AGENDA
CITY OF ST. CHARLES
PLANNING & DEVELOPMENT COMMITTEE
ALD. CLIFF CARRIGNAN – CHAIRMAN

MONDAY, SEPTEMBER 10, 2012 - 7:00 PM
CITY COUNCIL CHAMBERS
2 E. MAIN STREET

1. CALL TO ORDER

2. ROLL CALL

3. MAYOR'S OFFICE

a. Recommendation to approve a Class A5 liquor license application for Acquaviva Winery, LLC to be located at 214 W Main Street, St. Charles.

4. COMMUNITY DEVELOPMENT

a. Recommendation to approve a Petition for Annexation, Annexation Agreement, Map Amendment (Upon Annexation) and Preliminary Subdivision Plan (Bucki Single-Family Residential Subdivision).

b. Recommendation to adopt the 2012 International Property Maintenance Code and Proposed Amendments.

c. Recommendation to approve an Ordinance repealing Title 15 "Building and Construction," Chapter 15.44 "Fair Housing Regulations" of the St. Charles Municipal Code.

5. ADDITIONAL BUSINESS

a. Update on the Comprehensive Plan Project-Information only.

6. EXECUTIVE SESSION

- Land Acquisition

7. ADJOURNMENT

ST. CHARLES SINCE 1834	**AGENDA ITEM EXECUTIVE SUMMARY**	
	Title:	Recommend approval for a Class A5 Liquor License for Acquaviva Winery, LLC
	Presenter:	Mayor DeWitte

Please check appropriate box:

	Government Operations		Government Services
X	Planning & Development (9/10/12)		City Council
	Public Hearing		

Estimated Cost:		Budgeted:	YES		NO	

If NO, please explain how item will be funded:

Executive Summary:

This is a request for a Class A5 liquor license for Acquaviva Winery, LLC to be located at 214 W Main Street, St. Charles. The requested background check has been completed. All documents are in order and have been approved by the Police Department. This is a new business to this location.

Attachments: *(please list)*

Liquor License Application (front page)

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

Recommendation to approve a Class A5 license for Acquaviva Winery, LLC to be located at 214 W Main Street, St. Charles.

For office use only:	*Agenda Item Number:* 3a

For Office Use
Received: 7/26/12
Fee Paid: $ 250
Receipt # 91641

CITY OF ST. CHARLES

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

City Retail Liquor Dealer License Application (rev. 6/10) Non-Refundable

Ordinance 5.08.050.A1 **Application must be completed in full** **Incomplete applications will be rejected**

Business Type: Circle one Individual Partnership Corporation Other LLC

Business Name Acquaviva Winery, LLC Sales Tax # 5566-7457

Business Address 214 W Main St St. Charles IL 60174 Business Phone # _____

Contact Person Vito Brandonisio Title Member Phone # 630-365-0333

Bassett Certification TEMP 1001 **License Class:** _____

If Corporation, Corporate Name _____

Corporation Address _____

Corporate Officers, plus Manager of Establishment, Officers must include President, Vice President, Secretary and Treasurer Or Sole Proprietor

Have you had a business within the City of St. Charles under any other corporate name: ____ Yes X No
If yes, list address of business _____

Full Name, include Middle Initial Vito Brandonisio Title _____

Birth Date _____ Birthplace Bari, Italy Driver's License # _____ Home Phone # _____

Home Address _____

Full Name, include Middle Initial _____ Title _____

Birth Date _____ Birthplace _____ Driver's License # _____ Home Phone # _____

Home Address _____

Full Name, include Middle Initial _____ Title _____

Birth Date _____ Birthplace _____ Driver's License # _____ Home Phone # _____

Home Address _____

Full Name, include Middle Initial _____ Title _____

Birth Date _____ Birthplace _____ Driver's License # _____ Home Phone # _____

Home Address _____

Schedule of Annual Fees for Retail Liquor Dealer License

Class A Package Liquor Sales:	
A-1 (Pkg. Stores Only)	$1,600/year
A-2 (Pkg. Stores – Grocery/Drug)	$1,600/year
A-3 (Gourmet Beers & Wine)	$1,600/year
A-4 (Brewery & Sales)	$1,600/year
Class B Predominately Food	
B-1 (Small Restaurant – no holding bar)	$1,200/year
B-2 (Holding Bar[s])	$1,600/year
B-3 (Live Entertainment)	$2,600/year
B-4 (Beer & Wine Only)	$1,200/year
Class C Predominately Liquor:	
C-1 (On Premise Sales)	$1,300/year
C-2 (Entertainment)	$2,600/year
C-3 (Beer & Wine Only)	$1,200/yea
Class D (Site Specific & Hotel/Motel):	
D-1 (Pheasant Run)	$4,000/year
D-2 (Hotels/Motels)	$2,000/year
D-3 (Banquet Halls & County Clubs)	$2,000/year
D-4 (Clubs)	$1,000/year
D-5 (Arcada)	$2,000/year

ST. CHARLES SINCE 1834	**AGENDA ITEM EXECUTIVE SUMMARY**	
	Title:	Recommendation to Approve a Petition for Annexation, Annexation Agreement, Map Amendment (Upon Annexation) and Preliminary Subdivision Plan (Bucki Single-Family Residential Subdivision)
	Presenter:	Matthew O'Rourke

Please check appropriate box:

	Government Operations		Government Services
X	Planning & Development - (9/10/12)		City Council
	Public Hearing		

Estimated Cost:	NA	Budgeted:	YES		NO	

If NO, please explain how item will be funded:

Executive Summary:

Terry Bucki, applicant, has submitted a Petition for Annexation and Applications for a Map Amendment (upon annexation) and Preliminary Subdivision Plan. The details of the proposal are as follows:

- The applicant is proposing to be annexed into the City of St. Charles and enter into an annexation agreement that will specify in what manner the property can be developed.
- This proposed map amendment will change the zoning of the property from RE-1 Single-Family Estate (default zoning upon annexation) to the RS-1 Low Density Suburban Single-Family, upon annexation.
- The subject property will be subdivided into 5 single-family lots.
  - The applicant has requested a 5-year timeframe to subdivide the property, following approval of the Preliminary Subdivision Plan, in-lieu of the 2-year timeframe required by city code.
- 3 lots are accessed from the proposed cul-de-sac named Fred Bucki Circle.
- 2 lots will be accessed from a shared drive off of Rt.31.

Plan Commission Recommendation

The Plan Commission held a new public hearing on 8/21/2012 for this proposal. The original public hearing took place in 2008 and the Plan Commission originally recommended approval of the project in 2009.

The Plan Commission recommended approval of the applications for a Map Amendment (upon annexation), and for a Preliminary Subdivision Plan on 8/21/2012. The vote was 5-AYE to 0-NAY.

Attachments: *(please list)*

Staff Report; Petition for Annexation; Zoning Map Amendment Application; Subdivision Preliminary Plan Application; Traffic Memorandum; Letter from Thomas Gallenbach IDOT; Engineering Review Letter from Greg Chismark; Photos Submitted by Neighboring Property Owners of Rain Event Conditions; Preliminary Subdivision Plan, dated 7/8/2009; Preliminary Engineering Plans; dated 7/8/2009; Landscape Plan, dated 7/8/2009.

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

Recommendation to approve a Petition for Annexation, Annexation Agreement, Application for a Map Amendment (upon annexation) from RE-1 Single-Family Estate to RS-1 Low Density Suburban Single-Family, and Application for a Preliminary Subdivision Plan and direct Staff to schedule the hearing for the annexation.

For office use only:	*Agenda Item Number: 4a*

Community Development
Planning Division
Phone: (630) 377-4443
Fax: (630) 377-4062

ST. CHARLES
SINCE 1834

STAFF REPORT

TO: Chairman Cliff Carrignan
And the Members of the Planning & Development Committee

FROM: Matthew O'Rourke, AICP
Planner

RE: Bucki Single-Family Subdivision

DATE: August 29, 2012

I. APPLICATION INFORMATION:

Project Name: Bucki Single-Family Subdivision

Applicant: Terrance Bucki

Purpose: To develop the property owned by Terrance Bucki into a 5 lot single-family residential subdivision

General Information:

Site Information	
Location	West of Rt.31 and South of the St. Charles North High School property.
Acres	4.6 Acres

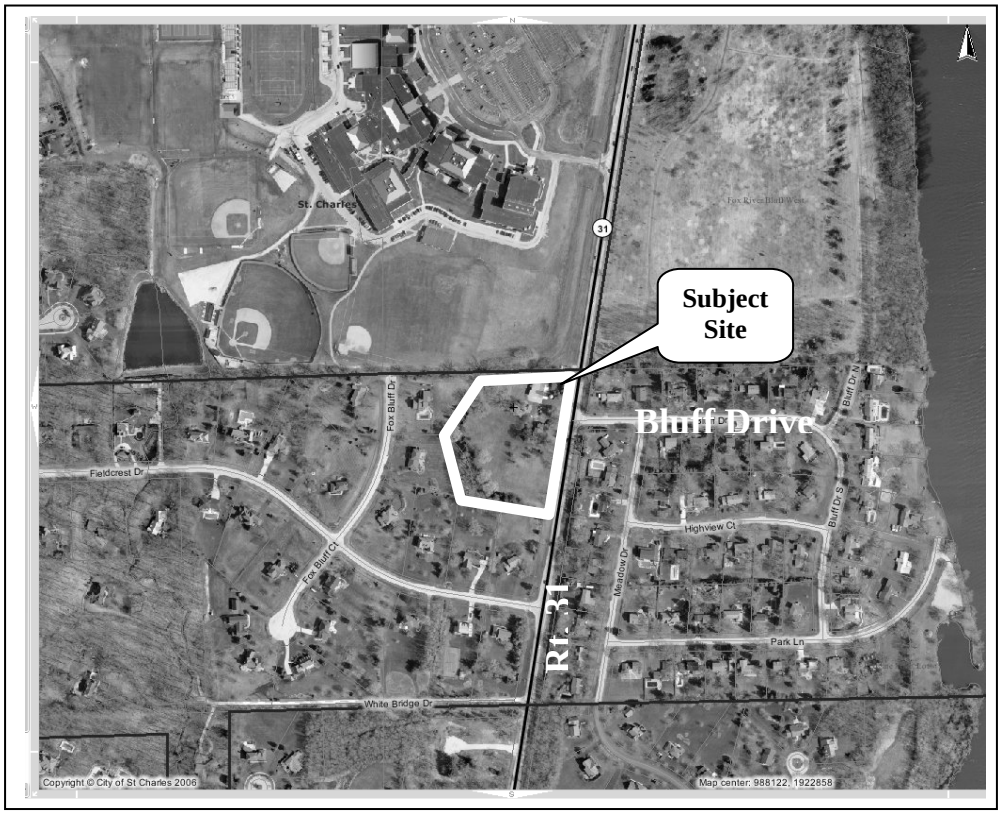
Applications:	1) Map Amendment Upon Annexation
	2) Preliminary Subdivision Plan
Applicable City Code Sections	Chapter 16.16 - Preliminary Subdivision Plan
	Chapter 17.12 - Residential Districts

Existing Conditions	
Land Use	Single-Family Residential/Accessory Home Based Business
Zoning	F Farming District and E-3 Estate Family Residential District (Kane County)

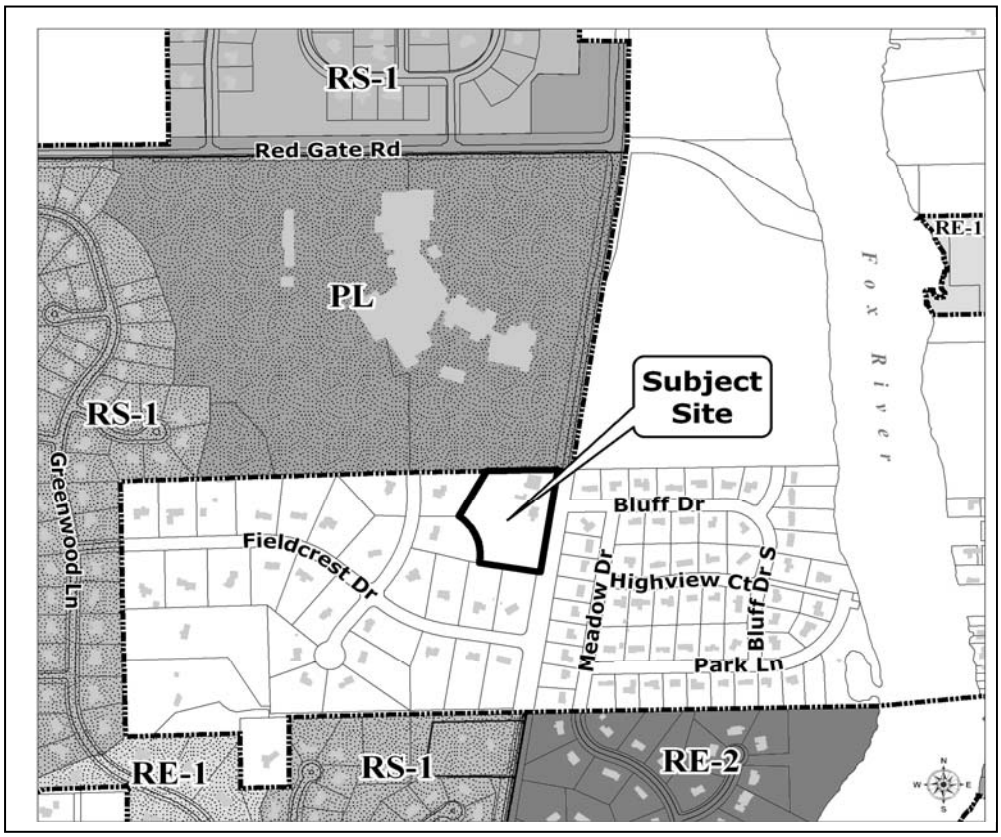
Zoning Summary		
North	PL- Public Land District	St. Charles North High School
East	E-3 Estate Family (Kane County)	Fieldcrest by the Fox
South	E-3 Estate Family (Kane County)	Fieldcrest by the Fox
West	F – Farming District (Kane County)	Farmington Subdivision

Comprehensive Plan Designation
Rural Residential

Aerial Photograph



Zoning Map



II. OVERVIEW

A. LEGAL COUNSEL & PREVIOUS PLAN COMMISSION RECOMMENDATION

A public hearing was held and closed by the Plan Commission on 11/4/08. The Plan Commission recommended approval of this proposal on 8/4/09. Due to extenuating circumstances, the application did not proceed further than the Plan Commission recommendation.

Staff has conferred with the City's Legal Counsel, Gerry Gorski of the Law Offices of Gorski and Good, regarding the amount of time that has passed and how this might affect the previous Plan Commission recommendation. Counsel has stated that since a considerable amount of time has elapsed, that the proposal should be renoticed and that a new public hearing should be held. Once these items have been completed the Plan Commission should render a new recommendation. Legal Counsel's concern is that some of the properties located within 250' of the subject property may have changed ownership and that these potential new owners should be notified of the requested zoning changes.

