

AGENDA
CITY OF ST. CHARLES
PLANNING & DEVELOPMENT COMMITTEE
ALD. TODD BANCROFT – CHAIRMAN
MONDAY, APRIL 10, 2017 - 7:00 PM
CITY COUNCIL CHAMBERS
2 E. MAIN STREET

1. CALL TO ORDER

2. ROLL CALL

3. COMMUNITY & ECONOMIC DEVELOPMENT

- a. Plan Commission recommendation to approve a Map Amendment, Special Use for PUD, and PUD Preliminary Plan for Prairie Winds of St. Charles.
- b. Presentation regarding Beekeeping in Residential Districts in St. Charles.
- c. Plan Commission recommendation to approve an Amendment to Special Use for PUD for Meijer, 855 S. Randall Rd. (Meijer PUD).
- d. Plan Commission recommendation to approve a General Amendment to Title 17 of the St. Charles Municipal Code (Zoning Ordinance) pertaining to yard encroachments for pergolas and sports courts.

4. ADDITIONAL BUSINESS

5. EXECUTIVE SESSION

- Personnel – 5 ILCS 120/2(c)(1)
- Pending Litigation – 5 ILCS 120/2(c)(11)
- Probable or Imminent Litigation – 5 ILCS 120/2(c)(11)
- Property Acquisition – 5 ILCS 120/2(c)(5)
- Collective Bargaining – 5 ILCS 120/2(c)(2)
- Review of Executive Session Minutes – 5 ILCS 120/2(c)(21)

6. ADDITIONAL ITEMS FROM MAYOR, COUNCIL, STAFF OR CITIZENS.

7. ADJOURNMENT

ADA Compliance

Any individual with a disability requesting a reasonable accommodation in order to participate in a public meeting should contact the ADA Coordinator, Jennifer McMahon, at least 48 hours in advance of the scheduled meeting. The ADA Coordinator can be reached in person at 2 East Main Street, St. Charles, IL, via telephone at (630) 377 4446 or 800 526 0844 (TDD), or via e-mail at jmcmahon@stcharlesil.gov. Every effort will be made to allow for meeting participation. Notices of this meeting were posted consistent with the requirements of 5 ILCS 120/1 et seq. (Open Meetings Act).



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item number: 3a

Title:

Plan Commission recommendation to approve a Map Amendment, Special Use for PUD, and PUD Preliminary Plan for Prairie Winds of St. Charles

Presenter:

Russell Colby

Meeting: Planning & Development Committee

Date: April 10, 2017

Proposed Cost: N/A

Budgeted Amount: N/A

Not Budgeted:

Executive Summary *(if not budgeted please explain):*

The subject property is a 20.5 acre, undeveloped parcel located on the north side of Bricher Rd., directly west of Lowe's. The property is part of the Bricher Commons PUD. In January 2017, the Committee reviewed a Concept Plan for the site called Prairie Winds, a 250-unit multi-family residential development.

Prairie Winds, LLC, has submitted zoning applications seeking approval of a multi-family residential development similar to the Concept Plan. Details of the proposal are as follows:

- 250 residential units in 25 buildings (10 units per building).
 - 50 one-bedroom units, 150 two-bedroom units, 50 three-bedroom units
- 300 garage parking spaces (at least one per unit) and 249 surface parking spaces.
- Amenities including a clubhouse, pool, playground area, dog park, and outdoor grilling space.
- Primary and secondary access points from Bricher Rd., with a right turn lane into the primary entrance.
- Internal network of sidewalks and sidewalk connection along Bricher Rd.
- Two stormwater detention areas.

Land-Cash contributions

Details regarding compliance with the land-cash requirements have not yet been finalized:

- The Park District will review a proposal for a credit for private recreation facilities on 4/11/17.
- The applicant has submitted an objection to the per-acre land value set in the City Code. The City Attorney reviewed the information submitted and provided a letter to the applicant stating that the appraisal submitted is not sufficient to support the request for a reduction in the per-acre land value. This information is included in the packet materials.

Plan Commission Review

Plan Commission held a public hearing on 3/21/17. The Commission voted 8-0 to recommend approval of the Map Amendment to rezone the property from BR Regional Business to RM-3 General Residential.

The Commission voted 7-1 to recommend approval of the Special Use for PUD and PUD Preliminary Plan, subject to resolution of outstanding staff comments prior to City Council action, and with a suggestion that the developer consider connection to a future north/south roadway.

Annexation Agreement Amendment

Property within the Bricher Commons PUD is subject to the provisions of an annexation agreement between the City and property owner, expiring in 2019. The annexation agreement will need to be amended based upon the Prairie Winds project. A public hearing to consider the annexation agreement has been scheduled for the upcoming City Council meeting on April 17, pending a recommendation from the Planning & Development Committee.

Attachments *(please list):*

Plan Commission Resolutions; Staff Report; Letter from St. Charles Park District; Applications for Map Amendment, Special Use for PUD, and PUD Preliminary Plan; Plans; Traffic Study; Market Study; Objection to Land-Cash ordinance Per Acre Land Value

Recommendation/Suggested Action *(briefly explain):*

Plan Commission recommendation to approve a Map Amendment, Special Use for PUD, and PUD Preliminary Plan for Prairie Winds of St. Charles, subject to resolution of outstanding staff comments.

City of St. Charles, Illinois
Plan Commission Resolution No. 5-2017

A Resolution Recommending Approval of a Map Amendment for Prairie Winds of St. Charles (Prairie Winds, LLC)

Passed by Plan Commission on March 21, 2017

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

WHEREAS, the Plan Commission has held a public hearing and has reviewed the petition for Map Amendment for Prairie Winds of St. Charles (Prairie Winds, LLC); and,

WHEREAS, in accordance with Section 17.04.320.D, the Plan Commission has considered the following findings for Map Amendment:

FINDINGS OF FACT FOR MAP AMENDMENT

1. The existing uses and zoning of nearby property.

The property to the south of the site (located in Geneva) is strictly residential in nature and is comprised of single family homes and multi-family townhomes. The property to the west of the site houses the courthouses of the Sixteenth Judicial Circuit of Kane County, Illinois and is owned by Kane County and is zoned “F” Farming District. The adjacent property to the east is zoned “BR” Regional Business & PUD (Meijer PUD) and is commercial and retail in nature, including the Lowes and Meijer stores. The property to the north is zoned “BR” Regional Business & PUD (Bricher Commons PUD). The proposed RM-3 zoning and use of the site as general residential will serve as good transitional land use between the adjacent commercial and lower density residential areas.

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

The proposed RM-3 zoning classification will generate significant tax revenue for the City of St. Charles and Kane County generally including significant revenue to the school district, the park district, the utility districts, and all other taxing bodies. The subject property has remained underdeveloped for an extended period and the use of the land as multi-family residential will greatly increase the value of the Subject Property and increase the amount of tax revenue for the City.

The Applicant’s proposed upscale multi-family development further will enhance and significantly increase the property values in the neighboring areas, with the most notable positive impact being upon the adjacent and nearby retail, restaurant, grocery store and commercial uses, all of whom will benefit by the increased residential density. The Applicant’s proposed development will further increase property values and will increase

demand for the remaining property adjacent to the Subject Property to the north owned by BEL.

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 current zoning restrictions with the residential density as limited in the current Planned Unit Development Ordinances (including Ordinance 2006-Z-7) do not produce any perceptible public benefits. The property has remained vacant for a significant amount of time and in its current zoning classification does not promote the health, safety, morals or general welfare of the public. Applicant's proposed PUD increases residential density to more appropriate levels, while providing appropriate residential density in an area that is transitional to commercial and retail uses and is consistent with the long term 2013 Comprehensive Plan for the City of Saint Charles.

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 Subject Property is currently zoned BR-Regional Business District with a PUD overlay that is outdated and covers a portion of land not owned by Applicant. The current zoning restrictions that are currently in place incorporate zoning classifications that no longer exist. The property will require a map amendment to allow multifamily residential and new PUD in order to be developed. The 2006 Planned Unit Development (adopted by Ordinance 2006-Z-7) was specific to a development that was never built. Applicant's proposed PUD increases residential density to more appropriate levels, while providing appropriate residential density in an area that is transitional to commercial and retail uses and is consistent with the long term 2013 Comprehensive Plan of the City of Saint 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 Subject Property has remained vacant for a significant amount of time and remains subject to its original use. The Subject Property is part of the Bricher Commons PUD which was initially approved for commercial use, and later amended in 2006 to include residential in addition to the commercial use already permitted. The development as contemplated by the 2006 amendment never came to fruition and the property had remained underdeveloped, underutilized and underrepresented on the tax rolls of Kane County. The subject property is ripe for multi-family residential development as proposed by Applicant given its close proximity to the Randall Road retail corridor.

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

The proposed development will fulfill the City's goal of development of a vacant, underutilized parcel that cannot otherwise be readily redeveloped and which continues to be utilized as agricultural in an area in immediate proximity to the Randall Road retail and commercial corridor. The Subject Property has remained undeveloped for an extended period of time and the proposed use as multi-family residential is consistent with the long-term goals of the City in accordance with the 2013 Comprehensive Plan. The 2013 Comprehensive Plan calls for more apartments to be built and explains that apartments are an important part of a healthy housing stock. It further states that multifamily housing contributes to residential density which improves the viability of shopping areas in the community.

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

The proposed amendment to RM-3 zoning is consistent with the long-term goals of the City in accordance with the 2013 Comprehensive Plan. The Land Use Plan identifies the Subject Property as "Industrial/Business Park", however, it recommends that the City promote multi-family type housing, and it urges the City to consider proposals in areas other than those specifically designated for high density residential development. The Plan calls for residential development in vacant/underutilized areas and states that there are many suitable and available infill parcels that are situated between established residential districts and commercial districts. The Subject Property is such an area. The Plan recommends higher density residential on these parcels that are near commercial areas. This would provide additional density and serve as good transitional land use to commercial areas.

The City's Residential Areas Framework Plan acknowledges that while the Bricher Commons Parcel is designated as "Industrial/Business Park", the site may also be appropriate for residential use. Further, the Subarea Plan names the Bricher Commons Parcel a "Catalyst Site", designating it as a site that could have a catalytic impact on the surrounding area. This Plan recommends that the northern half of the site should develop with commercial use (due to its immediate access to Route 38) while the interior and southern portion should be used for multifamily or single family attached housing. Developing the Subject Property into luxury rental apartments meets the City's goal of providing much needed rental units and increasing residential density as a transitional land use in an area that is otherwise undeveloped and underutilized, all in accordance with the 2013 Comprehensive Plan.

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

The Subject Property is currently zoned BR-Regional Business District with a PUD overlay that is outdated and incorporates zoning classifications that no longer exist. A map amendment will correct this error and will allow multifamily residential and a new PUD that is consistent with the Comprehensive Plan.

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

None.

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

The proposed zoning classification is consistent with the trend of development in the area of the subject property. The Subject Property is surrounded by single family and townhome residential and commercial uses, all of which support the development of multi-family residential as an ideal transition between the uses and the nearby retail and commercial uses. Further, the Subject Property is an infill parcel and due to limited access to major roadways is not suitable for large commercial applications similar to those adjacent uses.

NOW, THEREFORE, be it resolved by the St. Charles Plan Commission to recommend to the City Council approval of a Map Amendment from BR Regional Business District to RM-3 General Residential District for Prairie Winds of St. Charles (Prairie Winds, LLC). .

Roll Call Vote:

Ayes: Holderfield, Schuetz, Vargulich, Funke, Frio, Purdy, Wallace, Kessler

Nays:

Absent: Pretz

Motion carried: 8-0

PASSED, this 21st day of March 2017.

Chairman
St. Charles Plan Commission

City of St. Charles, Illinois
Plan Commission Resolution No. 6-2017

A Resolution Recommending Approval of Special Use for Planned Unit Development and PUD Preliminary Plan for Prairie Winds of St. Charles (Prairie Winds, LLC)

Passed by Plan Commission on March 21, 2017

WHEREAS, it is the responsibility of the St. Charles Plan Commission to hold public hearings and review requests for Special Use for Planned Unit Development and PUD Preliminary Plan; and

WHEREAS, the Plan Commission held a public hearing and has reviewed the petitions for a Special Use for PUD and PUD Preliminary Plan for Prairie Winds of St. Charles (Prairie Winds, LLC) and;

WHEREAS, in accordance with Section 17.04.410.D.3, the Plan Commission finds the Special Use for PUD and PUD Preliminary Plan to be in the public interest based on the following criteria for Planned Unit Developments:

CRITERIA FOR PLANNED UNIT DEVELOPMENTS (PUDs)

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

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The proposed PUD will develop the Subject Property into *Prairie Winds of St. Charles*, a distinctive and attractive upscale rental community which will become an integral part of the City. It will take a vacant and underdeveloped property and transform it into usable space that will serve as an ideal transition between the neighboring residential neighborhoods and the surrounding commercial uses. *Prairie Winds of St. Charles* will offer its residents a commercial-grade, high-end fitness center and indoor and outdoor pools, as well as an 8,000-sq. ft. clubhouse, outdoor grilling space, and a fireside sitting area, all of which promote physical activity and social interaction between members of the community. *Prairie Winds of St. Charles* will also offer open space and parks, further encouraging active lifestyles for its residents. The development will allow the City to provide much needed rental housing stock for young professionals, families, single parents, and active seniors. The increased residential density in the propose location will increase foot traffic to surrounding businesses which will boost the local economy, and further, the development will help support the school district which is in need of additional population.

- 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 areas, pedestrian and transit facilities.**

Applicant proposes to develop the Subject Property into *Prairie Winds of St. Charles*, an upscale rental community. The facility will offer approximately 250 “big house” style apartment units comprised of approximately 50 one-bedroom units, 150 two-bedroom units and 50 three-bedroom units. All units will have an attached garage with a private, indoor stairway leading from the garage to the unit. Residents of *Prairie Winds of St. Charles* will enjoy such amenities as a commercial-level fitness center, indoor and outdoor pools, gas burning fireplaces, and state-of-the-art kitchens featuring granite countertops and stainless steel appliances. Residents will also have access to an 8,000-sq. ft. clubhouse, outdoor grilling space, and a fireside sitting area. Applicant’s propose development will provide community amenities beyond those required by ordinance including the commercial work-out facility for residents housed

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within an 8,000 square foot clubhouse as well as common areas, open space, walking paths, sidewalks, and other amenities.

2. The PUD will preserve open space, natural beauty and critical environmental areas in excess of what is required by ordinance or other regulation.

Applicant proposes to develop the Subject Property into *Prairie Winds of St. Charles*, an upscale rental community. The facility will offer approximately 250 “big house” style apartment units comprised of approximately 50 one-bedroom units, 150 two-bedroom units and 50 three-bedroom units. All units will have an attached garage with a private, indoor stairway leading from the garage to the unit. Residents of *Prairie Winds of St. Charles* will enjoy such amenities as a commercial-level fitness center, indoor and outdoor pools, gas burning fireplaces, and state-of-the-art kitchens featuring granite countertops and stainless steel appliances. Residents will also have access to an 8,000-sq. ft. clubhouse, outdoor grilling space, and a fireside sitting area. Applicant proposed site plan includes a storm water detention facility that incorporates two small lakes that provide aesthetic beauty to the site while preserving all existing wetlands and environmentally sensitive areas located on the Subject Property.

3. The PUD will provide superior landscaping, buffering or screening.

Applicant incorporates herein by reference its proposed Landscape Plan which plan exceeds the landscape requirements as imposed within the building code and zoning ordinances of the City of Saint Charles. Additionally, Applicant states that the Subject Property is bordered by the jail, and high intensity retail and commercial uses along the Randall Road retail corridor. Additionally, the nearby residential property to the South is sufficiently insulated by Bricher Road and Applicant’s proposed residential units are primarily set-back from Bricher Road and placed further to the North on the site plan.

4. The buildings within the PUD offer high quality architectural design.

Applicant incorporates herein by reference its proposed building elevations. Applicant’s multi-family units are unique and novel and do not exist in their current configuration anywhere within the municipal limits of the City of Saint Charles. Applicant is utilizing an award-winning architect and proven design that is aesthetically pleasing and innovative. The building configurations allow for multiple access points both through the garage and through the common entryways, which is an novel configuration providing significant utility for Chicago winters and serves as piece of mind with respect to safety.

5. The PUD provides for energy efficient building and site design.

Applicant incorporates herein by reference its proposed building elevations. Applicant’s proposed buildings will meet and exceed the energy efficiency requirements as set forth within the Building Code of the City of Saint Charles.

6. The PUD provides for the use of innovative stormwater management techniques.

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Applicant incorporates herein by reference its proposed Stormwater Management Plan. Applicant’s proposed detention and stormwater plan will meet and exceed the requirements as set forth within the Building Code of the City of Saint Charles and the Kane County Stormwater Ordinance as applicable.

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.

Applicant incorporates herein by reference its proposed building elevations and states that all of its proposed structures will fully comply with the Americans with Disabilities Act, including parking requirements.

8. The PUD provides affordable dwelling units in conformance with, or in excess of, City policies and ordinances.

Applicant incorporates herein by reference its Site Plan. Applicant will comply with all ordinances applicable to affordable dwelling units as required by the City of Saint Charles.

9. The PUD preserves historic buildings, sites or neighborhoods.

Not Applicable.

iii. The proposed PUD conforms with the standards applicable to Special Uses (section 17.04.330.C.2):

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

Applicant proposes to develop the Subject Property into *Prairie Winds of St. Charles*, an upscale rental community. The facility will offer approximately 250 “big house” style apartment units comprised of approximately 50 one-bedroom units, 150 two-bedroom units and 50 three-bedroom units. All units will have an attached garage with a private, indoor stairway leading from the garage to the unit. Residents of *Prairie Winds of St. Charles* will enjoy such amenities as a commercial-level fitness center, indoor and outdoor pools, and state-of-the-art kitchens featuring granite countertops and stainless steel appliances. Residential will also have access to an 8,000 sq. ft. clubhouse, outdoor grilling space, and a fireside sitting area.

Applicant intends to develop the Subject Property into sophisticated rental units to allow the residents of St. Charles the opportunity to enjoy an exceptional living experience in an upscale community environment. Applicant intends to provide St. Charles with luxury apartments which will allow residents to live in a high-end community without the long-term commitment of a mortgage and with access to

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premium amenities. Applicant will be meeting the growing need for rental housing for young professionals of St. Charles, as well as families, single parents, and active seniors who want the flexibility and freedom of living without maintenance and mortgage obligations. *Prairie Winds of St. Charles* will attract a discerning population of individuals looking for upscale living in St. Charles.

The proposed development will fulfil the City's goal of development of a vacant, underutilized parcel that cannot otherwise be readily redeveloped. The Subject Property has remained undeveloped for an extended period of time and the use as multi-family residential is consistent with the long-term goals of the City in accordance with the 2013 Comprehensive Plan. The Land Use Plan recommends that the City investigate new methods to improve the conditions of all residential neighborhoods, including incentives for developing vacant properties. It calls for more apartments to be built and explains that apartments are an important part of a healthy housing stock. It further states that multifamily housing contributes to residential density which improves the viability of shopping areas in the community. No multi-family residential has been developed in St. Charles since 1999.

The proposed location for the Special Use will encourage foot traffic to surrounding retail stores and will boost the population for School District 303 which has seen a declining number of students in recent years. The use of the Subject Property as multi-family residential at the proposed site will not require the addition of any schools and will not burden the current school district. Conversely, it will actually help support the school district which is currently in need of additional population to continue to serve the community in a manner of excellence.

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

Adequate utilities, access roads, drainage and/or necessary facilities have been or will be provided for the site. The Subject Property has 2 proposed access points from Bricher Road which will provide a safe and efficient means of ingress and egress to the development. Applicant incorporates the findings in the traffic study performed by V3 Engineering.

The Subject Property is served by the City's Westside Treatment Facility and sewer connections will be provided from the site northward to an existing sanitary sewer along Route 38. The water main will connect to the site from the east, will loop through the site and will be connected through future connection locations provided along the north and west property lines.

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- 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 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 other property in the immediate area is commercial in nature and will benefit from the additional population brought to the area by the proposed development. The other adjacent properties located in Geneva area also residential in nature and will not be negatively affected by the Applicant's proposed use. Further, the property values in the neighborhood will not be negatively affected by the intended use.

- 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 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 use as multi-family residential is consistent with the long term goals of the City of St. Charles which includes the development of higher density residential on parcels that are near commercial areas. The establishment of the Special Use will provide additional density and serve as good transitional land use to commercial areas and will not inhibit the development of surrounding property.

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

The establishment, maintenance or operation of the Special Use will not be detrimental to or endanger the public health, safety, comfort or general welfare. The Special Use will allow Applicant to develop the Subject Property into sophisticated rental units to allow the residents of St. Charles the opportunity to enjoy an exceptional living experience in an upscale community environment. The proposed development will fulfil the City's goal of development of vacant, underutilized parcel that cannot otherwise be readily redeveloped. The Subject Property has remained undeveloped for an extended period of time and the use as upscale multi-family rental units will be beneficial to the general welfare of the community.

- 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.**

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The proposed Special Use conforms to all existing Federal, State and local legislation and regulation and meets or exceeds all applicable provisions of Title 17, except as may be varied pursuant to a Special Use for Planned Unit Development.

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

The proposed PUD will be highly beneficial to the physical development, diversity, tax base and economic well-being of the City. Applicant's development of Subject Property into sophisticated rental units will attract a young professional population to the City by offering an exceptional living experience in an upscale community environment. It will further attract families, single parents, and active seniors who want the flexibility and freedom of living without maintenance and mortgage obligations. *Prairie Winds of St. Charles* will bring to the City a diverse, discerning population of individuals looking for upscale apartment living in St. Charles. The proposed RM-3 zoning classification will generate significant tax revenue for the City of St. Charles and Kane County generally including significant revenue to the school district, the park district, the utility districts, and all other taxing bodies. The subject property has remained underdeveloped for an extended period and the use of the land as multi-family development will greatly increase the value of the Subject Property and increase the amount of tax revenue for the City. In addition, the Applicant's proposed upscale multi-family development will enhance and significantly increase the property values in the neighboring areas, with the most notable positive impact being upon the adjacent and nearby retail, restaurant, grocery store and commercial uses, all of whom will benefit by the increased residential density. The Applicant's proposed development will further increase property values and will increase demand for the remaining property adjacent to the Subject Property to the north and owned by BEI.

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

The Subject Property has remained undeveloped for an extended period of time and the use as multi-family residential is consistent with the long-term goals of the City in accordance with the 2013 Comprehensive Plan. The Land Use Plan recommends that the City investigate new methods to improve the conditions of all residential neighborhoods, including incentives for developing vacant properties. It calls for more apartments to be built and explains that apartments are an important part of a healthy housing stock. It further states that multifamily housing contributes to residential density which improves the viability of shopping areas in the community.

The City of Saint Charles, Illinois is without a newly constructed multi-family residential development since 1999.

The Land Use Plan identifies the Subject Property as "Industrial/Business Park", however, it recommends that the City promote multi-family type housing, and it urges the

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City to consider proposals in areas other than those specifically designated for high density residential development. The Plan calls for residential development in vacant/underutilized areas and states that there are many suitable and available infill parcels that are situated between established residential districts and commercial districts. The Subject Property is such an area. The Plan recommends higher density residential on these parcels that are near commercial areas. This would provide additional density and serve as good transitional land use to commercial areas.

The City’s Residential Areas Framework Plan acknowledges that while the Bricher Commons Parcel is designated as “Industrial/Business Park”, the site may also be appropriate for residential use. Further, the Subarea Plan names the Bricher Commons Parcel a “Catalyst Site”, designating it as a site that could have a catalytic impact on the surrounding area. This Plan recommends that the northern half of the site should develop with commercial use (due to its immediate access to Route 38) while the interior and southern portion should be used for multifamily or single family attached housing. Developing the Subject Property into luxury rental apartments meets the City’s goal of providing much needed rental units and increasing residential density as a transitional land use in an area that is otherwise undeveloped and underutilized, all in accordance with the 2013 Comprehensive Plan.

NOW, THEREFORE, be it resolved by the St. Charles Plan Commission to recommend to City Council approval of a Special Use for PUD and PUD Preliminary Plan for Prairie Winds of St. Charles (Prairie Winds, LLC), subject to resolution of outstanding staff comments prior to City Council action and with a suggestion that the developer consider connection to a future north/south roadway.

Roll Call Vote:

Ayes: Holderfield, Schuetz, Vargulich, Funke, Frio, Purdy, Wallace

Nays: Kessler

Absent: Pretz

Motion carried: 7-1

PASSED, this 21st day of March 2017.

Chairman
St. Charles Plan Commission

Community & Economic Development
 Planning Division

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



ST. CHARLES
 SINCE 1834

STAFF MEMO

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

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

RE: Prairie Winds of St. Charles (Bricher Commons PUD)

DATE: April 7, 2017

I. APPLICATION INFORMATION:

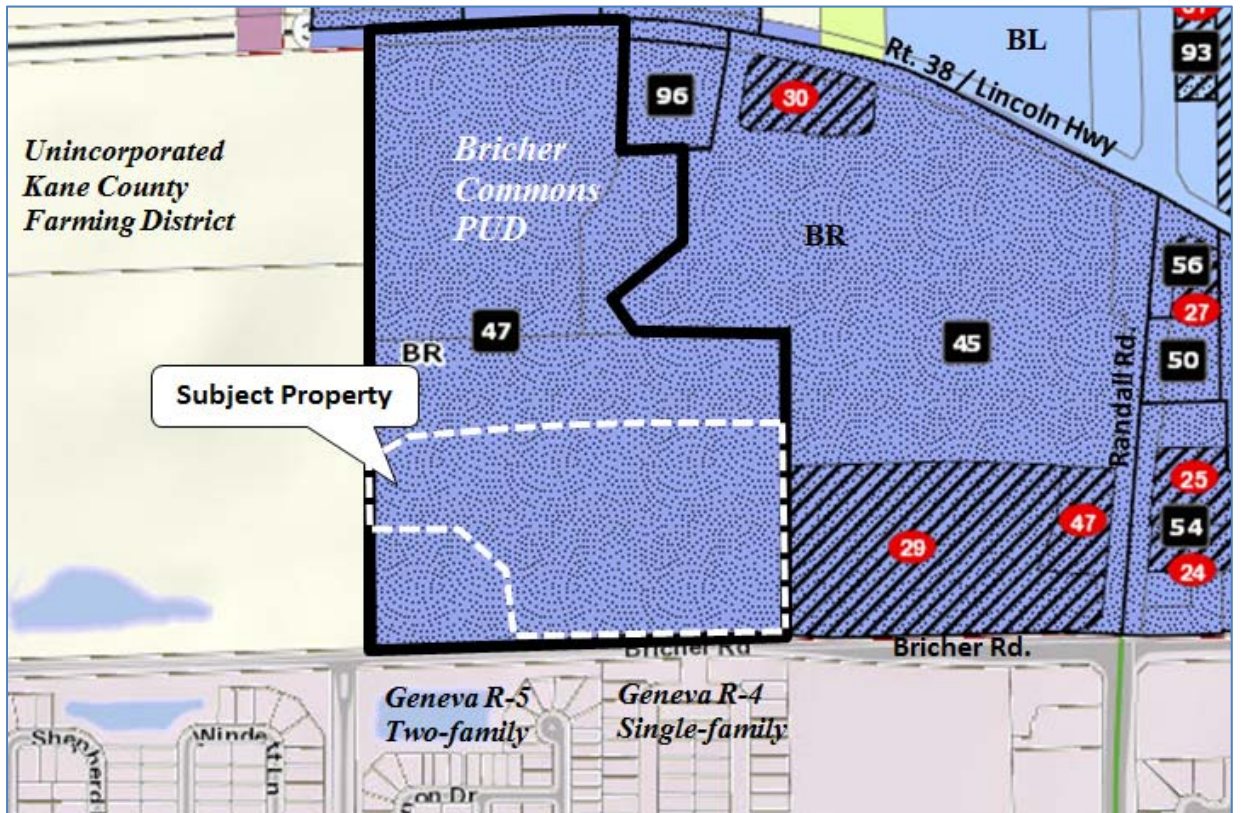
Project Name: Prairie Winds of St. Charles
Applicant: Prairie Winds, LLC
Purpose: To develop a multi-family residential complex

General Information:		
Site Information		
Location	North side of Bricher Rd., west of Lowe's	
Acres	20.49 acres / 892,534 sf	
Applications	Map Amendment Special Use for Planned Unit Development PUD Preliminary Plan	
Applicable Zoning Code Sections	17.04 Administration 17.06 Design Review Standards & Guidelines 17.12 Residential Districts 17.24 Off-Street Parking, Loading & Access 17.26 Landscaping & Screening Title 16 Subdivision and Land Improvement Ordinance 1999-Z-11 "An Ordinance Granting a Special Use as a Planned Unit Development (Bricher Commons PUD)"	
Existing Conditions		
Land Use	Agriculture	
Zoning	BR Regional Business & PUD (Bricher Commons PUD)	
Zoning Summary		
North	BR Regional Business & PUD (Bricher Commons PUD)	Agriculture
East	BR Regional Business & PUD (Meijer PUD)	Meijer, Lowe's
South	City of Geneva: R-4 High Density Single-Family R-5 Low Density Two- & Three-Family	Single-family homes, townhomes
West	Kane County: F Farming District	Agriculture
Comprehensive Plan Designation		
Industrial/Business Park with potential for residential uses		

Aerial



Zoning



II. BACKGROUND

A. HISTORY

The subject property is a 20.5 acre, undeveloped parcel located on the north side of Bricher Rd., directly west of Lowe's. The property is part of the Bricher Commons PUD. The PUD was initially approved for commercial development under Ordinance No. 1999-Z-11, "An Ordinance Granting a Special Use as a Planned Unit Development (Bricher Commons PUD)". The property was also annexed into the City at that time.

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

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

B. CONCEPT PLAN

In December 2016, Plan Commission reviewed a Concept Plan for the southern 20 acres of Bricher Commons called Prairie Winds, a 250-unit multi-family residential development. Commissioners expressed support for the multi-family residential land use and the proposed density. Commissioners also liked the building type and architecture. Suggestions were made regarding the site layout to allow for better flow within the site, including the addition of sidewalks. The Commission also stated a connection from Bricher Rd. to Rt. 38 as contemplated in the Comprehensive Plan needed to be provided, and that the development should connect to the existing private drive between Lowe's and Meijer.

Planning & Development Committee reviewed the Concept Plan in January 2017. They offered similar comments as the Plan Commission, expressing support for the land use, density, and architecture. Committee members felt the connection to the drive between Lowe's and Meijer should be pedestrian-only to prevent cut-through traffic. Some Committee members also expressed a preference to provide for future cross-access between the subject property and the undeveloped parcel to the north.

C. CURRENT PROPOSAL

Prairie Winds, LLC, has submitted zoning applications seeking approval of a multi-family residential development similar to the Concept Plan. Details of the proposal are as follows:

- 250 residential units in 25 buildings (10 units per building).
 - 50 one-bedroom units
 - 150 two-bedroom units
 - 50 three-bedroom units
- 300 garage parking spaces (at least one per unit) and 249 surface parking spaces.

- Amenities including a clubhouse, pool, playground area, dog park, and outdoor grilling space.
- Primary and secondary access points from Bricher Rd.
- Right-turn lane into the primary (eastern) entrance.
- Internal network of sidewalks and sidewalk connection along Bricher Rd.
- Two stormwater detention areas within the site.

The following zoning applications have been submitted in support of this project:

1. **Map Amendment** – To rezone the property from BR Regional Business to RM-3 General Residential.
2. **Special Use for PUD** – To remove the property from the Bricher Commons PUD and establish a new PUD with unique development standards for the property.
3. **PUD Preliminary Plan** – For approval of preliminary engineering, preliminary plat of subdivision, landscape plan, and architectural elevations.

III. COMPREHENSIVE PLAN

Land Use Plan:

The Comprehensive Plan Land Use Map identifies the Subject Property as “Industrial/Business Park.” The plan states:

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

However, the site is also called out in the Residential Areas Framework Plan as one of two sites labeled “D”, where residential uses may also be appropriate (p.45). The plan states:

Although designated as Industrial/Business Park within the Land Use Plan, these sites may also be appropriate for residential uses, provided densities and built form are similar to that of adjacent residential parcels.

Residential Land Use Policies:

The following Residential Land Use Policies on p.43-44 are relevant to the review of the Concept Plan:

Maintain a diverse and affordable mix of housing types to allow St. Charles to continue to attract and retain families and residents.

The City defines affordable housing as “housing in which mortgage, amortization, taxes, insurance, and condominium or association fees, if any, constitute no more than 30% of the gross annual household income for a household of the size that may occupy the unit.” Making affordable housing available also provides workforce housing – housing that is affordable to “critical service” employees that contribute to the quality of life in the City, as well as providing a range of housing options for first time home buyers, young families and to facilitate “aging in place”. Title 17.18 [Now Title 19] Inclusionary Housing of the City Code seeks to provide

Affordable Dwelling Units within new residential developments by requiring developers to provide a proportionate share of affordable housing, or fees in lieu thereof, to ensure that an adequate stock of affordable housing is, and remains, available in the City of St. Charles.

Locate new multi-family residential developments in appropriate locations within the City and consider the implications of concentrating units in one location or area of the City.

Throughout the outreach exercises associated with the Comprehensive Plan, residents expressed concerns over the concentration of apartments on the City's west side. Citing issues such as traffic, lack of pride in ownership, transient school children, and straining municipal infrastructure, residents are opposed to more "rentals" in the community. Apartments, however, are an important component of a healthy housing stock, expanding housing options for those wishing to live in St. Charles but cannot afford, or have chosen not to, own their home. Apartments are also only a subset of the dwelling types that comprise multi-family housing, which can be owner occupied (i.e. condominiums). In addition to assisting with the community's goals to provide affordable housing in the community, multi-family housing contributes to residential density which can improve the viability of shopping areas in the community. Recognizing that this Plan is dynamic and not "set in stone", the City should promote multi-family housing in areas identified in the Land Use and Residential Areas Plans, but consider proposals in other areas provided any significant impact on schools, traffic, and other infrastructure can be mitigated.

Consider the potential impact of new residential development on schools, municipal services and traffic.

As a mature community, the City's infrastructure is well established, particularly in the older areas of the community. Unlike emerging suburbs that are continuously growing, widening roads and building schools as necessary, the community infrastructure in St. Charles is well established and not as easily adaptable. Although road and intersections can be widened, and schools expanded, a less costly approach would be to work within the framework of the City's well established infrastructure, evaluating proposed development's impact on City systems and working with developers to mitigate and minimize strains on local systems.

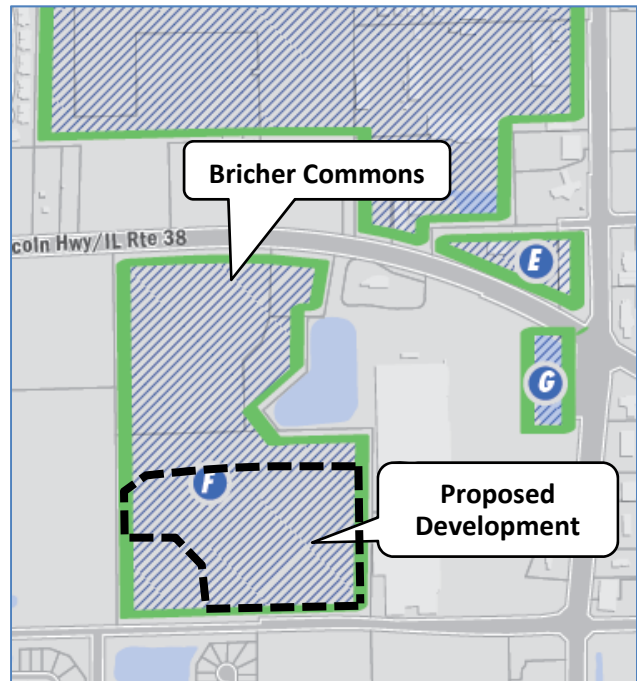
Continue to work with the St. Charles Park District to ensure the residential areas of the City are well served by neighborhood parks and recreation.

Parks are a contributing factor to the high quality of life in St. Charles. To ensure the community continues to be well served by parks and recreation, the City should continue to administer its parkland dedication as specified in Title 16.10 Dedications of the City Code. Although the existing parkland dedication requirements may satisfy the provision of open space for larger subdivisions, a provision in the Code allows for cash-in-lieu of a park dedication if the park size is not "practical." As the City matures, it is expected that most of the future growth will consist of smaller infill development with smaller dedication requirements, and accepting cash donations may leave these developments under served by "close to home" park space. The City should work with the Park District to better define "practical" and better align this policy to reflect the changing character of residential development within the City and consider accepting smaller park dedications to provide adequate open space for infill subdivisions.

West Gateway Subarea Plan:

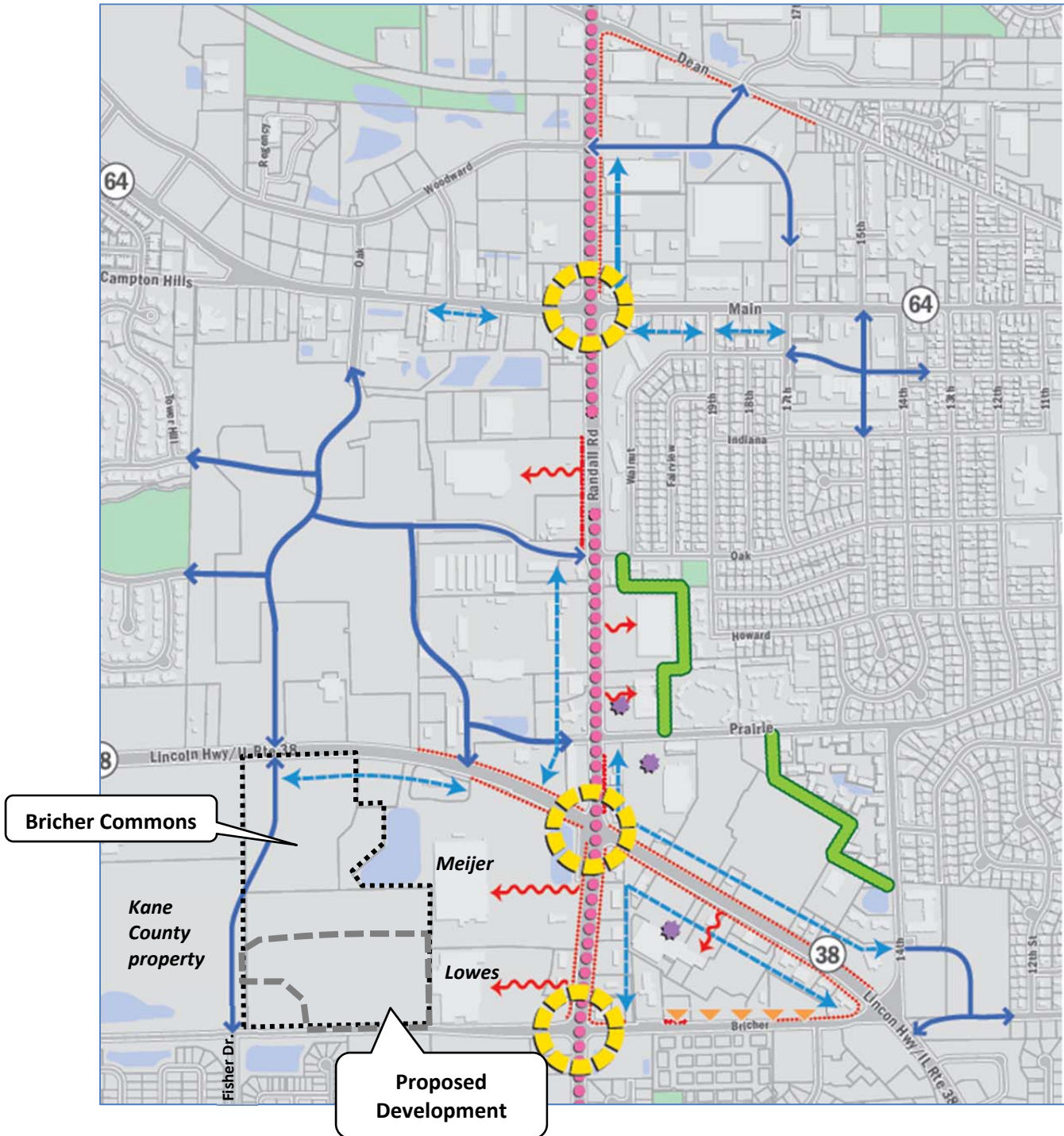
The entire Bricher Commons property is identified as a Catalyst Site in the West Gateway Subarea Plan (Site F). The plan recommends residential or office/commercial service uses at the interior and southern end of the property (p.97). The plan states:

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



The West Gateway Subarea Plan recommends a number of infrastructure improvements for the area, including a new north-south collector street from Bricher Rd. to Main St. Part of this collector would extend from Bricher Road to Rt. 38, through the Kane County-owned property directly west of the proposed development and the northern part of Bricher Commons (p.96; see map on next page). The plan states:

A complete street network is important for efficient movement of vehicles and pedestrians...Extending or establishing local streets where appropriate will break up the large super-block development pattern and improve circulation along the corridor and surrounding neighborhoods for both vehicles and pedestrians and will minimize traffic travelling along Randall Road.



Transportation Plan:

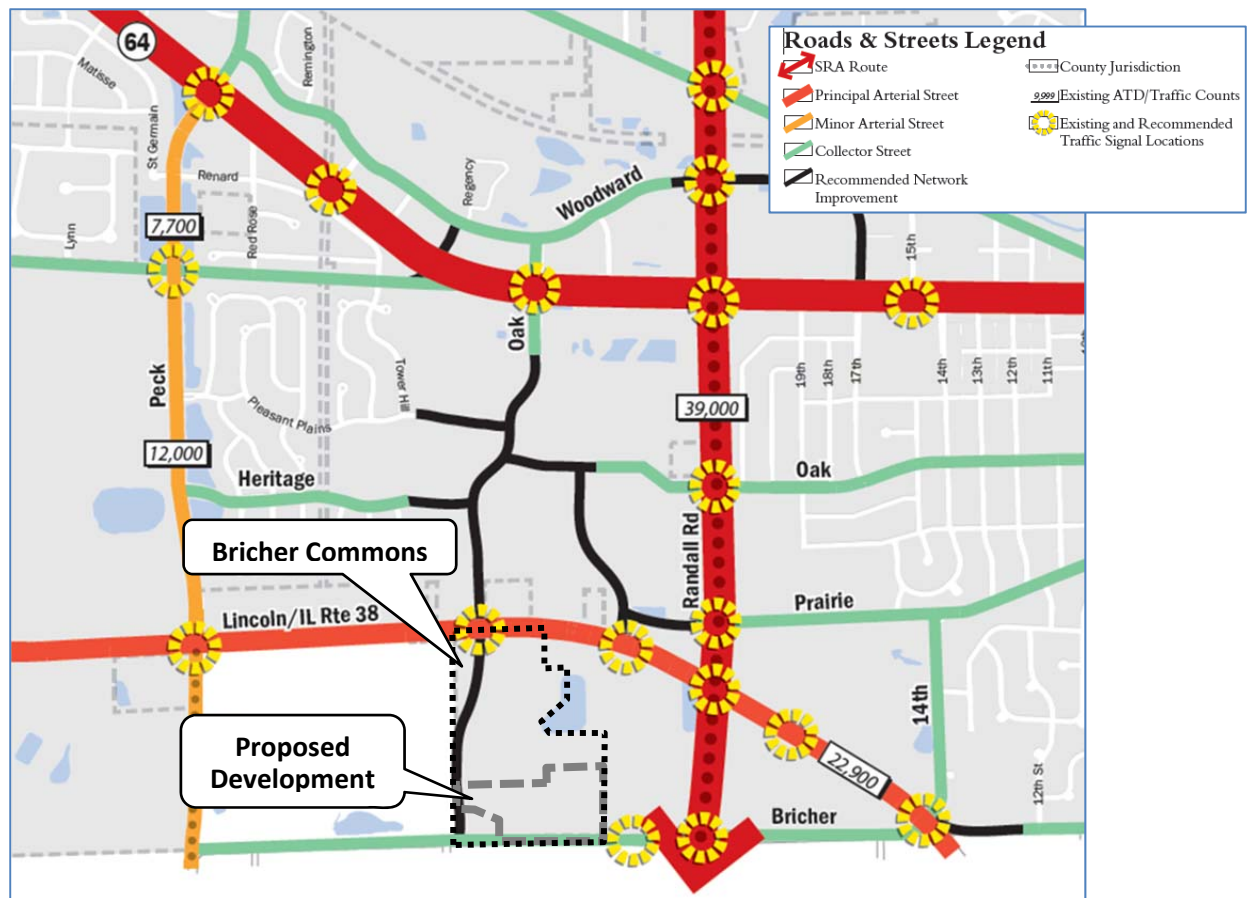
Street network and connectivity improvements, including the connection between Bricher Rd. and Main St., are described in more detail in the Transportation Plan (p.75; see map on next page). The plan states:

Network Improvements (p.73)

A complete street network is important for efficient movement of vehicles and pedestrians, and to minimize unnecessary vehicle trips by providing alternate travel routes. There are several

possible network connections and modifications that will help improve the safety and efficiency of vehicular circulation. They will provide travel flexibility within the City without encouraging residential neighborhood cut-through movements.

- Create a north-south collector south of Main Street between Randall Road and Peck Road that extends and realigns Oak Street to intersect Lincoln Highway and Bricher Road opposite Fisher Drive.



Network Connectivity (p.73)

Some of the newer subdivisions of St. Charles were developed with excessively long blocks and minimal connectivity, resulting in fewer alternative routes for pedestrian and vehicle travel and increased vehicle speeds. In some cases, it also encourages cut-through traffic on local and residential streets that weren't intended to handle the traffic. This is caused by the arterials becoming overly congested because of the limited route options. A grid pattern, like the older development pattern occurring near Downtown, features more street intersections and shorter blocks, which provide alternative routes for pedestrian and local vehicle travel and tends to slow traffic. The City should ensure new development provides a well connected roadway network with shorter block lengths and a balanced street hierarchy with well-spaced collectors. In addition, the City should plan for roadway connections and modifications that will improve the existing roadway network.

IV. STAFF ANALYSIS

A. ZONING

The applicant is requesting to rezone the property to the RM-3 General Residential District as the underlying zoning for the development. The zoning ordinance states the purpose of the RM-3 District as follows:

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

The table below compares the RM-3 District zoning requirements with the development plans. Deviations from the requirements of the RM-3 District to accommodate the development as proposed are denoted in ***bold italics***. The applicant has requested approval of these deviations through the PUD.

	RM-3 District	Proposed
Min. Lot Area	2,200 sf/dwelling unit	3,570 sf/dwelling unit
Density	20 units per acre	12.2 units per acre
Min. Lot Width	65 ft.	957 ft.
Max. Building Coverage	40%	30%
Max. Building Height	45 ft. or 4 stories, whichever is less	Shown on plans: 35’9” Requested: up to 42 ft. to allow for changes in grade
Min. Front Yard	30 ft.	41 ft. building <i>10.9 ft. parking</i>
Min. Interior Side Yard	25 ft. each side	30 ft. building <i>10.8 ft. parking</i>
Min. Rear Yard	30 ft.	58 ft. building <i>19.5 ft. parking</i>
Off-Street Parking	1-bedroom unit: 1.2 per unit (60 required) 2-bedroom unit: 1.7 per unit (255 required) 3-bedroom unit: 2 per unit (100 required) Total: 415 spaces required	549 spaces (300 garage stalls 152 garage tandem stalls 79 resident surface stalls 18 clubhouse stalls) (See Staff Comments)
Parking Stall Dimensions	9 ½ ft. x 18 ft.	<i>9 ft. x 18 ft.</i>

B. LANDSCAPING

A revised landscape plan has been submitted in response to staff review comments on the initial submittal. The plan does not label the number and specific types of plantings shown along the street frontage and along the internal streets. Around the building foundations, the number of

plantings are indicated, but not the specific types of plantings. Instead, a list of plant types that will be used within the development is provided. A note on the plan states the following:

“Applicant’s landscape plantings will be in full compliance with all applicable ordinances of the City of St. Charles. Applicant reserves the right to relocate and modify landscape plantings on applicant’s property based upon availability and market conditions and provided applicant supplies the appropriate number of plantings with respect to each required classification and provided the plan is in full compliance with applicable codes.”

Staff has reviewed the plans to determine whether the number of plantings and planting areas meet the requirements of Ch. 17.26 Landscaping and Screening. Detailed plans that identify the types of plantings to be used will be required at the time of building permit.

The table below compares the submitted plan to the requirements of Ch. 17.26 Landscaping and Screening. Deviations from the landscape standards required to accommodate the proposed plan are denoted in ***bold italics***. The applicant has requested approval of deviations for percentage of building foundation landscaping.

	Zoning Ordinance Standard	Proposed
Overall Landscape Area	20%	44%
Landscape Buffer	30 ft. (Bricher Rd.)	Meets requirement (See Staff Comments)
Public Street Frontage Landscaping	75% (Bricher Rd.)	86%
Street Frontage Trees	1 tree per 50 lineal ft. (19 trees required)	26 trees
Foundation Landscaping – Residential Buildings		
<i>Front wall</i>	75% of wall length; 8 ft. wide planting beds extending from wall	77%; 35% to required width of 8 ft.
	# of plantings = 2 trees & 20 shrubs/bushes/perennials every 50 ft. (5 trees & 52 plants required)	5 trees & 52 shrubs/bushes/perennials
<i>Remaining walls</i>	50% of wall length; 8 ft. wide planting beds extending from wall	100%; 40% to required width of 8 ft.
	# of plantings = 2 trees & 20 shrubs/bushes/perennials every 50 ft. (11 trees & 112 plants required)	11 trees & 112 shrubs/bushes/perennials
Foundation Landscaping – Clubhouse		
<i>Front wall</i>	75% of wall length; 8 ft. wide planting beds extending from wall	100%; 50% to required width of 8 ft.
	# of plantings = 2 trees & 20 shrubs/bushes/perennials every 50 ft. (3 trees & 26 plants required)	3 trees & 28 shrubs/bushes/perennials
<i>Remaining walls</i>	50% of wall length; 8 ft. wide planting beds extending from wall	68%; 21% to required width of 8 ft.
	# of plantings = 2 trees & 20 shrubs/bushes/perennials every 50 ft. (18 trees & 180 plants required)	13 trees & 126 shrubs/bushes/perennials

Development Sign	Landscaping extending 3 ft. around sign	Meets requirement
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Staff Comments:

- A 30 ft. landscape buffer yard is required along any lot line that abuts or is across a street from property in any RE, RS, or RT District. The subject property does not abut any of these zoning districts; however City of Geneva residential zoning is across Bricher Rd. from the property. Landscaping is provided within the 30 ft. setback area off of Bricher Rd., except along the eastern frontage where parking stalls are located within the 30 ft. setback. Staff believes the provided landscaping meets the purpose of a landscape buffer yard. Additional landscape screening has been provided along the eastern frontage parking stalls, as requested by staff.

C. BUILDING ELEVATIONS

Buildings in the RM-3 district are subject to the design requirements of Ch. 17.06 Design Review, Section 17.06.050 Standards and Guidelines – RM1, RM2, and RM3 Districts.

Elevation drawings for the residential buildings and a drawing of the front elevation of the clubhouse have been submitted. The table below compares the submitted building elevations with the Design Standards of Section 17.06.050.

Category	Zoning Ordinance Standard	Proposed Elevations
Front/Rear Wall Building Separation	30 ft. separation from the front or rear wall facing the front or rear wall of another building	Meets requirement
Side Wall Building Separation	20 ft. separation between side walls of buildings	Meets requirement
HVAC Equipment	Screen HVAC and similar equipment from public streets and adjoining property	Mechanical equipment screened with landscaping
Building Materials	A list of approved & prohibited materials is provided. *EIFS is prohibited less than 10 ft. above grade and may not cover more than 10% of any wall	Meets requirement

Staff Comments:

- A drawing of only the front elevation of the clubhouse has been submitted. If the developer does not anticipate having complete elevation drawings ready prior to City Council approval of the PUD Preliminary Plan, architectural standards for the building will need to be addressed in the PUD ordinance.

D. SITE DESIGN

Site Access

The development is laid out with two access points from Bricher Rd. The primary entrance lines up with the entrance to the residential subdivision to the south (City of Geneva). The secondary entrance is west of the detention area. All streets within the development are private.

The previous version of the plan showed a connection to the private drive between Lowe's and Meijer which stubs at the east property line of the subject property. This connection has been eliminated. Two access points are provided, which meets Fire Code access requirements; the third connection is not required.

Cross-Access/connections between Bricher Rd. & Rt. 38

As mentioned previously, both the 2013 Comprehensive Plan and the 2006 Bricher Commons PUD ordinance contemplate a roadway connection from Bricher Rd. to Rt. 38. The Comprehensive Plan shows this roadway just beyond the west boundary of the proposed development site and through the northern portion of Bricher Commons, while the 2006 PUD shows the roadway through the proposed development site.

The property immediately to the west is owned by Kane County (as a part of the Judicial Center property); therefore the road is not likely to be installed in connection with a private development of the adjacent property. The Judicial Center property is in Geneva's planning area and is not planned for annexation into St. Charles based on the City's boundary agreement with Geneva.

Feedback provided during the Concept Plan indicated interest in allowing for cross-access from the subject property to the property to the north. The plans do not indicate a location where a future cross-access could be. A cross-access easement could be included on the Plat of Subdivision, or it could be stated in the PUD ordinance that an easement will be required upon development of the north parcel.

