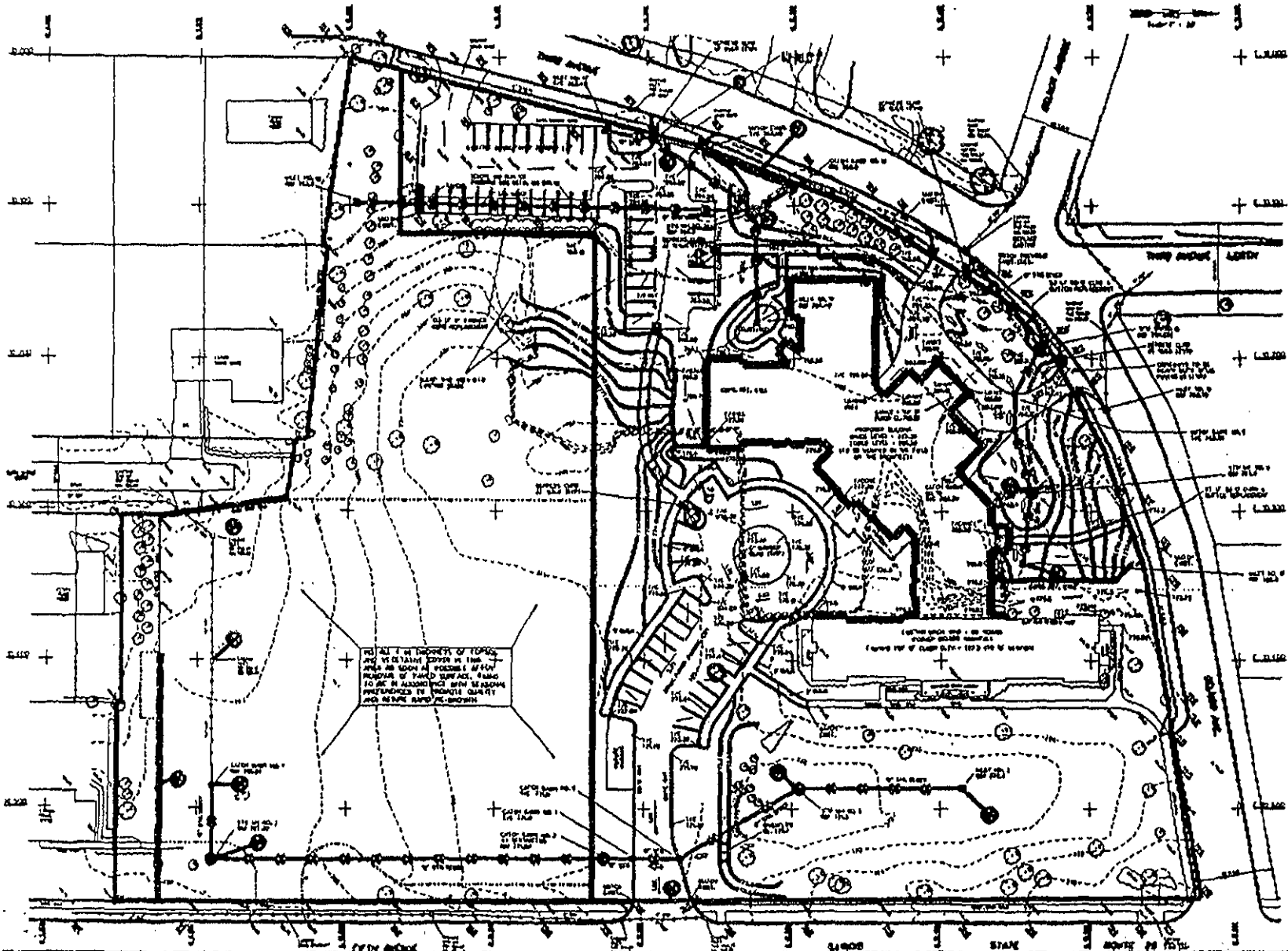
LOT ONE = 177,263.20 SF. 14  
 LOT TWO = 122,242.36 SF. 12  
 TOTAL PARKING STALLS = 63

NOTES:  
 1. ALL DIMENSIONS SHOWN ARE MEASUREMENTS OF THE CURB UNLESS NOTED OTHERWISE.  
 2. ALL DIMENSIONS SHOWN TO BE 1/4" TOLERANCE UNLESS NOTED OTHERWISE.  
 3. A DIMENSIONED CLIP TO BE CUT BY THE CONTRACTOR AT THE LOCATION SHOWN.

COGNITIVE SERVICES  
 THE BUILDING FOUNDATION SHALL BE MAINTAINED AND LOCATED AS SHOWN ON THE PLAN.

ACTION	DATE	PERSON/ROOM
Design	08/11/97	PER CITY & ARCHITECT
Draw	08/20/97	ADDED NOTE B
Checked	08/27/97	PER ST. CHARLES FIRE DEPT.

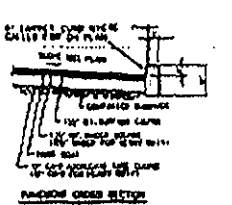
 COGNATIVE SERVICES, INC. 224 WEST STATE STREET ST. CHARLES, ILLINOIS 62204 Telephone: (618) 735-1111 Fax: (618) 735-1112	<b>COGNITIVE SERVICES</b> <b>ST. CHARLES, ILLINOIS</b>	<b>GEOMETRIC CONTROL PLAN</b> F = 30' JULY 1997
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- Notes:
1. All work to be done in accordance with the approved plans.
  2. All work to be done in accordance with the approved specifications.
  3. All work to be done in accordance with the approved schedule.
  4. All work to be done in accordance with the approved budget.
  5. All work to be done in accordance with the approved quality control program.
  6. All work to be done in accordance with the approved safety program.
  7. All work to be done in accordance with the approved environmental program.
  8. All work to be done in accordance with the approved community relations program.
  9. All work to be done in accordance with the approved public relations program.
  10. All work to be done in accordance with the approved marketing program.

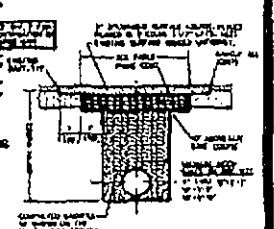
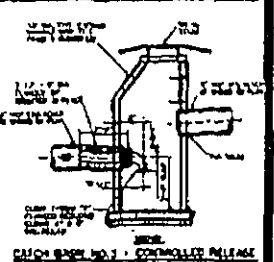
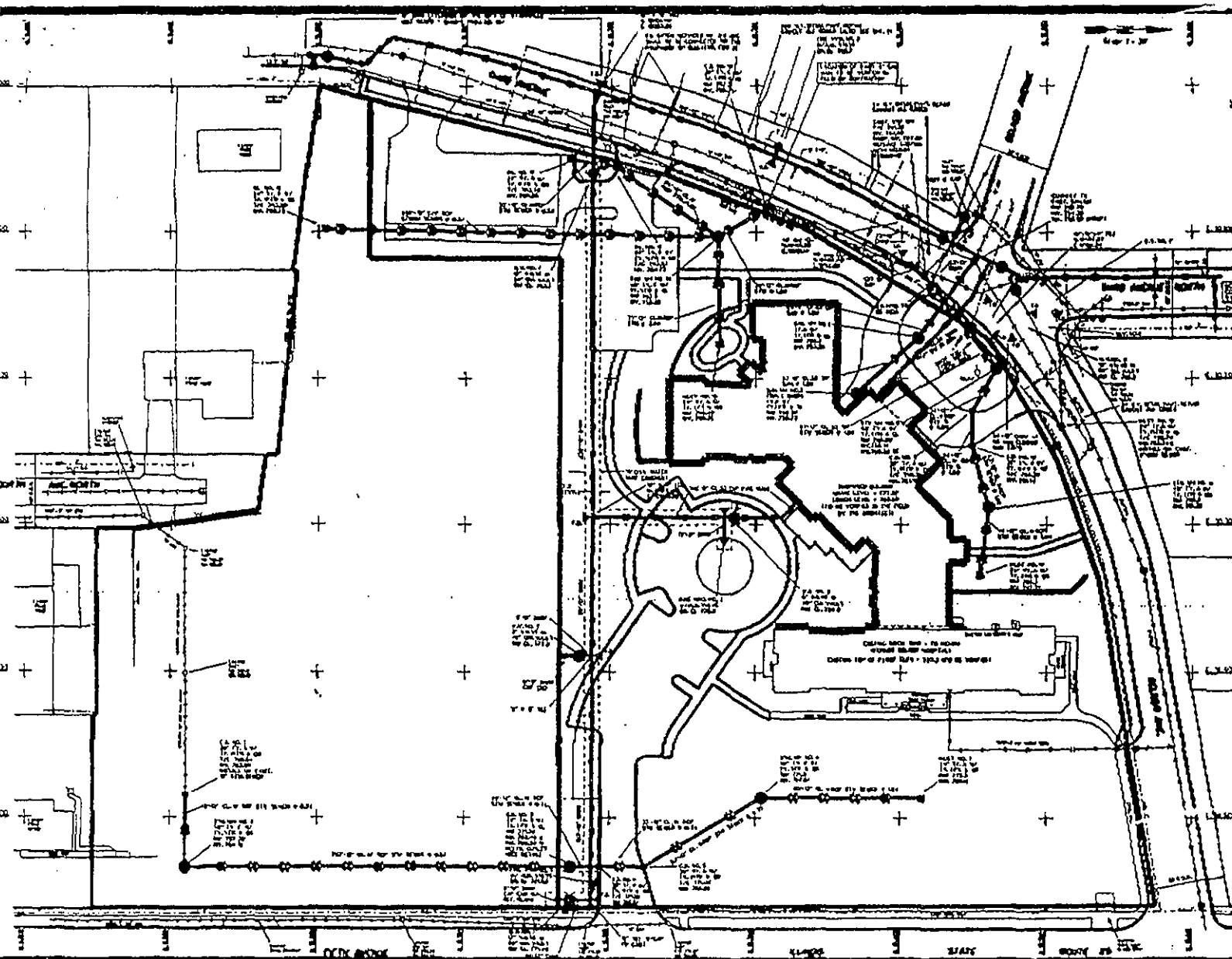
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**STANDARD PHYSICAL ROOM**