B. PROPERTY HISTORY

The existing home was built on the subject property in the 1860's. The home and existing barn are among the first structures built along this portion of Rt. 31. The Farmington Subdivision, to the east, was built in the late 1960's through the 1970's. The Fieldcrest on the Fox Subdivision, immediately surrounding the subject property, was developed in the 1980's. The general character of this area changed slowly from rural/agricultural to large-lot-single-family. The bulk of this development was permitted through Kane County under Kane County's Zoning Ordinance. The school District property to the north was annexed to the City and developed in the 1990's.

C. PROPOSAL

The applicant has submitted a Petition for Annexation and Applications for a Map Amendment (upon annexation) and Preliminary Subdivision Plan. The details of the proposal are as follows:

- The Applicant is proposing to be annexed into the City of St. Charles corporate limits.
- This proposed map amendment will modify the zoning of the property from **RE-1 Single-Family Estate** to the **RS-1 Low Density Suburban Single-Family** Zoning District, should the City Council vote to approve annexation of the property.
- The subject property will be subdivided into 5 single-family lots.
  - The existing home will remain and is located on the proposed lot 5.
  - The balance of the site will be subdivided into 4 additional single-family lots.
- 3 out of the 5 lots are accessed from the proposed cul-de-sac named Fred Bucki Circle.
  - The proposed cul-de-sac will provide access from Rt. 31 to lots 1, 2, and 3.
- Access to Lots 4 and 5 will be from a shared access drive off of Rt.31 that will run along the property line between Lots 4 and 5.

D. 2006 CONCEPT PLAN

A Concept Plan for the proposed development was presented to the Plan Commission and Planning & Development Committee in January of 2006. **Table 1** identifies the comments and modifications to the submitted Preliminary Subdivision Plan based on feedback from the Concept Plan Meetings.

Table 1

2006 Concept Plan Comments	Current Plan
Tree Conservation Preserve as many of the mature trees on the site as possible.	*A tree preservation area has been added to the Preliminary Subdivision Plan.* ▪ *The footprints of the buildings have been situated to disturb as little of the existing trees as possible.* ▪ *The Tree Preservation Plan does preserve more of the existing trees on the site. Only trees necessary for construction will be removed. Many of the preserved trees are of good quality.*
Storm Water Retention Proposal A variance and fee-in-lieu payment request was presented by the applicant. This variance allows the applicant to pay a fee as opposed to providing stormwater retention on the property.	▪ *The variance request has been withdrawn.* ▪ *A stormwater retention pond is added to the plans on portions of lots 1 and 2.*
Bike Path Incorporate a bike path into the site design providing pedestrian access to the St. Charles North High School property.	*A Pedestrian/Bike parallel to Rt.31 is shown to provide pedestrian access to the St. Charles North High School.*

E. <u>11/4/2008 PUBLIC HEARING PLAN COMMISSION COMMENTS</u>

The Plan Commission held a public hearing on 11-4-08 to discuss the proposal.

- Surrounding property owners expressed specific concerns with the stormwater retention.
  - It was suggested that Staff organize a meeting with the property owners to further examine the plans.

F. <u>STAFF MEETING WITH RESIDENTS</u>

On 11/11/08 City Staff and the engineers representing the applicant met with the surrounding property owners to discuss their concerns. The details of the meeting are as follows:

- Two of the neighboring property owners were in attendance.
- Staff explained the development process, and that the engineering plans are not final and subject to further modification/review.
- The residents expressed their concerns that the new pond would create additional flooding problems on their properties.
- Staff explained that development of the site must not change or increase the amount of water that flows off the site during rain events. Staff also explained that this development would not alter the area's current drainage pattern.

III. ANALYSIS

A. COMPREHENSIVE PLAN

Future Land Use
The subject site is located in the Red Gate Planning Area.
The Future Land Use Plan recommends the following:

- Future land use: rural and low-density residential infilling
- Important area for open space linkages.
- Route 31 is a gateway area to St. Charles, calling for increased setbacks and landscaping to emphasize the natural, rural setting.

The Comprehensive Plan defines Low-Density Residential as follows:
"Low density residential development generally characterized by single family detached homes served by public sewer and water systems. Maximum density ranges from 1 up to 2.5 dwelling units per acre."

Proposal
The proposal does comply with the land use recommendations of the Comprehensive Plan based on the following:

1. The proposed subdivision is a low-density residential development, and will be served by public utilities.
2. The density of the proposed subdivision is 1.27 dwelling units per acre.

B. ANNEXATION & ANNEXATION AGREEMENT

The applicant is proposing to annex the subject property into the City of St. Charles. As part of this proposal there will be an annexation agreement. The applicant has requested that the following specific provisions be incorporated into that agreement:

1. Per Title 16 (Subdivisions and Land Development) the applicant would have 2 years from the date of the Preliminary Subdivision Plat approval to submit a Final Plat of Subdivision Application. Due to economic uncertainty, the applicant is requesting that this timeframe be extended to 5 years.
2. Staff is suggesting that a provision be incorporated into the agreement that states in the event that Final Plat of Subdivision Application is not filed within the 5 year timeframe, the Preliminary Subdivision Plan approval will lapse. This would require that any future proposals to subdivide the property past this 5 year period would have to file a new Subdivision Preliminary Plan Application for review and approved by the City Council.

C. ZONING AND SUBDIVISION REVIEW

Staff has reviewed the proposed Preliminary Subdivision Plan for conformance with the Standards for the **RS-1 Low-Density Suburban Single-Family Residential District** established in **Table 17.12-2 Residential Bulk Requirements** of the Zoning Ordinance. **Table 2** summarizes Staff's review:

Table 2

	Minimum Zoning Code Standards for the RS-1 Zoning District	Proposal
Minimum Lot Area	18,000 SQ FT	The smallest proposed lot area is 25,913 SQ FT, the largest proposed lot is 36,632 SQ FT.
Minimum Lot Width	100 ft	The smallest lot width is 143 ft.
Minimum Front Yard	40 ft	All lots are shown having at least a 40 ft front yard setback.
Minimum Rear Yard	50 ft	All lots are shown having at least a 50 ft rear yard setback.
Minimum Interior Side Yard	10 ft	All lots are shown having at least a 10 ft interior side yard setback.
Minimum Exterior Side Yard	40 ft	Lots 1 and 5 have exterior side yards. These setbacks are shown at 40 ft.

D. TRAFFIC ANALYSIS

In 2008, the applicant submitted a traffic memorandum prepared by Western Surveying & Engineering P.C. and Trans/Land. This analysis states the following:

- The 5 single-family homes will generate 48 trips per day.
- There will be 4 total trips generated in AM peak hour, 1 in and 3 out.
- There will be 5 total trips generated in the PM peak hour, 3 in and 2 out.

E. ACCESS ONTO RT. 31

IDOT has submitted a letter (attached to this report), dated June 29, 2009, that IDOT can in concept approve the new access point on Rt. 31, as shown on the Preliminary Subdivision Plan.

F. LANDSCAPE PLAN

The Applicant has submitted a Landscape Plan. Staff has reviewed the plan to ensure conformance with the applicable standards of the City's ordinances. The following summarized this review:

- Tree preservation areas denoted on the plans.
- The required parkway trees are shown along the new cul-de-sac and west of Rt. 31.
- Landscaping is provided along the south property line to buffer the proposed retention pond from the surrounding property owners.

G. ENGINEERING REVIEW

In 2009, the City had Wills, Burke, Kelsey Associates (WBK) review the most recent preliminary plans dated July 8, 2009. Their comments are stated in a letter addressed to Chris Tiedt dated August 13, 2009 (attached to this memo). At that time, there were a few

review comments that needed to be addressed. There was information submitted to respond to these comments in 2009. Staff is currently in the process of reviewing this information. Addition information or plan revision may be required before the City Council can approve the applications.

H. INCLUSIONARY HOUSING

This development is subject to the standards set forth in Chapter 17.18 Inclusionary Housing of the City's Zoning Ordinance. Per **Section 17.18.040 Affordable Units Required**, the proposed development is subject to the following:

% of Units Required as Inclusionary	5%
Total Number of Units proposed	4
Number of Inclusionary Units Required	0.2

Since the number of units proposed is under 10 dwelling units, the applicant has the option to pay a fee-in-lieu to satisfy the entire inclusionary housing requirement. The total amount of required fee-in-lieu is as follows:

Number of Inclusionary Units Required	0.2
Per Unit Fee-In-Lieu Amount	$104,500
Total Required Fee-in-Lieu Amount	**$20,900**

The fee-in-lieu will be required to be paid at the time the first building permit is issued for the proposed development.

I. SCHOOL AND PARK FEE-IN-LIEU CONTRIBUTIONS

The applicant is proposing to provide both the School and Park Districts with a cash contribution in lieu of physical land per the standards established in **Section 16.32.090** of **Title 16 Subdivisions and Land Improvement**.

The applicant has submitted a land cash worksheet that indicates the following contributions will be owed to the School and Park Districts:

- Park District - $36,209.68.
- School District - $48,883.24.

These fee-in-lieu amounts are required to be paid before the first building permit is issued. These amounts are subject to change depending on when the first building permit for the development is issued.

IV. PLAN COMMISSION RECOMMENDATION

The Plan Commission held a second public hearing on 8/21/2012 for this proposal.

The Plan Commission recommended approval of the Application for a Map Amendment, upon annexation, and for a Preliminary Subdivision Plan on 8/21/2012. The vote was 5- AYE to 0-NAY.

V. RECOMMENDATION

Staff recommends approval of the Applications for a Map Amendment, upon annexation, from **RE-1 Single-Family Estate** to **RS-1 Low Density Suburban Single-Family** and for a Preliminary Subdivision Plan. Staff has provided draft findings of fact to support the positive recommendation for the Map Amendment Application.

VI. ATTACHMENTS

- Petition for Annexation; recieved 1/03/2008
- Zoning Map Amendment Application from RE-1 Single-Family Estate to RS-1 Low Density Suburban Single Family; Received 1/29/2008.
- Subdivision Preliminary Plan Application Bucki Single-Family Residential Development, received 1/03/2008.
- Traffic Memorandum; Western Surveying & Engineering P.C. and Trans/Land; dated 10/29/2008.
- Letter from Thomas Gallenbach IDOT; dated 6/29/2009.
- Engineering Review Letter from Greg Chismark; Wills, Burke, Kelsey Associates (WBK); dated 8/13/2009.
- Exhibit C from the 11/4/2008 Public Hearing – Photos Submitted by Neighboring Property Owner of Rain Event Conditions; received 11/4/2008.
- Exhibit D from the 11/4/2008 Public Hearing – Photos Submitted by Neighboring Property Owner of Rain Event Conditions; received 11/4/2008.
- Preliminary Subdivision Plan for the Bucki Subdivision, Western Surveying & Engineering P.C. and Trans/Land; dated 7/8/2009.
- Preliminary Engineering Plans; Western Surveying & Engineering P.C. and Trans/Land; dated 7/8/2009.
- Landscape Plan; Western Surveying & Engineering P.C. and Trans/Land; dated 7/8/2009.

VII. FINDING OF FACT

APPLICATION FOR MAP AMENDMENT

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

   Properties to the west, south, and east are large-lot single-family homes. The northern property is the St. Charles North High School. Rezoning this property to the RS-1 Low Density Suburban Single-Family Residential District is consistent with the large-lot single-family zoning surrounding the subject property.

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

   The value of the subject property for residential use under Kane County's zoning regulations is similar to the proposed residential zoning in St. Charles. However, if annexed and zoned in St. Charles, the owner will be able to develop more homes on this property. This will increase the value of the property.

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

   The property is zoned for private residential use. Adding additional lots, at a similar density to the surrounding area, does not decrease the public benefit of this lot.

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

   The property is suitable for residential use under the current and proposed zoning. The subject property will be used for residential purposes in the County or if annexed and zoned in St. Charles.

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

   The property is not vacant. There is one existing home on the property.

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

   Development trends in the surrounding area indicate that large-lot single-family development is the prevalent development type in this area. The development of this property into large-lot single-family homes will continue the existing trend of the surrounding community.

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

   The proposed rezoning is consistent with Comprehensive Plan land use designation of "Rural Residential," as only residential use will be permitted on the property and will maintain the large-lot rural character. The Comprehensive Plan recommends a density of 1 up to 2.5 dwelling units per acre in this area. The density of the proposed Bucki Single-Family Subdivision is 1.27 dwelling units per acre.

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

   Not applicable.

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

No new non-conformities will be created. The petitioner has demonstrated that the site can be developed for the intended use within the proposed zoning requirements.

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

Development trends indicate that large-lot residential development is acceptable in the surrounding area.

Cc: Russell Colby, Planning Division Manager
Terrance Bucki

RECEIVED
JAN 03 2008
PLANNING OFFICE

STATE OF ILLINOIS)
)
COUNTY OF K A N E) SS
AND)
COUNTY OF DU PAGE)

TO: MAYOR AND CITY COUNCIL
CITY OF ST. CHARLES, ILLINOIS

PETITION FOR ANNEXATION

The undersigned, as Owner of record of the property described in Exhibit "A" attached hereto and pursuant to 65 ILCS, 5/7-1-1, et seq. (2006), respectfully represents unto the Mayor and City Council of the CITY OF ST. CHARLES as follows:

1. That the undersigned is the Owner of Record of all of the territory legally described in Exhibit "A" attached hereto and by this reference made a part hereof (hereinafter sometimes referred to as "Subject Property").

2. That the Subject Property constitutes a contiguous tract of land.

3. That the Subject Property is not within the corporate limits of any municipality.

4. That the Subject Property is within an unincorporated area of Kane County, but is contiguous to the existing corporate limits of the CITY OF ST. CHARLES.

5. That there are two (2) electors residing on the Subject Property, who consents to the prayer of this Petition.

6. That the undersigned constitutes all of the Owners of Record of the Subject Property.

7. That the undersigned is desirous of annexing the Subject Property to the CITY OF ST. CHARLES, provided that prior to annexation of the Subject Property a certain Annexation Agreement is executed by and between the Owner of record of the Subject Property and the CITY OF ST. CHARLES, pursuant to the provisions of 65 ILCS, 5/11-15.1-1, et seq. (2006), which Annexation Agreement shall encompass and pertain to the entirety of the Subject Property.

8. That prior to the annexation of the Subject Property to the CITY OF ST. CHARLES, the undersigned shall submit to the CITY OF ST. CHARLES a Plat of Annexation depicting and legally describing the Subject Property.

9. That the undersigned hereby authorizes their attorney, Charles A. Radovich, or such other person or persons as may from time to time be designated in writing by the undersigned, to proceed with all necessary and appropriate meetings and public hearings before the corporate authorities of the CITY OF ST. CHARLES for the purpose of effectuating the purpose of this Petition.

WHEREFORE, the undersigned pray as follows:

1. That the corporate authorities of the CITY OF ST. CHARLES will hold such public hearings as are required by law.

2. That the corporate authorities of the CITY OF ST. CHARLES will enter into a certain Annexation Agreement to be hereafter submitted by the record Owner of the Subject Property.

3. That upon execution of said Annexation Agreement by the record Owner of the Subject Property and the CITY OF ST. CHARLES, and only in the event said Annexation Agreement is mutually agreed upon and so executed, and, upon the submission by the undersigned and approval by the CITY OF ST. CHARLES of the aforesaid Plat of

Annexation, to annex the Subject Property to the CITY OF ST. CHARLES, all in compliance with such statutes and ordinances as are required by law.