The Plan Commission discussed the issue of allowing for cross-access in detail during the public hearing. As part of their recommendation, the Commission added a suggestion that the developer consider connection to a future north/south roadway when such a roadway is proposed. The developer agreed to entertain cross access once a future development is known, but would not commit to providing cross access at this time.

Pedestrian and Bike Circulation

Public sidewalk is provided along the Bricher Rd. frontage to the western entrance.

Sidewalks are provided on one side of the internal streets through the development and a nature trail runs around a portion of the southern detention basin.

E. ENGINEERING

Revised Preliminary Engineering plans have been submitted in response to review comments on the initial submittal that were provided to the applicant. The revised plans are currently under review. Any outstanding staff comments will need to be addressed prior to City Council action.

F. TRAFFIC STUDY

A Traffic Impact Study prepared by V3 Companies has been submitted by the applicant. The document has been revised in response to comments provided by the City's traffic consultant, WBK Engineering. The study does not recommend any additional improvements to Bricher Road. A right turn lane warrant analysis for traffic turning right into the development was conducted and found that warrants were not met. However, a right turn lane is proposed at the primary (eastern) site entrance.

Bricher Road is under the jurisdiction of the City of Geneva. Access locations on Bricher Rd. are subject to an Intergovernmental Agreement between the City of St. Charles and the City of Geneva. Per the agreement, two full access intersections are permitted along the north side of Bricher Road to access the property, subject to the review of a traffic impact study by both cities.

The City of Geneva received a copy of the initial Traffic Impact Study and provided comments regarding the study and the site plan. Geneva requested protected right turn lanes be installed at both site entrances along Bricher Rd. The revised Traffic Impact Study has been submitted to Geneva for their review. As previously mentioned, a right turn lane is proposed into the primary site entrance, although right turn lane warrants are not met. Geneva has not yet provided comments on the revised study.

G. PLAT OF SUBDIVISION

A revised Preliminary Plat of Subdivision has been submitted in response to review comments on the initial submittal that were provided to the applicant. The revised Plat is currently under review. Any outstanding staff comments will need to be addressed prior to City Council action.

A single lot is proposed. The applicant has requested a zoning deviation to allow more than one multi-family building on a lot, which is common for similar multi-family developments.

H. SCHOOL & PARK DISTRICT

The project is required to comply with the “Dedications” Chapter of the City’s Subdivision Code (Chapter 16.10), also known as the “Land/Cash ordinance”. This chapter requires either a land donation or an equivalent cash contribution to the School and Park districts based on population generation formulas in the City Code.

The applicant has submitted a Land-Cash Worksheet. Plans and the worksheets have been forwarded to the School and Park Districts for comment.

Discussions with the Park District

The applicant is engaged in ongoing discussions with St. Charles Park District regarding the park portion of the land-cash requirement. At this time, the Park District has not concluded their discussions with the applicant. The most recent letter from the Park District regarding the project, dated Jan. 31, 2017, is attached. The Park Board is scheduled to discuss the proposal on April 11th. The applicant has proposed the following:

Credit for Private Recreation Amenities to be provided on site, per Section 16.10.180 of the City Code:

“A. Private recreation areas and facilities may reduce the demand for local public recreational services. At the option of the City Council, a portion of the public park site requirement may be provided in the form of private recreation areas. The extent of same shall be determined by the City Council, based upon the needs of the projected residents, the extent to which the private recreation areas are available for use by the residents of the subdivision, and available park land in the general area.

B. In general, a substitution of private recreational areas for public park sites will require a substantially higher degree of improvement, such as the installation of recreational facilities and equipment by the Subdivider. Detailed plans of facilities to be installed shall be submitted with the preliminary plan and shall be subject to the review and approval of the City Council. Before any credit is given for private recreation areas,

the Subdivider shall provide such guarantee that the private recreation areas will be permanently maintained for such use by the execution of such legal documents and the provision of such sureties as City shall request.”

The applicant has provided plans for the private recreation facilities. The following facilities are proposed as a credit against the land donation requirement:

- Playground/recreational area: 17,500 sf
- Outdoor pool area: 9,000 sf
- Dog Park: 6,000 sf
- Clubhouse: 8,000 sf

Total Private Recreational amenities: 40,500 sf or 0.93 acres (of the total requirement of 5.28 acre requirement, per the worksheet)

If the Park District is agreeable to allowing a credit for the above recreational amenities, the remainder of the requirement would be a cash donation for the remaining 4.35 acres (at \$240,500 per acre = \$1,045,393 cash donation)

Potential off-site park site dedication: The applicant has suggested a potential dedication of an off-site land area for a park site, located adjacent to the southwest corner of the site. No specific site/location plan has been provided yet for review.

Per-Acre Land Value

On 3/17/17, the applicant filed a written objection to the per-acre value, in accordance with the procedure set out in Section 16.10.090:

“The cash contribution in lieu of land shall be based on the fair market value of improved land within the subdivision. The fair market value of improved land for subdivisions to be developed within the City is hereby determined to be two hundred forty thousand five hundred dollars (\$240,500.00) per acre, which shall be used in the calculation of the required cash contributions, except as follows:

- A. *The fair market value for subdivisions to be developed outside the corporate limits of the City of St. Charles but within the City’s 1 ½ mile jurisdictional area is hereby determined to be one hundred seventy-five thousand dollars (\$175,000).*
- B. *If the City Council determines that the specifics of the subdivision so warrant, it may require a formal appraisal; if the Subdivider files a written objection to the use of the per acre value established herein, he shall submit a formal appraisal. Such appraisal shall show the fair market value of improved land in the area of the subdivision.*
- C. *Final determination of the fair market value per acre of land shall be made by the City Council, based upon the appraisal or appraisals, and upon other information which may be submitted by the Park District, School District, or others. The Subdivider shall pay all appraisal fees.”*

The applicant has submitted an appraisal of the property. This appraisal provides a current fair market value of the development site of \$112,304 per acre. However, the City Code requires an appraisal of “*improved land in the area of the subdivision*” to be provided for consideration by the City Council.

The City Attorney reviewed the information submitted and provided a letter to the applicant stating that the appraisal submitted is not sufficient to support the request for a reduction in the per-acre land value.

I. INCLUSIONARY HOUSING

The City’s Inclusionary Housing Ordinance, Title 19 of the City Code, requires either the provision of affordable units within new residential projects, or payment of a fee-in-lieu for units.

The Inclusionary Housing worksheet has been submitted, indicating the applicant’s intent to pay the full fee in-lieu rather than providing affordable units. City Council has the authority to accept affordable units or a fee-in-lieu.

J. ANNEXATION AGREEMENT

Property within the Bricher Commons PUD is subject to the provisions of an annexation agreement between the City and property owner, expiring in 2019. The annexation agreement will need to be amended to incorporate the changes to the Bricher Commons PUD.

Staff has prepared a draft annexation agreement and PUD ordinance based upon the applications as submitted. A public hearing to consider the annexation agreement has been scheduled for the upcoming City Council meeting on April 17, pending a recommendation from the Planning & Development Committee.

VI. PLAN COMMISSION RECOMMENDATION

The Plan Commission conducted a public hearing on 3/21/17.

The Commission voted 8-0 to recommend approval of the Map Amendment to rezone the property from BR Regional Business to RM-3 General Residential.

The Commission voted 7-1 to recommend approval of the Special Use for PUD and PUD Preliminary Plan, subject to resolution of outstanding staff comments prior to City Council action, and with a suggestion that the developer consider connection to a future north/south roadway.

Staff recommends that any recommendation include a condition requiring resolution of all staff comments prior to City Council action.

VII. ATTACHMENTS

- Letter from St. Charles Park District, dated 1/31/17



ST. CHARLES PARK DISTRICT

101 South Second Street • St. Charles, IL 60174 • Ph: 630-584-1055 • Fax: 630-584-1396 • stcparks.org

January 31, 2017

Mr. Russell Colby
Planning Division Manager
City of St. Charles
Community Development Department
2 East Main Street
St. Charles, IL 60174

RE: Concept Plan for Prairie Winds

Dear Russell:

The St. Charles Park District has received and reviewed the concept plans for Prairie Winds. We have met with the development's representative, Mr. Jeff Ratzner, to discuss his concerns regarding the Land Cash Ordinance. Mr. Ratzner has said he would like to receive credit for the recreational amenities that he is providing for the residents of Prairie Winds. Specifically, he has requested the square footage allocated for a dog park, playground, walking trails, pool and indoor fitness area be subtracted from the 5.27 acres owed to the St. Charles Park District as calculated by the Land Cash Worksheet.

In accordance with ordinance 16.10.050, Dedication of Park Land, the Park District has requested that Mr. Ratzner supply detailed plans of the recreational areas identified on the exhibit that includes the amenities and specifications of the developer's intention. In other words, shop drawings of the playground so we could review the size and age group it accommodates, the features included in the dog park, length and width of walking trail, etc.

This approach to the Land Cash Ordinance is foreign to us; we are unaware of another example where land cash credit was given for *private* amenities or we were asked to consider an opportunity without detailed plans. We would expect a plan set from the developer in advance of any further discussion or formation of a position by the St. Charles Park District Board of Commissioners on this topic.

We look forward to continued discussions on incorporating public open space at Prairie Winds development.

Sincerely,

Laura Rudow, Superintendent of Parks and Planning
ST. CHARLES PARK DISTRICT

Cc: Holly Cabel, Director
Park District Board of Commissioners

RIDER TO APPLICATION FOR DEVELOPMENT APPROVALS

Applicant, Prairie Winds, LLC, a Delaware limited liability company ("**Applicant**"), for its Application for Development Approvals, states as follows:

Property Information:

Parcel Number: 09-32-400-028
Street Address: Bricher Road and Randall Road, St. Charles, Illinois

Applicant / Contract Purchaser Information:

Name: Prairie Winds, LLC, an Illinois limited liability company
Address: c/o Andrew E. Kolb, Esq., Vanek, Larson & Kolb, LLC
200 W. Main Street, St. Charles, IL 60174
Phone: Andrew E. Kolb: 630-513-9800
Fax: Andrew E. Kolb: 630-513-9802
Email: Andrew E. Kolb: akolb@vklawfirm.com

Co-Applicant / Owner of Record Information:

Name: Todd L. Dempsey, Trustee, Todd L. Dempsey Declaration of Trust dated May 15, 1992
Address: c/o Austin Dempsey, Batavia Enterprises, Inc., 140 First Street, Batavia, Illinois
Phone: c/o Austin Dempsey; 630-879-3680
Fax: c/o Austin Dempsey; (630) 879-3684
Email: c/o Austin Dempsey; austin@bataviaenterprises.com

I. General Background

- 1.1 The Property – The Subject Property is comprised of approximately 20.5 acres of vacant land immediately west of the intersection of Bricher Road and Randall Road in St. Charles, Illinois. The subject property is the southern portion of what is commonly referred to as the “Bricher Commons Parcel” legally described in **Exhibit A** attached hereto (the "**Subject Property**"). The Applicant has a contract right to purchase the Subject Property from a land trust affiliated with Batavia Enterprises, Inc. ("**BEI**").
- 1.2 Current Use – The current use of the Subject Property is for agricultural purposes and the land is currently being farmed by a tenant. The tenant on the Subject Property will be removed prior to Applicant closing on the purchase of the Subject Property from BEI.
- 1.3 Zoning Classification –The Subject Property is subject to the provisions of the Bricher Commons Annexation Agreement (the "**Annexation Agreement**"). The current underlying zoning classification of the Subject Property is within the BR Regional Business District (formerly B-3 Service Business District) with a Special Use as a Planned Unit Development in accordance with Ordinance No. 1999-Z-11 ("**Ordinance 1999-Z-11**", recorded on May 15, 2000 as Document No. 2000K037389, and including amendment 2006- Z-7)

- 1.4 In accordance with Ordinance 1999-Z-11 the Subject Property was zoned B-3 Service Business District with a special use as a Planned Unit Development. In 2006, a petition by DGT, LLC to amend Ordinance 1999-Z-11 to include residential and commercial uses on the property was granted (Ordinance 2006-Z-7). DGT, LLC did not develop the Subject Property and no longer owns, operates on nor has any interest in the Subject Property.
- 1.5 Summary of Development - Applicant proposes to develop the Subject Property into *Prairie Winds of St. Charles*, an upscale rental community. The facility will offer approximately 250 “big house” style apartment units comprised of approximately 50 one-bedroom units, 150 two-bedroom units and 50 three-bedroom units. All units will have an attached garage with a private, indoor stairway leading from the garage to the unit. Residents of *Prairie Winds of St. Charles* will enjoy such amenities as a commercial-grade high-end fitness center, indoor and outdoor pools, gas burning fireplaces, and state-of-the-art kitchens featuring granite or quartz countertops and stainless steel appliances. Residents will also have access to an 8,000-sq. ft. clubhouse, outdoor grilling space, and a fireside sitting area.

Applicant intends to develop the Subject Property into sophisticated rental units to allow the residents of St. Charles the opportunity to enjoy an exceptional living experience in an upscale community environment. Applicant intends to provide St. Charles with luxury apartments which will allow residents to live in a high-end community without the long-term commitment of a mortgage and with access to premium amenities. Applicant will be meeting the growing need for rental housing for young professionals of St. Charles, as well as families, single parents, and active seniors who want the flexibility and freedom of living without maintenance and mortgage obligations. *Prairie Winds of St. Charles* will attract a discerning population of individuals looking for upscale apartment living in St. Charles.

- 1.6. Development Goals to be Achieved -The proposed development will fulfill the City’s goal of development of a vacant, underutilized parcel that cannot otherwise be readily redeveloped. The Subject Property has remained undeveloped for an extended period of time and the use as multi-family residential is consistent with the long-term goals of the City in accordance with the 2013 Comprehensive Plan. The Land Use Plan recommends that the City investigate new methods to improve the conditions of all residential neighborhoods, including incentives for developing vacant properties. It calls for more apartments to be built and explains that apartments are an important part of a healthy housing stock. It further states that multifamily housing contributes to residential density which improves the viability of shopping areas in the community. The City of Saint Charles, Illinois is without a newly constructed multi-family residential development since 1999.

The Land Use Plan identifies the Subject Property as “Industrial/Business Park”, however, it recommends that the City promote multi-family type housing, and it urges the City to consider proposals in areas other than those specifically designated for high density residential development. The Plan calls for residential development in vacant/underutilized areas and states that there are many suitable and available infill parcels that are situated between established residential districts and commercial districts. The Subject Property is such an area. The Plan recommends higher density residential on these parcels that are near commercial areas. This would provide additional density and serve as good transitional land use to commercial areas.

The City's Residential Areas Framework Plan acknowledges that while the Bricher Commons Parcel is designated as "Industrial/Business Park", the site may also be appropriate for residential use. Further, the Subarea Plan names the Bricher Commons Parcel a "Catalyst Site", designating it as a site that could have a catalytic impact on the surrounding area. This Plan recommends that the northern half of the site should develop with commercial use (due to its immediate access to Route 38) while the interior and southern portion should be used for multifamily or single family attached housing. Developing the Subject Property into luxury rental apartments meets the City's goal of providing much needed rental units and increasing residential density as a transitional land use in an area that is otherwise undeveloped and underutilized, all in accordance with the 2013 Comprehensive Plan

II. Development Requests -Applicant requests the following development approvals:

- (a) **Map Amendment-** Applicant hereby requests the that the City of St. Charles (the "City") amend the Zoning Map of the City thereby rezoning that portion of the Subject Property that is currently zoned BR Regional Business to RM-3 General Residential District as set forth in Section 17.04.320 of the Zoning Ordinance of the City of St. Charles and in accordance with the Applicant's Site Plan located at Tab# 8 of Applicant's Concept Plan Submittal.
- (b) **Application for a Special Use as a Planned Unit Development.** Applicant requests a Special Use for a Planned Unit Development in accordance with Sections 17.04.400 - 17.04.430 of the Zoning Ordinance of the City of St. Charles, Illinois. Applicant proposes to eliminate the existing Planned Unit Development with respect to the Subject Property (previously established by Ordinance 1999-Z-11) and proposes to replace the prior PUD with a new Planned Unit Development with respect to the Subject Property.
- (c) **PUD Preliminary and Final Plan Application Approval** – Applicant requests PUD Preliminary Plan Application approval in accordance with Sections 17.04.400 - 17.04.430 of the Zoning Ordinance of the City of St. Charles, Illinois. Applicant proposes to eliminate the existing Planned Unit Development with respect to the Subject Property (previously established by Ordinance 1999-Z-11) and proposes to replace the prior PUD with a new Planned Unit Development with respect to the Subject Property.
- (d) **Preliminary and Final Plat of Subdivision Approval** – Applicant requests approval of its Preliminary Plat of Subdivision and Final Plat of Subdivision Approval in accordance with Sections 16.04.070 and 16.04.080 of the Municipal Code of the City of St. Charles. Applicant proposes a single-lot subdivision with the entire Subject Property consisting of a single lot.
- (e) **Amendment of Annexation Agreement** - Applicant requests an Amendment of the Annexation Agreement to incorporate the Applicant's requested Planned Unit Development approvals.
- (f) **Planned Unit Development Departures** – Section 17.04.400(B) of the Municipal Code of the City of St. Charles states that "Unless otherwise approved in accordance with this Chapter, Development of the PUD shall conform to the requirements applicable to the underlying zoning district or districts in which the PUD is located, and all Land Improvements shall be designed and constructed in accordance with the provisions of Title 16, Subdivisions and Land Improvement, of the St. Charles Municipal Code. PUD's, however, may allow for relief from the minimum requirements applicable to the underlying zoning district and subdivision ordinance in situations where the City Council finds that:

- a) Conforming to the requirements would inhibit creative design that serves community goals; and
- 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.

Applicant requests the following “**Departures**” from the requirement that Applicant’s PUD conform to the zoning and subdivision ordinances of the City of St. Charles. In addition to the departures listed below, Applicant requests all additional Departures or relief that may be subsequently identified as necessary for the proposed development and as may necessary to conform applicant’s submission materials (as outlined in Section III below) to all applicable codes and ordinances of the City of Saint Charles, including without limitation, zoning codes, building codes, and planned unit development ordinances):

REQUESTED PUD DEPARTURES:

- (1) **Parking within Front Yard Setback-** Applicant requests relief from Section 17.24.070(2)(a) of the Municipal Code of the City of St. Charles. Section 17.24.070(2)(a) of the Municipal Code of the City of Saint Charles prohibits off-street parking facilities within the front or exterior side yards. Applicant seeks to allow parking facilities within the front yard setback. Applicant proposes four (4) total parking spots. This section does not allow for off-street parking facilities to be located within the front or exterior side yard. Applicant seeks to allow the parking encroachments that occur within the front yard setbacks. [For purposes of clarification, Applicant’s calculations and deviations are based upon the assumption that Applicant’s “Font Yard” extends all the way to the west, including the setbacks north of the wetland area to the edge of the west side yard setback.]

Basis- Applicant has taken into consideration the comments and suggestions provided by the Plan Commission and the Planning and Development Committee with respect to the overall layout of the development and traffic flow through the site. Applicant has re-designed the site plan from its original layout to allow for more open green space and for a more linear placement of the buildings. The re-design also provides main drive aisles through the site and around the perimeter of the development to allow drivers to easily traverse the entire site without hitting a dead end. In order to accommodate this new site layout which improves drivers’ ability to traverse the site and increases continuous green space, Applicant must utilize a small portion of the front yard setback of the site for parking. There are 4 proposed parking stalls that encroach upon the front yard setback. These spots are important because (1) they allow for parking for guests for residents of the buildings that sit at the southeast portion of the site; and (2) they provide turn around space for drivers who inadvertently take a wrong turn toward those two buildings. Without these spaces that are encroaching within the front yard setback, those residents who live in the buildings on the southeast portion of the site will not be afforded parking spots for visitors, and drivers will be forced to use those residents’ driveways to turn around should they need to reverse their direction. Allowing the parking within the front yard setback is a critical component of Applicant’s revised site plan which improves traffic flow around the site. The imposition of the front yard setback will negatively impact the natural flow of traffic around the site and will eliminate visitor parking for some residents.

- (2) **Parking (West Side Yard Setback)** Applicant requests relief from Section 17.24.070(2)(a) of the Municipal Code of the City of St. Charles. Section 17.24.070(2)(a) of the Municipal Code of the City of Saint Charles prohibits off street parking facilities within the front or exterior side yards. Applicant proposes two (2) parking spots within the west side yard setback. Applicant seeks to allow the parking encroachments that occur within this side yard set-back.

Basis- Applicant has taken into consideration the comments and suggestions provided by the Plan Commission and the Planning and Development Committee with respect to the overall layout of the development and traffic flow through the site. Applicant has re-designed the site plan from its original layout to allow for more open green space and for a more linear placement of the buildings. The re-design also provides main drive aisles through the site and around the perimeter of the development to allow drivers to easily traverse the entire development without hitting a dead end. In order to accommodate this new site layout which improves drivers' ability to traverse the site and increases continuous green space, Applicant must utilize a small portion of the westernmost side yard setback of the site for parking. There are 2 proposed parking stalls which encroach upon the side yard setback. The parking spots are important because the stalls allow for parking for guests for residents of the buildings that sit at the westernmost portion of the site. Without these parking stalls that are encroaching within the side yard set-back, those residents who live in the buildings on the western portion of the site will not be afforded parking spots for visitors.

- (3) **Departure (Parking Dimensions)**- Applicant requests relief from Section 17.24.070-B of the Municipal Code of St. Charles. The section requires that off-street parking spaces be at least nine and one-half feet in width for multi-family dwellings. Applicant proposes that the off-street parking spaces be nine feet in width resulting in a one-half foot deficiency.

Basis- Applicant has taken into consideration the comments and suggestions provided by the Plan Commission and the Planning and Development Committee with respect to the overall layout of the development and traffic flow through the site. Applicant has re-designed the site plan from its original layout to allow for more open green space and for a more linear placement of the buildings. The re-design also provides main drive aisles through the site and around the perimeter of the development to allow drivers to easily traverse the entire development without hitting a dead end. In order to accommodate this new site layout which improves drivers' ability to traverse the site and increases continuous green space, Applicant proposes to reduce the dimension of each parking spot.

- (4) **Building Location Variation** – The Planned Unit Development Ordinance of the City of St. Charles provides for amendments to existing PUD approvals. Specifically, Section 17.04.430(C) provides that changes of two (2) feet or less in the locations of buildings, streets and parking lots shall be considered a “minor” change which shall not require amendment to the PUD and which can be approved administratively by City staff. Applicant Prairie Winds, LLC seeks the right to modify its proposed site plan and all related plans to adjust the location of each building on-site up to 16 feet from the location depicted in Applicant’s submission materials (outlined in Section III hereof) with accompanying modifications to the drive-aisles and other site improvements related to such shift, without the necessity of administrative approval and without the necessity of a formal major amendment to Applicant’s PUD.

Basis. Applicant seeks approval to make on-site adjustments to building location in accordance with unforeseen or unexpected conditions that commonly arise during the process of site development. Applicant points out that such a deviation will not, in any instance, result in an increase in the number of dwelling units or a change to the number or size of Applicant's proposed buildings.

- (5) **Departure (Number of Buildings on a Lot)** – Applicant requests relief from Section 17.22.010.A.1 of the Municipal Code of St. Charles to allow more than one principal building on a lot in a residential district.
- (6) **Departure (Retaining Walls)**- Applicant requests relief from Section 17.26.110.C of the Municipal Code of St. Charles. Section 17.26.110.C requires that a terrace or stepping back of the wall shall be required for retaining walls over four (4) feet in height to allow for a planting area and that the terrace shall be between one-third ($1/3$) and one-half ($1/2$) of the total retaining wall height, as measured from the base of the wall. Applicant requests that no terrace or stepping back be required for any retaining wall constructed around or adjacent to the wetland areas at the west, southwest, or northwest portion of the Site.

Basis- Applicant intends to construct a retaining wall around the wetland areas located on the site. Those portions of the site are subject to a 30' setback as well as a 25' wetland setback. The requirement that the wall be stepped back between one-third ($1/3$) and one-half ($1/2$) of the total retaining wall height would mean that a portion of the proposed retaining walls would sit within that 30' setback, or may encroach upon an adjacent property. Applicant proposes to construct the retaining walls without the terrace so as to not encroach upon either the 30' setback, the 25' wetland setback, or any adjacent property. Applicant will supply sufficient landscaping for all retaining walls constructed.

- (7) **Additional Departures** – Applicant requests all additional Departures as are necessary to comport Applicant's site plan, elevations, engineering drawings, plat of subdivision and submission materials (as referenced or incorporated herein) to all applicable codes and ordinances of the City of St. Charles, Illinois.

III. Submission Materials

Along with the filing of its Application, and in support thereof, the Applicant submits and incorporates herein the following required attachments and supplemental materials:

TAB	DESCRIPTION OF DEVELOPMENT SUBMITTAL
1	Rider to Application for Development Approvals
2	Map Amendment Application
3	Special Use Application – Planned Unit Development
4	PUD Preliminary Plan Application
5	PUD Final Plan Application
6	Final Plat of Subdivision Application
7	City of St. Charles Reimbursement of Fees Agreement / Deposit
8	Owner’s Consent and Disclosure
9	Legal Description
10	Criteria for PUD
11	Residential Zoning Compliance Table
12	Traffic Report
13	Kane-DuPage Soil and Water Conservation District Land Use Opinion
14	List of Property Owners within 250 Feet
15	Title Commitment
16	Endangered Species Consultation Report
17	Aerial Photographs
18	Park and School Land/Cash Worksheet
19	Inclusionary Housing Worksheet
20	ALTA/ACSM Land Title and Topographic Survey
21	Preliminary Plat of Subdivision
22	Site Plan – Preliminary Layout and Paving Plan
23	Preliminary Engineering Plans
24	Building Elevations
25	Preliminary Landscape Plans
26	Feasibility / Market Impact Study [<i>To Come</i>].
27	Photometric Plan
28	Preliminary Stormwater Report
29	Drawing Requirements Checklist
30	Kane County Road Impact Fee Application
31	Finding of Facts- Map Amendment
32	Electronic Files

IV. Criteria

MAP AMENDMENT STANDARDS

Map Amendment – Section 17.04.320.D of the St. Charles Zoning Ordinance sets forth the criteria to be used by the Plan Commission in making a recommendation to grant or deny an application for a Zoning Map Amendment. Section 17.04.320.D states that the Plan Commission shall consider:

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).

Response: The property to the south of the site (located in Geneva) is strictly residential in nature and is comprised of single family homes and multi-family townhomes. The property to the west of the site houses the courthouses of the Sixteenth Judicial Circuit of Kane County, Illinois and is owned by Kane County and is zoned “F” Farming District. The adjacent property to the east is zoned “BR” Regional Business & PUD (Meijer PUD) and is commercial and retail in nature, including the Lowes® and Meijer® stores. The property to the north is zoned “BR” Regional Business & PUD (Bricher Commons PUD). The proposed RM-3 zoning and use of the site as general residential will serve as good transitional land use between the adjacent commercial and lower density residential areas.

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.)

Response: The proposed RM-3 zoning classification will generate significant tax revenue for the City of St. Charles and Kane County generally including significant revenue to the school district, the park district, the utility districts, and all other taxing bodies. The subject property has remained underdeveloped for an extended period and the use of the land as multi-family residential will greatly increase the value of the Subject Property and increase the amount of tax revenue for the City.

The Applicant’s proposed upscale multi-family development further will enhance and significantly increase the property values in neighboring areas, with the most notable positive impact being upon the adjacent and nearby retail, restaurant, grocery store and commercial uses, all of whom will benefit by the increased residential density. The Applicant’s proposed development will further increase property values and will increase demand for the remaining property adjacent to the Subject Property to the north and owned by BEI.

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?)

Response: The current zoning restrictions with the residential density as limited in the current Planned Unit Development Ordinances (including Ordinance 2006-Z-7) do not

produce any perceptible public benefits. The property has remained vacant for a significant amount of time and in its current zoning classification does not promote the health, safety, morals or general welfare of the public. Applicant's proposed PUD increases residential density to more appropriate levels, while providing appropriate residential density in an area that is transitional to commercial and retail uses and is consistent with the long term 2013 Comprehensive Plan of the City of Saint Charles.

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.)

Response: The Subject Property is currently zoned BR-Regional Business District with a PUD overlay that is outdated and covers a portion of land not owned by Applicant. The current zoning restrictions that are currently in place incorporate zoning classifications that no longer exist. The property will require a map amendment to allow multifamily residential and a new PUD in order to be developed. The 2006 Planned Unit Development (adopted by Ordinance 2006-Z-7) was specific to a development that was never built. Applicant's proposed PUD increases residential density to more appropriate levels, while providing appropriate residential density in an area that is transitional to commercial and retail uses and is consistent with the long term 2013 Comprehensive Plan of the City of Saint 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. (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.)

Response: The Subject Property has remained vacant for a significant amount of time and remains subject to its original agricultural use. The Subject Property is part of the Bricher Commons PUD which was initially approved for commercial use, and later amended in 2006 to include residential in addition to the commercial use already permitted. The development as contemplated by the 2006 amendment never came to fruition and the property had remained underdeveloped, underutilized and underrepresented on the tax rolls of Kane County. The subject property is ripe for multi-family residential development as proposed by Applicant given its close proximity to the Randall Road retail corridor.

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.)

Response: The proposed development will fulfill the City's goal of development of a vacant, underutilized parcel that cannot otherwise be readily redeveloped and which continues to be utilized as agricultural in an area in immediate proximity to the Randall Road retail and commercial corridor. The Subject Property has remained undeveloped for an extended period of time and the proposed use as multi-family residential is consistent with the long-term goals of the City in accordance with the 2013 Comprehensive Plan. The 2013 Comprehensive Plan calls for more

apartments to be built and explains that apartments are an important part of a healthy housing stock. It further states that multifamily housing contributes to residential density which improves the viability of shopping areas in the community.

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

Response: The proposed amendment to RM-3 zoning is consistent with the long-term goals of the City in accordance with the 2013 Comprehensive Plan. The Land Use Plan identifies the Subject Property as “Industrial/Business Park”, however, it recommends that the City promote multi-family type housing, and it urges the City to consider proposals in areas other than those specifically designated for high density residential development. The Plan calls for residential development in vacant/underutilized areas and states that there are many suitable and available infill parcels that are situated between established residential districts and commercial districts. The Subject Property is such an area. The Plan recommends higher density residential on these parcels that are near commercial areas. This would provide additional density and serve as good transitional land use to commercial areas.

The City’s Residential Areas Framework Plan acknowledges that while the Bricher Commons Parcel is designated as “Industrial/Business Park”, the site may also be appropriate for residential use. Further, the Subarea Plan names the Bricher Commons Parcel a “Catalyst Site”, designating it as a site that could have a catalytic impact on the surrounding area. This Plan recommends that the northern half of the site should develop with commercial use (due to its immediate access to Route 38) while the interior and southern portion should be used for multifamily or single family attached housing. Developing the Subject Property into luxury rental apartments meets the City’s goal of providing much needed rental units and increasing residential density as a transitional land use in an area that is otherwise undeveloped and underutilized, all in accordance with the 2013 Comprehensive Plan.

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

Response: The Subject Property is currently zoned BR-Regional Business District with a PUD overlay that is outdated and incorporates zoning classifications that no longer exist. A map amendment will correct this error and will allow multifamily residential and a new PUD that is consistent with the Comprehensive Plan.

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.)

Response: None.

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.)

Response: The proposed zoning classification is consistent with the trend of development in the area of the subject property. The Subject Property is surrounded by single family and townhome

residential and commercial uses, all of which support the development of multi-family residential as an ideal transition between the uses and the nearby retail and commercial uses. Further, the Subject Property is an infill parcel and sue to limited access to major roadways is not suitable for large commercial applications similar to those adjacent uses.

SPECIAL USE STANDARDS

Special Uses - Section 17.04.330C of the St. Charles Zoning Ordinance sets forth the procedures and criteria for granting a Special Use hereby addressed by the Applicant. Section 17.04.330 states that:

On the basis of the evidence presented at the public hearing, the Plan Commission shall record its reasons for recommending approval or denial of the petition (findings of fact) in accordance with the following standards:

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

Response: Applicant proposes to develop the Subject Property into *Prairie Winds of St. Charles*, an upscale rental community. The facility will offer approximately 250 “big house” style apartment units comprised of approximately 50 one-bedroom units, 150 two-bedroom units and 50 three-bedroom units. All units will have an attached garage with a private, indoor stairway leading from the garage to the unit. Residents of *Prairie Winds of St. Charles* will enjoy such amenities as a commercial-level fitness center, indoor and outdoor pools, and state-of-the-art kitchens featuring granite countertops and stainless steel appliances. Residents will also have access to an 8,000-sq. ft. clubhouse, outdoor grilling space, and a fireside sitting area.

Applicant intends to develop the Subject Property into sophisticated rental units to allow the residents of St. Charles the opportunity to enjoy an exceptional living experience in an upscale community environment. Applicant intends to provide St. Charles with luxury apartments which will allow residents to live in a high-end community without the long-term commitment of a mortgage and with access to premium amenities. Applicant will be meeting the growing need for rental housing for young professionals of St. Charles, as well as families, single parents, and active seniors who want the flexibility and freedom of living without maintenance and mortgage obligations. *Prairie Winds of St. Charles* will attract a discerning population of individuals looking for upscale living in St. Charles.

The proposed development will fulfill the City’s goal of development of a vacant, underutilized parcel that cannot otherwise be readily redeveloped. The Subject Property has remained undeveloped for an extended period of time and the use as multi-family residential is consistent with the long-term goals of the City in accordance with the 2013 Comprehensive Plan. The Land Use Plan recommends that the City investigate new methods to improve the conditions of all residential neighborhoods, including incentives for developing vacant properties. It calls for more apartments to be built and explains that apartments are an important part of a healthy housing stock. It further states that multifamily housing contributes to residential density which improves the viability of shopping areas in the community. No multi-family residential has been developed in St. Charles since 1999.

The proposed location for the Special Use will encourage foot traffic to surrounding retail stores and will boost the population for School District 303 which has seen a declining number of students

in recent years. The use of the Subject Property as multi-family residential at the proposed site will not require the addition of any schools and will not burden the current school district. Conversely, it will actually help support the school district which is currently in need of additional population to continue to serve the community in a manner of excellence.

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

Response: Adequate utilities, access roads, drainage and/or necessary facilities have been or will be provided for the site. The Subject Property has 2 proposed access points from Bricher Road which will provide a safe and efficient means of ingress and egress to the development. Applicant incorporates the findings in the traffic study performed by V3 Engineering

The Subject Property is served by the City's Westside Treatment Facility and sewer connections will be provided from the site northward to an existing sanitary sewer along route 38. The watermain will connect to the site from the east, will loop through the site and will be connected through future connection locations provided along the north and west property lines.

- 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.*

Response: 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 other property in the immediate area is commercial in nature and will benefit from the additional population brought to the area by the proposed development. The other adjacent properties located in Geneva are also residential in nature and will not be negatively affected by the Applicant's proposed use. Further, the property values in the neighborhood will not be negatively affected by the intended use.

- 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.*

Response: 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 use as multi-family residential is consistent with the long term goals of the City of St. Charles which includes the development of higher density residential on parcels that are near commercial areas. The establishment of the Special Use will provide additional density and serve as good transitional land use to commercial areas and will not inhibit the development of surrounding property.

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.*

Response: The establishment, maintenance or operation of the Special Use will not be detrimental to or endanger the public health, safety, comfort or general welfare. The Special Use will allow Applicant to develop the Subject Property into sophisticated rental units to allow the residents of St. Charles the opportunity to enjoy an exceptional living experience in an upscale community environment. The proposed development will fulfill the City's goal of development of a vacant, underutilized parcel that cannot otherwise be readily redeveloped. The Subject Property has remained undeveloped for an extended period of time and the use as upscale multi-family rental units will be beneficial to the general welfare of the community.

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.*

Response: 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.

PLANNED UNIT DEVELOPMENT STANDARDS

Planned Unit Developments

In accordance with the St. Charles Zoning Ordinance, Section 17.04.410.3, Applicant submits the following responses to 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.

Response: The Proposed PUD will develop the Subject Property into *Prairie Winds of St. Charles*, a distinctive and attractive upscale rental community which will become an integral part

of the City. It will take a vacant and underdeveloped property and transform it into usable space that will serve as an ideal transition between the neighboring residential neighborhoods and the surrounding commercial uses. *Prairie Winds of St. Charles* will offer its residents a commercial-grade, high-end fitness center and indoor and outdoor pools, as well as an 8,000-sq. ft. clubhouse, outdoor grilling space, and a fireside sitting area, all of which promote physical activity and social interaction between members of the community. *Prairie Winds of St. Charles* will also offer open space and parks, further encouraging active lifestyles for its residents. The development will allow the City to provide much needed rental housing stock for young professionals, families, single parents, and active seniors. The increased residential density in the proposed location will increase foot traffic to surrounding businesses which will boost the local economy, and further, the development will help support the school district which is in need of additional population.

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.

Response: Applicant proposes to develop the Subject Property into *Prairie Winds of St. Charles*, an upscale rental community. The facility will offer approximately 250 “big house” style apartment units comprised of approximately 50 one-bedroom units, 150 two-bedroom units and 50 three-bedroom units. All units will have an attached garage with a private, indoor stairway leading from the garage to the unit. Residents of *Prairie Winds of St. Charles* will enjoy such amenities as a commercial-level fitness center, indoor and outdoor pools, gas burning fireplaces, and state-of-the-art kitchens featuring granite countertops and stainless steel appliances. Residents will also have access to an 8,000-sq. ft. clubhouse, outdoor grilling space, and a fireside sitting area.

Applicant’s proposed development will provide community amenities beyond those required by ordinance including the commercial work-out facility for residents housed within an 8,000 square foot clubhouse as well as common areas, open space, walking paths, sidewalks, and other amenities.

2. The PUD will preserve open space, natural beauty and critical environmental areas in excess of what is required by ordinance or other regulation.

Response: Applicant proposes to develop the Subject Property into *Prairie Winds of St. Charles*, an upscale rental community. The facility will offer approximately 250 “big house” style apartment units comprised of approximately 50 one-bedroom units, 150 two-bedroom units and

50 three-bedroom units. All units will have an attached garage with a private, indoor stairway leading from the garage to the unit. Residents of *Prairie Winds of St. Charles* will enjoy such amenities as a commercial-level fitness center, indoor and outdoor pools, gas burning fireplaces, and state-of-the-art kitchens featuring granite countertops and stainless steel appliances. Residents will also have access to an 8,000-sq. ft. clubhouse, outdoor grilling space, and a fireside sitting area.

Applicant proposed site plan includes a storm water detention facility that incorporates two small lakes that provide aesthetic beauty to the site while preserving all existing wetlands and environmentally sensitive areas located on the Subject Property.

3. The PUD will provide superior landscaping, buffering or screening.

Response: Applicant incorporates herein by reference its proposed Landscape Plan which plan exceeds the landscape requirements as imposed within the building code and zoning ordinances of the City of Saint Charles. Additionally, Applicant states that the Subject Property is bordered by the jail, and high intensity retail and commercial uses along the Randall Road retail corridor. Additionally, the nearby residential property to the South is sufficiently insulated by Bricher Road and Applicant's proposed residential units are primarily set-back from Bricher Road and placed further to the North on the site plan.

4. The buildings within the PUD offer high quality architectural design.

Response: Applicant incorporates herein by reference its proposed building elevations. Applicant's multi-family units are unique and novel and do not exist in their current configuration anywhere within the municipal limits of the City of Saint Charles. Applicant is utilizing an award-winning architect and proven design that is aesthetically pleasing and innovative. The building configurations allow for multiple access points both through the garage and through common entryways, which is a novel configuration providing significant utility for Chicago winters and serves as piece of mind with respect to safety.

5. The PUD provides for energy efficient building and site design.

Response: Applicant incorporates herein by reference is proposed building elevations. Applicant's proposed buildings will meet and exceed the energy efficiency requirements as set forth within the Building Code of the City of Saint Charles.

6. The PUD provides for the use of innovative stormwater management techniques.

Response: Applicant incorporates herein by reference is proposed Stormwater Management Plan. Applicant's proposed detention and stomwater plan will meet and exceed the requirements as set forth within the Building Code of the City of Saint Charles and the Kane County Stormwater Ordinance as applicable.

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.

Response: Applicant incorporates herein by reference is proposed building elevations and states that all of its proposed structures will fully comply with the Americans with Disabilities Act, including parking requirements.

8. The PUD provides affordable dwelling units in conformance with, or in excess of, City policies and ordinances.

Response: Applicant incorporates herein by reference its Site Plan. Applicant will comply with all ordinances applicable to affordable dwelling units as required by the City of Saint Charles.

9. The PUD preserves historic buildings, sites or neighborhoods.

Response. Not applicable.

(Ord. 2008-Z-32 § 17.)

iii. The proposed PUD conforms with the standards applicable to Special Uses (section 17.04.330.C.2):

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

Response: See Applicant's arguments for Criteria for Special Use as set forth within Applicant's Rider to Development Application at Section IV.

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

Response: See Applicant's arguments for Criteria for Special Use as set forth within Applicant's Rider to Development Application at Section IV.

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.

Response: See Applicant's arguments for Criteria for Special Use as set forth within Applicant's Rider to Development Application at Section IV.

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.

Response: See Applicant's arguments for Criteria for Special Use as set forth within Applicant's Rider to Development Application at Section IV.

- 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.

Response: See Applicant's arguments for Criteria for Special Use as set forth within Applicant's Rider to Development Application at Section IV.

- 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.

Response: See Applicant's arguments for Criteria for Special Use as set forth within Applicant's Rider to Development Application at Section IV.

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

Response: The proposed PUD will be highly beneficial to the physical development, diversity, tax base and economic well-being of the City. Applicant's development of Subject Property into sophisticated rental units will attract a young professional population to the City by offering an exceptional living experience in an upscale community environment. It will further attract families, single parents, and active seniors who want the flexibility and freedom of living without maintenance and mortgage obligations. *Prairie Winds of St. Charles* will bring to the City a diverse, discerning population of individuals looking for upscale apartment living in St. Charles. The proposed RM-3 zoning classification will generate significant tax revenue for the City of St. Charles and Kane County generally including significant revenue to the school district, the park district, the utility districts, and all other taxing bodies. The subject property has remained underdeveloped for an extended period and the use of the land as multi-family residential will greatly increase the value of the Subject Property and increase the amount of tax revenue for the City. In addition, The Applicant's proposed upscale multi-family development will enhance and significantly increase the property values in neighboring areas, with the most notable positive impact being upon the adjacent and nearby retail, restaurant, grocery store and commercial uses, all of whom will benefit by the increased residential density. The Applicant's proposed development will further increase property values and will increase demand for the remaining property adjacent to the Subject Property to the north and owned by BEI.

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

Response: The Subject Property has remained undeveloped for an extended period of time and the use as multi-family residential is consistent with the long-term goals of the City in accordance with the 2013 Comprehensive Plan. The Land Use Plan recommends that the City investigate new methods to improve the conditions of all residential neighborhoods, including incentives for developing vacant properties. It calls for more apartments to be built and explains that apartments are an important part of a healthy housing stock. It further states that multifamily housing contributes to residential density which improves the viability of shopping areas in the community.

The City of Saint Charles, Illinois is without a newly constructed multi-family residential development since 1999.

The Land Use Plan identifies the Subject Property as “Industrial/Business Park”, however, it recommends that the City promote multi-family type housing, and it urges the City to consider proposals in areas other than those specifically designated for high density residential development. The Plan calls for residential development in vacant/underutilized areas and states that there are many suitable and available infill parcels that are situated between established residential districts and commercial districts. The Subject Property is such an area. The Plan recommends higher density residential on these parcels that are near commercial areas. This would provide additional density and serve as good transitional land use to commercial areas.

The City’s Residential Areas Framework Plan acknowledges that while the Bricher Commons Parcel is designated as “Industrial/Business Park”, the site may also be appropriate for residential use. Further, the Subarea Plan names the Bricher Commons Parcel a “Catalyst Site”, designating it as a site that could have a catalytic impact on the surrounding area. This Plan recommends that the northern half of the site should develop with commercial use (due to its immediate access to Route 38) while the interior and southern portion should be used for multifamily or single family attached housing. Developing the Subject Property into luxury rental apartments meets the City’s goal of providing much needed rental units and increasing residential density as a transitional land use in an area that is otherwise undeveloped and underutilized, all in accordance with the 2013 Comprehensive Plan

V. Miscellaneous.

Applicant requests that copies of all notices given to Applicant hereunder (or in connection with the actions requested to be taken herein) be sent to the following parties:

Andrew E. Kolb, Esq.
Vanek, Larson & Kolb, LLC
200 W. Main Street
St. Charles, Illinois 60174
Phone: 630-513-9800
Fax: 630-513-9802

akolb@vlklawfirm.com

EXHIBIT A

THAT PART OF THE SOUTHEAST 1/4 OF SECTION 32, TOWNSHIP 40 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 32, SAID CORNER ALSO BEING THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO FIRSTAR BANK OF GENEVA, SUCCESSOR TRUSTEE TO THE FIRST NATIONAL BANK OF GENEVA, AS TRUSTEE UNDER TRUST NUMBER 2640 AS RECORDED IN DOCUMENT NO. 1884216; THENCE NORTH 00 DEGREES, 13 MINUTES 24 SECONDS WEST, ALONG THE WEST LINE OF SAID SOUTHEAST 1/4, A DISTANCE OF 418.83 FEET TO A PLACE OF BEGINNING; THENCE CONTINUING NORTH 00 DEGREES, 13 MINUTES 24 SECONDS WEST, ALONG SAID WEST LINE, 281.02 FEET; THENCE NORTH 89 DEGREES 46 MINUTES 36 SECONDS EAST, 30.05 FEET; THENCE NORTH 47 DEGREES 46 MINUTES 45 SECONDS EAST, 51.14 FEET; THENCE NORTH 76 DEGREES 35 MINUTES 36 SECONDS EAST, 456.07 FEET, THENCE NORTH 88 DEGREES 25 MINUTES 56 SECONDS EAST, 846.63 FEET TO THE WEST LINE OF LOT 1 IN RESUBDIVISION # 2 OF THE RESUBDIVISION OF MEIJER #182 SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 31, 2002 AS DOCUMENT NUMBER 2002K140590; THENCE SOUTH 01 DEGREES 34 MINUTES 04 SECONDS EAST ALONG SAID WEST LINE AND ALONG WEST LINE OF LOT 2 IN RESUBDIVISION # 1 OF THE RESUBDIVISION OF MEIJER #182 SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 18, 2002 AS DOCUMENT NUMBER 2002K115360, A DISTANCE OF 782.90 FEET TO THE NORTHEAST CORNER OF PROPERTY CONVEYED TO THE CITY OF GENEVA BY DEED DOCUMENT RECORDED AS 2000K028065; THENCE THE FOLLOWING TWO (2) COURSES AND DISTANCES ALONG THE NORTH LINE OF SAID CONVEYED PROPERTY: 1) WESTERLY ALONG A CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 3190.04 FEET, HAVING A CHORD BEARING NORTH 89 DEGREES 40 MINUTES 02 SECOND WEST, FOR AN ARC LENGTH OF 255.20 FEET TO A POINT OF TANGENCY; 2) SOUTH 88 DEGREES 02 MINUTES 28 SECONDS WEST, 352.67 FEET TO THE NORTHWEST CORNER OF SAID CONVEYED PROPERTY; THENCE SOUTH 88 DEGREES 25 MINUTES 20 SECOND WEST ALONG LINE 48.85 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF SECTION 32, A DISTANCE OF 349.59 FEET; THENCE NORTH 01 DEGREES 57 MINUTES 32 SECONDS WEST, 234.95 FEET; THENCE NORTH 53 DEGREES 15 MINUTES 53 SECONDS WEST, 208.23 FEET; THENCE SOUTH 89 DEGREES 46 MINUTES 36 SECONDS WEST, 246.25 FEET TO THE PLACE OF BEGINNING; IN KANE COUNTY, ILLINOIS.

CITY OF ST. CHARLES

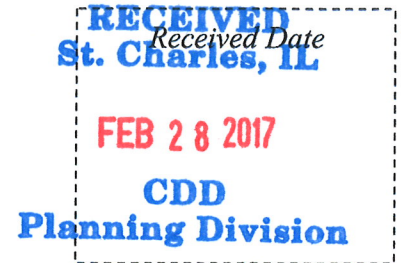
TWO EAST MAIN STREET
ST. CHARLES, ILLINOIS 60174-1984



COMMUNITY & ECONOMIC DEV./PLANNING DIVISION

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

ZONING MAP AMENDMENT APPLICATION



CITYVIEW	
Project Name:	<u>Prairie Winds of St. Charles</u>
Project Number:	<u>2016 -PR- 017</u>
Application Number:	<u>2017 -AP- 012</u>

Instructions:

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

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

1. Property Information:	Location: The southern portion of the Bricher Commons Parcel located at the intersection of Bricher Rd. and Randall Rd.	
	Parcel Number (s): 09-32-400-028	
	Proposed PUD Name: Prairie Winds	
2. Applicant Information:	Name Prairie Winds, LLC, a Delaware limited liability company	Phone 630.513.9800
	Address c/o Andrew E. Kolb, Esq. Vanek, Larson & Kolb, LLC 200 W. Main Street St. Charles, IL 60174	Fax 630.513.9802 Email akolb@v1klawfirm.com
3. Record Owner Information:	Name Todd L. Dempsey, Trustee, Todd L. Dempsey Declaration of Trust dtd May 15, 1992	Phone 630.879.3680
	Address c/o Austin Dempsey 140 First Street Batavia, IL 60510	Fax 630.879.3684
		Email austin@bataviaenterprises.com

Zoning and Use Information:

Comprehensive Plan Land Use Designation of the property: Industrial/Business Park with Residential as an option

Current zoning of the property: BR (Regional Business) with Special Use as a PUD

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

Current use of the property: agricultural purposes

Proposed zoning of the property: RM-3

Proposed use of the property: Luxury apartment community

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)

Applicant proposes to develop 250 "big house" style apartment units as well as an 8,000 sq. ft. clubhouse with a fitness center.

Attachment Checklist:

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

APPLICATION FEE:

Application fee in accordance with Appendix B of the Zoning Ordinance. (\$500)

REIMBURSEMENT OF FEES AGREEMENT:

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

REIMBURSEMENT OF FEES INITIAL DEPOSIT:

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

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

PROOF OF OWNERSHIP and DISCLOSURE:

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

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

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

LEGAL DESCRIPTION: For entire subject property, on 8 ½ x 11 inch paper

PLAT OF SURVEY:

A current plat of survey for the Subject Realty showing all existing improvements on the property, prepared by a registered Illinois Professional Land Surveyor.

SITE PLAN:

Simple site plan drawn to scale to demonstrate that the property can meet the requirements of the proposed zoning district (parking requirements, setbacks, landscaping, etc.)

FINDINGS OF FACT:

Fill out the attached form or submit responses on a separate sheet.

LIST OF PROPERTY OWNERS WITHIN 250 FT.

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

SOIL AND WATER CONSERVATION DISTRICT APPLICATION:

Copy of completed Land Use Opinion application as required by state law, as submitted to The Kane-Dupage Soil and Water Conservation District. <http://www.kanedupageswcd.org/>

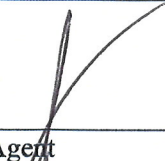
Submit the application form and fee directly to the Kane-DuPage Soil and Water Conservation District. Provide a copy with this application.

ENDANGERED SPECIES REPORT:

Copy of Endangered Species Consultation Agency Action to be filed with the Illinois Department of Natural Resources. <http://dnrecocat.state.il.us/ecopublic/>

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

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	_____
Applicant or Authorized Agent		Date	2/23/17

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.

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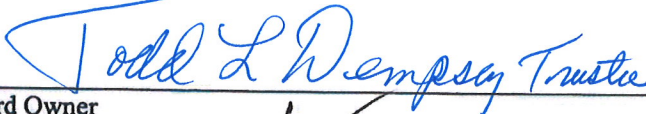
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I (we) certify that this application and the documents submitted with it are true and correct to the best of my (our) knowledge and belief.



Record Owner

Date

Applicant or Authorized Agent

Date

2/23/17

FINDINGS OF FACT – MAP AMENDMENT

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

As an applicant, the “burden of proof” is on you to show why the proposed 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.



Prairie Winds of St. Charles
Project Name or Address

2/28/17
Date

From the Charles Zoning Ordinance, Section 17.04.320.D:

In making its recommendation to grant or deny an application for a Zoning Map Amendment, including changes to Zoning District and Overlay boundaries, the Plan Commission shall consider:

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)*

See attached Rider to Development Applications.

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.)*

See attached Rider to Development Applications.

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?)*

See attached Rider to Development Applications.

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.)*

See attached Rider to Development Applications.

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.)*

See attached Rider to Development Applications.

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.)*

See attached Rider to Development Applications.

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

See attached Rider to Development Applications.

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

See attached Rider to Development Applications.

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.)*

See attached Rider to Development Applications.

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.)*

See attached Rider to Development Applications.

Plan Commission recommendation shall be based upon the preponderance of the evidence presented and the Commission shall not be required to find each Finding of Fact in the affirmative to recommend approval of an application for Map Amendment.

LEGAL DESCRIPTION

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OWNER'S CONSENT TO DEVELOPMENT APPLICATIONS

To: City of St. Charles


Applicant / Petitioner: Prairie Winds, LLC, a Delaware limited liability company

Property: Approximately 20 acres of Vacant Land located in St. Charles known as
Bricher Commons

The undersigned, acting on behalf of **The Todd L. Dempsey Declaration of Trust Dated May 15, 1992** ("Owner"), being the owner of record of the property which is the subject of the above-referenced Development Applications (the "**Subject Property**"), hereby consents to the filing and processing of the said Development Applications by the applicant, Prairie Winds, LLC. ("**Applicant**").

