



Applicant:	Quarterra Multifamily Communities
Property Owner:	Todd Dempsey
Location:	29 acres on south side of Rt 38, west of Meijer
Purpose:	Feedback on a proposed residential development
Application:	Concept Plan
Public Hearing:	Not required
Zoning:	BR Regional Business / PUD
Current Land Use:	Agriculture
Comprehensive Plan:	Corridor/Regional Commercial & Industrial/Business Park

Emblem St. Charles



Summary of Proposal: Quarterra Multifamily Communities, represented by Jeff Woll, has filed a Concept Plan proposing a residential development consisting of apartments and townhomes on the 29 acres west of Meijer in the Bricher Commons PUD. Details:

- Main entrance on Rt 38/Lincoln Hwy
- Secondary access via cross-access drive to the east
- Emergency access at southeast corner behind Meijer
- Stormwater detention facilities along west end
- Multi-Family Portion – Developed by Quarterra:
 - 288 units in 12 buildings
 - 144 1-BR, 132 2-BR, 12 3-BR
 - Clubhouse with pool
 - Surface and garage parking
- Townhome Portion – Developed by Lennar:
 - 72 units in 18 buildings
 - All 3 bedrooms with 2-car garages
 - Units access from single cul-de-sac

Info / Procedure on Application:

- Per Sec. 17.04.140, the purpose of the Concept Plan review is as follows: “to enable the applicant to obtain informal input from the Plan Commission and Council Committee prior to spending considerable time and expense in the preparation of detailed plans and architectural drawings. It also serves as a forum for owners of neighboring property to ask questions and express their concerns and views regarding the potential development.”
- A formal public hearing is not involved, although property owners within 250 ft. of the property have been notified and may express their views to the Commission.
- No recommendation or findings are involved.

Suggested Action:	Provide feedback on the Concept Plan. Staff has provided topics Commissioners should consider to guide feedback to the applicant.
Staff Contact:	Ellen Johnson, Planner

I. PROPERTY INFORMATION

A. History / Context

The subject property constitutes three parcels totaling 29-acres, located west of Meijer on the south side of Rt 38 / Lincoln Hwy. The subject property is part of the Bricher Commons PUD. When approved in 1999 under Ord. 1999-Z-11, the PUD included the subject property and the property to the south, what is now Prairie Winds. In 2017, Prairie Winds was removed from the Bricher Commons PUD and a new PUD was established for that development.

In 2006, prior to the removal of Prairie Winds, the Bricher Commons PUD was amended under Ordinance No. 2006-Z-7, “An Ordinance Amending Special Use Ordinance 1999-Z-11 (Second Amendment to Bricher Commons PUD)”. In addition to the commercial uses already permitted on the property, the amendment allowed for multi-family residential uses on up to 34.5 acres of the property, subject to a density limitation (maximum of 250 units) and that 20% of the residential units must be affordable. A conceptual site plan was included illustrating the intended residential and commercial land uses and internal circulation, including a roadway through the site connecting Bricher Rd. and Rt. 38. (The 2006 PUD Ordinance and site plan are attached.)

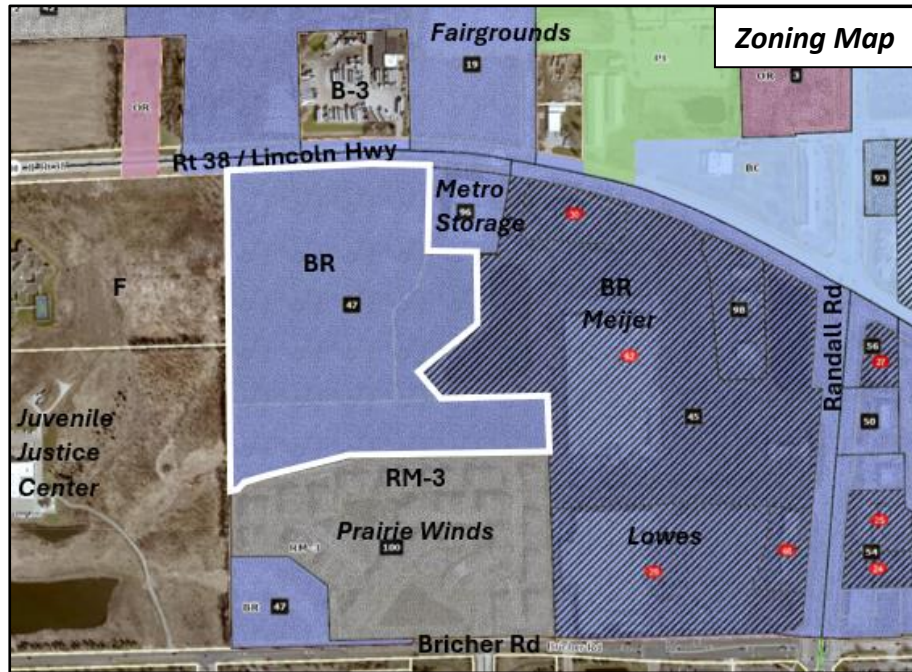
No preliminary plans were submitted for development of the property as contemplated under the 2006 PUD ordinance.

The subject property has been marketed for sale for several years. Over the years, staff has been in approached by a number of developers interested in the property. In recent years, interest in the site has been predominately for residential development purposes.

B. Zoning

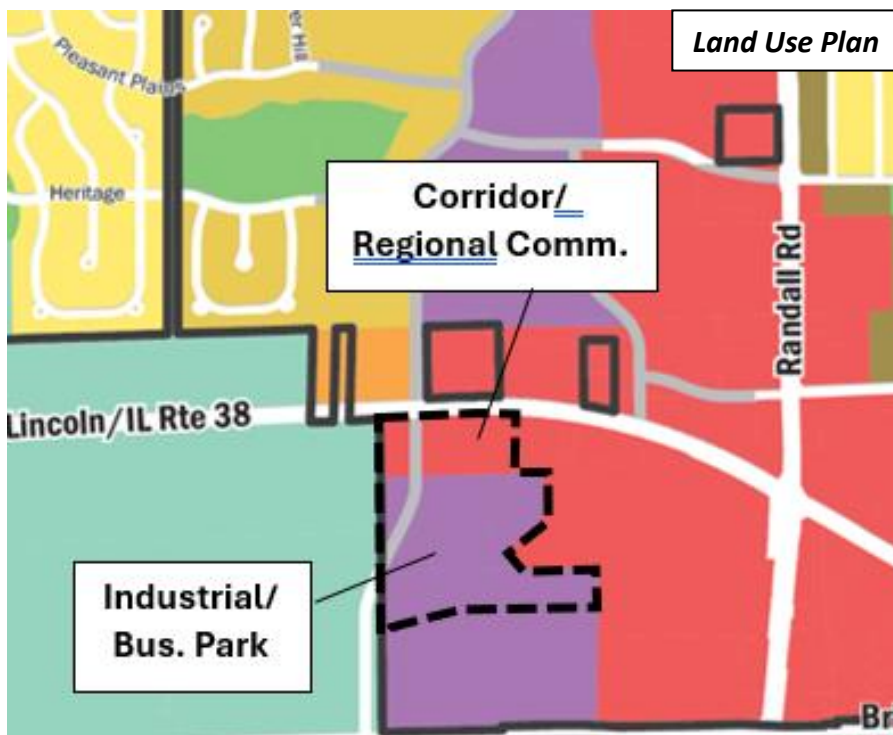
The subject property is zoned BR Regional Business and is located in the Bricher Commons PUD. Commercial zoning exists to the north and east, with multi-family residential to the south and Kane County Farming district to the west.

	Zoning	Land Use
Subject Property	BR Regional Business / PUD	Farmland
North	BR Regional Business / PUD Kane County B-3 Business District	Kane County Fairgrounds; Black Sea Transportation
East	BR Regional Business / PUD	Metro Self Storage; Meijer
South	RM-3 General Residential / PUD	Prairie Winds Apartments
West	Kane County Farming District	Open space/Kane County Juvenile Justice Center



C. Comprehensive Plan

The Land Use Plan adopted as part of the 2013 Comprehensive Plan identifies the northern third of the subject property, along Lincoln Hwy, as “Corridor/Regional Commercial” and the southern two-thirds “Industrial/Business Park”.



The Corridor/Regional Business land use is described as follows:

Areas designated as corridor/regional commercial are intended to accommodate larger shopping centers and developments that serve a more regional function, drawing on customer base that extends beyond 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 corridor/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.

The Industrial/Business park land use is described as follows:

Areas designated for industrial/business park are intended to accommodate a variety of uses ranging from light assembly, storage and distribution, low intensity fabrication operations, research and “tech” industry applications, intense commercial service uses, and more. These areas are also intended to provide for business park/office park uses, which could include “stand alone” office buildings and complexes or several buildings incorporated into a “campus like” setting.

Light industrial uses in St. Charles are concentrated in industrial parks, but they can also be found in commercial and office areas. As a distinct land use, these areas can provide significant employment opportunities, tax revenue generation, and, if developed correctly, can help establish a positive community image.

While these uses create significant jobs and tax revenue, care must be taken to ensure they don’t become a source of blight for surrounding uses. At times, their externalities are unpopular with community members, but heavy industrial uses are generally treated as assets as long as care is taken to eliminate their negative effects.

Chapter 8 of the Comprehensive Plan contains the West Gateway Subarea Plan. The subject property is located within the West Gateway Subarea which focuses on the Randall Road corridor (p.94).

Subarea Goals

The West Gateway subarea provides unique opportunities within a specific context of a corridor capable of competing with other commercial areas of the City, including Downtown. These opportunities and goals are not meant to create competition with Downtown; rather, they strive to complement each other. The overall vision for the subarea includes the following elements:

- *An economically competitive corridor that capitalizes on its unique advantages and regional position and complements downtown.*
- *Redevelopment and repositioning to include the next generation of regional development and services.*
- *An attractive environment that is distinguishable from adjacent communities and respectful of surrounding neighborhoods.*
- *A multi-use area that provides a balance in and ease of access between residential, commercial, and retail activities.*

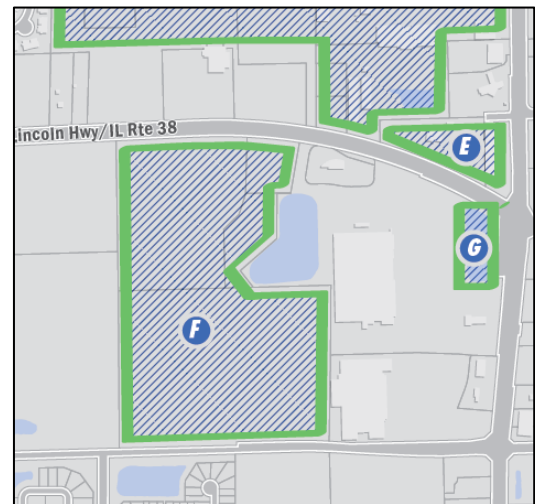
Subarea Objectives

- *Improvement of the appearance of the Randall Road Corridor and the identity of the St. Charles community through installation of streetscaping, wayfinding, and gateway elements.*
- *Enhancement of the character of both existing and new development through on-site landscaping, attractive building design and materials, and more consistent signage regulation.*
- *Improved mobility and access throughout the corridor, including between adjacent development sites or blocks.*

- *Comprehensive bicycle, pedestrian, and transit access through infrastructure and technology improvements.*
- *Preservation of surrounding neighborhoods through the use of screening and buffering from commercial development.*
- *Redevelopment of the St. Charles Mall site with activities and a character that complement Randall Road and maintain an appropriate relationship with adjacent neighborhoods.*
- *Creation of market-responsive development parcels that can accommodate projects of an appropriate scale and phasing over time.*
- *A transitioning land use pattern that is supportive of Bus Rapid Transit (BRT) along Randall Road.*
- *Achieve balance by promoting connections between the Downtown and the West Gateway area without competing with the Downtown.*

The subject property, along with what is now Prairie Winds to the south, is identified as Catalyst Site “F” within the West Gateway Subarea (p.97):

Situated between the Meijer on Randall Road and the Kane County Government Center is a 55-acre site known as Bricher Commons. Portions of the site have excellent visibility and frontage to Lincoln Highway, however not all of the site can capitalize on the visibility and access that IL Route 38 provides. The northern areas of the site should develop with commercial uses fronting Lincoln Highway with either multifamily, single-family attached, or offices and commercial services, in the rear and interior of the site.



Staff Comments

- ✓ The Catalyst Site F description recommends commercial uses along Rt 38, with either multi-family, townhomes, or offices/commercial services on the remainder of the property. The Industrial/Business Park land use designation for the southern two-thirds of the property may reflect the office park suggestion. Based on the Catalyst Site description, residential would also be acceptable.
- ✓ The West Gateway Improvement Plan within the Comprehensive Plan (p.96) indicates an intended street connection stretching from Bricher Road, north along the west side of Prairie Winds and the subject property, through the Fairgrounds, behind Costco, connecting to Oak Street and ultimately Rt 64. Prairie Winds was approved without the southern portion of the street connecting down to Bricher. Without that southern portion, the street connection through the subject property would not make sense.