**MAJOR WIRE LOCATIONS**

NO.	LOCATION
W-1	W-100-10
W-2	W-100-10
W-3	W-100-10
W-4	W-100-10
W-5	W-100-10
W-6	W-100-10
W-7	W-100-10
W-8	W-100-10
W-9	W-100-10
W-10	W-100-10
W-11	W-100-10
W-12	W-100-10
W-13	W-100-10
W-14	W-100-10
W-15	W-100-10
W-16	W-100-10
W-17	W-100-10
W-18	W-100-10
W-19	W-100-10
W-20	W-100-10

**SAFETY SIGNALING LOCATIONS**

NO.	LOCATION
S-1	S-100-10
S-2	S-100-10
S-3	S-100-10
S-4	S-100-10
S-5	S-100-10
S-6	S-100-10
S-7	S-100-10
S-8	S-100-10
S-9	S-100-10
S-10	S-100-10
S-11	S-100-10
S-12	S-100-10
S-13	S-100-10
S-14	S-100-10
S-15	S-100-10
S-16	S-100-10
S-17	S-100-10
S-18	S-100-10
S-19	S-100-10
S-20	S-100-10

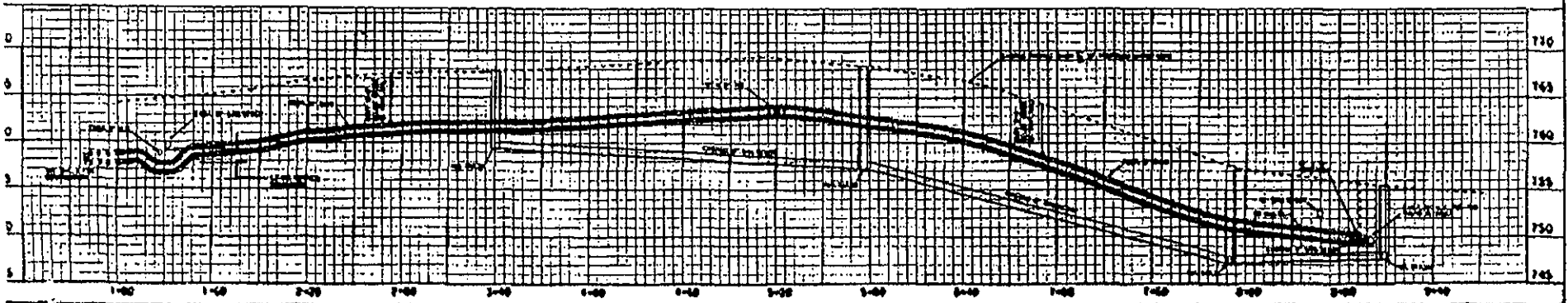
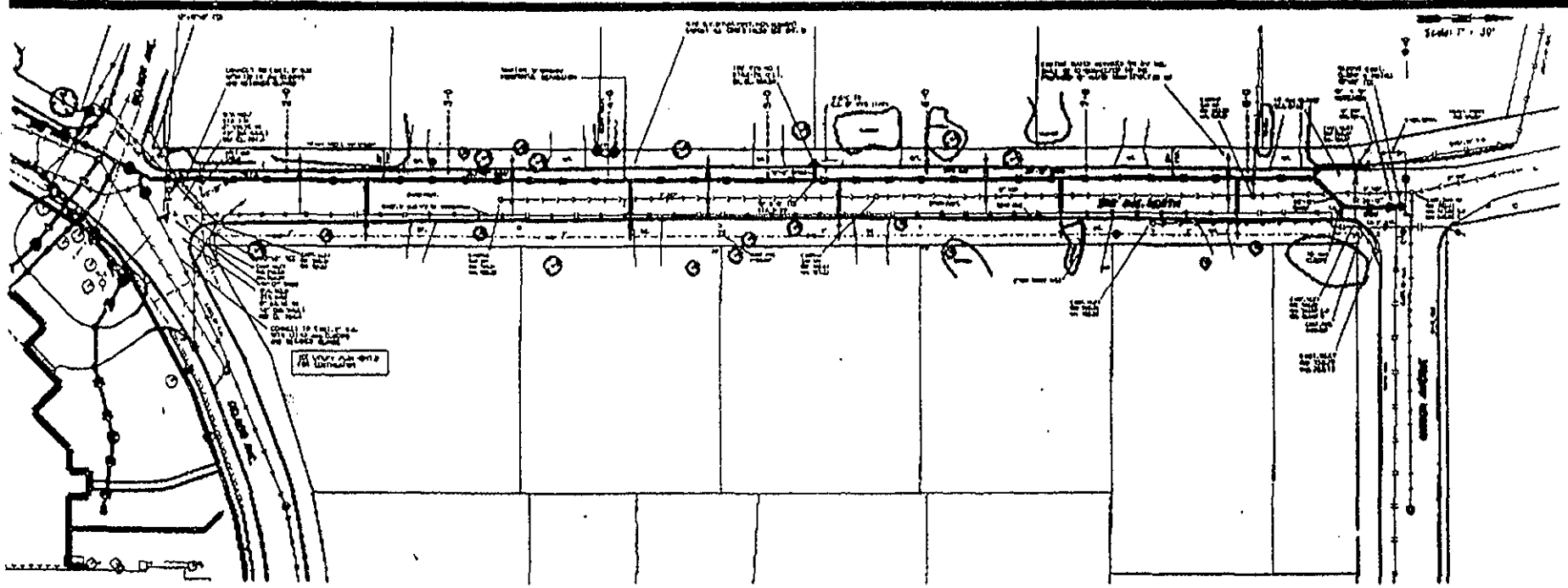
**SIGN SIGNALING LOCATIONS**

NO.	LOCATION
SI-1	SI-100-10
SI-2	SI-100-10
SI-3	SI-100-10
SI-4	SI-100-10
SI-5	SI-100-10
SI-6	SI-100-10
SI-7	SI-100-10
SI-8	SI-100-10
SI-9	SI-100-10
SI-10	SI-100-10
SI-11	SI-100-10
SI-12	SI-100-10
SI-13	SI-100-10
SI-14	SI-100-10
SI-15	SI-100-10
SI-16	SI-100-10
SI-17	SI-100-10
SI-18	SI-100-10
SI-19	SI-100-10
SI-20	SI-100-10

**UTILITY SWITCHE, CIRCUITS & CIRCLES**

U-1 - MAINLINE SWITCHE  
 U-2 - MAINLINE SWITCHE  
 U-3 - MAINLINE SWITCHE  
 U-4 - MAINLINE SWITCHE  
 U-5 - MAINLINE SWITCHE  
 U-6 - MAINLINE SWITCHE  
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 U-18 - MAINLINE SWITCHE  
 U-19 - MAINLINE SWITCHE  
 U-20 - MAINLINE SWITCHE

<p>Working drawings to be used for construction shall be prepared by the architect and shall be checked by the engineer. Approval shall be given by the engineer.</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>ACTION</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>Design</td> <td></td> <td></td> </tr> <tr> <td>Draw</td> <td>O.A.S.</td> <td></td> </tr> <tr> <td>Check</td> <td></td> <td></td> </tr> </tbody> </table>	ACTION	DATE	DESCRIPTION	Design			Draw	O.A.S.		Check			<table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td>1</td> <td>Drawn BY CITY ENGINEER</td> <td>11/1</td> </tr> <tr> <td>2</td> <td>Checked BY CITY ENGINEER</td> <td>11/1</td> </tr> <tr> <td>3</td> <td>Approved BY CITY ENGINEER</td> <td>11/1</td> </tr> </tbody> </table>	1	Drawn BY CITY ENGINEER	11/1	2	Checked BY CITY ENGINEER	11/1	3	Approved BY CITY ENGINEER	11/1	<p><b>GRAND CONVENT OFFICES</b>  <b>ST. CHARLES, ILLINOIS</b></p>	<p><b>OVERALL STUDY PLAN</b></p>	<p>F. W.</p>	<p>11/1/41</p>
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Draw	O.A.S.																										
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2	Checked BY CITY ENGINEER	11/1																									
3	Approved BY CITY ENGINEER	11/1																									