Dated: FEBRUARY 23, 2017

**OWNER: The Todd L. Dempsey Declaration
of Trust Dated May 15, 1992**



By:

Its:

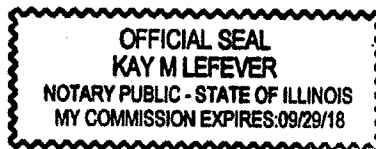
OWNERSHIP DISCLOSURE FORM

I, Gerard R. Dempsey, being first duly sworn on oath depose and say that I am the Trustee of the Todd L. Dempsey Declaration of Trust Dated May 15, 1992, and that the following persons are all of the beneficiaries of the Todd L. Dempsey Declaration of Trust Dated May 15, 1992:

By: GR Dempsey, Trustee
Name Title

Subscribed and Sworn before me this 4th day of October, 2016.

Kay M Lefever
Notary Public



RESIDENTIAL ZONING COMPLIANCE TABLE

Name of Development: Prairie Winds

	Zoning District Requirement	Existing PUD Requirement (if applicable)	Proposed
	District:	Ordinance #:	
Minimum Lot Area	2,200 sf/du		3,572 sf/du
Minimum Lot Width	65 ft.		944 ft.
Maximum Building Coverage	40%		30%
Maximum Building Height	45 feet or 4 stories		up to 42' ft.
Minimum Front Yard	30 ft.		41 ft.
Interior Side Yard	25 ft./ side		25 ft. / side
Exterior Side Yard	30 ft.		30 ft.
Minimum Rear Yard	30 ft.		50 ft.
% Overall Landscape Area	20%		46%
Building Foundation Landscaping	75% of front 50% others		75% of front 50% others
% Interior Parking Lot Landscape	10%		5%
Landscape Buffer Yards ¹	30 ft.		N/A
# of Parking spaces	415		585

¹ Within the zoning districts specified, a Landscape Buffer Yard shall be provided along any lot line that abuts or is across a street from property in any RE, RS, or RT District. See Chapter 17.26 for planting and screening requirements for Landscape Buffers. See Chapter 17.26 for planting and screening requirements for Landscape Buffers. Landscape Buffer Yards may include or overlap with other required yards.

SCHOOL LAND/CASH WORKSHEET

City of St. Charles, Illinois

Name of Development
Date Submitted:
Prepared by:

Pacific Winds LLC
2/28/17
JEFFREY



Estimated Student Yield by Grades

Type of Dwelling	# of dwelling Units (DU)	Elementary (Grades K to 5)	Middle (Grades 6 to 8)	High (Grades 9 to 12)
Detached Single Family				
> 3 Bedroom		DU x .369 =	DU x .173 =	DU x .184 =
> 4 Bedroom		DU x .530 =	DU x .298 =	DU x .360 =
> 5 Bedroom		DU x .345 =	DU x .248 =	DU x .300 =
Attached Single Family				
> 1 Bedroom		DU x .000 =	DU x .000 =	DU x .000 =
> 2 Bedroom		DU x .088 =	DU x .048 =	DU x .038 =
> 3 Bedroom		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	50	DU x .002 =	DU x .001 =	DU x .001 =
> 2 Bedroom	150	DU x .086 =	DU x .042 =	DU x .046 =
> 3 Bedroom	50	DU x .234 =	DU x .123 =	DU x .118 =
Totals	<u>250</u> TDU	<u>24.7</u> TE	<u>12.5</u> TM	<u>12.85</u> TH

School Site Requirements

Type	# of students	Acres per student	Site Acres
Elementary (TE)	24.7	x .025	= .6175
Middle (TM)	12.5	x .0389	= .48625
High (TH)	12.85	x .072	= .9252
Total Site Acres			<u>2.02895</u>

Cash in lieu of requirements -

2.02895 (Total Site Acres) x \$240,500 (Fair Market Value per Improved Land) = \$ 487,962

PARK LAND/CASH WORKSHEET

City of St. Charles, Illinois

Name of Development
Date Submitted:
Prepared by:

PROBRIUM LLC
2/28/17
JEFF RUTER



Type of Dwelling	# Dwelling Units (DU)	Population Generation per Unit	Estimated Population
Detached Single Family			
> 3 Bedroom		DU x 2.899	=
> 4 Bedroom		DU x 3.764	=
> 5 Bedroom		DU x 3.770	=
Attached Single Family			
> 1 Bedroom		DU x 1.193	=
> 2 Bedroom		DU x 1.990	=
> 3 Bedroom		DU x 2.392	=
> 4 Bedroom		DU x 3.145	=
Apartments			
> Efficiency		DU x 1.294	=
> 1 Bedroom	50	DU x 1.758	= 87.9
> 2 Bedroom	150	DU x 1.914	= 287.1
> 3 Bedroom	50	DU x 3.053	= 152.65
Totals	<u>250</u>		<u>527.65</u>
	Total Dwelling Units		Estimated Total Population

Park Site Requirements

Estimated Total Population 527.65 x .010 Acres per capita = 5.2765 Acres

Cash in lieu of requirements -

Total Site Acres 5,2765 x \$240,500 (Fair Market Value per Improved Land) = \$ 1,268,998

INCLUSIONARY HOUSING SUMMARY

Name of Development: Prosper Windes, LLC
 Date Submitted: 2/28/17
 Prepared by: Jeff Reizer



Background:

St. Charles Municipal Code Title 19 "Inclusionary Housing", requires developers of new residential developments to provide a proportionate share of affordable housing units within the development, or to pay a fee in-lieu of providing affordable housing units. Developers may also provide a mix of affordable housing units and fee in-lieu.

Affordable housing is defined as housing that has a sales price or rental amount that is within the means of a household with income at or below 80% Area Median Income (AMI) for for-sale units and at or below 60% AMI for rental units, adjusted for household size. See Title 19 for complete definitions.

The maximum price of affordable for-sale units and affordable rental units required by Title 19 shall be no greater than the affordable purchase price and affordable rent established annually by the Illinois Housing Development Authority (IHDA). Contact the Planning Division for the most recent affordable prices from IHDA.

Submission Requirements:

Submit information describing how the residential development will comply with the requirements of Title 19, "Inclusionary Housing". Use this worksheet to calculate the number of required affordable units to be incorporated within the residential development, or the required fee in-lieu payment.

If the development will include affordable units, submit the following additional information:

- The number of market-rate and affordable for-sale and rental units to be constructed, including type of dwelling, number of bedrooms per unit, proposed pricing, and construction schedule, including anticipated timing of issuance of building permits and occupancy certificates.
- Documentation and plans regarding locations of affordable units and market-rate units, and their exterior appearance, materials, and finishes.

Affordable Unit Requirement Calculation

Unit Count Range	# of Units Proposed in Development		% of Affordable Units Required		# of Affordable Units Required
1 to 15 Units		X	5%	=	
More than 15 Units	250	X	10%	=	25

Fee In-Lieu Payment Calculation

# of Affordable Units Required	# of Affordable Units Proposed to Pay the Fee-In-Lieu		Fee-In-Lieu Amount Per Unit		Total Fee-In-Lieu Amount
25	25	X	\$72,819.50 5,600	=	\$1,250,000

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



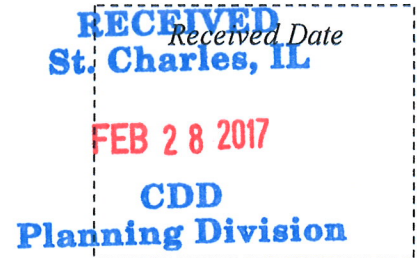
COMMUNITY & ECONOMIC DEV./PLANNING DIVISION

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

SPECIAL USE APPLICATION

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

For City Use	
Project Name:	<u>Prairie Winds of St. Charles</u>
Project Number:	<u>2016 -PR- 017</u>
Application Number:	<u>2017 -AP- 011</u>



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

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

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

1. Property Information:	Location: The southern portion of the Bricher Commons Parcel located at the intersection of Bricher Rd. and Randall Rd.	
	Parcel Number (s): 09-32-400-028	
	Proposed Name: Prairie Winds of St. Charles	
2. Applicant Information:	Name Prairie Winds, LLC, a Delaware limited liability company	Phone 630.513.9800
	Address c/o Andrew E. Kolb. Esq. Vanek, Larson & Kolb, LLC 200 W. Main Street St. Charles IL 60174	Fax 630.513.9802
		Email akolb@vklawfirm.com
3. Record Owner Information:	Name Todd L. Dempsey, Trustee, Todd L. Dempsey Declaration of Trust dtd May 15, 1992	Phone 630-879-3680
	Address c/o Austin Dempsey 140 First Street Batavia, IL 60510	Fax 630-879-3684
		Email austin@bataviaenterprises.com

Please check the type of application:

- Special Use for Planned Unit Development - PUD Name:** Prairie Winds
 - New PUD
 - Amendment to existing PUD- Ordinance #: _____
 - PUD Preliminary Plan filed concurrently

- Other Special Use (from list in the Zoning Ordinance):** _____
 - Newly established Special Use
 - Amendment to an existing Special Use Ordinance #: _____

Information Regarding Special Use:

Comprehensive Plan designation of the property: Industrial/Business Park with Residential as an option.

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

What is the property's current zoning? BR (Regional Business) with Special Use as a PUD

What is the property currently used for? agricultural purposes

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

Applicant proposes to develop the site into 250 "big house" style luxury apartments along with an 8,000 sq.ft. clubhouse

For Special Use Amendments only:

Why is the proposed change necessary?

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

Note for existing buildings:

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

Attachment Checklist:

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

☒ APPLICATION FEE:

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

☒ REIMBURSEMENT OF FEES AGREEMENT:

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

☒ REIMBURSEMENT OF FEES INITIAL DEPOSIT:

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

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

☒ PROOF OF OWNERSHIP and DISCLOSURE:

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

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

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

☒ LEGAL DESCRIPTION: For entire subject property, on 8 1/2 x 11 inch paper

☒ PLAT OF SURVEY:

A current plat of survey for the Subject Realty showing all existing improvements on the property, prepared by a registered Illinois Professional Land Surveyor.

☒ FINDINGS OF FACT:

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

☒ LIST OF PROPERTY OWNERS WITHIN 250 FT.:

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

☒ **SOIL AND WATER CONSERVATION DISTRICT APPLICATION:**

Copy of completed Land Use Opinion application as required by state law, as submitted to The Kane-Dupage Soil and Water Conservation District. <http://www.kanedupageswcd.org/>

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

☒ **ENDANGERED SPECIES REPORT:**

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

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

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

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

☒ **PLANS:**

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

Copies of Plans:

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

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

A plan or plans showing the following information:

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

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

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

Todd L Dempsey Trustee
Record Owner _____ Date _____

[Signature]
Applicant or Authorized Agent _____ Date 2/23/17

CRITERIA FOR PLANNED UNIT DEVELOPMENTS (PUDs)



For Special Use for PUD or PUD Amendment applications.

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

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

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

Prairie Winds
PUD Name

2-27-17
Date

From the St. Charles Zoning Ordinance, Section 17.04.410.3:

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

i. The proposed PUD advances one or more of the purposes of the Planned Unit Development procedure stated in Section 17.04.400.A:

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

See Applicant's Rider to Development Application at section IV.

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 are, 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.

See Applicant's Rider to Development Application at Section IV.

iii. The proposed PUD conforms with the standards applicable to Special Uses (section 17.04.330.C.2):

A. Public Convenience: The Special Use will serve the public convenience at the proposed location.
See Applicant's Rider to Development Application at Section IV.

B. Sufficient Infrastructure: That adequate utilities, access roads, drainage and/or necessary facilities have been, or are being, provided.
See Applicant's Rider to Development Application at Section IV.

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.
See Applicant's Rider to Development Application at Section IV.

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.
See Applicant's Rider to Development Application at Section IV.

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.

See Applicant's Rider to Development Application at Section IV.

- 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.

See Applicant's Rider to Development Application at Section IV.

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

See Applicant's Rider to Development Application at Section IV.

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

See Applicant's Rider to Development Application at Section IV.

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

PUD PRELIMINARY PLAN APPLICATION

For City Use	
Project Name:	<u>Prairie Winds of St. Charles</u>
Project Number:	<u>2016 -PR- 017</u>
Application Number:	<u>2017 -AP- 010</u>

RECEIVED
Received Date
St. Charles, IL
FEB 28 2017
CDD
Planning Division

To request approval of a PUD Preliminary Plan, complete this application and submit it with all required plans and attachments to the Planning Division. Normally this application will track with an application for Special Use for a PUD, unless a Special Use for a PUD has previously been granted and no amendment is necessary.

When the application is complete staff 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 PUD Preliminary Plan on a Plan Commission meeting agenda.

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

1. Property Information:	Location: The southern portion of the Bricher Commons Parcel located at the intersection of Bricher Rd. and Randall Rd.	
	Parcel Number (s): 09-32-400-028	
	Proposed PUD Name: Prairie Winds	
2. Applicant Information:	Name Prairie Winds, LLC a Delaware limited liability company	Phone 630.513.9800
	Address c/o Andrew E. Kolb, Esq. Vanek, Larson & Kolb, LLC 200 W. Main Street St. Charles, IL 60174	Fax 630.513.9802
		Email akolb@vklawfirm.com
3. Record Owner Information:	Name Todd L. Dempsey, Trustee, Todd L. Dempsey Declaration of Trust dtd May 15, 1992	Phone 630.879.3680
	Address c/o Austin Dempsey 140 First Street Batavia, IL 60510	Fax 630.879.3684
		Email austin@bataviaenterprises.com

Please check the type of application:

- New proposed PUD- Planned Unit Development** (Special Use Application filed concurrently)
- Existing PUD-Planned Unit Development**
 - PUD Amendment Required for proposed plan (Special Use Application filed concurrently)

Subdivision of land:

- Proposed lot has already been platted and a new subdivision is not required.
- New subdivision of property required:
 - Final Plat of Subdivision Application filed concurrently
 - Final Plat of Subdivision Application to be filed later

Attachment Checklist:

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

Note: The City Staff, Plan Commission, or City Council, may request other pertinent information during the review process.

APPLICATION FEE: Application fee in accordance with Appendix B of the Zoning Ordinance. (\$500)

REIMBURSEMENT OF FEES AGREEMENT:

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

REIMBURSEMENT OF FEES INITIAL DEPOSIT:

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

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

PROOF OF OWNERSHIP and DISCLOSURE:

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

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

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

☒ **LEGAL DESCRIPTION:** For entire subject property, on 8 ½ x 11 inch paper

☒ **PLAT OF SURVEY:**

A current plat of survey for the Subject Realty showing all existing improvements on the property, prepared by a registered Illinois Professional Land Surveyor.

☒ **SOIL AND WATER CONSERVATION DISTRICT APPLICATION:**

Copy of completed Land Use Opinion application as required by state law, as submitted to The Kane-Dupage Soil and Water Conservation District. <http://www.kanedupageswcd.org/>

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

☒ **ENDANGERED SPECIES REPORT:**

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

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

☒ **PLANS:**

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

Copies of Plans:

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

☒ **SITE/ENGINEERING PLAN:**

PRELIMINARY ENGINEERING PLANS – DRAWING REQUIREMENTS/CHECKLIST:

Complete the attached checklist and ensure that all required information is included on the Preliminary Engineering Plans:

1. Accurate boundary lines with dimensions
2. Existing and proposed easements: location, width, purpose
3. Streets on and adjacent to the tract: Name and right-of-way width, center line elevation, and culverts
4. Location, size, shape, height, and use of existing and proposed structures
5. Location and description of streets, sidewalks, and fences
6. Surrounding land uses
7. Legal and common description
8. Date, north point, and scale
9. Existing and proposed topography
10. All parcels of land intended to be dedicated for public use or reserved for the use of all property owners with

the proposal indicated

11. Location of utilities
12. Building/use setback lines
13. Location of any significant natural features
14. Location of any 100-year recurrence interval floodplain and floodway boundaries
15. Location and classification of wetland areas as delineated in the National Wetlands Inventory
16. Existing zoning classification of property
17. Existing and proposed land use
18. Area of property in square feet and acres
19. Proposed off-street parking and loading areas
20. Number of parking spaces provided, and number required by ordinance
21. Angle of parking spaces
22. Parking space dimensions and aisle widths
23. Driveway radii at the street curb line
24. Width of driveways at sidewalk and street curb line
25. Provision of handicapped parking spaces
26. Dimensions of handicapped parking spaces
27. Depressed ramps available to handicapped parking spaces
28. Location, dimensions and elevations of freestanding signs
29. Location and elevations of trash enclosures
30. Provision for required screening, if applicable
31. Provision for required public sidewalks
32. Certification of site plan by a registered land surveyor or professional engineer
33. Geometric plan showing all necessary geometric data required for accurate layout of the site
34. Grading plans showing paving design, all storm sewers, and detention/retention facilities including detention/retention calculations) and erosion control measures
35. Utility plans showing all storm sewers, sanitary sewers, watermains, and appropriate appurtenant structures
36. Exterior lighting plans showing:
 - Location, height, intensity and fixture type of all proposed exterior lighting
 - Photometric information pertaining to locations of proposed lighting fixtures
37. Typical construction details and specifications
38. Certification of site engineering plans by a registered professional engineer
39. Proof of application for Stormwater Management Permit

SKETCH PLAN FOR LATER PHASES OF PUD:

For phased PUD's, where a sketch plan is permitted, it shall include, at minimum, the following:

- General location of arterial and collector streets
- Location of any required landscape buffers
- Location of proposed access to the site from public streets
- Maximum number of square feet of floor area for nonresidential development
- Maximum number of dwelling units for residential development
- Open space and storm water management land

☒ ARCHITECTURAL PLANS:

Architectural plans and data for all principal buildings shall be submitted in sufficient detail to permit an understanding of the exterior appearance and architectural style of the proposed buildings, the number, size and type of dwelling units, the proposed uses of nonresidential and mixed use buildings, total floor area and total building coverage of each building.

☒ TREE PRESERVATION PLAN:

Tree Preservation Plan when required in accordance with Chapter 8.30 of the St. Charles Municipal Code. The information required for this plan may be included as part of the Landscape Plan set. See attachment, "Tree Preservation Requirements for Preliminary Plans".

☒ LANDSCAPE PLAN:

Landscape Plan showing the following information:

1. Delineation of the buildings, structures, and paved surfaces situated on the site and/or contemplated to be built thereon
2. Delineation of all areas to be graded and limits of land disturbance, including proposed contours as shown on the Site/Engineering Plan.
3. Accurate property boundary lines
4. Accurate location of proposed structures and other improvements, including paved areas, berms, lights, retention and detention areas, and landscaping
5. Site area proposed to be landscaped in square feet and as a percentage of the total site area
6. Percent of landscaped area provided as per code requirement
7. Dimensions of landscape islands
8. Setbacks of proposed impervious surfaces from property lines, street rights-of-way, and private drives
9. Location and identification of all planting beds and plant materials
10. Planting list including species of all plants, installation size (caliper, height, or spread as appropriate) and quantity of plants by species
11. Landscaping of ground signs and screening of dumpsters and other equipment

☒ STORMWATER MANAGEMENT:

Written information (reports, calculations, etc.) as described in the Stormwater Management Requirements for Preliminary Plans (attached)

☒ SUBDIVISION PLAT DRAWING REQUIREMENTS/CHECKLIST:

If the PUD Preliminary Plan involves the subdivision of land, a completed Subdivision Plat Drawing Requirements Checklist must be submitted.

PUBLIC BENEFITS, DEPARTURES FROM CODE:

A description of how the PUD meets the purposes and requirements set out in Section 17.04.400 of the Zoning Ordinance. Any requests for departures from the requirements of Title 16, "Subdivisions and Land Improvement," and Title 17, "Zoning," shall be listed and reasons for requesting each departure shall be given.

SCHEDULE: Construction schedule indicating:

- a. Phases in which the project will be built with emphasis on area, density, use and public facilities, such as open space, to be developed with each phase. Overall design of each phase shall be shown on the plat and through supporting material.
- b. Approximate dates for beginning and completion of each phase.
- c. If different land use types are to be included within the PUD, the schedule must include the mix of uses to be built in each phase.

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.

Todd L Dempsey Trustee
Record Owner _____ Date _____

[Signature]
Applicant or Authorized Agent _____ Date 2/23/17



UNIT TABULATION							3031/17
UNIT NAME	UNIT TYPE	NET AREA(SF)	UNIT COUNT	PERCENTAGE	TOTAL AREA	% BREAKDOWN	
BH - A1 U	1br/1ba	914	50	20%	45,700	20%	
BH - B1 U	2br/2ba	1,113	50	20%	55,650		
BH - B2 L	2br/2ba	1,113	25	10%	27,825	60%	
BH - B2 U	2br/2ba	1,113	25	10%	27,825		
BH - B3 L	2br/2ba	1,313	25	10%	32,825		
BH - B3 U	2br/2ba	1,413	25	10%	35,325		
BH - C1 L	3br/2ba	1,465	25	10%	36,625		
BH - C1 U	3br/2ba	1,510	25	10%	37,750	10%	
TOTALS			250	100%	299,525		
UNIT AVERAGE NET SF :			1,198 S.F.				
<small>*NET AREA IS COMPUTED TO INCLUDE SQUARE FOOTAGE FROM EXTERIOR FACE OF ALL EXTERIOR FRAME WALLS THAT ENCLOSE A/C SPACE. IT DOES NOT INCLUDE PATIOS, BALCONIES, PATIO/BALCONY STORAGE.</small>							
PROJECT DATA							
UNIT AVERAGE NET SF :			1,198 S.F.				
ACREAGE:			20.48 GROSS ACRES				
DENSITY:			18.30 UNITS/ACRE				
PARKING:			PROVIDED				
			549 SPACES				
			300 GARAGE SPACES				
			79 SURFACE SPACES				
			16 CLUBHOUSE SURFACE SPACES				
			2 ADA SPACES				
			152 TANDEM SPACES				
			2.2 SPACES/UNIT				

PRAIRIE WINDS DEVELOPMENT ST. CHARLES, IL
 EXECUTIVE CAPITAL
 HPA, TBD

PRAIRIE WINDS SITE PLAN

02.09.2017
HUMPHREYS & PARTNERS URBAN ARCHITECTURE, L.P.
 DALLAS-NEW YORK-CHICAGO-NEW ORLEANS-ORLANDO-EDMONTON-SAN RAMON
 NEWPORT BEACH-SCOTTSDALE-TORONTO-CHENNAI-DUBAI-HANOI-MONTEVIDEO
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 permission. • www.hjpartners.com

PRELIMINARY ENGINEERING PLANS
FOR
PRAIRIE WINDS
ST. CHARLES, ILLINOIS

PROJECT TEAM

OWNER/DEVELOPER

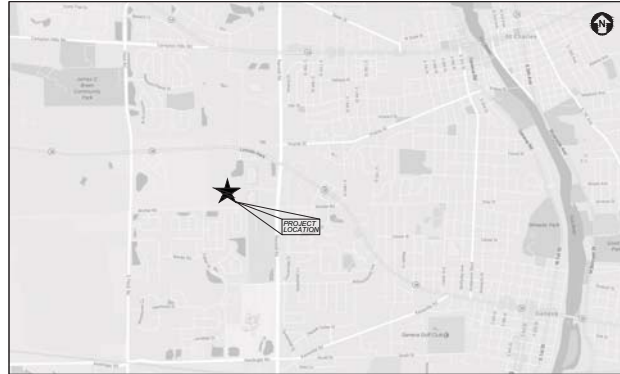
Executive Capital Corporation
47W210 US Highway 30
Big Rock Executive Center
Big Rock, Illinois 60511
630 556 3731
Contact: Jeff Ratzler

ENGINEER

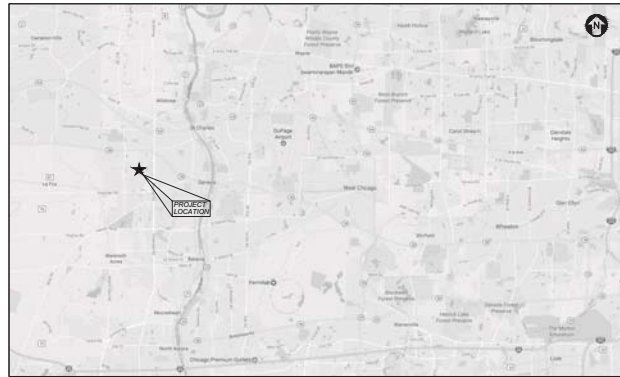
V3 Companies of Illinois, Ltd.
7325 Janes Avenue
Woodridge, Illinois 60517
630 724 9200
Project Manager: Bryan C. Rieger, P.E.
Project Engineer: Mathew T. Brolley, P.E., CFM

ARCHITECT

Humphreys & Partners Architects, L.P.
233 South Wacker Drive, Suite 8400
Chicago, Illinois 60606
312 672 4260
Contact: Kurt Volkman



LOCATION MAP
NO SCALE



VICINITY MAP
NO SCALE

INDEX OF DRAWINGS

- 0.0 TITLE SHEET
- 1.0 PRELIMINARY LAYOUT PLAN
- 2.0 PRELIMINARY GRADING PLAN
- 3.0 PRELIMINARY UTILITY PLAN
- 3.1 PRELIMINARY OFFSITE UTILITY PLAN

APPLICANT PRAIRIE WINDS, LLC RESERVES THE RIGHT TO MODIFY ITS PROPOSED SITE PLAN AND ALL RELATED PLANS TO ADJUST THE LOCATION OF EACH BUILDING ON SITE UP TO 16 FEET FROM THE LOCATION DEPICTED THEREON WITH ACCOMPANYING MODIFICATIONS TO THE DRIVE AISLES AND OTHER SITE IMPROVEMENTS RELATED TO SUCH SHIFT, IF SHIFTED THE FOLLOWING SHALL APPLY:
1. BUILDINGS SHALL MEET SETBACK REQUIREMENTS, & THERE SHALL BE A MINIMUM SEPARATION OF 10 FT. BETWEEN BUILDING SIDE WALLS AND 30 FT. BETWEEN THE FRONT OR REAR WALL FACING THE FRONT OR REAR WALL OF ANOTHER BUILDING.
2. UTILITY SEPARATION REQUIREMENTS SHALL BE MET.
3. BUILDING LOCATIONS SHALL BE FINALIZED AT THE TIME OF FINAL ENGINEERING.

BENCHMARK NOTES:
THE ELEVATIONS WERE KNOWN TO BE ACCURATE AT THE TIME THEY WERE ESTABLISHED. V3 DOES NOT CERTIFY TO THE ACCURACY THEREAFTER, NOR ASSUMES RESPONSIBILITY FOR THE MIS-USE OR MIS-INTERPRETATION OF THE INFORMATION SHOWN HEREON.
IT IS ADVISED THAT ALL OF THE ABOVE ELEVATIONS BE CHECKED BETWEEN EACH OTHER AND VERIFY A MINIMUM OF 3 SURROUNDING UTILITY RIM ELEVATIONS AND ANY ADJACENT BUILDING FINISHED FLOOR OR TOP OF FOUNDATION ELEVATIONS SHOWN HEREON PRIOR TO USE OR COMMENCEMENT OF ANY CONSTRUCTION OR OTHER WORK.
PERSONS USING THIS INFORMATION ARE TO CONTACT V3 IMMEDIATELY WITH ANY DISCREPANCIES FOUND PRIOR TO THE START OF ANY WORK.



V3 Companies
7325 Janes Avenue
Woodridge, IL 60517
630.724.9200 phone
630.724.9202 fax
www.v3co.com

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Joint Utility Locating Information for Excavators
Call 48 hours before you dig

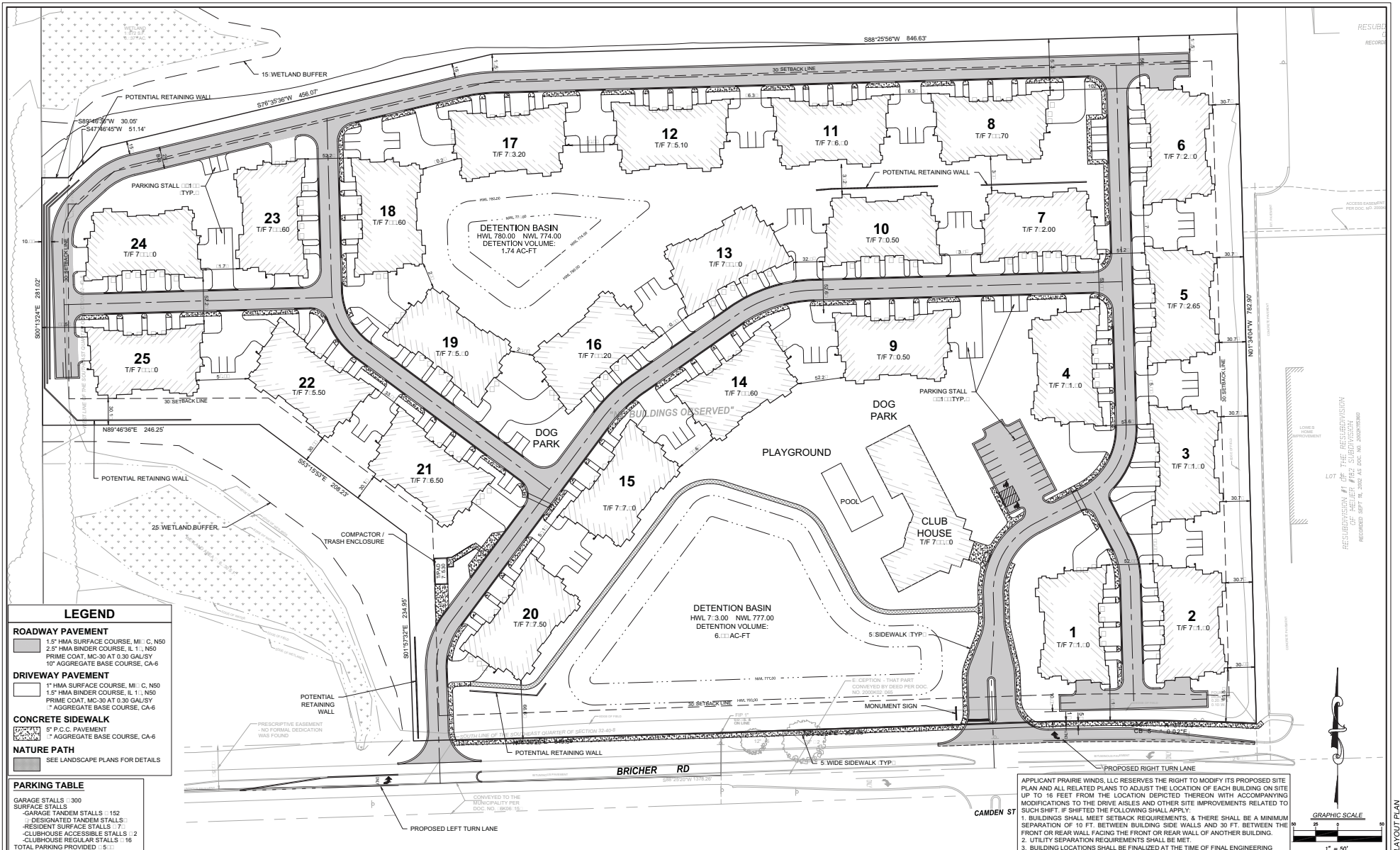
REVISIONS			
NO.	DATE	DESCRIPTION	SHEETS REVISED
1	03-31-17	REVISED PER AGENCY REVIEW	

ORIGINAL ISSUE DATE : MARCH 01, 2017

BENCHMARKS	
SOURCE:	STATION DESIGNATION A32016 ESTABLISHED BY NGS DATE: 06-27-12
ELEVATION:	441.1 (PUBLISHED AND FIELD) DATUM: NAVD83
DESCRIPTION:	STAINLESS STEEL ROD IN SLEEVE, LOCATED 1.26 MI SOUTH OF S. BT. 38, 86 FT EAST OF CENTERLINE OF ROCK ROAD, 0.12 MI SOUTH OF ENTRANCE TO KANE COUNTY JUDICIAL CENTER, 274 FT SOUTH OF POWER POLE (PP), 98 FT SOUTHWEST OF PP, 61 FT NORTHEAST OF 12 IN STEEL CULVERT, AND 2 FT WEST OF ORANGE FIBERGLASS WITNESS POST.
SITE:	STATION DESIGNATION: SBM #1
ESTABLISHED BY:	V3 DATE: 10-13-16 ELEVATION: 794.50 (MEASURED) DATUM: NAVD83
DESCRIPTION:	NORTH RIM OF STORM MFL NORTHWESTERLY FROM LOWE'S HOME IMPROVEMENT BUILDING, 99% NORTHERLY FROM CORNER OF CURB.
SOURCE:	STATION DESIGNATION: SBM #2
ESTABLISHED BY:	V3 DATE: 10-13-16 ELEVATION: 786.33 (MEASURED) DATUM: NAVD83
DESCRIPTION:	SQUARE CUT IN NORTH SIDE OF LIGHT BASE, ON SOUTH SIDE OF BRICHER RD, WEST FROM CAMDEN ST ENTRANCE TO LINCOLN SQUARE

DRAWING NO.
0.0

16262 - TITLE SHEET



LEGEND

ROADWAY PAVEMENT
 1.5" HMA SURFACE COURSE, M.I. C. N50
 2.5" HMA BINDER COURSE, I. 1, N50
 PRIME COAT, MC-30 AT 0.30 GAL/SY
 10" AGGREGATE BASE COURSE, CA-6

DRIVEWAY PAVEMENT
 1" HMA SURFACE COURSE, M.I. C. N50
 1.5" HMA BINDER COURSE, I. 1, N50
 PRIME COAT, MC-30 AT 0.30 GAL/SY
 AGGREGATE BASE COURSE, CA-6

CONCRETE SIDEWALK
 5" P.C.C. PAVEMENT
 4" AGGREGATE BASE COURSE, CA-6

NATURE PATH
 SEE LANDSCAPE PLANS FOR DETAILS

PARKING TABLE
 GARAGE STALLS - 300
 SURFACE STALLS
 - GARAGE TANDEM STALLS - 152
 - DESIGNATED TANDEM STALLS - 1
 - RESIDENT SURFACE STALLS - 7
 - CLUBHOUSE ACCESSIBLE STALLS - 2
 - CLUBHOUSE REGULAR STALLS - 16
 TOTAL PARKING PROVIDED - 518

REVISIONS

NO.	DATE	DESCRIPTION	NO.	DATE	DESCRIPTION
1	03-31-17	REVISED PER AGENCY REVIEW			

PROJECT NO:	16262	DESIGNED BY:	MTB
FILE NAME:	1.0 LAY16262.DWG	DRAWN BY:	VRS
ORIGINAL ISSUE DATE:	03/24/2017	CHECKED BY:	BCR
SCALE:	1:50	PROJECT MANAGER:	BCR

PRAIRIE WINDS

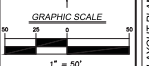
ST. CHARLES FINAL ENGINEERING ILLINOIS

PRELIMINARY LAYOUT PLAN

1.0

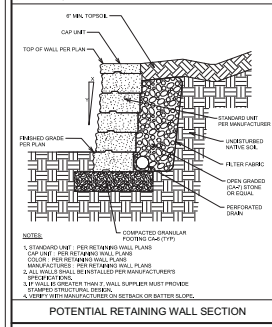
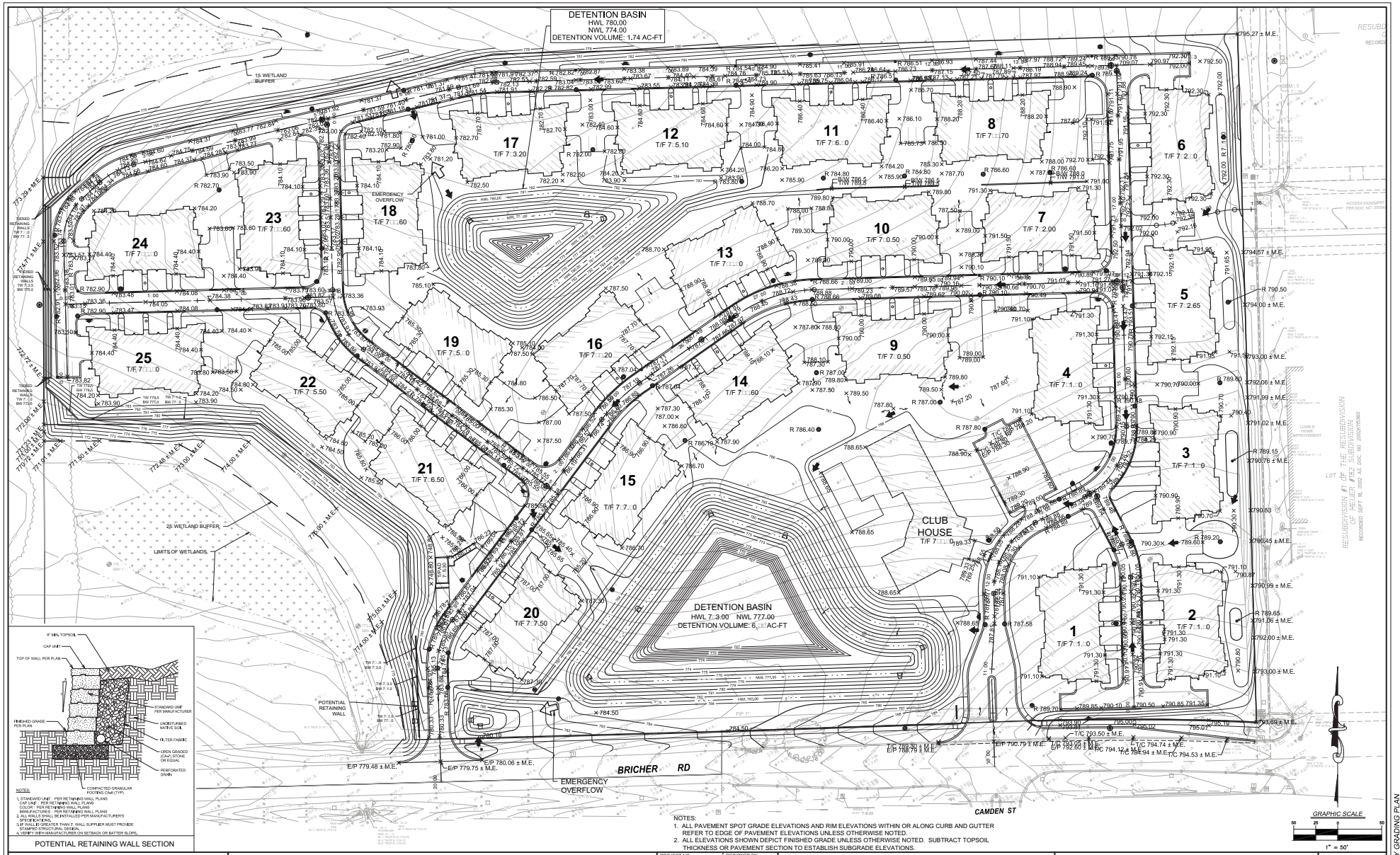
APPLICANT PRAIRIE WINDS, LLC RESERVES THE RIGHT TO MODIFY ITS PROPOSED SITE PLAN AND ALL RELATED PLANS TO ADJUST THE LOCATION OF EACH BUILDING ON SITE UP TO 16 FEET FROM THE LOCATION DEPICTED THEREON WITH ACCOMPANYING MODIFICATIONS TO THE DRIVE AISLES AND OTHER SITE IMPROVEMENTS RELATED TO SUCH SHIFT. IF SHIFTED THE FOLLOWING SHALL APPLY:

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V3 Companies
 7325 James Avenue
 Woodridge, IL 60517
 630.724.9200 phone
 630.724.9202 fax
 www.v3co.com

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- NOTES:
1. ALL PAVEMENT SPOT GRADE ELEVATIONS AND RIM ELEVATIONS WITHIN OR ALONG CURBS AND GUTTER REFER TO EDGE OF PAVEMENT ELEVATIONS UNLESS OTHERWISE NOTED.
 2. ALL ELEVATIONS SHOWN DEPICT FINISHED GRADE UNLESS OTHERWISE NOTED. SUBTRACT TOPSOIL THICKNESS OR PAVEMENT SECTION TO ESTABLISH SUBGRADE ELEVATIONS.

POTENTIAL RETAINING WALL SECTION

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REVISIONS					
NO.	DATE	DESCRIPTION	NO.	DATE	DESCRIPTION
1	03-31-17	REVISED PER AGENCY REVIEW			

PROJECT NO:	16262	DESIGNED BY:	MTB
FILE NAME:	2.0 GRD 16262.DWG	DRAWN BY:	VRS
ORIGINAL ISSUE DATE:	03/24/2017	CHECKED BY:	BCR
SCALE:	1:50	PROJECT MANAGER:	BCR

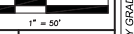
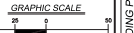
PRAIRIE WINDS

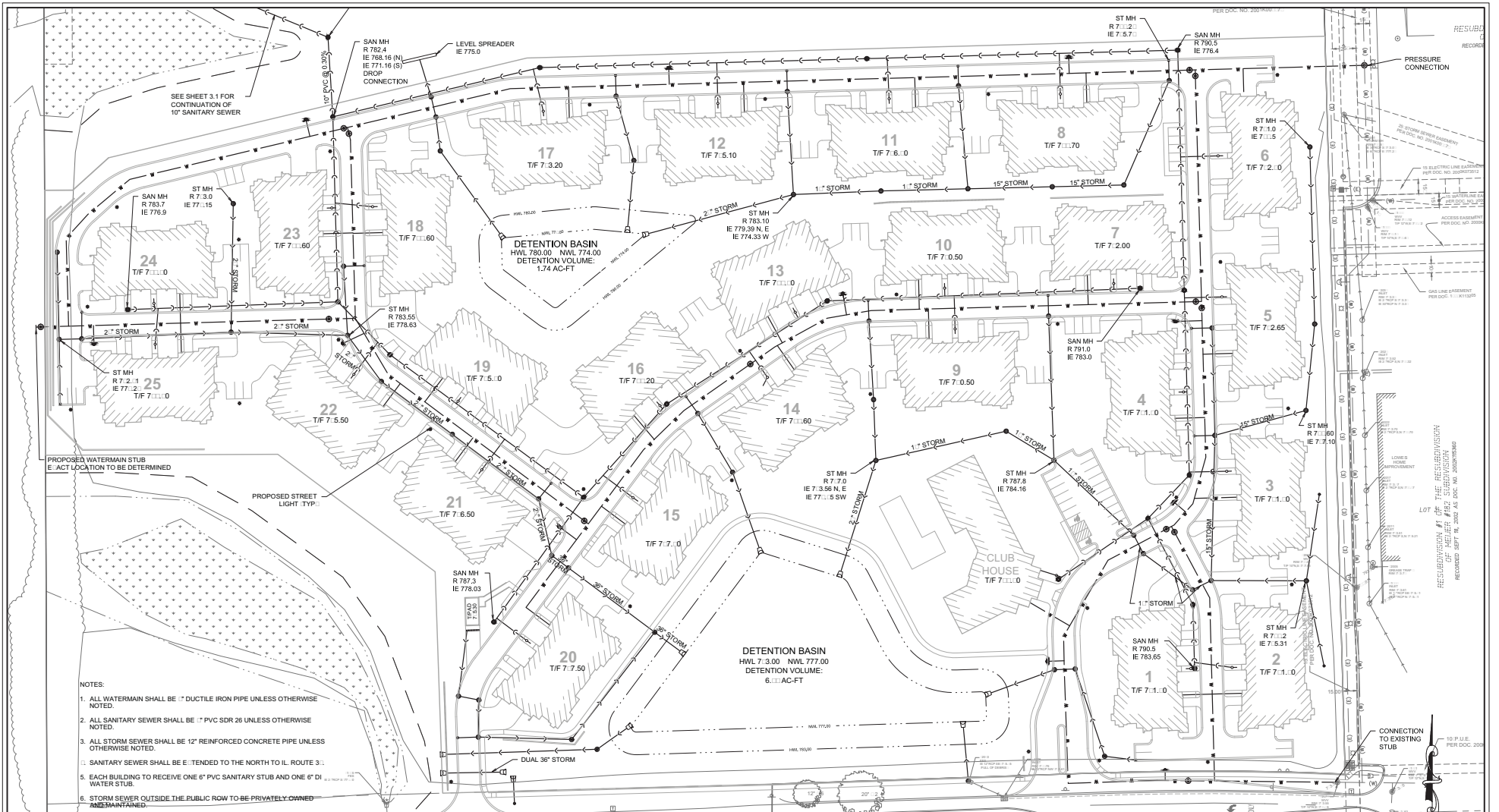
ST. CHARLES FINAL ENGINEERING ILLINOIS

PRELIMINARY GRADING PLAN

2.0

DRAWING NO.





SEE SHEET 3.1 FOR CONTINUATION OF 10\"/>

PROPOSED WATERMAIN STUB LOCATION TO BE DETERMINED

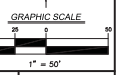
PROPOSED STREET LIGHT TYP

NOTES:

1. ALL WATERMAIN SHALL BE 12\"/>
2. ALL SANITARY SEWER SHALL BE 12\"/>
3. ALL STORM SEWER SHALL BE 12\"/>
4. SANITARY SEWER SHALL BE EXTENDED TO THE NORTH TO IL ROUTE 31
5. EACH BUILDING TO RECEIVE ONE 6\"/>
6. STORM SEWER OUTSIDE THE PUBLIC ROW TO BE PRIVATELY OWNED AND MAINTAINED

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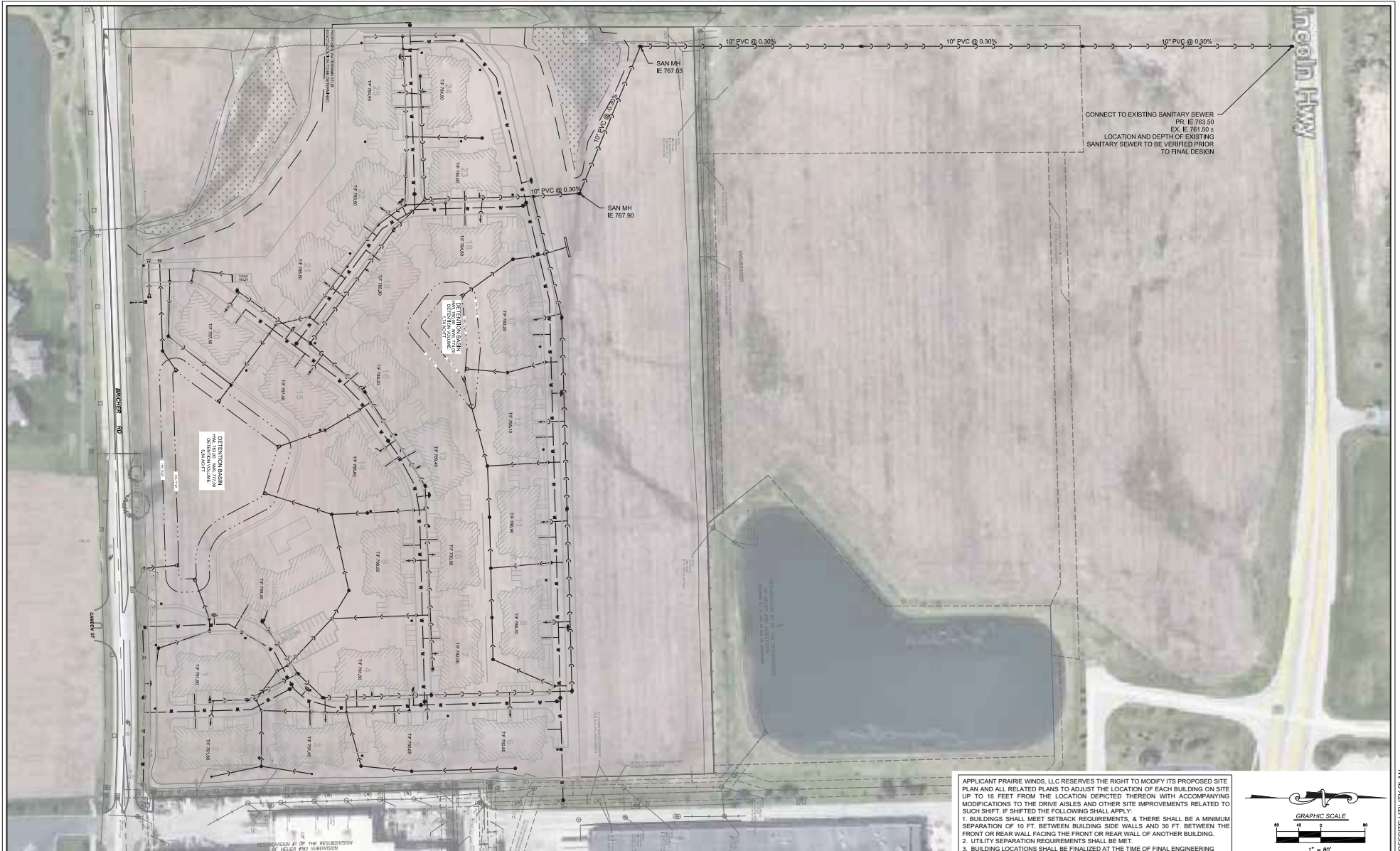
REVISIONS			
NO.	DATE	DESCRIPTION	
1	03-31-17	REVISED PER AGENCY REVIEW	

PROJECT NO:	16262
DESIGNED BY:	MTB
FILE NAME:	3.0 UTL 16262.DWG
DRAWN BY:	VRS
ORIGINAL ISSUE DATE:	03/24/2017
CHECKED BY:	BCR
SCALE:	1:50
PROJECT MANAGER:	BCR

PRAIRIE WINDS
ST. CHARLES FINAL ENGINEERING ILLINOIS

PRELIMINARY UTILITY PLAN 3.0
DRAWING NO.

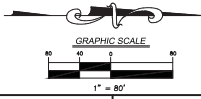
16262 - PRELIMINARY UTILITY PLAN



CONNECT TO EXISTING SANITARY SEWER
 PR: IE 763.50
 EX: IE 781.50 ±
 LOCATION AND DEPTH OF EXISTING
 SANITARY SEWER TO BE VERIFIED PRIOR
 TO FINAL DESIGN

STATIONING ALONG
 THE CENTERLINE OF
 THE ROADWAY
 SHALL BE
 SHOWN AT THE
 INTERSECTION
 OF THE
 ROADWAY
 WITH THE
 PROPERTY
 LINES

APPLICANT PRAIRIE WINDS, LLC RESERVES THE RIGHT TO MODIFY ITS PROPOSED SITE PLAN AND ALL RELATED PLANS TO ADJUST THE LOCATION OF EACH BUILDING ON SITE UP TO 16 FEET FROM THE LOCATION DEPICTED THEREON WITH ACCOMPANYING MODIFICATIONS TO THE DRIVE AISLES AND OTHER SITE IMPROVEMENTS RELATED TO SUCH SHIFT, IF SHIFTED THE FOLLOWING SHALL APPLY:
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REVISIONS			
NO.	DATE	DESCRIPTION	
1	03-31-17	REVISED PER AGENCY REVIEW	

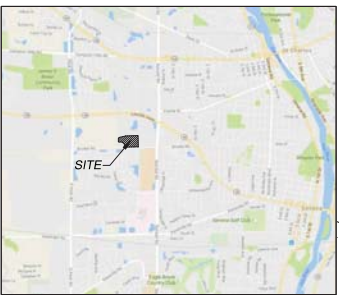
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FILE NAME:	3.0 UTIL16262.DWG	DRAWN BY:	VRS
ORIGINAL ISSUE DATE:	03/24/2017	CHECKED BY:	BCR
SCALE:	1" = 80'	PROJECT MANAGER:	BCR

PRAIRIE WINDS
 ST. CHARLES FINAL ENGINEERING ILLINOIS

PRELIMINARY OFFSITE UTILITY PLAN

DRAWING NO.
3.1

16262 - PRELIMINARY OFFSITE UTILITY PLAN



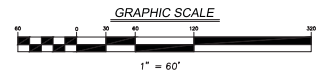
AREA
 12.53 SQ. FT.
 20.111 ACRES

ZONING
 E.1STING: BR - PUD
 PROPOSED: RM-3 - PUD

PROPOSED LAND USE
 MULTI-FAMILY RESIDENTIAL

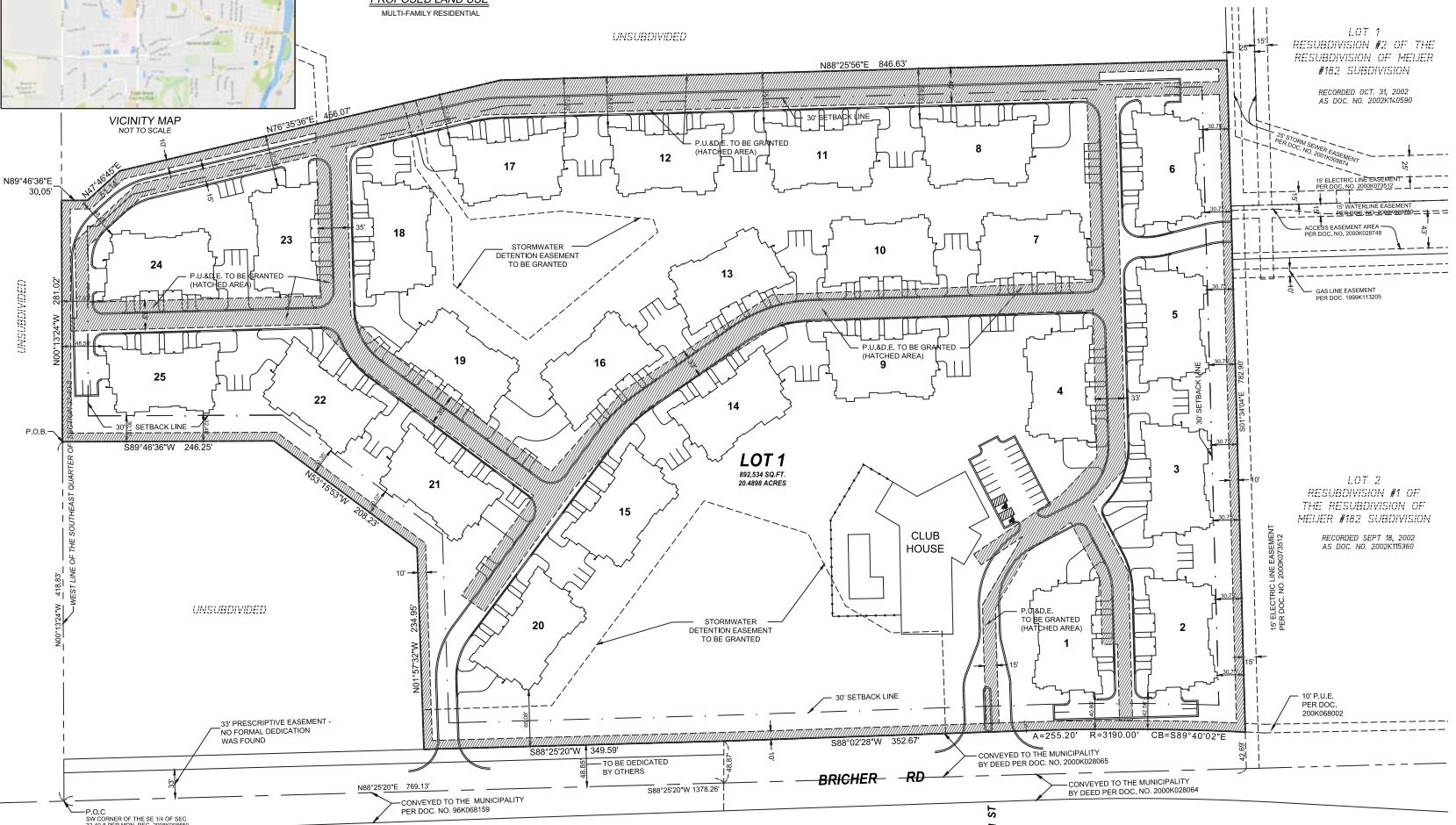
PRELIMINARY PLAT OF SUBDIVISION OF PRAIRIE WINDS

PART OF THE SOUTHEAST 1/4 OF SECTION 32, TOWNSHIP 10 NORTH, RANGE 1, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KANE COUNTY, ILLINOIS.