II. PROPOSAL

Quarterra and Lennar are under contract to purchase the subject property. A Concept Plan has been submitted for feedback, proposing the following:

- Rezoning to RM-3 General Residential District with Planned Unit Development (PUD)
- Main site entrance on Rt 38/Lincoln Hwy
- Secondary access via cross-access drive to the east, running south of Metro Self Storage and connecting to Rt 38 and Meijer
- Emergency access at southeast corner behind Meijer

- Stormwater detention facilities along west end
- Internal network of sidewalks
- Quarterra Portion – Multi-Family Portion:
 - 288 units in 12 buildings; 24 units per building
 - 144 1-BR, 132 2-BR, 12 3-BR
 - 3 stories
 - Clubhouse with pool
 - Surface and garage parking
 - Dog park
 - To be rentals
- Lennar Portion – Townhomes
 - 72 units in 18 buildings; 4 units per building
 - 3-stories
 - Rear loaded 2-car garages
 - All units have 3 bedrooms and
 - Units are arranged along a single street ending in a cul-de-sac
 - Exterior maintenance provided
 - To be for-sale

III. CONCEPT PLAN REVIEW PROCESS

The purpose of the Concept Plan review is to enable the applicant to obtain informal input on a concept prior to spending considerable time and expense in the preparation of detailed plans and architectural 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.

IV. PLANNING ANALYSIS

Staff has analyzed the Concept Plan to determine the ability of future plans based on the Concept Plan to meet applicable standards of the Zoning and Subdivision ordinances. Staff have also evaluated the Concept Plan for good design and best planning practices beyond the specific requirements of our codes and ordinances. The plan was reviewed against the following code sections and documents:

- Ch. 17.06 Design Review Standards & Guidelines
- Ch. 17.12 Residential Districts
- Ch. 17.26 Landscaping & Screening

A. Proposed Zoning

The applicant has identified that a zoning designation of RM-3 General Residential District would be requested for this development. The purpose of the RM-3 District is as follows:

To accommodate a range of housing densities, including higher density residential up to approximately twenty (20) units per acre, at locations that will provide efficient use of land and infrastructure. The RM-3 District also provides for limited institutional uses that are compatible with surrounding residential neighborhoods.

Proposed net density based on the Concept Plan is 12.4 units per acre. This includes the townhome portion, multi-family portion, and open space. This density is below the 20 units per acre maximum permitted in the RM-3 District, but higher than the RM-2 District which is

10 units per acre. Looking at each portion separately, density of the 13.8-acre multi-family portion is 20.9 units per acre. Density of the 7-acre townhome portion is 10.3 units per acre.

Based on proposed density and bulk regulations (discussed later), the RM-3 District is most appropriate for this development. A Map Amendment would be required to rezone the property from BR to RM-3.

The subject property is within the Bricher Commons PUD. The 2006 PUD approval for this property would not accommodate this proposal, and therefore would need to be amended to allow the proposed development. It may be that a new PUD for the project is deemed necessary to accommodate the development, depending on whether the project can be modified to meet all Zoning and Subdivision requirements. If a new PUD is deemed necessary, it would need to be approved alongside the Map Amendment.

B. Zoning Bulk Standards

The tables below compare the Concept Plan with the RM-3 District bulk standards. The first table is for the Lennar townhome portion. The second table is for the Quarterra multi-family portion. Note- for the purpose of applying zoning bulk standards, the property is being considered a single zoning lot. It has not yet been identified how the property will be platted.

Plans for the development should comply with the RM-3 District standards to the greatest extent possible. Any deviations from RM-3 standards would need to be requested and approved through a PUD.

Lennar Townhomes:

Category	RM-3 District (proposed zoning)	Concept Plan
Min. Lot Area	4,300 sf/unit	4,235 sf / unit
Min. Lot Width	24 ft. / unit	TBD based on platting
Max. Building Coverage	40%	TBD; appears to meet
Max. Building Height	3 stories / 35 ft.	3 stories
Front Yard	30 ft.	60 ft. from Rt 38 (Bldg 1)
Interior Side Yard	10 ft.	East: 30 ft. West: TBD; exceeds
Rear Yard	30 ft.	South: TBD; exceeds
Parking	2 per unit	2 per unit in driveways & 2 per unit interior garage spaces

Quarterra Multi-Family:

Category	RM-3 District (proposed zoning)	Concept Plan
Min. Lot Area	2,200 sf / unit	2,087 sf / unit
Min. Lot Width	65 ft.	TBD; Entire Rt 38 frontage is approx. 865 sf
Max. Building Coverage	40%	TBD; appears to meet
Max. Building Height	4 stories / 45 ft.	3 stories
Front Yard	30 ft.	31 ft. (clubhouse setback from Rt 38)
Interior Side Yard	25 ft.	East: 23 ft.

		West: 91 ft.
Rear Yard	30 ft.	South: approx. 5 ft for parking; 60' buildings
Parking	1-bedroom: 1.2 spaces/unit 2-bedroom: 1.7 spaces/unit 3-bedroom: 2 spaces/unit 421 spaces required	503 spaces

Staff Comments:

- ✓ The City’s adopted density limits are exceeded within the 13.8-acre Quatterra portion, with only 2,087 sf of lot area per unit (2,200 sf/unit required). Density is also slightly over for the Lennar portion, with 4,235 sf/unit (4,300 sf/unit required). When the property is considered as a whole, including open space, per unit lot area is 3,630 sf/unit (for both townhomes and multi-family).
- ✓ The Quatterra buildings do not meet the 25 ft. setback requirement from the east property line.
- ✓ The Quatterra parking lot does not meet the 30 ft. setback requirement from the south lot line.
- ✓ Standard size for parking stalls is 9’x18’, however parking spaces for multi-family spaces are required to be 9.5’ in width.
- ✓ A zoning deviation would be needed to allow more than one principal building on a single lot, if the property is platted as such.

C. Site Access / Site Plan / Street Network

Staff has reviewed the site plan based on City Code requirements and good planning practice. Proposed is a primary access point on Rt. 38. Secondary access into the site is provided via a cross-access drive at the east end, which runs behind Metro Storage and connects to the Meijer site. Two additional access points on Rt 38 are accessible with this cross-access connection. An existing roadway easement over this driveway was put into place in 2003 to allow for future cross-access to this property.

The third access point into the property is via an emergency access at the southeast corner, behind Meijer. This would be available for use only by emergency vehicles.

The townhomes are arranged along a street ending in a cul-de-sac, with a total length of about 800 feet. The apartments are arranged within parking lots, with the clubhouse near Rt 38 and the main site entrance.

Sidewalks are shown interior to the development.

Staff Comments – Street Network

- ✓ Staff has concerns about the proposed roadway configuration, particularly in the northeast quadrant of the overall site. Staff would like to work with the applicant on revisions to the layout to allow for a safer, more efficient and better-designed street network.
- ✓ Staff contemplates that two publicly dedicated streets should be provided. These streets would need to meet City standards for width, parkway, streetlights, street trees, etc.
 1. The townhome roadway.
 2. A roadway running from the Rt 38 site entrance, connecting to the east lot line at the secondary access point.

Currently, access between the townhomes and the secondary access point is shown as a parking lot design through the apartment development. An access route should be provided and designed as a public street. No parking spaces should abut the street to avoid vehicular conflicts. Building placement may need to be adjusted to allow for a more direct routing of the street.

- ✓ The Fire Dept is requiring a full access point at the southeast corner, in the location currently shown as emergency access only (see Fire Dept review). This will allow for better connectivity to Randall Road via the drive between Lowes and Meijer. Easement agreements with Meijer will need to be obtained.
- ✓ Maximum length of a cul-de-sac allowed per City Code is 500 ft. the proposed street through the townhomes is approx. 800 ft. The Fire Dept recommends a secondary access at the south end, connecting to the Quarterra site (see Fire Dept review).

Staff Comments – Parking

- ✓ Parking appears to meet requirements.
- ✓ Staff recommends that multiple designated ‘Guest Parking’ areas be created in the ‘Quarterra’ portion of the proposal.

Staff Comments – Traffic

- ✓ IDOT approval will be required for the proposed new access on Rt 38.
- ✓ A Traffic Impact Study will be required should the project move forward. The study should estimate trip generation and assess impacts to the surrounding roadway network, need for turn lanes, deceleration lanes, new signals and/or signal optimization, etc. The study should also assess circulation internal to the proposed development.

Staff Comments – Pedestrian Connectivity & Recreation

- ✓ Sidewalk along the full Rt 38 frontage (within IDOT ROW) will be required.
- ✓ A walking path around the proposed western-2 detention ponds shall be provided.
- ✓ Pedestrian connectivity within the Quarterra portion of the proposal is needed between all buildings.
- ✓ A paved and ADA-compliant pedestrian connection is needed at the south end of the Quarterra portion shall be provided alongside the emergency access point.
- ✓ The north-south pedestrian path east of building T-5 should be extended to and beyond the north lot line to provide access to the drive aisle south of the Metro Self Storage.
- ✓ A pedestrian sidewalk to the south (Prairie Winds) should be provided, if agreement can be made with the neighboring property owner.
- ✓ A dog park is proposed. A playground or other park for children should be provided, to be accessible to Lennar and Quarterra residents.

D. Landscaping

A landscape plan will be required for all common areas for this development should the project move forward. This includes landscaping around the buildings, detention ponds, street frontage, and within parking lots. Overall, at least 20% of the site needs to be landscaped.

The apartment buildings and clubhouse will be subject to building foundation landscaping requirements. Foundation planting beds, 5 ft. in depth, will be needed along 50% of the building walls (excluding doorways), with adequate plantings provided per Section 17.26.080. It appears there is adequate space to provide the required foundation landscaping.

Street frontage landscaping requirements will apply along Rt 38, with 1 tree required per 50 ft. and planting beds along at least 75% of the street frontage.

Staff Comments:

- ✓ Landscape buffering is suggested along the south lot line adjacent to Prairie Winds.

E. Building Design

Multi-family buildings and townhomes in the RM-3 District are subject to the Design Review standards and guidelines contained in Ch. 17.06.

Renderings of the apartment buildings and townhomes been provided. The apartment buildings are 3-stories with masonry used on the first floor and horizontal siding on floors 2 and 3. Wide trim is shown around doors and windows. Punched-in balconies are shown.

Renderings of the townhomes depict a farmhouse-type design. Masonry is shown on the first level, with a mixture of horizontal and vertical siding on the upper floors.

Staff Comments:

- ✓ Variety between buildings within a unifying design is encouraged. At a minimum, there should be variation in color scheme among the buildings.
- ✓ Façade materials are not indicated. Vinyl siding is prohibited in the RM-3 District.

V. DEPARTMENTAL REVIEWS

A. Engineering Review

Staff has provided engineering comments to the applicant, advising on items that will need to be addressed in a future preliminary engineering submittal, should the project move forward.

Water modeling will need to be conducted to confirm adequate water pressure and fire flow requirements. Capacity of the existing sanitary sewer running along the east end of the property will need to be evaluated.

Detention ponds are proposed on the west side of the development. The development will need to comply with the Kane County Stormwater Ordinance. Wetlands exist on the property. A wetland delineation report will be required to determine jurisdictional authority for wetland regulation.

B. Electric Utility

The applicant has been in communication with the St. Charles Electric Utility to discuss requirements for this project. Cost estimates have been provided.

C. Fire Dept. Review

Fire Prevention Bureau staff has reviewed the Concept Plan. Fire Department access to this site does not appear to be adequate. Access to the east section of the development shall require two separate and approved fire apparatus access roads as outlined in section D106 of the 2021 IFC. The emergency access near the southeast corner will need to be a full, open access point.

The Fire Dept. also recommends connecting the road servicing the townhomes to the road

servicing the apartments at the southwest corner, to provide 2 fire access roads into the townhomes.

Additional fire hydrants at approved locations will be required throughout the site.

VI. DEVELOPER CONTRIBUTIONS

A. Inclusionary Housing

This development will be subject to the Inclusionary Housing Ordinance, Title 19 of the City Code. The affordable unit requirement for 360 units is 36 (10%). A fee worksheet has been submitted indicating the applicant's intent to pay a fee in-lieu of providing 36 affordable units. Based on a fee in-lieu amount of \$52,454 per required affordable multi-family unit and \$36,719 per required affordable townhome unit, a total fee in-lieu amount of \$1,775,045 would be due at the time of building permit. Staff strongly encourages providing affordable units on-site. One option could be to provide a portion of the required affordable units and provide fee in-lieu for the remainder.

B. School District

This development will be subject to Ch. 16.10 "Dedications" of the Subdivision Code and will be required to provide either a land or cash contribution to St. Charles CUSD 303. The Concept Plan and a land-cash worksheet prepared by the developer have been provided to the School District for review. It is anticipated a cash contribution would be accepted. Based on the anticipated unit type/bedroom count, a total contribution of \$499,975 would be due to D303 prior to issuance of building permit.

