



**PLAN COMMISSION AGENDA ITEM EXECUTIVE SUMMARY**

<b>Project Title/Address:</b>	Heritage Green PUD		
<b>City Staff:</b>	Russell Colby, Planning Division Manager		
<b>PUBLIC HEARING</b>		<b>MEETING 3/7/17</b>	X

**APPLICATIONS:** Final Plat of Subdivision

**ATTACHMENTS AND SUPPORTING DOCUMENTS:**

Staff Memo	Proposed Final Plat
Final Plat Application	Recorded Final Plat & PUD Ordinance

**SUMMARY:**

Heritage Green is comprised of the City block bound by S. 5th, S. 6th, Indiana and Ohio Avenues. The site is the location of the Raymond Judd House, 309 S. 6th Ave., a City designated Historic Landmark.

In February 2015, the City approved a revised development plan for the site (PUD Ordinance No. 2015-Z-3). In January 2016, the City approved a Final Plat of Subdivision for the development, which created individual building lots for each townhome unit (Ordinance No. 2016-Z-1). This plat was recorded in July 2016. The project is under construction.

Now that the foundation of each building has been established, the developer would like to revise the individual building lots to exactly follow the building footprints. The attached revised Final Plat of Subdivision has been submitted showing modifications to the building lots.

No changes are proposed to the approved development plans.

**SUGGESTED ACTION:**

Review the Final Plat of Subdivision.

Staff has found the application materials to be complete and the Final Plat to be in compliance with the Zoning and Subdivision Codes.

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

**INFO / PROCEDURE ON APPLICATIONS:**

- (See next page)*
- Final Plat is the actual plat document that will be recorded with the County to formally create new lots, dedicate streets, and provide easements, etc.
  - Recommendation is based on compliance with all other code requirements (including Zoning & Subdivision Codes). Staff has provided an analysis in the Staff Report.
  - A public hearing is not required for this type of application.
  - No findings of fact are applicable to this application.

Community & Economic Development  
 Planning Division

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



ST. CHARLES  
 SINCE 1834

**STAFF MEMO**

**TO:** Chairman Todd Wallace  
 And Members of the Plan Commission

**FROM:** Russell Colby  
 Planning Division Manager

**RE:** Heritage Green PUD – Revised Final Plat of Subdivision

**DATE:** March 3, 2017

**I. APPLICATION INFORMATION:**

**Project Name:** Heritage Green (a/k/a Foxwood Square PUD - 309 S. 6<sup>th</sup> Ave.)

**Applicant:** Bob Rasmussen, Heritage Green of St. Charles LLC

**Purpose:** Approval of a revised Final Plat of Subdivision

<b>General Information:</b>		
<b>Site Information</b>		
Location	Block bound by Rt. 25/5 <sup>th</sup> , 6 <sup>th</sup> , Indiana & Ohio Aves.	
Acres	35,424 square feet (0.88 acres)	
Applications:	Final Plat of Subdivision	
Applicable City Code Sections	Heritage Green PUD Ordinance No. 2015-Z-3 Title 16, Subdivisions and Land Improvement	
<b>Existing Conditions</b>		
Land Use	Multi-family residential and single family attached residential units	
Zoning	CBD-2 Mixed Use Business	
<b>Zoning Summary</b>		
North	CBD-2 Mixed Use Business	Heritage Square
East	RT-4 Trad. Single & Two Family Res.	1 to 2 unit residential houses
South	RT-4 Trad. Single & Two Family Res.	1 to 2 unit residential houses
West	RT-4 Trad. Single & Two Family Res.	1 to 2 unit residential houses
<b>Comprehensive Plan Designation</b>		
Single Family Attached Residential		



Aerial Photo of the site from 2016

## II. BACKGROUND

Heritage Green is comprised of the City block bound by S. 5th, S. 6th, Indiana and Ohio Avenues. The site is the location of the Raymond Judd House, 309 S. 6th Ave., a City designated Historic Landmark.

In 2007, the City approved plans to renovate the Judd House and construct townhomes around the house. The site was prepared for development and two townhome units were constructed at the northeast corner of the site shortly thereafter. The development remained uncompleted for a number of years.

In February 2015, the City approved a revised development plan (PUD Ordinance No. 2015-Z-3). The plan included: Renovation of the Judd House as 4 apartment units; and three, three-unit townhome buildings to be constructed on the remaining lots (one building facing Indiana Ave. and two buildings facing Ohio Ave).

In January 2016, the City approved a Final Plat of Subdivision for the development, which created individual building lots for each townhome unit (Ordinance No. 2016-Z-1). This plat was recorded in July 2016.

The project is under construction, with the Judd Mansion building and 1 townhome building completed. The remaining two townhome buildings are under construction.

### **III. PROPOSAL**

Now that the foundation of each building has been established, the developer would like to revise the individual building lots to exactly follow the building footprints.

The attached revised Final Plat of Subdivision has been submitted showing modifications to the building lots.

No changes are proposed to the approved development plans.

Staff is currently reviewing the revised plat but does not anticipate any revisions.

### **IV. SUGGESTED ACTION**

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

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



COMMUNITY & ECONOMIC DEV./PLANNING DIVISION

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

**FINAL PLAT OF SUBDIVISION APPLICATION**

<b>For City Use</b>	
Project Name:	<u>Heritage Green</u>
Project Number:	<u>2014 -PR- 022</u>
Application Number:	<u>2017 -AP- 009</u>

*Received Date*  
**RECEIVED**  
 St. Charles, IL  
  
**FEB 23 2017**  
  
**CDD**  
**Planning Division**

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

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

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

<b>1. Property Information:</b>	Location:	<u>309 So. 6<sup>th</sup> Ave</u>	
	Parcel Number (s):	<u>09-34-208-012, 013, 014, 015, 016</u>	
	Proposed Subdivision Name:	<u>Heritage Green</u>	
<b>2. Applicant Information:</b>	Name	<u>Bob Rasmussen</u>	Phone <u>630-774-9101</u>
	Address	<u>409 Illinois Ave #1-D</u> <u>St. Charles, IL 60174</u>	Fax
			Email <u>Bob@midwestcustomhomes.com</u>
<b>3. Record Owner Information:</b>	Name	<u>Heritage Green of St. Charles, LLC</u>	Phone
	Address	<u>Same</u>	Fax <u>Same</u>
			Email

**Please check the type of application:**

**Subdivision:**

- Preliminary Subdivision Plat was previously approved by the City
- Combined Preliminary-Final Review Process (Preliminary Plat Application filed concurrently)

**Planned Unit Development (PUD):**

- PUD Preliminary Plan was previously approved by the City
- Combined Preliminary-Final Review Process (PUD Preliminary Plan Application filed concurrently)
- PUD Final Plan application filed concurrently

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

**Attachment Checklist:**

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

**APPLICATION FEE:**

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

**REIMBURSEMENT OF FEES AGREEMENT:**

An original, executed Reimbursement of Fees Agreement and deposit of funds in escrow with the City, as provided by Appendix B of the Zoning Ordinance.

**REIMBURSEMENT OF FEES INITIAL DEPOSIT:**

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

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

**PROOF OF OWNERSHIP and DISCLOSURE:**

Submit one of the following:

- a) A current title policy report; or
- b) A deed and a current title search.

If the owner is not the applicant, an original letter of authorization from the owner permitting the applicant to act on his/her behalf is required. If the owner or applicant is a Trust, a disclosure of all beneficiaries; if the owner or applicant is a Partnership, a disclosure of all partners; if the owner or applicant is a Corporation, a disclosure of all owners with an interest of at least ten percent (10%).

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

**PLANS:**

All required plans shall be drawn on sheets no larger than 24" x 36", unless the Director of Community Development permits a larger size when necessary to show a more comprehensive view of the project. All required plans shall show north arrow and scale, and shall be drawn at the same scale (except that a different scale may be used to show details or specific features). All plans shall include the name of the project, developer or owner of site, person or firm preparing the plan, and the date of plan preparation and all revisions.

**Copies of Plans:**

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

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

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

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

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

**ENGINEER'S COST ESTIMATE SPREADSHEET:**

See attached form.