BASIS OF BEARINGS

THE BASIS OF BEARINGS IS THE STATE PLANE COORDINATE SYSTEM SPCS: NAD 83 2007 ZONE 1201 ILLINOIS EAST WITH PROJECT ORIGIN AT LATITUDE 33°53'2.320" N LONGITUDE 102°07'50.7" W ELLIPSOIDAL HEIGHT 0.3538 SFT GROUND SCALE FACTOR 1.000050 0.6; ALL MEASUREMENTS ARE ON THE GROUND.



OWNER / DEVELOPER
 Executive Capital Corporation
 47W210 US highway 30
 Big Rock, IL 60511
 630-556-3731

ENGINEER/SURVEYOR
 V3 Companies of Illinois, Ltd.
 7325 Janes Avenue, Suite 100
 Woodridge, Illinois 60517
 630.724.9200

LEGEND

- PROPERTY LINE
- EXISTING RIGHT-OF-WAY LINE
- PROPOSED RIGHT-OF-WAY LINE
- EXISTING LOT LINE
- PROPOSED LOT LINE
- EXISTING EASEMENT LINE
- PROPOSED EASEMENT LINE
- BUILDING SETBACK LINE
- SECTION LINE

ABBREVIATIONS

- N NORTH
- S SOUTH
- E EAST
- W WEST
- OR ORIGIN BEARING
- A ARC LENGTH
- R RADIUS
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- [Hatched Box] PROPOSED EASEMENT TO BE GRANTED

- NOTES**
- ALL MEASUREMENTS AND DISTANCES ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF. ARC DISTANCES ARE ALONG ALL CURVES.
 - SEE PROPOSED ENGINEERING PLANS PREPARED BY V3 COMPANIES FOR PROPOSED UTILITIES AND GRADING INFORMATION.
 - APPLICANT PRAIRIE WINDS, LLC RESERVES THE RIGHT TO MODIFY ITS PROPOSED SITE PLAN AND ALL RELATED PLANS TO ADJUST THE LOCATION OF EACH BUILDING ON SITE UP TO 10 FEET FROM THE LOCATION DEPICTED THEREON WITH ACCOMPANYING MODIFICATIONS TO THE DRIVE ASLES AND OTHER SITE IMPROVEMENTS RELATED TO SUCH SHIFT

V Engineers
 Scientists
 Surveyors

7325 Janes Avenue, Suite 100
 Woodridge, IL 60517
 630.724.9200 voice
 630.724.0303 fax
 v3co.com

PREPARED FOR:
EXECUTIVE CAPITAL CORPORATION
 17W210 US HIGHWAY 30
 BIG ROCK, ILLINOIS CENTER
 BIG ROCK, IL 60511
 630-556-3731

REVISIONS		REVISIONS	
NO.	DATE	NO.	DATE
1	03-09-17		
2	04-03-17		

PRELIMINARY PLAT OF SUBDIVISION			
PRAIRIE WINDS			
DRAFTING COMPLETED:	02-2-17	DRAWN BY:	MLP
FIELD WORK COMPLETED:	N/A	CHECKED BY:	CDB
PROJECT MANAGER:	CDB	SHEET NO.:	1 of 2
Project No.:	16262	Scale:	1" = 60'
Geo. P. No.:	VPD_11		

PRELIMINARY PLAT OF SUBDIVISION OF PRAIRIE WINDS

PART OF THE SOUTHEAST 1/4 OF SECTION 32, TOWNSHIP 0 NORTH, RANGE
1 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KANE COUNTY, ILLINOIS.

PUBLIC UTILITY AND DRAINAGE EASEMENT PROVISIONS

A PERMANENT NON-EXCLUSIVE EASEMENT IS HEREBY GRANTED TO THE CITY OF ST. CHARLES AND TO ALL PUBLIC UTILITY COMPANIES OF ANY KIND OPERATING UNDER FRANCHISE GRANTING THEM EASEMENT RIGHTS FROM SAID CITY OF ST. CHARLES, INCLUDING BUT NOT LIMITED TO AMERITECH AND NIOR AND TO THEIR SUCCESSORS AND ASSIGNS, HEREIN COLLECTIVELY REFERRED TO AS "GRANTEES", IN, UPON, ACROSS, OVER, UNDER, AND THROUGH THE AREAS SHOWN BY DASHED LINES AND LABELED "PUBLIC UTILITY AND DRAINAGE EASEMENT" ON THE PLAT OF SUBDIVISION HERON DRAWN FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, INSPECTING, OPERATING, REPLACING, RENEWING, ALTERING, ENLARGING, REMOVING, REPAIRING, CLEANING, AND MAINTAINING ABOVE GROUND AND UNDERGROUND ELECTRICAL SYSTEMS, CABLE TELEVISION, COMMUNICATION, GAS, TELEPHONE OR OTHER UTILITY LINES OR APPURTENANCES, SANITARY AND STORM SEWERS, DRAINAGE WAYS, STORM WATER DETENTION AND RETENTION, WATER MAINS AND ANY AND ALL MANHOLES, HYDRANTS, PIPES, CONNECTIONS, CATCH BASINS, BUFFALO BOXES AND WITHOUT LIMITATION, SUCH OTHER INSTALLATIONS AS MAY BE REQUIRED TO FURNISH PUBLIC UTILITY SERVICE TO ADJACENT AREAS TOGETHER WITH THE RIGHT OF ACCESS ACROSS THE REAL ESTATE PLATTED HEREIN FOR THE NECESSARY PERSONNEL AND EQUIPMENT TO MAKE ANY OR ALL OF THE ABOVE WORK. THE PERMANENT NON-EXCLUSIVE EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE CITY OF ST. CHARLES AND THE RESPECTIVE SUCCESSORS AND ASSIGNS FOR MAINTAINING THE UNINTERRUPTED AND UNIMPEDED CONVEYANCE, FLOW AND RUNOFF OF SURFACE STORM WATER ACROSS AND UPON THE AREAS DESIGNATED ON THIS PLAT AS DRAINAGE EASEMENT. THE RIGHT IS HEREBY GRANTED TO SAID GRANTEEES TO CUT DOWN, TRIM, OR REMOVE ANY TREES, SHRUBS, OR OTHER PLANTS THAT INTERFERE WITH THE DRAINAGE WAYS AND OPERATION OF OR ACCESS TO SAID UTILITY INSTALLATIONS, WITHOUT LIMITATION, IN, ON, UPON OR ACROSS, UNDER, OR THROUGH SAID EASEMENTS.

NO PERMANENT BUILDINGS, TREES, GARDENS, SHRUBS, OR BERMS SHALL BE PLACED ON OR IN SAID EASEMENTS, BUT THE EASEMENT AREAS MAY BE USED FOR PAVING, FENCES, SIDEWALKS, AND OTHER PURPOSES THAT DO NOT INTERFERE WITH THE AFORESAID USES AND RIGHTS. WHERE AN 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. UTILITY INSTALLATIONS, OTHER THAN THOSE MANAGED BY THE CITY OF ST. CHARLES, SHALL BE SUBJECT TO THE APPROVAL OF THE CITY OF ST. CHARLES, AS TO DESIGN AND LOCATION, AND ALL OTHER INSTALLATIONS ARE SUBJECT TO THE ORDINANCES OF THE CITY OF ST. CHARLES.

FOLLOWING ANY WORK TO BE PERFORMED BY THE GRANTEEES IN THE EXERCISE OF ITS EASEMENT RIGHTS GRANTED HEREIN, THE GRANTEEES SHALL HAVE NO OBLIGATION WITH RESPECT TO SURFACE RESTORATION INCLUDING, BUT NOT LIMITED TO, THE RESTORATION, REPAIR, OR REPLACEMENT OF ANY LANDSCAPING PROVIDED, HOWEVER, THE GRANTEEES SHALL BE OBLIGATED FOLLOWING ANY SUCH WORK, TO BACKFILL AND MOUND SO AS TO RETAIN SUITABLE DRAINAGE, REMOVE DEBRIS, AND LEAVE THE AREA IN GENERALLY CLEAN AND WORKMANLIKE CONDITION.

STORMWATER DETENTION EASEMENT PROVISIONS

A PERMANENT NON-EXCLUSIVE EASEMENT IS HEREBY GRANTED TO THE CITY OF ST. CHARLES AND TO THEIR SUCCESSORS AND ASSIGNS, IN, UPON, ACROSS, OVER, UNDER, AND THROUGH THE AREAS SHOWN BY DASHED LINES AND LABELED "STORMWATER DETENTION EASEMENT" ON THE PLAT OF SUBDIVISION HERON DRAWN FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, INSPECTING, OPERATING, REPLACING, RENEWING, ALTERING, ENLARGING, REMOVING, REPAIRING, CLEANING, AND MAINTAINING STORM SEWERS, DRAINAGE WAYS, STORM WATER DETENTION AND RETENTION AND ANY AND ALL MANHOLES, PIPES, CONNECTIONS, CATCH BASINS, AND WITHOUT LIMITATION, SUCH OTHER INSTALLATIONS AS MAY BE REQUIRED TO FURNISH STORMWATER DETENTION. THE RIGHT OF ACCESS ACROSS THE REAL ESTATE PLATTED HEREIN FOR THE NECESSARY PERSONNEL AND EQUIPMENT TO MAKE ANY OR ALL OF THE ABOVE WORK. NO BUILDING SHALL BE PLACED ON SAID EASEMENT PRIOR TO WRITTEN CONSENT FROM THE CITY OF ST. CHARLES. THE RESPONSIBILITY OF MAINTAINING THE DETENTION AREA EASEMENT SHALL BE BINDING ON THE HEIRS, EXECUTORS, ADMINISTRATORS, SUCCESSORS AND ASSIGNS OF THE LANDOWNERS. NO PERSON SHALL DESTROY OR MODIFY SLOPES OR OTHERWISE AFFECT THE DETENTION VOLUME WITHOUT HAVING FIRST RECEIVED WRITTEN APPROVAL FROM THE CITY OF ST. CHARLES. THE GRANTEEES SHALL HAVE THE RIGHT BUT NOT THE OBLIGATION TO RESTORE ANY DETENTION VOLUME LOST THROUGH UNAUTHORIZED ACTIVITIES.

LEGAL DESCRIPTION

THAT PART OF THE SOUTHEAST 1/4 OF SECTION 32, TOWNSHIP 0 NORTH, RANGE 1 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 32; SAID CORNER ALSO BEING THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO FIRSTAR BANK OF GENEVA, SUCCESSION TRUSTEE, TO THE FIRST NATIONAL BANK OF GENEVA, AS TRUSTEE UNDER TRUST NUMBER 20 0 AS RECORDED IN DOCUMENT NO. 11-218; THENCE NORTH 00 DEGREES, 13 MINUTES 2 SECONDS WEST, ALONG THE WEST LINE OF SAID SOUTHEAST 1/4, A DISTANCE OF 11.3 FEET TO A PLACE OF BEGINNING; THENCE CONTINUING NORTH 00 DEGREES, 13 MINUTES 2 SECONDS WEST, ALONG SAID WEST LINE, 2.102 FEET; THENCE NORTH 0 DEGREES 0 MINUTES 38 SECONDS EAST, 30.05 FEET; THENCE NORTH 7 DEGREES 8 MINUTES 5 SECONDS EAST, 51.1 FEET; THENCE NORTH 78 DEGREES 35 MINUTES 38 SECONDS EAST, 56.07 FEET; THENCE NORTH 0 DEGREES 25 MINUTES 56 SECONDS EAST, 13.63 FEET TO THE WEST LINE OF LOT 1 IN RESUBDIVISION 2 OF THE RESUBDIVISION OF MEULER 1/2 SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 31, 2002 AS DOCUMENT NUMBER 2002K105 0; THENCE SOUTH 01 DEGREES 3 MINUTES 0 SECONDS EAST ALONG SAID WEST LINE AND ALONG WEST LINE OF LOT 2 IN RESUBDIVISION 1 OF THE RESUBDIVISION OF MEULER 1/2 SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 1, 2002 AS DOCUMENT NUMBER 2002K116360, A DISTANCE OF 7 2 0 FEET TO THE NORTHEAST CORNER OF PROPERTY CONVEYED TO THE CITY OF GENEVA BY DEED DOCUMENT RECORDED AS 2006K02 065; THENCE THE FOLLOWING TWO 2 COURSES AND DISTANCES ALONG THE NORTH LINE OF SAID CONVEYED PROPERTY: 1 WESTERLY ALONG A CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 3110.0 FEET, HAVING A CHORD BEARING NORTH 0 DEGREES 0 MINUTES 02 SECOND WEST, FOR AN ARC LENGTH OF 255.20 FEET TO A POINT OF TANGENCY 2 SOUTH 0 DEGREES 02 MINUTES 2 SECONDS WEST, 352.07 FEET TO THE NORTHWEST CORNER OF SAID CONVEYED PROPERTY; THENCE SOUTH 0 DEGREES 25 MINUTES 20 SECOND WEST ALONG LINE 0.5 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF SECTION 32, A DISTANCE OF 31.5 FEET; THENCE NORTH 01 DEGREE 57 MINUTES 32 SECONDS WEST, 23.5 FEET; THENCE NORTH 53 DEGREES 15 MINUTES 03 SECONDS WEST, 20.23 FEET; THENCE SOUTH 0 DEGREES 4 MINUTES 36 SECONDS WEST, 2.625 FEET TO THE PLACE OF BEGINNING; IN KANE COUNTY, ILLINOIS.

SURVEYOR'S CERTIFICATE
STATE OF ILLINOIS SS
COUNTY OF DUPAGE SS
I, CHRISTOPHER D. BARTOSZ, AN ILLINOIS PROFESSIONAL LAND SURVEYOR DO HEREBY CERTIFY THAT THE PLAT HERON DRAWN WAS PREPARED AT AND UNDER MY DIRECTION. ALL DIMENSIONS SHOWN ARE IN FEET AND DECIMAL PARTS THEREOF.
GIVEN UNDER MY HAND AND SEAL THIS DAY OF A.D., 20 .

CHRISTOPHER D. BARTOSZ
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-311
MY LICENSE EXPIRES ON NOVEMBER 30, 2017
V3 COMPANIES OF ILLINOIS, LTD. PROFESSIONAL DESIGN FIRM NO. 11-000 02
THIS DESIGN FIRM NUMBER EXPIRES APRIL 30, 2017.

PLAN COMMISSION CERTIFICATE

STATE OF ILLINOIS SS
COUNTY OF KANE SS
THIS IS TO CERTIFY THAT THE MEMBERS OF THE PLAN COMMISSION OF THE CITY OF ST. CHARLES, ILLINOIS HAVE REVIEWED AND APPROVED THIS PLAT.
DATED AT ST. CHARLES, KANE COUNTY, ILLINOIS
THIS DAY OF A.D., 20 .

CHARMAN
SECRETARY

CITY COUNCIL CERTIFICATE

STATE OF ILLINOIS SS
COUNTY OF DUPAGE SS
APPROVED AND ACCEPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS, AT A MEETING HELD THIS DAY OF A.D., 20 .

MAYOR
CITY CLERK


OWNER / DEVELOPER
Executive Capital Corporation
47W210 US Highway 30
Big Rock, IL 60511
630-556-3731

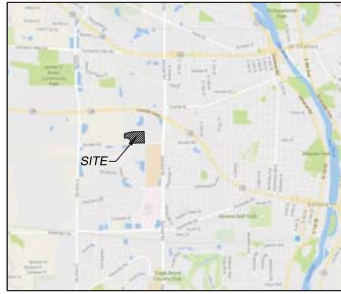
ENGINEER/SURVEYOR
V3 Companies of Illinois, Ltd.
7325 Janes Avenue, Suite 100
Woodridge, Illinois 60517
Woodridge, Illinois 60517
630.724.9200

PREPARED FOR:
EXECUTIVE CAPITAL CORPORATION
7W210 US HIGHWAY 30
BIG ROCK, ILLINOIS CENTER
BIG ROCK, IL 60511
630-556-3731

REVISIONS		
NO.	DATE	DESCRIPTION
1	03-09-17	REVISED PER VILLAGE COMMENTS
2	04-03-17	REVISED PER VILLAGE COMMENTS

PRELIMINARY PLAT OF SUBDIVISION				
PRAIRIE WINDS				
DRAFTING COMPLETED:	02-2-17	DRAWN BY:	MLP	PROJECT MANAGER:
FIELD WORK COMPLETED:	NA	CHECKED BY:	CDB	SCALE:
				1" = 1" N/A
Project No:	16262	Sheet No.:	2 of 2	
Prop. No.:	VP011			

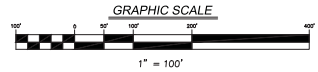
	Engineers	7325 Janes Avenue, Suite 100
	Scientists	Woodridge, IL 60517
	Surveyors	630.724.9200 voice 630.724.9203 fax v3co.com



VICINITY MAP
NOT TO SCALE

PLAT OF EASEMENT FOR SANITARY SEWER

PART OF THE SOUTHEAST 1/4 OF SECTION 32, TOWNSHIP 10 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KANE COUNTY, ILLINOIS.



GRAPHIC SCALE
1" = 100'

BASIS OF BEARINGS

THE BASIS OF BEARINGS IS THE STATE PLANE COORDINATE SYSTEM SPCS: NAD 83 2007: ZONE 1201, ILLINOIS EAST, WITH PROJECT ORIGIN AT LATITUDE 38°53' 2.320"N, LONGITUDE -90° 07' 50.7"W, ELLIPSOIDAL HEIGHT 6 25.6 SFT, GROUND SCALE FACTOR 1.00005 0 6. ALL MEASUREMENTS ARE ON THE GROUND.

OWNERS CERTIFICATE

STATE OF ILLINOIS SS
COUNTY OF

THIS IS TO CERTIFY THAT THE UNDERSIGNED IS THE OWNER OF THE LAND DESCRIBED IN THE ANNEXED PLAT, AND THAT THEY HAVE CAUSED THE SAME TO BE PLATTED AS INDICATED THEREON, FOR THE USES AND PURPOSES THEREIN SET FORTH, AND DOES HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE THEREON INDICATED.

DATED THIS _____ DAY OF _____, A.D. 20__.

NOTARY CERTIFICATE

STATE OF ILLINOIS SS
COUNTY OF

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 PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AS SUCH OWNERS, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGE THAT THEY SIGNED THIS PLAT AS THEIR OWN FREE AND VOLUNTARY ACT FOR USES AND PURPOSES THEREIN SET FORTH.

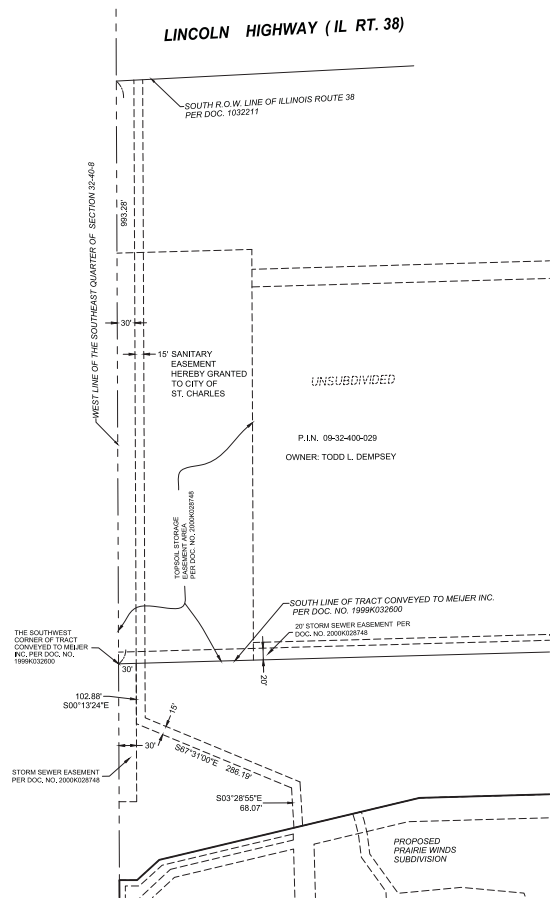
GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS _____ DAY OF _____, 20__.

KANE COUNTY RECORDER'S CERTIFICATE

STATE OF ILLINOIS SS
COUNTY OF KANE

THIS INSTRUMENT NO. _____ WAS FILED FOR RECORD IN THE RECORDERS OFFICE OF KANE COUNTY AFORESAID ON THE _____ DAY OF _____, A.D. 20__ AT _____ O'CLOCK _____ M., AND RECORDED IN BOOK _____ OF PLATS ON PAGE _____.

_____ KANE COUNTY RECORDER



LEGEND

- PROPERTY LINE
- EXISTING RIGHT-OF-WAY LINE
- PROPOSED RIGHT-OF-WAY LINE
- EXISTING LOT LINE
- PROPOSED LOT LINE
- EXISTING CENTERLINE
- EXISTING EASEMENT LINE
- PROPOSED EASEMENT LINE
- BUILDING SETBACK LINE
- SECTION LINE

ABBREVIATIONS

- N NORTH
- S SOUTH
- E EAST
- W WEST
- CB CHORD BEARING
- A ARC LENGTH
- R RADIUS
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING

SANITARY SEWER UTILITY EASEMENT PROVISIONS

A PERMANENT NON-EXCLUSIVE EASEMENT IS HEREBY GRANTED TO THE CITY OF ST. CHARLES AND TO THE PROPERTY OWNERS OF THE PRAIRIE WINDS SUBDIVISION HEREBY COLLECTIVELY REFERRED TO AS "GRANTEES"; IN, UPON, ACROSS, OVER, UNDER, AND THROUGH THE AREAS SHOWN BY DASHED LINES AND LABELED "SANITARY SEWER UTILITY EASEMENT" ON THE PLAT OF SUBDIVISION HEREOF DRAWN FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, INSPECTING, OPERATING, REPLACING, RENEWING, ALTERING, ENLARGING, REMOVING, REPAIRING, CLEANING, AND MAINTAINING SANITARY SEWERS AND ANY AND ALL MANHOLES, PIPES, CONNECTIONS, AND WITHOUT LIMITATION, SUCH OTHER INSTALLATIONS AS MAY BE REQUIRED TO FURNISH PUBLIC UTILITY SERVICE TO ADJACENT AREAS TOGETHER WITH THE RIGHT OF ACCESS ACROSS THE REAL ESTATE PLATTED HEREIN FOR THE NECESSARY PERSONNEL AND EQUIPMENT TO MAKE ANY OR ALL OF THE ABOVE WORK. THE RIGHT IS ALSO HEREBY GRANTED TO SAID GRANTEES TO CUT DOWN, TRIM, OR REMOVE ANY TREES, SHRUBS, OR OTHER PLANTS THAT INTERFERE WITH THE OPERATION OF OR ACCESS TO SAID UTILITY INSTALLATIONS, WITHOUT LIMITATION, IN, ON, UPON OR ACROSS, UNDER, OR THROUGH SAID EASEMENTS, IN THE EVENT UTILITY MAINTENANCE IS PERFORMED WITHIN THE UTILITY EASEMENT. THE CITY OF ST. CHARLES WILL HAVE NO OBLIGATION WITH RESPECT TO SURFACE RESTORATION INCLUDING, BUT NOT LIMITED TO, THE RESTORATION, REPAIR, OR REPLACEMENT OF ANY LANDSCAPING PROVIDED, HOWEVER, THE GRANTEES SHALL BE OBLIGATED FOLLOWING ANY SUCH WORK, TO BACKFILL AND MOUND SO AS TO RETAIN SUITABLE DRAINAGE, REMOVE DEBRIS, AND LEAVE THE AREA IN GENERALLY CLEAN AND WORKMANLIKE CONDITION. NO PERMANENT BUILDINGS OR TREES SHALL BE PLACED ON SAID EASEMENTS, BUT THE EASEMENT AREAS MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING, PAVING, FENCES, SIDEWALKS, CURBS, AND OTHER PURPOSES THAT DO NOT INTERFERE WITH THE AFORESAID USES AND RIGHTS. WHERE AN EASEMENT IS USED FOR 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 UTILITY INSTALLATIONS, OTHER THAN THOSE MANAGED BY THE CITY OF ST. CHARLES, SHALL BE SUBJECT TO THE APPROVAL OF THE CITY OF ST. CHARLES, AS TO DESIGN AND LOCATION, AND ALL OTHER INSTALLATIONS ARE SUBJECT TO THE ORDINANCES OF THE CITY OF ST. CHARLES.

NOTES

- ALL MEASUREMENTS AND DISTANCES ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF. ARC DISTANCES ARE ALONG ALL CURVES.

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS SS
COUNTY OF DUPAGE

I, CHRISTOPHER D. BARTOSZ, AN ILLINOIS PROFESSIONAL LAND SURVEYOR DO HEREBY CERTIFY THAT THE PLAT HEREOF DRAWN WAS PREPARED BY AND UNDER MY DIRECTION. ALL DIMENSIONS SHOWN ARE IN FEET AND DECIMAL PARTS THEREOF.

GIVEN UNDER MY HAND AND SEAL THIS _____ DAY OF _____, A.D. 20__.

OWNER / DEVELOPER
Executive Capital Corporation
47W210 US Highway 30
Big Rock, IL 60511
630-556-3731

ENGINEER/SURVEYOR
V3 Companies of Illinois, Ltd.
7325 Janes Avenue, Suite 100
Woodridge, Illinois 60517
630.724.9200

PREPARED FOR:
EXECUTIVE CAPITAL CORPORATION
17W210 US HIGHWAY 30
BIG ROCK E: ECUTIVE CENTER
BIG ROCK, IL 60511
630-556-3731

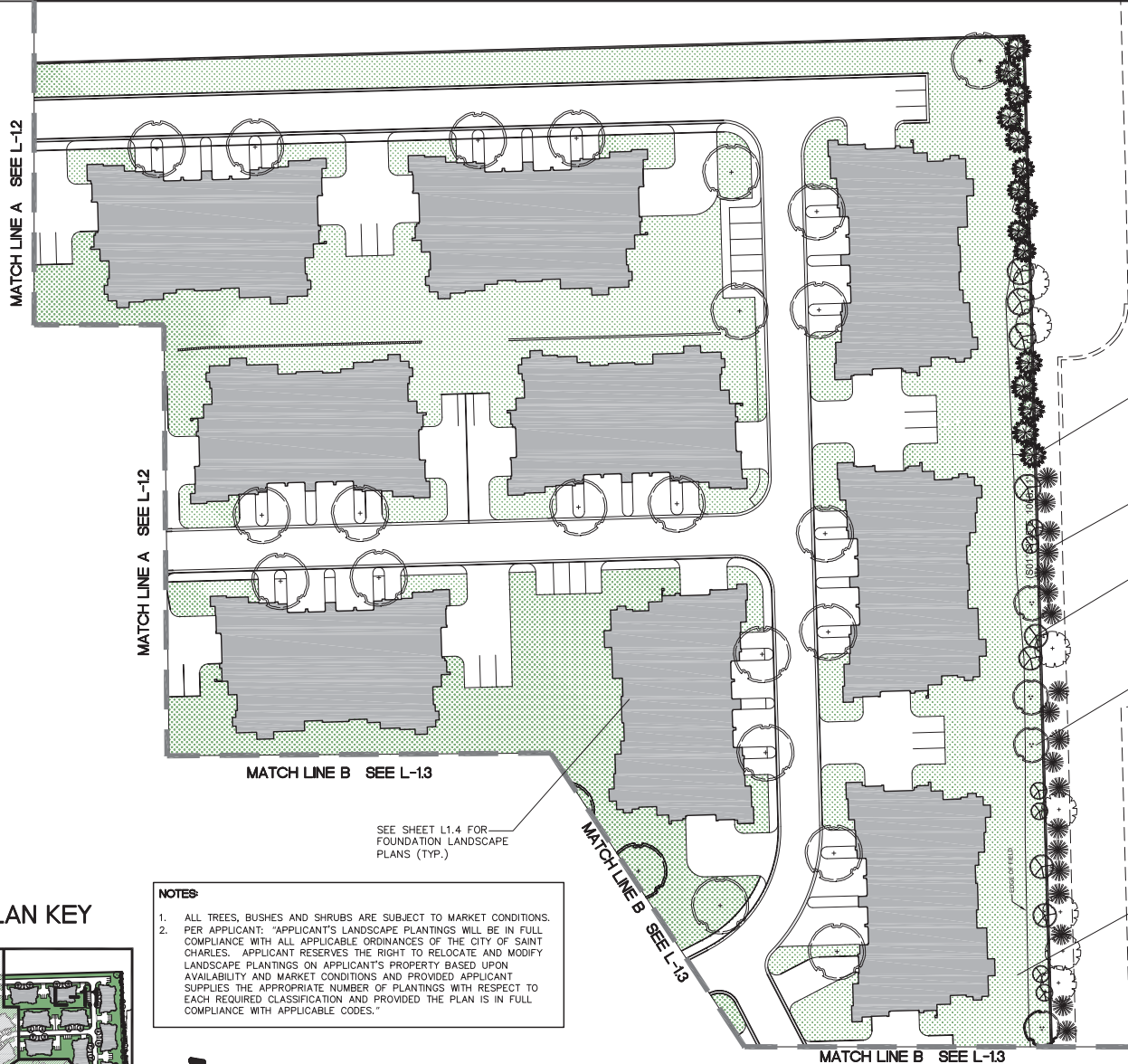
REVISIONS			
NO.	DATE	DESCRIPTION	
1	0-03-17	REVISED PER VILLAGE COMMENTS	

PLAT OF EASEMENT			
PRAIRIE WINDS			
DRAFTING COMPLETED:	03-0-17	DRAWN BY: SPK	PROJECT MANAGER: CDB
FIELD WORK COMPLETED:	N/A	CHECKED BY: CDB	SCALE: 1" = 100'

Engineers
Scientists
Surveyors

7325 Janes Avenue, Suite 100
Woodridge, IL 60517
630.724.9200 voice
630.724.9203 fax
v3co.com

Project No:	16262
Graphic No:	VP011
SHEET NO.	1 of 1



GENERAL NOTES:
 THESE PLANS ARE PRELIMINARY. PLANS ARE BASED ON THE SITE PLAN DATED 03/30/17 PREPARED FOR PRAIRIE WINDS DEVELOPMENT.
 1. PRIOR TO CONSTRUCTION, CONTRACTOR TO CONTACT THE DESIGN LANDSCAPE ARCHITECT TO VERIFY THAT THEY ARE WORKING FROM THE MOST CURRENT SET OF PLANS AND SPECIFICATIONS.

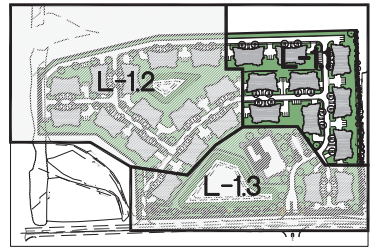
- PROPOSED EVERGREEN TREE (TYP.)
- EXISTING LANDSCAPE BUFFER TO REMAIN (TYP.)
- PROPOSED ORNAMENTAL TREE (TYP.)
- PROPOSED SHADE TREE (TYP.)
- TURF AREA (TYP.)

NOTES:

- ALL TREES, BUSHES AND SHRUBS ARE SUBJECT TO MARKET CONDITIONS. PER APPLICANT: "APPLICANT'S LANDSCAPE PLANTINGS WILL BE IN FULL COMPLIANCE WITH ALL APPLICABLE ORDINANCES OF THE CITY OF SAINT CHARLES. APPLICANT RESERVES THE RIGHT TO RELOCATE AND MODIFY LANDSCAPE PLANTINGS ON APPLICANT'S PROPERTY BASED UPON AVAILABILITY AND MARKET CONDITIONS AND PROVIDED APPLICANT SUPPLIES THE APPROPRIATE NUMBER OF PLANTINGS WITH RESPECT TO EACH REQUIRED CLASSIFICATION AND PROVIDED THE PLAN IS IN FULL COMPLIANCE WITH APPLICABLE CODES."

SEE SHEET L1.4 FOR FOUNDATION LANDSCAPE PLANS (TYP.)

LANDSCAPE PLAN KEY



LANDSCAPE PLAN
 DESIGNED BY
 KENNETH M. PRICE, RLA



PRELIMINARY NE LANDSCAPE PLAN

NO.	REVISIONS	DATE
1	FOR CLIENT	03/07/17
2	FOR STATE REVIEW COMMENTS	03/07/17

Prepared For:
 Executive Affiliates, Inc.
 47W20 US Hwy. 30
 Big Rock, IL 60011
 PRAIRIE WINDS - ST. CHARLES
 NWC Bricher Rd and Randall Rd.
 St. Charles, Illinois

Prepared By:
Waltermark Engineering Resources, Ltd.
 2021 Clear Lake Ave. #100
 Phone: 618-275-1800 Fax: 618-275-2400
 www.waltermarkeng.com

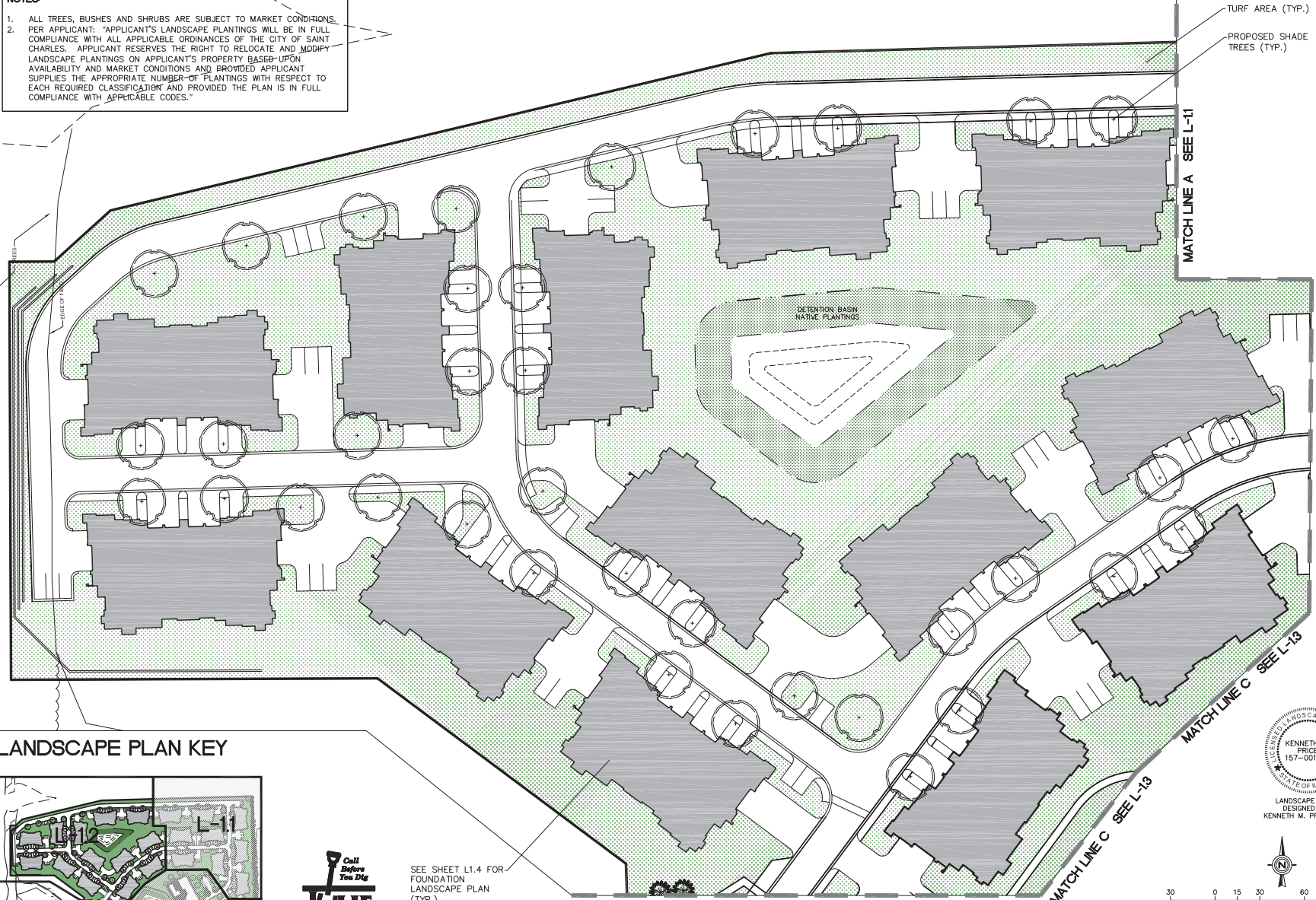
CHECKED BY: J. MILLER
 DESIGN BY: AMP/D.O.
 DRAWN BY: AMP/D.O.
 DATE: FEBRUARY 22, 2017
 SCALE: 1" = 30'
 PROJECT NO.: 17-012

L-1.1

PRELIMINARY NE LANDSCAPE PLAN

NOTES

1. ALL TREES, BUSHES AND SHRUBS ARE SUBJECT TO MARKET CONDITIONS.
2. PER APPLICANT: "APPLICANT'S LANDSCAPE PLANTINGS WILL BE IN FULL COMPLIANCE WITH ALL APPLICABLE ORDINANCES OF THE CITY OF SAINT CHARLES. APPLICANT RESERVES THE RIGHT TO RELOCATE AND MODIFY LANDSCAPE PLANTINGS ON APPLICANT'S PROPERTY BASED UPON AVAILABILITY AND MARKET CONDITIONS AND PROVIDED APPLICANT SUPPLIES THE APPROPRIATE NUMBER OF PLANTINGS WITH RESPECT TO EACH REQUIRED CLASSIFICATION AND PROVIDED THE PLAN IS IN FULL COMPLIANCE WITH APPLICABLE CODES."



TURF AREA (TYP.)
 PROPOSED SHADE TREES (TYP.)

MATCH LINE A SEE L-11

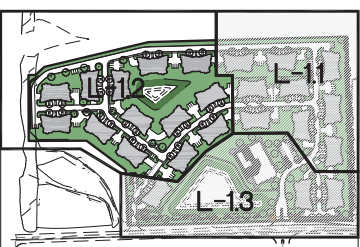
MATCH LINE A SEE L-11

MATCH LINE C SEE L-13

MATCH LINE C SEE L-13

MATCH LINE C SEE L-13

LANDSCAPE PLAN KEY



SEE SHEET L1.4 FOR FOUNDATION LANDSCAPE PLAN (TYP.)



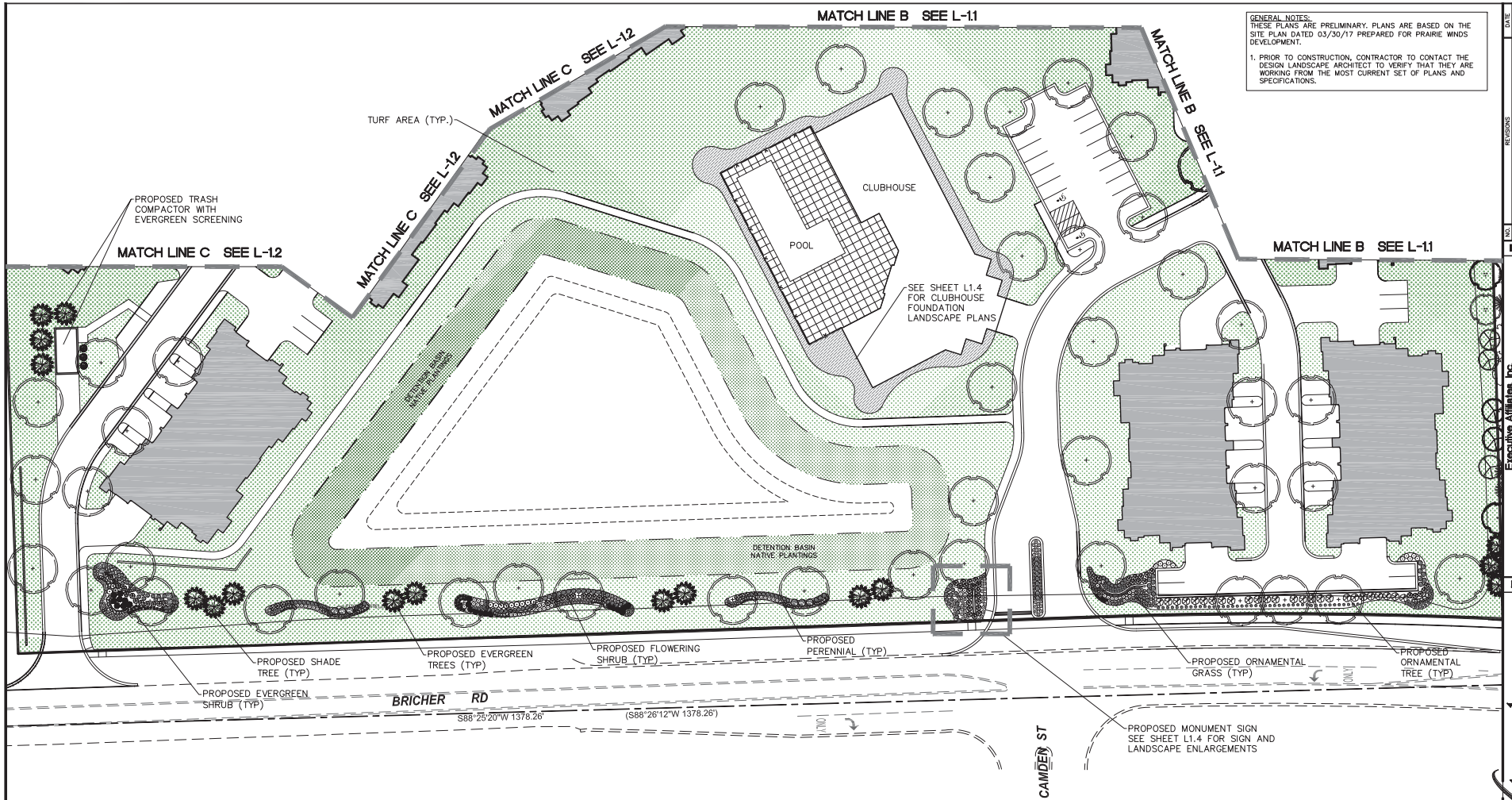
LANDSCAPE PLAN
 DESIGNED BY
 KENNETH M. PRICE, RLA



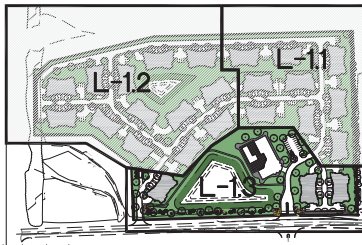
PRELIMINARY NW LANDSCAPE PLAN

DATE	03/27/17
REVISIONS	
NO.	1
PER CLIENT	
PER STAFF REVIEW COMMENTS	
NO.	2
PER CLIENT	
PER STAFF REVIEW COMMENTS	
Prepared For:	
Executive Alliance, Inc. 47W20 US Hwy. 50 Big Rock, IL 60511	
Prepared By:	
PRAIRIE WINDS - ST. CHARLES NRC Engineer, Inc. and Harold P.L. St. Charles, Illinois	
<small>2011 Caligan Woods Parkway, Suite 100, Aurora, IL 60502 phone: 630-252-0000 fax: 630-252-0000 www.watermarkengineering.com</small>	
CHECKED BY: J. WILDER	
DESIGN BY: KMP / D.O.	
DRAWN BY: KMP / D.O.	
DATE: FEBRUARY 27, 2017	
SCALE: 1" = 30'	
PROJECT NO. 17-012	
L-12	

PRELIMINARY NW LANDSCAPE PLAN



LANDSCAPE PLAN KEY

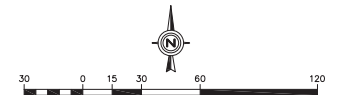


NOTES:

1. ALL TREES, BUSHES AND SHRUBS ARE SUBJECT TO MARKET CONDITIONS.
2. PER APPLICANT: "APPLICANT'S LANDSCAPE PLANTINGS WILL BE IN FULL COMPLIANCE WITH ALL APPLICABLE ORDINANCES OF THE CITY OF SAINT CHARLES. APPLICANT RESERVES THE RIGHT TO RELOCATE AND MODIFY LANDSCAPE PLANTINGS ON APPLICANT'S PROPERTY BASED UPON AVAILABILITY AND MARKET CONDITIONS AND PROVIDED APPLICANT SUPPLIES THE APPROPRIATE NUMBER OF PLANTINGS WITH RESPECT TO EACH REQUIRED CLASSIFICATION AND PROVIDED THE PLAN IS IN FULL COMPLIANCE WITH APPLICABLE CODES."



LANDSCAPE PLAN
 DESIGNED BY
 KENNETH M. PRICE, RLA



PRELIMINARY SOUTH LANDSCAPE PLAN

L-13

NO.	REVISIONS	DATE
1	FOR CLIENT	03/27/17
2	FOR STAFF REVIEW COMMENTS	03/27/17

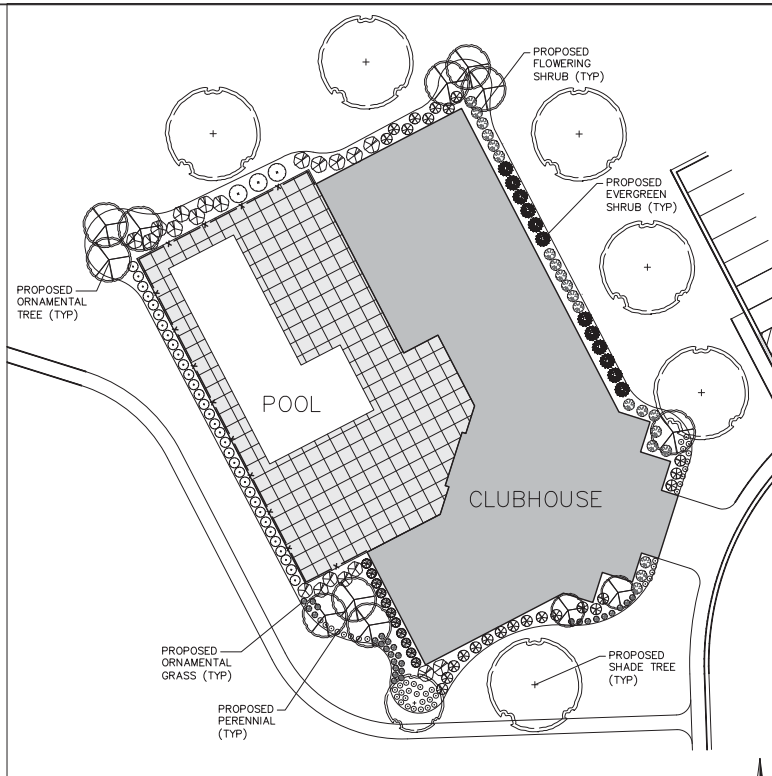
Prepared For:

Executive Affiliates, Inc.
 47W20 US Hwy. 30
 Big Rock, IL 60011
PRAIRIE WINDS - ST. CHARLES
 NWC Bricher Rd and Randall Rd.
 St. Charles, Illinois

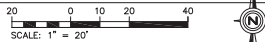
Prepared By:



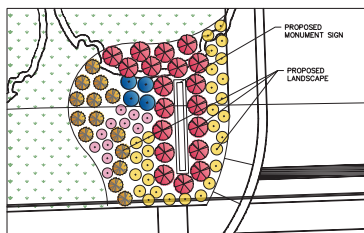
CHECKED BY: J. MILLER
 DESIGN BY: AMP/ D.O.
 DRAWN BY: AMP/ D.O.
 DATE: FEBRUARY 27, 2017
 SCALE: 1" = 30'
 PROJECT NO.: 17-012



CLUBHOUSE FOUNDATION LANDSCAPE PLAN

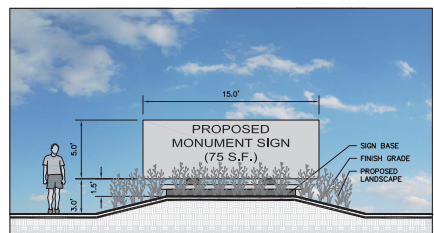


CLUBHOUSE FOUNDATION LANDSCAPE CALCULATION				
BUILDING ELEVATION	FOUNDATION TREE REQUIREMENT	FOUNDATION SHRUBS AND PERENNIAL REQUIREMENT	FOUNDATION TREES PROVIDED	FOUNDATION SHRUBS AND PERENNIALS PROVIDED
FRONT ELEVATION	5 TREES	47 SHRUBS & PERENNIALS	5 TREES	49 SHRUBS & PERENNIALS
REMAINING ELEVATIONS	15 TREES	153 SHRUBS & PERENNIALS	15 TREES	154 SHRUBS & PERENNIALS
TOTAL REQUIREMENT	20 TREES	200 SHRUBS & PERENNIALS	20 TREES	203 SHRUBS & PERENNIALS



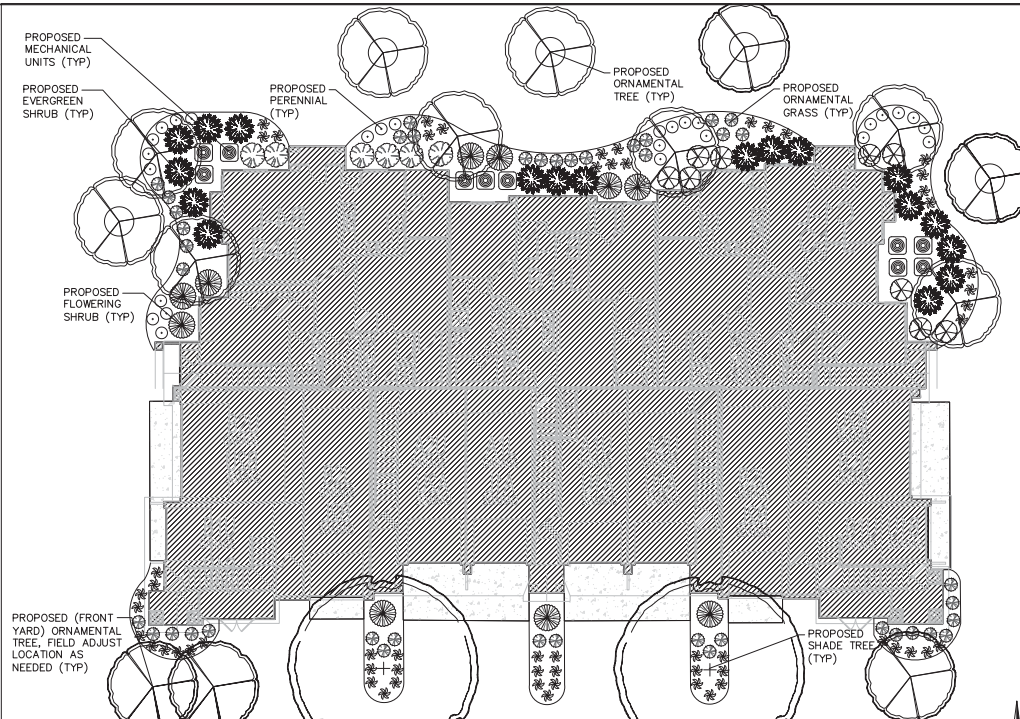
MONUMENT SIGN LANDSCAPE PLAN

SCALE: 1" = 10'

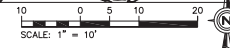


MONUMENT SIGN ELEVATION

SCALE: 1" = 5'



TYPICAL RESIDENTIAL BUILDING FOUNDATION LANDSCAPE PLAN



TYPICAL RESIDENTIAL BUILDING FOUNDATION LANDSCAPE CALCULATION

BUILDING ELEVATION	FOUNDATION TREE REQUIREMENT	FOUNDATION SHRUBS AND PERENNIAL REQUIREMENT	FOUNDATION TREES PROVIDED	FOUNDATION SHRUBS AND PERENNIALS PROVIDED
FRONT ELEVATION	5 TREES	52 SHRUBS & PERENNIALS	5 TREES	52 SHRUBS & PERENNIALS
REMAINING ELEVATIONS	11 TREES	112 SHRUBS & PERENNIALS	11 TREES	112 SHRUBS & PERENNIALS
TOTAL REQUIREMENT	16 TREES	164 SHRUBS & PERENNIALS	16 TREES	164 SHRUBS & PERENNIALS

* DUE TO ARCHITECTURAL STYLE AND DRIVEWAY LOCATIONS, THE REQUIRED TREES AND SHRUBS SHALL BE FIELD ADJUSTED AS NEEDED FOR SPECIFIC SITE CONDITIONS.