OWNER:

Terrence F. Bucki

We, Terrence F. Bucki and Brundhilde T. Bucki, husband and wife, who reside at 5 N264 Ill. State Rte 31, St. Charles, Illinois, hereby consent to the foregoing Petition to annex the property described at Exhibit "A".

Terrence F. Bucki

Brunhilde T. Bucki

Subscribed and sworn to
before me this 19th day of
day of February, 2007.

Notary Public

"OFFICIAL SEAL"
DEBORAH L. GRAFFAGNA
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 9/17/2011

CHARLES A. RADOVICH
Attorney for Petitioner
312 West State Street
Post Office Box 464
Geneva, Illinois 60134-0464
Telephone: 630/232-4511

CITY OF ST. CHARLES

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

COMMUNITY DEVELOPMENT/PLANNING DIVISION PHONE: (630) 377-4443 FAX: (630) 377-4062

ZONING MAP AMENDMENT APPLICATION

Received Date
RECEIVED
JAN 29 2008
PLANNING OFFICE

CITYVIEW PROJECT NO: 2005PR024

CITYVIEW APPLICATION NO: 2008AP007

PROJECT NAME: _____

Instructions:

To request a map amendment (rezoning) for a property, complete this application and submit it with all required attachments to the Planning Office.

The City staff will review submittals for completeness and for compliance with applicable requirements prior to establishing a Plan Commission public hearing or meeting date.

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

1. Property Information:	Parcel Number (s): 09-15-351-004	
	Street Address (or common location if no address is assigned):	
2. Applicant Information:	Name: Terrence F. Bucki	Phone: 630-377-2600
	Address: 5N264 Rte 31, St. Charles, IL 60174	Fax: 630-377-2977
		Email: Bukiins@aol.com
3. Record Owner Information:	Name: Same as Applicant	Phone
	Address	Fax
		Email
4. Billing: *To whom should costs for this application be billed?*	Name: Same as Applicant	Phone
	Address	Fax
		Email

Zoning and Use Information:

Comprehensive Plan Land Use Designation of the property: rural residential

Current zoning of the property: RE-1 (Kane County)

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

Current use of the property: Single-family with ancillary business use

Proposed zoning of the property: RS-1

Proposed use of the property: Single family detached (with amortization of bus. use

If the proposed Map Amendment is approved, what improvements or construction are planned? (An accurate site plan may be required to establish that the proposed improvement can meet the minimum zoning requirements)

Construction of single-family residences on subdivided lots

Attachment Checklist

- ☒ Plat of Survey prepared by an Illinois Registered Land Surveyor, showing all existing improvements on the property.
- ☒ Legal description on 8 ½ x 11 paper.
- ☒ Copy of Title Insurance Policy or Commitment for the property, indicating ownership, easements, etc.
- ☒ Completed Land Use Opinion application (available in .pdf form at http://www.kanedupageswcd.org/pdfs/LUO/LandUseOpinionApp2007.pdf), as required by state law, mailed to: The Kane-Dupage Soil and Water Conservation District, 545 S. Randall Road, St. Charles, IL 60174
- ☒ Endangered Species Assessment:

  Go to the Illinois Department of Natural Resources EcoCat site http://dnrecocat.state.il.us/ecopublic/#startecocat and enter the required information. Print out the report and submit a copy with this application.
- ☒ List of record owners of all property within 250 feet of the subject property
- ☒ Ownership Disclosure Form and Proof of Ownership:

  a) a current title policy report; or

  b) a deed and a current title search.

  If the owner is not the applicant, an original letter of authorization from the owner permitting the applicant to act on his/her behalf is required. If the owner or applicant is a Trust, a disclosure of all beneficiaries; if the

owner or applicant is a Partnership, a disclosure of all partners; if the owner or applicant is a Corporation, a disclosure of all owners with an interest of at least ten percent (10%).

x☒ Findings of Fact Sheet

x☒ Application Fee (Refer to attached Fee Schedule)

x☒ Reimbursement of Fees Agreement: An original, executed Reimbursement of Fees Agreement and deposit of funds with the City, as provided by Exhibit B of the Zoning Ordinance

x☒ Site plan drawn to scale to demonstrate that the property can meet the requirements of the proposed zoning district (parking requirements, setbacks, landscaping, etc.) – 8 paper copies plus an electronic file (PDF preferred). Additional plan copies may be requested by staff after first review.

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

Record Owner — Date 12/3/07

Applicant or Authorized Agent — Date 12/3/07

Findings of Fact Sheet - Rezoning

ST. CHARLES
SINCE 1834

- *The St. Charles Zoning Ordinance requires the Plan Commission to consider the ten factors listed below, in making its recommendation to the City Council.*
- *As an applicant, the "burden of proof" is on you to show why the proposed zoning is more appropriate than the existing zoning. Therefore, you need to "make your case" by explaining how the following factors support your proposal.*
- *If a factor does not apply to the property in question, indicate "not applicable" and explain why it does not apply.*

09-15-351-004

Project Name, PIN Number or Address *Date*

1. The existing uses and zoning of nearby property. *(Relate the proposed land use and zoning to the land use and zoning of other properties in the area)*

The property to the north is the St, Charles North High School, and is an institutional use in the PL - Public Lands zoning district. The properties to the east, west and south are zoned for single family residential use in unincorporated Kane County.

2. The extent to which property values are diminished by the existing zoning restrictions. *(Compare the value of the subject property and nearby properties under the current zoning to their potential value under the proposed zoning.)*

The subject property will increase in value in the proposed zoning classification because it will be possible to subdivide the property and construct additional homes. The adjacent residential properties will have homed constructed adjacent to them of equal or higher value, which will not diminish and may enhance their value.

3. The extent to which the reduction of the property's value under the existing zoning restrictions promotes the health, safety, morals or general welfare of the public. *(If the existing zoning decreases the value of the subject realty, does it also produce any perceptible public benefits?*

The reduction in value under the existing RE-1 zoning does not appear to promote the health, safety, morals or general welfare of the public in comparison to the proposed RS-1 zoning.

4. The suitability of the property for the purposes for which it is presently zoned, i.e. the feasibility of developing the property for one or more of the uses permitted under the existing zoning classification. *(Can the subject property reasonably be used for any of the uses currently permitted? Physical and market conditions may be considered.)*

The present RE-1 zoning would restrict the development of the subject property to the creation of one additional single family lot. It would not be economically feasible to construct the public improvements necessary to subdivide the property under this condition.

5. The length of time that the property has been vacant, as presently zoned, considered in the context of the land development in the area where the property is located. *(If a property has been vacant longer than other similar properties in the area, it may be an indicator that the existing zoning is inappropriate.)*

The property has had no development beyond the existing use for many years, while in the same period of time the St. Charles North High School has been developed to the north, the property to the east, west and south have been developed and subdivided in single family detached homes.

6. The evidence, or lack of evidence, of the community's need for the uses permitted under the proposed district. *(Development trends, market forces, and the Comprehensive Plan may be considered.)*

The goals section of the St. Charles Comprehensive Plan includes the statement that there is a "need to protect and enhance the housing stock and mix of St. Charles", and that the City should "Insure a balanced community by providing for a variety of housing types and sizes."

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

The St. Charles Comprehensive Plan designates the property as Rural Residential.

C. RS-1 Low Density Suburban Single-Family Residential District. The purpose of the RS-1 Low Density Suburban Single-Family Residential District is to accommodate low density single-family residential development in the City. The minimum lot size in this district is eighteen thousand (18,000) square feet. The RS-1 District also provides for limited institutional uses compatible with surrounding residential neighborhoods.

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

The proposed amendment does not correct error or omission on the Zoning Map.

9. The extent to which the proposed amendment creates nonconformities. *(Generally it is not appropriate to rezone a property unless it can comply with the requirements of the new zoning.)*

The continuance of the existing business use (limited for the use of the existing owner) as part of the proposed amendment may create a short-term non-conformity.

10. The trend of development, if any, in the general area of the property in question. *(New development, redevelopment, changes in use, or other changes in the area may help to justify a change in zoning.)*

The general trend of development in the area is the subdivision of property into single detached lots which are of a character similar in size and value to those proposed to be constructed.

CITY OF ST. CHARLES

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

ST. CHARLES SINCE 1834

COMMUNITY DEVELOPMENT/PLANNING DIVISION PHONE: (630) 377-4443 FAX: (630) 377-4062

SUBDIVISION PRELIMINARY PLAN APPLICATION

Received Date
RECEIVED
JAN 03 2008
PLANNING OFFICE

CITYVIEW PROJECT NO.: 2005 PR024

CITYVIEW APPLICATION NO.: 2008 AP008

PROJECT NAME: _____

Instructions:

To request approval of a subdivision, complete this application and submit it with all required attachments to the Planning Office.

When the application is complete we will distribute the plans to other City departments for review. When the staff has determined that the plans are ready for Plan Commission review, we will place the proposed subdivision on a Plan Commission meeting agenda.

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

1. Property Information:	Parcel Number (s): 09-15-351-004	
	Proposed Subdivision Name:	
2. Applicant Information:	Name Terrence F. Bucki	Phone 630-377-2600
	Address 5N264 Route 31 St. Charles, Illinois 60174	Fax 630-377-2977
		Email Buckiins@aol.com
3. Record Owner Information:	Name Same as Applicant	Phone
	Address	Fax
		Email
4. Billing: *To whom should costs for this application be billed?*	Name Same as Applicant	Phone
	Address	Fax
		Email

Attachment Checklist

- [x] Completed Subdivision Preliminary Plan Checklist
- [x] Initial submittal for staff review of eight (8) sets of the preliminary plan depicting all features listed in the Subdivision Preliminary Plan Checklist and the "Stormwater Management Requirements for Preliminary Plans".
- [ ] Following staff review, submittal of twenty-four (24) sets of the preliminary plan depicting all features listed in the Subdivision Preliminary Plan Checklist and the "Stormwater Management Requirements for Preliminary Plans".
- [x] One copy of written information (reports, calculations, etc.) as described in the Stormwater Management Requirements for Preliminary Plans.
- [x] For sites with existing trees 6" or more in diameter: Twenty-two copies of a Tree Preservation Plan shall be submitted as part of the preliminary plan set and shall be at the same scale as the grading plan. Refer to attached "Tree Preservation Plan Requirements".
- [x] Plat of Survey prepared by an Illinois Registered Land Surveyor.
- [x] Legal description on 8 ½ x 11 paper.
- [x] Copy of Title Insurance Policy or Commitment for the property, indicating ownership, easements, etc.
- [x] Completed Land Use Opinion application (available in .pdf form at http://www.kanedupageswcd.org/pdfs/LUO/LandUseOpinionApp2007.pdf), as required by state law, mailed to: The Kane-Dupage Soil and Water Conservation District, 545 S. Randall Road, St. Charles, IL 60174
- [x] Endangered Species Report: Go to the Illinois Department of Natural Resources EcoCat site http://dnrecocat.state.il.us/ecopublic/#startecocat and enter the required information. Print out the report and submit a copy with this application.
- [x] Ownership Disclosure Form
- [x] Written information including:
  - Summary of Proposed Development sheet
  - Proposed deviations from subdivision requirements, if any.
  - For developments with residential units, Park and School Land/Cash worksheets
- [x] Application Fee (make checks payable to the City of St. Charles)
- [x] Reimbursement of Fees Agreement: An original, executed Reimbursement of Fees Agreement and deposit of funds with the City.

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

Record Owner	Date 2/19/08
Applicant or Authorized Agent	Date 2/19/08

SUBDIVISION PRELIMINARY PLAN CHECKLIST

Buck, Subdivision
Name of Subdivision

_____
Date of Submission

NOTE: *To properly execute this checklist:*

1. *Provide the required documentation (drawings, reports, etc.)*
2. *Indicate compliance with applicable ordinances by initialing in all spaces where applicable.*
3. *Indicate those items that the subdivider considers "not applicable" to this particular subdivision by the abbreviation "N.A."*

Format / Cover Sheet:

X 1. Twenty-two copies of preliminary plan submitted;
X 2. Plans are prepared on 24-inch by 36-inch sheets;
X 3. Plan scale is not less than 1" to 100';
___ 4. Minimum profile scale is 1" to 100' horizontal and 1" to 10' vertical;
___ 5. A title sheet is included with each set of preliminary plans;
___ 6. Name of proposed subdivision is shown;
___ 7. Location given by town, range, section, or other legal description;
___ 8. Name and address of owner, trust, corporation or subdivider having control of project is shown;
___ 9. Name and seal of registered engineer or surveyor who prepared topographic survey is shown;
___ 10. Name and address of the designer of the plan is shown;
___ 11. North direction is shown;
___ 12. Date of preparation and date of revision, if any, is shown;
___ 13. A location map is included indicating:
- ___ A. A scale of not less than 1" to 1000',
- ___ B. Boundary lines of adjoining land within an area bounded by the nearest arterial streets or other natural boundaries,
- ___ C. Use of surrounding land,
- ___ D. Ownership of the surrounding land,
- ___ E. Alignment of existing streets,
- ___ F. Section and corporate lines;

___ 14. Boundary line of proposed subdivision is clearly shown;
___ 15. Total approximate acreage is shown;
___ 16. Existing zoning classification is indicated;

Existing Conditions:

___ 17. The following existing items, if within the boundaries of the subdivision, or located 100' or less outside the boundaries are shown:

- ___ A. Previously platted streets and other rights-of-way, with

improvements, if any, indicating:

- ☐ 1. Location
- ☐ 2. Widths
- ☐ 3. Names

____ B. Railroad rights-of-way, indicating:

- ☐ 1. Location
- ☐ 2. Dimensions

____ C. Utility rights-of-way, indicating:

- ☐ 1. Location
- ☐ 2. Width
- ☐ 3. Type
  - a. Sewer
  - b. Water
  - c. Gas
  - d. Telephone
  - e. Electric
  - f. Other,

____ D. Parks and other open spaces indicating:

- ☐ 1. Location
- ☐ 2. Area

____ E. Easements, indicating:

- ☐ 1. Location
- ☐ 2. Width
- ☐ 3. Purpose,

____ F. Permanent buildings and structures, indicating:

- ☐ 1. Location
- ☐ 2. Setback lines
- ☐ 3. Names of owners,

____ G. Section and corporate lines,

____ H. Sanitary sewers, indicating:

- ☐ 1. Location
- ☐ 2. Size
- ☐ 3. Manholes
- ☐ 4. Material
- ☐ 5. Invert elevations at manholes,

____ I. Water mains, indicating:

- ☐ 1. Location
- ☐ 2. Size
- ☐ 3. Material
- ☐ 4. Valves, indicating:
  - a. Valve manhole
  - b. Valve box
- ☐ 5. Fire hydrants and auxiliary valves,

____ J. Culverts, indicating:
- ☐ 1. Type
- ☐ 2. Location
- ☐ 3. Size
- ☐ 4. Material
- ☐ 5. Invert elevations,

____ K. Storm sewers, indicating:
- ☐ 1. Location
- ☐ 2. Size
- ☐ 3. Material
- ☐ 4. Catchbasins
- ☐ 5. Invert elevations,