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

**STORMWATER REPORT**

**FINANCIAL GUARANTEE & LAND IMPROVEMENT AGREEMENT**

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

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

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

**COPIES OF THIRD PARTY PERMIT/APPROVALS**

- Illinois EPA Water Pollution Control Permit for sanitary sewer extension

- Illinois EPA Division of Public Water Supplies Permit for water mains
  - Notice of Intent (NOI) letter/permit for NPDES Stormwater Discharge for sites 5 acres and larger
  - IDNR Office of Water Resources Permit (for work in flood plain)
  - Wetlands Permit from Army Corps of Engineers
  - Kane County DOT and/or IDOT signature on Final Plat (if applicable)
  - Offsite easements and right of way necessary to construct the required Land Improvements
- PARK AND SCHOOL LAND/CASH WORKSHEETS:** For residential developments, Park and School land/cash worksheets in accordance with Title 16 of the St. Charles Municipal Code with population projections establishing anticipated population and student yields.
- INCLUSIONARY HOUSING SUMMARY:** For residential developments, submit information describing how the development will comply with the requirements of Title 19, "Inclusionary Housing" of the St. Charles Municipal Code.

**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.**

Heritage Green of St. Charles, LLC  
 Record Owner \_\_\_\_\_ Date \_\_\_\_\_

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



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

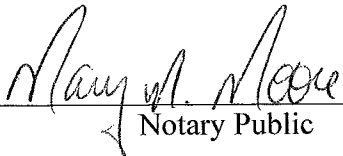
STATE OF ILLINOIS    )  
                                  ) SS.  
KANE COUNTY         )

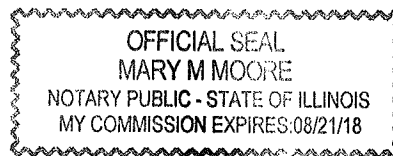
I, Bob Rasmussen, being first duly sworn on oath depose and say that I am  
Manager of Heritage Green of St. Charles LLC, an Illinois Limited Liability  
Company (L.L.C.), and that the following persons are all of the members of the said L.L.C.:

- Bob Rasmussen \_\_\_\_\_
- Rich Dahl \_\_\_\_\_
- Tony Moore \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

By: , Manager

Subscribed and Sworn before me this 20<sup>th</sup> day of  
February, 20 17.

  
Notary Public

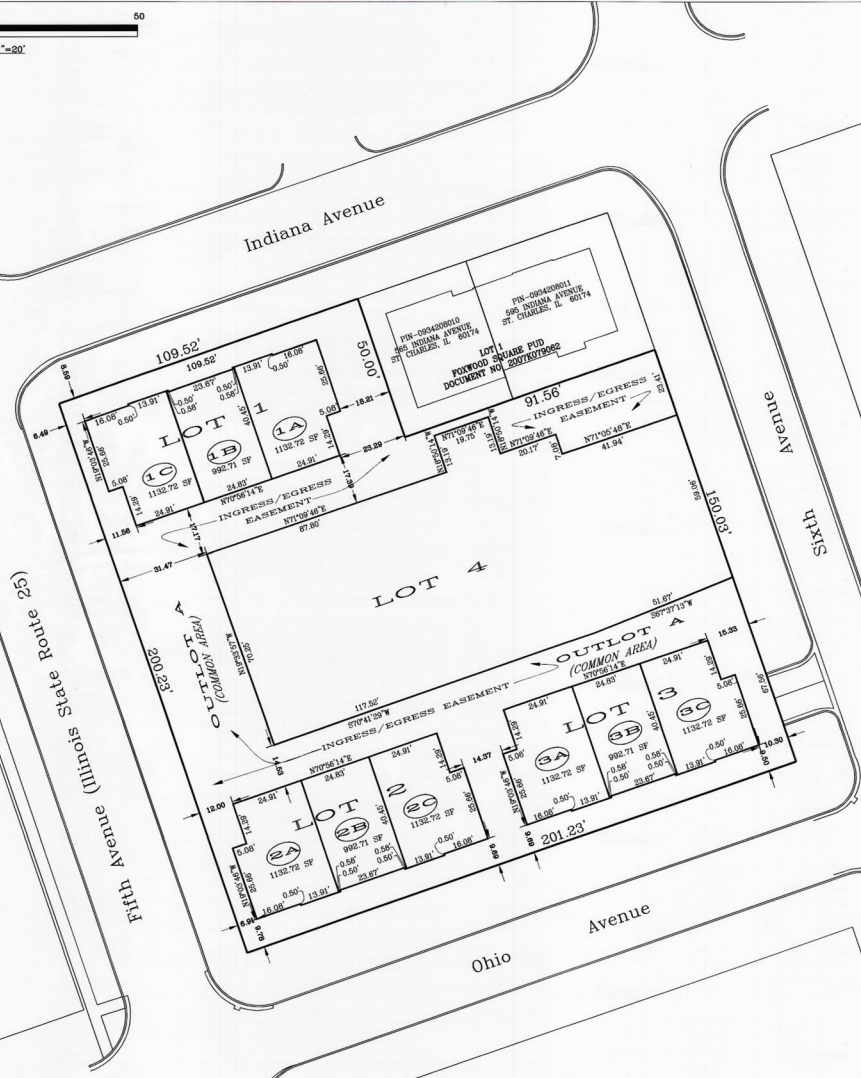
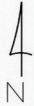
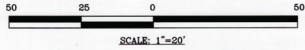


P.I.N. NUMBERS:  
 09-34-208-003  
 09-34-208-004  
 09-34-208-006  
 09-34-208-007  
 09-34-208-008  
 09-34-208-009

# HERITAGE GREEN RE-SUBDIVISION

OF

LOTS 1, 2, 3, 4 AND OUTLOT A IN HERITAGE GREEN SUBDIVISION, BEING A RE-SUBDIVISION OF LOTS 2, 3, 4, 5, 6 AND PARCEL 1 IN FOXWOOD SQUARE PLANNED UNIT DEVELOPMENT, IN THE CITY OF ST. CHARLES, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF, RECORDED JULY 27, 2016 AS DOCUMENT NO. 2016K038734, IN KANE COUNTY, ILLINOIS.



LOT NUMBER	AREA, SQ.FT.
1	3,258.16
2	3,258.16
3	3,258.16
4	11,672.80
OUTLOT	14,226.60

**DIRECTOR OF COMMUNITY DEVELOPMENT (or Designee)**  
 STATE OF ILLINOIS  
 COUNTY OF KANE) ss  
 I, \_\_\_\_\_, do hereby certify that the required improvements have been installed, or the required guarantee bond has been posted for the completion of all required land improvements.  
 Director of Community Development  
 Dated at \_\_\_\_\_ Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_.

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

Mayor \_\_\_\_\_  
 Attest: \_\_\_\_\_  
 City Clerk

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

Chairman \_\_\_\_\_

**OWNER'S CERTIFICATE**  
 STATE OF ILLINOIS )  
 COUNTY OF KANE) ss  
 This is to certify that the undersigned is the owner of the land described in the annexed plat, and that he has caused the same to be surveyed and subdivided as indicated thereon, for the use and purposes therein set forth, and does hereby acknowledge and adopt the same under the style and title therein indicated.  
 Also, this is to certify that property being subdivided aforesaid, and to the best of the owner's knowledge and belief, said subdivision lies entirely within the limits of St. Charles Community Unit School District 303.  
 Dated this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_.

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

**SURVEYOR'S CERTIFICATE**  
 STATE OF ILLINOIS )  
 COUNTY OF DUPAGE) ss  
 This is to certify that I, Nancy Lambert, Illinois Land Surveyor No. 1463, have surveyed and subdivided the following described property:

LOTS 1, 2, 3, 4 AND OUTLOT A IN HERITAGE GREEN SUBDIVISION, BEING A RE-SUBDIVISION OF LOTS 2, 3, 4, 5, 6 AND PARCEL 1 IN FOXWOOD SQUARE PLANNED UNIT DEVELOPMENT, IN THE CITY OF ST. CHARLES, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF, RECORDED JULY 27, 2016 AS DOCUMENT NO. 2016K038734, IN KANE COUNTY, ILLINOIS.

Given under my hand and seal at \_\_\_\_\_ Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2017.

Nancy Lambert  
 Nancy Lambert, P.L.S.  
 Illinois Registered Land Surveyor  
 No. 1463

**NOTES:**  
 1-VEHICULAR ACCESS SHALL NOT BE ALLOWED TO FIFTH AVENUE (ILLINOIS STATE ROUTE 25) OR OHIO AVENUE.  
 2-UTILITY EASEMENT IS HEREBY ESTABLISHED ACROSS ALL LOTS AND PARCELS IN ACCORDANCE WITH THE APPROPRIATE EASEMENT PROVISIONS CONTAINED HEREON.  
 3-THE EGRESS AND EGRESS EASEMENTS WILL SERVE ALL LOTS IN THIS RE-SUBDIVISION IN ADDITION TO THE EXISTING TOWNHOMES BUILDINGS ON LOT 1 IN THE FOXWOOD SQUARE PLANNED UNIT DEVELOPMENT, CITY OF ST. CHARLES, COUNTY OF KANE, STATE OF ILLINOIS. THE EASEMENTS APPURTENANT GRANTED PURSUANT TO DOCUMENT 2007K027082 AND DOCUMENT 2016K038734 ARE HEREBY APPROPRIATED AND RELIANCE THEREON IS HEREBY DELINEATED.