NOTES

- ALL TREES, BUSHES AND SHRUBS ARE SUBJECT TO MARKET CONDITIONS.
- PER APPLICANT: "APPLICANT'S LANDSCAPE PLANTINGS WILL BE IN FULL COMPLIANCE WITH ALL APPLICABLE ORDINANCES OF THE CITY OF SAINT CHARLES. APPLICANT RESERVES THE RIGHT TO RELOCATE AND MODIFY LANDSCAPE PLANTINGS ON APPLICANT'S PROPERTY BASED UPON AVAILABILITY AND MARKET CONDITIONS AND PROVIDED APPLICANT SUPPLIES THE APPROPRIATE NUMBER OF PLANTINGS WITH RESPECT TO EACH REQUIRED CLASSIFICATION AND PROVIDED THE PLAN IS IN FULL COMPLIANCE WITH APPLICABLE CODES."



LANDSCAPE PLAN
DESIGNED BY
KENNETH M. PRICE, RLA

FOUNDATION LANDSCAPE PLANS

DATE	REVISIONS
02/07/17	FOR CLIENT
02/07/17	FOR STAFF REVIEW COMMENTS

NO. 1

PREPARED FOR:

Executive Affiliates, Inc.
47W20 US Hwy. 30
Big Rock, IL 60011
PRAIRIE WINDS - ST. CHARLES
NWC Bricher Rd and Randall Rd.
St. Charles, Illinois

PREPARED BY:



CHECKED BY: J. MILLER
DESIGN BY: AMP/D.O.
DRAWN BY: AMP/D.O.
DATE: FEBRUARY 27, 2017
SCALE: AS NOTED
PROJECT NO.: 17-012

L-14

FOUNDATION LANDSCAPE PLANS

LANDSCAPE NOTES

- 1. ALL PLANT MATERIAL SHALL BE HARDY TO THE ZONE...
2. PLANT SPECIES CALLED OUT ON THIS PLAN ARE THE MINIMUM SIZE...
3. CONTRACTOR MUST VERIFY ALL MATERIAL QUANTITIES AS DEPICTED...
4. THE CONTRACTOR SHALL NOTIFY ALL APPROPRIATE AGENCIES...
5. CONTRACTOR IS RESPONSIBLE FOR PROTECTING ALL UTILITIES INCLUDING...
6. ALL UNSUITABLE MATERIAL (CONCRETE, AGGREGATE, STONE, CRUSHED...
7. SOIL MIX PMS5 BY MIDWEST TRADING COMPANY OR EQUAL SHALL BE...
8. CONTRACTOR TO PROVIDE THOROUGH INITIAL WATERING OF ALL...
9. ALL PLANT BED AREAS ARE TO BE MULCHED WITH 3" OF DOUBLE...
10. ALL TURF AREAS ARE TO BE A MIXTURE OF TURF AND BLUEGRASS...
11. IF AREAS TO BE SOILED SHALL BE WITH AN "IMPROVED TURFGRASS SOO"...
12. SEEDS AND PLUGS SHALL BE FROM A SOURCE WITHIN A MAXIMUM OF 200 MILES...
13. CONSTRUCTION REQUIREMENTS AND TIMELINES SHALL BE SCHEDULED...
14. ALL TRANSPLANTED PLANT MATERIAL MUST BE INSTALLED IMMEDIATELY...
15. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING THE...
16. CONTRACTOR IS RESPONSIBLE FOR ALL PLANT MATERIAL REMAINING...
17. CONTRACTOR TO GUARANTEE PLANT MATERIAL AND LABOR FOR A...
18. THE CONTRACTOR IS RESPONSIBLE FOR BECOMING FAMILIAR WITH AND...
19. BIDDERS SHALL BE RESPONSIBLE FOR EXAMINING THE SITE, PRIOR TO...
20. ALL EXISTING ON-SITE PLANT MATERIAL NOT EFFECTED BY CONSTRUCTION...
21. THE CONTRACTOR SHALL FURNISH ALL LABOR, MATERIALS AND...
22. IF IRRIGATION IS DEEMED NECESSARY, THE DESIGN AND INSTALLATION...
23. IF EXISTING IRRIGATION IS PRESENT ON SITE, CONTRACTOR SHALL...
24. PROVIDE TOPSOIL RE-Spread PER THE FOLLOWING UNLESS OTHERWISE...

NATIVE PLANTING SPECIFICATIONS FOR STORMWATER BMPs

- 1. WORK SHALL CONSIST OF PROVIDING, DELIVERING, AND INSTALLING ALL SEEDS, PLUGS, PLANTS, OR OTHER...
2. MATERIALS REQUIRED FOR THE ESTABLISHMENT OF EACH BMP...
3. COMPLIANCE WITH LOCAL REQUIREMENTS AS RELATED TO THE WORK AS DESCRIBED HEREIN INCLUDING...
4. WORK SHALL BE PROVIDED ONLY BY A COMPANY SPECIALIZING IN NATIVE/WETLAND INSTALLATION AND...
5. THE CONTRACTOR IS RESPONSIBLE TO OBTAIN ALL PERMITS THAT ARE REQUIRED BY THE APPLICABLE AGENCIES...
6. THE CONTRACTOR SHALL NOTIFY THE DESIGNER, ALL GOVERNMENT AGENCIES HAVING JURISDICTION, AND ALL...
7. PRIOR TO CONSTRUCTION, THE CONTRACTOR IS TO CONTACT THE DESIGNER TO VERIFY THAT THEY ARE WORKING...
8. THE CONTRACTOR IS TO FOLLOW ALL ORDINANCES AND REQUIREMENTS OF THE STATE, COMMUNITY, AND LOCAL...
9. CONTRACTOR SHALL GUARANTEE ALL SEED, PLUGS, PLANTS, LABOR AND ANY MATERIAL FOR THE DURATION OF...
10. THE CONTRACTOR IS RESPONSIBLE FOR ALL DAMAGES ON AND OFF-SITE, AND THE CONTRACTOR SHALL PROVIDE...
11. THE CONTRACTOR SHALL INDENTIFY WATERMARK ENGINEERING, ARCHITECT AND OWNER, THEIR AGENTS, ETC., FROM ALL LIABILITY INVOLVED WITH THE CONSTRUCTION...
12. ALL SEEDS, PLUGS AND PLANTS SHALL BE GUARANTEED TO BE TRUE TO BOTANICAL NAME AND VARIETIES...
13. SEED MIX PERCENTAGES SHALL MATCH SEED COUNT AND PERCENTAGES SPECIFIED...
14. SEED MIX PERCENTAGES/QUANTITY INDICATED PER ACRE SHALL MEAN THE TOTAL AMOUNT OF PLS (PURE LIVE...
15. SEED MIXTURES TAKEN A MINIMUM OF 2 TO 2 WEEKS PRIOR TO SEEDING TIME FOR APPROVAL BY THE...
16. ALL SEEDS SHALL HAVE THE PROPER STRATIFICATION AND/OR SCARIFICATIONS TO BREAK SEEDS OUT OF...
17. LEGUMES SHALL BE INOCULATED WITH THE PROPER RHIZOBIA AS NECESSARY FOR SCHEDULED PLANTING TIME...
18. IF AREAS TO BE SOILED SHALL BE WITH AN "IMPROVED TURFGRASS SOO"...
19. SEEDS AND PLUGS SHALL BE FROM A SOURCE WITHIN A MAXIMUM OF 200 MILES FROM THE PROJECT LOCATION...
20. ALL QUANTITIES ARE THE RESPONSIBILITY OF THE CONTRACTOR AND ARE TO BE VERIFIED PRIOR TO CONSTRUCTION...
21. CONSTRUCTION REQUIREMENTS AND TIMELINES SHALL BE SCHEDULED WITH THE GENERAL CONTRACTOR...
22. NOW ANY EXCESS EXISTING VEGETATION SCHEDULED TO REMAIN TO A HEIGHT OF 6" MAXIMUM...
23. APPLY BROAD SPECTRUM OR TARGETED HERBICIDE, DEPENDING ON SPECIES PRESENT, HERBICIDE APPLICATION...
24. MUST BE PERFORMED BY A LICENSED PESTICIDE APPLICATION CONTRACTOR IN ACCORDANCE WITH TOP, PH AND...
25. CONTRACTOR IS RESPONSIBLE FOR ALL TESTING AND LABOR FOR ANNUAL SOIL TESTS AND AS NECESSARY TO...
26. CONTRACTOR SHALL VERIFY WITH SEED SOURCE FOR APPROPRIATE PLANTING TIMES AND CONDITIONS AS NEEDED...
27. CONTRACTOR SHALL AVOID THE USE OF HEAVY EQUIPMENT AND ANY OTHER ACTIVITY THAT WILL RESULT IN OVER...
28. WHEN APPLICABLE, CONTRACTOR SHALL INSTALL THE AMENDED SOIL MIX PER PLAN, MATERIALS MAKING UP...
29. TOPSOIL SHALL BE TILLED AS NECESSARY TO CONFORM WITH SEEDING METHODOLOGY WHETHER IT BE BROADCAST...
30. SEED INSTALLATION METHODS AND EQUIPMENT, PROTECTION OF PLANT MATERIAL/SEED FROM WILDLIFE AND OTHER...
31. THE MAINTENANCE OF A NATIVE LANDSCAPE INCLUDES MANY DIFFERENT ACTIONS; REGULATE, INSPECT AND MONITORING, MOWING, SELECTIVE HERBICIDE/ PESTICIDE APPLICATION, OVER-SEEDING AND SIMILAR. PLANS, MIX, PLANT A TEMPORARY COVER CROP ALONG WITH CONSTRUCTION...
32. THE MAINTENANCE OF A NATIVE LANDSCAPE INCLUDES MANY DIFFERENT ACTIONS; REGULATE, INSPECT AND MONITORING, MOWING, SELECTIVE HERBICIDE/ PESTICIDE APPLICATION, OVER-SEEDING AND SIMILAR. PLANS, MIX, PLANT A TEMPORARY COVER CROP ALONG WITH CONSTRUCTION...

NATIVE PLANTING PERFORMANCE STANDARDS

Table with 5 columns: Monitoring and Management Period as Required, Temporary Cover/Permanent Cover Stabilization, Percent Cover of Vegetation from Germinated Seed, None of Three (3) Vegetation Species are Non-Vegetative or Invasive, Survival Rate for Trees and Shrubs, Survival Rate for Plugs.

PLANT PALETTE

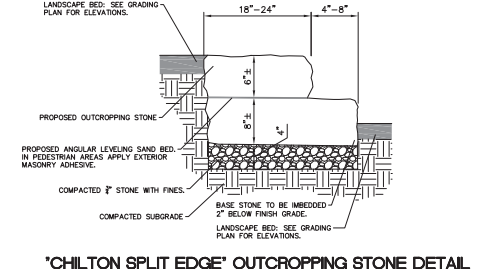
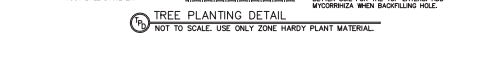
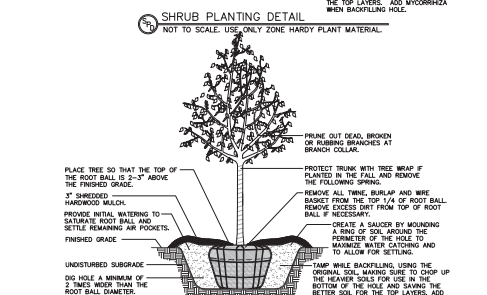
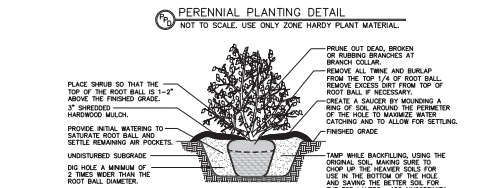
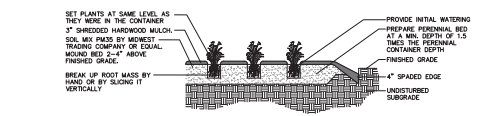
Table with 4 columns: ABBV, Botanical Name, Common Name, Size. Lists various plants like Acer saccharum, Quercus bicolor, etc.

FLOWERING AND EVERGREEN SHRUBS

Table with 4 columns: ABBV, Botanical Name, Common Name, Size. Lists shrubs like Abies balsamea, Juniperus procumbens, etc.

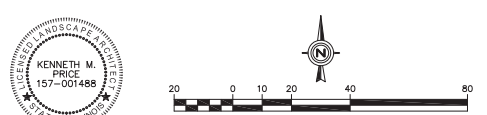
PERENNIALS, ORNAMENTAL GRASS AND GROUNDCOVERS

Table with 4 columns: ABBV, Botanical Name, Common Name, Size. Lists plants like Achillea millefolium, Iris sibirica, etc.



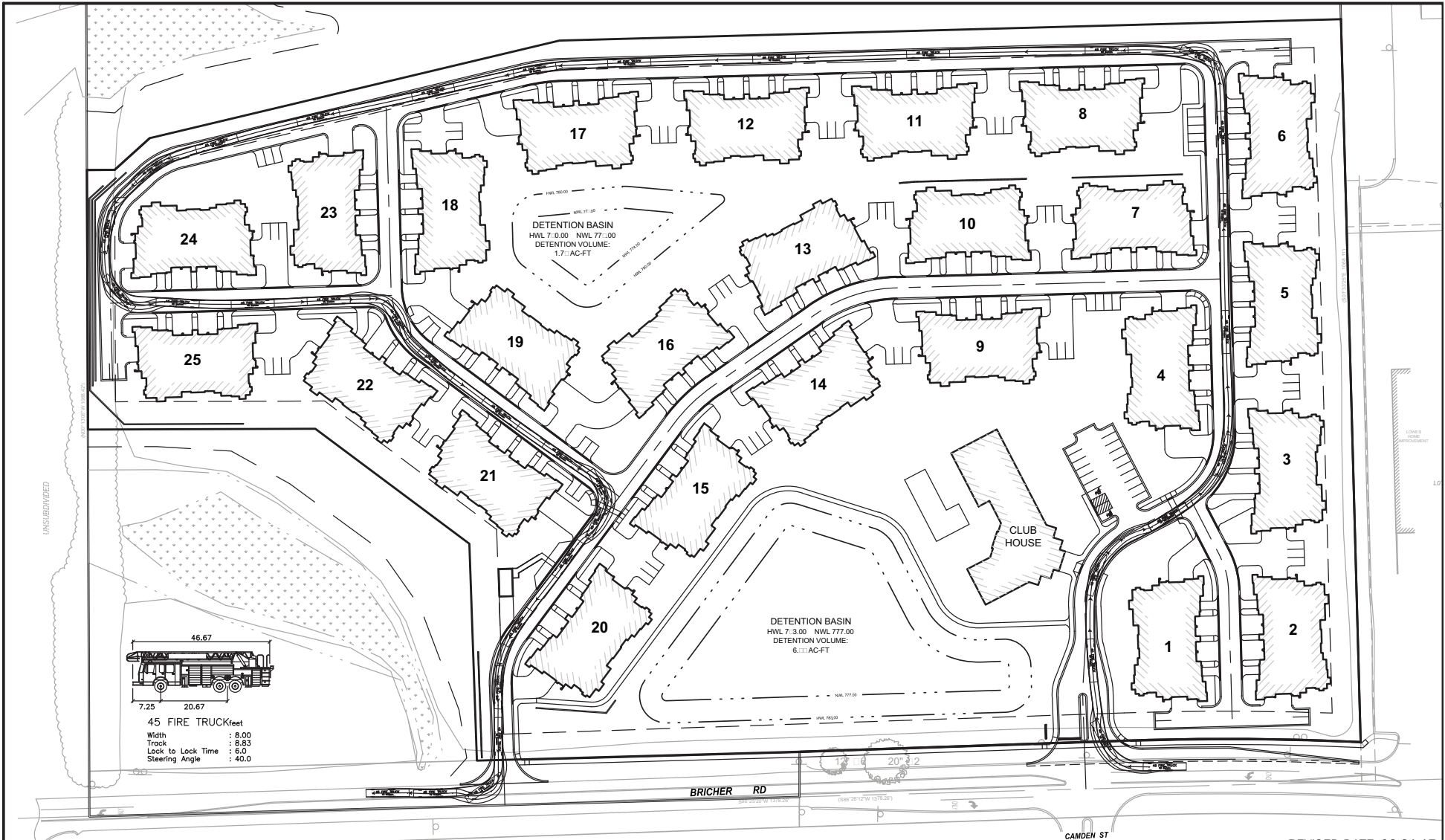
NOTES

- 1. ALL TREES, BUSHES AND SHRUBS ARE SUBJECT TO MARKET CONDITIONS...
2. PER APPLICANT: APPLICANT'S LANDSCAPE PLANTINGS WILL BE IN FULL COMPLIANCE WITH ALL APPLICABLE ORDINANCES OF THE CITY OF SAINT CHARLES...



LANDSCAPE DETAILS AND SPECIFICATIONS

Vertical sidebar containing project information: DATE 03/07/22, REVISIONS, PREPARED FOR, PREPARED BY, EXECUTIVE AFFILIATES, INC., and LANDSCAPE DETAILS AND SPECIFICATIONS.



REVISED DATE: 03-31-17
DATE: 02-17-17



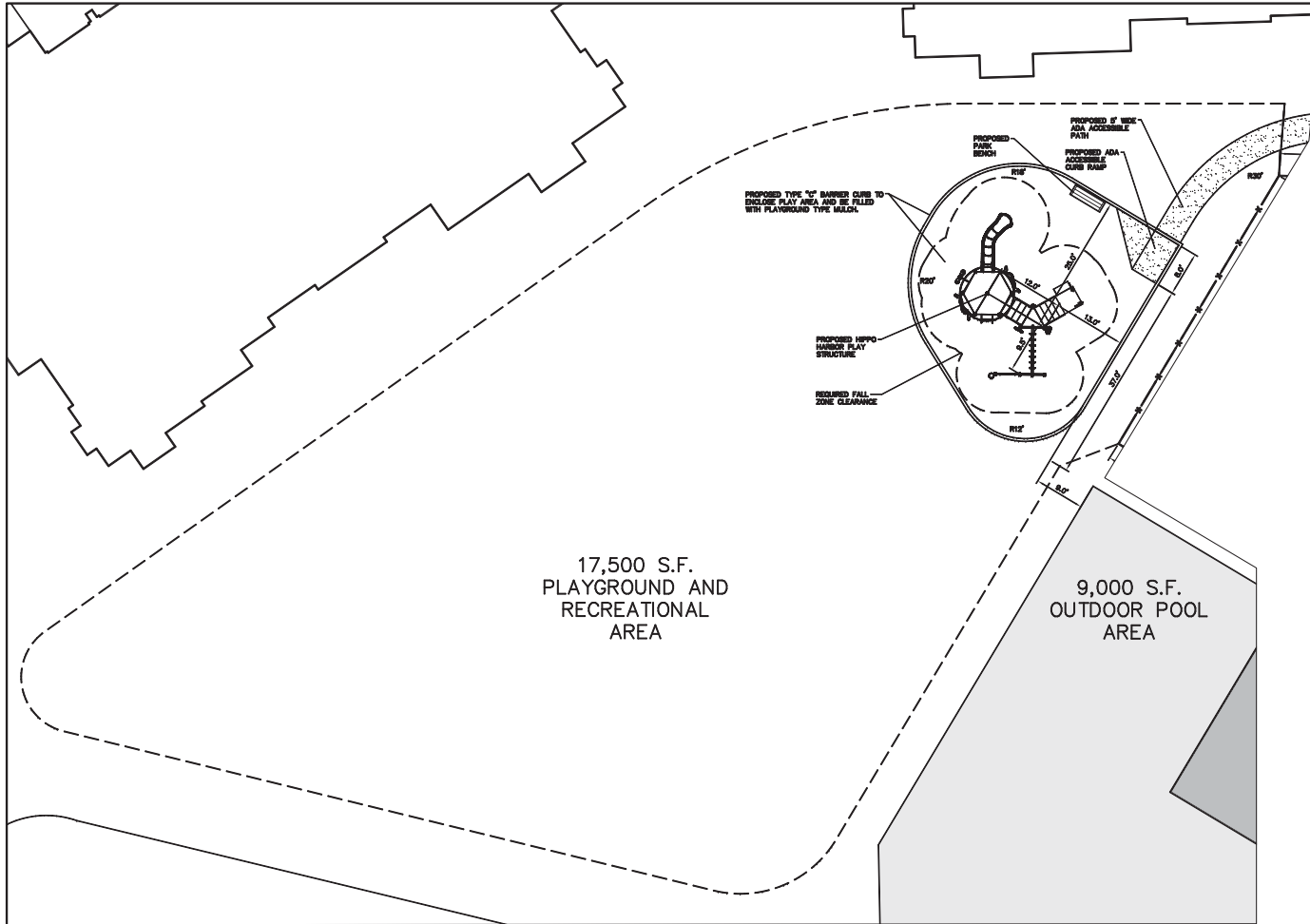
V3 Companies
7325 Janes Avenue
Woodridge, IL 60517
630.724.9200 phone
630.724.9202 fax
www.v3co.com

PRAIRIE WINDS
ST CHARLES
ILLINOIS

FIRE TRUCK EXHIBIT



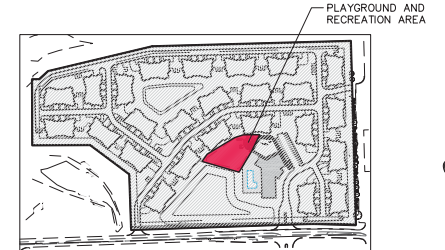
SCALE: 1"=100'



RECYCLED PLASTIC PARK BENCH

17,500 S.F.
PLAYGROUND AND
RECREATIONAL
AREA

9,000 S.F.
OUTDOOR POOL
AREA



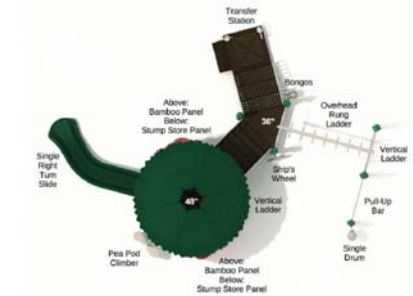
LOCATION MAP



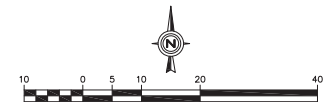
HIPPO HARBOR (FRONT VIEW)



HIPPO HARBOR (REVERSE ANGLE VIEW)



HIPPO HARBOR (TOP VIEW)

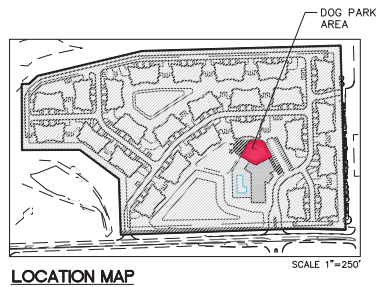
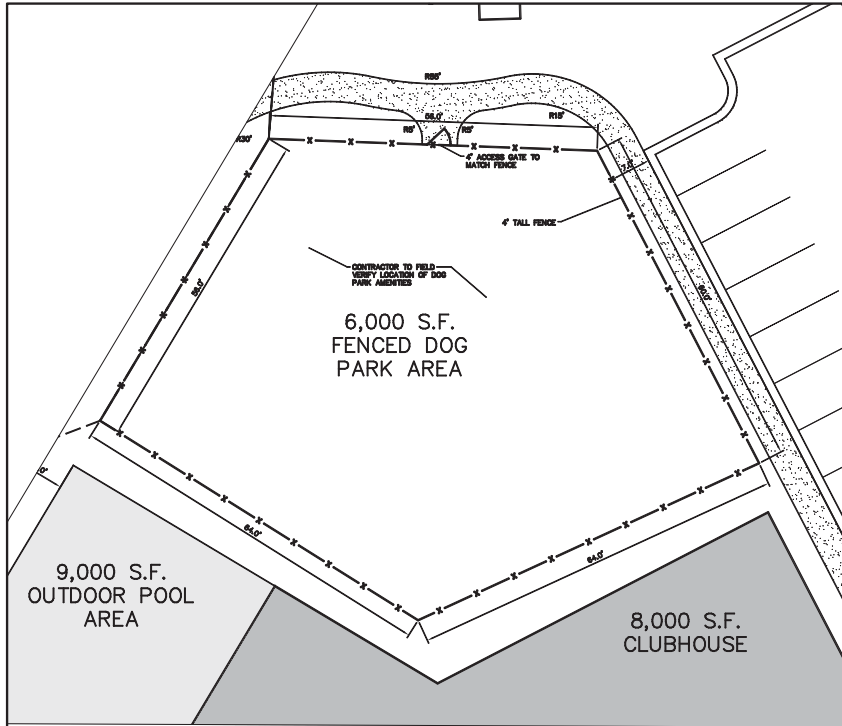


**NOT FOR
CONSTRUCTION**

**PLAYGROUND AND
RECREATIONAL AREA EXHIBIT**

DATE	
NO.	
REVISIONS	
Prepared For:	Executive Affiliates, Inc. 47W20 US Hwy. 30 Big Rock, IL 60511
Prepared By:	PRAIRIE WINDS - ST. CHARLES NMC Bricker Rd and Randall Rd. St. Charles, Illinois
<small>9571 Clarendon Hill, Chicago, Illinois 60630 phone 630-275-4100 fax 630-262-6930 www.walmark-engineering.com</small>	
CHECKED BY: J. MILLER	PROJECT NO.: 17-012
DESIGN BY: KMP/ D.O.	
DRAWN BY: KMP/ D.O.	
DATE: MARCH 10, 2017	
SCALE: 1" = 10'	

1 OF 1



RECYCLED PLASTIC HEADER BAG PET WASTE STATION



FIDO DRINKING FOUNTAIN



RECYCLED PLASTIC DOG PARK BENCH

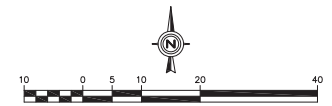


RECYCLED PLASTIC RECEPTICLES



TOP DOG A-FRAME RAMP

NOT FOR CONSTRUCTION



DOG PARK AREA EXHIBIT

DATE	
REVISIONS	
NO.	

Prepared For:

Executive Affiliates, Inc.
47W210 US Hwy. 30
Big Rock, IL 60511
PRAIRIE WINDS - ST. CHARLES
NWC Bricker Rd and Randall Rd.
St. Charles, Illinois

Prepared By:

Walmark Engineering Resources, Ltd.
2021 Clarendon Hill, Suite 1000, St. Charles, IL 60511
phone 630-275-1800 fax 630-275-2450 www.walmark-engineering.com

CHECKED BY: J. MILLER
DESIGN BY: KMP/ D.O.
DRAWN BY: KMP/ D.O.
DATE: MARCH 10, 2017
SCALE: 1" = 10'
PROJECT NO.: 17-012

1 OF 1

DOG PARK AREA EXHIBIT



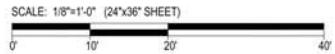
FRONT ELEVATION

LEFT ELEVATION



REAR ELEVATION

RIGHT ELEVATION



BUILDING TYPE II ELEVATIONS

EXTERIOR MATERIALS TO INCLUDE A MIX OF CULTURED STONE, HARDI (OR EQUIVALENT), CEMENTITIOUS SIDING AND STUCCO



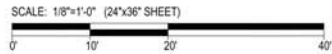
FRONT ELEVATION

LEFT ELEVATION



REAR ELEVATION

RIGHT ELEVATION



BUILDING TYPE II ELEVATIONS

EXTERIOR MATERIALS TO INCLUDE A MIX OF CULTURED STONE, HARDI (OR EQUIVALENT), CEMENTITIOUS SIDING AND STUCCO

A422



CLUBHOUSE ELEVATION

EXTERIOR MATERIALS TO INCLUDE A MIX OF CULTURED STONE, HARDI (OR EQUIVALENT), CEMENTITIOUS SIDING AND STUCCO

SCALE: 1/4" = 1'-0" (1/4" OF SHEET)

Schedule					
Symbol	Label	Qty	Description	Length	Number of Lamps
	A	18	2000K 30W 30' LED & 700' H.A. WALK-UP Type 3 Medium Optic	18'	6482
	B	18	2000K 30W 30' LED & 700' H.A. WALK-UP Type 3 Medium Optic	18'	6482

Statistics							
Category	Symbol	Qty	Min	Max	Min/Max	Dist/Min	Dist/Max
Category 1	A	18	18'	18'	18'	18'	18'

Luminaires Locations									
No.	Label	X	Y	HE	Orientation	Tilt	Symbol	Category	Qty
1	A	100.00	100.00	12.00	0.00	0.00	A	1	1
2	A	100.00	100.00	12.00	0.00	0.00	A	1	1
3	A	100.00	100.00	12.00	0.00	0.00	A	1	1
4	A	100.00	100.00	12.00	0.00	0.00	A	1	1
5	A	100.00	100.00	12.00	0.00	0.00	A	1	1
6	A	100.00	100.00	12.00	0.00	0.00	A	1	1
7	A	100.00	100.00	12.00	0.00	0.00	A	1	1
8	A	100.00	100.00	12.00	0.00	0.00	A	1	1
9	A	100.00	100.00	12.00	0.00	0.00	A	1	1
10	A	100.00	100.00	12.00	0.00	0.00	A	1	1
11	A	100.00	100.00	12.00	0.00	0.00	A	1	1
12	A	100.00	100.00	12.00	0.00	0.00	A	1	1
13	A	100.00	100.00	12.00	0.00	0.00	A	1	1
14	A	100.00	100.00	12.00	0.00	0.00	A	1	1
15	A	100.00	100.00	12.00	0.00	0.00	A	1	1
16	A	100.00	100.00	12.00	0.00	0.00	A	1	1
17	A	100.00	100.00	12.00	0.00	0.00	A	1	1
18	A	100.00	100.00	12.00	0.00	0.00	A	1	1
19	A	100.00	100.00	12.00	0.00	0.00	A	1	1
20	A	100.00	100.00	12.00	0.00	0.00	A	1	1
21	A	100.00	100.00	12.00	0.00	0.00	A	1	1
22	A	100.00	100.00	12.00	0.00	0.00	A	1	1
23	A	100.00	100.00	12.00	0.00	0.00	A	1	1
24	A	100.00	100.00	12.00	0.00	0.00	A	1	1
25	A	100.00	100.00	12.00	0.00	0.00	A	1	1
26	A	100.00	100.00	12.00	0.00	0.00	A	1	1
27	A	100.00	100.00	12.00	0.00	0.00	A	1	1
28	A	100.00	100.00	12.00	0.00	0.00	A	1	1
29	A	100.00	100.00	12.00	0.00	0.00	A	1	1
30	A	100.00	100.00	12.00	0.00	0.00	A	1	1
31	A	100.00	100.00	12.00	0.00	0.00	A	1	1
32	A	100.00	100.00	12.00	0.00	0.00	A	1	1
33	A	100.00	100.00	12.00	0.00	0.00	A	1	1
34	A	100.00	100.00	12.00	0.00	0.00	A	1	1
35	A	100.00	100.00	12.00	0.00	0.00	A	1	1
36	A	100.00	100.00	12.00	0.00	0.00	A	1	1
37	A	100.00	100.00	12.00	0.00	0.00	A	1	1
38	A	100.00	100.00	12.00	0.00	0.00	A	1	1
39	A	100.00	100.00	12.00	0.00	0.00	A	1	1
40	A	100.00	100.00	12.00	0.00	0.00	A	1	1
41	A	100.00	100.00	12.00	0.00	0.00	A	1	1
42	A	100.00	100.00	12.00	0.00	0.00	A	1	1
43	A	100.00	100.00	12.00	0.00	0.00	A	1	1
44	A	100.00	100.00	12.00	0.00	0.00	A	1	1
45	A	100.00	100.00	12.00	0.00	0.00	A	1	1
46	A	100.00	100.00	12.00	0.00	0.00	A	1	1
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52	A	100.00	100.00	12.00	0.00	0.00	A	1	1
53	A	100.00	100.00	12.00	0.00	0.00	A	1	1
54	A	100.00	100.00	12.00	0.00	0.00	A	1	1
55	A	100.00	100.00	12.00	0.00	0.00	A	1	1
56	A	100.00	100.00	12.00	0.00	0.00	A	1	1
57	A	100.00	100.00	12.00	0.00	0.00	A	1	1
58	A	100.00	100.00	12.00	0.00	0.00	A	1	1
59	A	100.00	100.00	12.00	0.00	0.00	A	1	1
60	A	100.00	100.00	12.00	0.00	0.00	A	1	1
61	A	100.00	100.00	12.00	0.00	0.00	A	1	1
62	A	100.00	100.00	12.00	0.00	0.00	A	1	1
63	A	100.00	100.00	12.00	0.00	0.00	A	1	1
64	A	100.00	100.00	12.00	0.00	0.00	A	1	1
65	A	100.00	100.00	12.00	0.00	0.00	A	1	1
66	A	100.00	100.00	12.00	0.00	0.00	A	1	1
67	A	100.00	100.00	12.00	0.00	0.00	A	1	1
68	A	100.00	100.00	12.00	0.00	0.00	A	1	1
69	A	100.00	100.00	12.00	0.00	0.00	A	1	1
70	A	100.00	100.00	12.00	0.00	0.00	A	1	1
71	A	100.00	100.00	12.00	0.00	0.00	A	1	1
72	A	100.00	100.00	12.00	0.00	0.00	A	1	1
73	A	100.00	100.00	12.00	0.00	0.00	A	1	1
74	A	100.00	100.00	12.00	0.00	0.00	A	1	1
75	A	100.00	100.00	12.00	0.00	0.00	A	1	1
76	A	100.00	100.00	12.00	0.00	0.00	A	1	1
77	A	100.00	100.00	12.00	0.00	0.00	A	1	1
78	A	100.00	100.00	12.00	0.00	0.00	A	1	1
79	A	100.00	100.00	12.00	0.00	0.00	A	1	1
80	A	100.00	100.00	12.00	0.00	0.00	A	1	1
81	A	100.00	100.00	12.00	0.00	0.00	A	1	1
82	A	100.00	100.00	12.00	0.00	0.00	A	1	1
83	A	100.00	100.00	12.00	0.00	0.00	A	1	1
84	A	100.00	100.00	12.00	0.00	0.00	A	1	1
85	A	100.00	100.00	12.00	0.00	0.00	A	1	1
86	A	100.00	100.00	12.00	0.00	0.00	A	1	1
87	A	100.00	100.00	12.00	0.00	0.00	A	1	1
88	A	100.00	100.00	12.00	0.00	0.00	A	1	1
89	A	100.00	100.00	12.00	0.00	0.00	A	1	1
90	A	100.00	100.00	12.00	0.00	0.00	A	1	1
91	A	100.00	100.00	12.00	0.00	0.00	A	1	1
92	A	100.00	100.00	12.00	0.00	0.00	A	1	1
93	A	100.00	100.00	12.00	0.00	0.00	A	1	1
94	A	100.00	100.00	12.00	0.00	0.00	A	1	1
95	A	100.00	100.00	12.00	0.00	0.00	A	1	1
96	A	100.00	100.00	12.00	0.00	0.00	A	1	1
97	A	100.00	100.00	12.00	0.00	0.00	A	1	1
98	A	100.00	100.00	12.00	0.00	0.00	A	1	1
99	A	100.00	100.00	12.00	0.00	0.00	A	1	1
100	A	100.00	100.00	12.00	0.00	0.00	A	1	1



TRAFFIC IMPACT STUDY

REPORT FOR:

PRAIRIE WINDS OF ST. CHARLES



BRICHER ROAD WEST OF RANDALL ROAD **ST. CHARLES, ILLINOIS**

PREPARED BY:



V3 Companies
7325 Janes Avenue
Woodridge, Illinois 60517

V3 Project No. 16262

February 27, 2017
Updated: March 28, 2017



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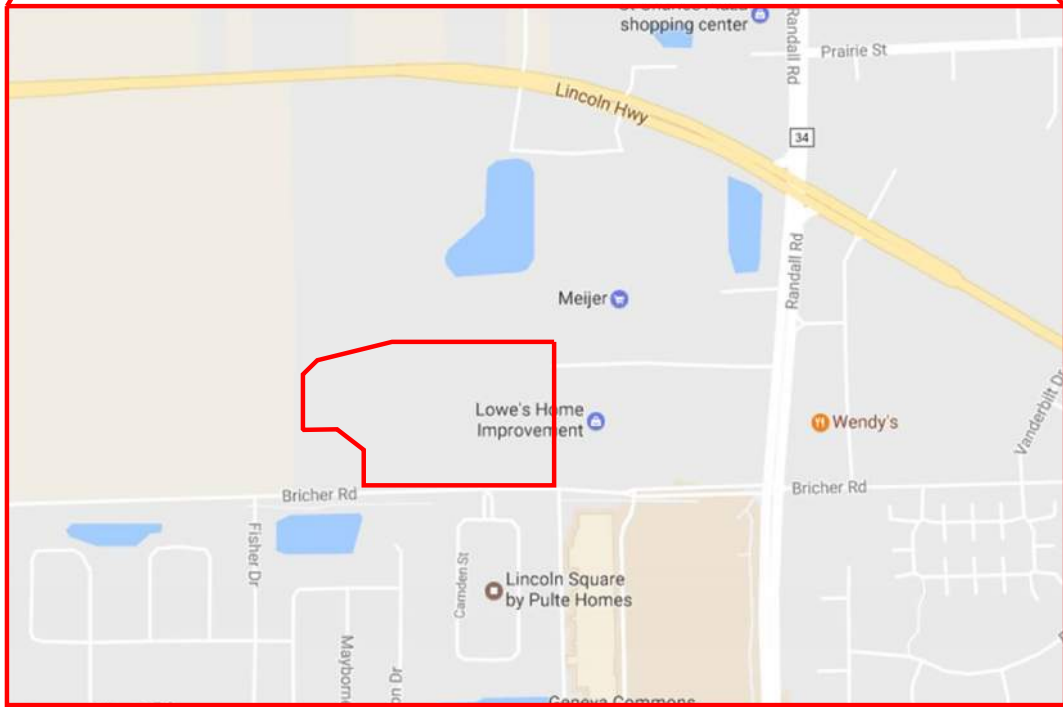
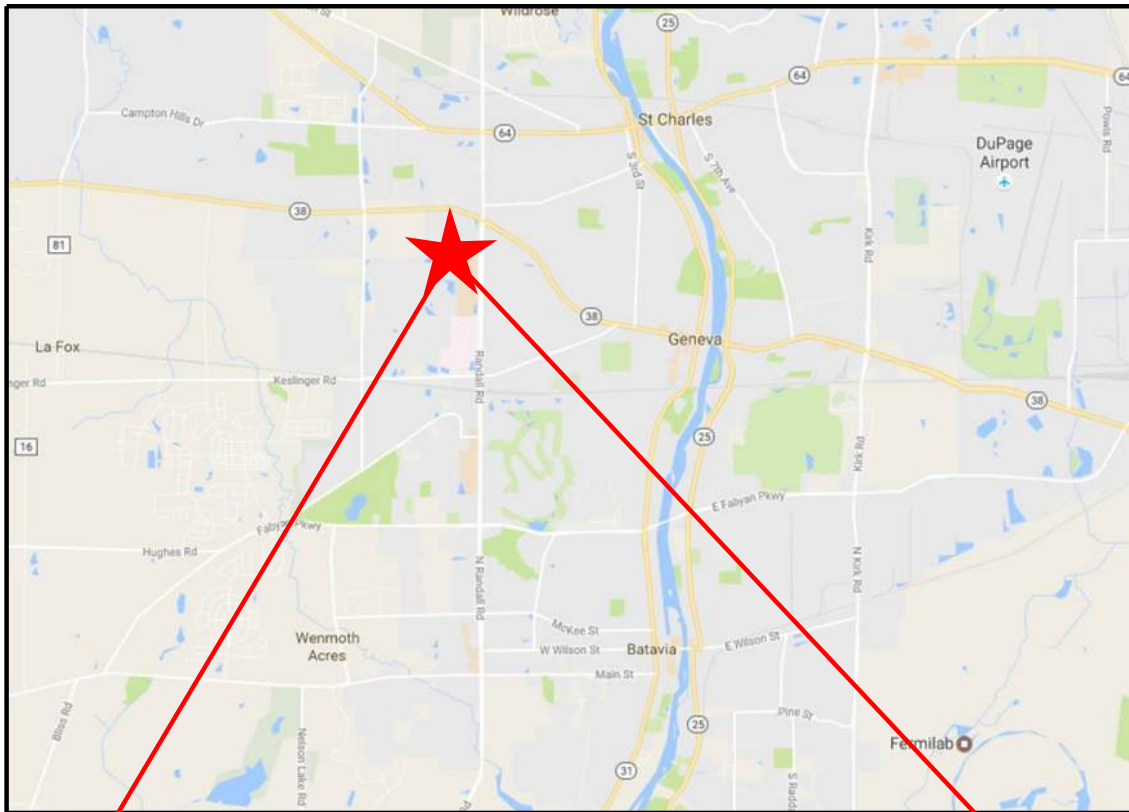
I. INTRODUCTION

V3 Companies has been retained by Executive Capital Corporation to conduct a traffic impact study for a proposed multi-family residential development located along the north side of Bricher Road and west of Randall Road in the City of St. Charles, Kane County, Illinois. The name of the proposed development is Prairie Winds of St. Charles (PW). The property is bounded by Bricher Road to the south, undeveloped land to the west, cultivated land to the north, and a retail development to the east. A site location map is included as Figure 1.

The proposed multifamily residential development will consist of 25 buildings with a total of 250 rental units. A clubhouse facility is also planned on the site. The proposed access plan consists of a full access driveway on Bricher Road that aligns with Camden Street and a second full access driveway west of Camden Street. A conceptual site plan is included as Figure 2.

The purpose of this report is to evaluate the potential traffic impacts of the proposed development which is expected to be built out in 2017. Traffic estimates are projected for 2022, which is five years beyond the opening date. The study area consists of the existing intersection of Bricher Road and Camden Street, which will align with the proposed primary site driveway, and the proposed site driveway to the west. It is assumed that new traffic generated by the proposed development will not negatively impact operations of the signalized intersections on Bricher Road to the east due to the additional capacity along the roadway and at the signalized intersections. Therefore, the intersection of Bricher Road and Randall Road is not included in this study.

This report includes a description of existing conditions, data collection, capacity analysis, evaluation of data, and conclusions.



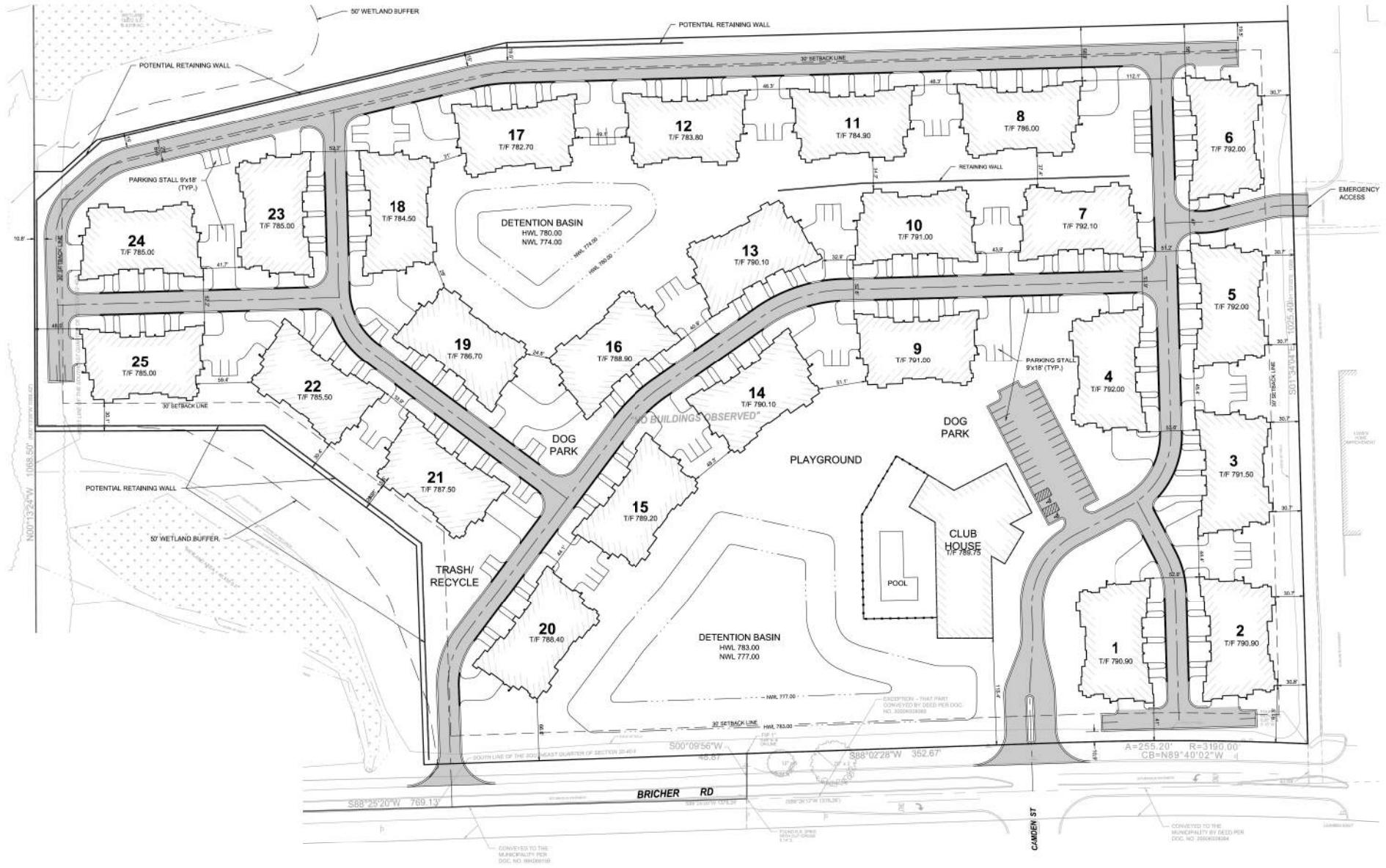
**PRAIRIE WINDS OF
ST. CHARLES**

**FIGURE 1
SITE LOCATION MAP**

ST CHARLES

ILLINOIS





NOT TO SCALE

PRAIRIE WINDS OF ST. CHARLES

FIGURE 2 CONCEPTUAL SITE PLAN

ST CHARLES

ILLINOIS





II. PROJECT CONDITIONS

Land Uses

A variety of land uses exist near the project site, primarily consisting of institutional, residential, retail and service uses. The surrounding land uses are illustrated in Figure 3.

Roadway System

The characteristics of the roadways in the vicinity of the site are presented below. The existing lane configurations at the study area intersections are illustrated in Figure 4.

Bricher Road is a three lane major collector under the jurisdiction of the City of Geneva. A striped median is provided through the entire site frontage. The speed limit on Bricher Road changes along the site frontage, with a limit of 45 miles per hour to the west and 40 miles per hour to the east. The signs indicating the speed limit change are located approximately 300 feet west of the Camden Street intersection. A westbound left turn lane and an eastbound right turn lane are provided on the approaches to Camden Street.

Camden Street is a two lane residential street that serves the Lincoln Square subdivision. No outlets are provided on Camden Street, so all Lincoln Square traffic travels through the intersection of Bricher Road and Camden Street. The northbound approach to Bricher Road consists of a 20 foot lane with no pavement marking. Although the section is wide enough to accommodate one left turn lane and one right turn lane, the lack of roadway striping results in inconsistent usage. For the purposes of this study, the northbound approach to Bricher Road is considered to consist of one shared lane for all movements.



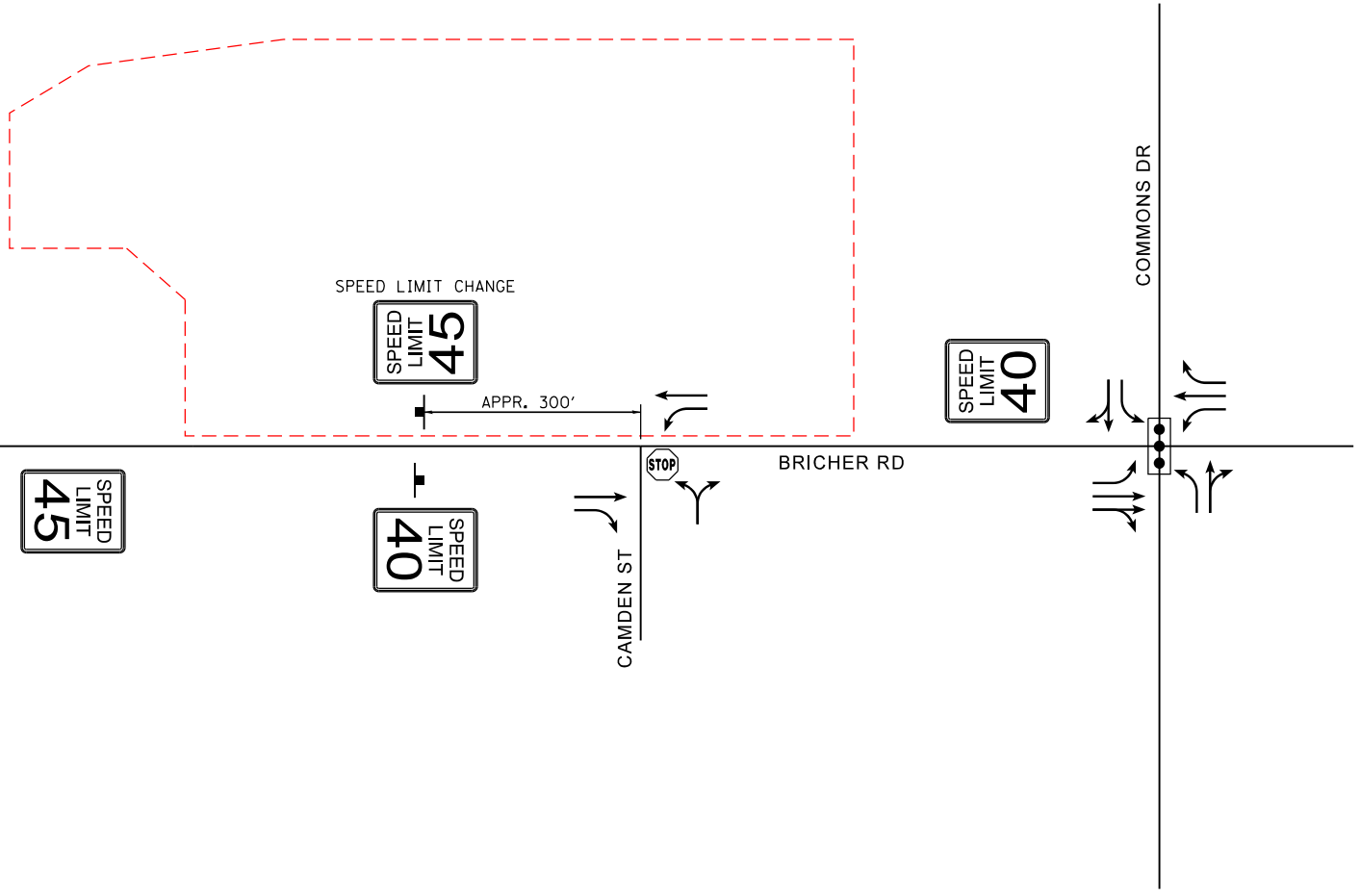
**PRAIRIE WINDS OF
ST. CHARLES**

**FIGURE 3
LAND USE MAP**

ST CHARLES

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LEGEND

-  - TRAFFIC SIGNAL
-  - STOP SIGN

**PRAIRIE WINDS OF
ST. CHARLES**

**FIGURE 4
EXISTING LANE CONFIGURATION**

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Traffic Volumes

To assist in the evaluation of the traffic impact on the roadway system resulting from the proposed development, existing vehicular volumes were collected in the study area.

Vehicle counts were conducted on Wednesday, November 30, 2016 at the intersection of Bricher Road and Camden Street. The morning peak period counts occurred from 7:00 am to 9:00 am and the evening peak period counts occurred from 4:00 pm to 6:00 pm. The count periods were selected to be consistent with traditional peak hours for collector roadways and residential neighborhoods.