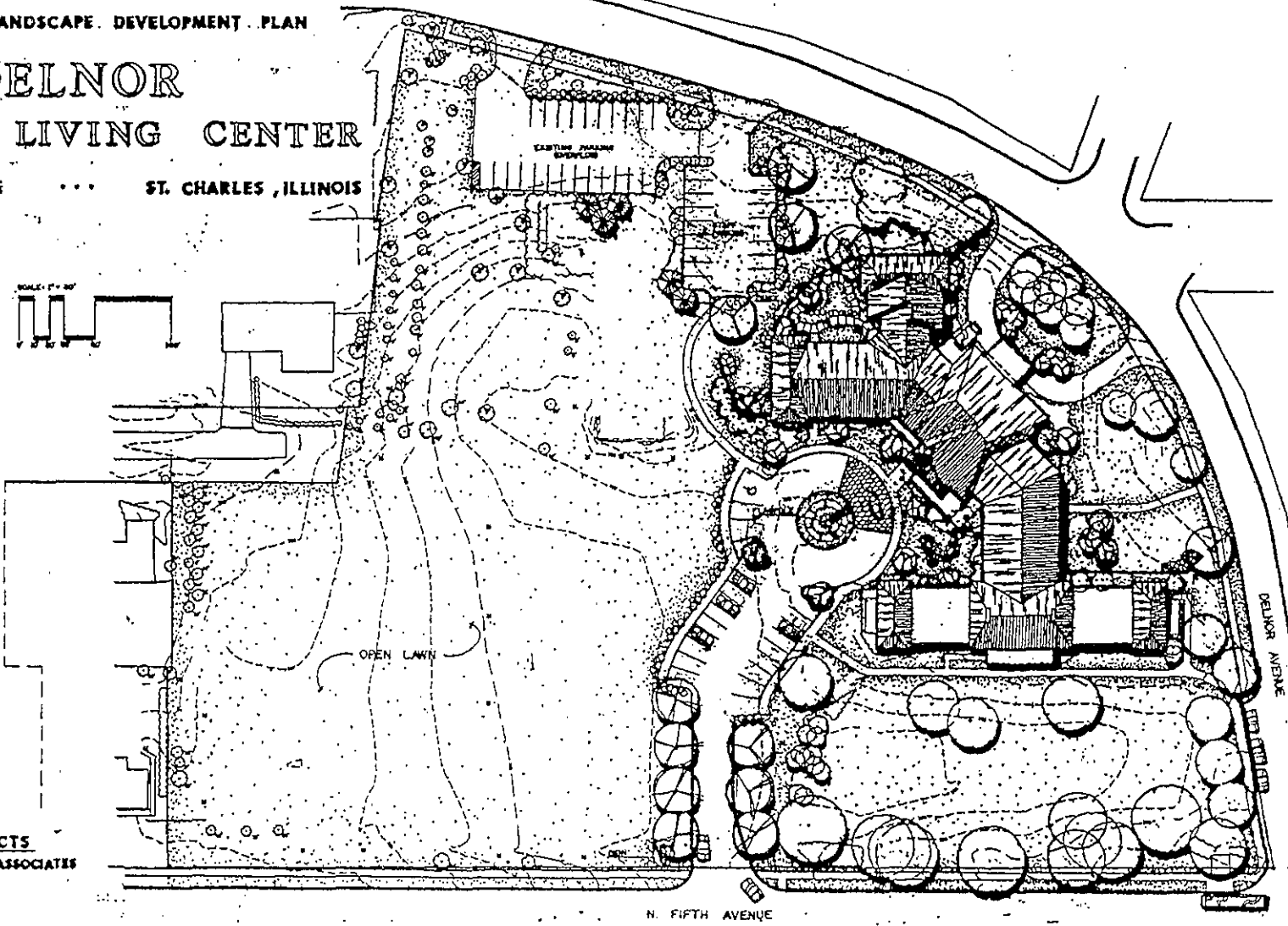
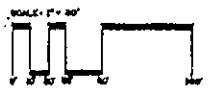
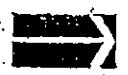


Drawing checked by: Prepared under study of: Checked after recording: Date:	Scale: Date:	1. 2. 3.		<b>DELLOS-CORREY ARCHITECTS</b> ST. CHARLES, ILLINOIS	<b>OFFICE OF THE CITY ENGINEER</b> CHICAGO	SHEET NO. OF DATE
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PRELIMINARY LANDSCAPE DEVELOPMENT PLAN

# DELNOR ASSISTED LIVING CENTER

975 N. FIFTH AVENUE . . . ST. CHARLES, ILLINOIS

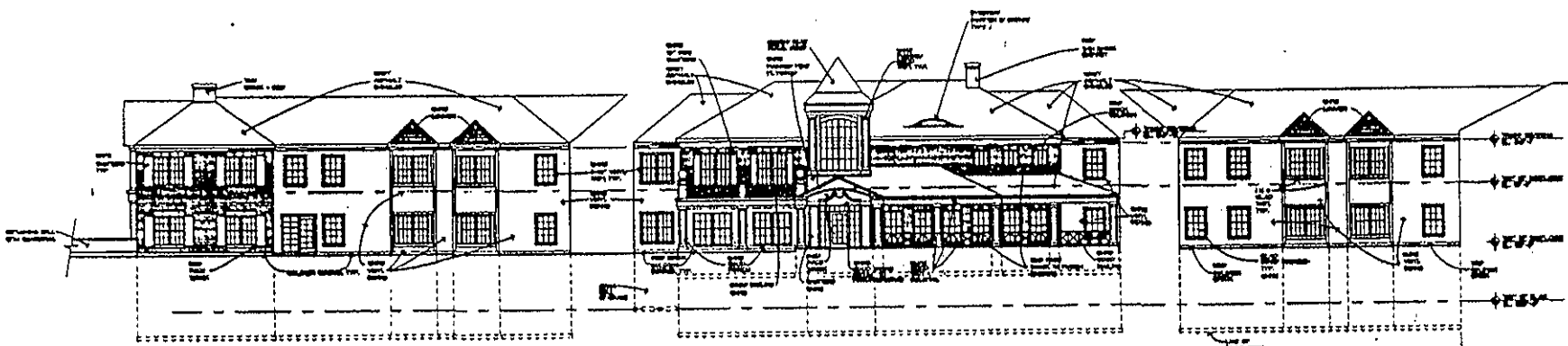


LANDSCAPE ARCHITECTS  
WILLIAM JAMES SPEAR & ASSOCIATES  
16 NORTH FIRST AVENUE  
ST. CHARLES, ILLINOIS 60104

RECEIVED

SEP 16 1997

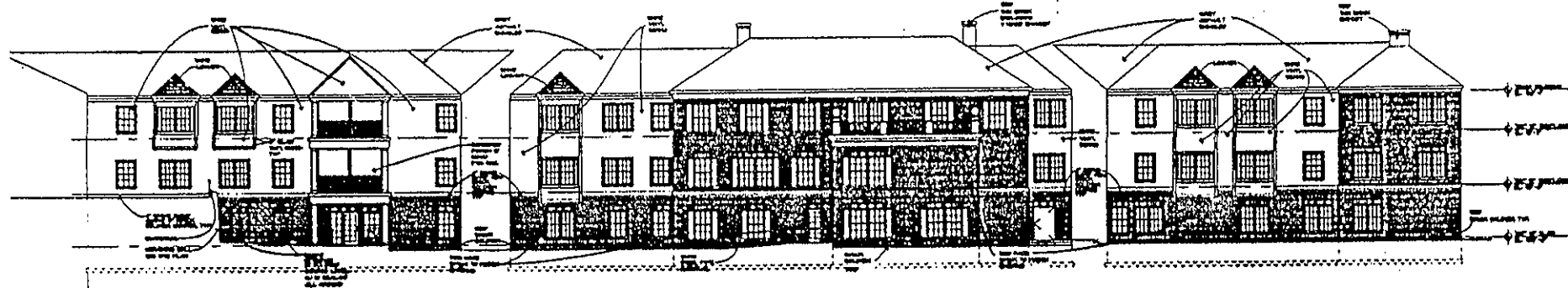
DEL. ARCH. REG. NO. 1111



1 EAST ELEVATION  
SCALE: 1/8" = 1'-0"

2 SOUTHEAST ELEVATION  
SCALE: 1/8" = 1'-0"

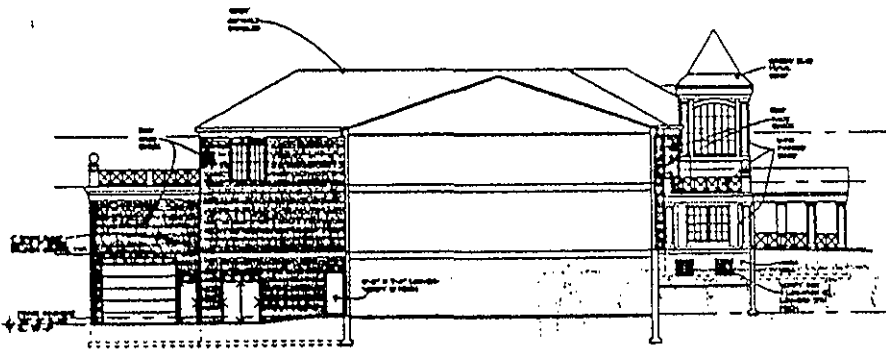
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SCALE: 1/8" = 1'-0"



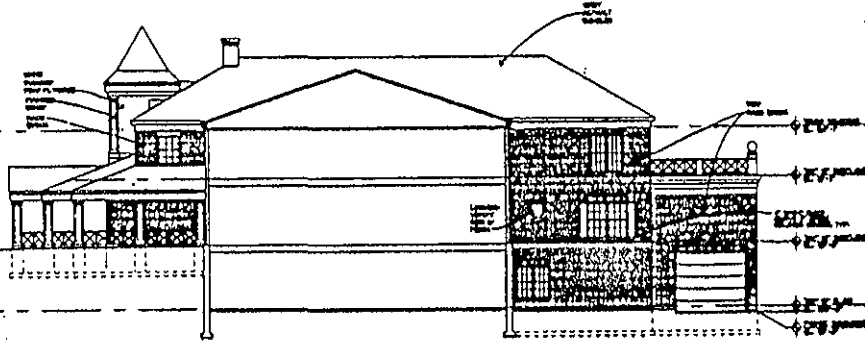
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SCALE: 1/8" = 1'-0"