**COUNTY CLERK CERTIFICATE**  
 STATE OF ILLINOIS )  
 COUNTY OF KANE) ss  
 I, \_\_\_\_\_, County Clerk of Kane County, Illinois, do hereby certify that there are no delinquent general taxes, no unpaid forfeited taxes, and no redeemable tax sales against any of the land included in the annexed plat.  
 I further certify that I have received all statutory fees in connection with the annexed plat.  
 Given under my hand and seal at \_\_\_\_\_ Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_.

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

**OWNER'S CERTIFICATE - PIN: 09-34-208-010 LOT 1 FOXWOOD SUBDIVISION**  
 This is to certify that the undersigned is owner of Parcel 09-34-208-010 as indicated on this Plat of Re-Subdivision for the use and purposes herein set forth and do hereby acknowledge and adopt the same under the style and title therein indicated.  
 Daniel McNeal  
 Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**OWNER'S CERTIFICATE - PIN: 09-34-208-011 LOT 1 FOXWOOD SUBDIVISION**  
 This is to certify that the undersigned is owner of Parcel 09-34-208-011 as indicated on this Plat of Re-Subdivision for the use and purposes herein set forth and do hereby acknowledge and adopt the same under the style and title therein indicated.  
 Gregg G. Gustafson  
 Melissa A. Gustafson  
 Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**MORTGAGEE'S CERTIFICATION**  
 Approved and accepted by \_\_\_\_\_ as Mortgagee.  
 Dated at \_\_\_\_\_ Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_.

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



# FINAL PLAT FOR HERITAGE GREEN SUBDIVISION

IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

2016R038734  
SANDY WEGMAN  
RECORDER - KANE COUNTY, ILL.  
RECORDED: 7/27/2016 12:22 PM  
REC.FEE: \$0.00  
PAGES: 1

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

**LEGEND:**  
■ CONCRETE MONUMENT FOUND  
□ CONCRETE MONUMENT SET  
○ IRON PIPE FOUND  
○ IRON PIPE SET  
- - - EASEMENT LINE  
- - - BUILDING LINE  
- - - PROPERTY LINE  
- - - SUBDIVISION BOUNDARY LINE  
- - - ROW LINE  
- - - EXISTING SUBDIVISION

**ABBREVIATIONS:**  
Sq.Ft. - SQUARE FEET  
AC - ACRES  
REC - RECORDED  
MEAS - MEASURED  
F.I.C. - 1/2000 IRON PIPE

LOT NUMBER	AREA, Sq.Ft.
1	4,073
2	4,073
3	4,073
4	5,293
OUTLOT A	18,162

**SURVEYOR'S NOTES:**

- IRON PIPES SET AT ALL LOT CORNERS UNLESS OTHERWISE NOTED
- ALL MEASUREMENTS AND DISTANCES ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF
- CONCRETE MONUMENT TO BE SET
- TOWNSHIP UNIT NUMBER TYPICAL

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

THIS IS TO CERTIFY THAT I, **NOBERT V. LAMBERT, JR.**, ILLINOIS LAND SURVEYOR NO. 1864, HAVE SURVEYED AND SUBDIVIDED THE FOLLOWING DESCRIBED PROPERTY:

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

I FURTHER CERTIFY THAT THE PARCELS INCLUDED IN THIS SUBDIVISION ARE NOT LOCATED IN THE SPECIAL FLOOD HAZARD AREA IDENTIFIED FOR THE CITY OF ST. CHARLES, ILLINOIS BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY ON THE FLOOD INSURANCE RATE MAP, PANEL NO. 17085C0266F, DATED DECEMBER 20, 2002.

I FURTHER CERTIFY THAT THE LAND INCLUDED IN THIS PLAT OF SUBDIVISION LIES WITHIN THE CORPORATE LIMITS OF THE CITY OF ST. CHARLES, ILLINOIS, WHICH IS EXERCISING THE SPECIAL POWERS AUTHORIZED BY DIVISION 12 OF ARTICLE 7 OF ILLINOIS MUNICIPAL CODE AS AMENDED.

GIVEN UNDER MY HAND AND SEAL AT WHEATON, ILLINOIS,  
THIS 22ND DAY OF JANUARY, A.D. 2016.

*Nobert V. Lambert, Jr.*  
No. 1864  
ILLINOIS REGISTERED LAND SURVEYOR NO. 1864; LICENSE EXPIRE 11/30/2016  
ILLINOIS DESIGN FIRM NO. 184-006511



20 0 20 40 60  
Scale 1" = 20'

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

APPROVED THIS 21 DAY OF June, A.D. 2016.

*Chazman*  
CHAZMAN

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

**PUBLIC ACCESS EASEMENT**  
PERMANENT NON-EXCLUSIVE EASEMENTS ARE HEREBY RESERVED FOR AND GRANTED TO THE CITY OF ST. CHARLES, IN, UPON, ACROSS, OVER, UNDER AND THROUGH THE AREAS SHOWN BY DASHED LINES AND LABELED "PUBLIC ACCESS EASEMENT" ON THE PLAT OF SUBDIVISION HEREON DRAIN, FOR THE PURPOSE OF ACCESS TO CITY OWNED UTILITIES AND OTHER GRANTED EASEMENTS, AS DEEMED NECESSARY BY THE CITY OF ST. CHARLES. THE RIGHT IS ALSO HEREBY GRANTED TO SAID CITY TO CUT DOWN, TRIM OR REMOVE ANY TREES, SHRUBS OR OTHER PLANTS THAT INTERFERE WITH THE OPERATION OF OR ACCESS TO SAID UTILITY OR EASEMENT. NO PERMANENT BUILDINGS SHALL BE PLACED IN SAID EASEMENT, BUT SAME MAY BE USED FOR SHRUBS, LANDSCAPING, AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES AND RIGHTS.

**NOTES:**

- DIRECT VEHICULAR ACCESS SHALL NOT BE ALLOWED TO FIFTH AVENUE (ILLINOIS STATE ROUTE 25) OR OHIO AVENUE.
- A UTILITY EASEMENT IS HEREBY ESTABLISHED ACROSS ALL LOTS AND PARCELS IN ACCORDANCE WITH THE APPROPRIATE EASEMENT PROVISIONS CONTAINED HEREON.
- THE INGRESS-EGRESS EASEMENTS WILL SERVE ALL LOTS IN THE SUBDIVISION, IN ADDITION TO THE EXISTING TOWNSHIP BUILDING (LOT 1 IN THE "FOXWOOD SQUARE PLANNED UNIT DEVELOPMENT" CITY OF ST. CHARLES, KANE COUNTY ILLINOIS" RECORDED AS DOC. NO. 2007K079062).

**NOTES:**

- UTILITY EASEMENT, LANDSCAPE EASEMENT, PEDESTRIAN EASEMENT AND VEHICULAR AND PEDESTRIAN INGRESS/EGRESS EASEMENT GRANTED BY "FOX SQUARE PLANNED UNIT DEVELOPMENT CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS" RECORDED AS DOC. NO. 2007K079062, ARE HEREBY ABROGATED.
- CITY UTILITY EASEMENT GRANTED BY "FINAL PLAT OF RIVERSIDE COMMUNITY CHURCH" RECORDED AS DOC. NO. 2004K074998, IS HEREBY ABROGATED.

**DRAINAGE CERTIFICATION**  
STATE OF ILLINOIS )  
COUNTY OF KANE ) ss

To the best of our knowledge and belief, the drainage of surface water will not be changed by the construction of such subdivision or any part thereof, or that if such surface water drainage will be changed, responsible provision has been made for collection and diversion of such surface water into public areas, or drains, which the subdivider has the right to use, and that such surface waters will be planned for in accordance with generally accepted engineering practices so as to reduce the likelihood of damage to the adjoining property because of the construction of the subdivision.

Dated this 22 day of January, A.D. 2016.