____ L. Watercourses, indicating:
- ☐ 1. Type
- ☐ 2. High-water and elevation
- ☐ 3. Width of easement
- ☐ 4. Location of easement,

____ M. Wetlands, indicating:
- ☐ 1. Location
- ☐ 2. Dimensions
- ☐ 3. FEMA floodplain
- ☐ 4. FEMA base flood elevations;

____ N. Rock outcrops, indicating:
- ☐ 1. Location
- ☐ 2. Dimensions

____ O. Monuments and survey markers, indicating:
- ☐ 1. Location
- ☐ 2. Type

18. Topographic data is given in feet above mean sea level within the tract and to a distance of 100' beyond, indicating:

____ A. Existing contours at vertical levels of not more than 2',

____ B. Bench mark, indicating:

- ☐ 1. Location
- ☐ 2. Description
- ☐ 3. Elevation;

19. Soil bearing data is given, if required by the Public Works Director, indicating:

____ A. Location of tests,
____ B. Depth of tests,
____ C. Soil bearing capacity,
____ D. Moisture content;

Proposed Conditions:

20. The following proposed items, if within the boundaries of the subdivision or located 100' or less outside of the boundaries, are shown:

A. Layout of streets, indicating:

☐ 1.Collector streets, indicating:
- a. 80' right-of-way width
- b. 39' roadway width, back to back of curbs (residential)
- c. 44' roadway width, back to back of curbs (industrial)

☐ 2. Minor streets, indicating:
- a. 66' right-of-way width
- b. 32' roadway width, back to back of curbs

☐ 3. Cul-de-sac streets, indicating:
- a. 66' right-of-way width
- b. 33' roadway width, back to back of curbs (residential)
- c. 40' roadway width, back to back of curbs (industrial)
- d. the length does not exceed 500' unless there\ are less than 16 lots abutting the cul-de-sac street
- e. terminus is circular, or nearly so, and right of way is at least 124' in diameter
- f. terminus roadway width is 91' in diameter

☐ 4. Through street shown extended to boundaries of subdivision

☐ 5. Stormwater runoff pattern on paving

B. Names of streets:

- ☐ Not duplicating the name of any street heretofore used in the city or its environs, unless the street is an extension of any already existing street, in which case the name shall be used

C. Street improvement plan showing location of all new street improvements, including those to the centerline of previously dedicated rights-of-way abutting the subdivision, in accordance with present city standards,

D. Utility easements:

- ☐ 1. 10' at the rear of each lot and 5' on all side yards
- ☐ 2. Purpose is indicated,

E. Centerline profiles of all streets showing gradients not less than 0.5 percent and not more than:

- ☐ 1. 5.0 percent on collector streets
- ☐ 2. 7.0 percent on minor streets

F. Pedestrian ways, when required, indicating:

- ☐ 1. Location at approximately the center of blocks
- ☐ 2. Width not less than 8'
- ☐ 3. Shrub or tree hedge at side boundary lines,

G. Block layout, indicating:

- ☐ 1. Blocks do not exceed 1200' in length
- ☐ 2. Additional access ways to parks, schools, etc., are shown in accordance with the plan commission's requirements
- ☐ 3. Blocks fit readily into the overall plan of the subdivision, with due consideration given to:
  - a. topographical conditions
  - b. lot planning
  - c. traffic flow pattern
  - d. public open space areas
- ☐ 4. Block numbers
- ☐ 5. Blocks intended for commercial, industrial, or institutional use are so designated,

H. Lot layout, indicating:

- ☐ 1. Lot dimensions
- ☐ 2. Lot areas, not less than those stipulated in the appropriate district regulations of the zoning ordinance (areas may be listed by schedule)
- ☐ 3. Building setback lines shown and properly dimensioned
- ☐ 4. Proposed land use

- ☐ 5. Lot numbers
- ☐ 6. Corner lots are sufficiently larger than interior lots to allow maintenance of building setback lines on both street frontages and still allow a buildable width equal to that of the smallest interior lot in the block (minimum width 90')
- ☐ 7. Lots are nearly rectangular in shape as is practicable
- ☐ 8. All lots abut a publicly dedicated street for a distance not less than the minimum width of the lot
- ☐ 9. Lots are not less than 100' in depth, or 70' in width
- ☐ 10. Lot lines are substantially at right angles to the street lines and radial to curved street lines
- ☐ 11. Double frontage lots only where:
  - a. lots back upon an arterial street and front on an access street
  - b. topographic or other conditions make subdividing otherwise unreasonable
  - c. lot can be made an additional 20' deeper than average
  - d. a protective screen planting is indicated on one frontage
- ☐ 12. Lots abutting or traversed by a watercourse, drainageway, channel, or stream, indicate:
  - a. additional width and depth to provide an acceptable building site
  - b. width of easement is at least 15' wider on each side of watercourse at high-water level
- ☐ 13. Due regard for natural features, such as:
  - a. trees
  - b. watercourses
  - c. historic items
  - c. other similar conditions,

____ I. Areas intended to be dedicated for public use, indicating:

- ☐ 1. Plan conforms to general development plan of the city
- ☐ 2. Purpose
- ☐ 3. Acreage,

____ J. Source of domestic water supply, indicating:

- ☐ 1. Connection to existing water mains

____ K. Provision for sewage disposal, indicating:

- ☐ 1. Connection to existing sanitary sewer mains

____ L. School sites, indicating:

- ☐ 1. Location
- ☐ 2. Dimensions

- ☐ 3. Acreage,

____ M. Topographic information, indicating:

- ☐ 1. Proposed changes in elevation, 2' minimum contours
- ☐ 2. Stormwater storage facilities
  - a. normal water level (NWL)
  - b. high water level (HWL)
  - c. emergency overflow elevation
  - d. storage volumes
  - e. overflow routes,

____ N. Sanitary sewer layout, indicating:

- ☐ 1. Location
- ☐ 2. Size
- ☐ 3. Invert elevations at manholes
- ☐ 4. Manhole locations,

____ O. Water main layout, indicating:

- ☐ 1. Location
- ☐ 2. Size
- ☐ 3. Looped pattern where practicable
- ☐ 4. Fire hydrants, spaced not more than 400' apart,

____ P. Storm sewer layout, indicating:

- ☐ 1. Location
- ☐ 2. Catchbasins at not more than 600' intervals
- ☐ 3. Stormwater is not carried across or around any intersection
- ☐ 4. Surface water drainage pattern for each individual lot and block

____ Q. Street light layout, indicating:

- ☐ 1. Locations and typical street light detail, or
- ☐ 2. Statement by subdivider that street lights will be installed in accordance with city standards:

____ 21. An outline of proposed covenants accompanies the plans, indicating the intention of the subdivider to have the covenants recorded with the final plat.

____ A. Protection against obstruction of drainage easements;

____ 22. Typical street cross section, showing base construction, surfacing, concrete curb and sidewalk in accordance with the land improvements ordinance;

____ 23. Indication that sidewalks will be installed along all lot lines coincidental with street rights-of-way;

✓ 24. Indication on drawings or by certificate that subdivider is aware of his responsibility for installation of street signs, and for seeding and tree planting in all parkways.

✓ 25. Stormwater Management Report

- ____ A. Narrative,
- ____ B. Methodology,
- ____ C. Required volume and proposed volumes,
- ____ D. Existing release rate and proposed release rate,
- ____ E. Watershed and sub-watershed delineation,
- ____ F. Basin sizing calculations,
- ____ G. Release structure / restrictor design calculations.

Completed by: Terry Heffron	Reviewed _____
Name	*Name*
President	_____
Title	*Title*
Trans / Land Ltd.	_____
Organization / Company	*Organization / Company*

TREE PRESERVATION PLAN REQUIREMENTS

A proposed Tree Preservation Plan shall include the following written and graphic information:

1. A survey of existing trees six inches (6") or more DBH within the entire site or lot, identifying their locations, size and species, and a plan overlaid on the survey or at the same scale showing proposed Construction Zones and Tree Preservation Zones.

2. The proposed Tree Preservation Zone shall encompass all of the property having six inch (6") DBH or larger trees that will not be disturbed by construction activities. All buildings, structures, parking areas, driveways, stormwater management facilities, utilities, and other site improvements shall be located to minimize tree damage and removal; preference shall be given to tree preservation when reasonable alternatives are available for the location of buildings and other site improvements.

3. The proposed Construction Zone shall include only the areas to be directly affected by buildings, site improvements and grading activities related to the approved construction. The Construction Zone shall be as small as possible, considering factors such as the depth of excavation, necessary spoil areas, and space required for access to construction activity.

4. The location and description of protective fencing, root pruning, canopy pruning, and other protective and conservation measures necessary to protect the trees within the Tree Conservation Zone shall be indicated.

SUMMARY OF PROPOSED DEVELOPMENT
For Residential Developments

ST. CHARLES
SINCE 1834

Name of Development Bucki Subdivision

Number of years expected for build out _____

Acreage Breakdown:

To be developed	4.60
Common Area	
Area in Lots	3.6
Area in Private Open Space	
Area for Stormwater Management	
Park site land donation	
School site land donation	
Total Acres	4.60

Dwelling Unit Breakdown:

	Number of units	Estimated price range
Single Family	5	
Cluster/Zero Lot Line		
Attached Single Family (Townhomes)		
Multi-Family: Apartments		
Multi-Family: Condominium		
Total Dwelling Units	5	

Gross Density (Total D.U./Total Acres) _____

Allowed Density _____

Estimated Population 11.596

Estimated Student Yield 2.904

Updated

School Land/Cash Worksheet

City of St. Charles, Illinois

Name of Development: Bucki Subdivision
Date Submitted: Sept 23, 2008
Prepared by: Terry Heffron

ST. CHARLES
SINCE 1834

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	4	DU x .530	= 2.12	DU x .298	= 1.192	DU x .360	= 1.44
➢ 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		DU x .234	=	DU x .058	=	DU x .059	=
➢ 4 Bedroom		DU x .322	=	DU x .154	=	DU x .173	=
Apartments							
➢ Efficiency		DU x .000	=	DU x .000	=	DU x .000	=
➢ 1 Bedroom		DU x .002	=	DU x .001	=	DU x .001	=
➢ 2 Bedroom		DU x .086	=	DU x .042	=	DU x .046	=
➢ 3 Bedroom		DU x .234	=	DU x .123	=	DU x .118	=

Totals 4 TDU 2.12 TE 1.192 TM 1.44 TH

School Site Requirements

Type	*# of students*	*Acres per student*	*Site Acres*
Elementary (TE)	2.12	x .025	= .0530
Middle (TM)	1.192	x .0389	= .0464
High (TH)	1.44	x .072	= .1037

Total Site Acres .2030

Cash in lieu of requirements -

.2030 (Total Site Acres) x $240,500 (Fair Market Value per Improved Land) = $ 48,833.24

Updated

Park Land/Cash Worksheet

City of St. Charles, Illinois

Name of Development	Bucki Subdivision
Date Submitted:	Sept 23, 2008
Prepared by:	Terry Heffron

ST. CHARLES
SINCE 1834

Type of Dwelling	*# dwelling Units*	Per Unit	Estimated Population
Detached Single Family			
➢ 3 Bedroom		DU x 2.899	=
➢ 4 Bedroom	4	DU x 3.764	= 15.056
➢ 5 Bedroom		DU x 3.770	=
Attached Single Family			
➢ 1 Bedroom		DU x 1.193	=
➢ 2 Bedroom		DU x 1.990	=
➢ 3 Bedroom		DU x 2.392	=
➢ 4 Bedroom		DU x 3.145	=
Apartments			
➢ Efficiency		DU x 1.294	=
➢ 1 Bedroom		DU x 1.758	=
➢ 2 Bedroom		DU x 1.914	=
➢ 3 Bedroom		DU x 3.053	=

Totals 4 Total Dwelling Units — 15.056 Estimated Total Population

Park Site Requirements

Revised to $36,209.28 Per Staff's Review

Estimated Total Population 15.06 x .010 Acres per capita = .1506 Acres

Cash in lieu of requirements -

Total Site Acres .1506 x $240,500 (Fair Market Value per Improved Land) = $ 32,209.68

5. THE LAND REFERRED TO IN THIS COMMITMENT IS DESCRIBED AS FOLLOWS:

THAT PART OF THE SOUTHWEST QUARTER OF OF SECTION 15, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTHERLY ALONG THE WEST LINE OF SAID QUARTER 1622.94 FEET; THENCE EASTERLY ALONG A LINE PARALLEL WITH THE SOUTH LINE OF SAID QUARTER FORMING AN ANGLE OF 89 DEGREES 37 MINUTES 24 SECONDS FROM THE PROLONGATION OF THE LAST DESCRIBED COURSE (MEASURED COUNTERCLOCKWISE THEREFROM) 762.86 FEET TO THE CENTER LINE OF ILLINOIS STATE ROUTE NO. 31 FOR A POINT FOR BEGINNING; THENCE WESTERLY ALONG THE LAST DESCRIBED COURSE 374.56 FEET TO THE NORTHEASTERLY EXTENSION OF A NORTHEASTERLY LINE OF FIELDCREST BY THE FOX SUBDIVISION, ST. CHARLES TOWNSHIP, KANE COUNTY, ILLINOIS; THENCE SOUTHWESTERLY ALONG SAID EXTENSION AND LINE FORMING AN ANGLE OF 120 DEGREES 12 MINUTES 01 SECONDS FROM THE LAST DESCRIBED COURSE (MEASURED CLOCKWISE THEREFROM) 270.79 FEET TO A CONCRETE MONUMENT SITUATED AT AN ANGLE POINT THEREIN; THENCE SOUTHEASTERLY AND SOUTHERLY ALONG AN EASTERLY LINE OF SAID SUBDIVISION BEING A CURVE TO THE RIGHT TANGENT TO A LINE FORMING AN ANGLE OF 97 DEGREES 56 MINUTES 16 SECONDS FROM THE LAST DESCRIBED COURSE (MEASURED CLOCKWISE THEREFROM) HAVING A RADIUS OF 250.00 FEET, 275.69 FEET TO A CONCRETE MONUMENT SITUATED AT AN ANGLE POINT THEREIN; THENCE EASTERLY ALONG A NORTHERLY LINE OF SAID SUBDIVISION FORMING AN ANGLE OF 88 DEGREES 43 MINUTES 32 SECONDS FROM A LINE TANGENT TO THE LAST DESCRIBED CURVE AT THE LAST DESCRIBED POINT (MEASURED CLOCKWISE THEREFROM) 330.05 FEET TO THE CENTER LINE OF SAID ROUTE NO. 31; THENCE NORTHERLY ALONG SAID CENTER LINE FORMING AN ANGLE OF 89 DEGREES 58 MINUTES 57 SECONDS FROM THE LAST DESCRIBED COURSE (MEASURED CLOCKWISE THEREFROM) 545.67 FEET TO THE POINT OF BEGINNING IN ST. CHARLES TOWNSHIP, KANE COUNTY, ILLINOIS.