5 NORTHWEST ELEVATION  
SCALE: 1/8" = 1'-0"

6 NORTH ELEVATION  
SCALE: 1/8" = 1'-0"



7 SOUTHWEST ELEVATION / SECTION  
SCALE: 1/8" = 1'-0"

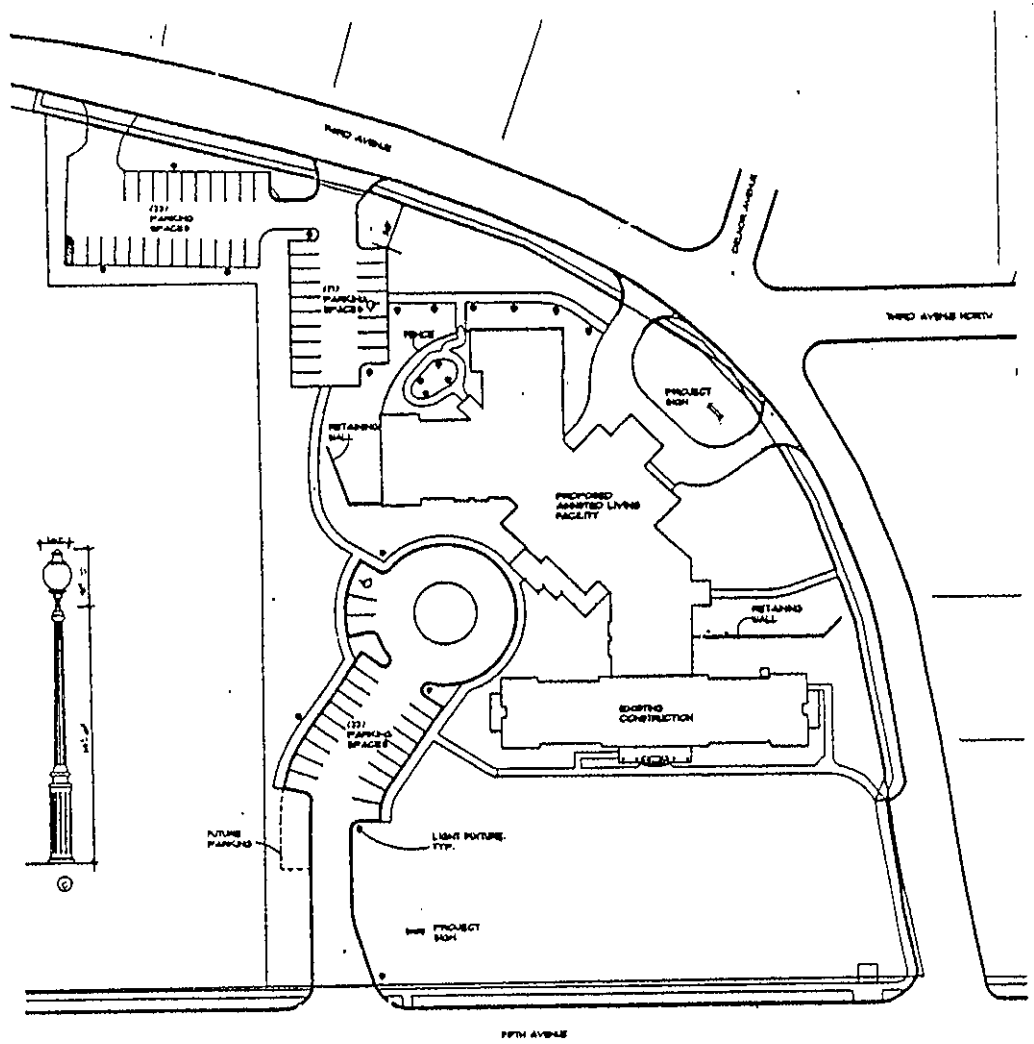


8 NORTHEAST ELEVATION / SECTION  
SCALE: 1/8" = 1'-0"

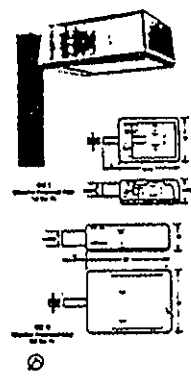
SEP 12 1997

Planning Office

RECEIVED  
 SEP 12 1997  
 Planning Office



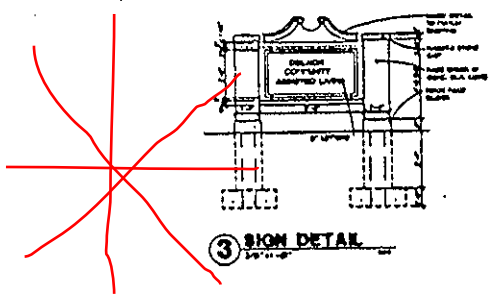
REQUIREMENTS FOR EXTERIOR LIGHTING  
 1. EXTERIOR LIGHTING SHALL BE PROVIDED FOR ALL BUILDINGS AND AREAS TO BE DEVELOPED.  
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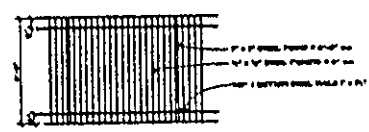
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 10. EXTERIOR LIGHTING SHALL BE PROVIDED IN ACCORDANCE WITH THE FOLLOWING REQUIREMENTS:



4 EXTERIOR LIGHT FIXTURES  
 NO SCALE



3 SIGN DETAIL  
 SCALE: 1/8" = 1'-0"



2 FENCE DETAIL  
 SCALE: 3/8" = 1'-0"

PARKING INFORMATION	
PARKING CALCULATION	
(NUMBER OF SPACES + NO. OF UNITS) / 10 UNITS	= 24 SPACES REQUIRED
ACTUAL SPACES PROVIDED	= 21 TOTAL HANDICAPPED SPACES = 1

1 SITE PLAN  
 SCALE: 1/8" = 1'-0"



## AGENDA ITEM EXECUTIVE SUMMARY

Title:	Plan Commission Recommendation to approve a General Amendment to Title 17 of the St. Charles Municipal Code (Zoning Ordinance) pertaining to nonconforming lots in the RT-4 and CBD-2 zoning districts and lot area and lot width requirements in the CBD-2 zoning district.
Presenter:	Ellen Johnson

*Please check appropriate box:*

	Government Operations		Government Services
X	Planning & Development – (10/12/15)		City Council
	Public Hearing		

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

**Executive Summary:**

Staff is proposing a General Amendment to address nonconformities in the zoning districts surrounding downtown. The CBD-2 district is a mixed commercial/residential district adjacent to the core of downtown. The RT-4 district is a residential district that permits single- and two-family units on the fringe of downtown.

Staff has observed that the lot area requirements in these zoning districts do not match the existing development pattern, meaning that a large percentage of properties do not conform to the requirements. Nonconformities are problematic because if a nonconforming use or building is destroyed, it cannot be rebuilt. Because of that, owners are unlikely to make substantial investments in their property. Potential buyers often have difficulty obtaining a mortgage or insurance due to the nonconformity, and buyers are therefore more likely to pay in cash and use the property for long-term rental income.

In addition, the current lot area and lot width requirements in the CBD-2 district limit the potential for redevelopment and reinvestment in that area.

Staff proposes the following:

- Amend the “Nonconformities” chapter to “grandfather” nonconforming two-family dwellings in the RT-4 district that have a lot size less than the required 7,500 sf. (single-family lots are already grandfathered)
- Amend the “Nonconformities” chapter to also “grandfather” nonconforming single- and two-family dwellings in the CBD-2 district that have a lot size less than required.
- Change the lot area requirements for residential uses in the CBD-2 district to 4,400 sf for single-family dwellings and 2,200 sf per unit for all other residential uses.
- Remove the 100 ft. lot width requirement for townhomes, multi-family, and mixed-use development in the CBD-2 district.

**Plan Commission Review**

The Plan Commission held a public hearing for the General Amendment on 9/8/15 and 10/6/15. The Commission voted 8-0 to recommend approval.

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

Plan Commission Resolution, Staff Report, General Amendment Application

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

Plan Commission Recommendation to approve a General Amendment to Title 17 of the St. Charles Municipal Code (Zoning Ordinance) pertaining to nonconforming lots in the RT-4 and CBD-2 zoning districts and lot area and lot width requirements in the CBD-2 zoning district.

<i>For office use only:</i>	<i>Agenda Item Number:</i> 4d
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**City of St. Charles, Illinois**  
**Plan Commission Resolution No. 17-2015**

**A Resolution Recommending Approval of a General Amendment to Chapter 17.08 “Nonconformities”, Section 17.08.050 “Nonconforming Lots of Record” and Ch. 17.14 “Business and Mixed Use Districts”, Table 17.14-2 “Bulk Regulations” (RT-4 and CBD-2 nonconforming lots and CBD-2 lot area and lot width requirements)**

**Passed by Plan Commission on October 6, 2015**

WHEREAS, it is the responsibility of the St. Charles Plan Commission to hold public hearings and review requests for amendments to Title 17, “Zoning”; and

WHEREAS, the Plan Commission held a public hearing and has reviewed the petition for a General Amendment to Chapter 17.08 “Nonconformities”, Section 17.08.050 “Nonconforming Lots of Record” and Ch. 17.14 “Business and Mixed Use Districts”, Table 17.14-2 “Bulk Regulations” (RT-4 and CBD-2 nonconforming lots and CBD-2 lot area and lot width requirements); and

WHEREAS, in accordance with Section 17.04.320.C, the Plan Commission has considered the following criteria for General Amendment:

**1. The consistency of the proposed amendment with the City’s Comprehensive Plan**

The Comprehensive Plan calls for the need to promote diverse housing options within residential neighborhoods and downtown, which the proposed amendment would help to accomplish:

- Ch. 3 Goals & Objectives, Residential Areas- Goal 1(p.22): “Maintain the City’s image and desirability as a great place to live by preserving and enhancing the diversity, quality, character, safety, affordability, and appeal of residential neighborhoods.
  - Objective 1: “Promote residential development and redevelopment of a variety of housing and dwelling unit types and densities in accordance with the Land Use Plan, and ensure the Zoning Ordinance and other regulatory tools are updated appropriately.”
- C. 3 Goals & Objectives, Commercial & Office Areas- Goal 3 (p.24): “Revitalize Downtown St. Charles as the symbolic “heart” of the community and enhance its role as the City’s primary mixed use pedestrian environment”.
  - Objective 9: “Zoning for the Downtown should be analyzed and amended if necessary to adequately accommodate appropriate new development and establish the desirable physical form of the downtown.”

- Objective 10: “Undue or inappropriate zoning regulations or procedures should be modified or removed as to eliminate unnecessary barriers to Downtown investment.”
- Chapter 4 Land Use Plan, Residential Land Use Policies (p.43):
  - “Locate new multi-family residential developments in appropriate locations within the City and consider the implications of concentrating units in one location or area of the City.”
  - “Seek opportunities to provide senior housing within the City, consider locations that are within close proximity to recreation, public transit, healthcare and daily goods and services.”
- Chapter 4 Land Use Plan, Commercial Area Policies (p.48):
  - “Continue to promote mixed use development within Downtown while respecting the historic fabric of the community.”