*Richard J. ...*  
Registered Professional Engineer

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

THIS INSTRUMENT NO. 2016 R038734 WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF KANE COUNTY, ILLINOIS, ON THE 27 DAY OF July, 2016, AT 12:22 O'CLOCK PM, AND WAS RECORDED IN PLAT ENVELOPE NO. \_\_\_\_\_

*Sandy Wegman*  
COUNTY RECORDER

**MORTGAGEE'S CERTIFICATION**  
Approved and accepted by \_\_\_\_\_ as Mortgagee.  
Dated at \_\_\_\_\_ Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_.

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

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

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

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

*Richard Dahl*  
Dated this 13th day of April, A.D. 2016.

**NOTARY CERTIFICATE**  
STATE OF ILLINOIS ) ss  
COUNTY OF KANE ) DUPAGE

**DAVID W. KILBURN**, a notary public, in and for said county, in the state aforesaid, do hereby certify that *Richard Dahl*, personally known to me to be the same person whose names are subscribed to the foregoing instrument, as such owners, appeared before me this day in person and acknowledged that they signed and delivered the annexed plat as their own free and voluntary act for the use and purposes therein set forth. Given under my hand and Notarial Seal.

*David W. Kilburn*  
Notary Public, State of Illinois  
My Commission Expires May 29, 2016

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

**RITA THURGOOD** do hereby certify that the required improvements have been installed, or the required guarantee bond has been posted for the completion of all required land improvement.

*Rita Thurgood*  
Director of Community Development  
St. Charles, Illinois, this 13th day of July, A.D. 2016.

**CITY COUNCIL CERTIFICATE**  
Approved and accepted this 14th day of January, A.D. 2016.

CITY COUNCIL OF CITY OF ST. CHARLES, ILLINOIS

*Nancy Garrison*  
Mayor  
Attest: *Nancy Garrison*  
City Clerk

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

**John A. Cunningham**, County Clerk of Kane County, Illinois, do hereby certify that there are no delinquent general taxes, no unpaid forfeited taxes, and no redeemable tax sales against any of the land included in the annexed plat. I further certify that I have received all statutory fees in connection with the annexed plat.

Given under my hand and seal at St. Charles, Illinois, this 27th day of July, A.D. 2016.

*John A. Cunningham*  
County Clerk

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

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

Dated this 15th day of June, A.D. 2016.

*John E. Fortmann*  
JOHN A. FORTMANN, REGION ONE ENGINEER

PREPARED BY: **LAMBERT AND ASSOCIATES**  
955 W. LIBERTY DRIVE, WHEATON, ILLINOIS 60187  
PHONE (630) 653-6331 FAX (630) 653-6396  
Email: lambertsurveys@att.net

PREPARED FOR: **MIDWEST CUSTOM HOMES**

DATE	NO.	REVISION	BY

**HERITAGE GREEN SUBDIVISION**

**FINAL PLAT**

SCALE	DRAWN	CHECKED	PROJECT NO.	SHEET:
20 FT./INCH	PM	NVL	151046	1 OF 1

IC2

**City of St. Charles, Illinois**

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

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

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

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

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



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

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

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

WHEREAS, the required Notice of Public Hearing on said petitions for Map Amendment and Amendment to Special Use for Planned Unit Development was published on or about January 3, 2015, in a newspaper having general circulation within the City, to-wit, the Kane County Chronicle newspaper, all as required by the statutes of the State of Illinois and the ordinances of the City; and,

WHEREAS, pursuant to said notice, the Plan Commission conducted a public hearing on or about January 20, 2015, on said petitions in accordance with the statutes of the State of Illinois and the ordinances of the City; and,

WHEREAS, at said Public Hearing, the Applicant presented testimony in support of said petitions and all interested parties were afforded an opportunity to be heard; and,

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

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

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

WHEREAS, the City Council of the City of St. Charles has received the recommendations of the Plan Commission and Planning & Development Committee and has considered the same:

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

1. The preambles set forth hereinabove are incorporated herein as substantive provisions of this Ordinance as though fully set out in this Section 1.

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

3. That the Special Use for Planned Unit Development heretofore granted with respect to the Subject Realty by Ordinance No. 2007-Z-4, being "An Ordinance Granting an Amendment to Special Use and PUD Preliminary Plan Approval (Foxwood Square PUD – 309 S. 6<sup>th</sup> Ave.)", is hereby amended by deleting the provisions in their entirety, and by substituting the provisions hereof, governing the Special Use as a Planned Unit Development for the Subject Realty. In connection with such approval, pursuant to the provisions of Title 17 of the St. Charles Municipal Code, as amended, and based upon the Applicant's petition and the evidence presented at the Public Hearing, the City Council hereby finds that the Amendment to Planned Unit Development is in the public interest and adopts the Findings of Fact for Amendment to Special Use for Planned Unit Development, set forth on Exhibit "C", which is attached hereto and incorporated herein.

4. The Subject Realty shall be developed only in accordance with all ordinances of the City as now in effect and as hereafter amended (except as specifically varied herein), and subject to the terms, conditions and restrictions set forth herein, as follows:

- a. Zoning: The property shall be subject to the requirements of the CBD-2 Mixed Use Business Zoning District, as amended, and all other applicable requirements of the St. Charles Zoning Ordinance, as amended, except as specifically provided in the "PUD Standards" attached hereto and incorporated herein as Exhibit "D".
- b. Subdivision: The subject property shall be considered a single PUD zoning lot for the purpose of Zoning Ordinance compliance. The subject property may be subdivided to create separate parcels for the individual buildings. Such subdivision shall require the submission of a Final Plat of Subdivision application, pursuant to the procedures and requirements of Title 16 of the St. Charles Municipal Code, for review by the City. At the time of application, the applicant shall demonstrate that all necessary easements (including, but not limited to, access, parking and utilities) have been provided to adequately serve the subdivision.

5. That passage of this Ordinance shall constitute approval of the PUD Preliminary Plan, reduced copies of which are attached hereto and incorporated herein as Exhibit "E", such the following documents and illustrations are hereby approved subject to compliance with such conditions, corrections, and modifications as may be required by the Director of Community and Economic Development and the Director of Public Works to comply with the requirements of the St. Charles Municipal Code:

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

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

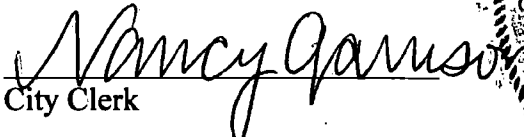
PRESENTED to the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 16th day of February, 2015.

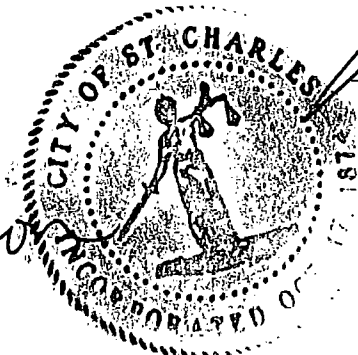
PASSED by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 16th day of February, 2015.

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

  
Raymond P. Rogina, Mayor

Attest:

  
City Clerk



COUNCIL VOTE:

Ayes: 9

Nays:

Absent: 1

Abstain:

APPROVED AS TO FORM:

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

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



**Exhibit A**

**Subject Realty  
Legal Description**

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

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

**Exhibit B**

**Findings of Fact for Map Amendment**

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

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

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

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

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

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

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

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

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

The development has lied dormant for 7+ years.

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

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

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

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

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

N/A

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

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

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

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

**Exhibit C**

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

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

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

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

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

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

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

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

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

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

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

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

The infrastructure is currently in place and is sufficient.

**C. Effect on Nearby Property: That the Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood.**

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

- D. Effect on Development of Surrounding Property: That the establishment of the Special Use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.**

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

- E. Effect on General Welfare: That the establishment, maintenance or operation of the Special Use will not be detrimental to or endanger the public health, safety, comfort or general welfare.**

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

- F. Conformance with Codes: That the proposed Special Use conforms to all existing Federal, State and local legislation and regulation and meets or exceeds all applicable provisions of this Title, except as may be varied pursuant to a Special Use for Planned Unit Development.**

The development will conform to all current codes.