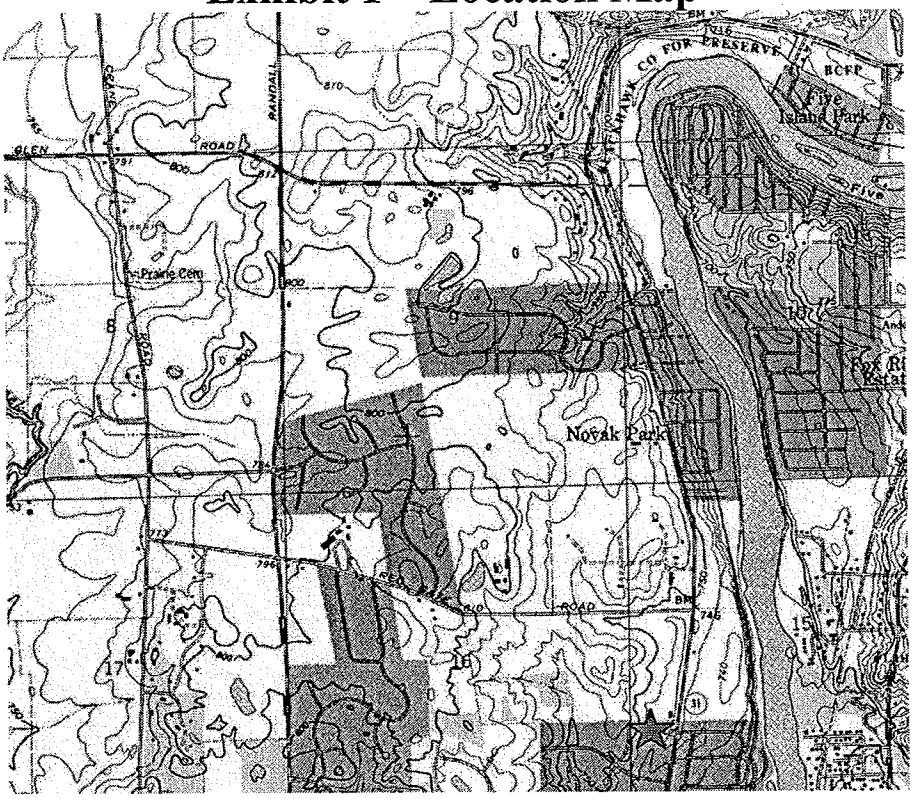
Bucki Subdivision
Traffic Memorandum – October 29, 2008

Kane County, Illinois

Introduction

The Bucki Subdivision is proposed to be a single family detached residential subdivision to be annexed to the City of St. Charles. The site is located on the west side of IL 31 in Section 15 of St. Charles Township. The proposed subdivision will contain 5 total homes. The purpose of this traffic analysis is to prepare estimates of site generated traffic volumes and compare the volumes at the proposed site access driveway to IL 31 with the guidelines in the Illinois Department of Transportation (IDOT) Bureau of Design and Environment Manual to determine if channelization improvements are warranted at the site access. A location map is shown as Exhibit 1.

Exhibit 1 – Location Map



Conditions of Surrounding Roadways

IL 31 is under the jurisdiction of the Illinois Department of Transportation (IDOT). IL 31 is a two lane rural cross-section road with no turning lanes along the frontage of the subject site. The posted speed limit on IL 31 along the frontage of the subject site is 45 miles per hour, and the IDOT Traffic Map show the existing average daily traffic volume on IL 31 in the vicinity of the subject site is 12,300. The nearest major intersection is the intersection of IL 31 and Red Gate Road which is approximately 1850 feet to the north of the subject site. There is an existing public road access (Bluff Drive) on the east side of IL 31 along the subject site frontage

Proposed Site Access

The site currently contains one single family detached home (an 1860 farmhouse with farm outbuildings), which also now functions as an insurance office. Under the terms of the annexation/development agreement with the City of St. Charles the insurance office use will cease upon sale of the property by the current owner. It is expected this will occur at the time of site development. This home now has a 'horseshoe' driveway with two access points to IL 31. Site access is proposed to be via two points of access:

- One private driveway (approximately opposite Bluff Drive) into the north portion of the site for the shared use of two homes, one of them being the existing 1860 farmhouse.

- A new public road driveway into the southern part of the site to serve three new single family homes.

The Handbook on Access to State Highways provides (Page 34) that "direct access to single lots of a new subdivision to a State Highway will not be allowed." The proposed plan complies with the Handbook by having access points shared by more than one lot. The need for two driveways is because the position of the existing 1860 farmhouse makes the site impossible to serve with one access without demolishing or substantially damaging the character of the home. While the use of two access points appears to comply because each point serves more than one lot, if a variance is necessary, we believe one is warranted under the Policy Variances (Page 12) because "extreme, unique, or unusual circumstances would make compliance impractical or unreasonable". We do not believe such an exception would jeopardize public safety or the traffic carrying capacity of the State Highway.

Traffic Projections

For the purpose of this traffic memo, it was assumed that 5 single family detached homes will be constructed. Trip Generation has been calculated in accordance with the *ITE Trip Generation Manual, 7th Edition,* Institute of Transportation Engineers. This method involves taking a statistically compiled "trip generation factor" and multiplying it by an independent but related variable to arrive at an estimated number of vehicle trips. The most comparable land use to the proposed land use is ITE Code "210" Single Family Detached Housing. The land use is described as:

"Single-family detached housing includes all single-family detached homes on individual lots. A typical site surveyed is on a suburban subdivision." The summary of site trip generation is shown on Table 1:

Table No. 1
Trip Generation for
(ITE Code 210)

ADT
Average Rate = 9.57 Trips per Dwelling Unit on a Weekday

5	Dwelling Units			=	48	total vehicles/day		
50%	In	50%	Out		24	In	24	Out

Weekday AM Peak Hour of Adjacent Street Traffic

0.75	per Dwelling Unit			=	4	total vehicles		
25%	In	75%	Out		1	In	3	Out

Weekday PM Peak Hour of Adjacent Street Traffic

1.01	per Dwelling Unit			=	5	total vehicles		
63%	In	37%	Out		3	In	2	Out

Traffic Distribution

In order to assign travel paths to the site generated traffic, it is necessary to assume a direction distribution of traffic volumes entering and exiting the site. The traffic distribution assumed for this analysis is that 75% of the site generated traffic is oriented to the south on IL 31 , and 25% of the site generated traffic is oriented to the north on IL 31 as shown on Exhibit 2. For purpose of simplifying the analysis, it was assumed that one driveway will be shared by all 5 lots. This will of course overstate the site volumes at the site access. Splitting the volumes between the two access points will reduce the volumes at each of the two site accesses. The site traffic volumes are shown on Exhibit 3.

EXHIBIT 2
SITE TRAFFIC DISTRIBUTION

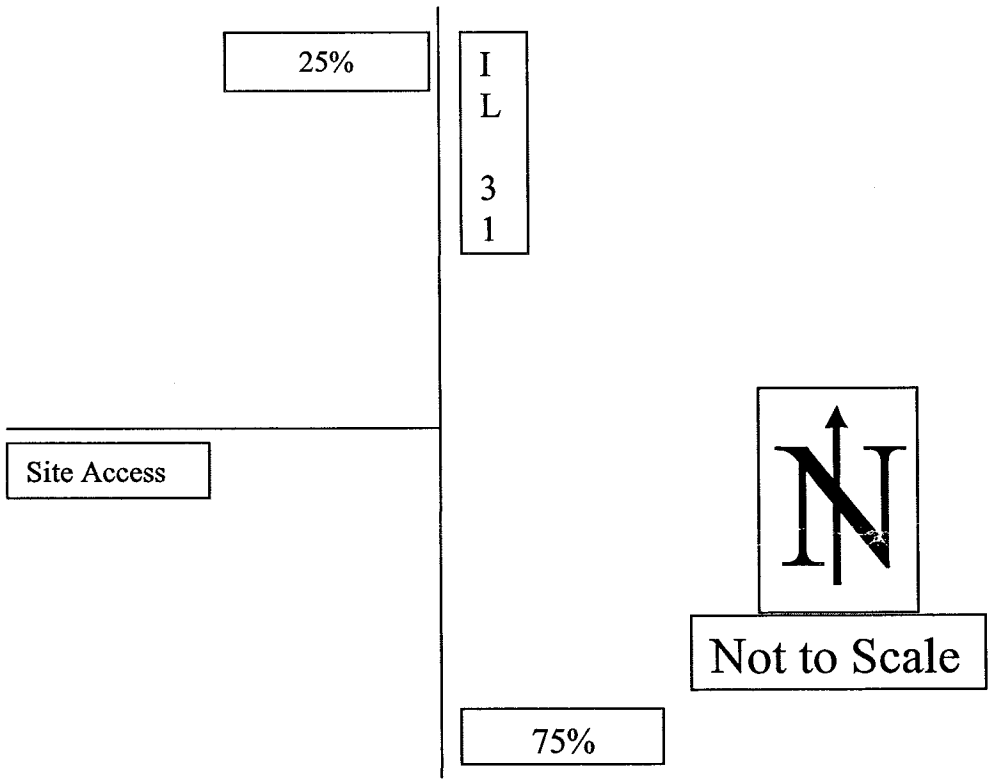
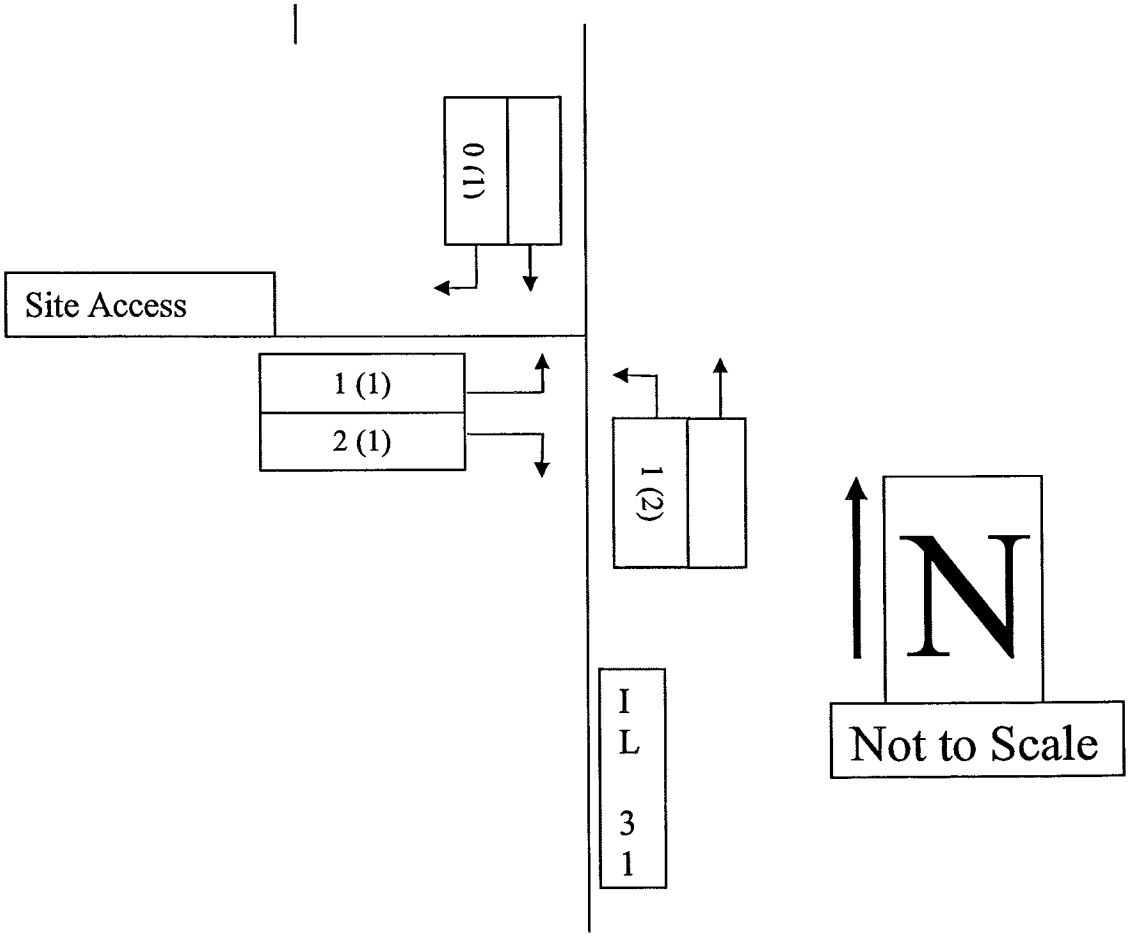


EXHIBIT 3
SITE GENERATED AM and (PM)
PEAK HOUR TRAFFIC VOLUMES



Traffic Impact

In reviewing the necessity of a channelized right or left turn lanes at the site driveway with Bucki, the total AM and PM Peak hour traffic volumes (shown in Exhibit 3) projected to be present at the intersection were compared to the criteria and values (below) in the Illinois Department of Transportation (IDOT) Bureau of Design and Environment Manual.

36-3.01(a) Right-Turn Lanes

The use of right-turn lanes at intersections can significantly improve operations. Consider using an exclusive right-turn lane:

- at any unsignalized intersection on a two-lane urban or rural highway which satisfies the criteria in Figure 36-3A;
- at any unsignalized intersection on a high-speed, four-lane urban or rural highway which satisfies the criteria in Figure 36-3B;
- on expressways at all public road intersections where the current ADT on the side road is greater than 250;
- at any intersection where a capacity analysis determines a right-turn lane is necessary to meet the level-of-service criteria;
- at any signalized intersections where the right-turning volume is greater than 150 vph and where there is greater than 300 vph on the mainline;
- for uniformity of intersection design along the highway if other intersections have right-turn lanes;
- at any intersection where the mainline is curved to the left and where the mainline curve requires superelevation;
- at railroad crossings where the railroad is located close to the intersection and a right-turn lane would be desirable to efficiently move through traffic on the parallel roadway; or
- at any intersection where the crash experience, existing traffic operations, sight distance restrictions (e.g., intersection beyond a crest vertical curve), or engineering judgment indicates a significant conflict related to right-turning vehicles.

36-3.01(b) Left-Turn Lanes

The accommodation of left turns is often the critical factor in proper intersection design. Left-turn lanes can significantly improve both the level of service and intersection safety. Always use an exclusive left-turn lane at all intersections on divided urban and rural highways with a median wide enough to accommodate a left-turn lane, regardless of traffic volumes. Consider using an exclusive left-turn lane for the following:

- at any unsignalized intersection on a two-lane urban or rural highway which satisfies the criteria in Figures 36-3C, D, E, F, or G;
- at any signalized intersection where the left-turning volume is equal to or greater than 75 vph for a single turn lane or 300 vph for a dual turn lane;
- any intersection where a capacity analysis determines a left-turn lane is necessary to meet the level-of-service criteria, including dual left-turn lanes;
- for uniformity of intersection design along the highway if other intersections have left-turn lanes (i.e., to satisfy driver expectancy); or
- at any intersection where the crash experience, traffic operations, sight distance restrictions (e.g., intersection beyond a crest vertical curve), or engineering judgment indicates a significant conflict related to left-turning vehicles.

The turning movements for both left and right turn movements into the subject site in the AM and PM peak hours are far below the volume guidelines set forth in Figure 36-3B, and review of the proposed intersection characteristics indicate that none of the other above criteria are met.