The traffic volumes collected indicate that the weekday peak hours occur from 7:00 am to 8:00 am and 5:00 pm to 6:00 pm. The existing peak hour vehicular volumes at the study area intersections are illustrated in Figure 5. A summary of the traffic volumes collected in fifteen minute increments is provided in Appendix A.

Proposed Development

Land Use Development

The Lincoln Square residential subdivision, managed by Pulte Homes, on the south side of Bricher Road is not currently at full occupancy. There was evidence that approximately 18 homes are occupied during the November 30, 2016 site visit. A total of 47 home lots are advertised in published maps for the Lincoln Square development. It is assumed that all homes will be constructed and fully occupied by the 2022 design year of this study. It is also assumed that the number of trips currently traveling through the intersection of Bricher Road and Camden Street will proportionally increase from the current occupancy of 18 homes to full occupancy of 47 homes as Camden Street is the only access point to Lincoln Square.

The City of St. Charles has recently approved the redevelopment of the 27-acre St. Charles Mall property located north of IL 38 and east of Randall Road, east of the proposed Prairie Winds development. The proposed mixed use development, Prairie Center, will include multi-family residential and commercial uses. It is not anticipated that this development will significantly increase traffic along Bricher Road adjacent to Prairie Winds since the roadway dead ends to the west at Peck Road and other east/west options are available for Prairie Center traffic, such as IL 38 and Prairie Street. Additional traffic that may use Bricher Road to and from Prairie Center is likely included in the background growth that was applied to the existing Bricher Road traffic and included in the future traffic analysis.

There are no other known proposed land development projects in the vicinity of the site that will impact the study area.

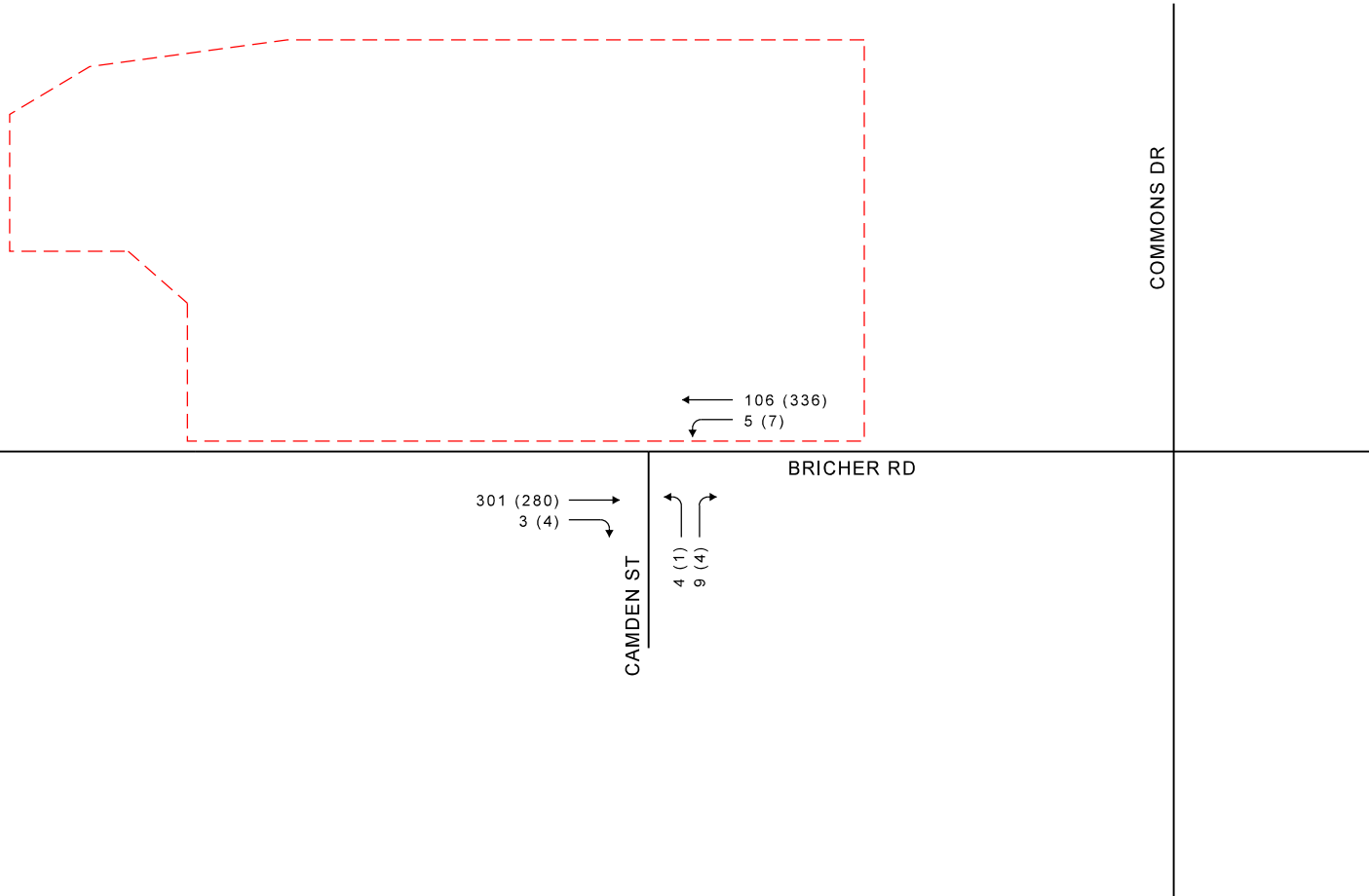


Roadway Development

The conceptual site plan for the proposed development includes two proposed driveways on Bricher Road. The City of St. Charles and City of Geneva have an intergovernmental agreement for access points along the north of Bricher Road. The agreement allows two full access points along the property's frontage of Bricher Road, but not within the area 270 feet east of the center line of Fischer Drive.

The primary driveway, which is aligned with Camden Street, is expected to consist of two lanes with a landscaped median. The lanes are expected to be wide enough to function as a left turn lane and a shared through/right turn lane. The secondary driveway is located approximately 500 feet west of the primary driveway, and forms a three leg intersection with Bricher Road. The secondary driveway is proposed to consist of a two lane section. It is recommended that the striped median on Bricher Road is restriped to provide eastbound left turn lanes at both the primary and secondary driveways. A right-turn lane is proposed on the westbound approach at the primary driveway. Both proposed driveways will be stop controlled on the minor legs of the intersections.

There are no other known proposed roadway projects in the vicinity of the site that will impact the study area. The anticipated future lane configuration for the study area intersections are illustrated in Figure 6.

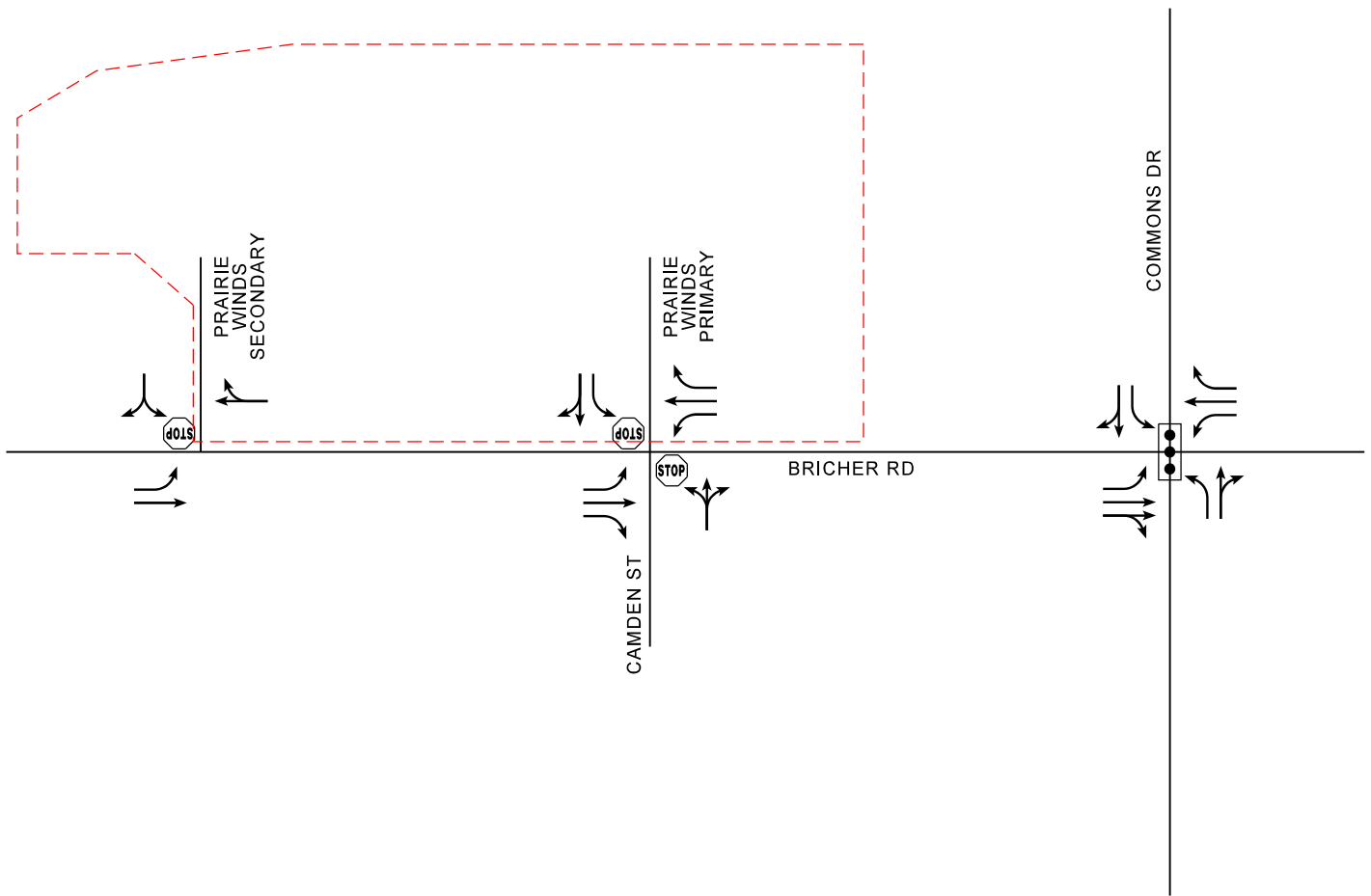


LEGEND

- AM PEAK HOUR
 (##)- PM PEAK HOUR

AM PEAK HOUR: 7:00 AM - 8:00 AM
 PM PEAK HOUR: 5:00 PM - 6:00 PM





LEGEND

 - TRAFFIC SIGNAL

 - STOP SIGN

**PRAIRIE WINDS OF
ST. CHARLES**

**FIGURE 6
PROPOSED LANE
CONFIGURATION**

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III. TRAFFIC FORECASTS

Project Traffic Volumes

Trip Generation

The proposed site plan consists of 250 rental units. Project traffic is estimated using the Institute of Transportation Engineers (ITE) Trip Generation Manual, 9th Edition. The following land use categories are used to determine project traffic:

Apartment (ITE Land Use Code 220) – Apartments are rental dwelling units located within the same building with at least three other dwelling units, for example, quadraplexes and all types of apartment buildings.

The Trip Generation Manual assigns trip generation rates based on a peak period and an independent variable. In this case, dwelling units is the applicable variable for apartment. The am and pm trip generation rates are selected as the average rate for weekday, peak hour of adjacent street traffic for one hour from 7 am to 9 am and 4 pm to 6 pm.

A summary of trip generation is provided in Table 1.

Table 1: Trip Generation

ITE Category Information				Daily	AM Peak Hour			PM Peak Hour		
ITE LUC	Land Use	Size	Variable	Trips	In	Out	Total	In	Out	Total
220	Apartment	250	Dwelling Units	1,663	26	102	128	101	54	155

Trip Distribution and Assignment

The direction from which traffic approaches and departs a site is a function of numerous variables, including location of residences, location of employment centers, location of commercial/retail centers, available roadway systems, location and number of access points, and level of congestion on adjacent road systems.

It is assumed that the distribution of site trips will be comparable to the distribution of existing traffic observed on Bricher Road. The directionality of traffic differs in the am and pm peak hours. During the am peak hour external trips are heavily weighted toward Randall Road to the east, which is the nearest major arterial. The directionality is more evenly split during the pm peak hour, so the directionality of project trips is assumed to be muted as well. It is assumed that traffic slightly favors traveling to and from the east of the site, as commuter traffic is likely to travel on Randall Road.



Site traffic will be split between the primary and secondary driveways. It is anticipated that more than half of the overall traffic will use the primary entrance due to the location of the residential buildings on the conceptual site plan and ease of access from Bricher Road. However, a substantial number of dwelling units are located closer to the secondary entrance, which is also expected to experience significant use. A 60/40 split between the primary and secondary driveways is assumed for both peak hours.

The directional distribution and assignment of new project traffic is illustrated in Figure 7.

Background Traffic Volumes

Background traffic volumes are estimated for the year 2022, which is five years beyond the anticipated build out in 2017. These volumes account for future non-project related growth in the area. The growth rate is determined after reviewing historic average daily traffic (ADT) volumes along Bricher Road west of Randall Road that are available from IDOT. An evaluation of historic daily volumes along Bricher Road near the study area is summarized in Table 2.

Table 2: Historic IDOT ADT Growth Rates – Bricher Road

Count Year	IDOT ADT	Annual Growth Rate from Previous Count Year
2002	2150	-
2006	5900	43.6%
2010	5300	-2.5%
2014	5200	-0.5%

Substantial ADT growth occurred from 2002 to 2006, which coincides with the construction of several residential developments to the west of the study area. Since 2006, ADT's along Bricher Road have decreased. In order to maintain conservative analysis, a negative growth rate will not be used in this study. Instead, the annual growth rate is assumed to be one percent per year at all study area intersections. This methodology is typical in situations involving potentially negative traffic volume growth rates.

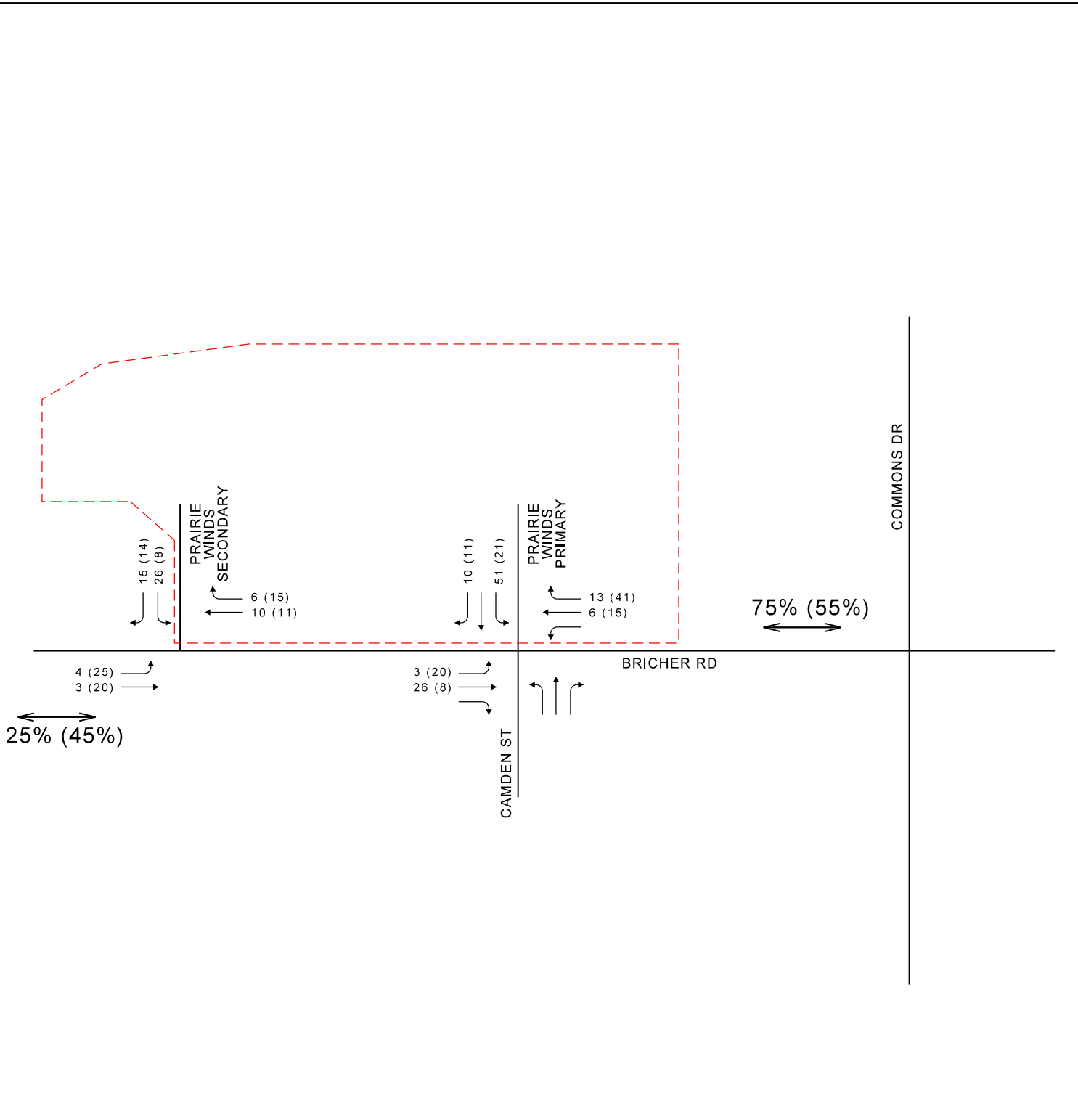
As previously stated, it is assumed that the Lincoln Square residential development to south will be fully constructed and occupied by 2022. Currently, approximately 18 of the 47 potential homes are occupied. The additional projected trips for full occupancy are included in the background condition. The distribution of the projected trips matches the distribution of existing Lincoln Square trips.

The background traffic volumes are illustrated in Figure 8.



Future Traffic Volumes

The project traffic volumes are added to the background volumes to obtain the future traffic volumes for the study intersections. Future with project traffic volumes are depicted in Figure 9.



LEGEND

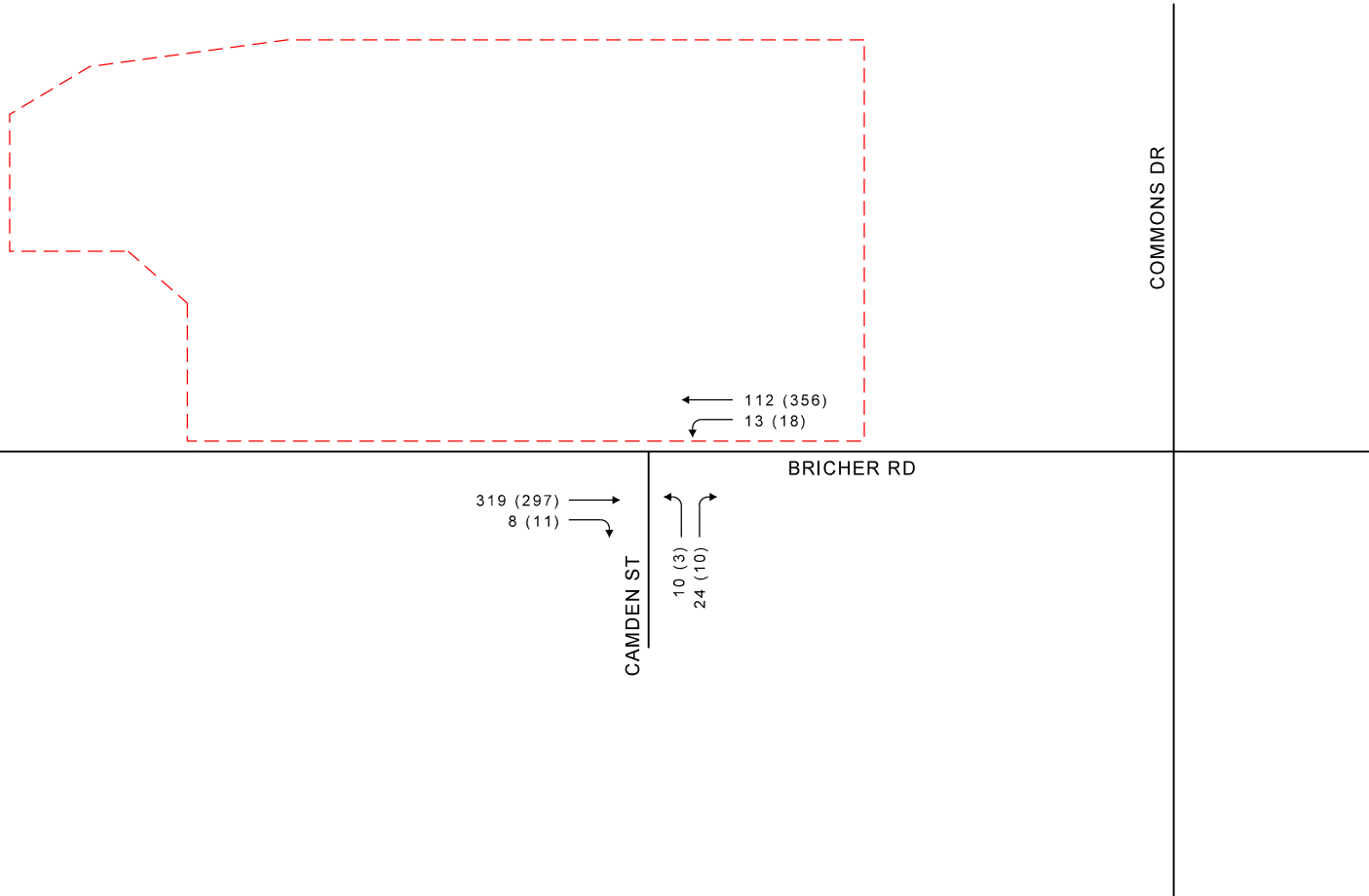
- AM PEAK HOUR
 (##)- PM PEAK HOUR

AM PEAK HOUR: 7:00 AM - 8:00 AM
 PM PEAK HOUR: 5:00 PM - 6:00 PM

PRAIRIE WINDS OF ST. CHARLES

FIGURE 7 PROJECT TRAFFIC VOLUMES





LEGEND

- AM PEAK HOUR
 (##)- PM PEAK HOUR

AM PEAK HOUR: 7:00 AM - 8:00 AM
 PM PEAK HOUR: 5:00 PM - 6:00 PM

NOTE:

BACKGROUND TRAFFIC VOLUME = EXISTING TRAFFIC VOLUME + ADDITIONAL LINCOLN SQUARE TRAFFIC + 1% GROWTH PER YEAR TO 2022
 (FIGURE 5)

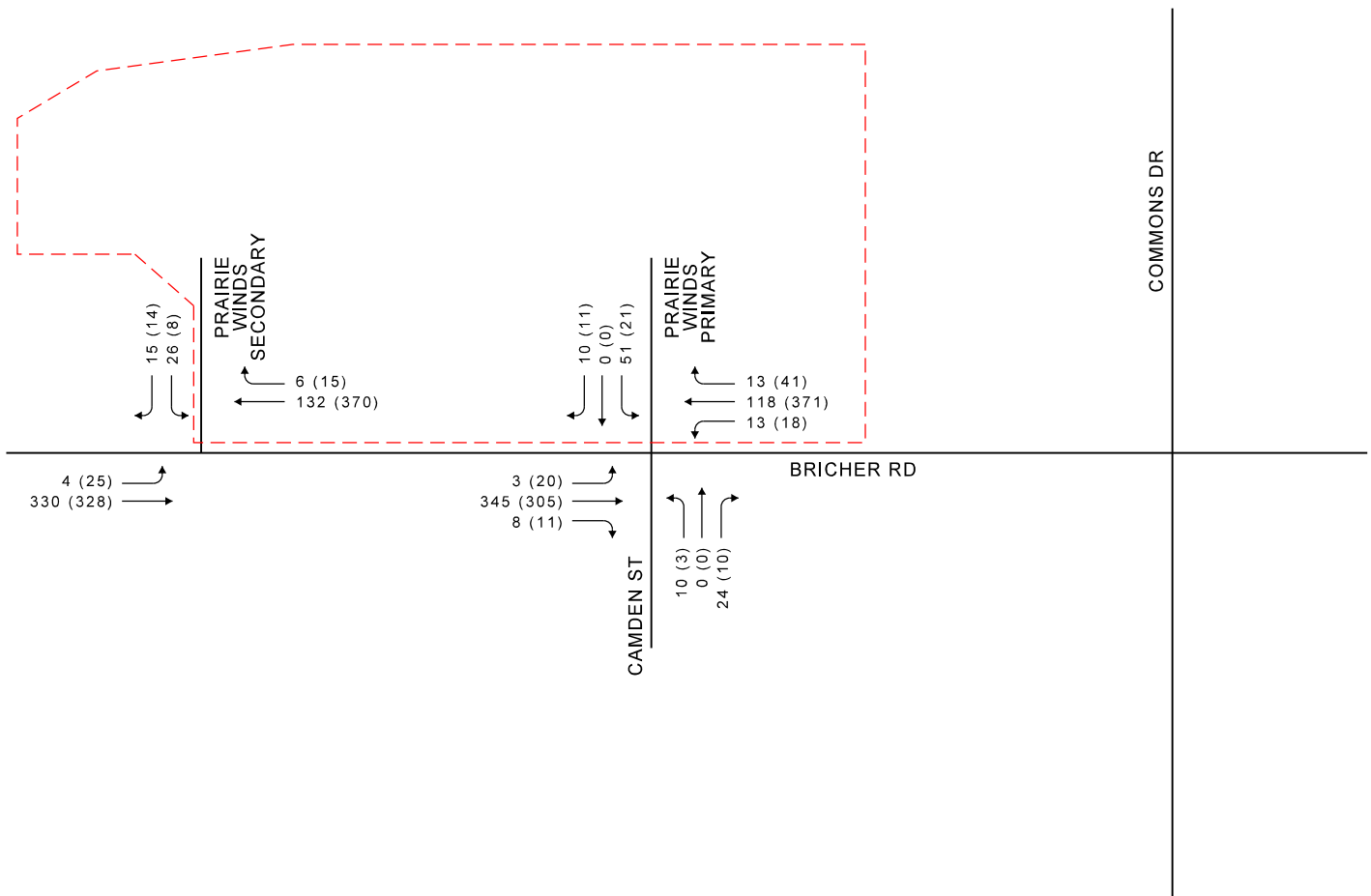
PRAIRIE WINDS OF ST. CHARLES

**FIGURE 8
 BACKGROUND TRAFFIC VOLUMES**

ST CHARLES

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LEGEND

- AM PEAK HOUR
 (##)- PM PEAK HOUR

AM PEAK HOUR: 7:00 AM - 8:00 AM
 PM PEAK HOUR: 5:00 PM - 6:00 PM

NOTE:

FUTURE WITH PROJECT TRAFFIC VOLUME = BACKGROUND TRAFFIC VOLUME (FIGURE 8) + PROJECT TRAFFIC VOLUME (FIGURE 7)

PRAIRIE WINDS OF ST. CHARLES

**FIGURE 9
 FUTURE WITH PROJECT
 TRAFFIC VOLUMES**

ST CHARLES

ILLINOIS





IV. TRAFFIC ANALYSIS

Capacity Analysis

The operation of a facility is evaluated based on level of service (LOS) calculations obtained by analytical methods defined in the Transportation Research Board’s Highway Capacity Manual (HCM), 2010 Edition. The concept of LOS is defined as a quality measure describing operational conditions within a traffic stream, generally in terms of such service measures as speed and travel time, freedom to maneuver, traffic interruptions, and comfort and convenience.

There are six LOS letter designations, from A to F, with LOS A representing the best operating conditions and LOS F the worst.

The LOS of an intersection is based on the average control delay per vehicle. For a signalized intersection, the delay is calculated for each lane group and then aggregated for each approach and for the intersection as a whole. Generally, the LOS is reported for the intersection as a whole. For an unsignalized intersection, the delay is only calculated and reported for each minor movement. An overall intersection LOS is not calculated.

There are different LOS criteria for signalized and unsignalized intersections primarily due to driver perceptions of transportation facilities. The perception is that a signalized intersection is expected to carry higher traffic volumes and experience a greater average delay than an unsignalized intersection. Typically, various state and local governments adopt operating standards varying between LOS C and LOS E, depending on the area’s size and roadway characteristics. The LOS criteria for signalized and unsignalized intersections are provided in Table 3.

Table 3: Level of Service Definitions for Signalized and Unsignalized Intersections

Level of Service	Signalized Intersection Control Delay (seconds/vehicle)	Unsignalized Intersection Control Delay (seconds/vehicle)
A	≤ 10	≤ 10.0
B	> 10.0 and ≤ 20.0	> 10.0 and ≤ 15.0
C	> 20.0 and ≤ 35.0	> 15.0 and ≤ 25.0
D	> 35.0 and ≤ 55.0	> 25.0 and ≤ 35.0
E	> 55.0 and ≤ 80.0	> 35.0 and ≤ 50.0
F	> 80.0	> 50.0

Source: Transportation Research Board, *Highway Capacity Manual 2010*, National Research Council, 2010.

The study area consists of the two proposed site driveways on Bricher Road. The primary driveway aligns with Camden Street. Capacity analysis is performed with HCS 2010 (ver. 6.90). Multiple HCS 2010 scenarios are created to evaluate the existing, background, and future with project traffic volumes for the weekday am and pm peak hours. Results for the study



intersections are summarized in Table 4. Supporting analysis worksheets from HCS 2010 for the existing, background and future traffic conditions are provided in Appendices B, C and D.

Table 4: Unsignalized Intersection LOS

Intersection / Approach	AM Peak Hour						PM Peak Hour					
	Existing		Background		Future w/ Project		Existing		Background		Future w/ Project	
	Delay (s/veh)	LOS	Delay (s/veh)	LOS	Delay (s/veh)	LOS	Delay (s/veh)	LOS	Delay (s/veh)	LOS	Delay (s/veh)	LOS
Bricher Road & Camden Street/Primary Driveway (East Driveway)												
NB Approach	10.4	B	10.9	B	11.4	B	10.6	B	11.0	B	11.7	B
SB Left	-	-	-	-	14.4	B	-	-	-	-	18.2	C
SB Thru/Right	-	-	-	-	8.9	A	-	-	-	-	10.5	B
EB Left	-	-	-	-	7.5	A	-	-	-	-	8.2	A
WB Left	7.9	A	8.0	A	8.0	A	7.8	A	7.9	A	8.0	A
Bricher Road & Secondary Driveway (West Driveway)												
SB Approach	-	-	-	-	11.6	B	-	-	-	-	13.1	B
EB Left	-	-	-	-	7.5	A	-	-	-	-	8.2	A

Under existing conditions, the minor movements at the intersection of Bricher Road and Camden Street experience little delay with all movements operating at LOS A or LOS B during the am and pm peak hours. Delay increases slightly for all movements in the background scenario but the levels of service do not change.

The addition of project related trips has little impact on performance of the study area intersections during the am and pm peak hours, with only slight delay increases for the existing movements in the future with project scenario. There are no changes in level of service. Likewise, the new minor movements at the two site driveways operate at LOS C or better during both the am and pm peak hours.

Therefore, it is concluded that the proposed development does not adversely impact the study area intersections on Bricher Road with the restriping of the median to provide eastbound left turn lanes at both site driveways. No other mitigation is necessary.

Queue Length Analysis

The 95th percentile queue lengths are also analyzed using HCS 2010. The applicable minor movement queue lengths for the am and pm peak hours are summarized in Table 5.

All queue storage lengths are adequate in the existing, background, and future with project scenarios. The two proposed southbound driveway approaches are expected to mirror the northbound approach of Camden Street in that the approach travel lane is the storage lane. Therefore, the storage length will be equal to the throat length within the site and there is not an applicable taper length. The queue lengths at the two proposed eastbound left turn lanes are expected to be quite short and will not be the controlling factor for storage length. Therefore the



design defers to the IDOT BRL Manual requirements for queue storage and taper lengths based on the posted speed limit of 40 miles per hour at the East Driveway and 45 miles per hour at the West Driveway. However, a variance could be considered for one or both of the driveways to allow shorter storage and taper lengths.

Table 5: 95th Percentile Queue Lengths

Intersection	Scenario	95% Queue Length (feet)							
		AM Peak Hour				PM Peak Hour			
		EB Left	WB Left	NB App.	SB Left	EB Left	WB Left	NB App.	SB Left
Bricher Road and Camden Street/ Primary Driveway	Existing	-	0	3	-	-	0	0	-
	Background	-	0	5	-	-	0	3	-
	Future with Project	0	0	5	10	3	0	3	5
	Existing Storage	N/A ²	185	75 ¹	N/A ⁴	N/A ²	185	75 ¹	N/A ⁴
	Existing Taper	N/A ²	95	N/A ¹	N/A ⁴	N/A ²	95	N/A ¹	N/A ⁴
Bricher Road and Secondary Driveway	Existing	-	-	-	-	-	-	-	-
	Background	-	-	-	-	-	-	-	-
	Future with Project	0	-	-	5	0	-	-	5
	Existing Storage	N/A ³	-	-	N/A ⁴	N/A ³	-	-	N/A ⁴
	Existing Taper	N/A ³	-	-	N/A ⁴	N/A ³	-	-	N/A ⁴

Notes:

1. Approximately 75 feet from stop bar to multi-use path crossing
2. Proposed lengths based on BLR standards for 40 speed limit - 115' Storage/132' Taper min.
3. Proposed lengths based on BLR standards for 45 speed limit - 115' Storage/156' Taper min.
4. Travel lane is the storage lane as no add lanes are proposed for SB approach

Traffic Signal Warrant Analysis

It is worthwhile to conduct a traffic signal warrant analysis given the addition of an approach to the intersection of Bricher Road and Camden Street, and an overall increase in traffic associated with the proposed development. The investigation for the need for a traffic control signal is based on the methodology established in the Manual on Uniform Traffic Control Devices (MUTCD). The MUTCD establishes nine individual warrants. Installation of a traffic signal should be further investigated at locations that meet one or more warrants. Analysis worksheets for the appropriate warrants are included in Appendix E.

Warrant 1 is the eight-hour vehicular volume warrant. Warrant 1 is met if a total of 8 hours in the day exceed the thresholds established in the MUTCD. Traditionally this warrant requires more than eight hours of data collection and substantial projections of future trips. However, additional guidance from IDOT declares that in cases involving future volumes, the eight hour vehicular volume hour can be estimated as 55 percent of the peak hour volumes. The IDOT methodology also requires a reduction of the minor approach right turn volume based on factors such as lane configuration and conflicting volumes. Ultimately, the eight-hour vehicular warrant is not met at the intersection of Bricher Road and Camden Street using 55 percent of the pm peak hour volumes.



Warrant 2 is the four-hour vehicular volume warrant. The conditions in this warrant are intended to be applied where the volume of intersecting traffic is the principal reason to consider installing a traffic signal. The MUTCD establishes the thresholds for major and minor street traffic. The traffic projections in this study established only the am and pm peak hours, both of which do not meet this warrant.

Although the MUTCD describes a warrant based on peak hour volumes (Warrant 3), this warrant is intended to be used in cases that are expected to have substantial spikes in minor approach traffic, such a large office building with many employees departing at the same time. However, the projected peak hour intersection volumes do not meet Warrant 3.

Overall, the projected future volumes at Bricher Road and Camden Street/Primary Driveway do not meet the eight-hour, four-hour, or peak hour warrants. Therefore, it is concluded that a traffic signal will not be warranted at this intersection following the completion of the proposed development.

Right Turn Lane Warrant Analysis

The addition of right-turn lanes at intersections can significantly improve operations if warranted. Right turn warrant criteria is provided both by IDOT and Kane County DOT. It is likely that the KDOT criteria controls over the criteria present in the IDOT BDE and BLR, but both criteria are included in this report.

The IDOT criteria is based on only the approach volume and right turn volume, with no separate consideration for the speed limit in most cases. When the future with project volumes are plotted against the IDOT threshold, it is apparent that the volumes are well below the threshold that would require a right turn lane to be considered at either intersection. Therefore, it is concluded that right turn lanes are not required at the two proposed driveways per IDOT requirements.

Kane County DOT requirements differ from IDOT since the posted speed limit is also considered, along with the approach and right turn volumes. The posted speed limit is 40 miles per hour at the Primary Driveway and 45 mph and the Secondary Driveway. In both of these scenarios, the plotted right turn volume is below the warrant threshold. Therefore, it is concluded that right turn lanes are not required at the two proposed driveways, per Kane County DOT requirements.

Figures displaying the plotted right turn lane threshold criteria for both IDOT and Kane County DOT requirements are included as Appendix F.

It should be noted that despite falling below the criteria requiring a right turn lane, a right turn lane is proposed on the westbound approach at the Primary Driveway. The addition of the lane highlights the primary nature of this driveway and matches the lane configuration of the eastbound approach. A right turn lane is not proposed at the secondary driveway.



V. CONCLUSIONS

The purpose of this report is to evaluate the potential traffic impacts of the proposed 250 unit Prairie Winds rental community located on Bricher Street in St. Charles, Illinois. The conceptual site plan includes a primary full access driveway aligned with Camden Street, and a secondary full access driveway located approximately 500 feet to the west. It is recommended that eastbound left turn lanes be striped within the existing median at the two proposed site driveways.

Capacity analysis was conducted for existing, background, and future with project conditions during the am and pm peak hours at the intersection of Bricher Road and Camden Street, as the site driveways. Traffic was estimated to 2022, which is five years beyond the anticipated opening of the Prairie Winds development. The projects also include additional trips on Camden Street to account for future growth in the Lincoln Square development to the south.

Results of the capacity and queue analysis indicate that there are no performance issues at the study area intersection in either the am or pm peak hours. No additional roadway improvements are recommended.

Despite the addition of a fourth approach and an overall increase in traffic, the intersection of Bricher Road and Camden Street/Primary Driveway does not meet the eight hour, four hour, or peak hour traffic signal warrants. Right turn lane warrant analysis confirms that the future volumes at the proposed driveways do not meet warrants. However, a right turn lane is proposed on the westbound approach to the Primary Driveway to highlight the primary nature of this driveway and to match the configuration of the existing eastbound approach.



APPENDIX A

EXISTING TRAFFIC COUNTS

V3 Companies
 7325 Janes Avenue
 Woodridge, IL 60517

Project: Randall & Bricher
 Location: St. Charles, Illinois
 Weather: Dry
 Counted by: V3

File Name : Camden and Bricher
 Site Code : 16262
 Start Date : 11/30/2016
 Page No : 1

Groups Printed- Unshifted

Start Time	CAMDEN STREET Northbound				BRICHER ROAD Eastbound				BRICHER ROAD Westbound				Int. Total
	Left	Right	Peds	App. Total	Thru	Right	Peds	App. Total	Left	Thru	Peds	App. Total	
07:00 AM	3	1	0	4	66	2	0	68	1	19	0	20	92
07:15 AM	0	0	0	0	104	0	0	104	0	28	0	28	132
07:30 AM	0	2	0	2	58	1	0	59	2	24	0	26	87
07:45 AM	1	6	0	7	73	0	0	73	2	35	0	37	117
Total	4	9	0	13	301	3	0	304	5	106	0	111	428
08:00 AM	0	3	0	3	41	1	0	42	1	30	0	31	76
08:15 AM	0	2	0	2	55	0	0	55	0	20	0	20	77
08:30 AM	1	0	0	1	53	0	0	53	4	31	0	35	89
08:45 AM	0	3	0	3	51	1	0	52	1	23	0	24	79
Total	1	8	0	9	200	2	0	202	6	104	0	110	321

*** BREAK ***

04:00 PM	1	1	0	2	60	0	0	60	3	71	0	74	136
04:15 PM	0	1	0	1	55	0	0	55	0	89	0	89	145
04:30 PM	0	2	0	2	71	2	0	73	1	71	0	72	147
04:45 PM	0	0	0	0	46	0	0	46	0	65	0	65	111
Total	1	4	0	5	232	2	0	234	4	296	0	300	539
05:00 PM	1	0	0	1	79	0	0	79	0	91	0	91	171
05:15 PM	0	1	0	1	60	1	0	61	2	90	0	92	154
05:30 PM	0	2	0	2	76	3	0	79	1	86	0	87	168
05:45 PM	0	1	0	1	65	0	0	65	4	69	0	73	139
Total	1	4	0	5	280	4	0	284	7	336	0	343	632
Grand Total	7	25	0	32	1013	11	0	1024	22	842	0	864	1920
Apprch %	21.9	78.1	0		98.9	1.1	0		2.5	97.5	0		
Total %	0.4	1.3	0	1.7	52.8	0.6	0	53.3	1.1	43.9	0	45	

Start Time	CAMDEN STREET Northbound				BRICHER ROAD Eastbound				BRICHER ROAD Westbound				Int. Total
	Left	Right	Peds	App. Total	Thru	Right	Peds	App. Total	Left	Thru	Peds	App. Total	
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1													
Peak Hour for Entire Intersection Begins at 07:00 AM													
07:00 AM	3	1	0	4	66	2	0	68	1	19	0	20	92
07:15 AM	0	0	0	0	104	0	0	104	0	28	0	28	132
07:30 AM	0	2	0	2	58	1	0	59	2	24	0	26	87
07:45 AM	1	6	0	7	73	0	0	73	2	35	0	37	117
Total Volume	4	9	0	13	301	3	0	304	5	106	0	111	428
% App. Total	30.8	69.2	0		99	1	0		4.5	95.5	0		
PHF	.333	.375	.000	.464	.724	.375	.000	.731	.625	.757	.000	.750	.811

Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1													
Peak Hour for Entire Intersection Begins at 05:00 PM													
05:00 PM	1	0	0	1	79	0	0	79	0	91	0	91	171
05:15 PM	0	1	0	1	60	1	0	61	2	90	0	92	154
05:30 PM	0	2	0	2	76	3	0	79	1	86	0	87	168
05:45 PM	0	1	0	1	65	0	0	65	4	69	0	73	139
Total Volume	1	4	0	5	280	4	0	284	7	336	0	343	632
% App. Total	20	80	0		98.6	1.4	0		2	98	0		
PHF	.250	.500	.000	.625	.886	.333	.000	.899	.438	.923	.000	.932	.924



APPENDIX B

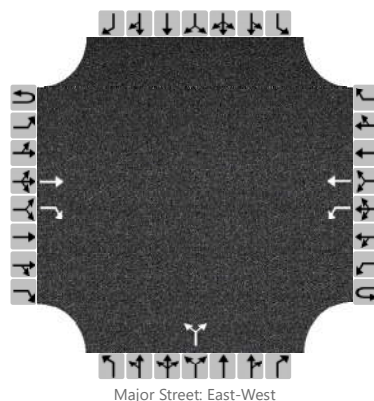
CAPACITY ANALYSIS WORKSHEETS

EXISTING

HCS 2010 Two-Way Stop-Control Report

General Information		Site Information	
Analyst	V3 Co.	Intersection	Bricher Rd and Camden St
Agency/Co.	Village of St. Charles	Jurisdiction	St. Charles Township
Date Performed	12/8/2016	East/West Street	Bricher Rd
Analysis Year	2016	North/South Street	Camden St
Time Analyzed	Existing - AM Peak Hour	Peak Hour Factor	0.95
Intersection Orientation	East-West	Analysis Time Period (hrs)	0.25
Project Description	Prairie Winds		

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Movement	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Priority																
Number of Lanes	0	0	1	1	0	1	1	0		0	0	0		0	0	0
Configuration			T	R		L	T				LR					
Volume, V (veh/h)			301	3		5	106			4		9				
Percent Heavy Vehicles (%)						0				0		0				
Proportion Time Blocked																
Percent Grade (%)									0							
Right Turn Channelized	No				No				No				No			
Median Type/Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)																
Critical Headway (sec)																
Base Follow-Up Headway (sec)																
Follow-Up Headway (sec)																

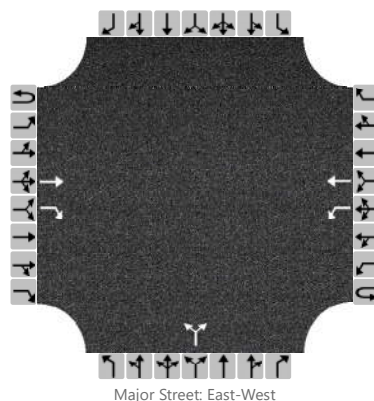
Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)						5					13					
Capacity, c (veh/h)						1252					674					
v/c Ratio						0.00					0.02					
95% Queue Length, Q ₉₅ (veh)						0.0					0.1					
Control Delay (s/veh)						7.9					10.4					
Level of Service, LOS						A					B					
Approach Delay (s/veh)					0.3				10.4							
Approach LOS									B							

HCS 2010 Two-Way Stop-Control Report

General Information		Site Information	
Analyst	V3 Co.	Intersection	Bricher Rd and Camden St
Agency/Co.	Village of St. Charles	Jurisdiction	St. Charles Township
Date Performed	12/8/2016	East/West Street	Bricher Rd
Analysis Year	2016	North/South Street	Camden St
Time Analyzed	Existing - PM Peak Hour	Peak Hour Factor	0.95
Intersection Orientation	East-West	Analysis Time Period (hrs)	0.25
Project Description	Prairie Winds		

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Movement	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Priority																
Number of Lanes	0	0	1	1	0	1	1	0		0	0	0		0	0	0
Configuration			T	R		L	T				LR					
Volume, V (veh/h)			280	4		7	336			1		4				
Percent Heavy Vehicles (%)						0				0		0				
Proportion Time Blocked																
Percent Grade (%)									0							
Right Turn Channelized	No				No				No				No			
Median Type/Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)						4.1					7.1		6.2			
Critical Headway (sec)						4.10					6.40		6.20			
Base Follow-Up Headway (sec)						2.2					3.5		3.3			
Follow-Up Headway (sec)						2.20					3.50		3.30			

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)						7					5					
Capacity, c (veh/h)						1274					651					
v/c Ratio						0.01					0.01					
95% Queue Length, Q ₉₅ (veh)						0.0					0.0					
Control Delay (s/veh)						7.8					10.6					
Level of Service, LOS						A					B					
Approach Delay (s/veh)					0.2				10.6							
Approach LOS									B							



APPENDIX C

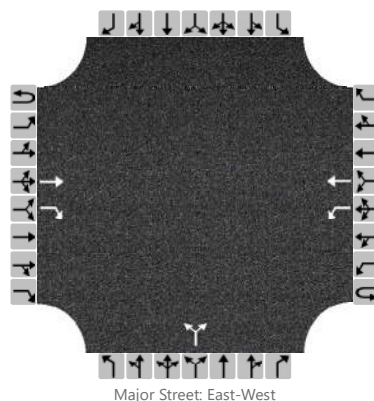
CAPACITY ANALYSIS WORKSHEETS

BACKGROUND

HCS 2010 Two-Way Stop-Control Report

General Information		Site Information	
Analyst	V3 Co.	Intersection	Bricher Rd and Camden St
Agency/Co.	Village of St. Charles	Jurisdiction	St. Charles Township
Date Performed	12/8/2016	East/West Street	Bricher Rd
Analysis Year	2022	North/South Street	Camden St
Time Analyzed	Background - AM Peak Hour	Peak Hour Factor	0.95
Intersection Orientation	East-West	Analysis Time Period (hrs)	0.25
Project Description	Prairie Winds		

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Movement	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Priority																
Number of Lanes	0	0	1	1	0	1	1	0		0	0	0		0	0	0
Configuration			T	R		L	T				LR					
Volume, V (veh/h)			319	8		13	112			10		24				
Percent Heavy Vehicles (%)						0				0		0				
Proportion Time Blocked																
Percent Grade (%)									0							
Right Turn Channelized	No				No				No				No			
Median Type/Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)																
Critical Headway (sec)																
Base Follow-Up Headway (sec)																
Follow-Up Headway (sec)																

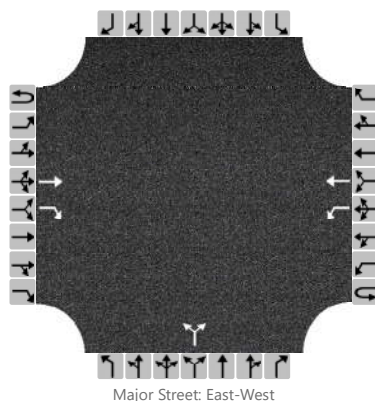
Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)						14					36					
Capacity, c (veh/h)						1226					648					
v/c Ratio						0.01					0.06					
95% Queue Length, Q ₉₅ (veh)						0.0					0.2					
Control Delay (s/veh)						8.0					10.9					
Level of Service, LOS						A					B					
Approach Delay (s/veh)					0.8				10.9							
Approach LOS									B							

HCS 2010 Two-Way Stop-Control Report

General Information		Site Information	
Analyst	V3 Co.	Intersection	Bricher Rd and Camden St
Agency/Co.	Village of St. Charles	Jurisdiction	St. Charles Township
Date Performed	12/8/2016	East/West Street	Bricher Rd
Analysis Year	2022	North/South Street	Camden St
Time Analyzed	Background - PM Peak Hour	Peak Hour Factor	0.95
Intersection Orientation	East-West	Analysis Time Period (hrs)	0.25
Project Description	Prairie Winds		

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Movement	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Priority																
Number of Lanes	0	0	1	1	0	1	1	0		0	0	0		0	0	0
Configuration			T	R		L	T				LR					
Volume, V (veh/h)			297	11		18	356			3		10				
Percent Heavy Vehicles (%)						0				0		0				
Proportion Time Blocked																
Percent Grade (%)									0							
Right Turn Channelized	No				No				No				No			
Median Type/Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)																
Critical Headway (sec)																
Base Follow-Up Headway (sec)																
Follow-Up Headway (sec)																

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)						19					14					
Capacity, c (veh/h)						1246					615					
v/c Ratio						0.02					0.02					
95% Queue Length, Q ₉₅ (veh)						0.0					0.1					
Control Delay (s/veh)						7.9					11.0					
Level of Service, LOS						A					B					
Approach Delay (s/veh)					0.4				11.0							
Approach LOS									B							



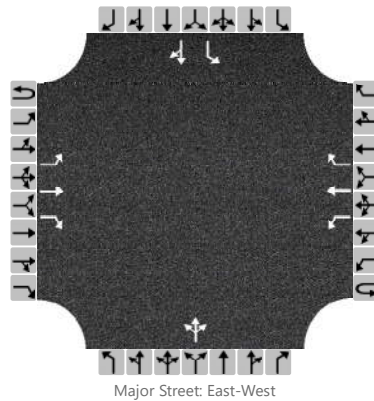
APPENDIX D

CAPACITY ANALYSIS WORKSHEETS FUTURE WITH PROJECT

HCS 2010 Two-Way Stop-Control Report

General Information				Site Information			
Analyst	V3 Co.			Intersection	Bricher Rd and Camden St		
Agency/Co.	Village of St. Charles			Jurisdiction	St. Charles Township		
Date Performed	12/8/2016			East/West Street	Bricher Rd		
Analysis Year	2022			North/South Street	Camden St		
Time Analyzed	Future w/ Proj. - AM PH			Peak Hour Factor	0.95		
Intersection Orientation	East-West			Analysis Time Period (hrs)	0.25		
Project Description	Prairie Winds						

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Movement	1U	1	2	3	4U	4	5	6	7	8	9		10	11	12	
Priority																
Number of Lanes	0	1	1	1	0	1	1	1	0	1	0		1	1	0	
Configuration		L	T	R		L	T	R		LTR				L		TR
Volume, V (veh/h)		3	345	8		13	118	13		10	0	24		51	0	10
Percent Heavy Vehicles (%)		0				0				0	0	0		0	0	0
Proportion Time Blocked																
Percent Grade (%)									0				0			
Right Turn Channelized	No				No				No				No			
Median Type/Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)																
Critical Headway (sec)																
Base Follow-Up Headway (sec)																
Follow-Up Headway (sec)																

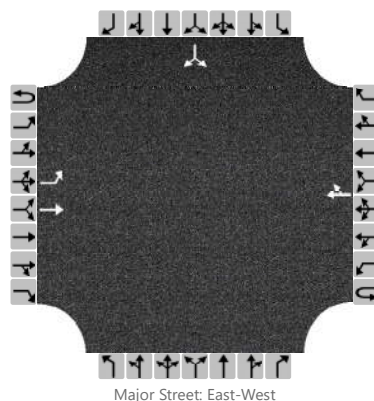
Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		3				14				36				54		11
Capacity, c (veh/h)		1458				1199				594				439		932
v/c Ratio		0.00				0.01				0.06				0.12		0.01
95% Queue Length, Q ₉₅ (veh)		0.0				0.0				0.2				0.4		0.0
Control Delay (s/veh)		7.5				8.0				11.4				14.4		8.9
Level of Service, LOS		A				A				B				B		A
Approach Delay (s/veh)	0.1				0.7				11.4				13.4			
Approach LOS									B				B			

HCS 2010 Two-Way Stop-Control Report

General Information		Site Information	
Analyst	V3 Co.	Intersection	Bricher Rd and West Drive
Agency/Co.	Village of St. Charles	Jurisdiction	St. Charles Township
Date Performed	12/8/2016	East/West Street	Bricher Rd
Analysis Year	2022	North/South Street	West Drive
Time Analyzed	Future w/ Proj - AM PH	Peak Hour Factor	0.95
Intersection Orientation	East-West	Analysis Time Period (hrs)	0.25
Project Description	Prairie Winds		

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Movement	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Priority																
Number of Lanes	0	1	1	0	0	0	1	0		0	0	0		0	0	0
Configuration		L	T					TR							LR	
Volume, V (veh/h)		4	330				132	6						26		15
Percent Heavy Vehicles (%)		3												0		0
Proportion Time Blocked																
Percent Grade (%)													0			
Right Turn Channelized	No				No				No				No			
Median Type/Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)																
Critical Headway (sec)																
Base Follow-Up Headway (sec)																
Follow-Up Headway (sec)																