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

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

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

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

**Exhibit D**

**PUD Development Standards**

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

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



# HERITAGE GREEN

PARCEL 1 AND LOTS 2 THROUGH 6 ALL INCLUSIVE IN FOXWOOD SQUARE PLANNED UNIT DEVELOPMENT, IN THE CITY OF SAINT CHARLES, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF, RECORDED JULY 30, 2007, AS DOCUMENT NO. 200707082, IN KANE COUNTY, ILLINOIS

CITY OF ST. CHARLES, ILLINOIS

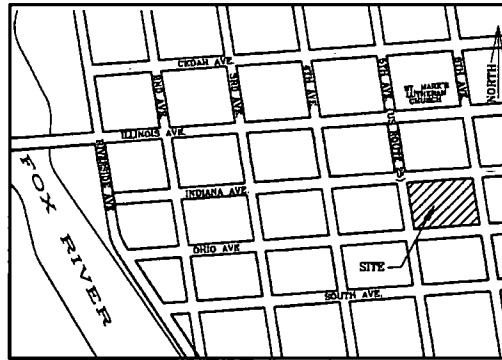
WARNING



CALL BEFORE YOU DIG  
888-888-8888

## CITY OF ST. CHARLES NOTES

- ALL PERVIOUS AREA SHALL BE SOCCED OVER A MINIMUM OF 6" OF TOP SOIL UNLESS OTHER LANDSCAPING METHODS ARE APPROVED ON THE LANDSCAPING PLAN.
  - ALL CONDUIT OR PIPE CONSTRUCTED UNDER EXISTING OR PROPOSED PAVED SURFACES AND WALKS SHALL BE BACKFILLED WITH GRANULAR BACKFILL THOROUGHLY COMPACTED IN ACCORDANCE WITH THE SPECIFICATIONS.
  - ALL PAVING, SIDEWALK, AND EXCAVATION WORK SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS OF THE ILLINOIS DEPARTMENT OF TRANSPORTATION (DOT) AND THE CITY OF ST. CHARLES STANDARD DETAILS, CODES AND REQUIREMENTS.
  - ALL SEWER AND WATER MAIN BODIES SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR WATER AND SEWER MAIN CONSTRUCTION IN ILLINOIS AND CITY OF ST. CHARLES CONSTRUCTION STANDARDS.
  - CONTRACTOR TO GUARANTEE ALL MATERIALS AND WORKMANSHIP FOR A PERIOD OF ONE (1) YEAR AFTER ACCEPTANCE BY THE CITY.
  - ALL EXISTING UTILITIES OR IMPROVEMENTS, INCLUDING WALKS, CURBS, PAVEMENT AND PAVEMENTS DAMAGED OR REMOVED DURING CONSTRUCTION SHALL BE PROMPTLY RESTORED TO THEIR RESPECTIVE ORIGINAL CONDITION.
  - THE CONTRACTOR SHALL NOTIFY ALL UTILITY COMPANIES PRIOR TO CONSTRUCTION TO VERIFY IN THE FIELD ALL EXISTING AND UNDERGROUND UTILITIES ADJACENT TO THE PROJECT, AND BE RESPONSIBLE FOR PROTECTION OF SAME.
  - ALL CONCRETE SHALL BE 8 BAG MIX, 3500 PSI CONCRETE AT 14 DAYS. CURING MATERIAL SHALL BE NEUMERINE CURING COMPOUND AND SHALL BE WHITE IN COLOR TO ASSURE ADEQUATE COVERAGE.
  - CONTRACTOR SHALL NOTIFY CITY 48 HOURS IN ADVANCE OF CONSTRUCTION OF UNDERGROUND WORK. NO UNDERGROUND WORK SHALL BE COVERED UNTIL SAME HAS BEEN INSPECTED BY THE CITY. APPROVAL TO PROCEED MUST BE OBTAINED FROM THE CITY BEFORE INSTALLING PAVEMENT BASE, PAVEMENT BINDER, PAVEMENT SURFACE, AND PRIOR TO POURING ANY CONCRETE AFTER FORMS HAVE BEEN SET.
  - IF APPLICABLE ALL NEW REINFORCED CONCRETE PIPE STORM SEWER 12" AND LARGER BINDER SHOWN ON THE PLANS SHALL BE ASTM DESIGNATION C-76 BOMBARD CLASS CLASS B. ALL PIPE WITH LESS THAN 2" OF COVER AND MORE THAN 15" OF COVER SHALL BE CLASS W. ALL JOINTS SHALL BE 10" RIB RUBBER GASKET CONFORMING TO ASTM C-381 SPECIFICATIONS. ALL STORM SEWERS WITH LESS THAN 1.25' OF COVER AND ALL DUCTILE IRON PIPE STORM SEWERS BINDER SHOWN ON THE PLANS SHALL BE DUCTILE IRON PIPE CLASS 52 AND SPECIFICATIONS A-21.51 WITH PUSH-ON OR MECHANICAL JOINTS AND POLYETHYLENE ENCASEMENT.
  - BITUMINOUS PAVEMENT MATERIAL MUST BE PLACED IN TWO LIFTS. THICKNESS OF EACH LIFT SHALL BE AS SHOWN ON APPROVED PLANS. ALL MATERIAL SHALL BE CLASS 1 BITUMINOUS AS PER DOT STANDARDS. THE FINISH SURFACE COURSE SHALL NOT BE INSTALLED UNTIL THE CITY HAS APPROVED THE COMPACTION OF THE BINDER MATERIAL. THE BINDER COURSE SHALL NOT BE INSTALLED UNTIL THE COMPACTION OF THE STONE BASE HAS BEEN APPROVED BY THE CITY. THE FINAL SURFACE COURSE MAY NOT BE INSTALLED UNTIL THE MAJOR PORTION OF BUILDING CONSTRUCTION HAS BEEN COMPLETED AS DETERMINED AND APPROVED BY THE CITY.
- NOTE: IN CASE OF CONFLICT WITH OTHER NOTES AND SPECIFICATIONS, THE CITY STANDARD NOTES AND DETAILS SHALL APPLY.



LOCATION MAP  
NOT TO SCALE

## SHEET INDEX

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

## LEGEND

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

### UNDERGROUND UTILITY NOTE:

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

### USE OF DRAWINGS

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

### HOLD HARMLESS STATEMENT

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

STATE OF ILLINOIS  
COUNTY OF KANE (SS)