Recommendations and Conclusions

Due to the very modest trip generation of the proposed development, the proposed development will have negligible impact on the adjacent roadway system. A comparison of the AM and PM peak hour site generated traffic volumes compared to the criteria and values in the Illinois Department of Transportation (IDOT) Bureau of Design and Environment Manual at the proposed site accesses indicates the construction of left or right turn lane channelization improvements are not warranted.

Illinois Department of Transportation

Division of Highways/Region One / District One
201 West Center Court/Schaumburg, Illinois 60196-1096

PERMITS
Location: IL Route 31 1900 feet south of Red Gate Rd, Bucki Sub.
Reference No: 045-45209

June 29, 2009

cc Chris Neff
Rita Tungare

RECEIVED
JUN 30 2009
ENGINEERING

Mr. Terrance Heffron
Trans/Land, Ltd.
116 S. 13th St.
St. Charles, IL 60174

Dear Mr. Heffron:

Based on the information in your letter of May 22, 2009 and in lieu of the City of St. Charles letter to the Department dated May 5, 2009 in regard to the subject subdivision, the Department can in concept approve one new access location proposed on the west side of IL Route 31 south of Bluff Drive provided engineering requirements for permit are met. The access would be located as noted on Preliminary Plan for Bucki Property, sheet 1 of 1, dated September 9, 2008, prepared by Western Surveying & Engineering, P.C.

Please submit two (2) sets of PE stamped civil engineering plans along with hydraulic checklist and calculations with local written hydraulic approval to continue our review.

If you have any questions regarding this matter, please contact Mr. Tom Gallenbach at (847) 705-4143.

Very truly yours,

Diane M. O'Keefe, P.E.
Deputy Director of Highways,
Region One Engineer

By: Thomas G. Gallenbach
Thomas G. Gallenbach, P.E.
Acting Traffic Permit Engineer

cc: City of St. Charles

116 West Main Street, Suite 201
St. Charles, Illinois 60174
Phone: 630.443.7755
Fax: 630.443.0533
www.wbkengineering.com

WILLS BURKE KELSEY ASSOCIATES

August 13, 2009

Mr. Chris Tiedt
City of St. Charles
Two East Main Street
St. Charles, Illinois 60174

Subject: Review of Bucki Property
(WBK Project No. 07-994BB)

Dear Mr. Tiedt:

Wills Burke Kelsey Associates, Ltd. has reviewed the documents submitted for the subject project. The following documents were received on August 6, 2009 for review:

- Preliminary Engineering Plan for Bucki Property Plan Set prepared by Western Surveying and Engineering, P.C., dated September 20, 2007 and revised July 8, 2009.

- Preliminary Engineering Plan for Bucki Property, prepared by Western Surveying and Engineering, P.C., revised July 8, 2009.

- Landscape Plan for Bucki Property, prepared by Western Surveying and Engineering, P.C., dated September 30, 2008 and revised July 8, 2009.

- Preliminary Stormwater Management Analysis for Bucki Property, prepared by Western Surveying and Engineering, P.C. and dated September 20, 2007.

We reviewed the above documents with respect to City of St. Charles Ordinances and general engineering and construction practices. The following comments require resolution prior to preliminary engineering approval:

1. Please more detail how the off-site tributary flow will pass through the site.
   - Calculate off-site tributary flows for the 10 year and 100 year events.
   - Calculate and depict 10 and 100 year WSEL's at:
     - North property line
     - Lot 3
     - Cul-de-sac pavement
   - Provide cross sections and easements to verify the route will remain unobstructed.
   - Verify low opening freeboard.

2. There is an area at the north end of the property that appears to include hydrophytic vegetation and may be a wetland. Please provide a full Tab 4 Wetland Submittal which includes a wetland delineation and a narrative addressing Sections 414-418, 502, and 1500 of the Kane County Stormwater Management Ordinance as administered by the City of St. Charles.

The following comments are offered for the petitioner's consideration prior to submitting for final engineering approval:

1. Refine the off-site tributary area based on subdivision plans and stormwater management reports for The Reserve of St. Charles and River's Edge.

2. Please define the overland overflow weir from the detention basin and provide calculations to size the weir.

3. The restrictor should be sized for the total tributary area including off-site. Please see attached Kane County Memorandum for restrictor sizing. The capacity of the downstream storm sewer shall be taken into consideration.

4. A Stormwater Permit Fee will be required with submittal of final plans.

The applicant's design professionals are responsible for performing and checking all design computations, dimensions, details, and specifications in accordance with all applicable codes and regulations, and obtaining all permits necessary to complete this work. In no way does this review relieve applicant's design professionals of their duties to comply with the law and any applicable codes and regulations, nor does it relieve the Contractors in any way from their sole responsibility for the quality and workmanship of the work and for strict compliance with the permitted plans and specifications.

If you have any questions, please call us at (630) 443-7755.

Sincerely,

Greg Chismark, P.E.
Vice President of Engineering
Qualified Review Specialist E-073

Vince Di Prima, E.I., CPESC-IT
Civil Engineer

Enclosures

C: Matt O'Rourke; City of St. Charles

Exhibit C From the
11/4/2008 Public Hearing

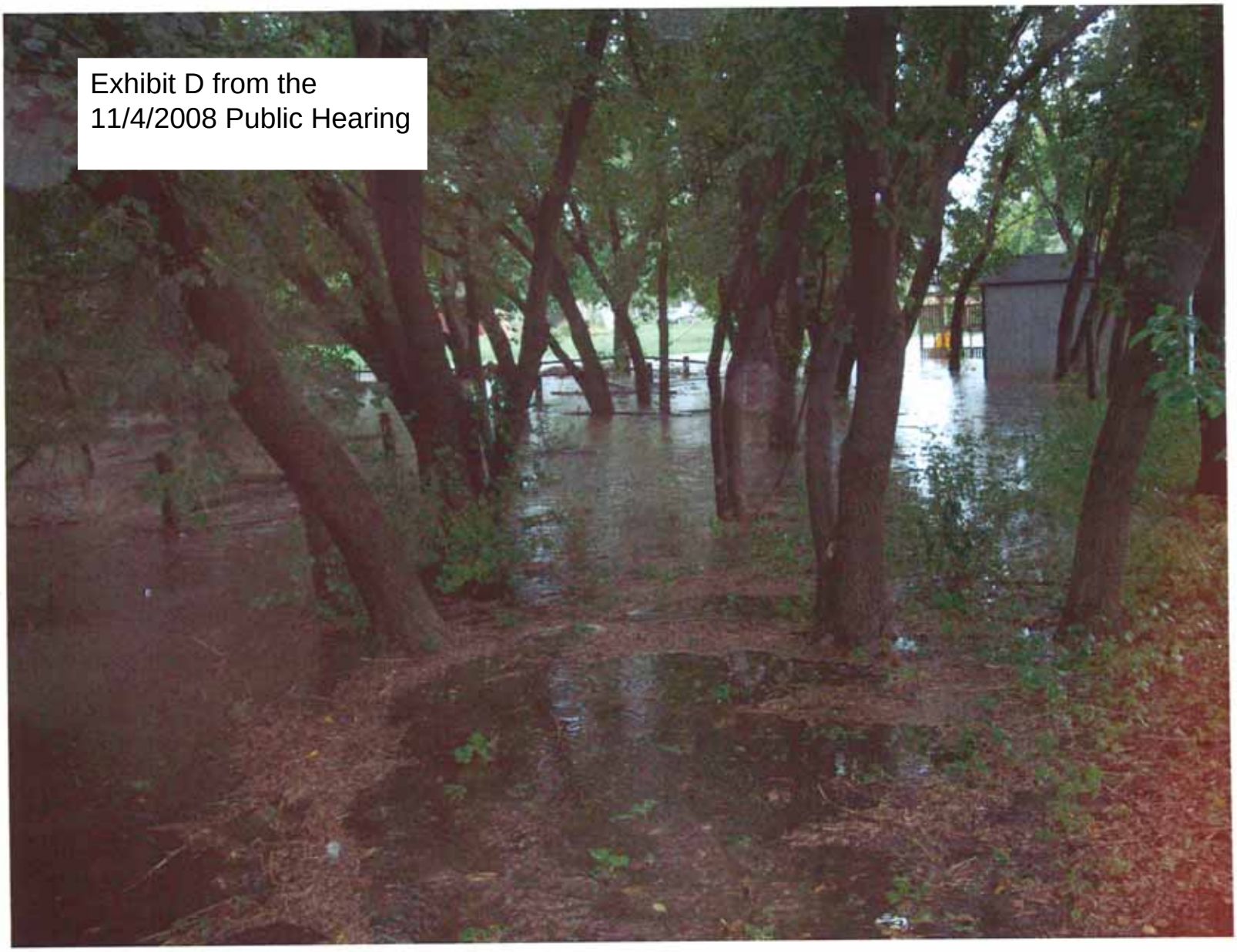
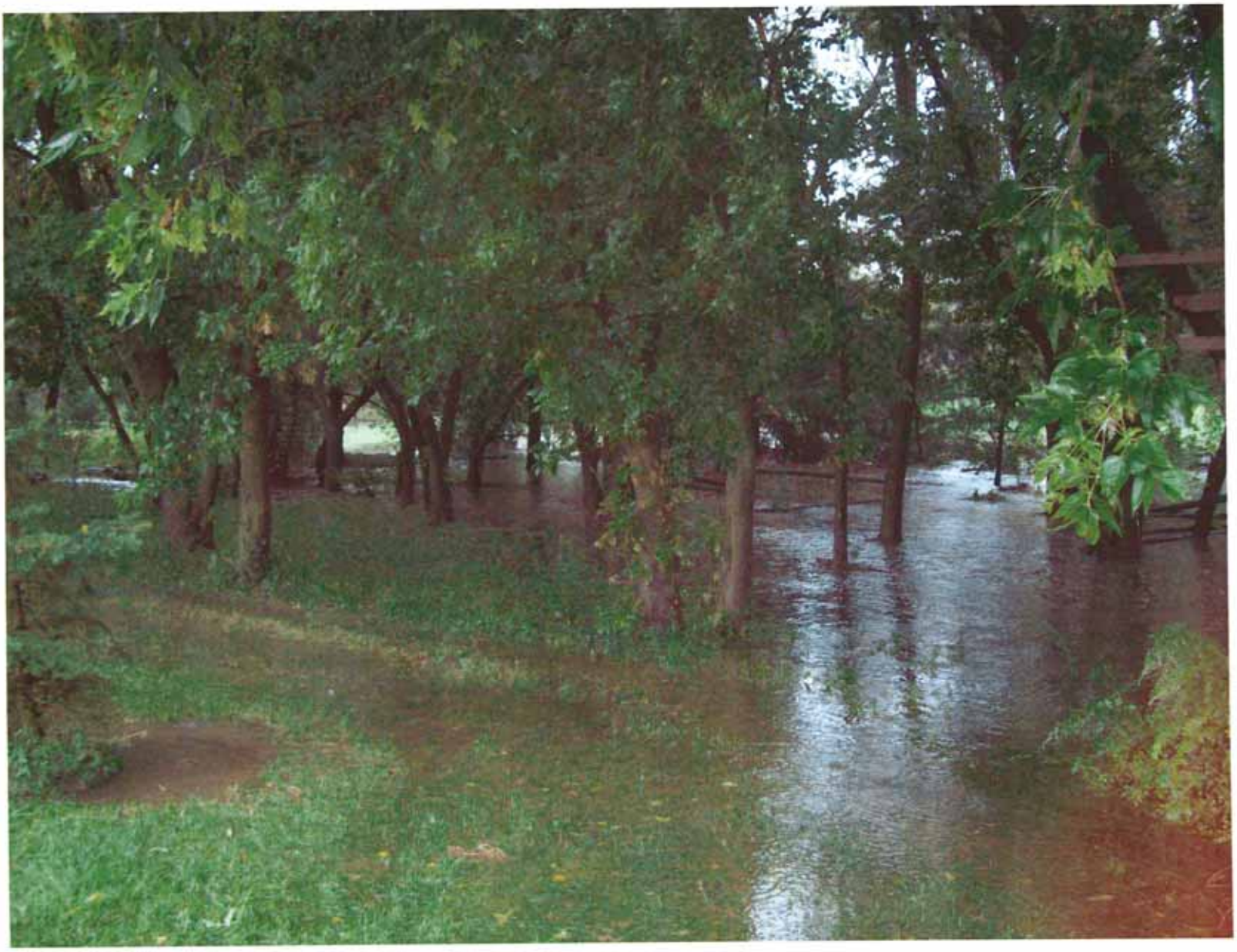


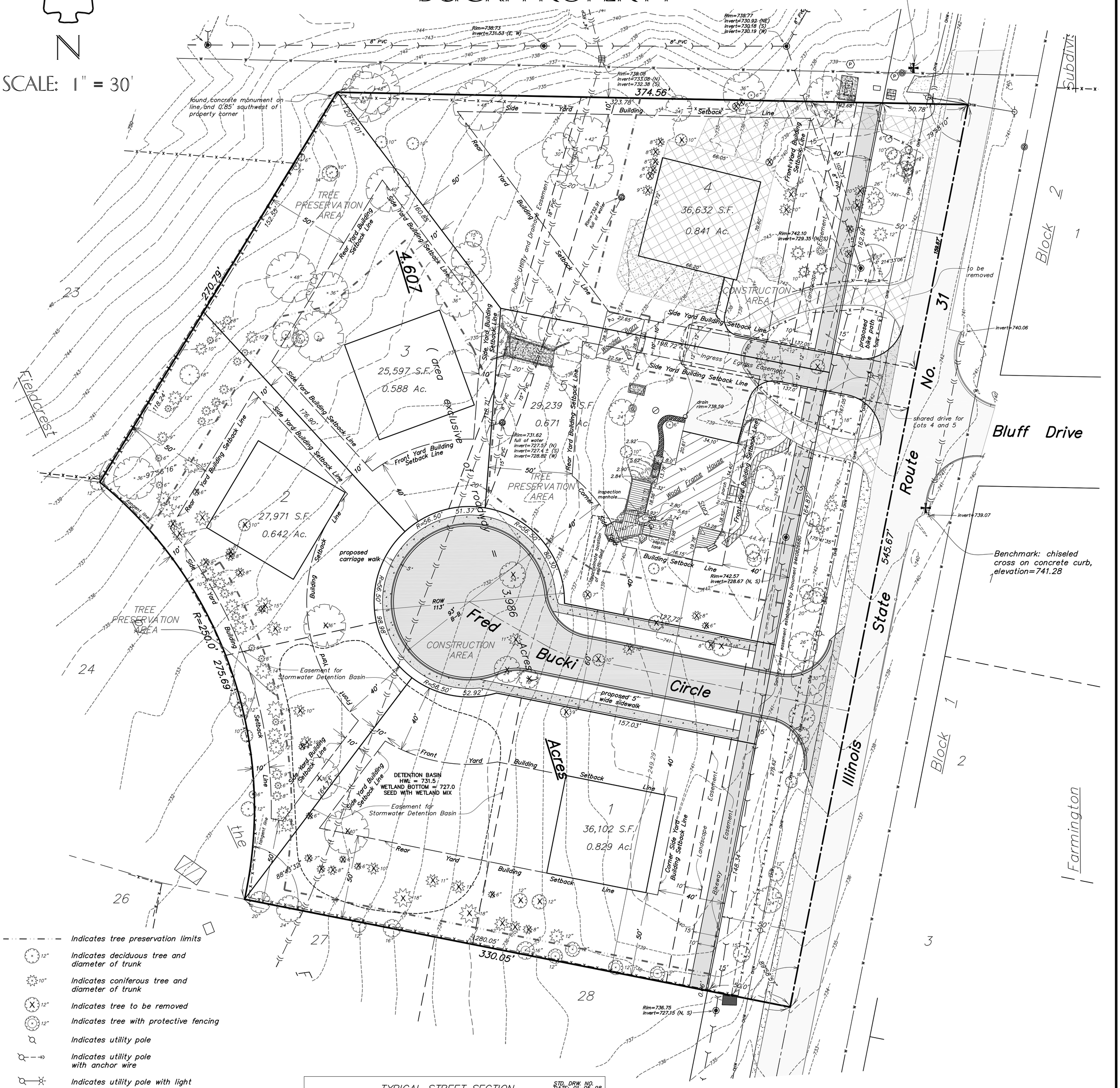
Exhibit D from the
11/4/2008 Public Hearing