C. Park District

Also per Ch. 16.10 of the Subdivision Code, a land or cash contribution will be required for the St. Charles Park District. The Concept Plan and a land-cash worksheet prepared by the developer have been provided to the Park District for review. Staff is awaiting feedback on whether the Park District would be agreeable to the cash contribution as proposed by the developer, or if a public park site will be requested. Note that when asked to comment on a residential proposal for this same property last year, the Park District indicated a preference for parkland rather than cash in-lieu of parkland. If a cash contribution is accepted, it will total \$1,719,575, due prior to issuance of building permit. Staff recommends that if cash is accepted rather than parkland, the developer should be required to incorporate multiple park-like features throughout the development as suggested above under "Staff Comments—Pedestrian Connectivity and Recreation".

VII. FUTURE APPROVAL PROCESS

If the applicant chooses to move forward with the proposed development at the conclusion of the Concept Plan process, the following would need to be approved in order to entitle the development as proposed in the Concept Plan:

1. Map Amendment: To rezone the property from BR to RM-3.
2. Special Use for PUD: To amend the Bricher Commons PUD to accommodate the project. This may involve removing the property from the Bricher Commons PUD and establishing a new PUD for the project; OR removing the property from the PUD and processing the project as a subdivision/by-right development, which would have to meet all Zoning and Subdivision standards.

3. PUD Preliminary Plan: If a new PUD is requested- To approve the physical development of the property, including site, engineering, and landscape plans.
4. Final Plat of Subdivision: To plat the property and establish easements.

VIII. SUGGESTED ACTION

Review the Concept Plan and provide comments to the applicant. Staff recommends the Commission provide feedback on the following:

- ✓ Proposed land use and compatibility with surrounding development and with the Comprehensive Plan's direction for the site.
- ✓ Proposed density.
- ✓ Site layout and access, with particularly attention to the roadway network (see staff comments).
- ✓ Park and recreational amenities, and specifically the provision of park-like features if no park is dedicated.
- ✓ Zoning:
 - a. RM-3 District designation.
 - b. Planned Unit Development – Is a PUD appropriate or desirable for this project? Does the plan adequately advance one or more of the purposes of the PUD procedure:
 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*

IX. ATTACHMENTS

- Application for Concept Plan; received 9/27/24
- Plans
- Excerpts from Ord. 2006-Z-7

City of St. Charles
 Community Development Division
 2 E. Main Street
 St. Charles, IL 60174



Phone: (630) 377-4443
 Email: cd@stcharlesil.gov

CONCEPT PLAN APPLICATION

For City Use	
Project Name:	<u>Emblem St. Charles</u>
Project Number:	<u>2024 -PR- 016</u>
Cityview Project Number:	<u>PLCP202400034</u>

Received Date
RECEIVED
 SEP 27 2024
 City of St. Charles
 Community Development

- File this application to request review of a Concept Plan for a property.
- Complete the application and submit with all required attachments to the Community Development Division.
- The information you provide must be complete and accurate. If you have any questions please contact the Community Development Division.
- City staff will review the submittal for completeness prior to scheduling a Plan Commission review, followed by review by the Planning & Development Committee of the City Council.

1. Property Information:	Location: Lincoln Hwy (Route 38) / West of Randall Rd	
	Parcel Number (s): PIN:09-32-400-029 & PIN:09-32-400-031	
	Proposed Name: Emblem St Charles	
2. Applicant Information:	Name: Quarterra Multifamily Communities	Phone: 312-342-7704
	Address 300 Park Blvd., Suite 355, Itasca IL 60143	Email: Jeff.Woll@Quarterra.com
3. Record Owner Information:	Name: Dempsey, Todd L DCLRN of TR, Trustee	Phone: 630-879-3680
	Address: Batavia Enterprises Inc, 140 First St. Batavia, IL 60510	Email: ADempsey@beicre.com

4. Identify the Type of Application:

- PUD Concept Plan** Proposed PUD Name: TBD
- Subdivision Concept Plan** Proposed Subdivision Name:
- Other Concept Plan**

5. Zoning & Use Information:

Current zoning of the property: BR Regional Business District - PUD

Current use of the property: Farmland / Agriculture

Comprehensive Plan designation of the property: Industrial/Business Park

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

Proposed zoning of the property: RM-3 General Residential District PUD? Yes

Proposed use of the property: 72-For Sale-Townhomes (Lennar) & 288 For-Rent Flats (Quarterra)

6. Required Attachments:

Provide 1 copy of each required item, unless otherwise noted.

- 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 subject property:

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:** a) A current title policy report; or
b) A deed and a current title search

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.

- OWNERSHIP DISCLOSURE:** Use the appropriate disclosure form (attached), if the owner or applicant is a Partnership, Corporation, Trust, or LLC.

- LETTER OF AUTHORIZATION:** If the property owner is not the applicant, an original letter of authorization from the property owner permitting the applicant to file the Concept Plan application with the City of St. Charles for the subject property.
- LEGAL DESCRIPTION:** For entire subject property, on 8 ½ x 11 inch paper and Microsoft Word file.
- PLAT OF SURVEY:** A current plat of survey for the subject property showing all existing improvements on the property, prepared by a registered Illinois Professional Land Surveyor.
- SUMMARY OF DEVELOPMENT:** Written statement describing the proposed development. Include the following information:
 - Proposed land use(s), number of type(s) of residential units, building coverage, building height, and floor area for nonresidential uses.
 - Planning objectives to be achieved and public purposes to be served by the development
 - Explanation of the rationale behind the proposal
 - Anticipated exceptions or departures from zoning and subdivision requirements, if any
- PARK AND SCHOOL LAND/CASH WORKSHEETS:** *For residential developments only.* Use the attached worksheet to calculate the estimated population and student yields and resulting land/cash contributions in accordance with Title 16 of the St. Charles Municipal Code.
- INCLUSIONARY HOUSING WORKSHEET:** *For residential developments only.* Use the attached worksheet to calculate the affordable unit requirement and indicate how the development will comply with Title 19 of the St. Charles Municipal Code.
- 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. Property ownership information may be obtained using Kane County's interactive GIS mapping tool: http://gistech.countyofkane.org/gisims/kanemap/kanegis4_AGOx.html
- AERIAL PHOTO:** Aerial photo of the subject property and surrounding property at a scale of not less than 1"=400', preferable 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.

Copies: Ten (10) full size copies, one (1) 11" by 17", and PDF electronic file emailed to: cd@stcharlesil.gov

Concept Plans shall show the following information:

1. Existing Features:
 - Name of project, north arrow, scale, date
 - Property boundaries with approximate dimensions and acreage
 - Existing streets on and adjacent to the subject property
 - 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 serve the development.
2. Proposed Features:
 - Name of project, north arrow, scale, date
 - Property boundaries 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 serve the development.

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.

Todd Dempsey as Agent for Todd Dempsey 9/23/24

Todd Dempsey

Record Owner

Date

Signed by:
Jeffrey Woll

9/25/2024

Jeff Woll

Applicant's Authorized Agent

Date

September 27, 2024

Russell Colby
Director of Community Development
City of St. Charles
2 E. Main Street,
St. Charles, Illinois, 60174-1984
rcolby@stcharlesil.gov

RE: Concept Plan Review – Emblem St Charles

Dear Mr. Colby,

Quarterra Multifamily Communities, a Lennar Company, (“Quarterra”) hereby requests concept review of its proposed development to be known as Emblem St. Charles pursuant to Section 17.04.140 of the Municipal Code of the City of St. Charles. In addition to this summary letter, please find the following materials which comprise our concept review application for St. Charles:

1. Concept Plan Application form;
2. Letter of Authorization(s) from owner the Property;
3. Disclosure of Beneficiaries (owner and petitioner);
4. Proof of Ownership (vesting deeds)
5. Legal Description of the Property;
6. Plat of Survey for the Property;
7. Park and School Land/Cash Worksheets;
8. Inclusionary Housing Worksheet;
9. List of Property owners within 250’ of the Property;
10. Aerial Photo of the Property;
11. Concept Plan for Emblem St Charles (“Site Plan”);
12. Proposed Building Elevations Emblem St Charles

Quarterra is the contract purchaser of the approximately 30-acre property generally located south of Lincoln Highway (IL Route 38) and west of Randall Road, located in Kane County, Illinois (the “Property”). The Property is currently within the City’s corporate boundary and is a part of the previously approved Bricher Commons PUD. Despite the original Bricher Commons PUD approval back in 1999 allowing for commercial uses, the Property does not appear viable for commercial purposes due to lack of visibility and competition from other properties better suited for commercial uses with frontage on Randall Road. As a result, the Property has been sitting vacant, underperforming and contributes very little to the surrounding area. Accordingly, in 2006 the City amended the Bricher Commons PUD to allow for residential uses.

Looking at the character of the area, the surrounding land uses consist of commercial uses to the east (Meijer and Lowe’s), residential uses to the south (Prairie Winds Apartments), Kane County services to the west, and the Kane County Fairgrounds to the north. Given the nature of the surrounding area, this

property is transitional in nature as it serves as a buffer area from the high intensity commercial uses to the east to the residential to the south and west. Therefore, incorporating residential uses at this location would serve several important functions, including enhancing the City's housing supply to appeal to a wider range of future residents, providing more housing options to existing residents as well as creating additional local spending to support the commercial areas along Randall Road and preserve the vibrancy of this important corridor while also increasing the city's real estate tax base and creating economic opportunities.

The proposed development would include two distinct, but complementary areas including for-sale townhomes and for-rent apartments to serve a broad range of potential residents which will include young professionals looking to move to the St. Charles community as well as active adults who are looking for maintenance-free options and many in between. The new community will be a collaborative venture between Quarterra and Lennar as both companies are under the Lennar umbrella. By way of background, Quarterra is a well-respected multi-family developer, builder, and manager that has been building multi-family communities in the Midwest for thirteen years, completing ten Chicagoland communities, including in Oswego, Naperville, and Bolingbrook. Quarterra's vertical integration with in-house development, construction and property management is critical to long term quality of each of its communities. Lennar, who will build the townhomes, has been building homes since 1954, is a publicly traded company, and was largest national home builder by revenue in 2023 as well as the largest builder in the Chicagoland market. Together, Quarterra and Lennar bring a wealth of experience, quality reputation and ability to this new endeavor in St. Charles.

Lennar Townhomes – 72 Urban Style Homes

The townhome area will consist of seventy-two townhomes designed to appear more urban in style as a transition from the nearby commercial areas. The townhome area will be comprised of approximately 7 acres of land on the west side of the Property. All townhomes will be three-stories and will offer a designer level of finishes, which features include vinyl plank flooring, quartz countertops, 42" cabinets among other features that are consistent with current consumer trends. The rear loaded townhomes provide for attractive streetscapes with a variety of materials featured in the façade along with other design features such as non-linear roof pitches and non-uniform plan setbacks. The townhomes feature a finished lower level and open floorplans which appeal to young professionals as well as young professionals with children who can use the flex space in a variety of manners. Lennar's townhomes are also maintenance free for homeowners resulting in an elegant and well-maintained community. Each townhome will range from 1,764 to 2,221 square feet, will have 3-bedrooms, 2 ½ bathrooms and 2 car garages standard.

Quarterra – 288 Residential Flats

The multi-family area will consist of 288 homes and will be comprised of approximately fourteen (14) acres on the east side of the property. There will be a total of twelve (12) residential buildings with twenty-four (24) homes per building. The goal is to combine attractive architectural design,



on-site amenities and active management. Accordingly, the development will appeal to a variety of individuals looking to live in a safe and well-regarded suburb that offers high quality residences in an intelligently designed work, play and live environment. This area is appealing to the

renters by choice segment which is composed of predominantly young professionals and empty nesters or young seniors looking to avoid the daily responsibilities of home ownership, but who require an upscale living environment and associated amenities in close proximity to employment opportunities and transportation systems. The proposed development is ideal for these renters by choice due to Randall Road being one of the City's major arterial roadways, and the variety of retail, entertainment, and convenience uses in the area. On-site recreational amenities, including activity areas, health facilities, and a pool are central to the operation of the community and will be located in the resident center adjacent to Route 38 which also will be a social hub for the community. The residences will consist of one hundred forty-four (144) one-bedroom units, one hundred thirty-two (132) two-bedroom units, and twelve (12) three-bedroom units.

The proposed architecture, examples of which are enclosed, will ensure lasting value utilizing quality materials that all require low-maintenance and will withstand the test of time. Landscape treatments will also be utilized to enhance the visual appeal. Landscape buffers will be incorporated throughout the perimeter of the community to create the feel of a separate residential enclave. The landscape design enhancements will also include foundation plantings, common area plantings and decorative plantings around the on-site stormwater management facility along the west property line. An upscale entrance monument is anticipated at the entrance along Route 38. Public sidewalks, including along Route 38, and path connections are also anticipated to offer future residents both a recreational and social opportunity. Other open space areas as well as a gazebo feature on the west side of the property are anticipated. The development will comply with all applicable Kane County Stormwater management requirements.