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

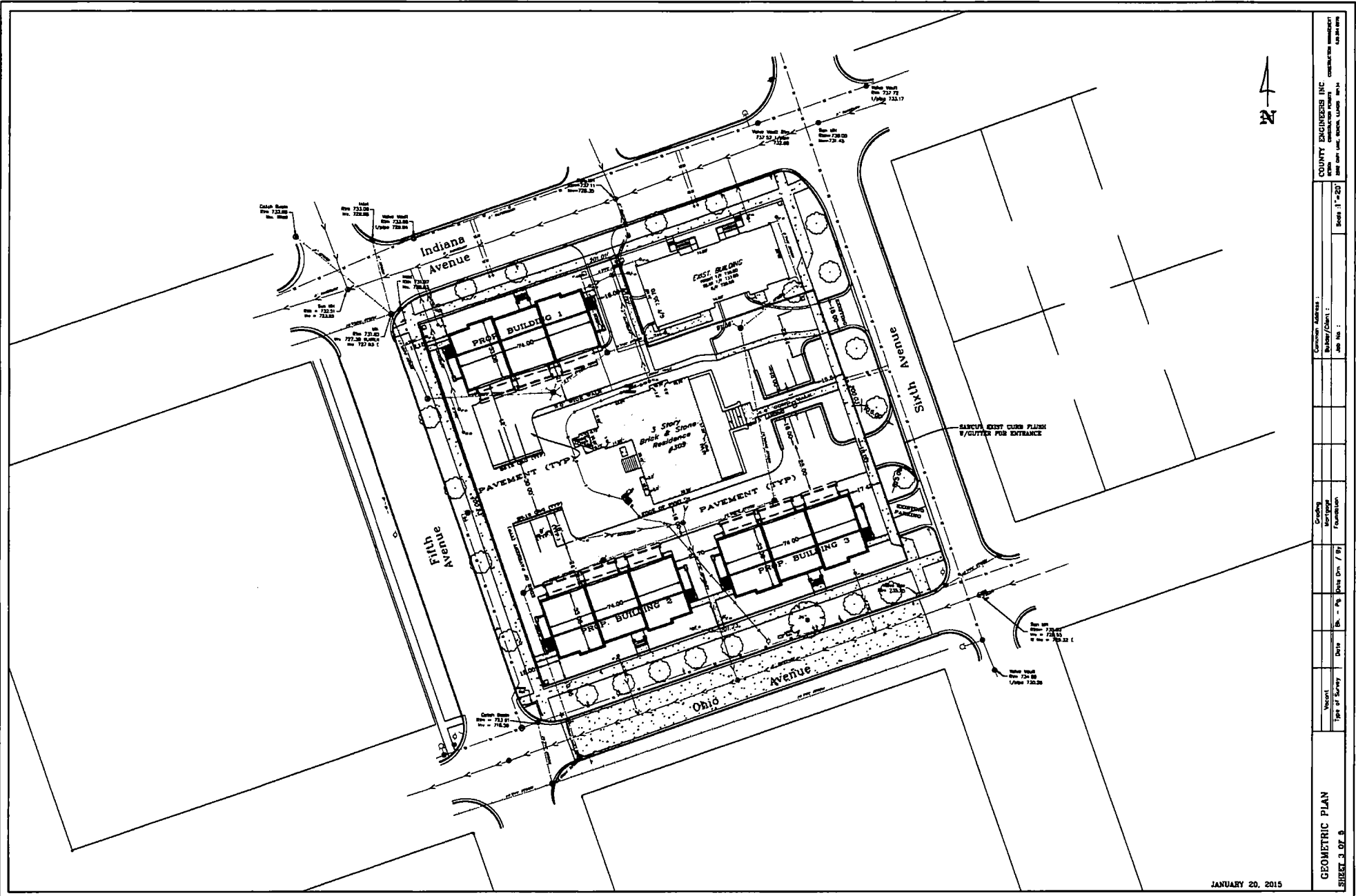


BRADEN JAFARI  
REGISTERED PROFESSIONAL ENGINEER  
RENEWAL DATE: 11/30/15

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

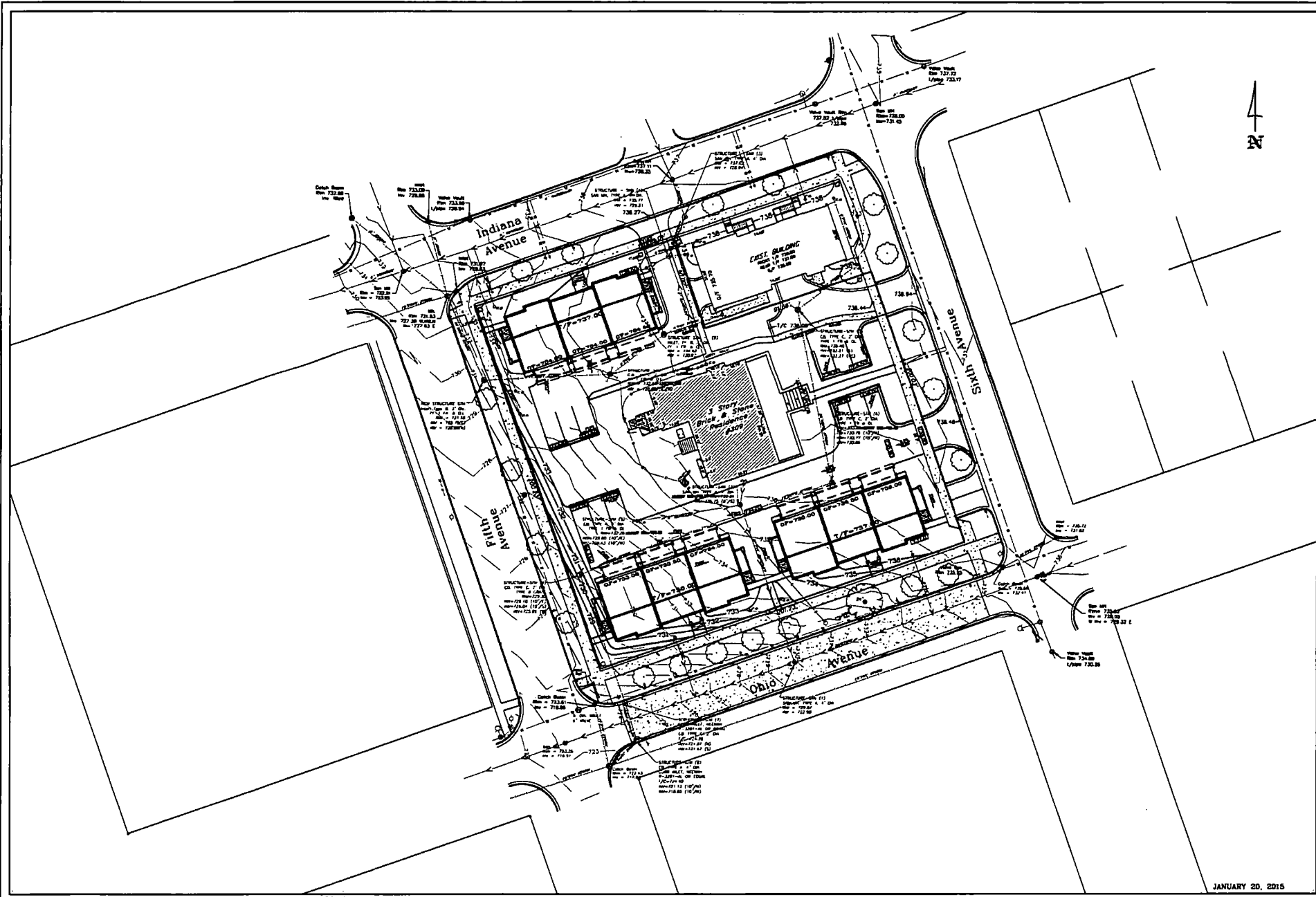
JANUARY 20, 2015





<b>GEOMETRIC PLAN</b> SHEET 3 OF 6	Worksheet: Type of Survey:	Date:	Drawn By:	Checked By:	Drawing Title:	Drawing No.:	Scale: 1" = 20'	COUNTY ENGINEERS, INC. ENGINEERS 1000 East Main Street, Suite 200 Columbus, Ohio 43215 Phone: (614) 221-1111 Fax: (614) 221-1112
	Project Name:	Project No.:	Drawing No.:	Revision:	Date:	Scale:	Project:	Drawing:

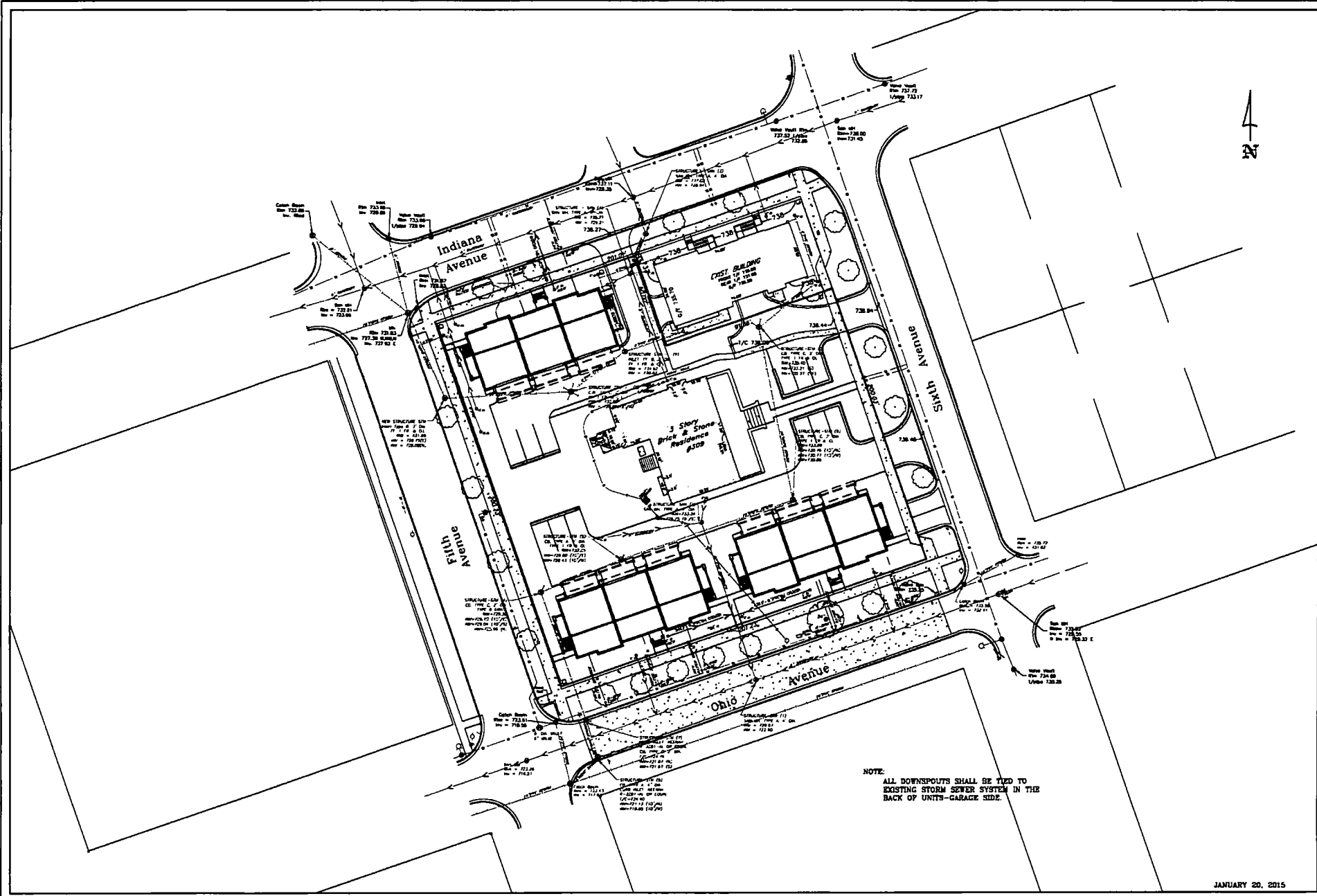
JANUARY 20, 2015



JANUARY 20, 2015

GRADING PLAN  
SHEET 4 OF 5

Common Address:	County Engineers Inc.
Builder/Client:	CONSTRUCTION PROJECT
Job No.:	2008 000 000 0000 0000
Scale:	1" = 20'
Drawn By:	
Checked By:	
Date:	
Sheet No.:	4 OF 5