PRELIMINARY PLAN FOR
BUCKI PROPERTY

N

SCALE: 1" = 30'



Indicates tree preservation limits
Indicates deciduous tree and diameter of trunk
Indicates coniferous tree and diameter of trunk
Indicates tree to be removed
Indicates tree with protective fencing
Indicates utility pole
Indicates utility pole with anchor wire
Indicates utility pole with light
Indicates traffic sign
Indicates phone pedestal
Indicates gas meter
Indicates electrical transformer
Indicates fire hydrant
Indicates water shut off valve
Indicates water valve vault
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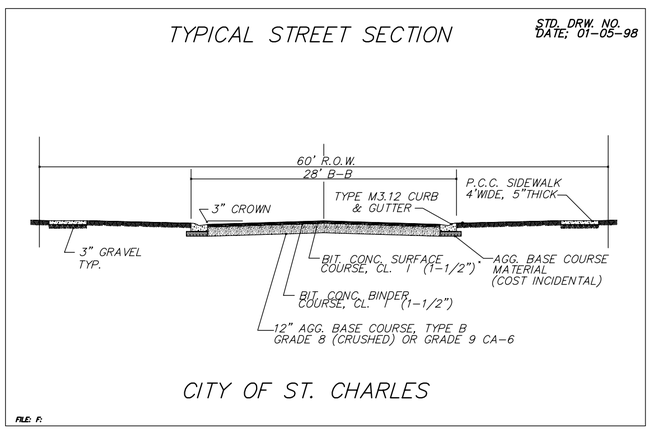
Indicates sanitary sewer manhole
Indicates storm sewer manhole
Indicates storm catch basin
Indicates underground gas line
Indicates underground water line
Indicates center line of fence (offset exaggerated to show direction)
Indicates overhead wires
Indicates sanitary sewer line
Indicates storm sewer line
Indicates existing gravel surface
Indicates existing concrete surface
Indicates existing asphalt surface
Indicates items to be removed
Indicates contour line
Indicates proposed concrete surface
Indicates proposed asphalt surface



TOPOGRAPHY AND SURVEY DATA OBTAINED FROM SURVEY PREPARED BY WESTERN SURVEYING & ENGINEERING, P.C.

BENCHMARK: TOP OF STEEL ROD IN SLEEVE (Kane County Designation KAN31 2A), Elevation=740.81 NAD 83 Datum.

SITE DATA

TOTAL SITE ACREAGE	4.607 AC.
RESIDENTIAL AREA	3.571 AC.
AREA IN R.O.W.	1.036 AC.
NUMBER OF LOTS	5
MINIMUM LOT SIZE	0.588 AC.
MAXIMUM LOT SIZE	0.841 AC.
AVERAGE LOT SIZE	0.714 AC.
PROPOSED ZONING	RS-1

LEGAL DESCRIPTION

Commencing at the southwest corner of said Southwest Quarter; thence northerly along the West line of said Quarter 1622.94 feet; thence easterly along a line parallel with the South line of said Quarter forming an angle of 89°37'24" from the prolongation of the last described course (measured clockwise therefrom) 762.86 feet to the center line of Illinois State Route No. 31 for a point for beginning; thence westerly along the last described course 374.56 feet to the northeasterly extension of a northeasterly line of Fieldcrest by the Fox Subdivision, St. Charles Township, Kane County, Illinois; thence southwesterly along said extension and line forming an angle of 120°12'01" from the last described course (measured clockwise therefrom) 270.79 feet to a concrete monument situated at an angle point therein; thence southeasterly and southerly along an easterly line of said subdivision being a curve to the right tangent to a line forming an angle of 97°56'16" from the last described course (measured clockwise therefrom) having a radius of 250.0 feet, 275.69 feet to a concrete monument situated at an angle point therein; thence easterly along a northerly line of said subdivision forming an angle of 88°43'32" from a line tangent to the last described curve at the last described point (measured clockwise therefrom) 330.05 feet to the center line of said Route No. 31; thence northerly along said center line forming an angle of 89°58'57" from the last described course (measured clockwise therefrom) 545.67 feet to the point of beginning together with that part of Illinois State Route No. 31 lying between the center line and the easterly right of way line thereof, and between the easterly extension of the northerly and southerly property lines of the above described tract, in St. Charles Township, Kane County, Illinois.

ENGINEER & SURVEYOR:
WESTERN SURVEYING & ENGINEERING, P.C.
321 STEVENS STREET, SUITE A
GENEVA, ILLINOIS 60134
(630) 845-0600 (630) 845-0601 FAX
ILLINOIS PROFESSIONAL DESIGN FIRM NO. 184-002967

LAND PLANNER:
TRANS/LAND
116 SOUTH 13TH STREET
ST. CHARLES, ILLINOIS 60174
(630) 205-1198 (630) 443-6954 FAX

OWNED BY & PREPARED FOR:
TERRY BUCKI
5N 264 ROUTE 31
ST. CHARLES, IL 60175

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REVISED JULY 8, 2009
ADJUSTMENTS TO AND ADDITION OF EASEMENT
ADJUST ROW AND LOT AREAS

SHEET 1 OF 1
DIR. NAME: CAD7/349004
FILE NAME: PRELIMPLAN

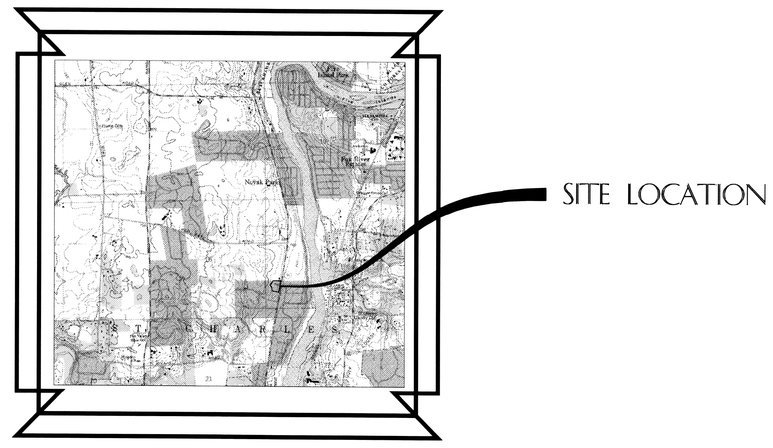
PRELIMINARY ENGINEERING FOR
BUCKI PROPERTY
CITY OF ST. CHARLES KANE COUNTY ILLINOIS
2007

OWNER / DEVELOPER

TERRY BUCKI
5N264 ROUTE 31
ST. CHARLES, IL 60175

SHEET INDEX

1.) TITLE SHEET
2.) PRELIMINARY ENGINEERING PLAN



LOCATION MAP
NOT TO SCALE

LEGEND

- BOUNDARY OF PROPERTY
- ADJACENT PROPERTY LINE
- UTILITY EASEMENT LINE
- 731 PROPOSED CONTOUR
- EXISTING CONTOUR
- EXISTING UNDERGROUND CABLE LINE
- EXISTING UNDERGROUND GAS LINE
- EXISTING UNDERGROUND TELEPHONE LINE
- EXISTING OVERHEAD WIRES
- PROPOSED SILT FENCE
- EXISTING DRAIN TILE
- EXISTING STORM SEWER LINE
- PROPOSED STORM SEWER LINE
- X X X INDICATES UTILITY TO BE REMOVED
- TRENCH BACKFILL
- EXISTING STORMWATER MANHOLE
- PROPOSED CATCHBASIN
- PROPOSED MANHOLE
- EXISTING FLARED END SECTION
- PROPOSED FLARED END SECTION
- EXISTING GAS PIPELINE MARKER
- EXISTING ELECTRICAL JUNCTION BOX
- EXISTING TELEPHONE PEDESTAL
- EXISTING UTILITY POLE
- EXISTING ANCHOR
- EXISTING HANDHOLE
- EXISTING SIGN
- PROPOSED STOP SIGN
- PROPOSED COBRA HEAD STREET LIGHT
- PROPOSED FLOW ARROW
- PROPOSED OVERLAND FLOOD PATH
- (W) WELL WITH SEPTIC SETBACK RADIUS
- XXX.XX PROPOSED SPOT GRADE
- PROPOSED BITUMINOUS PAVEMENT

BENCHMARKS:

1. CHISELED CROSS ON CONCRETE CURB NEAR SOUTH END OF CURB RETURN AT SOUTHEAST CORNER OF ROUTE 31 AND BLUFF DRIVE
   ELEVATION = 741.28

PROFESSIONAL ENGINEER'S CERTIFICATE

STATE OF ILLINOIS)
S.S.
COUNTY OF KANE)

I, DANIEL G. WHITE, A LICENSED PROFESSIONAL ENGINEER OF ILLINOIS, HEREBY CERTIFY THAT THIS TECHNICAL SUBMISSION WAS PREPARED ON BEHALF OF TERRY BUCKI, BY WESTERN SURVEYING & ENGINEERING, P.C. UNDER MY PERSONAL DIRECTION. THIS TECHNICAL SUBMISSION IS INTENDED TO BE USED AS AN INTEGRAL PART OF AND IN CONJUNCTION WITH THE PROJECT SPECIFICATION AND CONTRACT DOCUMENTS.

DATED THIS ____ DAY OF _____, A.D. 2009

_____
ILLINOIS LICENSED PROFESSIONAL ENGINEER No. 062-054599
MY LICENSE EXPIRES ON NOVEMBER 30, 2009

RECEIVED
PLANNING OFFICE

CALL J.U.L.I.E.
48 Hours (2 working days) Before You Dig.

PREPARED FOR :
TERRY BUCKI
5N264 ROUTE 31
ST. CHARLES, IL 60175
(630) 377-2600 (630) 377-2977 (FAX)

REVISIONS

NUMBER	DATE	DESCRIPTION	NUMBER	DATE	DESCRIPTION
1	7/31/08	REVISED PER CITY REVIEW COMMENTS			
2	9/22/08	REVISED PER CITY REVIEW COMMENTS			
3	7/8/09	REVISED PER CITY REVIEW COMMENTS			

PREPARED BY :
WESTERN SURVEYING & ENGINEERING, P.C.
321 STEVENS STREET, SUITE A
GENEVA, ILLINOIS 60134
(630) 845-0600 (630) 845-0601 FAX
PROFESSIONAL DESIGN FIRM NO. 184-002967

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FILE NAME: 01_TITLE
DIRECTORY: 349004/CAD
DRAWN BY: DGW
DATE: 9/20/07

DETENTION BASIN ADDED INCREMENTAL STORAGE VOLUME	
Elevation	Volume (Ac–Ft)
727	0
728	0.20
729	0.44
730	0.72
731	1.04
731.5 (HWL)	1.22

STORAGE REQUIRED: 1.22 AC–FT
STORAGE PROVIDED: 1.22 AC–FT

PREPARED FOR:

TERRY BUCKI
5N264 ROUTE 31
ST. CHARLES, IL 60175
(630) 377–2600 (630) 377–2977 F

PREPARED BY :
WESTERN SURVEYING & ENGINEERING, P.C.
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(630) 845-0600 (630) 845-0601 FAX
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NUMBER	DATE	DESCRIPTION	NUMBER	DATE	DESCRIPTION
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BUCKI PROPERTY – PRELIMINARY ENGINEERING PLAN

CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS

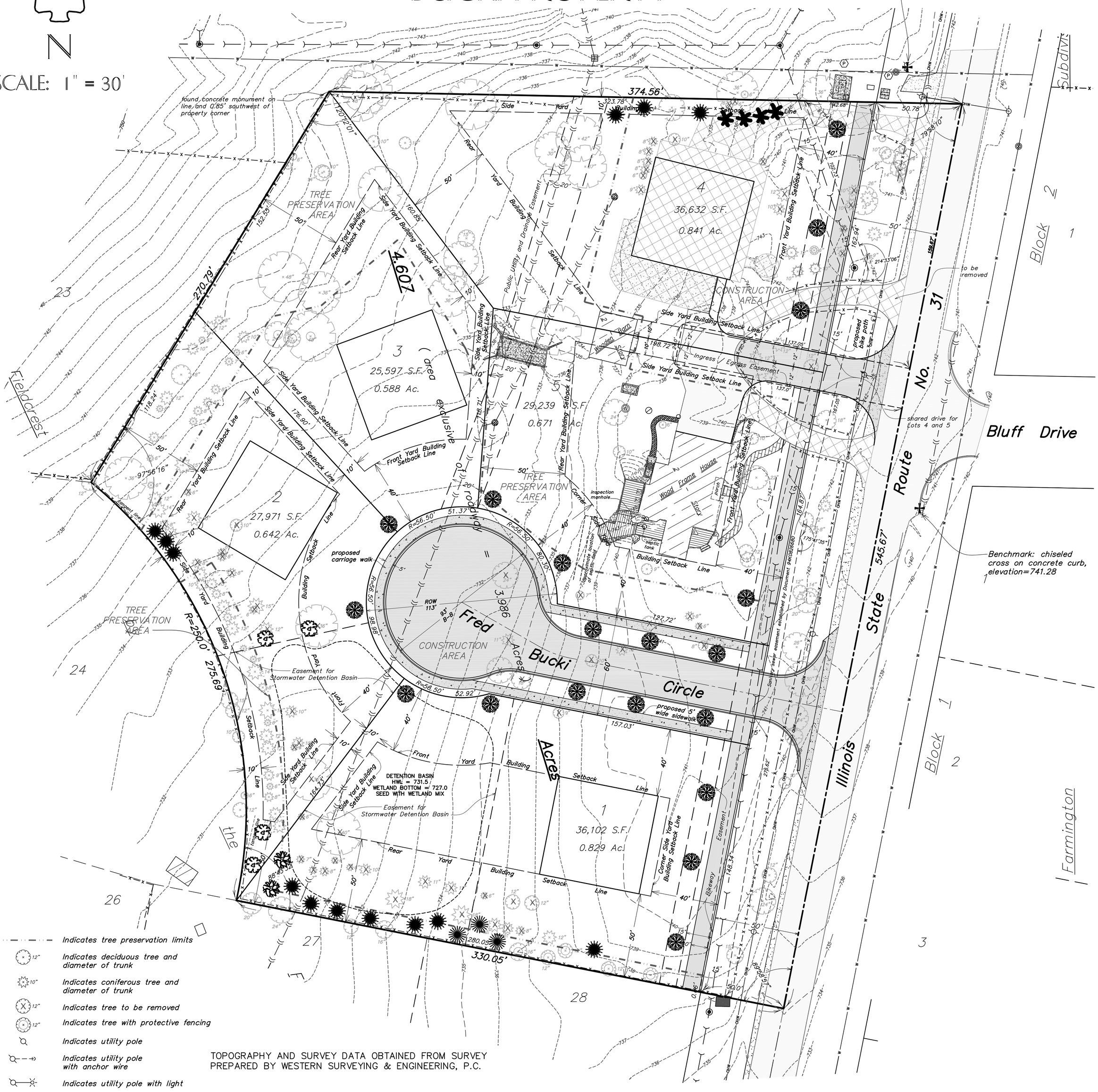
FILE NAME: PREENG	DESIGN BY: DGW	JOB. NO.: 349.004	XREF: NONE
DIRECTORY: 349004	DRAWN BY: DGW	DATE: 9/20/07	SCALE: 1"=30'

SHEET 2 OF 2

LANDSCAPE PLAN FOR
BUCKI PROPERTY

N

SCALE: 1" = 30'



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- Indicates storm sewer line
- Indicates existing gravel surface
- Indicates existing concrete surface
- Indicates existing asphalt surface
- Indicates items to be removed
- Indicates contour line
- Indicates proposed concrete surface
- Indicates proposed asphalt surface

TOPOGRAPHY AND SURVEY DATA OBTAINED FROM SURVEY PREPARED BY WESTERN SURVEYING & ENGINEERING, P.C.