**2. The consistency of the proposed amendment with the intent and general regulations of this Title.**

The proposed amendment will help to promote reinvestment and redevelopment surrounding the central core of downtown St. Charles, as well as to encourage the provision of a diversity of housing types. As such, the proposed amendment is consistent with many of the stated purposes of the Zoning Ordinance (Ch. 17.02.020), including protecting the character of established residential neighborhoods, maintaining business areas that are economically viable, conserving the value of property, and implementing the goals of the Comprehensive Plan.

**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 of policy.**

The proposed amendment is more workable than the existing text because it simplifies and standardizes the lot area requirements in the CBD-2 district, and allows for greater flexibility in the types of residential uses that are permitted on a given parcel. The amendment also reflects a change in policy to promote increased housing opportunities around downtown. The *Homes for a Changing Region* policy document recommends decreasing per unit lot area requirements in the CBD-2 district for this purpose. The amendment also reflects a change in policy to permit certain nonconforming residential properties to continue.

**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 proposed amendment will allow for the creation of higher density around downtown St. Charles, thereby allowing for more types of housing for individuals and families with a variety of needs and preferences. The proposed amendment will also allow a number of

nonconforming two-family properties in the RT-4 district and single- and two-family properties in the CBD-2 district to be “grandfathered”, so that they may be reconstructed if destroyed, thereby addressing the issue of disinvestment in nonconforming properties.

**5. The extent to which the proposed amendment creates non-conformities.**

The proposed amendment will decrease the number of nonconforming properties in the subject zoning district. Currently, 65% of residential parcels in the CBD-2 district comply with the lot area requirements, while 78% will comply as a result of the amendment. This will decrease the number of nonconforming properties by 15.

The proposed amendment will permit existing nonconforming two-family dwellings in the RT-4 district and single- and two-family properties in the CBD-2 district to continue in use and to be reconstructed on undersized lots.

**6. The implications of the proposed amendment on all similarly zoned property in the City.**

The proposed amendment will apply to all property in the City zoned RT-4 and CBD-2.

NOW, THEREFORE, be it resolved by the St. Charles Plan Commission to recommend to City Council approval of a General Amendment to Chapter 17.08 “Nonconformities”, Section 17.08.050 “Nonconforming Lots of Record” and Ch. 17.14 “Business and Mixed Use Districts”, Table 17.14-2 “Bulk Regulations” (RT-4 and CBD-2 nonconforming lots and CBD-2 lot area and lot width requirements).

Roll Call Vote:

Ayes: Wallace, Kessler, Doyle, Holderfield, Pretz, Frio, Spruth, Schuetz

Nays:

Absent: Macklin-Purdy

Motion Carried: 8-0

PASSED, this 6th day of October 2015.

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Chairman  
St. Charles Plan Commission

Community & Economic Development  
Planning Division

Phone: (630) 377-4443

Fax: (630) 377-4062



## Staff Report

**TO:** Chairman Todd Bancroft  
And the Members of the Planning & Development Committee

**FROM:** Ellen Johnson, Planner  
Russell Colby, Planning Division Manager

**RE:** Application for a General Amendment to Title 17 of the City Code (Zoning Ordinance) regarding nonconforming residential lots in the RT-4 and CBD-2 Zoning Districts and lot area and width requirements for residential uses in the CBD-2 Zoning District

**DATE:** October 7, 2015

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### I. APPLICATION INFORMATION

**Project Name:** General Amendment – CBD & RT-4 Lot Area Requirements

**Applicant:** City of St. Charles

**Purpose:** Grandfather nonconforming two-family dwellings in the RT-4 district and single and two-family dwellings in the CBD-2 district and modify the lot area and lot width requirements for residential uses in the CBD-2 district.

### II. BACKGROUND

#### RT-4 & CBD-2 Zoning Districts

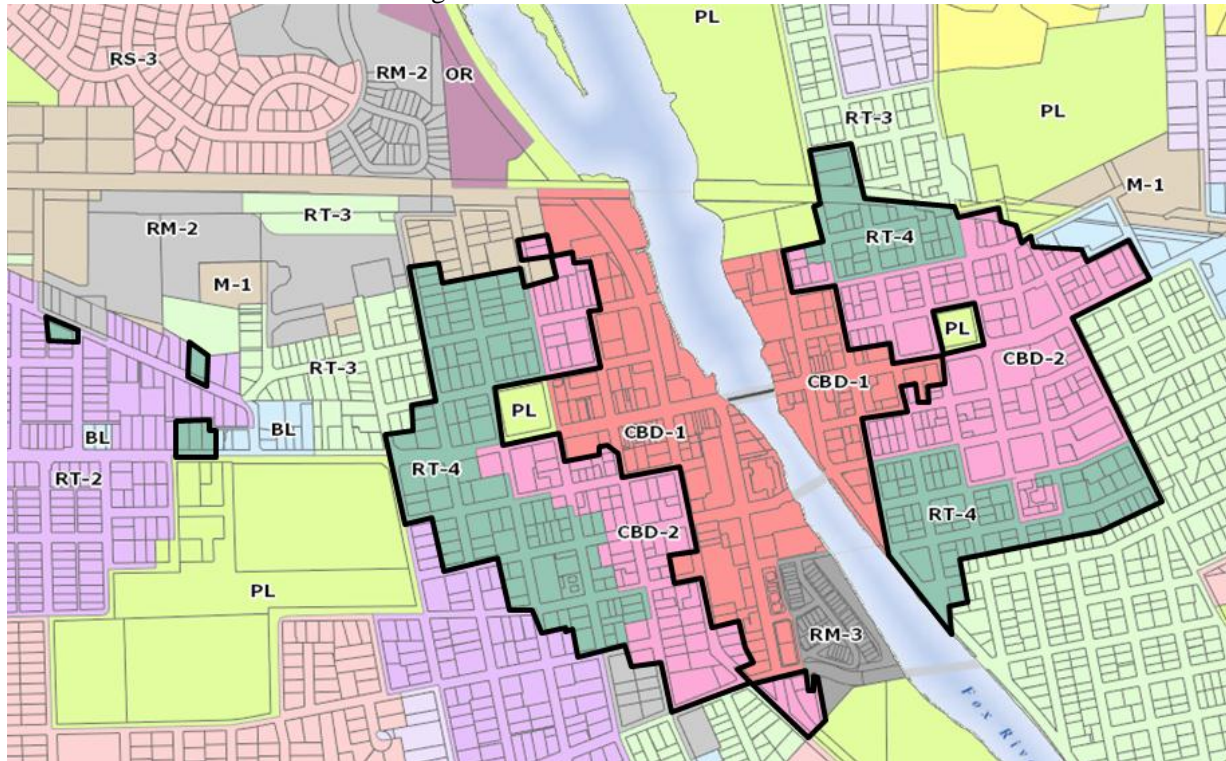
**RT-4:** The RT-4 Traditional Single and Two-Family Residential District is the only Traditional Residential zoning district that permits both single-family and two-family dwellings. RT-4 zoned properties are generally located adjacent to the downtown area. The Zoning Ordinance states the purpose of the RT-4 District as follows:

*"To preserve higher density single- and two-family residential development in older neighborhoods of the City, and to accommodate new residential development with a similar character. The minimum lot size in this district is 5,000 sf. This district is primarily located in older residential neighborhoods near the downtown area"*

**CBD-2:** The CBD-2 Mixed Use Business District serves as a transitional zoning district between the central business district and residential neighborhoods. Both limited commercial uses and all types of residential uses are permitted in the CBD-2 District. The purpose of the CBD-2 District is as follows:

*“To provide for a properly scaled mixed-use transition between single-family residential neighborhoods and the retail core of the CBD-1 Central Business District. The CBD-2 District permits a mix of retail, service, office, and medium-density residential uses within buildings that are of a reduced height and scale than that permitted in the CBD-1 District.”*

Location of RT-4 and CBD-2 Zoning Districts:



### **Nonconformities**

Staff has conducted an analysis of existing residential uses and lot sizes in the RT-4, CBD-2, and CBD-1 zoning districts. Based on this analysis, staff has found that a significant number of lots in the RT-4 and CBD-2 districts are undersized, meaning they are nonconforming to the lot area requirements.

Zoning nonconformities are problematic because they discourage investment in a building or property. Once a nonconforming use or building is destroyed, the non-conforming building or use cannot be reestablished. An owner of a nonconforming property therefore is unlikely to make a substantial investment to renovate or enhance the property. Nonconforming properties often remain under long-term ownership due to a number of factors:

- a. Buyers avoid non-conforming properties because of the risk associated. Potential buyers looking to finance the purchase may be unable to obtain a mortgage or adequate insurance because of the non-conformity.
- b. Many non-conforming properties do not gain value over time. Long-term owners may be hesitant to sell, due to the reduced value, and therefore may continue to hold on to the property for generating rental income, while only making minimal investment in the upkeep of the property.
- c. A buyer of a non-conforming property is likely to be paying in all cash and looking to invest in the property “as is” for long-term rental income, not necessarily a return on an increase in property value.

Nonconformities are governed by Ch. 17.08 “Nonconformities”. Per this chapter, structures on nonconforming lots that are destroyed beyond 50% of their value may not be reconstructed. However, section 17.08.050 permits single-family dwellings in residential zoning districts to be constructed (or reconstructed) on nonconforming lots that existed as of 1960. This provision does not extend to two-family dwellings in residential districts, or to residential uses in the CBD-2 district.

### III. PROPOSAL

#### 1. Ch. 17.08 “Nonconformities”, Section 17.08.050 “Nonconforming Lots of Record”

- a. This section currently allows single-family dwellings to be constructed in residential districts on lots that are under the lot size and width required in the zoning district, if the lot was of record as of 1960. Staff proposes to include single-family dwellings in the CBD-2 district in this section, and add a provision that, in the RT-4 and CBD-2 districts only, two-family dwellings that do not meet the lot area requirement may be constructed on a lot, if the lot contained a two- or more-unit dwelling on the date the Zoning Ordinance was adopted (Oct. 2006).
- b. This amendment will allow a two-family or multi-family dwelling in the RT-4 or CBD-2 district that is destroyed to be rebuilt as a two-family, even if the lot size is less than required for a two-family dwelling.