Collectively, the proposed townhomes and multi-family community will create an optimum use of the Property by providing a quality housing opportunity appealing to many demographics, enhancing the local economy, supporting local business, enhancing the City's real estate tax base, and infusing the local economy with additional income and improving the work force. We appreciate the City's time and consideration of what we believe is an exciting development and a very positive addition to the St. Charles community. We look forward to your feedback.

Sincerely

Jeff Woll, Senior Director, Midwest
312-342-7704
Jeff.Woll@Quarterra.com
Quarterra

OWNER'S CONSENT TO DEVELOPMENT APPLICATION

To: City of St. Charles, Illinois
Re: Concept Plan Application
Applicant / Petitioner: Quarterra Multifamily Communities

The undersigned Todd L. Dempsey, as Trustee under The Todd L. Dempsey Declaration of Trust dated May 15, 1992 ("Owner"), and being the owner of record of the property which is legally described on Exhibit A attached hereto (the "Subject Property"), hereby consents to the filing and processing of the said Concept Plan Application by the applicant, Quarterra Multifamily Communities ("Applicant") and the administrative processing by the City of St. Charles, Illinois (the "City"), but only with the understanding that no ordinances or resolutions will be adopted by the City that bind the Subject Property unless and until (1) the Applicant takes fee simple title to the Subject Property, or (2) the Owner subsequently agrees in writing to any such action by the City.

Dated: September 18, 2024

**The Todd L. Dempsey Declaration of Trust
dated May 15, 1992**

By: _____


Name: Todd L. Dempsey, Trustee

SCHOOL LAND/CASH WORKSHEET

City of St. Charles, Illinois

Name of Development: Emblem St Charles
 Date Submitted: 09/27/24
 Prepared by: Quarterra - Jeff Woll

Total Dwelling Units: 72 For-Sale Townhomes & 288 For-Rent Apartments

A credit for existing residential lots within the proposed subdivision shall be granted. Deduct one (1) unit per existing lot.

Total Dwelling Units w/ Deduction:

**If the proposed subdivision contains an existing dwelling unit, a credit is available calculated as a reduction of the estimated population for the dwelling. Please request a worksheet from the City.*

Estimated Student Yield by Grades:

Type of Dwelling	# of dwelling Units (DU)	Elementary (Grades K to 5)	Middle (Grades 6 to 8)	High (Grades 9 to 12)
Detached Single Family				
> 3 Bedroom		DU x .369 =	DU x .173 =	DU x .184 =
> 4 Bedroom		DU x .530 =	DU x .298 =	DU x .360 =
> 5 Bedroom		DU x .345 =	DU x .248 =	DU x .300 =
Attached Single Family				
> 1 Bedroom		DU x .000 =	DU x .000 =	DU x .000 =
> 2 Bedroom		DU x .088 =	DU x .048 =	DU x .038 =
> 3 Bedroom	72	DU x .234 = 16.848	DU x .058 = 4.176	DU x .059 = 4.248
> 4 Bedroom		DU x .322 =	DU x .154 =	DU x .173 =
Apartments				
> Efficiency		DU x .000 =	DU x .000 =	DU x .000 =
> 1 Bedroom	144	DU x .002 = .288	DU x .001 = .144	DU x .001 = .144
> 2 Bedroom	132	DU x .086 = 11.352	DU x .042 = 5.544	DU x .046 = 6.072
> 3 Bedroom	12	DU x .234 = 2.808	DU x .123 = 1.476	DU x .118 = 1.416
Totals:	<input type="text" value="360"/> TDU (with deduction, if applicable)	<input type="text" value="31.296"/> TE	<input type="text" value="11.34"/> TM	<input type="text" value="11.88"/> TH

School Site Requirements:

Type	# of students	Acres per student	Site Acres
Elementary (TE)	31.296	x .025	= 7824
Middle (TM)	11.34	x .0389	= 4411
High (TH)	11.88	x .072	= 8554
Total Site Acres:			<input type="text" value="2.0789"/>

Cash in lieu of requirements:

(Total Site Acres) x \$240,500 (Fair Market Value per Improved Land) = \$

PARK LAND/CASH WORKSHEET

City of St. Charles, Illinois

Name of Development:

Emblem St Charles

Date Submitted:

09/27/24

Prepared by:

Quarterra - Jeff Woll

Total Dwelling Units: 72 For-Sale Townhomes & 288 For-Rent Apartments

A credit for existing residential lots within the proposed subdivision shall be granted. Deduct one (1) unit per existing lot.

Total Dwelling Units w/ Deduction:

**If the proposed subdivision contains an existing residential dwelling unit, a credit calculated as a reduction of the estimated population for the dwelling is available. Please request a worksheet from the City.*

Estimated Population Yield:

Type of Dwelling	# Dwelling Units (DU)	Population Generation per Unit	Estimated Population
Detached Single Family			
> 3 Bedroom		DU x 2.899 =	
> 4 Bedroom		DU x 3.764 =	
> 5 Bedroom		DU x 3.770 =	
Attached Single Family			
> 1 Bedroom		DU x 1.193 =	
> 2 Bedroom		DU x 1.990 =	
> 3 Bedroom	72	DU x 2.392 =	172.224
> 4 Bedroom		DU x 3.145 =	
Apartments			
> Efficiency		DU x 1.294 =	
> 1 Bedroom	144	DU x 1.758 =	253.152
> 2 Bedroom	132	DU x 1.914 =	252.648
> 3 Bedroom	12	DU x 3.053 =	36.836

Totals: Total Dwelling Units (with deduction, if applicable) Estimated Total Population

Park Site Requirements:

Estimated Total Population: x .010 Acres per capita = Acres

Cash in lieu of requirements:

Total Site Acres: x \$240,500 (Fair Market Value per Improved Land) = \$

INCLUSIONARY HOUSING WORKSHEET

Name of Development: Emblem St Charles

Date Submitted: 09/27/2024

Use this worksheet to determine the affordable unit requirement for the proposed development and to propose how the development will meet the Inclusionary Housing requirements of Title 19.

1) Calculate the number of affordable units required:

Unit Count Range	# of Units Proposed in Development		% of Affordable Units Required		# of Affordable Units Required
1 to 15 Units		X	5%	=	
More than 15 Units	360	X	10%	=	36

2) How will the Inclusionary Housing requirement be met?

- Provide on-site affordable units
- Pay a fee in-lieu of providing affordable units (calculate fee in-lieu below)
- Provide a mixture of affordable units and fee in-lieu
- # of affordable units to be provided:
 - Amount of fee in-lieu to be paid (calculate below):

Fee In-Lieu Payment Calculation

Multi-Family Development:

# of Affordable Units Required	# of Affordable Units Proposed to Pay the Fee-In-Lieu		Fee-In-Lieu Amount Per Affordable Unit		Total Fee-In-Lieu Amount
28.8	28.8	X	\$52,454	=	\$1,510,675.2

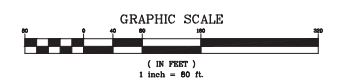
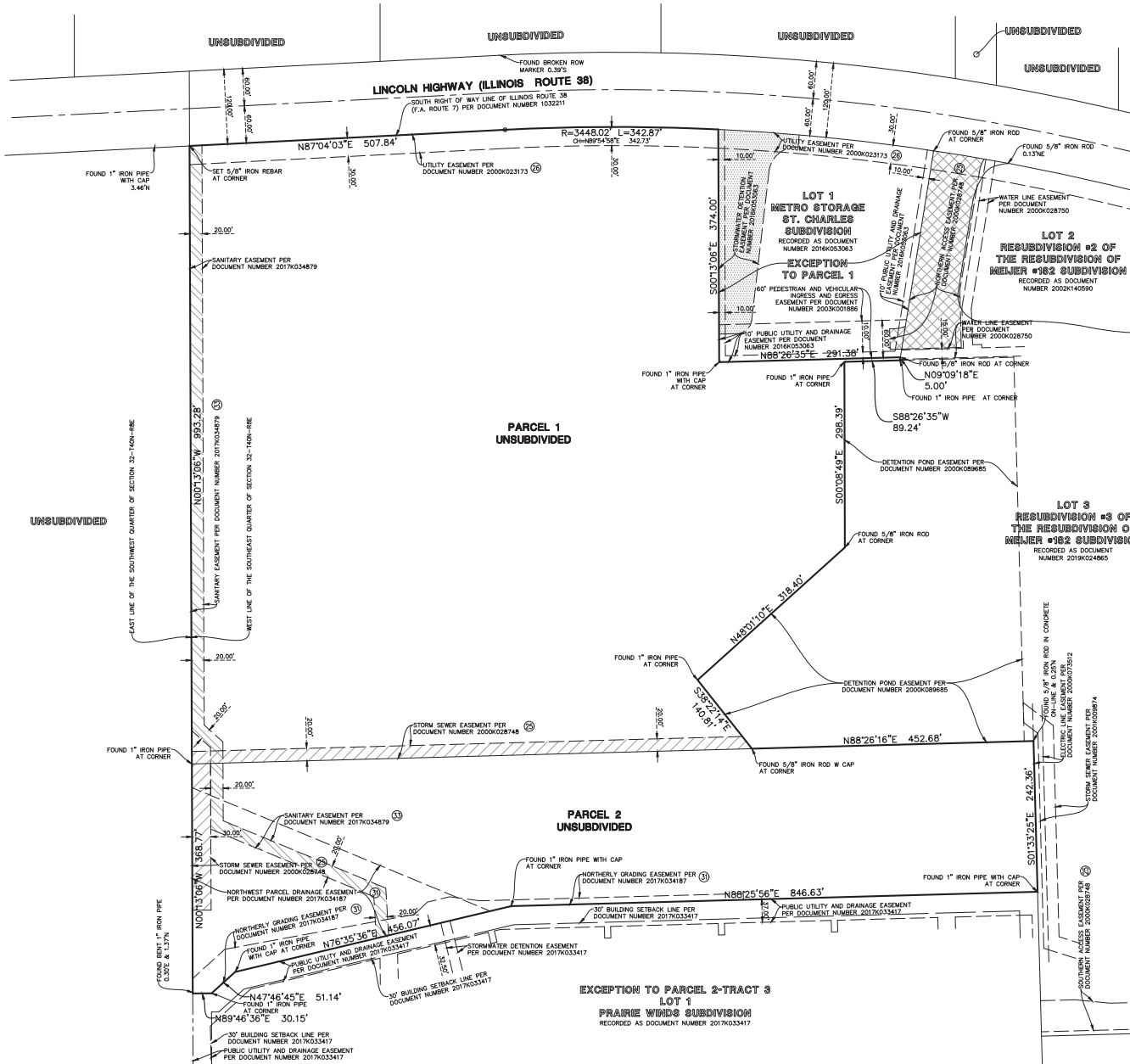
Single-Family Attached (Townhouse) / Two-Family Development:

# of Affordable Units Required	# of Affordable Units Proposed to Pay the Fee-In-Lieu		Fee-In-Lieu Amount Per Affordable Unit		Total Fee-In-Lieu Amount
7.2	7.2	X	\$36,718	=	\$264,369.6

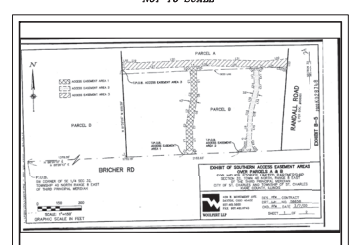
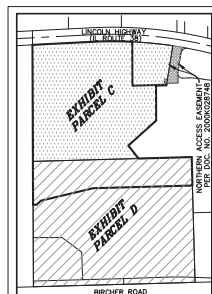
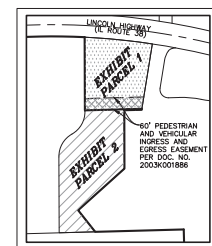
Single-Family Development:

# of Affordable Units Required	# of Affordable Units Proposed to Pay the Fee-In-Lieu		Fee-In-Lieu Amount Per Affordable Unit		Total Fee-In-Lieu Amount
		X	\$20,982	=	