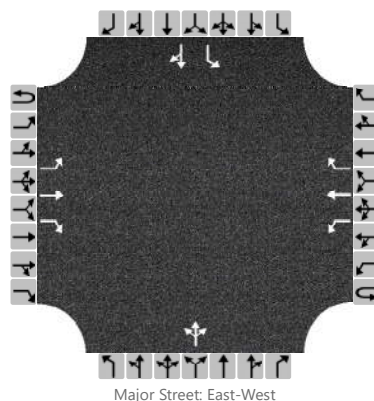
Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		4														43
Capacity, c (veh/h)		1429														588
v/c Ratio		0.00														0.07
95% Queue Length, Q ₉₅ (veh)		0.0														0.2
Control Delay (s/veh)		7.5														11.6
Level of Service, LOS		A														B
Approach Delay (s/veh)	0.1												11.6			
Approach LOS													B			

HCS 2010 Two-Way Stop-Control Report

General Information		Site Information	
Analyst	V3 Co.	Intersection	Bricher Rd and Camden St
Agency/Co.	Village of St. Charles	Jurisdiction	St. Charles Township
Date Performed	12/8/2016	East/West Street	Bricher Rd
Analysis Year	2022	North/South Street	Camden St
Time Analyzed	Future w/ Proj. - PM PH	Peak Hour Factor	0.95
Intersection Orientation	East-West	Analysis Time Period (hrs)	0.25
Project Description	Prairie Winds		

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Movement	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Priority																
Number of Lanes	0	1	1	1	0	1	1	1		0	1	0		1	1	0
Configuration		L	T	R		L	T	R			LTR			L		TR
Volume, V (veh/h)		20	305	11		18	371	41		3	0	10		21	0	11
Percent Heavy Vehicles (%)		0				0				0	0	0		0	0	0
Proportion Time Blocked																
Percent Grade (%)									0				0			
Right Turn Channelized	No				No				No				No			
Median Type/Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)																
Critical Headway (sec)																
Base Follow-Up Headway (sec)																
Follow-Up Headway (sec)																

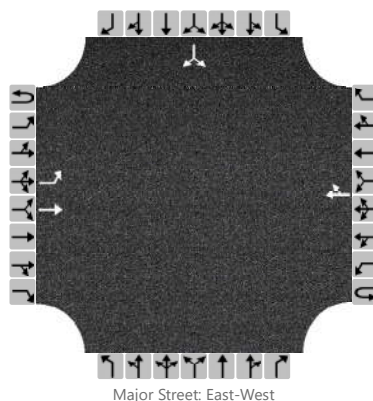
Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		21				19					14			22		12		
Capacity, c (veh/h)		1137				1238					551			294		662		
v/c Ratio		0.02				0.02					0.03			0.07		0.02		
95% Queue Length, Q ₉₅ (veh)		0.1				0.0					0.1			0.2		0.1		
Control Delay (s/veh)		8.2				8.0					11.7			18.2		10.5		
Level of Service, LOS		A				A					B			C		B		
Approach Delay (s/veh)		0.5				0.3					11.7				15.5			
Approach LOS											B				C			

HCS 2010 Two-Way Stop-Control Report

General Information		Site Information	
Analyst	V3 Co.	Intersection	Bricher Rd and West Drive
Agency/Co.	Village of St. Charles	Jurisdiction	St. Charles Township
Date Performed	12/8/2016	East/West Street	Bricher Rd
Analysis Year	2022	North/South Street	West Drive
Time Analyzed	Future w/ Proj - PM PH	Peak Hour Factor	0.95
Intersection Orientation	East-West	Analysis Time Period (hrs)	0.25
Project Description	Prairie Winds		

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Movement	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Priority																
Number of Lanes	0	1	1	0	0	0	1	0		0	0	0		0	0	0
Configuration		L	T					TR							LR	
Volume, V (veh/h)		25	328				370	15						8		14
Percent Heavy Vehicles (%)		0												0		0
Proportion Time Blocked																
Percent Grade (%)													0			
Right Turn Channelized	No				No				No				No			
Median Type/Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)																
Critical Headway (sec)																
Base Follow-Up Headway (sec)																
Follow-Up Headway (sec)																

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		26														23
Capacity, c (veh/h)		1165														467
v/c Ratio		0.02														0.05
95% Queue Length, Q ₉₅ (veh)		0.1														0.2
Control Delay (s/veh)		8.2														13.1
Level of Service, LOS		A														B
Approach Delay (s/veh)	0.6												13.1			
Approach LOS													B			



APPENDIX E

TRAFFIC SIGNAL WARRANT ANALYSIS

Bricher Rd and Camden St./Primary Driveway

City: **St. Charles, IL**
 County: **Kane**
 District: **1**

Major Bricher Rd
Minor Camden St/Primary Driveway

State Of Illinois
 Department of Transportation
 Bureau of Traffic

Date: 3/28/2017

SUMMARY OF TRAFFIC SURVEY

Route:	TRAFFIC FROM NORTH				TRAFFIC FROM SOUTH				TRAFFIC FROM EAST				TRAFFIC FROM WEST				TOTAL EAST AND WEST	GRAND TOTAL	
	Primary Driveway				Camden St				Bricher Road				Bricher Road						
START TIME	EAST ↙	SOUTH ↓	WEST ↘	TOTAL	WEST ↙	NORTH ↑	EAST ↘	TOTAL	TOTAL NORTH AND SOUTH	SOUTH ↙	WEST ←	NORTH ↙	TOTAL	NORTH ↗	EAST →	SOUTH ↘	TOTAL		
AM Peak 7:00	51	0	10	61	10	0	24	34	95	13	118	13	144	3	345	8	356	500	595
PM Peak 5:00	21	0	11	32	3	0	10	13	45	18	371	41	430	20	305	11	336	766	811
8th Hour (55% of PM)	12	0	6	18	2	0	6	7	25	10	204	23	237	11	168	6	185	421	446

REVIEW INFORMATION

COUNTS USED: V3 Counts
 COUNT DATE(S): 11/30/2016
 DATA REVIEWED: 3/28/2017
 REVIEWED BY: CAS

RIGHT TURN FACTORIZATION SHEET

INTERSECTION: Bricher Rd and Camden St./Primary Driveway
 MUNICIPALITY: St. Charles, IL

COUNTY: Kane

DIR	HOUR BEGIN	MINOR STREET				CRITICAL MAINLINE APPROACH VOLUME PER LANE	BASE RIGHT TURN REDUCTION %	MAINLINE CONGESTION FACTOR %	ADJUSTED RIGHT TURN REDUCTION %	ADJUSTED RIGHT TURNS	ADJUSTED MINOR STREET VOLUME
		STREET NAME		CONFIG. #							
		VOLUMES									
		L LEFT	T THROUGH	R RIGHT	A TOTAL						
		Camden St/Primary Driveway		1							
SB	7:00	51	0	10	61	118	20%	0%	20%	8	59
SB	5:00	21	0	11	32	371	20%	0%	20%	9	30
SB	8th Hr	12	0	6	18	204	20%	0%	20%	5	17

MAINLINE CONGESTION FACTORS	
VOLUMES	FACTOR %
0-399	0%
400-499	5%
500-599	10%
600-699	15%
700-799	20%
800-899	25%
900-999	30%
1000-1099	35%
1100-1199	40%
1200-1299	45%
1300-1399	50%
1400-1499	55%

REVIEW INFORMATION
 COUNTS USED: V3 Counts
 COUNT DATE(S): 11/30/2016
 DATE REVIEWED: 3/28/2017
 REVIEWED BY: CAS

SIGNAL WARRANT REVIEW SHEET

District #1

SRA: _____
 YES NO

INTERSECTION: Bricher Rd and Camden St./Primary Driveway
 MUNICIPALITY: St. Charles, IL

COUNTY: Kane

Speed Limit of Major Route 40 mph
 Number of Lanes of Major Approach 1

Isolated Community with Population < 10,000 No
 Number of Lanes of Minor Approach 1

HOUR BEGIN	MAJOR STREET VOLUME (both approaches)	ADJ. MINOR STREET VOLUME (higher volume approaches)	Check any hours which meet the following Warrants			
			WARRANT 1			
			A	B	WARRANT 1 A/B: 8 hrs of both	
			100%	100%	80% of A	80% of B
8th Hour (55% of PM)	430	17	No	No	No	No

Hours Met:	0	0	0	0
Volume Requirements:	MAJOR: 500	750	400	600
	MINOR: 150	75	120	60

REVIEW INFORMATION

COUNTS USED: V3 Counts
 COUNT DATE(S): 11/30/2016
 DATE REVIEWED: 3/28/2017
 REVIEWED BY: CAS

Comments

- WARRANT 1** YES NO N/A
 Warrant 1 is met if any of the following Conditions are met:
 - CONDITION A YES NO N/A
 Minimum Vehicular Volume
 - CONDITION B NO N/A
 Interruption of Continuous Traffic
 - CONDITION A/B NO N/A
 Combination of Warrants
- WARRANT 2** NO N/A
 Four Hour Volume
(Partial Four Hour Volume Warrant Analysis Included)
- WARRANT 3** NO N/A
 Peak Hour Volume
- WARRANT 4** NO N/A
 Pedestrian Volume
- WARRANT 5** YES NO N/A
 School Crossing
- WARRANT 6** NO N/A
 Coordinated Signal System
- WARRANT 7** NO N/A
 Accidents Experience
- WARRANT 8** NO N/A
 Roadway Network
- WARRANT 9** NO N/A
 Intersection Near a Grade Crossing

TRAFFIC SIGNAL WARRANT SUMMARY

City: **St. Charles, IL**
 County: **Kane**

Engineer: **CAS**
 Date: **3/28/2017**

Major Street: **Bricher Rd**
 Minor Street: **Camden St/Primary Driveway**

Lanes: **1**
 Lanes: **1**

Critical Approach Speed: **40**

Volume Level Criteria

1. Is the critical speed of major street traffic > 70 km/h (40 mph)? Yes No
2. Is the intersection in a built-up area of isolated community of <10,000 population? Yes No
- If Question 1 or 2 above is answered "Yes", then use "70%" volume level 70% 100%

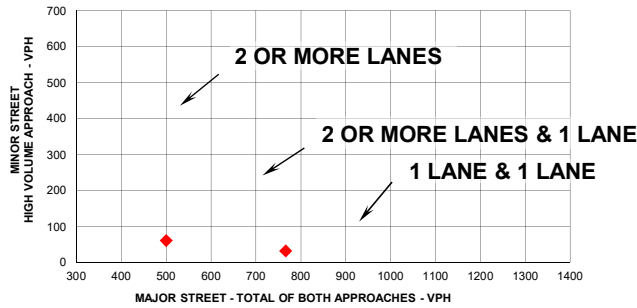
WARRANT 2 - FOUR-HOUR VEHICULAR VOLUME

If all four points lie above the appropriate line, then the warrant is satisfied.

Applicable: Yes No
 Satisfied: Yes No

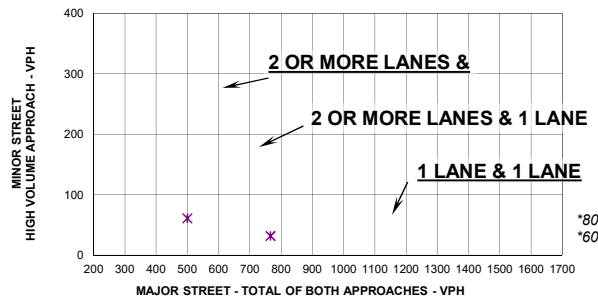
Plot four volume combinations on the applicable figure below.

FIGURE 4C-1: Criteria for "100%" Volume Level



* Note: 115 vph applies as the lower threshold volume for a minor street approach with two or more lanes and 80 vph applies as the lower threshold volume for a minor street approach with one lane.

FIGURE 4C-2: Criteria for "70%" Volume Level



* Note: 80 vph applies as the lower threshold volume for a minor street approach with two or more lanes and 60 vph applies as the lower threshold volume for a minor street approach with one lane.

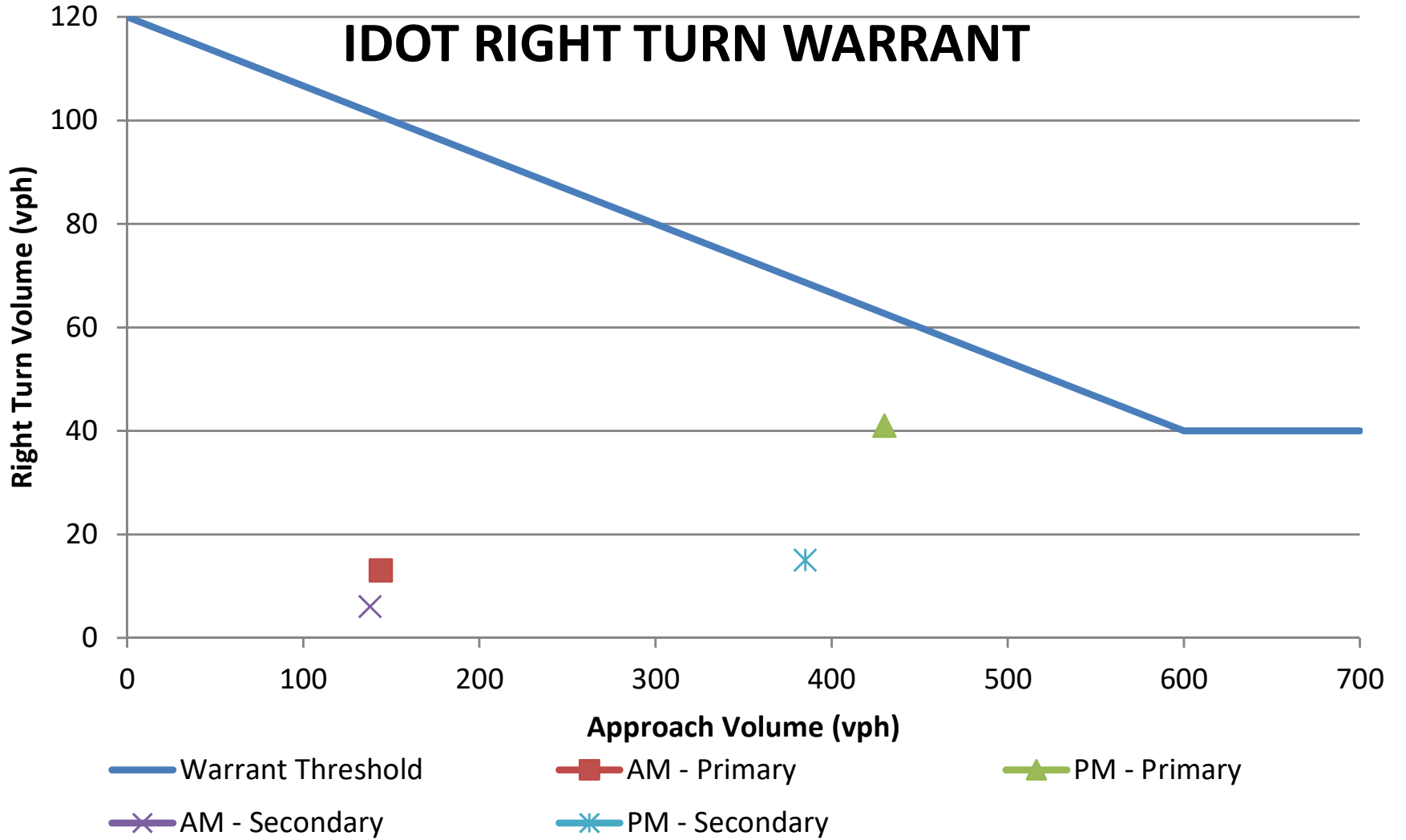
FOUR HIGHEST HOURS	Volumes	
	MAJOR STREET	MINOR STREET
7:00 AM - 8:00 AM	500	61
5:00 PM - 6:00 PM	766	32
	0	0
	0	0



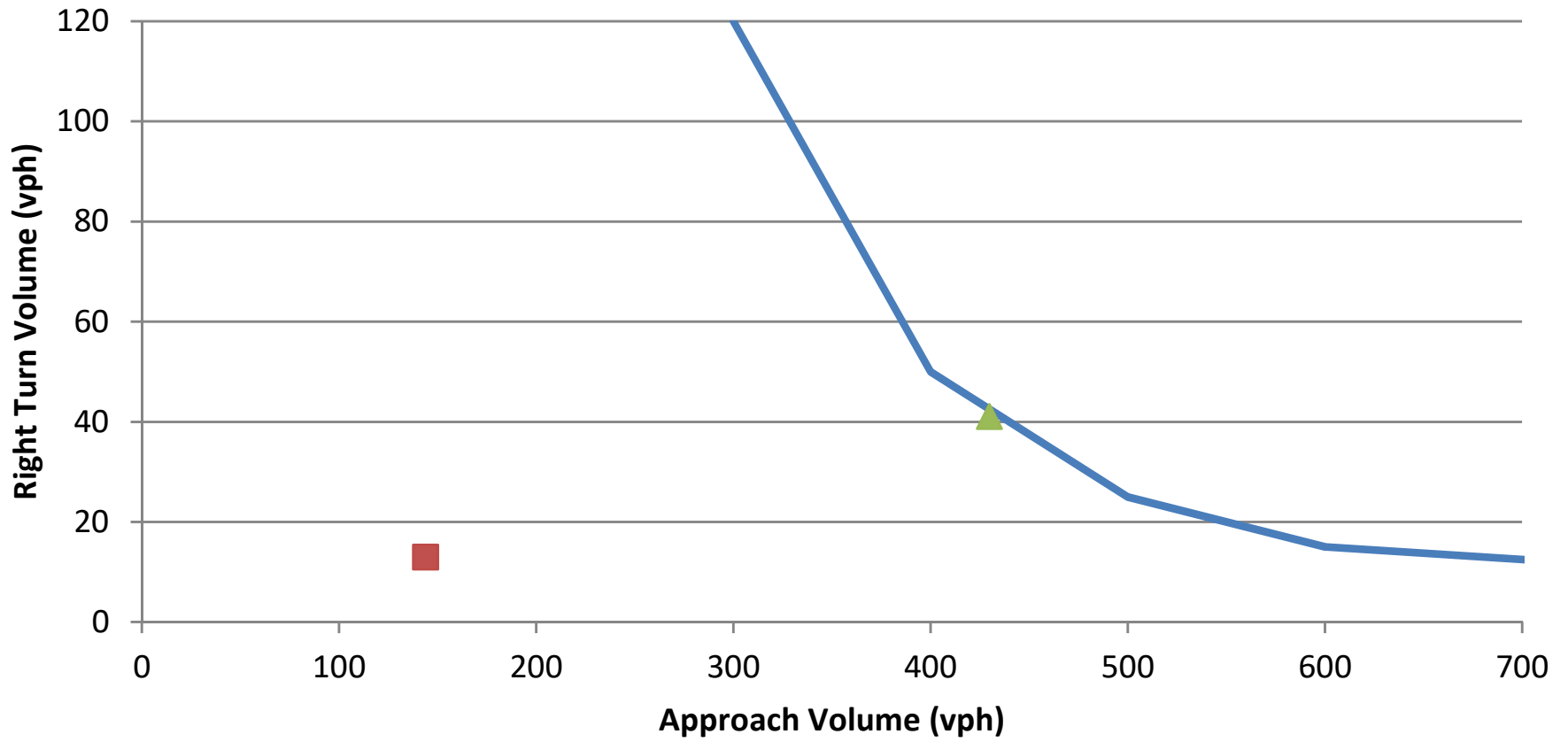
APPENDIX F

RIGHT TURN LANE WARRANT ANALYSIS EXHIBITS

IDOT RIGHT TURN WARRANT

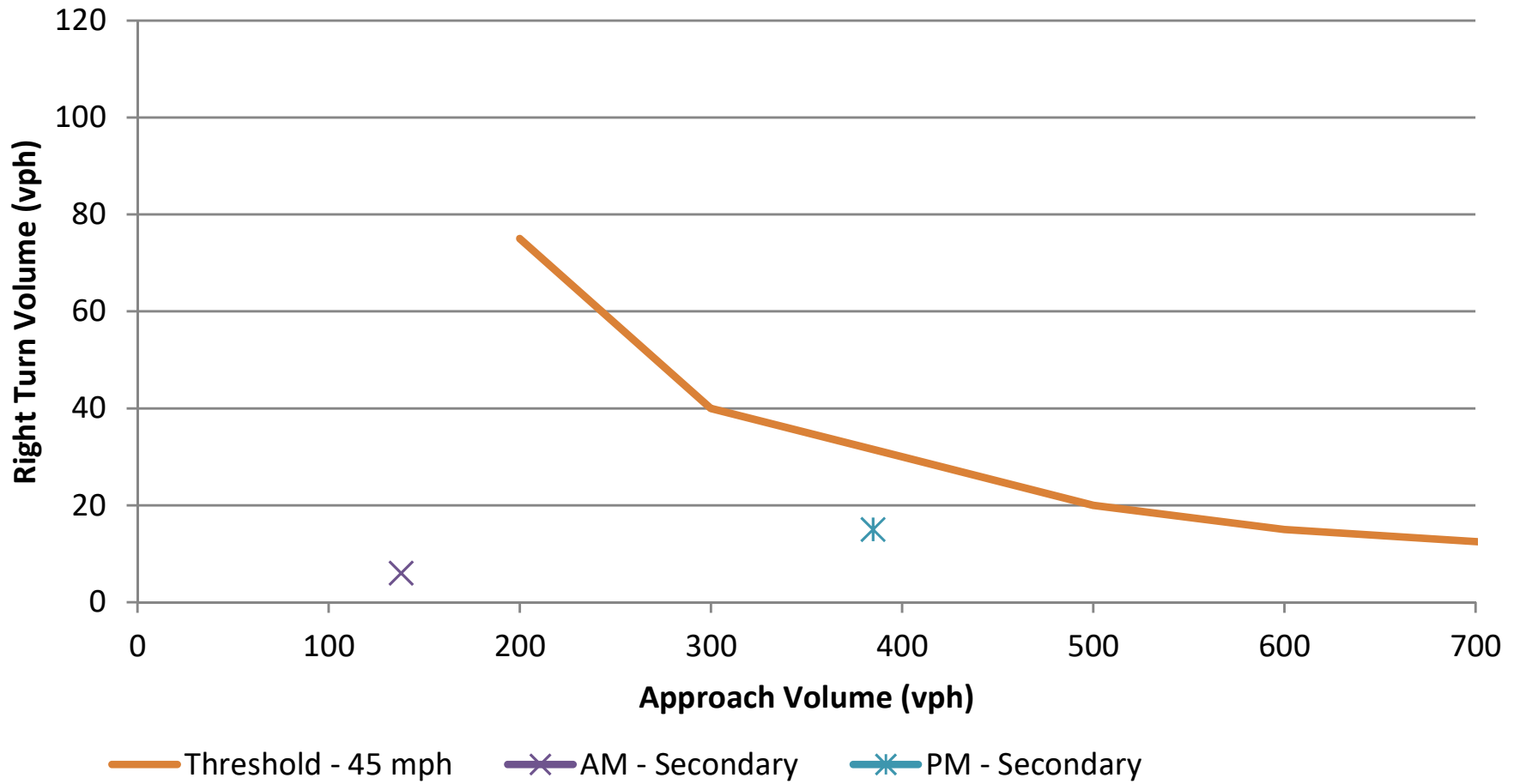


KDOT RIGHT TURN WARRANT - PRIMARY DRIVEWAY



— Threshold - 40 mph ■ AM - Primary ▲ PM - Primary

KDOT RIGHT TURN WARRANT - SECONDARY DRIVEWAY



**CLASS A APARTMENT MARKET ANALYSIS
SAINT CHARLES, KANE COUNTY, ILLINOIS**

Prepared For: Executive Capital
c/o Mr. Jeff Ratzner
Vice President
Big Rock Executive Center
47W210 Route 30
Big Rock, IL 60511

Prepared By: Joseph J. Blake and Associates, Inc.
10 South LaSalle Street, Suite 1140
Chicago, Illinois 60603

Date
of Appraisal: February 25, 2017



March 20, 2017

Executive Capital
c/o Mr. Jeff Ratzer
Vice President
Big Rock Executive Center
47W210 Route 30
Big Rock, IL 60511

Re: Apartment Market Analysis
Saint Charles, Kane County, IL

Dear Mr. Ratzer:

At your request, we have prepared a preliminary market analysis to evaluate the potential demand for Class A apartments in St. Charles, IL.

The analysis centers around a proposed apartment development site zoned BR-Regional Business and part of PUD 47 (see Extraordinary Assumptions). It consists of 20.48 acres of vacant land. The property is along Bricher Road on the south. It is just west of Randall Road and one-half mile west of Randall Road and Lincoln Highway. The land which is under purchase contract, is a part of a larger, 32-acre property that will be replatted. The property sale and price are contingent on the property being rezoned to RM3 to allow for a proposed 250+ unit Class A apartment property.

The subject does not have existing improvements in place and is currently farmland. The proposed improvements, to be known as Prairie Winds, will consist of 250 apartment units. There will be 50 1BR/1BA units, 150 2BR/2BA units and 50 3BR/2BA units. The 1BR units will be 875 SF, the 2BR units will be 1,072 SF to 1,362 SF and the 3BR units will be 1,559 SF. The proposed rental rate for the 1BR units is projected to be \$1,350 to \$1,450, increasing to \$1,750 to \$1,850 for the 2BR units and \$2,100 to \$2,200 for the 3BR units. No utilities are included in the proposed rental rates.

Each of the units will include a 1 or 2 car direct access garage. They will have a stainless steel appliance package, including a double door refrigerator with icemaker, front load washer and dryer as well as granite counters in the bathroom and kitchen with a marble shower surround. The units will include fireplaces and a patio/balcony. The property will include an 8,000 SF clubhouse with a commercial quality fitness center, indoor pool, internet café with juice bar, game room, meeting room, outdoor pool with outside kitchen, fire pit, hot tub, walking trail, playground and dog park. Construction is projected to commence in June 2017 and be completed by September 2018.

March 20, 2017
Mr. Jeff Ratzler
Page 2

We have performed our services and prepared this report in accordance with applicable, generally accepted appraisal practices including the uniform standards of professional appraisal practice as well as the ethics and standards of the professional practice of the appraisal institute we invite your attention to the ensuing market analysis. We make no other warranties, either expressed or implied, as to the character and nature of such services and product.

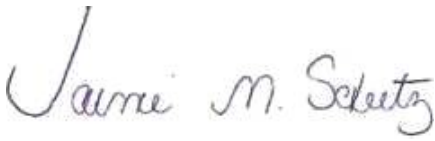
We invite your attention to the ensuing consulting report. If you have any questions about this consulting report, please contact us at your earliest convenience.

Respectfully submitted,

JOSEPH J. BLAKE AND ASSOCIATES, INC.



Michael J. Maglocchi, MAI
Managing Partner
Illinois Certified General Real Estate Appraiser No. 553.000119; Expires 09/30/17



Jaime M. Scheetz
Senior Appraiser
Illinois Certified General Real Estate Appraiser No. 553.002450; Expires 09/30/17

CERTIFICATION

I, Jaime M. Scheetz, certify that:

-- I have made a personal inspection of the property that is the subject of this report.

I, Michael J. Maglocchi, MAI, certify that:

-- I have not made a personal inspection of the property that is the subject of this report.

We, Jaime M. Scheetz and Michael J. Maglocchi, MAI, certify that to the best of our knowledge and belief:

-- the statements of fact contained in this report are true and correct.

-- the reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are our personal, impartial, and unbiased professional analyses, opinions, conclusions, and recommendations.

-- we have no (or the specified) present or prospective interest in the property that is the subject of this report, and we have no (or the specified) personal interest with respect to the parties involved.

-- we have no bias with respect to any property that is the subject of this report or to the parties involved with this assignment.

-- our engagement in this assignment was not contingent upon developing or reporting predetermined results.

-- our compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal consulting assignment.

-- we have performed an appraisal of the subject site but have not performed a previous appraisal consulting assignment or service involving the subject within the three years prior to this assignment.

-- the reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the *Code of Professional Ethics & Standards of Professional Appraisal Practice of the Appraisal Institute*.

-- the reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the *Uniform Standards of Professional Appraisal Practice*.

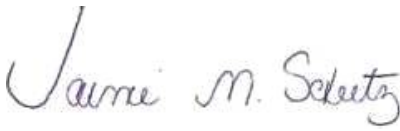
-- the use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.

-- as of this date, Michael J. Maglocchi has completed the continuing education program of the Appraisal Institute.

JOSEPH J. BLAKE AND ASSOCIATES, INC.



Michael J. Maglocchi, MAI
Managing Partner
Illinois Certified General Real Estate Appraiser No. 553.000119; Expires 09/30/17



Jaime M. Scheetz
Senior Appraiser
Illinois Certified General Real Estate Appraiser No. 553.002450; Expires 09/30/17

The Consulting Report is subject to underlying assumptions and limiting conditions qualifying the information contained in the Analysis as follows:

The consulting analysis applies only to the property specifically identified and described in the Analysis.

No responsibility beyond reasonableness is assumed for matters of a legal nature, whether existing or pending.

Disclosure of the contents of the Consulting Report will be governed by the By-Laws and Regulations of the Appraisal Institute and the Uniform Standards of the Appraisal Foundation.

The Consultants are not engineers, and any references to physical property characteristics in terms of quality, condition, cost, suitability, soil conditions, flood risk, obsolescence, etc., will be strictly related to their economic impact on the property. No liability is assumed for any engineering-related issues.

Unless otherwise stated in the analysis, the existence of hazardous material, which may or may not be present on the property, will not be observed by the Consultant. The Consultant has no knowledge of the existence of such materials on or in the property. The Consultant, however, is not qualified to detect such substances. The presence of substances, such as asbestos, urea-formaldehyde foam insulation, or other potentially hazardous materials may affect the consulting conclusion. No responsibility is assumed for any such conditions, or for any expertise or engineering knowledge required to discover them. The client is urged to retain an expert in this field, if desired.

Possession of the analysis or a copy thereof does not imply right of publication, nor use for any purpose by any other than the person to whom it is addressed, without the written consent of the authors.

The liability of Joseph J. Blake and Associates, Inc. employees is limited to the client only and only up to the amount of the fee actually received for the assignment. No third parties (other than Executive Capital) may rely upon the analysis for any purpose whatsoever, including the provision of financing for the acquisition or improvement of the subject property without prior written consent of Joseph J. Blake and Associates, Inc. The Consulting Report is prepared specifically for our client, to whom the analysis is addressed. Third parties, who desire us to prepare an analysis of the subject properties for their use, should contact Joseph J. Blake and Associates, Inc. at 10 South LaSalle Street, Suite 1140, Chicago, Illinois 60603.

The Americans with Disabilities Act (“ADA”) became effective January 26, 1992. We have not made a specific compliance survey and analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the ADA. It is possible that a compliance survey of the property, together with a detailed analysis of the requirements for the ADA, could reveal that the property is not in compliance with one or more of the requirements of the act. If so, this fact could have a negative effect upon the value of the property. Since we have no direct

evidence relating to this issue, we did not consider possible non-compliance with the requirements of ADA.

Extraordinary Assumptions

We assume all information obtained from the client, Kane County, the village of St. Charles and other outside sources such as ESRI is accurate and reliable.

SITE PLAN



PRAIRIE WINDS DEVELOPMENT
 EXECUTIVE CAPITAL
 HPA TBD

ST. CHARLES, IL

PRAIRIE WINDS SITE PLAN

02.22.2017

HUMPHREYS & PARTNERS URBAN ARCHITECTURE, L.P.
 DALLAS-NEW YORK-CHICAGO-NEW ORLEANS-ORLANDO-EDMONTON-SAN RAMON
 NEWPORT BEACH-SCOTTSDALE-TORONTO-CHENNAI-DUBAI-HANOI-MONTEVIDEO
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RENDERINGS OF THE SUBJECT



Exterior materials to include a mix of Cultured Stone, Hardi (or equivalent) Cementitious Siding and Stucco



HUMPHREYS & PARTNERS ARCHITECTS, L.P.
233 South Wacker Drive, Suite 3400, Chicago, IL 60606 | 312.675.4261 | www.humphreys.com



SCHEMATIC ELEVATIONS
SCHEME I (TAUPE BASE + RED ACCENT)

EXECUTIVE CAPITAL
BIG ROCK, ILLINOIS
HP# 2016518

Joseph J. Blake and Associates, Inc.

PURPOSE, CLIENT, INTENDED USER AND USE OF THE APPRAISAL

The purpose of this preliminary market study is to ascertain the potential demand for Class A apartments in the market area surrounding the proposed subject development site on Bricher Rd., in St. Charles, IL. It is not intended as a financial feasibility analysis or market value appraisal. The intended use of this appraisal report is to assist the client and sole intended user, Executive Capital, with preliminary development decisions regarding the subject site.

EFFECTIVE DATE OF EVALUATION /INSPECTION/ANALYSIS/REPORT

The market study with its analysis and conclusions is specifically applicable to the effective date of evaluation: February 25, 2017. The date of the analysis is February 25, 2017. The subject site was last inspected February 25, 2017. The date of this report is March 20, 2017.

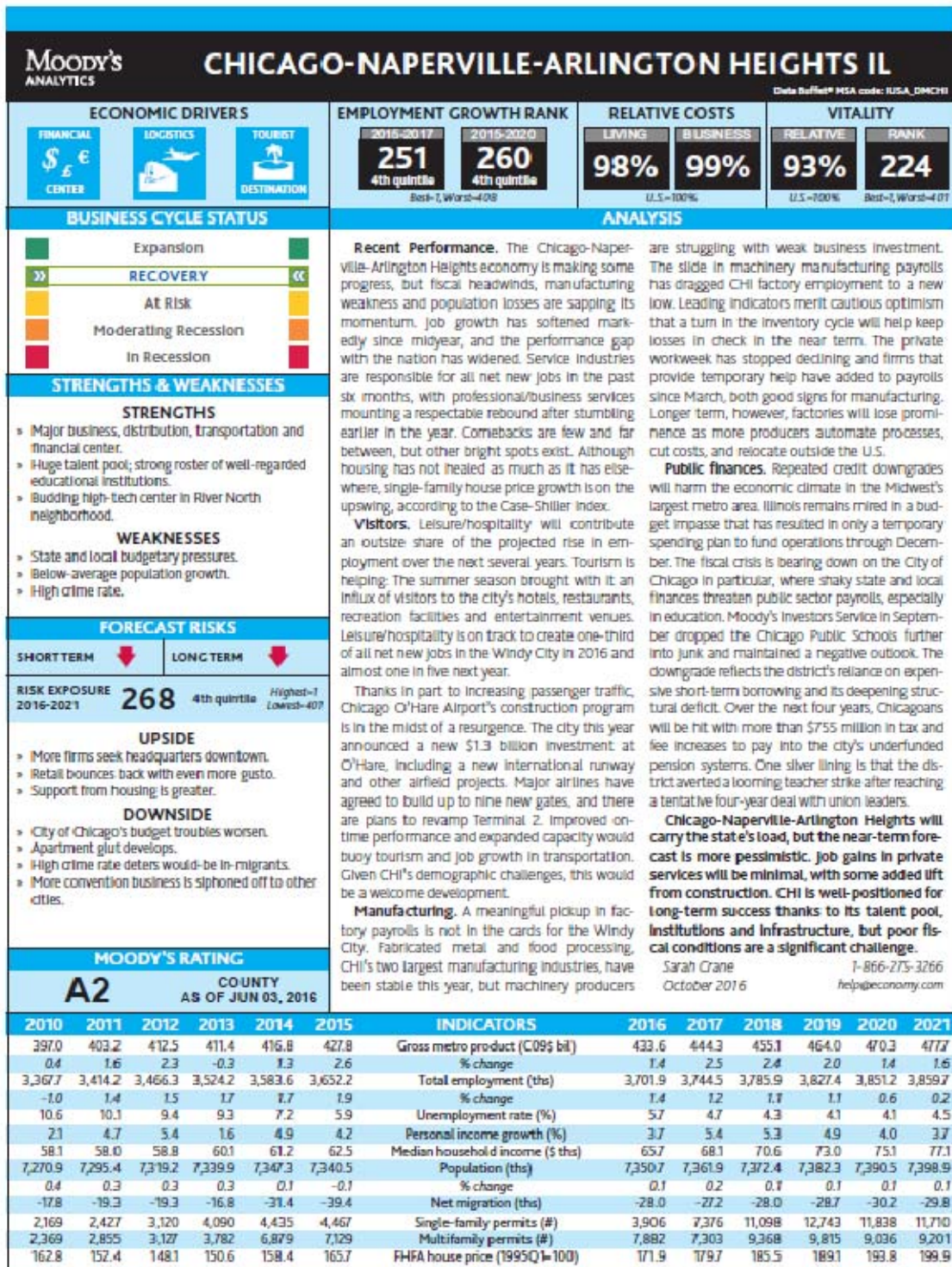
THE SCOPE OF WORK

Client and Intended User:	Executive Capital
Use of the Consulting Report:	This report is prepared for exclusive use by the addressee for internal analysis and planning purposes.
Purpose of the Consulting Report:	Inspect the site and the proposed neighborhood, survey the competitive rental apartment developments and provide conclusions regarding the potential qualified demand for proposed Class A apartments in the primary and secondary market areas around the proposed subject.
Sources of Data/Extent of Research:	Inspection of the site, visual inspection of the immediate neighborhood, examination of ESRI demographic data, survey of competing rental buildings in the market and examination of in house new apartment absorption trends in suburban Chicago.

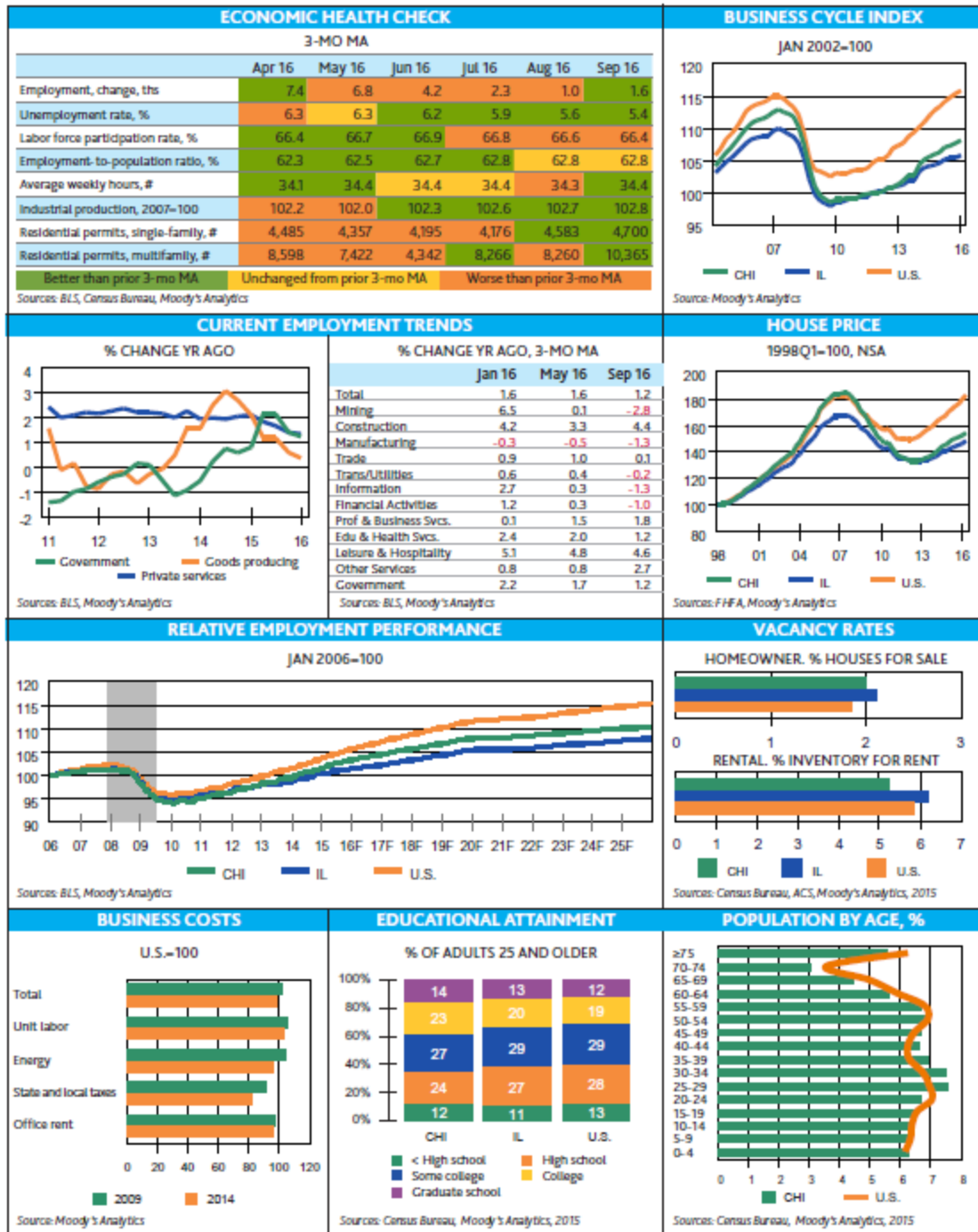
AREA ANALYSIS

The proposed development subject site is in Saint Charles, Kane County, IL. Due to its effect on the subject market, a description of the Chicago metropolitan area is provided. The Chicago-Naperville-Joliet, IL-IN-WI Metropolitan Statistical Area (MSA), the third largest MSA in the United States, is at the western foot of Lake Michigan.

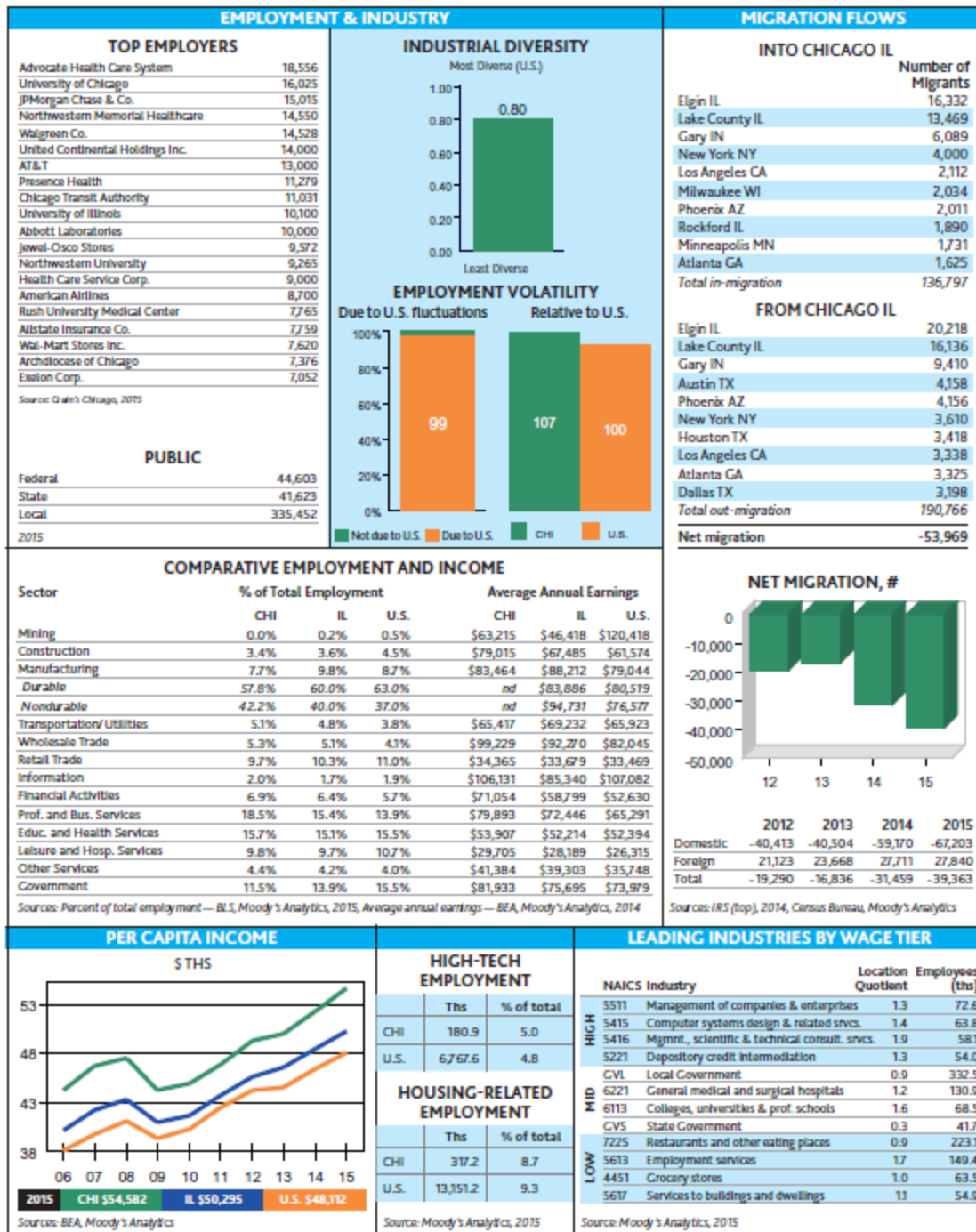
The area analysis on the following pages is reprinted with permission from *Moody's Economy.com*.



PRÉCIS® U.S. METRO MIDWEST » Chicago-Naperville-Arlington Heights IL



PRÉCIS® U.S. METRO MIDWEST » Chicago-Naperville-Arlington Heights IL



Demographic data within one-, five- and ten-miles of the subject is summarized below.