#### 2. Ch. 17.14 “Business and Mixed Use Districts”, Table 17.14-2 “Bulk Regulations” (CBD-2 district only)

- a. Change the Minimum Lot Area requirement for a single-family unit to 4,400 sf, and 2,200 sf per dwelling unit for all other types of residential uses.
- b. Remove the Minimum Lot Width requirement of 100 ft. for townhomes, multi-family, and mixed-use development and require 50 ft. lot width for all uses.

### IV. ANALYSIS

#### Lot Area Data

**RT-4 District:** Current lot area requirements for permitted residential uses in the RT-4 district are as follows:

- Single-family: 5,000 sf
- Two-family<sup>1</sup>: 3,750 sf per unit (7,500 sf total)

Per these requirements, a two-family dwelling cannot be constructed, or a single-family dwelling cannot be converted to a two-family, unless the lot size is at least 7,500 sf. In addition, an existing two-family dwelling that is on a lot less than 7,500 sf may not be reconstructed if it is destroyed by fire or other means outside of the owner’s control.

As shown in Table 1, 50% of parcels that currently contain two-family dwellings do not meet the 7,500 sf lot area requirement.

Staff is proposing to add language to Ch. 17.08 “Nonconformities” to grandfather in existing two-family dwellings in the RT-4 District. This chapter already allows single-family dwellings in residential districts to be constructed and maintained on a lot which is nonconforming in lot area and/or lot width. The proposed amendment would expand this provision to two-family dwellings in the RT-4 district only. As a result of this amendment, two-family dwellings on undersized lots

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<sup>1</sup> **Two-Family Dwelling** “A building containing 2 dwelling units attached either vertically or horizontally.”

in the RT-4 district would be allowed to be reconstructed if destroyed, thereby addressing the issue of buyers of these properties having difficulty obtaining a mortgage or insurance due to the nonconformity.

**Table 1**

<b>Permitted Residential Uses</b>	<b>Total Parcels</b>	<b>Required min. lot area</b>	<b>Parcels that meet lot area requirement</b>	<b>Result of proposed “grandfathering”</b>
<b>Conforming Lots – Existing Lot Area Requirement</b>				
Single-family	130	5,000 sf	116 (89%)	130 (100%)*
<b>Two-family</b>	<b>36</b>	<b>3,750 sf/unit</b>	<b>18 (50%)</b>	<b>36 (100%)</b>
<b>TOTAL</b>	166		127 (77%)	166 (100%)

\*Nonconforming single-family lots are already grandfathered by ordinance.

**CBD-2 District:**

Lot area requirements for permitted residential uses in the CBD-2 district are as follows:

- Single-family: 5,000 sf
- Two-family: 3,750 sf per unit (7,500 sf total)
- Townhome<sup>2</sup>: 3,000 sf per unit (9,000 sf for 3-unit townhome)
- Upper level dwelling<sup>3</sup> & multi-family<sup>4</sup>: 2,200 sf per unit
- Non-residential uses: 5,000 sf

Per these requirements, a two-family dwelling could not be constructed on the median size lot shown in Table 2, nor could a 3-unit townhome. A multi-family or mixed-use building with upper floor residential could be constructed with a maximum of three residential units.

**Table 2**

<b>Total parcels</b>	204
<b>Median lot size</b>	6,633 sf

As shown in Table 3, only 65% of existing residential uses meet minimum lot area requirements. Staff is proposing to change the minimum lot area required for a single-family unit to 4,400 sf, and 2,200 sf per unit for two-family, townhomes, upper level, and multi-family dwellings. As a result of the proposed change, 78% of existing residential uses would comply with lot area requirements. The maximum permitted density in the CBD-2 District would remain at 19 units per acre, since 2,200 sf per unit is the current requirement for upper-level and multi-family dwellings.

In addition to “grandfathering” two-family dwellings in the RT-4 District in Ch. 17.08 “Nonconformities”, staff is also proposing to add single- and two-family dwellings in the CBD-2 district to this chapter. This would essentially remove all single- and two-family nonconformities from the CBD-2 district, as reflected in Table 3.

<sup>2</sup> **Townhouse Dwelling** “A building with 3 or more dwelling units arranged side-by-side, where each dwelling unit occupies an exclusive vertical space with no other dwelling unit above or below, and where each dwelling unit has at least one individual exit directly to the outdoors.”

<sup>3</sup> **Upper Level Dwelling** “A dwelling unit located on a floor above a nonresidential use.”

<sup>4</sup> **Multi-Family Dwelling** “A building with 3 or more dwelling units not designed as townhouses, where each dwelling unit is provided an individual entrance to the outdoors or to a common hallway.”

Staff is also proposing to remove the 100 ft. minimum lot width requirement which applies to townhomes, multi-family, and mixed-use development. The standard lot width in the CBD-2 District is 50 ft. The 100 ft. lot width requirement limits the residential use that may be permitted on any given lot, even if the lot area requirement is met. Also, “mixed-use development” is not defined in the Zoning Ordinance, and is not listed as a permitted use. Therefore, it is unclear what type of development to which this requirement applies.

**Table 3**

<b>Permitted Residential Uses</b>	<b>Total Parcels</b>	<b>Required min. lot area</b>	<b>Parcels that <u>meet</u> lot area requirement</b>	<b>Result of proposed “grandfathering”</b>
<b>Conforming Lots – Existing Lot Area Requirement</b>				
Single-family	55	5,000 sf	45 (82%)	
Two-family	27	3,750 sf/ unit	11 (41%)	
Townhome	0	3,000 sf/unit	N/A	
Multi-family/upper level	18	2,200 sf/unit	9 (50%)	
<b>TOTAL</b>	<b>100</b>		<b>65 (65%)</b>	
<b>* Conforming Lots – Proposed Lot Area Requirement *</b>				
<b>Single-family</b>	<b>55</b>	<b>4,400 sf/unit</b>	<b>46 (84%)</b>	<b>55 (100%)</b>
<b>Two-family</b>	<b>27</b>	<b>2,200 sf/ unit</b>	<b>23 (85%)</b>	<b>27 (100%)</b>
<b>Townhome</b>	<b>0</b>	<b>2,200 sf/unit</b>	<b>N/A</b>	<b>N/A</b>
<b>Multi-family/upper level</b>	<b>18</b>	<b>2,200 sf/unit</b>	<b>9 (50%)</b>	<b>9 (50%)</b>
<b>TOTAL</b>	<b>100</b>		<b>78 (78%)</b>	<b>91 (91%)</b>

**Policy Guidance**

**Comprehensive Plan**

The Comprehensive Plan calls for the need to promote diverse housing options within residential neighborhoods and downtown, which the proposed loosening of lot area requirements in the CBD-2 district would help to accomplish:

- Ch. 3 Goals & Objectives, Residential Areas- Goal 1(p.22): “Maintain the City’s image and desirability as a great place to live by preserving and enhancing the diversity, quality, character, safety, affordability, and appeal of residential neighborhoods.
  - Objective 1: “Promote residential development and redevelopment of a variety of housing and dwelling unit types and densities in accordance with the Land Use Plan, and ensure the Zoning Ordinance and other regulatory tools are updated appropriately.”
- C. 3 Goals & Objectives, Commercial & Office Areas- Goal 3 (p.24): “Revitalize Downtown St. Charles as the symbolic “heart” of the community and enhance its role as the City’s primary mixed use pedestrian environment”.
  - Objective 9: “Zoning for the Downtown should be analyzed and amended if necessary to adequately accommodate appropriate new development and establish the desirable physical form of the downtown.”
  - Objective 10: “Undue or inappropriate zoning regulations or procedures should be modified or removed as to eliminate unnecessary barriers to Downtown investment.”
- Chapter 4 Land Use Plan, Residential Land Use Policies (p.43):



- “Locate new multi-family residential developments in appropriate locations within the City and consider the implications of concentrating units in one location or area of the City.”
- “Seek opportunities to provide senior housing within the City, consider locations that are within close proximity to recreation, public transit, healthcare and daily goods and services.”
- Chapter 4 Land Use Plan, Commercial Area Policies (p.48):
  - “Continue to promote mixed use development within Downtown while respecting the historic fabric of the community.”

### **Homes for a Changing Region Study**

City Council adopted the *Homes for a Changing Region* multi-jurisdictional housing study as a policy document in November 2014. One of the recommendations for St. Charles suggests reducing lot size requirements in the downtown zoning districts to promote residential development. The plan states: “Consider options to increase residential density in downtown St. Charles through context and design-sensitive development.”

The study explains: “The existing downtown infrastructure, including retail stores, services, entertainment destinations, restaurants, jobs, and mobility options, makes the downtown area an ideal location to increase population density. Increasing the downtown population would also result in more foot traffic to support downtown businesses. Through the First Street Redevelopment, progress has been made to add housing to the downtown area... Additional policies to encourage downtown residential development will expand on this success.”

One of the options presented for increasing residential density is the following: “The City should explore options for reducing the lot size requirements for residential units in the CBD-1 and CBD-2 zoning districts in order to provide new opportunities for higher density residential development... Reducing the per unit lot size requirements would allow for increased residential density, create new opportunities for adding residential units, encourage adaptive reuse of existing buildings, and would help developers to reduce per unit costs, dropping the unit price or rent for consumers.”

## **V. DISCUSSION**

In addition to the policy direction cited above, staff also wanted to add additional perspective on the proposal:

1. One of the goals of the 2006 Zoning Ordinance re-writing process was to establish new zoning districts for older neighborhoods where close to 90% of the properties would be conforming to the regulations. This goal was generally achieved for the RT single family districts, but not for the RT-4 and CBD-2 districts, where many properties remain non-conforming. This was partially due to the fact that at the time the City did not have very accurate data on older buildings containing multiple dwelling units.
2. The CBD-2 district requirements were written primarily for larger scale redevelopment projects where there may be property assembly involved. (The Heritage Square development was used as an example at the time.) When the 2006 ordinance was written, the prevailing mindset was that most properties that had become outdated or functionally obsolete would be redeveloped as a part of a larger development project. However, over the past few years,

staff has observed a greater interest by property owners to reuse and repurpose existing structures. Within the downtown area, zoning restrictions are a limiting factor.