ALTA/NSPS LAND TITLE SURVEY



- LEGEND**
- EX. PROPERTY LINE
 - EX. LOT LINE
 - EX. EASEMENT LINE
 - EX. SETBACK LINE
 - EX. SECTION LINE

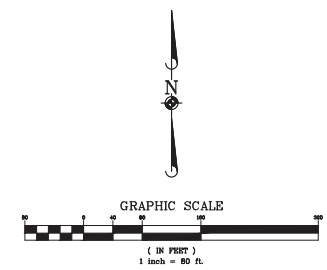
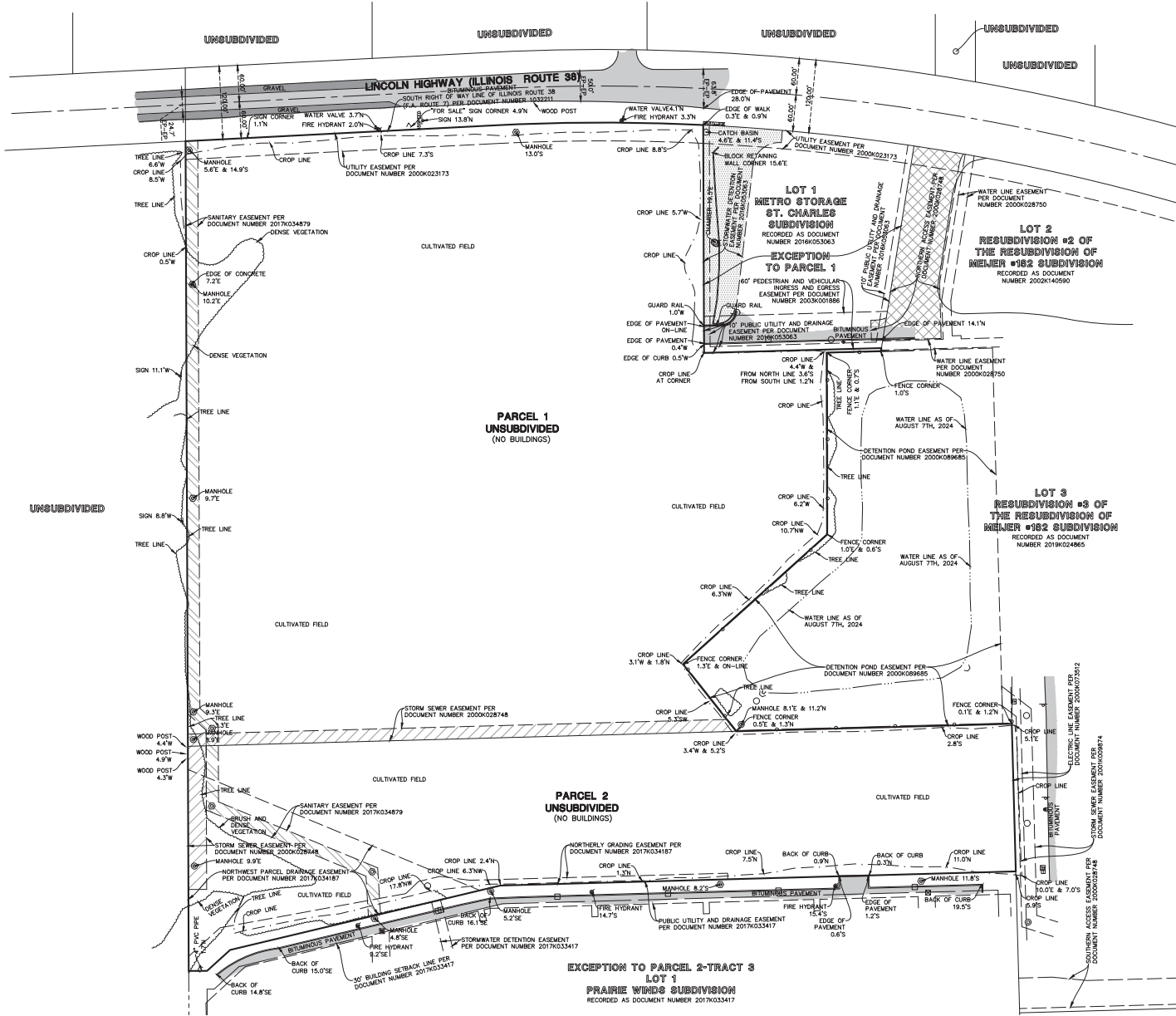


Manhard CONSULTING
 133 South Second Street, Suite 200, St. Charles, Illinois 60154
 Telephone: 630-584-1100 Fax: 630-584-1101
 Email: info@manhardconsulting.com Website: www.manhardconsulting.com

EMBLEM DEVELOPMENT
 ST. CHARLES, ILLINOIS
 ALTA/NSPS LAND TITLE SURVEY

SHEET **3** OF **4**
 QTA5T101

ALTA/NSPS LAND TITLE SURVEY



- LEGEND**
- EX. PROPERTY LINE
 - EX. LOT LINE
 - EX. EASEMENT LINE
 - EX. SETBACK LINE
 - EX. SECTION LINE
 - EX. SIDEWALK
 - EX. CONCRETE CURB & GUTTER
 - EX. CHAIN-LINK FENCE
 - EX. TREE/BRUSH FENCE
 - EX. WETLANDS
 - EX. WATER LINE
 - EX. CROP LINE
 - EX. GUARD RAIL
 - ⊙ EX. STORM MANHOLE (MH)
 - ⊙ EX. STORM CATCH BASIN (CB)
 - ⊙ EX. STORM INLET (NI)
 - ⊙ EX. PIPE END
 - ⊙ EX. FLARED END SECTION (FES)
 - ⊙ EX. SANITARY MANHOLE (SMH)
 - ⊙ EX. FIRE HYDRANT/AUX. VALVE
 - ⊙ EX. VALVE BOX
 - ⊙ EX. VALVE VAULT (V.V.)
 - ⊙ EX. CONTROL VALVE
 - ⊙ EX. ELECTRICAL METER
 - ⊙ EX. ELECTRIC TRANSFORMER
 - ⊙ EX. TELEPHONE HANDHOLE
 - ⊙ EX. TELEPHONE PEDESTAL
 - ⊙ EX. LIGHT STANDARD
 - ⊙ EX. SIGN
 - ▭ EX. BITUMINOUS PAVEMENT
 - ▭ EX. CONCRETE
 - ▭ EX. AGGREGATE

Manhard CONSULTING
 333 South Second Street, Suite 200, St. Charles, Illinois 62258
 Telephone: 618-339-1100 Fax: 618-339-1101
 Email: info@manhardconsulting.com Website: www.manhardconsulting.com

EMBLEM DEVELOPMENT
ST. CHARLES, ILLINOIS
ALTA/NSPS LAND TITLE SURVEY

PROJ. NO.: MC
 PROJ. ASSOC.: ARM
 DRAWN BY: NAL
 DATE: 08/07/24
 SCALE: 1"=80'
 SHEET
4 OF 4
 QTAST101



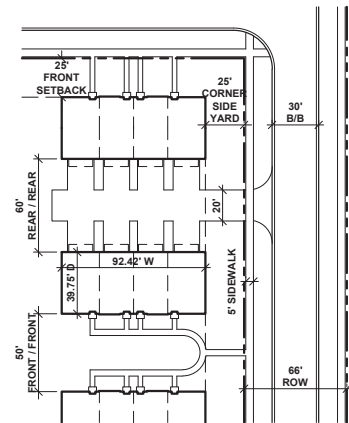
SITE DATA

LAND USE	UNITS	AREA	% OF SITE
URBAN TOWNHOMES	72	7.0 AC.	23.7%
APARTMENTS	288	13.8 AC.	46.8%
DETENTION / OPEN SPACE		8.7 AC.	29.5%
TOTAL	360	29.5 AC.	100.0%

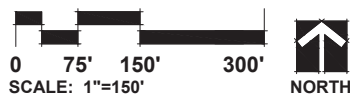
APARTMENTS	UNITS	%/RATIO
1 BEDROOM	144	50.0%
2 BEDROOM	132	45.8%
3 BEDROOM	12	4.2%

APARTMENT PARKING:		
SURFACE	458	1.59:1 RATIO
COVERED	45	0.16:1 RATIO
TOTAL	503	1.75:1 RATIO

TOWNHOME PARKING	
GARAGE	144
DRIVEWAY	144
TOTAL PROVIDED	288
TOTAL REQUIRED	144



TYPICAL TOWNHOME
SCALE: 1"=80'



CONCEPT PLAN

ST. CHARLES, ILLINOIS

9/26/2024



GARY R. WEBER
ASSOCIATES, INC.
LAND PLANNING
ECOLOGICAL CONSULTING
LANDSCAPE ARCHITECTURE
WWW.GRWAINC.COM



Concept Plan - Aerial



Concept Plan – Rental Flats – Elevation

3 STORY GARDEN APARTMENT HOMES



Interior Home Finishes

- Quartz countertops in kitchen and baths
- Tile backsplashes / tub surrounds
- Stainless steel appliances
- Luxury vinyl plank flooring
- 42" shaker cabinets with 6" pulls
- LED puck lighting package

Concept Plan – Rental Flats

AMENITIES

Clubhouse

- Nicely appointed club focused on what the residents need
- Leasing / Fitness / Packages / Restrooms / Social Lounge