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

UTILITY PLAN		SHEET 5 OF 5		DATE		JOB No.		Scale: 1" = 20'		COUNTY ENGINEERS, INC. REGISTERED PROFESSIONAL ENGINEERS STATE OF OHIO, LICENSE NO. 9384	
Version:	Type of Survey:	Date:	Sh. - Pg.	Sheet No. / of	Grading:	Foundation:	Common Address:				
					Multiple:						

JANUARY 20, 2015



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

# PLAT OF SUBDIVISION HERITAGE GREEN

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

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

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

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

**CITY COUNCIL CERTIFICATE**  
 Approved and accepted this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20\_\_

CITY COUNCIL OF CITY OF  
 ST. CHARLES, ILLINOIS

Mayor  
 Attest:  
 City Clerk

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

I, \_\_\_\_\_ County Clerk of Kane County, Illinois, do hereby certify that there are no outstanding general taxes, no unpaid forfeited taxes, and no responsible tax liens against any of the land included in the annexed plat. I further certify that I have received all statutory fees in connection with the annexed plat.

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

County Clerk

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

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

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

**PLAN COMMISSION CERTIFICATE**

STATE OF ILLINOIS )  
 COUNTY OF KANE ) ss

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

CITY OF ST. CHARLES PLAN COMMISSION

Chairman

**OWNER'S CERTIFICATE**

STATE OF ILLINOIS )  
 COUNTY OF KANE ) ss

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

Also, this is to certify that property being subdivided hereunder, and to the best of the owner's knowledge and belief, said subdivision has entirely within the limits of:

St. Charles Community Unit School District 303.

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

**NOTARY CERTIFICATE**

STATE OF ILLINOIS )  
 COUNTY OF KANE ) ss

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

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

Notary Public

**MORTGAGEE'S CERTIFICATION**

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

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

By \_\_\_\_\_

Attest:

**SURVEYOR'S CERTIFICATE**

STATE OF ILLINOIS )  
 COUNTY OF DUPAGE ) ss

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

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

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

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

**UTILITY EASEMENT PROVISIONS**

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

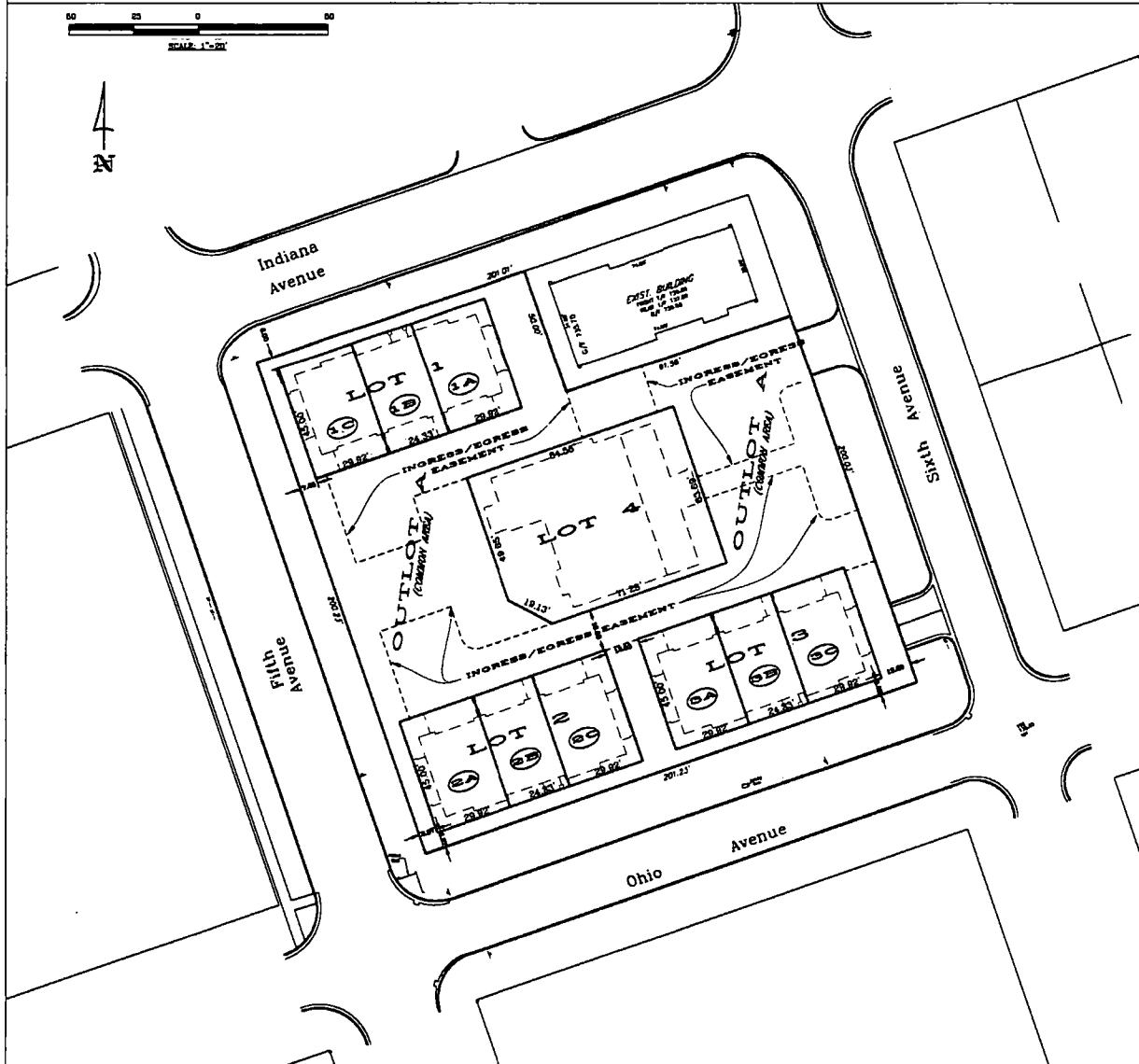
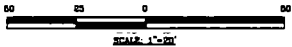
**SPECIAL FLOOD HAZARD AREA CERTIFICATE**

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

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

**COUNTY ENGINEERS INC.**  
 PLANNING, DESIGN, CONSTRUCTION  
 2200 EAST LANE, CHICAGO, IL 60614  
 830.366.8976  
 COUNTENGINEERS.COM

**LAMBERT & ASSOCIATES**  
 ILLINOIS PROFESSIONAL LAND SURVEYORS  
 833 N. WERTY DRIVE  
 SPEARVILLE, IL 60187  
 630.853.1411  
 6 DESIGN FIRM NO 188-008311 JANUARY 20, 2013 SHEET 1 OF 1