## **VI. PLAN COMMISSION RECOMMENDATION**

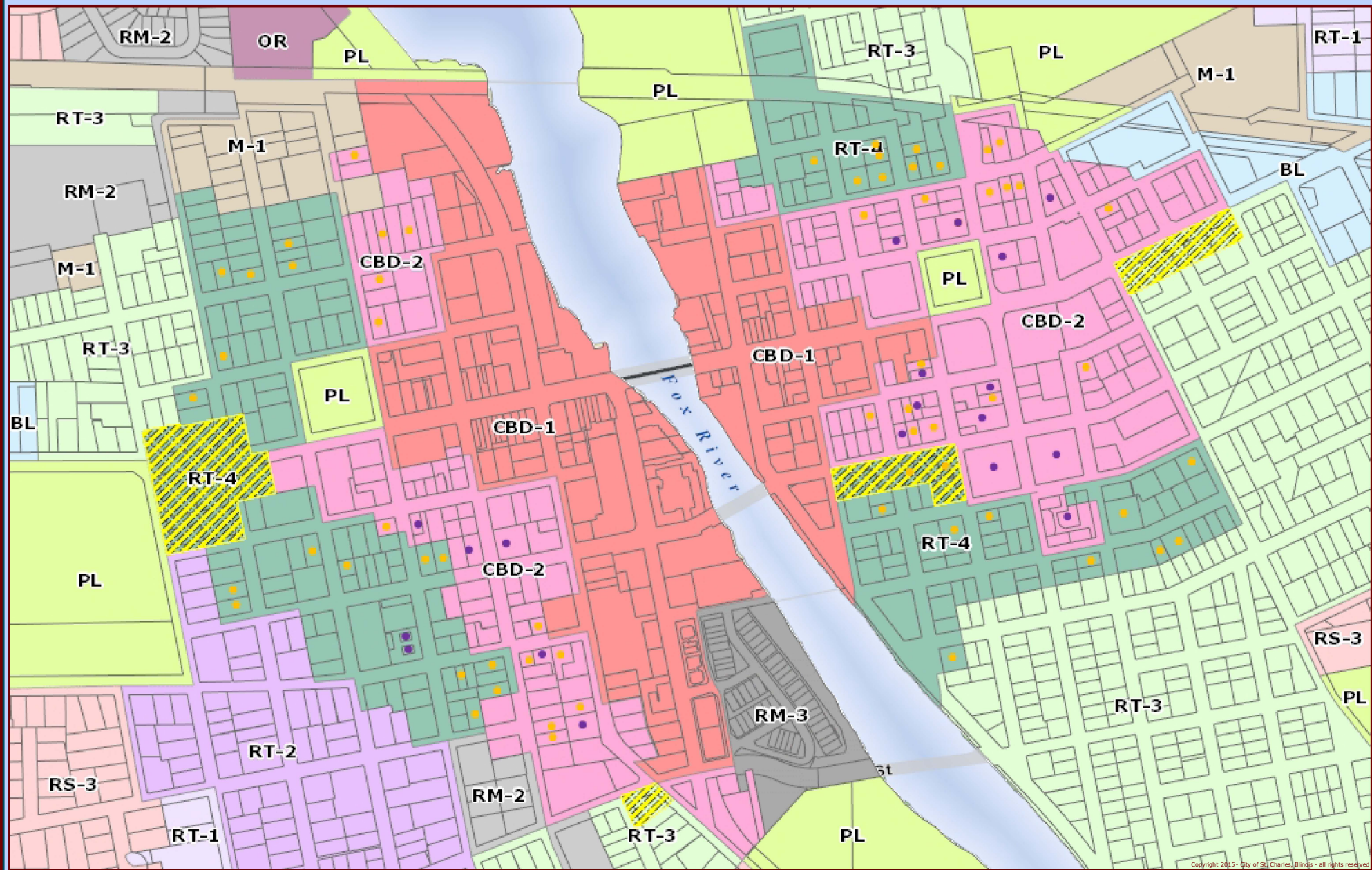
The Plan Commission held a public hearing on the General Amendment on 9/8/15 and 10/6/15. The Commission voted 8-0 to recommend approval.

## **V. ATTACHMENTS**

- Map of two-family and multi-family dwellings
- Application for General Amendment, filed by staff 9/18/15



# Two-family & Multi-family RT-4 & CBD-2



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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  
Printed on: October 9, 2015 08:14 AM



Orange = two-family dwelling  
Purple = Multi-family/Upper level dwelling

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Powered by Precision GIS

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

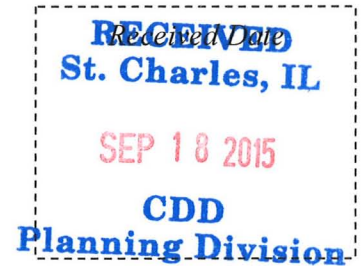


COMMUNITY & ECONOMIC DEV./PLANNING DIVISION

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

**GENERAL AMENDMENT APPLICATION**

<b>CITYVIEW</b>	
Project Name:	RT-4+ CBD-2 Nonconforming Lots, CBD-2 Lot Sizes
Project Number:	2015 -PR- 021
Application Number:	2015 -AP- 033



*Instructions:*

To request an amendment to the text of the St. Charles Zoning Ordinance (City Code Title 17), complete this application and submit it with all required attachments to the Planning Division.

City staff will review submittals for completeness and for compliance with applicable requirements prior to establishing a 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 Division and we will be happy to assist you.

<b>Applicant:</b>	Name	City of St. Charles	Phone	630-377-4443
	Address	2 E. Main St.	Fax	630-377-4062
		St. Charles, IL 60174	Email	ejohnson@stcharlesil.gov

**Attachment Checklist**

*If multiple zoning or subdivision applications are being submitted concurrently, do not submit duplicate checklist items or plans. Fee must be paid for each application.*

- APPLICATION FEE:** Application fee in accordance with Appendix B of the Zoning Ordinance (\$500)
- 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.
- REIMBURSEMENT OF FEES INITIAL DEPOSIT:**  
Deposit of funds in escrow with the City. (For a General Amendment application only: \$1,000 deposit.)
- FINDINGS:** Fill out the attached form or submit responses on a separate sheet.

□ **WORDING OF THE REQUESTED TEXT AMENDMENT**

**What is the amendment regarding?**

Add language to state that in the RT-4 District, existing two-family dwellings that do not meet the lot area requirement are permitted to continue, and in the CBD-2 District, existing single- and two-family dwellings that do not meet the minimum lot area requirement are permitted to continue.

CBD-2: Change the minimum lot area requirement for single-family dwellings to 4,400 sf and 2,200 sf/du for all other residential uses. Remove the minimum lot width requirement of 100 ft. for townhouse, multi-family, and mixed-use development.

**What sections are proposed for amendment?**

Chapters(s): Ch. 17.08, Ch. 17.14

Section(s): 17.08.050, Table 17.14-2

**The wording of the proposed amendment:** Insert below or attached wording on a separate page.

See attached.

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**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.**

Ellen Johnson  
Applicant

9/18/15  
Date

## FINDINGS OF FACT – GENERAL AMENDMENT

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



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

See attached.

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*Amendment Description/Ordinance Section Number* *Date*

### **From the Charles Zoning Ordinance, Section 17.04.320.C:**

In making its recommendation to grant or deny an application for a Zoning Text Amendment, the Plan Commission shall consider:

1. The consistency of the proposed amendment with the City’s Comprehensive Plan.

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2. The consistency of the proposed amendment with the intent and general regulations of this Title.

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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.

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4. The extent to which the proposed amendment would be in the public interest and would not serve solely the interest of the applicant.

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

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6. The implications of the proposed amendment on all similarly zoned property in the City.

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## Ch. 17.08 "Nonconformities"

### Section 17.08.050 "Nonconforming Lots of Record"

#### A. Individual Lots of Record in Residential and Mixed Use Districts

In residential districts and the CBD-2 Mixed Use Business District, a single family dwelling may be constructed and maintained on a lot which is nonconforming as to minimum lot are and/or minimum lot width, if the lot was of record on May 23, 1960, was in separate ownership on the effective date of this Title, and conforms to all other requirements of the zoning district in which it is located. In the CBD-2 and RT-4 Traditional Single- and Two-Family Residential district, a two-family dwelling may be constructed and maintained on a lot which is nonconforming as to minimum lot are and/or minimum lot width, if the lot was of record on May 23, 1960, was in separate ownership on the effective date of this Title, and conforms to all other requirements of the zoning district in which it is located, if the lot contained a two- or more-unit dwelling on the effective date of this Title.



BUSINESS AND MIXED USE DISTRICTS

TABLE 17.14-2 BUSINESS AND MIXED USE DISTRICTS BULK REGULATIONS					
ft = feet sf = square feet du = dwelling unit B = building and structures P = parking lots	ZONING DISTRICT				
	BL	BC	BR	CBD-1	CBD-2
Minimum Lot Area <sup>1</sup>	Dwelling, Upper Level: 3,000sf/du Drive-thru facilities, Minor Motor Vehicle Service & Repair: 1 acre Other Uses: No minimum lot area	1 acre	1 acre	Dwelling, Upper Level & Multi-family: 1,000 sf/du Nonresidential Uses: No minimum lot area	Single-Family: <del>5,000sf</del> Two family: <del>3,750 sf/du</del> Townhouse: <del>3,000 sf/du</del> Upper Level & Multi Family: <del>2,200sf/du</del> Non-Residential Uses: 5,000 sf <del>Townhouse, multi family, mixed use development: 100 ft</del> <del>All other uses: 50 ft</del>
Minimum Lot Width	None	None	None	None	4,400 sf
Maximum Building Coverage <sup>2</sup>	60%	40%	30%	None	Single-family: 25% All other uses: 40%
Maximum Gross Floor Area per Building	10,000 sq	75,000 sq	None	40,000 sq	10,000 sq
Maximum Building Height	30 ft	40 ft	40 ft	50 ft	40 ft
Front Yard <sup>3</sup>	B: Minimum 20 ft P: Minimum 10 ft	B, P: Minimum 20 ft	B, P: Minimum 20 ft	B: Maximum 5 ft/No Minimum P: Minimum 5 ft	B, P: Minimum 5 ft
Side Yards:					
Interior Side Yard	B: Minimum 5 ft P: None	B: Minimum 10 ft P: None	B: Minimum 15 ft P: None	B: If provided, minimum 5 ft P: None	B: Minimum 5 ft P: None
Exterior Side Yard	B: Minimum 20 ft P: Minimum 10 ft	B, P: Minimum 20 ft	B, P: Minimum 20 ft	B: Maximum 5 ft/No minimum P: Minimum 5 ft	B, P: Minimum 5 ft
Minimum Rear Yard	B: 20 ft, P: None	B: 30 ft, P: None	B: 30 ft, P: None	B,P: None	B: 20 ft, P: None

All other residential uses: 2,200 sf/du

4,400 sf

<sup>1</sup> The Lot Area for Two Family, Townhouse and Multi-Family developments with more than one lot may be calculated by adding the land area of all lots and common areas on which one category of dwellings is located, and dividing the total land area by the total number of dwelling units of that category. Common areas may be included in the calculation of land area, except for the area within a public or private street right of way; if no right of way is designated to private streets, the area between the backs of curbs of the private street shall be excluded.