Site Amenities

- Pool / Dog Park / Grilling Areas / Open Space

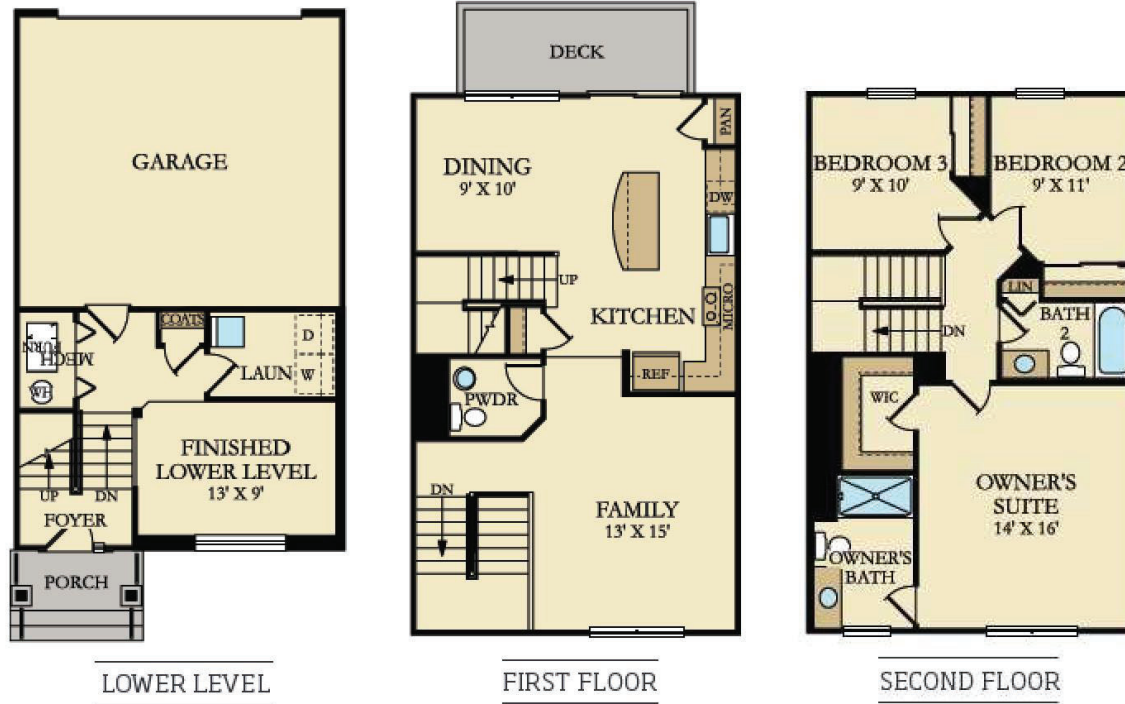


Concept Plan – Rental Flats



Concept Plan – Urban Townhomes— Elevation

Amherst – 1,764 Sq Ft
3 Beds / 2.5 Baths / 2-Car Garage



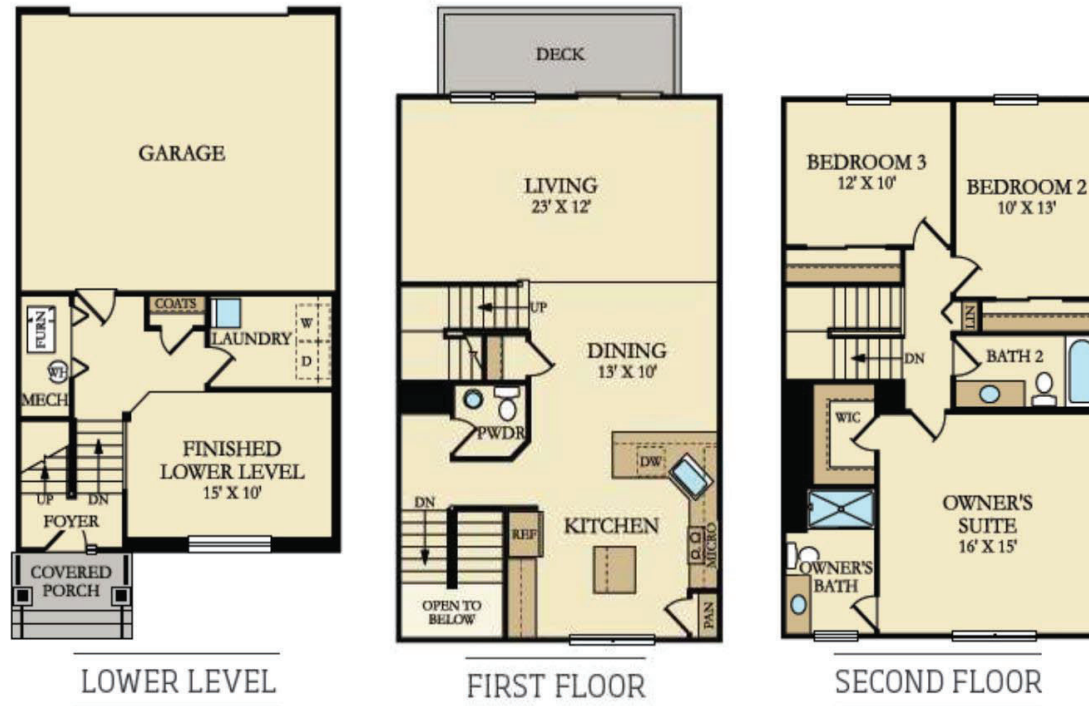
Concept Plan – Urban Townhomes– Plans

Chatham – 1,894 Sq Ft
3 Beds / 2.5 Baths / 2-Car Garage



Concept Plan – Urban Townhomes– Plans

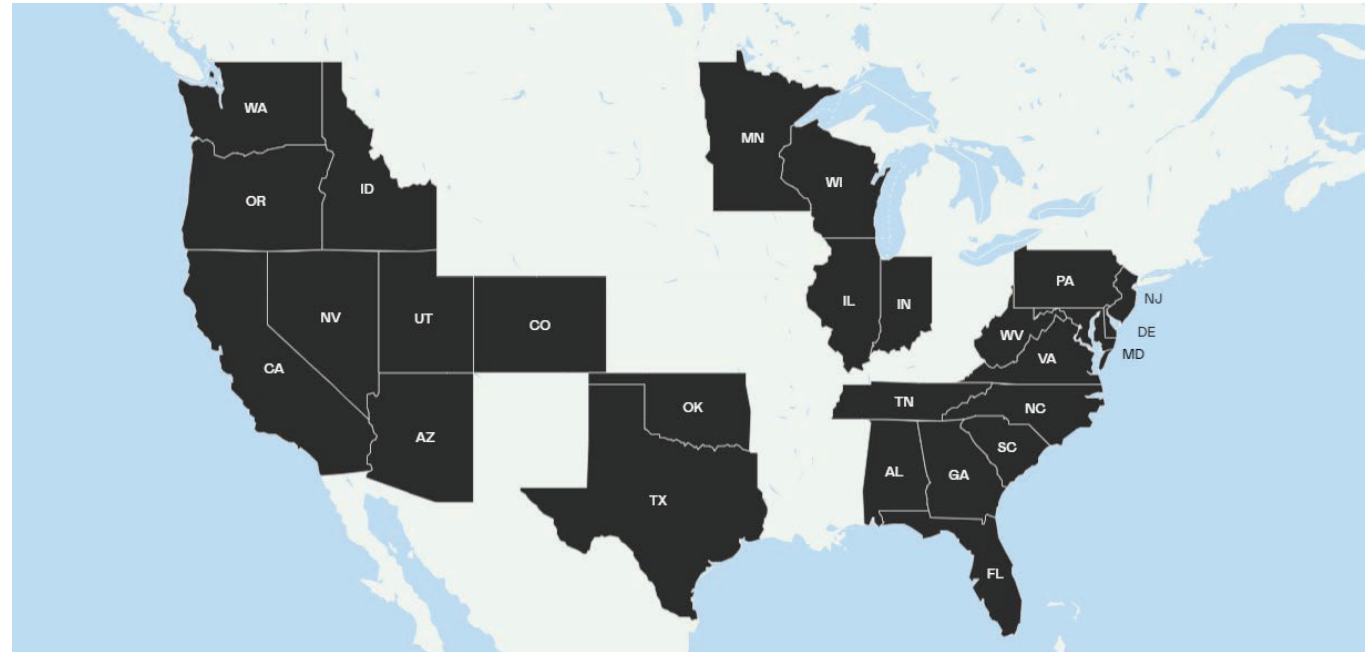
Chelsea – 2,079 Sq Ft
 3 Beds / 2.5 Baths / 2-Car Garage



Concept Plan – Urban Townhomes– Plans

LENNAR

- Building homes since 1954, and publicly listed since 1972.
- Built over 1,000,000 homes
- Largest National builder by revenue in 2023
- Operates in 41 Markets
- Largest builder in the Chicago submarket – about 1500 home starts in 2023
- Currently selling in 35 communities in IL, NW IN & WI
- In-house mortgage and title companies to simplify process for homebuyers



Concept Plan – LENNAR

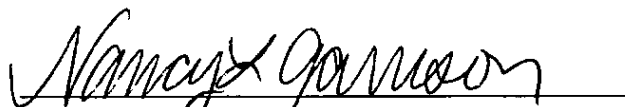
City of St. Charles, Illinois

Ordinance No. 2006-Z-7

An Ordinance Amending Special Use Ordinance 1999-Z-11 (Second Amendment to Bricher Commons PUD)

**Adopted by the
City Council
of the
City of St. Charles
March 20, 2006**

**Published in pamphlet form by
authority of the City Council
of the City of St. Charles,
Kane and Du Page Counties,
Illinois, March 24, 2006**


City Clerk



ORDINANCE NO. 2006-Z-7_____

AN ORDINANCE AMENDING SPECIAL USE ORDINANCE 1999-Z-11

(Second Amendment to Bricher Commons PUD)

WHEREAS, a petition to amend Ordinance No. 1999-Z-11 entitled “An Ordinance Granting a Special Use as a Planned Unit Development (Bricher Commons PUD)” (hereinafter, Ordinance 1999-Z-11) with respect to the real estate described in Exhibit “D-I” attached hereto and made a part hereof, (hereinafter sometimes referred to as the “Subject Property”), has been filed by DGT, LLC, owner, and James Saloga, applicant; and

WHEREAS, said petition requested that Ordinance 1999-Z-11 be amended to include residential and commercial uses as illustrated in the Concept Plan, attached hereto as Exhibit “D-IV” and made a part hereof; and

WHEREAS, the Plan Commission has held a public hearing on said petition in accordance with law; and

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

WHEREAS, the City of St. Charles (“CITY”) and OWNER have entered into an Annexation Agreement dated July 19, 1999 entitled “ANNEXATION AGREEMENT (BRICHER COMMONS/DGT PARTNERSHIP)”, and a First Amendment thereto dated November 15, 1999 entitled “FIRST AMENDMENT TO AN ANNEXATION AGREEMENT (BRICHER COMMONS/DGT PARTNERSHIP)”, and a Second Amendment thereto dated March 20, 2006 entitled “SECOND AMENDMENT TO ANNEXATION AGREEMENT (BRICHER COMMONS PUD)” (hereinafter collectively, the “Annexation Agreement”); and

WHEREAS, the City Council of the City of St. Charles hereby makes the following findings:

FINDINGS OF FACT FOR SPECIAL USE:

1. *That the establishment, maintenance or operation of the Special Use will not be detrimental to or endanger the public health, safety, comfort or general welfare.*

The concept plan shows commercial uses along Rt. 38 and portions of Bricher Road, which will be compatible with neighboring uses to the north and east. The residential use will be compatible with similar uses to the south. The site will be developed in an orderly manner, and not be detrimental to or endanger public health, safety, comfort or general welfare.

2. *That the special use will not be injurious to the use and enjoyment of the property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood.*

The Special Use will compliment other retail activity to the north and east. The Fairground property to the north is anticipated to be developed for retail uses along Rt. 38 as well. The proposed use is not anticipated to negatively impact surrounding property values.

3. *That the establishment of the Special Use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.*

Meijer and Lowes are already in existence, to the east. The property to the south is also already developed for residential use (in Geneva). The commercial use proposed along Rt. 38, will also compliment the development of Fairground property to the north. The county judicial facility land use to the west is already in existence, as well.

4. *That adequate utilities, access roads, drainage and/or necessary facilities have been, or are being, provided.*

Water, sewer, utilities and roadways will be provided in accordance with the City's requirements. Bricher Road is intended to be improved via an intergovernmental agreement between the City of St. Charles and the City of Geneva. If the 4-acre accessible living site proceeds first, the roadways, utilities, and other issues will need to be addressed upfront, regardless of when the remainder of the site develops.

5. *That adequate measures have been, or will be taken to provide ingress and egress so designed as to minimize traffic congestion in public streets.*

The access to the north off of Rt. 38 will need to be coordinated with the Fairground property's plans and the access off of Bricher Road will need mutual approval from the City of Geneva. The improvements of Rt. 38 and Bricher Road will ease traffic congestion on both streets.

6. *That the Special Use shall, in all other respects, conform to the applicable regulations of the district in which it is located except as such regulations may in each instance be modified by the City Council pursuant to recommendations of the Plan Commission.*

The Planned Unit Development will conform to all applicable regulations of the underlying zoning districts for the respective uses, except as might otherwise be modified upon review of Preliminary PUD plans and final plats.

FINDINGS OF FACT FOR PLANNED UNIT DEVELOPMENT:

1. *In what respects the proposed plan is consistent with the stated purpose of the planned unit development regulations:* The plan will permit the development of the site for retail, office, residential, and other uses in a coordinated manner.
2. *The extent to which the proposed plan meets the requirements and standards of the planned unit development regulations:* The Special Use provides for submittal and review of a plan for roads and utilities for the entire site, which will serve to coordinate utilities and access to the various components of the development.
3. *The extent to which the proposed plan departs from the zoning and subdivision regulations otherwise applicable to the subject property including, but not limited to, density, dimension, area, bulk, and use, and the reasons why such departures are deemed to be in the public interest:* The development standards appended to the Special Use meet or exceed the requirements of the B3 zoning district; additional setbacks are required along Bricher Road and Route 38.
4. *The physical design of the proposed plan and the manner in which the design does make adequate provision for public services, provides adequate control over vehicular traffic, provides for and protects designated and common open space, and furthers the amenities of light and air, recreation and visual enjoyment:* These matters will be determined at the time of submittal of a Preliminary Plan of PUD, which is required prior to approval the development of any site.
5. *The relationship and compatibility of the proposed plan to the adjacent properties and neighborhood.* Most of the surrounding development is large-scale, nonresidential development, including “big box” retail and county government; the remainder, to the south, is residential. Providing for a mix of uses will allow the PUD Plan to be designed so that compatible uses are placed appropriately.
6. *The desirability of the proposed plan to physical development, tax base and economic well-being of the city:* The commercial component will support the tax base and economic well being of the City, and the affordable housing component will serve a variety of needs including providing different housing types that are affordable and accessible to people with various disabilities.
7. *The conformity with the recommendations of the comprehensive plan of the city:* The commercial component allows for office use in accordance with the future land use

map, and the residential component will facilitate the development of affordable housing within a residential neighborhood.

8. *The conformity with all existing federal, state and local legislation and regulation:*
The development has not requested variances or exemptions from any federal, state or local regulations.

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

SECTION 1. That Ordinance 1999-Z-11 is hereby amended by deleting its provisions in their entirety, and by substituting the provisions hereof, governing the Special Use as a Planned Unit Development for the Subject Property.

SECTION 2. That a Special Use as a Planned Unit Development in the B-3 Service Business District is hereby granted for the Subject Property, subject to the conditions, restrictions and requirements contained herein.

SECTION 3. That the Real Estate may be developed only in accordance with all ordinances of the CITY as now in effect or hereafter amended (except as specifically varied herein or as otherwise provided in the Annexation Agreement), and in accordance with the additional procedures, definitions, uses, and restrictions contained herein and set forth in Exhibits "D-II" and "D-III", all as attached hereto and made a part hereof, all of which shall survive the expiration of the Annexation Agreement. The development of the Subject Property shall further be subject to the following additional conditions:

- A. The further development of the Subject Property is, in addition to the requirements of this Section, further expressly made conditioned upon the submittal, and the CITY'S approval, of appropriate Preliminary and Final Plans of planned unit development as required by Section 17.42.080 of the St. Charles Municipal Code or such other similar rules and regulations duly adopted by the CITY from time to time.
- B. Notwithstanding the requirements of Section 17.42.080 (B)(3)(b) of the St. Charles Municipal Code, a Special Use as a Planned Unit Development may be granted for the Subject Property upon the filing of a Concept Plan, prior to the filing and approval of a Preliminary Plan, which Concept Plan is attached hereto

as Exhibit "VIII" to Exhibit "B" (hereinafter, the "Concept Plan"). Such Concept Plan approval shall not be construed as approval of a preliminary plan, preliminary plat, preliminary engineering, or final engineering under any provision of Illinois law or CITY ordinance.