RECEIVED  
St. Charles, IL  
CDP  
Planning Division

San MH  
Rim = 722.51  
Inv = 723.05

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



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

Catch Basin  
Rim = 723.61  
Inv = 718.50

Indiana Avenue

Inlet  
Rim 731.97  
Inv. 728.83

San MH  
Rim = 727.11  
Inv = 728.35

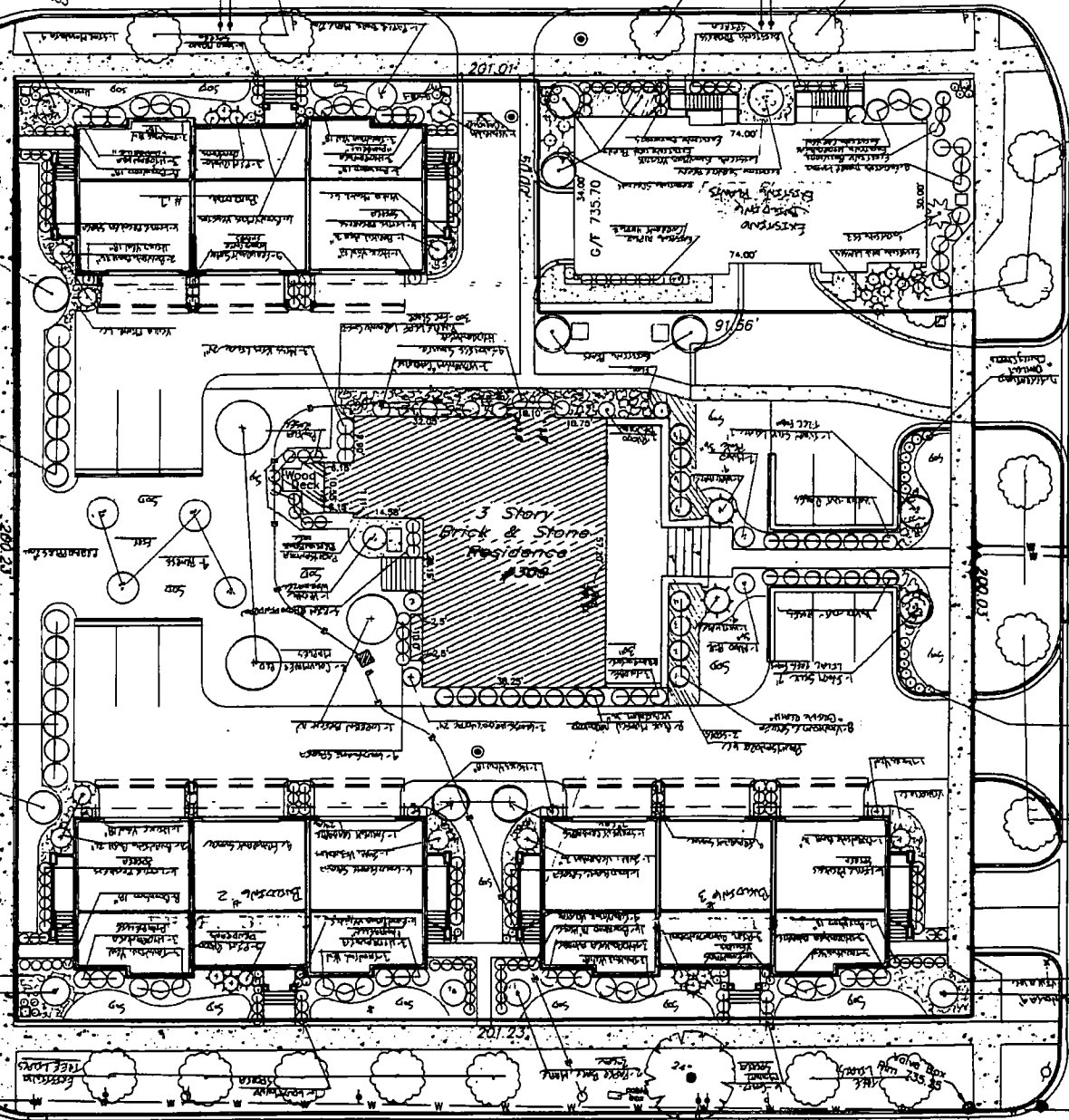
Value Vault Rim  
737.52 1/2 pipe  
732.86

San MH  
Rim = 738.00  
Inv = 731.45

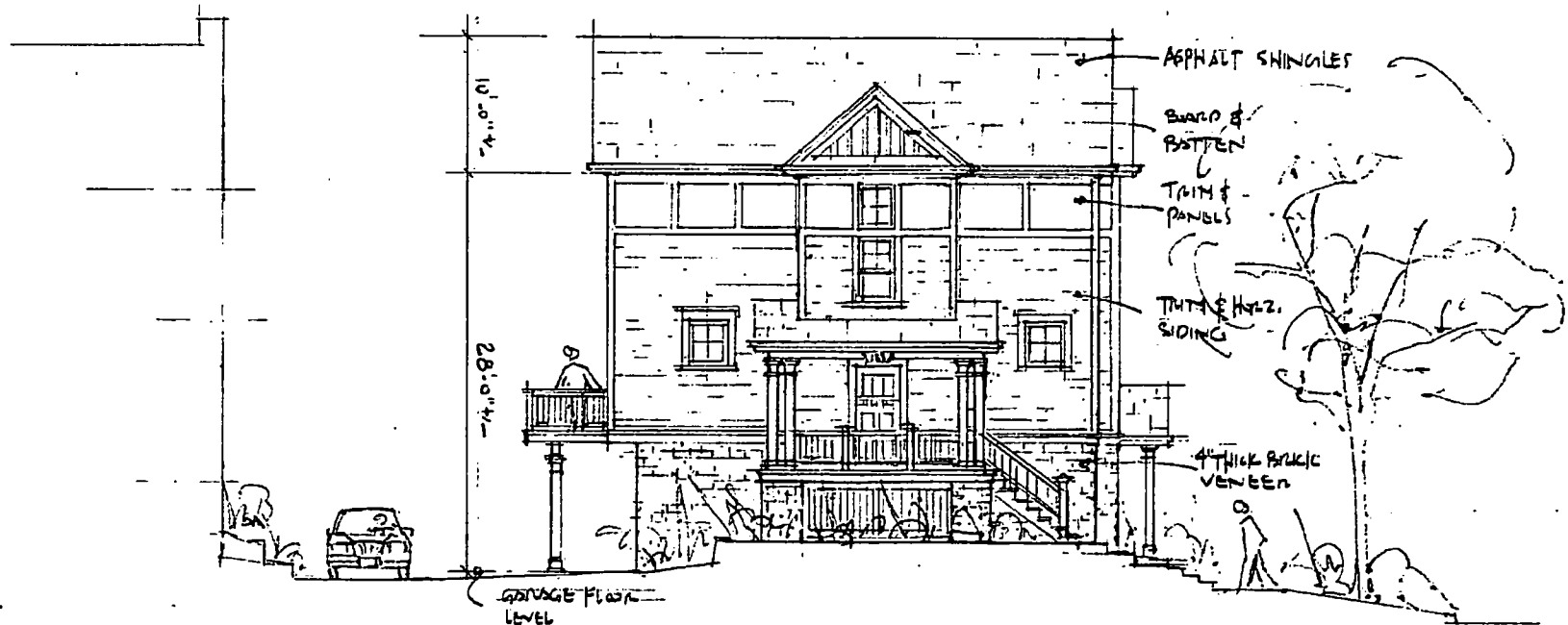
Fifth Avenue

Sixth Avenue

Ohio Avenue







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

SHEET  
 1  
 OF 2



PRELIMINARY STREET SIDE ELEVATION 1-4-15

1/8" = 1'-0"

MARSHALL ARCHITECTS

PROPOSED TOWN HOMES AT "HERITAGE GREEN"

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

SHEET  
2  
OF 2



PRELIMINARY REAR ELEVATION 12.28.14

1/8" = 1'-0"

MARSHALL ARCHITECTS

PROPOSED TOWN HOMES AT "HERITAGE GREEN"

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

SHEET

3

OF 3

State of Illinois )  
 )  
 ) ss.  
Counties of Kane and DuPage )

## Certificate

I, NANCY GARRISON, certify that I am the duly elected and acting Municipal City Clerk of the City of St. Charles, Kane and DuPage Counties, Illinois.

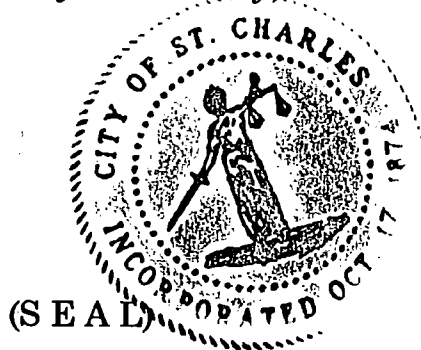
I further certify that on February 17, 2015, the Corporate Authorities of such municipality passed and approved Ordinance No. 2015-Z-3, entitled

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

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

The pamphlet form of Ordinance No. 2015-Z-3, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on February 23, 2015, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at St. Charles, Illinois, this 17th  
day of February, 2015.



*Nancy Garrison*  
Municipal Clerk