<sup>2</sup> In the CBD-2 District, if a detached garage is provided in lieu of an attached garage, or if an attached garage is accessed via an alley, a) on lots 65 feet or less in width, 500 square feet of additional Building Coverage is allowed, and b) on lots more than 65 feet in width, 250 square feet of additional Building Coverage is allowed.

<sup>3</sup> If an existing parking facility is resurfaced or reconstructed, and the parking facility does not meet the current parking setback requirement, the required set back may be reduced by fifty percent (50%). If the existing parking facility is set back at a distance greater than fifty percent (50%) of the required parking facility set back of the Zoning District, the existing parking facility setback shall not be reduced.

## **Findings of Fact – General Amendment**

### **1. The consistency of the proposed amendment with the City’s Comprehensive Plan.**

The Comprehensive Plan calls for the need to promote diverse housing options within residential neighborhoods and downtown, which the proposed amendment would help to accomplish:

- Ch. 3 Goals & Objectives, Residential Areas- Goal 1(p.22): “Maintain the City’s image and desirability as a great place to live by preserving and enhancing the diversity, quality, character, safety, affordability, and appeal of residential neighborhoods.”
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  - Objective 10: “Undue or inappropriate zoning regulations or procedures should be modified or removed as to eliminate unnecessary barriers to Downtown investment.”
- Chapter 4 Land Use Plan, Residential Land Use Policies (p.43):
  - “Locate new multi-family residential developments in appropriate locations within the City and consider the implications of concentrating units in one location or area of the City.”
  - “Seek opportunities to provide senior housing within the City, consider locations that are within close proximity to recreation, public transit, healthcare and daily goods and services.”
- Chapter 4 Land Use Plan, Commercial Area Policies (p.48):
  - “Continue to promote mixed use development within Downtown while respecting the historic fabric of the community.”

### **2. The consistency of the proposed amendment with the intent and general regulations of this title.**

The proposed amendment will help to promote reinvestment and redevelopment surrounding the central core of downtown St. Charles, as well as to encourage the provision of a diversity of housing types. As such, the proposed amendment is consistent with many of the stated purposes of the Zoning Ordinance (Ch. 17.02.020), including protecting the character of established residential neighborhoods, maintaining business areas that are economically viable, conserving the value of property, and implementing the goals of the Comprehensive Plan.

### **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 amendment is more workable than the existing text because it simplifies and standardizes the lot area requirements in the CBD-2 district, and allows for greater flexibility in the types of residential uses that are permitted on a given parcel. The amendment also reflects a change in policy to promote increased housing opportunities around downtown. The *Homes for a*

*Changing Region* policy document recommends decreasing per unit lot area requirements in the CBD-2 district for this purpose. The amendment also reflects a change in policy to permit certain nonconforming residential properties to continue.

**4. The extent to which the proposed amendment would be in the public interest and would not serve the interest of the applicant.**

The proposed amendment will allow for the creation of higher density around downtown St. Charles, thereby allowing for more types of housing for individuals and families with a variety of needs and preferences. The proposed amendment will also allow a number of nonconforming two-family properties in the RT-4 district and single- and two-family properties in the CBD-2 district to be “grandfathered”, so that they may be reconstructed if destroyed, thereby addressing the issue of disinvestment in nonconforming properties.

**5. The extent to which the proposed amendment creates nonconformities.**

The proposed amendment will decrease the number of nonconforming properties in the subject zoning district. Currently, 65% of residential parcels in the CBD-2 district comply with the lot area requirements, while 78% will comply as a result of the amendment. This will decrease the number of nonconforming properties by 15.

The proposed amendment will permit existing nonconforming two-family dwellings in the RT-4 district and single- and two-family properties in the CBD-2 district to continue in use and to be reconstructed on undersized lots.

**6. The implications of the proposed amendment on all similarly zoned property in the City.**

The proposed amendment will apply to all property in the City zoned RT-4 and CBD-2.



## AGENDA ITEM EXECUTIVE SUMMARY

Title:	Presentation of Conceptual Site Plan for Camp Kane
Presenter:	Kim Malay, Camp Kane Heritage Foundation

*Please check appropriate box:*

	Government Operations		Government Services
X	Planning & Development – (10/12/15)		City Council
	Public Hearing		

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

**Executive Summary:**

The Camp Kane Heritage Foundation has prepared a Conceptual Site Plan for utilization of the Camp Kane site within Langum Park.

The property is City owned. To utilize the property, the Camp Kane Heritage Foundation would need to enter into an agreement with the City. This agreement has not yet been drafted.

The plan is being presented at an early stage to obtain feedback regarding the potential use of the property.

The Camp Kane property and the Jones Law Office are designated historic landmarks. The plan will be presented to the Historic Preservation Commission for feedback on Oct. 7.

The Concept Site Plan shows perpendicular parking extended along the north side of Devereaux Way. The other two alternate layouts incorporate a vehicle turn around.

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

Conceptual Site Plan and two alternate parking layouts

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

Provide comments on the Conceptual Site Plan.

<i>For office use only:</i>	<i>Agenda Item Number: 4e</i>
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① Existing Historical Law Building



EXISTING LAW OFFICE, 700 DENHAM IN EXISTING LOCATION

② Existing Historical Camp Kane Monument



EXISTING CAMP KANE MONUMENT

③ Underground Railroad Monument



④ General Farnsworth Monument



EXISTING GENERAL FARNSWORTH MONUMENT

⑤ Existing Trees to Retain



⑥ Garden Area w/ Fountain



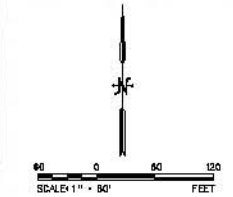
⑦ Water Feature



⑧ Pillars at Entrance



**ADDITIONAL FEATURES:**  
**PAVED PLAZA:** NEWLY DEVELOPED WALKING HISTORICAL BUILDINGS OF THE SITE.  
**MONUMENTARY AREA:** CIVIL WAR MONUMENTARY AREA.  
**PLAZA:** NEWLY DEVELOPED WALKING PLAZA TO INCREASE PUBLIC TO ENJOY THE SITE.  
**SCULPTURE:** ADDITIONAL SCULPTURES PLACED ALONG WALKING PATHS WITH NEW MONUMENTS AND WATER FEATURES.  
**SEATING:** SEATING AND LIGHTING SHALL BE ADDED WHERE DEEMED APPROPRIATE.



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1 Existing Historical Law Building



EXISTING LAW OFFICE, 700 BROADWAY IN CURRENT LOCATION

2 Existing Historical Camp Kane Monument



EXISTING CAMP KANE MONUMENT

3 Underground Railroad Monument



4 General Farnsworth Monument



EXISTING GENERAL FARNSWORTH MONUMENT

5 Existing Trees to Retain



6 Garden Area w/ Fountain



7 Water Feature



8 Pillars at Entrance



ADDITIONAL FEATURES:

PERMANENT PLAZA WITH DETACHED GARDEN HISTORICAL BUILDINGS OF THE SITE

RECREATION AREA

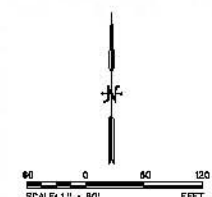
CIVIL WAR MONUMENT AREA

PERMANENTLY PLACED SIGNAGE PLAZA TO INCREASE PUBLIC TO ENJOY THE SITE

SCULPTURE

ADDITIONAL SCULPTURES PLACED ALONG WALKING PATHS WITH NEW BARRIERS AND BENCHES FEATURES

RECREATION, BARRIERS AND LIGHTING SHALL BE ADDED TO MAKE VISITORS APPROPRIATE.



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- 1 Existing Historical Law Building




EXISTING LAW OFFICE, TO REMAIN IN EXISTING LOCATION
- 2 Existing Historical Camp Kane Monument



EXISTING MONUMENT TO BE RELOCATED
- 3 Underground Railroad Monument


- 4 General Farnsworth Monument



NEW MONUMENT TO COMPLY WITH DESIGN
- 5 Existing Trees to Retain


- 6 Garden Area w/ Fountain


- 7 Water Feature


- 8 Pillars at Entrance



**ADDITIONAL FEATURES:**

- PERMANENT MONUMENTS:** RELOCATED HISTORICAL MONUMENTS OF THE SITE
- RECREATION AREA:** CIVIL WAR RECREATION AREA
- PERMANENT MONUMENTS:** PERMANENT MONUMENTS TO BE PLACED TO MARK THE SITE
- SCULPTURES:** SCULPTURES PLACED ALONG WALKING PATHS WITH NEW MONUMENTS AND OTHER FEATURES
- SEATING:** SEATING AND LIGHTING SHALL BE ADDED WHERE DEEMED APPROPRIATE.