- C. Subject to the requirements of Paragraph E, but only to the extent that residential uses are depicted thereon, Preliminary and Final Plans of planned unit development may be submitted for any part of the Subject Property to be developed with those permitted and special uses allowed in the B-3 Service Business District which are identified on Exhibit "D-III" attached hereto (which is the same as Exhibit IV of Ordinance 1999-Z-11), said uses being permitted uses anywhere upon the Subject Property.
- D. Where residential uses are proposed that are not permitted as a matter of right within the B-3 Service Business District but which are allowed by virtue of the Planned Unit Development approval granted herein, the OWNER shall be required to apply for a map amendment for the parcel within which such uses(s) are to be located, seeking rezoning to the zoning district classification in which these uses are otherwise allowed as a matter of right.
- E. Any Preliminary Plan that includes residential uses shall delineate all areas of the Subject Property that will be developed for residential use. Further, said Preliminary Plan shall identify the dwelling units within the Subject Property that are proposed to be offered as "affordable", as defined in paragraph F.3. below.
- F. The right to develop any part of the Subject Property with residential uses shall be subject to these further, additional, conditions and restrictions:
 - 1. In no event shall more than 34.5 acres of the Subject Realty be developed for residential uses.
 - 2. Subject to any permissible "density bonus" adjustment as set forth below, the maximum overall residential density within that part of the Subject Property that is zoned to permit residential uses and for which a Preliminary Plan of planned unit development has been approved, shall be limited to 7.25 dwelling units per gross acre. For example, if 34.5 acres of the Subject Property is developed for residential uses, 250 dwelling units would be permitted. Varying densities may be developed throughout the site provided that the overall density within the residential acreage of the Subject Property shall not exceed 7.25 dwelling units per gross acre.
 - 3. Twenty percent (20%) of the total number of residential units permitted within the Subject Property shall be offered as "affordable" for-sale or rental units. (An affordable housing unit is defined as priced affordable to a household at or below 80% of Chicago region area median income (AMI) as defined by HUD for 'for-sale' units and at or below 60% of the AMI for rental units.) The ordinance granting approval of the Preliminary and/or Final Plan of planned unit development shall contain conditions suitable for the

enforcement of this requirement and the CITY may require a notation of this requirement on any plat reflecting the approval of such Preliminary and/or Final Plan.

4. A “density bonus” shall be allowed for affordable housing units offered in excess of the twenty percent (20%) minimum requirement set forth herein. For each affordable housing unit offered in excess of the twenty percent (20%) minimum, an additional market rate unit shall be allowed. Thus, if 34.5 acres of the Subject Property are developed for residential use, the total number of dwelling units may be increased from 250 units to 350 units, if 100 of these are affordable as defined herein.
 5. All affordable units shall be dispersed throughout the parcel they are proposed in, and be essentially similar to the market-rate units in size and exterior appearance within that development. Notwithstanding the foregoing, but otherwise in accordance with this Section, a maximum of 48 accessible dwelling units, which may also be affordable, may be constructed as the only type of development on approximately 4 gross acres, anywhere on the site. As used herein, the term “accessible” dwelling units shall mean and refer to dwelling units which are accessible within the meaning of “units that are either accessible or adaptable for accessibility as defined by the Americans with Disabilities Act”.
- G. At the time of the submittal of an application for the approval of the first Preliminary Plan of Planned Unit Development, the applicant shall submit a plan that shall be subject to the CITY’S review and approval, making acceptable provision for the location and, as appropriate, the dedication of all road improvements, rights-of-way and public access to collector and arterial roadways servicing the Subject Property together with all other improvements generally identified as “Land Improvements” in the CITY’S Subdivision Control regulations. Included within this obligation shall be all detention, water, sewer and electrical utility improvements as well as any other utility or engineering issues the design, installation and dedication of which, in the CITY’S reasonable judgment, are needed to properly provide for the overall design of the Subject Property.
- H. All buildings and structures proposed to be developed for uses permitted in the B-3 Service Business District shall incorporate external materials and features in substantial conformity with the requirements of the underlying zoning district in effect at the time of submittal of a planned unit development Preliminary Plan.
- I. The OWNER, or its successors and assigns, shall comply with Chapter 16.32 of the St. Charles Municipal Code regarding dedication of school and park sites or cash in lieu thereof. OWNER understands that, based on the Concept Plan and the potential development of 250 dwelling units, the St. Charles Park District has requested, and that the CITY may require, a 5.75 acre “high and dry” park site which shall conform to the District’s requirements. Additionally, the OWNER, or

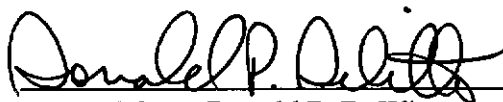
its successors and assigns, shall provide a sidewalk/bike trail along the frontage of the Subject Property, on the north side of Bricher Road, either within the right of way or within an easement granting public access and use.

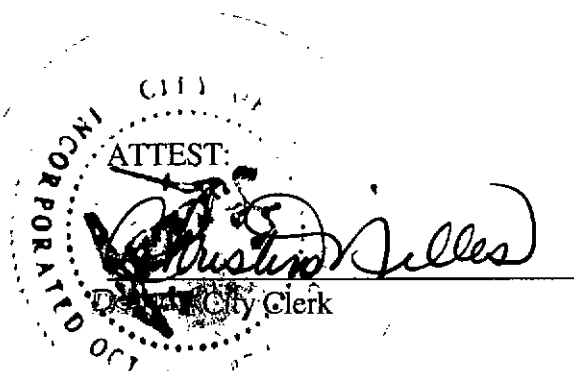
SECTION 4. That this ordinance shall become effective from and after its passage and approval in accordance with law.

PRESENTED to the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 20 day of March, 2006.

PASSED by the City Council of the City of ST. Charles, Kane and DuPage Counties, Illinois this 20 day of March, 2006.

APPROVED by the Mayor of the City of St. Charles, Kane and DuPage Counties, Illinois this 20 day of March, 2006.


Mayor Donald P. DeWitte



COUNCIL VOTE: _____
AYES: 9
NAYS: _____
ABSENT: _____
ABSTAIN: 1

EXHIBIT D-II

**DEVELOPMENT STANDARDS AND DESIGN CRITERIA
BRICHER COMMONS PUD**

1) Retail and Service Development: That part of the Bricher Commons PUD to be developed for retail and service uses shall be subject to the following standards:

a) Permitted Uses:

1. Accessory uses;
2. Amusement establishments, including bowling alleys, pool halls, dancehalls, gymnasiums, swimming pools and skating rinks;
3. Antique shops;
4. Art and school supply stores;
5. Art galleries;
6. Auction rooms;
7. Audio recording sales and rentals;
8. Automobile accessory stores;
9. Automotive vehicle and automotive equipment sales;
10. Bakeries, where not more than fifty percent of the floor area is devoted to processing, and not employing more than eight persons;
11. Banks and financial institutions;
12. Barbershops;
13. Beauty parlors;
14. Bicycle stores, sales, rental, and repair;
15. Blueprinting and photocopying establishments;
16. Book and stationery stores;
17. Building material sales, with accessory outside storage, provided outside storage does not exceed sixteen feet in height;
18. Camera and photographic supply stores;
19. Candy and ice cream stores;
20. Carpet and rug stores;
21. Caskets and casket supplies;
22. Catering establishments;
23. China and glassware stores;
24. Clothing establishments;
25. Clubs and lodges, private, fraternal, or religious;

26. Coin and philatelic stores;
27. Contractors' and construction offices;
28. Currency exchanges;
29. Custom dressmaking;
30. Department stores;
31. Drugstores;
32. Dry goods stores;
33. Dry-cleaning and laundry-receiving establishments, (processing to be done elsewhere);
34. Dry-cleaning establishments, retail, employing not more than five persons;
35. Electrical and household appliance stores, including radio and television sales;
36. Employment agencies;
37. Exterminating shops;
38. Feed stores;
39. Fire stations;
40. Flower shops;
41. Food stores, including grocery stores, meat markets, bakeries, and delicatessens, (retail sales only);
42. Frozen food shops, including locker rental in conjunction therewith;
43. Fuel and ice sales, retail only;
44. Furniture stores, including upholstery when conducted as part of the retail operation and secondary to the principal use.
45. Furrier shops, including the incidental storage and conditioning of furs;
46. Garden supply and seed stores;
47. Gift shops;
48. Greenhouses;
49. Haberdasheries;
50. Hardware stores;
51. Hobby shops, for retailing of items to be assembled or used away from the premises;
52. Hotels, including dining and meeting rooms; provided, that business uses, other than those which are commonly incidental to a hotel business, shall not occupy space fronting on a hotel hall or lobby;
53. Interior decorating shops, including upholstery and making of draperies, slip covers, and other similar articles when conducted as part of the retail operations and secondary to the principal use;
54. Jewelry stores, including watch repair;
55. Job printing shops, using presses having beds of not more than fourteen inches and twenty inches;

56. Laboratories, medical and dental, also research and testing;
57. Landscape contractors;
58. Laundries, automatic self-service type or hand, employing not more than two persons in addition to one owner or manager;
59. Leather goods and luggage stores;
60. Libraries;
61. Liquor stores, retail sales;
62. Loan offices;
63. Locksmith shops;
64. Machinery and equipment sales, but not including service, repair, or reconditioning and storage of all machinery shall be within enclosed buildings;
65. Mail order houses;
66. Mail order service stores;
67. Meat markets, including the sale of meat and meat products to restaurants, motels, clubs and other similar establishments when conducted as part of the retail business on the premises;
68. Medical and dental clinics;
69. Meeting halls;
70. Millinery shops;
71. Monument sales;
72. Motels;
73. Musical instrument sales and repair;
74. Newspaper offices, but not including printing;
75. Nurseries;
76. Office supply stores;
77. Offices, business, professional, and public;
78. Opticians and optometrists;
79. Orthopedic and medical appliance stores, but not including the assembly or manufacture of such articles;
80. Other accessory uses: Communication antennas.
81. Paint and wallpaper stores;
82. Parking lots and storage garages (automobile);
83. Pet shops;
84. Photography studios, including developing and printing of photographs when conducted on the premises as a part of the retail business;
85. Physical culture and health services, gymnasiums, reducing salons, masseurs, and public baths;
86. Picture framing, when conducted on the premises for retail trade;

87. Plumbing showrooms and shops;
88. Police stations;
89. Post offices;
90. Radio and television broadcasting studios;
91. Radio and television service and repair shops;
92. Recording studios;
93. Recreational buildings, community centers, and meeting halls;
94. Restaurants, including live entertainment and dancing;
95. Restricted production and repair limited to the following: art needlework, clothing, custom manufacturing and alterations for retail only of jewelry from precious metals and watches;
96. Schools, commercial or trade, not involving any danger of fire, explosion, nor of offensive noise, vibration, smoke, dust, odor, glare, heat, or other objectionable influences;
97. Schools, music, dance, or business;
98. Secondhand stores and rummage shops;
99. Sewing machine sales and services, household machines only;
100. Shoe and hat repair stores;
101. Shoe and hat repair stores;
102. Shoe stores;
103. Shoe stores;
104. Shoe stores;
105. Sporting goods stores;
106. Tailor shops;
107. Taverns and cocktail lounges;
108. Taxidermists;
109. Telegraph offices;
110. Telephone exchanges and telephone transmission equipment buildings and electric distribution centers;
111. Temporary buildings for construction purposes for a period not to exceed the duration of such construction;
112. Tobacco shops, retail sales;
113. Toy shops;
114. Travel bureaus and transportation ticket offices;
115. Typewriter and adding machine sales and service establishments;
116. Undertaking establishments and funeral parlors;
117. Variety stores;
118. Vehicle Service Facilities.

119. Video recording sales and rental;
120. Wearing apparel shops;
121. Wholesale establishments, with storage of merchandise limited to samples only;

b) Special Uses:

1. Amusement game device arcade
2. Animal hospitals
3. Automobile laundries
4. Churches, convents, monasteries, theological schools, rectories and parish houses
5. Communication towers
6. Dog kennels
7. Drive-in establishments
8. Fairgrounds, including the location of the annual Kane County Fair and other activities that are permissible pursuant to the not-for-profit incorporation charter of the Kane County Fair, an Illinois not-for-profit corporation
9. Open sales lots
10. Outdoor amusement establishments, including golf driving ranges, miniature golf courses, par-three golf courses, kiddie parks, and other similar amusement centers and places of amusement such as stadiums
11. Pet shops
12. Theater, indoor
13. Warehouse for retail sales establishment and its sales facilities, provided the warehouse and any storage area does not exceed two hundred percent of the floor area for the retail sales establishment to which it is appended.

c) Floor Area Ratio: Maximum 0.20

d) Yards and setbacks:

1. Front Yard. There shall be provided a front yard of not less than ten feet in depth.
2. Side Yards. If a side yard is provided it shall not be less than five feet wide; except, where a side lot line coincides with a side lot line in an adjacent residence district, a yard shall be provided along such lot line. Such yard shall be equal in dimension to the minimum side yard which would be required under this title for a residential use on an adjacent residential lot. A side yard adjoining a street shall be not less than ten feet in width.