BENCHMARK: TOP OF STEEL ROD IN SLEEVE (Kane County Designation KAN31 2A), Elevation=740.81 NAD 83 Datum.

Landscape Plan Schedule

Key	Quantity	Botanical Name	Common Name	Size
Deciduous Trees				
AF	19	Acer and Freemani 'Jeffersred'	Autumn Blaze Maple	2.5" Cal.
GT	4	Gleditsia Triacnathos var. Inermis 'Skycole'	Skyline Honeylocust	2.5" Cal.
GD	2	Gymnocladus Dioica	Kentucky Coffee Tree	2.5" Cal.
Evergreen Trees				
PP	3	Picea Pungens F. Glauaca	Colorado Blue Spruce	8' Ht.
TO	13	Thuja Occidentalis Cultivars	Eastern Arborvitiea	8' Ht.
Evergreen Shrubs				
JH	4	Juniperus Chinensis Cultivars	Upright Juniper	3 Gal.

ENGINEER & SURVEYOR:
WESTERN SURVEYING & ENGINEERING, P.C.
321 STEVENS STREET, SUITE A
GENEVA, ILLINOIS 60134
(630) 845-0600 (630) 845-0601 FAX
ILLINOIS PROFESSIONAL DESIGN FIRM NO. 184-002967

LAND PLANNER:
TRANS/LAND
116 SOUTH 13TH STREET
ST. CHARLES, ILLINOIS 60174
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OWNED BY & PREPARED FOR:
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DATE: 9/30/2008
REVISED: 7/8/09
SHEET 1 OF 1
DIR. NAME: CAD7/349004
FILE NAME: LANDSCAPE_PLAN

ST. CHARLES SINCE 1834	**AGENDA ITEM EXECUTIVE SUMMARY**
Title:	Recommendation to adopt the 2012 International Property Maintenance Code and Proposed Amendments
Presenter:	Bob Vann, Building and Code Enforcement Division Manager

Please check appropriate box:

	Government Operations		Government Services
X	Planning & Development(09/10/2012)		City Council
	Public Hearing		

Estimated Cost:	N/A	Budgeted:	YES		NO	

If NO, please explain how item will be funded:

Executive Summary:

This item was discussed at the June 2012 P&D Meeting. At that meeting Staff presented an overview of the 2012 Property Maintenance Code, proposed local amendments, and the City's Code Enforcement process.

Since the 1980s, the City of St. Charles has used a model code to regulate the maintenance of existing buildings and properties. The code fundamentals of the 2012 Property Maintenance Code will not change from the existing 2000 IPMC. The 2012 edition provides more detail and clarity on specific code provisions. The 2012 IPMC is fully compatible with the City's recently adopted Building and Fire Codes. Along with the base IPMC, St. Charles has also adopted certain code amendments that are unique and applicable to our community.

Staff has taken the Committee's feedback and worked with the City Attorney to prepare the proposed ordinance.

Attachments: *(please list)*

Ordinance with amendments to the 2012 International Property Maintenance Code.

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

Recommendation to adopt the 2012 International Property Maintenance Code (IPMC) and proposed amendments.

For office use only:	*Agenda Item Number:* 4b

ORDINANCE NO 2012-M-__

PRESENTED AND PASSED BY THE
CITY COUNCIL ON

AN ORDINANCE AMENDING CHAPTER 15.40 "PROPERTY MAINTENANCE CODE" OF THE ST. CHARLES MUNICIPAL CODE (Adoption of International Property Maintenance Code 2012)

Whereas, not less than three copies of the 2012 edition of the International Property Maintenance Code, published by International Code Council, are and have been and are on file in the Office of the Clerk of the City of St. Charles, Illinois for more than thirty (30) days prior to the passage and approval of this Ordinance; and

Whereas, the City Council finds it to be in the interest of City of St. Charles to periodically update codes regulating the maintenance of land, buildings and structures.

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 Title 15, "Building and Construction", Chapter 15.40 "Property Maintenance Code" of the St. Charles Municipal Code be and is hereby amended by deleting Section 15.40.010 and by substituting the following therefor:

"15.40.010 Property Maintenance Code – Regulations Adopted and Modified."

The provisions of the 2012 edition of the International Property Maintenance Code, published by the International Code Council, are hereby adopted by reference, with the following amendments thereto:

A. Section 101.1 Title. Insert the following:

"City of St. Charles."

B. Section 102.3. Delete in its entirety and substitute the following therefor:

"**102.3 Application of other codes.** Repairs, additions, or alternations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of Title 15 'Buildings and Construction' of the St. Charles Municipal Code."

C. Section 103.50 Fees. Insert the following:

"See Title 15 'Building and Construction" of the St. Charles Municipal Code."

D. Sections 111.1 through 111.7: Delete in their entirety and substitute the following therefor:

"**111.1 Application for Appeal.** Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the Building Review Board pursuant to the provisions of Chapter 2.19 of the St. Charles Municipal Code."

E. Section 112.4 Failure to Comply. Insert the following:

"One hundred dollars ($100)" and "Seven hundred and fifty dollars ($750)."

F. Section 302.4 Weeds. Insert the following:

"Eight-inches (8")."

G. Section 302.8: Delete in its entirety and substitute the following therefor:

"**302.8 Motor Vehicles.**

1. Except as provided for in Title 17 of the St. Charles Municipal Code, any type of motor vehicle that (a) does not have a current state registration, or does not display a current state license plate with valid registration sticker affixed; or (b) a motor vehicle on which the engine, wheels or other parts have been altered, damaged or otherwise so treated that the vehicle is incapable of being driven shall not be parked, kept or stored outside of an enclosed building or structure on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair or in the process of being stripped or dismantled, outside an enclosed building or structure.
2. A collector may store unlicensed, operable or inoperable vehicles on the collector's property provided the vehicles and the outdoor storage area are maintained in such a manner that they do not constitute a health hazard and are screened from ordinary public view by means of a fence or other appropriate means.
   a. "Collector" means the owner of one or more special interest vehicles for the collector's own use in order to

restore, preserve, and maintain a special interest vehicle and historic interest.

b. "Special Interest Vehicle" means a motor vehicle of any age, which has not been altered or modified from original manufacturer specifications and, because of its historic interest, is being preserved by hobbyists."

H. Section 304.14. Delete in its entirety and substitute the following therefor:

"304.14 **Insect screens.** During the period from April 1st to October 31st, every door, window and other outside opening utilized or required for ventilation purposes serving any structure containing habitable rooms, food preparation areas, food service areas, or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged, or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch and every swinging door shall have a self closing device in good working condition.

Exception: Screen doors shall not be required where other approved means, such as air curtains or insect repellent fans, are employed."

I. Section 308.3.1. Delete in its entirety and substitute the following therefor:

"**308.3.1. Garbage facilities.** The owner of every dwelling shall supply one of the following: an approved mechanical food waste grinder in each dwelling unit, or a leakproof, covered outside garbage container.

Exception: In residential buildings containing three (3) or less dwelling units, each occupant shall be responsible for providing any covered outside garbage containers."

J. Add a Section 404.8, as follows:

"**404.8 Basement rooms.** Basement areas partially below grade used for living purposes shall meet the following requirements:

1. Floors and walls shall be watertight and insulated so as to prevent entry of moisture.
2. Total window area, total openable area, and ceiling height shall be in accordance with the St. Charles Municipal Code Section 15.04.010 (Building code) and 15.04.020 (Residential code).
3. The required window area of the habitable area shall be entirely above the grade of the ground adjoining such window area except

that openable windows which open into a window well extending to the outside finished grade are acceptable."

K. Section 503.1. Delete in its entirety and substitute the following therefor:

"**503.1 Privacy.** Toilet rooms and bathrooms shall provide privacy and shall not constitute the only passageway to a hall or other space, or to the exterior. Toilet rooms and bathrooms shall be designed and arranged to provide privacy by means of a door and latch."

L. Section 602.3. Delete in its entirety and substitute the following therefor:

"**602.3 Heat supply.** Every owner and operator of any building who rents, leases, or lets one or more dwelling unit, rooming unit, dormitory or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply sufficient heat during the period from October 1st to April 1st to maintain a room temperature of not less than 65 degrees F. (18 degrees C) during the hours between 6:30 a.m. and 10:30 p.m. of each day and not less than 60 degrees F. (16 degrees C.) during other hours."

M. Section 602.4. Delete in its entirety and substitute the following therefor:

"**602.4 Occupiable work space.** Every enclosed occupied work space shall be supplied with sufficient heat during the period from October 1st to April 1st to maintain a temperature of not less than 65 degrees F. (18 degrees C.) during all working hours.

Exceptions:

1. Processing, storage, and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities."

N. Section 704: Delete Sections 704.1, 704.2 and 704.3 in their entirety."

Section 2. That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, expressly repealed.

Section 3. That this Ordinance shall be in full force and effect ten (10) days from and after its passage, approval and publication as provided by law.

PRESENTED to the City Council of the City of St. Charles, Illinois this _____day of_____, 2012.

PASSED by the City Council of the City of St. Charles, Illinois the _____ day of _____, 2012.

APPROVED by the Mayor of the City of St. Charles, Illinois this _____ day of _____, 2012.

_____
MAYOR

ATTEST:

_____
CITY CLERK

Approved as to form:

_____
City Attorney

Date:_____

Council Vote:
Ayes:_____
Nays:_____
Abstain:_____
Absent:_____

ST. CHARLES SINCE 1834	**AGENDA ITEM EXECUTIVE SUMMARY**	
	Title:	Recommendation to approve an Ordinance Repealing Title 15 "Building and Construction," Chapter 15.44 "Fair Housing Regulations" of the St. Charles Municipal Code
	Presenters:	Rita Tungare, Community Development Director

Please check appropriate box:

	Government Operations		Government Services
X	Planning & Development (9/10/2012)		City Council

Estimated Cost:	NA	Budgeted:	YES		NO	

If NO, please explain how item will be funded:

Executive Summary:

Staff is in the process of reviewing and revising sections of the St. Charles City Code. Chapter 15.44 of the City Code includes regulations and a process to deal with complaints related to Fair Housing. To the best of our knowledge, the ordinance has been inactive for several years and the City has not enforced these regulations. A Fair Housing Board does not exist.

The City's legal counsel has advised that there is no legal mandate that the City maintain the Fair Housing regulations. The Illinois Human Rights Act authorizes local units of governments to form commissions to promote the purposes of the Act (including anti-discrimination efforts), but does not mandate it. Similarly, the Illinois Municipal Code authorizes housing commissions, but does not mandate their formation. Given that there are federal and state laws that provide protection on this issue, it has been determined that the regulations in the City Code are redundant and unnecessary.

As such, staff is proposing to repeal the Fair Housing regulations.

The regulations can be viewed at:

http://www.stcharlesil.gov/sites/default/files/codebook/t15-ch44.pdf

Attachments: *(please list)*

Ordinance Repealing Title 15 "Building and Construction," Chapter 15.44 "Fair Housing Regulations" of the St. Charles Municipal Code

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

Staff recommends repealing Chapter 15.44 "Fair Housing Regulations".

For office use only:	*Agenda Item Number: 4c*

City of St. Charles, Illinois
Ordinance No. 2012-M-_____

An Ordinance Repealing Title 15, "Building and Construction", Chapter 15.44, "Fair Housing Regulations", of the St. Charles Municipal Code

BE IT ORDAINED by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois, as follows:

Section 1. That Title 15, "Building and Construction", Chapter 15.44, "Fair Housing Regulations", of the St. Charles Municipal Code be and is hereby repealed in its entirety.

Section 2. That after passage and approval hereof, this Ordinance shall (i) be printed or published in book or pamphlet form, published by the authority of the City Council, or (ii) within thirty (30) days after passage and approval hereof, be published in a newspaper published in and with a general circulation within the City of St. Charles.

Section 3. This Ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

PRESENTED to the City Council of the City of St. Charles, Illinois this _____ day of _____ 2012.

PASSED by the City Council of the City of St. Charles, Illinois this _____ day of _____ 2012.

APPROVED by the Mayor of the City of St. Charles, Illinois this _____ day of _____ 2012.

_____
Mayor

ATTEST:

_____
City Clerk

COUNCIL VOTE:

Ayes:

Nays:

Abstain:

Absent:

APPROVED AS TO FORM:

_____
City Attorney

DATE:_____

ST. CHARLES SINCE 1834	**AGENDA ITEM EXECUTIVE SUMMARY**	
	Title:	Update on the Comprehensive Plan Project – Information Only
	Presenter:	Russell Colby

Please check appropriate box:

	Government Operations		Government Services
X	Planning & Development (9/10/12)		City Council

Estimated Cost:		Budgeted:	YES		NO	

If NO, please explain how item will be funded:

Executive Summary:

The consultant is currently preparing two concept plans for the Charlestowne Mall site based on community feedback from the August visioning workshop and the findings of the market study. These plans will be presented along with a larger focus area plan for the East Gateway area. In addition, the consultant is working on a Corridor Plan for stretches of the Main Street Corridor outside of the Focus Areas.

Drafts of these plans, along with comments from the Downtown and West Gateway Open House, will be reviewed and discussed at an upcoming Task Force Meeting on Wednesday, Sept. 26 at 7:00 pm in the Council Chambers.

Following the Task Force meeting, an Open House will be held for the public to review the plans on Thursday, Oct. 4 from 6:00 to 7:30 pm in the Council Chambers.

Attachments: *(please list)*

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

For information only.

For office use only:	*Agenda Item Number: 5a*