3. Rear Yard. There shall be provided a rear yard of not less than twenty feet in depth.
4. The minimum setback along Route 38 and Bricher Road shall be 25 feet for parking, driveways and buildings.

e) Signs:

1. Signs affixed to a building including those attached to walls, awnings and marquees: One sign is permitted on each building wall, awning or marquee; however, not more than two such signs are permitted per business or other use. The surface area of each such sign shall not exceed one and one half square feet for each linear foot of frontage of the wall on which the sign is located. In the case of a use which does not have an exterior wall frontage, the surface area of such sign shall not exceed one and one half percent (1.5%) of the floor area occupied by such use.
2. Freestanding Signs: One freestanding sign is permitted for the principal street frontage of each lot. (The principal street frontage shall be the frontage along the front lot line). One additional freestanding sign is permitted for each additional principal building on the lot, and one additional freestanding sign is permitted for each secondary street frontage of a corner lot. The first freestanding sign on the lot may have a maximum area in square feet of 1.5 times the linear frontage of the building or 100 square feet, whichever is less. Any additional sign(s) permitted due to additional street frontages may have a maximum area in square feet of 0.75 times the secondary linear frontage of the building or 50 square feet, whichever is less. Any additional sign(s) permitted due to additional buildings on the lot may have a maximum area in square feet of 0.75 times the linear frontage of the additional building or 50 square feet, whichever is less. Freestanding signs shall not exceed a maximum height of 15 feet above the street grade, as measured at a point on the street pavement closest to the sign.
3. Freestanding Sign Area for Shopping Centers: In a unified shopping center under single ownership or control on a site of four acres or more, the maximum area of the first freestanding sign on the lot may be increased from 100 square feet to 200 square feet or 1.5 times the linear frontage of the building, whichever is less.
4. Directional Signs: Directional signs may identify the use only by means of a logo, shape or color, but shall otherwise not include words identifying or advertising the use. One directional sign is permitted for each driveway access from a public street. One additional directional sign is permitted for each intersection of driveways within a site, to identify traffic routing, entrances,

and services such as drive-in lanes; such additional directional signs shall be set back from the street a minimum of 20 feet. A directional sign may have a maximum surface area of 5 square feet and shall not exceed a maximum height of 4 feet above the street or driveway grade, as measured at a point on the street or driveway pavement closest to the sign.

5. **Illumination:** Signs may be illuminated, but may not have flashing lights. Flashing lights are defined as any artificial lighting that changes intensity or color of illumination when the sign is in use, except for changes allowed on time and/or temperature signs as defined herein. Exterior signs shall be illuminated only during business hours or until 11:00 P.M., whichever is later. Sign lighting shall not be designed or directed so as to shine undiffused rays of light (either direct or reflected) into or upon any residential building or lot, or onto a public street. No sign in direct line of vision of a traffic signal shall be illuminated in red, green or amber color, so as to resemble a traffic signal.
6. **Corner Visibility:** Except for directional signs as permitted herein, no sign shall be erected or maintained to a height exceeding 30 inches above the elevation of the center of the street or driveway intersection, within any sight triangle. For purposes of this provision, a sight triangle includes: a) the triangle formed by two lines extending 20 feet from the street intersection along the right of way lines, and a third line connecting the ends of the other two; b) the triangle formed by two lines extending 20 feet from the intersection of the right of way line and the edge of a driveway pavement, along such right of way line and edge of pavement, and a third line connecting the ends of the other two; and c) the triangle formed by two lines extending 20 feet from the intersection of the pavement edges of two driveways, along such pavement edges, and a third line connecting the ends of the other two.
7. **Setbacks and Projections:** Except for directional signs as permitted herein, all freestanding signs shall be set back from the right of way a minimum of 10 feet. A sign attached to a wall shall not project more than 12 inches from the wall surface to which it is attached.
8. A sign attached to a building shall not project into the public way. A sign attached to a building shall not project higher than the building height.
9. **Time and Temperature Signs:** Time and temperature signs are permitted as freestanding signs or wall signs, and may be included as part of such signs, subject to the following:
 - a) A maximum area of 9.6 square feet for the time and temperature portion of the sign.

b) A time sign shall be permitted to change no more frequently than one minute intervals.

c) A temperature sign shall not change except when the temperature changes one degree.

d) Combination Time and Temperature Signs. Where the same display surface is used for both time and temperature, the two indications shall interchange not more frequently than two-second intervals.

e) The area of a time and/or temperature sign shall be considered as part of the area of the allowable signs on the building or lot, and so shall not be construed to change or increase any allowable sign area.

2) Office Research Development: That part of the Bricher Commons PUD to be developed for Office Research uses shall be subject to the following standards:

a) Permitted Uses:

1. Banks and financial institutions;
2. Business and professional offices;
3. Clubs and lodges, private, fraternal or religious
4. Computer and data processing centers
5. Design firms
6. Electronic and communications industries
7. Employment agencies
8. Engineering and testing laboratories and offices
9. Hotels, including restaurants, dining and meeting rooms
10. Laboratories, medical and dental
11. Laboratories, offices and other facilities for research, testing and development
12. Libraries
13. Loan offices
14. Medical and dental offices and clinics;
15. Municipal facilities, fire stations, police stations, public utilities;
16. Newspaper offices, not including printing
17. Opticians and optometrists
18. Parks and playgrounds
19. Pharmaceutical industries
20. Post office;
21. Production of prototype products

22. Public or private colleges, junior colleges, universities, professional training centers, trade schools, including dormitories and other accessory uses necessary to the operation of an institute of higher learning
23. Private, membership-only sport health clubs;
24. Recording and broadcasting studios
25. Recreational buildings, community centers, and meeting halls
26. Schools, commercial or trade, including those teaching music, dance, business, commercial or technical subjects;
27. Travel bureaus and transportation ticket offices
28. Veterinary clinics;
29. Accessory uses;

b) Special uses:

1. Restaurants (when not within a hotel);
2. Office supply stores;
3. Hospitals;
4. Motels;
5. Churches;
6. Nursery schools and day care centers;
7. Extended care or nursing homes.

c) Floor Area Ratio: Maximum of 0.40

d) Yards and setbacks:

1. A minimum twenty-five foot (25') setback shall be required from the Bricher Road right of way for parking, driveways, and buildings.
2. A minimum front yard of twenty-five feet (25') in depth, which shall be devoted entirely to landscaped area except for sidewalks and necessary paving of driveways to reach the building or parking areas, provided such driveways are generally perpendicular to the front lot line and do not exceed twenty-four feet (24') in width.
3. A minimum interior side yard of ten feet (10') which shall be devoted entirely to landscaped area.
4. A minimum side yard adjoining a street of twenty-five feet (25') which shall be devoted entirely to landscaped area except for paving of driveways and sidewalks needed to reach the building or parking areas.
5. A minimum rear yard of thirty feet (30').

e) Signs

Nonflashing but illuminated business signs with no moving parts (provided that time and/or temperature signs which change lights within a panel of stationary lights shall not be construed to be flashing or to have moving parts), awnings and marquees are permitted subject to regulations set forth elsewhere in the ordinances of the city and the following:

- 1) Where a sign is illuminated by light reflected upon it, direct rays of light shall not beam upon any part of any existing residential buildings, nor into a residence district, nor into a street. A sign in direct line of vision of a traffic signal shall not be in red, green or amber illumination.
- 2) The gross surface area in square feet of all signs on a lot or building shall not exceed two (2) times the number of linear feet of the building frontage; and each side of a building which abuts upon a street shall be considered as a separate frontage; and the gross area of all signs located on a side of a lot or building abutting a street shall not exceed the number of linear feet of such building frontage.
- 3) One (1) ground sign shall be permitted for each building on a lot, except that on a corner or through lot, a sign may be erected along each street frontage. A ground sign may not exceed eight feet (8') in height. A ground sign shall not be closer than ten feet (10') from a side or rear lot line; fifteen feet (15') from a front line; or three feet (3') from a driveway or parkway area.
- 4) A sign affixed to a building shall not project higher than the building height.
- 5) Time and/or temperature signs, in accordance with the following:
 - a. Construction. Time and/or temperature signs shall be constructed of incombustible material, including the frames, braces, and supports thereof.
 - b. Regulation of Size. Such time and/or temperature signs shall not be more than 9.6 square feet in area.
 - c. Requirements on Glass. Any glass forming a part of a clock of the sign thereon shall be safety glass, or plate glass at least one-fourth (1/4") thick, or an approved plastic securely held in place.

- d. **Cover or Service Opening To Be Secured.** Any cover or service opening of a time and/or temperature sign shall be securely fastened thereto by metal hinges.
- e. **Time Sign.** A time sign shall be permitted to change no more frequently than thirty-second intervals.
- f. **Temperature Sign.** A temperature sign shall not change except when the temperature changes one (1) degree.
- g. **Time and Temperature Sign Combination.** If the same surface area is provided for both time and temperature, the frequency of change shall be no more frequently than two-second intervals. If separate space is provided on the sign surface area for time and temperature, paragraphs a and e of this subdivision shall apply.
- h. **All time and/or temperature signs erected on the exterior of any building or structure shall comply with the requirements set forth in provisions on wall signs.**
- i. **No advertising shall be placed upon a time and/or temperature sign other than the name of the owner or a reference to the business, industry, or pursuit conducted within the premises to which the time and/or temperature sign is attached.**

EXHIBIT "D-III"

17.28.020 Permitted uses.

Permitted uses in a B3 district shall be as follows:

1. Uses permitted in the B2 district, except uses designated in Chapter 17.24 with an asterisk, may be located on the first story, nearer than fifty feet of a street;
2. Amusement establishments, including bowling alleys, pool halls, dancehalls, gymnasiums, swimming pools and skating rinks;
3. Auction rooms;
4. Automobile accessory stores;
5. Automotive vehicle and automotive equipment sales;
6. Blueprinting and photocopying establishments;
7. Building material sales, with accessory outside storage, provided outside storage does not exceed sixteen feet in height;
8. Caskets and casket supplies;
9. Catering establishments;
10. Clothing establishments;
11. Clubs and lodges, private, fraternal, or religious;
12. Contractors' and construction offices;
13. Employment agencies;
14. Exterminating shops;
15. Feed stores;
16. Fire stations;
17. Frozen food shops, including locker rental in conjunction therewith;
18. Fuel and ice sales, retail only;
19. Job printing shops, using presses having beds of not more than fourteen inches and twenty inches;

20. Landscape contractors;
21. Libraries;
22. Machinery and equipment sales, but not including service, repair, or reconditioning and storage of all machinery shall be within enclosed buildings;
23. Mail order houses;
24. Meat markets, including the sale of meat and meat products to restaurants, motels, clubs and other similar establishments when conducted as part of the retail business on the premises;
25. Meeting halls;
26. Monument sales;
27. Motels;
28. Nurseries;
29. Orthopedic and medical appliance stores, but not including the assembly or manufacture of such articles;
30. Parking lots and storage garages (automobile);
31. Pet shops;
32. Police stations;
33. Plumbing showrooms and shops;
34. Radio and television service and repair shops;
35. Recording studios;
36. Recreational buildings, community centers, and meeting halls;
37. Schools, commercial or trade, not involving any danger of fire, explosion, nor of offensive noise, vibration, smoke, dust, odor, glare, heat, or other objectionable influences;
38. Secondhand stores and rummage shops;
39. Signs as regulated in this chapter;
40. Taxidermists;
41. Telephone exchanges and telephone transmission equipment buildings and electric distribution centers;

- 42. Typewriter and adding machine sales and service establishments;
- 43. Undertaking establishments and funeral parlors;
- 44. Accessory uses to the permitted uses listed above in this section;
- 45. Vehicle Service Facilities.
- 46. Other accessory uses: Communication antennas.

17.28.030 Special uses.

Special uses in a B3 district shall be as follows:

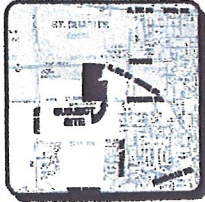
- A. Special uses allowed in the B2 district, except such as are permitted in the B3 district;
- B. Animal hospitals;
- C. Automobile laundries;
- D. Dog kennels;
- E. Open-sales lots;
- F. Other service business uses, including coin-operated dry-cleaning establishments;
- G. Outdoor amusement establishments, including golf driving ranges, miniature golf courses, par-three golf courses, kiddie parks, and other similar amusement centers and places of amusement such as stadiums;
- H. Fairgrounds, including the location of the annual Kane County Fair and other activities that are permissible pursuant to the not-for-profit incorporation charter of the Kane County Fair, an Illinois not-for-profit corporation;
- I. Warehouse for retail sales establishment and its sales facilities, provided the warehouse and any storage area does not exceed two hundred percent of the floor area for the retail sales establishment to which it is appended.
- J. Communication towers.
- K. Outdoor live entertainment or amplified sound in conjunction with a restaurant, tavern or cocktail lounge. Such outdoor live entertainment shall not occur past 10:00 p.m. and shall not generate sound levels in excess of 60 dBA as measured from the property line in any residence district.

BRICHER ROAD COMMONS



EXHIBIT "D-IV"

SITE DATA	AC	%
RESIDENTIAL (105-20 UNITS)	30.5 AC	56%
ACCESSIBLE LIVING (80-80 UNITS)	4.0 AC	7%
COMMERCIAL AREA	14.7 AC	27%
RETENTION	5.5 AC	10%
TOTAL AREA:	54.7 AC	100%



CONCEPT PLAN

4 of 5

SCALE IN FEET

NORTH

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