Demographic and Income Comparison Profile

Subject
 Bricher Rd, St Charles, Illinois, 60134
 Ring Bands: 0-1, 1-5, 5-10 mile radii

Prepared by Esri
 Latitude: 41.89778
 Longitude: -88.33659

	0 - 1 mile	1 - 5 mile	5 - 10 mile
Census 2010 Summary			
Population	10,692	93,545	335,097
Households	4,142	33,227	109,511
Families	2,982	25,025	83,264
Average Household Size	2.48	2.78	3.02
Owner Occupied Housing Units	3,073	27,094	86,045
Renter Occupied Housing Units	1,069	6,133	23,466
Median Age	38.5	40.1	34.5
2016 Summary			
Population	10,846	96,204	346,062
Households	4,163	33,712	112,365
Families	2,967	25,227	84,728
Average Household Size	2.50	2.82	3.04
Owner Occupied Housing Units	2,951	26,811	85,987
Renter Occupied Housing Units	1,212	6,901	26,378
Median Age	39.1	40.8	35.3
Median Household Income	\$83,460	\$101,384	\$76,377
Average Household Income	\$106,747	\$128,478	\$96,458
2021 Summary			
Population	11,048	97,967	354,351
Households	4,222	34,082	114,666
Families	2,992	25,398	86,081
Average Household Size	2.52	2.84	3.05
Owner Occupied Housing Units	2,980	27,044	87,391
Renter Occupied Housing Units	1,242	7,038	27,275
Median Age	39.8	41.6	36.5
Median Household Income	\$96,312	\$109,603	\$83,277
Average Household Income	\$116,160	\$138,359	\$103,778
Trends: 2016-2021 Annual Rate			
Population	0.37%	0.36%	0.47%
Households	0.28%	0.22%	0.41%
Families	0.17%	0.14%	0.32%
Owner Households	0.20%	0.17%	0.32%
Median Household Income	2.91%	1.57%	1.74%



Demographic and Income Comparison Profile

Subject
 Bricher Rd, St Charles, Illinois, 60134
 Ring Bands: 0-1, 1-5, 5-10 mile radii

Prepared by Esri
 Latitude: 41.89778
 Longitude: -88.33659

2016 Households by Income	0 - 1 mile		1 - 5 mile		5 - 10 mile	
	Number	Percent	Number	Percent	Number	Percent
<\$15,000	231	5.5%	1,499	4.4%	6,901	6.1%
\$15,000 - \$24,999	255	6.1%	1,537	4.6%	7,114	6.3%
\$25,000 - \$34,999	298	7.2%	1,831	5.4%	8,685	7.7%
\$35,000 - \$49,999	435	10.4%	2,716	8.1%	13,168	11.7%
\$50,000 - \$74,999	647	15.5%	4,877	14.5%	19,155	17.0%
\$75,000 - \$99,999	535	12.9%	4,081	12.1%	15,807	14.1%
\$100,000 - \$149,999	822	19.7%	7,219	21.4%	22,234	19.8%
\$150,000 - \$199,999	526	12.6%	4,647	13.8%	10,809	9.6%
\$200,000+	414	9.9%	5,304	15.7%	8,489	7.6%
Median Household Income	\$83,460		\$101,384		\$76,377	
Average Household Income	\$106,747		\$128,478		\$96,458	
Per Capita Income	\$39,585		\$45,797		\$31,809	
2021 Households by Income	Number	Percent	Number	Percent	Number	Percent
<\$15,000	230	5.4%	1,446	4.2%	6,979	6.1%
\$15,000 - \$24,999	231	5.5%	1,312	3.8%	6,590	5.7%
\$25,000 - \$34,999	416	9.9%	2,480	7.3%	12,269	10.7%
\$35,000 - \$49,999	262	6.2%	1,878	5.5%	8,677	7.6%
\$50,000 - \$74,999	517	12.2%	3,800	11.1%	16,584	14.5%
\$75,000 - \$99,999	516	12.2%	3,864	11.3%	15,696	13.7%
\$100,000 - \$149,999	951	22.5%	8,176	24.0%	25,508	22.2%
\$150,000 - \$199,999	648	15.3%	5,462	16.0%	13,075	11.4%
\$200,000+	451	10.7%	5,664	16.6%	9,285	8.1%
Median Household Income	\$96,312		\$109,603		\$83,277	
Average Household Income	\$116,160		\$138,359		\$103,778	
Per Capita Income	\$42,632		\$48,942		\$34,061	



Demographic and Income Comparison Profile

Subject
 Bricher Rd, St Charles, Illinois, 60134
 Ring Bands: 0-1, 1-5, 5-10 mile radii

Prepared by Esri
 Latitude: 41.89778
 Longitude: -88.33659

2010 Population by Age	0 - 1 mile		1 - 5 mile		5 - 10 mile	
	Number	Percent	Number	Percent	Number	Percent
Age 0 - 4	623	5.8%	5,292	5.7%	25,681	7.7%
Age 5 - 9	751	7.0%	7,425	7.9%	27,073	8.1%
Age 10 - 14	843	7.9%	8,193	8.8%	26,967	8.0%
Age 15 - 19	847	7.9%	7,352	7.9%	25,138	7.5%
Age 20 - 24	599	5.6%	4,103	4.4%	19,382	5.8%
Age 25 - 34	1,179	11.0%	8,357	8.9%	45,843	13.7%
Age 35 - 44	1,537	14.4%	13,690	14.6%	50,647	15.1%
Age 45 - 54	1,743	16.3%	17,025	18.2%	50,171	15.0%
Age 55 - 64	1,309	12.2%	12,044	12.9%	35,438	10.6%
Age 65 - 74	657	6.1%	5,304	5.7%	16,871	5.0%
Age 75 - 84	401	3.7%	3,107	3.3%	8,379	2.5%
Age 85+	202	1.9%	1,653	1.8%	3,505	1.0%

2016 Population by Age	0 - 1 mile		1 - 5 mile		5 - 10 mile	
	Number	Percent	Number	Percent	Number	Percent
Age 0 - 4	591	5.4%	5,106	5.3%	24,782	7.2%
Age 5 - 9	667	6.1%	6,554	6.8%	26,134	7.6%
Age 10 - 14	767	7.1%	7,929	8.2%	27,082	7.8%
Age 15 - 19	852	7.9%	7,085	7.4%	25,094	7.3%
Age 20 - 24	630	5.8%	5,062	5.3%	21,492	6.2%
Age 25 - 34	1,368	12.6%	9,743	10.1%	46,888	13.5%
Age 35 - 44	1,369	12.6%	12,194	12.7%	47,931	13.9%
Age 45 - 54	1,583	14.6%	15,584	16.2%	48,837	14.1%
Age 55 - 64	1,486	13.7%	14,118	14.7%	40,659	11.7%
Age 65 - 74	907	8.4%	7,846	8.2%	23,654	6.8%
Age 75 - 84	413	3.8%	3,187	3.3%	9,621	2.8%
Age 85+	215	2.0%	1,797	1.9%	3,886	1.1%

2021 Population by Age	0 - 1 mile		1 - 5 mile		5 - 10 mile	
	Number	Percent	Number	Percent	Number	Percent
Age 0 - 4	596	5.4%	5,098	5.2%	24,789	7.0%
Age 5 - 9	633	5.7%	6,009	6.1%	24,967	7.0%
Age 10 - 14	705	6.4%	7,222	7.4%	26,580	7.5%
Age 15 - 19	801	7.3%	7,060	7.2%	25,162	7.1%
Age 20 - 24	622	5.6%	4,528	4.6%	19,744	5.6%
Age 25 - 34	1,376	12.5%	10,662	10.9%	48,196	13.6%
Age 35 - 44	1,508	13.7%	12,653	12.9%	49,796	14.1%
Age 45 - 54	1,422	12.9%	13,887	14.2%	46,345	13.1%
Age 55 - 64	1,534	13.9%	14,648	15.0%	42,825	12.1%
Age 65 - 74	1,122	10.2%	10,239	10.5%	29,223	8.2%
Age 75 - 84	507	4.6%	4,115	4.2%	12,471	3.5%
Age 85+	221	2.0%	1,845	1.9%	4,253	1.2%



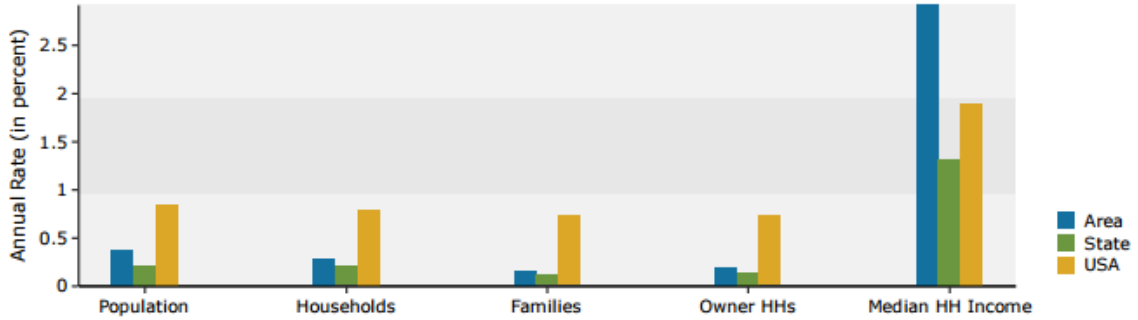
Demographic and Income Comparison Profile

Subject
 Bricher Rd, St Charles, Illinois, 60134
 Ring Bands: 0-1, 1-5, 5-10 mile radii

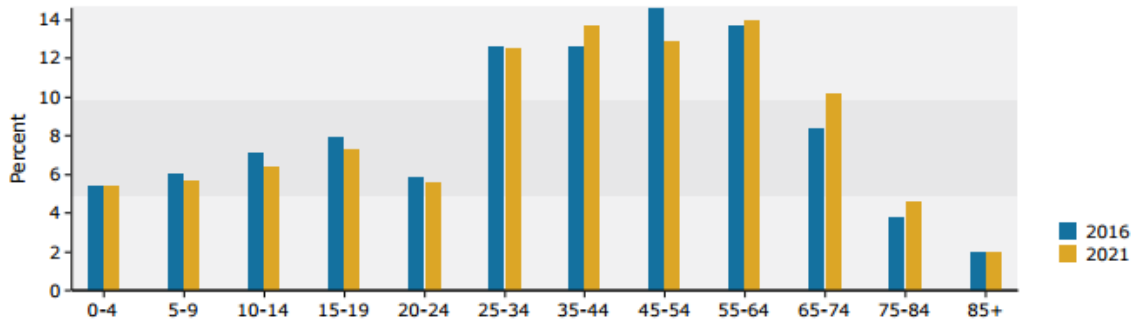
Prepared by Esri
 Latitude: 41.89778
 Longitude: -88.33659

0 - 1 mile

Trends 2016-2021



Population by Age





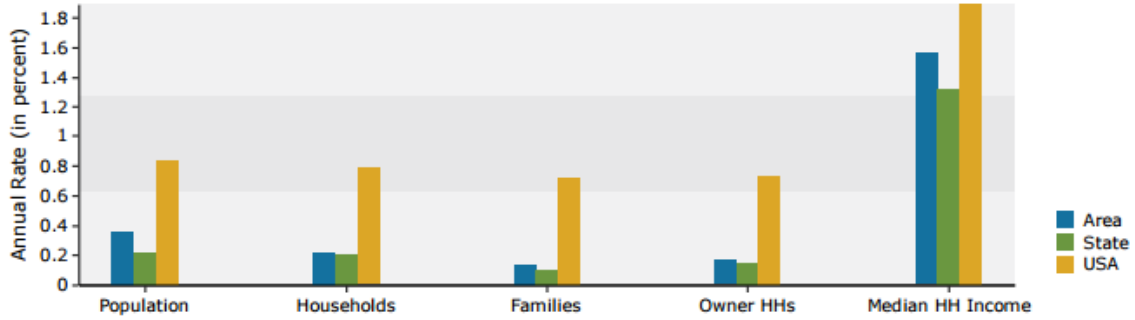
Demographic and Income Comparison Profile

Subject
Bricher Rd, St Charles, Illinois, 60134
Ring Bands: 0-1, 1-5, 5-10 mile radii

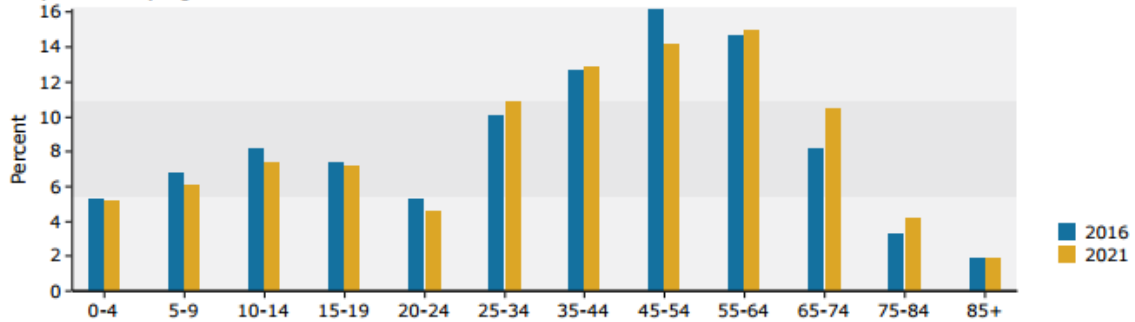
Prepared by Esri
Latitude: 41.89778
Longitude: -88.33659

1 - 5 mile

Trends 2016-2021



Population by Age





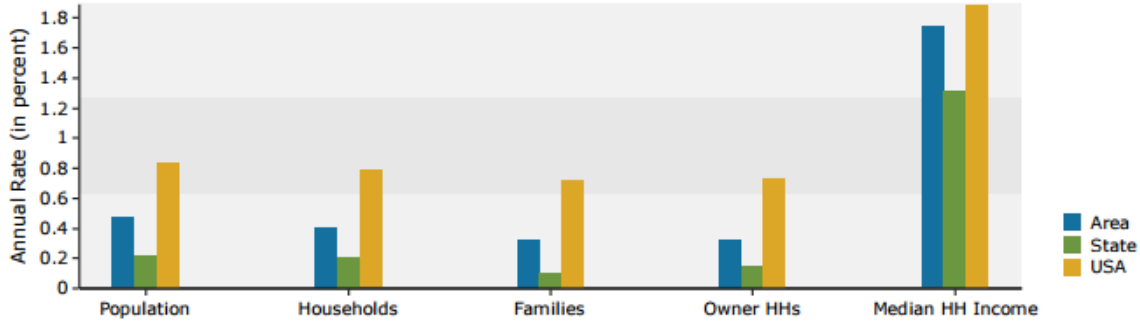
Demographic and Income Comparison Profile

Subject
 Bricher Rd, St Charles, Illinois, 60134
 Ring Bands: 0-1, 1-5, 5-10 mile radii

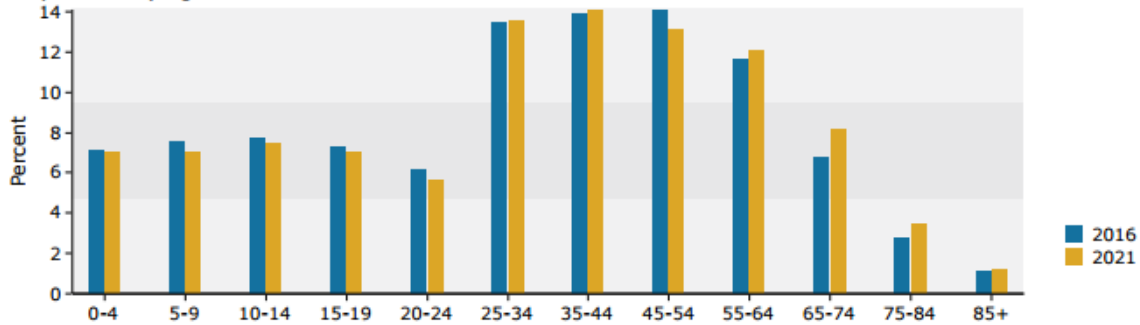
Prepared by Esri
 Latitude: 41.89778
 Longitude: -88.33659

5 - 10 mile

Trends 2016-2021



Population by Age



According to the 2010 census, the population within a one-mile radius of the subject is 10,692, increasing to 93,545 in a five-mile radius and 35,097 in a ten-mile radius. According to the report, there are 4,142 households within a one-mile radius, increasing to 33,227 in a five-mile radius and 109,511 in a ten-mile radius. In 2016, the median household income in a one-mile radius was \$83,460, increasing to \$101,384 in a five-mile radius but decreasing to \$76,377 in a ten-mile radius. There were 1,212 renter-occupied housing units within a one-mile radius of the subject in 2016, increasing to 7,038 in a five-mile radius and 27,257 in a ten-mile radius.

Conclusion

The Chicago metropolitan area has had an established history of economic stability due to its accessibility to major markets, its central location, excellent transportation facilities, and diversified economic base. These features of the subject area are positive factors reinforcing the value of real estate located within the area over the long term. Projections for the area are for continued long-term economic growth. This is expected to have a supportive effect leading to increasing property values for all property types within the near future, including apartments. Its size, location, and economic diversity of the Chicago Metroplex, including St. Charles provide investors with a perceived safe harbor during downturns in the national economic cycle.

Area Map



A neighborhood is defined as: "A group of complementary land uses; a congruous grouping of inhabitants, buildings, or business enterprises."¹ A neighborhood should be distinguished from a district, which is defined as "a neighborhood characterized by homogenous land use."² For example, predominantly residential neighborhoods typically contain some commercial properties that provide services for local residents. The boundaries of a neighborhood can be physical such as a lake, stream or major highway or they may be less easily discernible such as changes in prevailing land use or occupant characteristics.

The proposed subject development site is in Saint Charles, Illinois, which had a population of 32,974 as of the 2010 US Census. The Fox River runs through the center of town. Saint Charles is part of a tri-city area along with Geneva and Batavia, all western suburbs of similar size and relative socioeconomic condition.

The top employers for the area, according to the Saint Charles 2009 Comprehensive Annual Financing Report, are Saint Charles Community School District (1,780 employees), System Sensor (550 employees), OMRON (500 employees), Pheasant Run Resort (450 employees), City of Saint Charles (350 employees) and Saint Charles Park District (300 employees).

Saint Charles is home to the Arcada theatre, which has hosted Martin Short, Joan Rivers and Bill Cosby. Downtown Saint Charles was named one of the region's "Top 10" by the Chicago Tribune for fine dining, arts and entertainment, recreational opportunities, unique shopping and a lively nighttime personality. Family Circle named Saint Charles #1 in its 2011 Annual Survey of Best Towns and Cities for families. The survey included communities from across the country and is featured in the magazine's August 2011 issue. The communities in the magazine combine affordable housing, good neighbors, green spaces, strong public schools and giving spirits.

The Saint Charles Public Library is nationally ranked among the best libraries in the U.S. and has earned a "three star" rating in the 201 Library Journal Index. In 2008, as a part of a promotional effort by a local water gardening company, Saint Charles named itself the water garden capital of the world.

Saint Charles is home to the Q Center, a 95-acre conference site. Originally built as a Catholic Women's Liberal Arts College, St. Dominic College, it later became Arthur Andersen's Center for Professional Education. It is now used by Accenture, and hosts meetings, conferences and executive learning for Fortune 500 companies, associations and social, military, education, religious and fraternal organizations from all over the world.

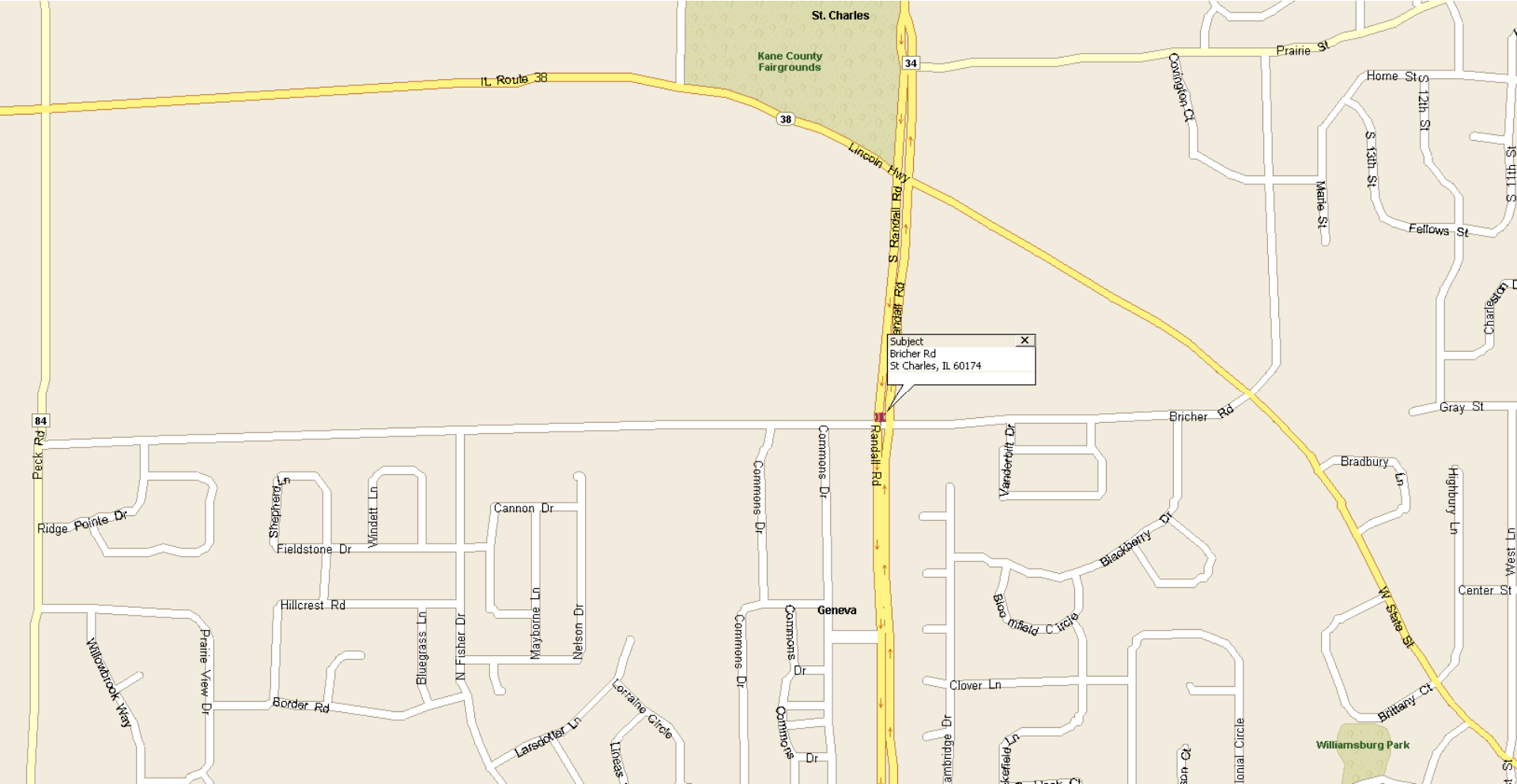
Conclusion

The proposed subject site is positioned in an area that is surrounded by residential and supportive retail uses and is part of a larger farmland piece that will be sectioned off upon sale of the property and later developed. St. Charles offers an attractive environment for residents including employment centers, recreation and entertainment venues as well as a strong public school system. These factors help increase demand for housing, including Class A apartments.

1 *The Dictionary of Real Estate Appraisal*, Fifth Edition, (Appraisal Institute 2010), Page 133.

2 *The Dictionary of Real Estate Appraisal*, Fifth Edition, (Appraisal Institute 2010), Page 60.

Neighborhood Map



In this section of the report, we analyze the current conditions in the regional and local apartment markets.

National Multi-Family Overview

According to the *PwC Real Estate Investor Survey*, 4th Quarter 2016:

In *Emerging Trends in Real Estate*® 2017, development ranks as the second preferred investment category/strategy among Emerging Trends respondents for 2017 – ahead of opportunistic and core investments and just below value-added investments. Even though development's rating slipped this year compared to last year's report – down from 3.82 to 3.53 on a scale of 1 (abysmal) to 5 (excellent), it's a trend seen in each of the four investment strategies. Ratings declined from 0.11 (core investments) to 0.29 (development) and averaged 0.19.

When looking at development prospects for each of the five major commercial real estate (CRE) sectors included in *Emerging Trends*, individual rating declines are also noted. The largest decline over the past year occurred for the retail sector, where the rating fell from 2.82 to 2.42. According to the report, a consensus is emerging that e-commerce will decrease the overall demand for retail space, but will not come anywhere near supplanting it. The key for retailers and developers will be to design spaces for successfully blending bricks and clicks.

Outside of traditional CRE property sectors, *Emerging Trends* respondents felt development prospects in 2017 were strong for fulfillment assets, age-restricted housing, medical office, urban/high-street retail, and student housing, which has become a popular sector in recent years. Even though some *Emerging Trends* respondents believe that investing in student housing has largely played out with sufficient supply to meet the demand from a small high-income market, the volume of students at respected colleges and universities is expected to stay strong for the foreseeable future.

Of the 78 U.S. metros included in *Emerging Trends*, the top five individual markets with regard to development prospects in the year ahead were (in order) Austin, Portland, Nashville, Raleigh/Durham, and Dallas/Fort Worth. New to this list for 2017 were both Portland and Raleigh/Durham while Boston and Charlotte were dropped from the top-five list from last year. Other cities that received strong development prospect ratings were Los Angeles, Seattle, Charlotte, Denver, and Orange County. On the other hand, cities that received poor development prospect ratings included Providence, Buffalo, Tacoma, and Hartford.

On an unleveraged basis, discount rates (including developers' profit) for the national development land market range from 10.00% to 20.00% and average 16.00% this quarter. This average is 50 basis points higher than the average from both six months ago and a year ago.

The typical time that a property is on the market prior to selling ranges from 3 to 36 months and averages 16 months.

Looking ahead over the next 12 months, surveyed investors unanimously forecast property values in the national development land market to increase. Their expected appreciation rate ranges up to 10.0% and averages 5.6% – slightly below the rate six months ago (5.9%). (56)

National Market Yield Rates for Real Estate Investments National Development Land Market Fourth Quarter 2016		
	Current Quarter	Second Quarter 2016
Free & Clear Range	10.00%-20.00%	10.00%-20.00%
Average	16.00%	15.50%
Preferred Absorption	1 to 20+	1 to 20+
Change Rates		
Lot Prices	1.0% to 10.0%	0.0% to 8.0%
Development Costs	3.0% to 5.0%	1.0% to 5.0%
Marketing Period	3 to 36 months	3 to 36 months
Average	16	16

Source: PwC Real Estate Investor Survey, 4th Quarter 2016

Market Level Outlook

Freddie Mac, Multifamily Outlook 2017,

The multifamily market has enjoyed several years of rapid growth and seems poised to continue to grow in 2017, although at a more moderate pace.

- Slow-but-steady economic growth continued in 2016, which supported strong demand for multifamily rental units. Despite high levels of construction permits and starts, vacancy rates remained flat, while strong demand pushed up rents and gross-income growth above the historical norm.
- A greater amount of new supply will be delivered to the market in 2017, but most of it will be absorbed, given continued economic growth and strong multifamily fundamentals. Vacancy rates will increase slightly, but still leave room for rent and gross-income growth.
- The top 10 list of fastest growing metropolitan areas will see some jockeying for position in 2017, with smaller, more affordable markets making a showing.

Exhibit 6: Top 10 Metros by Gross-income Growth for 2017

Metropolitan Market	2017 Annualized Growth in Gross Income	2017 Vacancy Rate
Sacramento	6.4%	2.2%
Seattle	5.9%	5.6%
Tacoma	5.8%	3.2%
Portland	4.9%	5.8%
Colorado Springs	4.7%	3.8%
Phoenix	4.5%	5.4%
Tampa	4.4%	5.2%
Chicago	4.4%	3.8%
Jacksonville	4.3%	6.9%
Los Angeles	4.2%	3.7%
United States (top 70 metros)	3.4%	5.2%

Source: Freddie Mac projections

According to the 2017 Freddie Mac report, Sacramento gains the top spot as growth expands west from the Bay Area to take advantage of affordability. The Pacific Northwest fills the next three spots. Some of the smaller markets on the list, such as Colorado Springs, Phoenix and Tampa, will see strong rent growth in 2017 because increased demand outpaces supply. **Chicago** and Jacksonville made the top 10 because of low vacancy rates with moderate-to-high rent-growth. According to the report, Chicago will be a wild card in 2017, as the city and the State of Illinois continue to work out fiscal issues. Although the impact on multifamily demand could go either way – for example, less motivation to own and less new development could be offset by fewer people moving into the area – vacancy rates are expected to remain tight, boosting rental-income growth expectations.

All in all, the multifamily market outlook is positive. The underlying fundamentals that have been driving multifamily rental housing demand over the last several years will remain strong through 2017 while the market continues to moderate from the cyclical peak. Employment growth will be slower than in 2014 and 2015 but will remain above population growth in 2017. New supply will continue to be elevated in 2017, pushing vacancy rates toward historical averages. Demand will remain strong due to demographic changes and preferences for renting. Absorption of new units in some areas will take longer than in prior years, hindering landlords from increasing rents at the prior few years’ rapid pace. Certain other factors could have meaningful impacts on the multifamily market this year – a rising interest-rate environment being an important one – baseline forecasts are for continued strength in the market.

Chicago Multi-Family Market

According to the Marcus and Millichap 4th Quarter 2016 Chicago Metro Area Multifamily Research Market Report:

A deep pool of renters is helping bolster fundamentals amid a construction boom. Healthy job growth coupled with the allure of an urban lifestyle will underpin improvements in the Chicagoland apartment market this year. The local economy is registering strong gains across an array of employment sectors, highlighting the metro's economic strength and diversity. Additionally, the continued corporate migration from the suburbs to the city is bringing young professionals and high-paying job opportunities to the core. These working millennials overwhelmingly favor renting over homeownership and seek residence in city cores that offer walkability and a live-work-play lifestyle. The strength of the city apartment market will be put to the test with an unprecedented wave of construction set to come online in the next two years. The deep pool of renters will absorb most of the new space, though a rise in vacancy and concession usage may occur. The suburbs will face similar challenges as development also ramps up outside the core, albeit at a lower intensity. Suburban vacancy will remain on the decline as robust apartment demand outstrips new deliveries. Falling vacancy coupled with the surge of high-end construction hitting the market will enable another year of healthy rent growth throughout Chicagoland.

Interest rates at historical lows coupled with improving property fundamentals have kept buyer demand strong for Chicagoland apartments. Deal flow is accelerating and cap rates are low, though buyers are beginning to show resistance to outsize pricing, stifled by concerns about the length of the current expansion. Seller expectations, on the other hand, continue to escalate, creating a widening disconnect between property owners and buyers. Well-priced deals will receive multiple competing offers, though many owners are unwilling to part with their properties unless stellar pricing can be achieved. As a result, a lot of investors are investigating Class C properties in the suburbs where higher yields can be found. These assets will generally change hands at cap rates in the mid-7 percent range,

Suburban Highlights

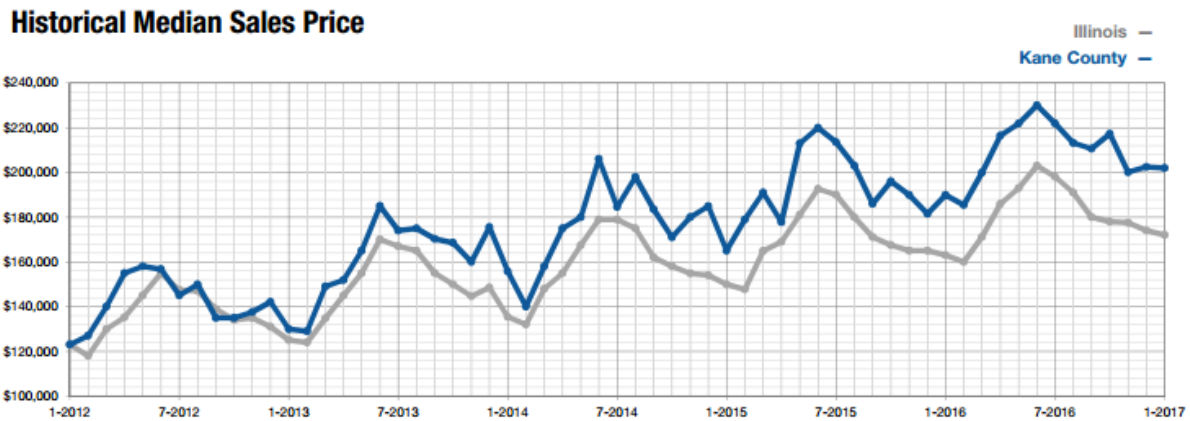
After sliding 80 basis points last year, the suburban vacancy rate fell 20 basis points in the past 12 months to **3.1 percent in September, the lowest level in over five years.** Central Cook County boasts the lowest vacancy among all submarkets at 1.7 percent, down 30 basis points year over year.

In the last four quarters ending in September, the average effective rent jumped 5.6 percent to \$1,159 per month. The most expensive apartments can be found in the Evanston/Rogers Park/Uptown submarket with tenants paying \$1,502 per month on average.

Kane County Housing Market

According to the Monthly Local Market Update for January 2017 by the Illinois Realtors for Kane County, there were 371 closed sales of owner housing units in January 2016 and 400 in January 2017, an increase of 7.8%. The median sale price in January 2016 was \$189,900, increasing by 6.4% in January 2017 to \$202,000. The inventory of homes in January 2016 was 2,471, decreasing by 23.8% to 1,883 in January 2017. The days on the market also declined by 10.3% from 68 days to 61 days.

Of the total sales in January 2017, 313 were for single-family homes (up 6.8%) with an average price of \$233,300 and 86 were for condominiums (up 10.3%) with an average price of \$155,000. Below is a chart showing the historical median sales price in Kane County and Illinois since 2012.



Kane County Multi-Family Market

Absorption

According to the U.S Census Bureau July 2015 (most recent available), Kane County had a total of 184,940 housing units of which the homeownership rate was 73.6% and the renter household rate was 26.4%. Additionally, the City of Saint Charles had a total of 13,157 housing units as of April 2010 (most recent statistic available) of which the homeownership rate was 71.1% and the renter household rate was 28.9%.

Statistics	
Kane County Population total 7/2015	530,847
Number of Housing Units In Kane County	184,940
Home ownership percentage	73.6%
Propensity to Rent	26.4%
Number of Housing Units In Kane County	48,824
City of Saint Charles Population total 7/2015	33,460
Number of Housing Units in the City of St. Charles	13,157
Home ownership percentage	71.1%
Propensity to Rent	28.9%
Number of Housing Rental Units In the City of St. Charles	3,802

U.S. Census Bureau for 4/2015 and 7/2015

Although the survey does not give a precise number of rental units, it does note that there were 73.6% owner-occupied units in Kane County; therefore 26.4% were renter-occupied or a total of 48,824 renter occupied units in Kane County (not all of which are apartments necessarily).

As shown in the Area Analysis Section, we completed a 1, 5 and 10-mile radius search around the subject to gauge the number of potential households that could make up the potential renter pool for the subject, as given the older existing supply and lack of recent new construction, the subject is likely to draw Class A apartment renters from a wider geographical area than typical. Based on the number of qualifying households and percentage of occupied households, the following table shows the estimated number of potential households from the total population.

Estimate of Households Surrounding the Subject			
	1-Mile Radius	5-Mile Radius	10-Mile Radius
Total Population (2016)	10,692	93,545	335,097
Total # of Households (2016)	4,142	33,227	109,511
Average Household Size	2.50	2.82	3.04

According to the HUD State of the Cities Data System (SOCDS), the following table shows the number of building permits for multi-family dwellings with 5 or more units issued in Kane County. As shown in the table, the number of permits for multi-family dwellings with 5 or more units has hovered around 100 permits per year. The SOCDS system does not track building permits within the city of St Charles.

HUD SOCDS Multi-family permits 5 or more units

Kane County	
Year	# of Building Permits Granted
2015	338
2014	120
2013	131
2012	105
2011	10
2010	22
2009	0

The subject’s new construction, proposed unit and property amenities and location in St. Charles should place it at the higher end of the competitive (Class A) apartment market and will assist in a more rapid lease-up. Of course, it all depends on how the units are priced and how intensely they’re marketed.

According to the US Census, the population with a propensity to rent is 26.4% in Kane County. Based on the information shown above, we have applied the average household size of 2.50, 2.82 and 3.04 to the STDB rings of 1-, 5- and 10-mile radii around the subject.

In addition, according to local statistics, the average percentage of renters (propensity to rent), at all income levels, was 26.4% as of 2015. According to ESRI data, the propensity to rent within a 1, 5, and 10-mile radius is 29.1%, 20.5% and 23.5% respectively. For purposes of this analysis, we have used a household income of \$75,000/YR as the minimum threshold to afford the subject units.

	1-Mile* Radius	5-Mile* Radius	10-Mile* Radius
Total Population (<i>STDB 2016</i>)	10,846	96,204	346,862
Average Household Size	2.50	2.82	3.04
Total Qualifying Households at \$75,000/YR	2,297	21,251	57,339
Times Propensity to Rent vs. Own	.291	.205	.235
= Potential Existing Income Qualified Renters	668	4,356	13,475
Required Capture Ratio at 250 Units	37.4%	5.7%	1.9%

* Source: ESRI Demographic and Income Comparison Data

The total estimated number of qualifying rental households within a 1-, 5- and 10-mile radius of the subject is shown above. Given the subject’s total estimated number of 250 rental units, the subject would need to capture roughly 37.4% of the existing total potential market, within a 1-mile radius and 5.7% of the existing total potential in a 5-mile area and 1.9% of the existing potential in a 10-mile radius.

Given the potential renter households, within a 5-10-mile radius, primary and secondary market areas, the subject’s 250 units would need to capture 1.9% - 5.7% of the potential existing qualified market, which is a relatively low capture rate.

However, within the qualifying rental properties, there is a supply of units that are:

- 1) already leased;
- 2) not competing directly with the subject due to inferior age/condition/amenities.

In addition, on the demand side, there is a portion of the population that is;

- 3) in nursing homes;
- 4) in assisted living facilities; and
- 5) not renting apartments (renting houses, manufactured housing, etc.)
- 6) not able to afford Class A apartments

Therefore, the portion of renters directly desiring the subject is lower than 4,356 to 13,475 households within a 5-10 mile radius, which would increase the required capture ratio on a per unit per month basis. It is noted that the subject's demand could be accelerated by the increased demand for new units with high-end amenities.

Typically, a household can afford to pay up to 33% of their household income on housing (some households are now paying up to 50% in some areas). The subject's projected rents will begin at \$1,350, which indicates a required annual income of at least \$48,650 [(\$1,350 x 12 mos. x .33)] to afford the stated rental rate.

According to the ESRI report, the total number of households within a ten-mile radius is projected to grow by 5,155 in the next five years and currently over 51% of the households earn at least \$75,000 (we use this conservative figure because there is no breakdown between \$50,000 and \$74,999 and the subject's rents will average \$1,790/month). As such, at least 2,629 of the new households (5,155 x 51%) projected over the next five years within a ten-mile radius could afford the subject's average projected rent assuming income levels stay proportional and assuming no major economic downturns in the economy, or unforeseen events affecting the market. The propensity to rent within a ten-mile radius is 23.5%, indicating 617 additional potential new renters for this property type in addition to the current level of 4,356 in a 5-mile radius and 13,475 in a 10-mile radius. Of course, the advent of new Class A construction may release pent-up demand that would entice additional rental households into the market, above the project household growth rate figures above.

Absorption Construction

Confidential information in our files suggests an absorption rate range for new Chicago area suburban apartments of 7 units per month to 18.8 units per month with a central tendency in the 13-16 units per month range. At 15 units per month, the subject's absorption would be around 16 months to stabilized occupancy assuming no pre-construction leasing. Assuming some pre-construction leasing would occur (20±%), the subject could lease up in 12 1/2 months after construction completion to stabilized occupancy (95%) after construction, or by October 1, 2019 (assuming construction is complete on September 2018 and a post construction absorption rate of 15 units/MO).

Rental Comparables

The following pages summarize the rental rates and the occupancy levels of comparable properties within the area, demonstrating the high occupancies and older vintage of the immediate area's Class A rental stock.

Rent Comparable 1



NAME/LOCATION:

AMLI at St. Charles Apartments
100 Lakeside Drive
St. Charles, IL 60174

NO. OF UNITS:

400

YEAR BUILT:

1999

OCCUPANCY:

99%

DESCRIPTION:

Offers one-, two- and three-bedroom apartments that feature fully equipped gourmet kitchens, full size washers and dryers, ceramic tile entries, elegant crown molding, luxurious oval soaking tubs, large walk-in closets and private patios/balconies. The community has a swimming pool, sand volleyball court, fitness center, conference/business center, multimedia center, garden, walking path, attached/detached garages and an enclosed bark park.

UTILITIES:

The units are separately metered for electricity and gas.

VERIFICATION:

Leasing office

RENT SCHEDULE:

Unit Mix	Size (SF)	\$/month
One-bedroom	694 SF and 895 SF	\$1,231- \$1,773
Two-bedroom	993 SF to 1,145 SF	\$1,483 - \$1,945
Three-bedroom	1,425 SF	\$2,382 - \$2,407

Rent Comparable 2



NAME/LOCATION: Ashford at St. Charles Apartments
1690 Covington Court
St. Charles, IL 60174

NO. OF UNITS: 208
YEAR BUILT: 1989
OCCUPANCY: 94%

DESCRIPTION: Offers one- and two-bedroom apartments include a balcony/patio, dishwasher, disposal, large closets, modern appliances and a washer/dryer in each unit. The community amenities feature a new business center and fitness center, swimming pool and updated clubhouse.

UTILITIES: The units are separately metered for electricity and gas.

VERIFICATION: Leasing office

RENT SCHEDULE:

Unit Mix	Size (SF)	\$/month
One-bedroom	830 SF	\$1,135 - \$1,955
Two-bedroom	875 SF - 1,115 SF	\$1,270 - \$2,400

Rent Comparable 3



NAME/LOCATION:

Village Reserve at Mill Creek
Herrington Boulevard
Geneva, IL 60134

NO. OF UNITS:
YEAR BUILT:

66
2016 and 2017

OCCUPANCY:

35%

DESCRIPTION:

Each building features a secured entry, underground heated parking, elevator access to each floor and outdoor area with a private pavilion, fire tables and grills. Each apartment has in-unit laundry, stainless steel appliances, granite countertops, laminate floors and the kitchen and bathroom and large private balconies. The new buildings are adjacent to the recreational bath. This property has over 15 miles of walking and bike paths, two on site churches, The Mill Creek Market and a local dentist, dry cleaners and dance studio. This is the third apartment community offered at Mill Creek.

ABSORPTION:

The Village Reserve at Mill Creek consists of two 33-unit buildings. The first building was completed in October 2016 and is currently at 61% occupancy. According to the leasing agent, they began marketing the property in May 2016, indicating an

absorption rate of 2 units/month. They just obtained the certificate of occupancy on March 21, 2017 for the second building and there are 3 units preleased.

UTILITIES:

The units are separately metered for electricity and gas.

VERIFICATION:

Leasing office

RENT SCHEDULE:

Unit Mix	Size (SF)	\$/month
One-bedroom	734 SF	\$1,350
Two-bedroom	934 SF - 1,229 SF	\$1,550 - \$1,850

Rent Comparable 4



NAME/LOCATION:	Prairie Center IL Route 38/Lincoln Highway, south of Prairie Street and east of Randall Road.
NO. OF UNITS:	609 plus 61 “affordable” units for seniors
YEAR BUILT:	Proposed on 27-acre site of St. Charles Mall
OCCUPANCY:	N/A
DESCRIPTION:	Class A Garden-style complex
ABSORPTION:	N/A
UTILITIES:	To be separately metered and paid by tenant
VERIFICATION:	This property was just approved for zoning by the city of St. Charles. It is a mixed-use development consisting of retail, apartments and affordable senior housing. The developer has given no timetable for the start of construction that we are aware of. Based on the number of existing and projected income qualified renter households over the next 5 years in a 5 to 10-mile radius, if fully built out, this project should not significantly impact the long-term viability of the proposed subject.

Subject Apartment Market Overview

The reported occupancy rates are in the upper 90's% for the first two comparables. They are older properties that have been established. Rent Comparable 3 is the Village Reserve at Mill Creek, which consists of two 33-unit buildings. The first building was completed in October 2016 and is currently at 61% occupancy. According to the leasing agent, they began marketing the property in May 2016, indicating an absorption rate of 2 units/month. They just obtained the certificate of occupancy on March 21, 2017 for the second building and there are 3 units preleased. Overall, this submarket is relatively stable, and is expected to remain that way.

The proposed complex, Prairie Winds, will consist of 250 apartment units. There will be 50 1BR/1BA units, 150 2BR/2BA units and 50 3BR/2BA units. The 1BR units will be 875 SF, the 2BR units will be 1,072 SF to 1,362 SF and the 3BR units will be 1,559 SF. The proposed rental rate for the 1BR units is \$1,350 to \$1,450, increasing to \$1,750 to \$1,850 for the 2BR units and \$2,100 to \$2,200 for the 3BR units.

No utilities will be included in the rental rate. Each of the units will include a 1 or 2 car direct access garage. They will have a stainless steel appliance package including a double door refrigerator with icemaker, front load washer and dryer as well as granite counters in the bathroom and kitchen with a marble shower surround. The units will include fireplaces and a patio/balcony. The property will include an 8,000 SF clubhouse with a commercial quality fitness center, indoor pool, internet café with juice bar, game room, meeting room, outdoor pool with outside kitchen, fire pit, hot tub, walking trail, playground and dog park. Construction is projected to commence in June 2017 and be completed by September 2018.

The subject's proposed asking rents are profiled in the following table.

Subject's Proposed Asking Rents

	Num. of Units	Rent Per Month (Per Buyer)
1BR/1BA	50	\$1,350 - \$1,450
2BR/2BA	150	\$1,750 - \$1,850
3BR/2BA	50	\$2,100 - \$2,200

The proposed subject project will be an institutional quality investment grade asset. The primary strengths of the subject will include:

- The property will be of new Class A construction.
- The property will include extensive property amenities, including a commercial quality fitness center, indoor pool, internet café with juice bar, game room, meeting room, outdoor pool with outside kitchen, fire pit, hot tub, walking trail, playground and dog park.
- The amenities to be offered within each unit should entice pent-up renter demand.
- There is a lack of similar newer Class A multi-family complexes in the area.
- Unemployment levels for St. Charles are at the national average, which are currently at recent historical lows.

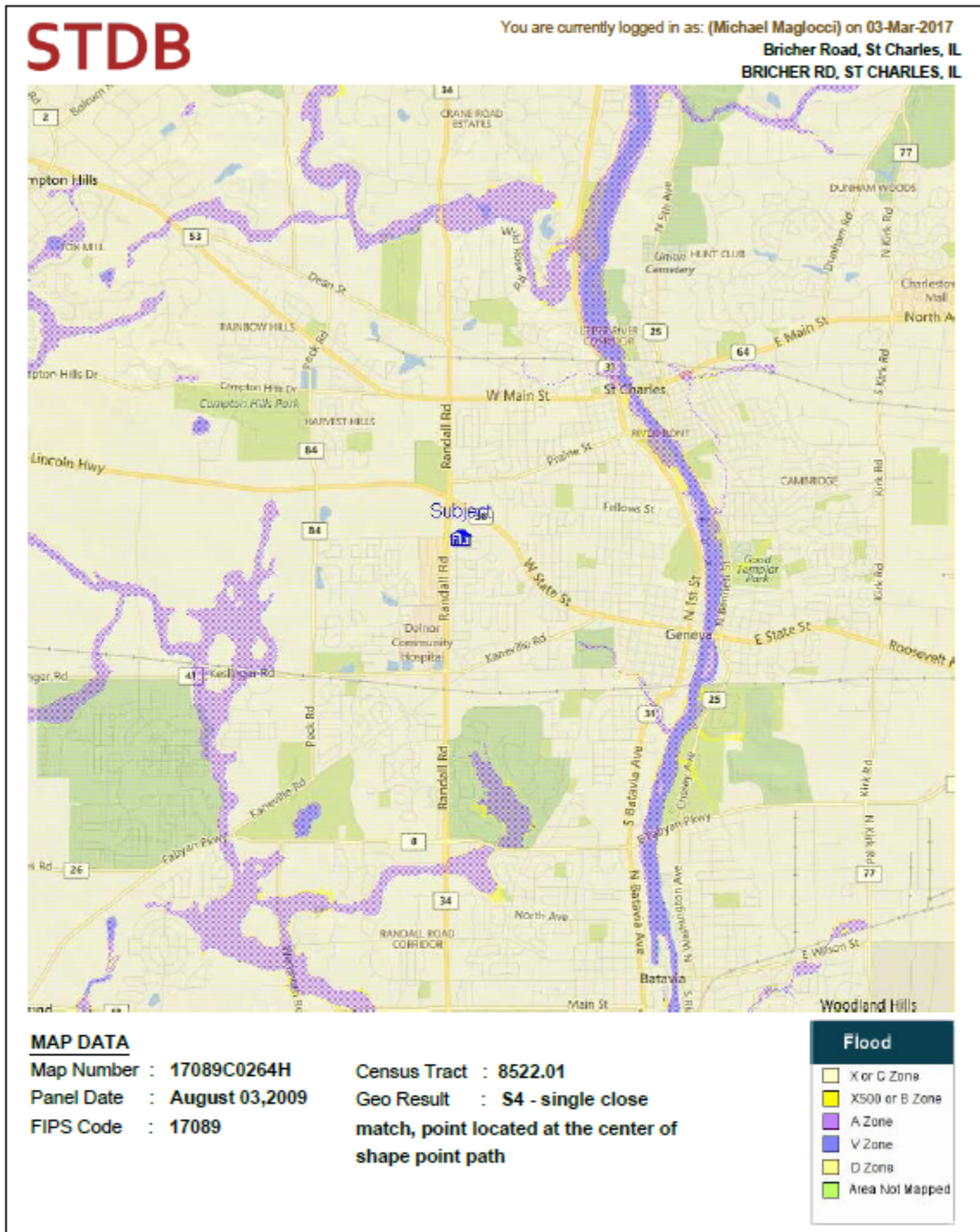
Conclusion

Within a 5-10-mile radius of the subject, we conclude that there are roughly 4,356 to 13,475 existing renter households with income sufficient to afford the proposed subject units, as well as an additional 600± potential qualified rental households that may be created over the next 5 years.

Considering the subject's physical characteristics, rental rates, and current occupancy level, we conclude that it should compete well in its submarket and it should maintain an initial occupancy at or near 95% once leased. We conclude that the construction of the subject property should not negatively affect the use and enjoyment of other properties in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.

ADDENDA

ADDENDA



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Joseph J. Blake and Associates, Inc.

ADDENDA



QUALIFICATIONS OF THE APPRAISER

MICHAEL J. MAGLOCCI, MAI, MRICS

Mr. Maglocchi holds the position of Managing Partner with the Chicago office of Joseph J. Blake and Associates, Inc., at 10 S. LaSalle Street, Suite 1140, Chicago, Illinois.

FORMAL EDUCATION

Pennsylvania State University – State College, Pennsylvania
Bachelor of Science in Business Administration
Concentration in Real Estate

REAL ESTATE AND APPRAISAL EDUCATION

Course Name	Provider
Real Estate Appraisal Principles	Appraisal Institute
Basic Valuation Procedures	Appraisal Institute
Capitalization Theory and Techniques, Part I	Appraisal Institute
Capitalization Theory and Techniques, Part II	Appraisal Institute
Capitalization Theory and Techniques, Part B	Appraisal Institute
Case Studies in Real Estate Valuation	Appraisal Institute
Standards of Professional Practice	Appraisal Institute
Residential Valuation	Appraisal Institute
Valuation Analysis and Report Writing	Appraisal Institute
Market Analysis	Appraisal Institute
Litigation Valuation	Appraisal Institute

PROFESSIONAL AFFILIATIONS

Affiliation	Number
Appraisal Institute, Designated Member	No. 7107
Royal Institution of Chartered Surveyors, Member	No. 6328662
Illinois State Certified General Real Estate Appraiser	No. 553.000119
Indiana State Certified General Real Estate Appraiser	No. CG69100363
Iowa State Certified General Real Estate Appraiser	No. 198507083
Michigan State Certified General Real Estate Appraiser	No. 1201001719
Ohio State Certified General Real Estate Appraiser	No. 384673
Pennsylvania State Certified General Real Estate Appraiser	No. GA001005-R
Wisconsin State Certified General Real Estate Appraiser	No. 114-10
Illinois Coalition of Appraisal Professionals, Founding Member and Past President	

Appraisal Institute Service	Dates
Government Relations Committee, Member	2014/2015
Chicago Chapter, President	1999
National Board of Directors, Member	Past
Region III, Chair	Past
Chicago Chapter Board of Directors, Member	Past
Non-Residential Demonstration Appraisal Reports Subcommittee, Member	Past
Regional Standards and Ethics Panel, Member	Past
Master's Degree Committee, Member	Past

QUALIFICATIONS OF THE APPRAISER

APPRAISAL EXPERIENCE

Responsibilities include the appraisal of all types of investment grade and noninvestment grade real estate, including office buildings, regional malls, power centers, community centers, neighborhood centers, industrial properties and apartments, condominium complexes, residential subdivisions, hotels, cineplexes, restaurants, vacant land and special use properties, as well as providing related consulting. Mr. Maglocchi has appraised and has supervised appraisals as well as prepared consulting studies of properties for a variety of public pension funds, large institutional investors, pension fund advisors, insurance companies and banks.

Mr. Maglocchi has been qualified as an expert witness in Federal Bankruptcy Court in the State of Wisconsin (Milwaukee) and Illinois (Chicago) and has given oral and written testimony in each. He has also testified in the Supreme Court of New York. In addition, he has provided testimony in litigation matters, both civil and criminal.

Recent awards include:

- Appraisal Institute President's Appreciation Award (2011)
- Chicago Chapter Exceptional Leadership and Dedicated Service Award (2010)
- Appraisal Institute Region III Service Award (2009/2010)
- Heritage Award (2007)

CERTIFICATION



QUALIFICATIONS OF THE APPRAISER

JAIME SCHEETZ

Ms. Scheetz holds the position of Senior Appraiser with the Chicago office of Joseph J. Blake and Associates, Inc., at 10 S. LaSalle Street, Suite 1140, Chicago, Illinois.

FORMAL EDUCATION

University of Illinois, Champaign-Urbana
Bachelor of Science in Finance

REAL ESTATE AND APPRAISAL EDUCATION

Course Name	Provider
Real Estate Appraisal Principles	Appraisal Institute
Basic Valuation Procedures	Appraisal Institute
Capitalization Theory and Techniques, Part A	Appraisal Institute
Standards of Professional Practice	Appraisal Institute
Fundamentals of Real Estate Appraisal	Appraisal Institute
Appraising the Single Family Residence	Appraisal Institute

PROFESSIONAL AFFILIATIONS

Affiliation	Number
Illinois State Certified General Real Estate Appraiser	No. 553.002450

APPRAISAL EXPERIENCE

Variety of assignments for financial institutions and banks, including: retail, shopping centers, industrial properties, market studies, apartments, and vacant land.

CERTIFICATION



LAW OFFICES

HOSCHEIT, McGUIRK, McCRACKEN & CUSCADEN, P.C.

1001 EAST MAIN STREET, SUITE G
SAINT CHARLES, ILLINOIS 60174-2203

JOHN J. HOSCHEIT
JOHN M. McGUIRK
KATE L. McCRACKEN
DOUGLAS R. CUSCADEN

TELEPHONE: 630.513.8700
FACSIMILE: 630.513.8799

April 5, 2017

Mr. Andrew Kolb
Vanek, Larson & Kolb LLC
200 W. Main St.
St. Charles, IL 60174

Re: Prairie Winds of St. Charles – Notice of Objection to Fair Market Value under City Code
Section 16.10.090

Dear Mr. Kolb,

The City is in receipt of your letter dated March 17, 2017 objecting to the fair market value of land established under the City's School and Park Land Cash Dedication Ordinance (City Code Title 16, "Subdivisions and Land Improvement," Chapter 16.10 "Dedications", Section 16.10.090 "Amount of Cash Contribution") This request pertains to the current zoning and subdivision requests for the proposed Prairie Winds development on Bricher Road.

Section 16.10.090, Subsection 2, states that a subdivider may file a written objection to the use of the per acre land value established in this section (currently \$240,500) by submitting a formal appraisal. An appraisal report dated February 25, 2017 prepared by Joseph J. Blake and Associates, Inc. has been provided. The report indicates that the appraisal was intended to determine the "market value" of the Prairie Winds site (under current zoning). The report establishes a market value of \$2.3 million, which equals \$112,304 per acre.

Please be advised that Section 16.10.090 states that an objection to the per-acre value shall show "the fair market value of *improved* land in the area of the subdivision." Title 16 of the City of the City Code defines "Improved Land" as: "Land located within a development which has been improved by installation of the required land improvements." Land Improvements are defined as: "Any sanitary sewer, storm sewer and water systems, including all appurtenances thereto, retention and detention basins, grading and surface drainage ways and facilities, curbs, paving, streets, street lighting, sidewalks, street signs, seeding, and tree plantings." The sales comparisons in the appraisal report are for raw land parcels, not improved land.

HMMC
&

The appraisal report is not sufficient to support the request for a written objection to the per-acre value under Section 16.10.090, Subjection 2. For the City to further consider this request, an appraisal showing the fair market value of improved land in the area of the subdivision must be submitted for review.

Very truly yours,
Hoscheit, McGuirk, McCracken & Cuscaden, P.C.



John M. McGuirk

JMM:lmk



200 W. Main Street
St. Charles, IL 60174
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www.vlklawfirm.com

Attorneys:
Gary M. Vanek
Scott P. Larson
Andrew E. Kolb
Lindsay K. Sanchez
Brian Stines

Of Counsel:
Lauren Jackson

March 17, 2017

Via Hand Delivery

Mayor Ray Rogina
City Council Members
City of St. Charles
2 E. Main Street
St. Charles, IL 60174

**RE: Prairie Winds, LLC
Notice of Objection – Fair Market Value of Land as established by City of St. Charles
Municipal Code Section 16.10.090**

Dear Mayor Rogina and City Council Members:

We are writing on behalf of our client, Prairie Winds, LLC (“Applicant”), and with respect to its application for development approvals for a proposed multi-family residential development located on 20.48 acres of vacant property located at the intersection of Randall Rd. and Bricher Road in St. Charles (the “Subject Property”).

As you know, the Applicant has been working with the City over the course of several months and has personally met with the members of the City Council to resolve the issue of cash donations to the City associated with its zoning approvals. Applicant initially had two concerns regarding the cash in lieu donations: (i) the Inclusionary Housing fee, which has recently been addressed; and (ii) the exorbitant Park District fee, which to date has been the subject of much deliberation but has yet to be resolved. At this point, and after many months of informal discussion, the Applicant is looking for a formal decision on the matter of the Park District fee. In an effort to bring about a final determination of this fee, we are submitting to you this notice of objection with the expectation that this will bring the matter to a final resolution acceptable to all parties involved.

Please allow this letter to serve as notice that in accordance with Section 16.10.900(B) of the Municipal Code of the City of St. Charles, Applicant hereby objects to the use of the per acre value of \$240,500.00 per acre as established within Section 16.10.090 of the Municipal code of the City of St. Charles.

In further accordance with Section 16.10.900(B) of the Municipal Code, and in support of its objection, Applicant submits the enclosed appraisal of the Subject Property prepared by Joseph J. Blake and Associates, Inc. (the “Appraisal”). The Appraisal sets the fair market value of the Subject Property at \$112,304.00 per acre.



Applicant requests that the City Council use the fair market value as determined in the enclosed Appraisal to calculate the cash in lieu of land dedication requirement for final plat of subdivision approval as set forth in Section 16.10.050. We look forward to your comments.

Respectfully,

Andrew E. Kolb

**APPRAISAL OF 20.48-ACRES
OF VACANT LAND ON
BRICHER ROAD IN
SAINT CHARLES, KANE COUNTY, ILLINOIS**

Prepared For: Executive Capital
c/o Mr. Jeff Ratzer
Vice President
Big Rock Executive Center
47W210 Route 30
Big Rock, IL 60511

Prepared By: Joseph J. Blake and Associates, Inc.
10 South LaSalle Street, Suite 1140
Chicago, Illinois 60603

Date
of Appraisal: February 25, 2017



March 9, 2017

Executive Capital
c/o Mr. Jeff Ratzer
Vice President
Big Rock Executive Center
47W210 Route 30
Big Rock, IL 60511

Re: Appraisal of the Vacant Land on Bricher Road
Saint Charles, Kane County, IL

Dear Mr. Ratzer:

At your request, we have inspected and appraised the above captioned property as of February 25, 2017. The ensuing appraisal report and our final opinion of fee simple market value have been based upon a personal inspection of the property and upon research into various factors that influence value.

The subject is zoned BR-Regional Business and part of PUD 47 (see Extraordinary Assumptions). It consists of 20.48 acres of vacant land. The property is along Bricher Road on the south. It is just west of Randall Road and one-half mile west of Randall Road and Lincoln Highway. According to the prospective buyer, Mr. Jeff Ratzer, the land is under contract. It is a part of a larger, 32-acre property that will be replatted. The property sale and price are contingent on the property being rezoned to RM3 to allow for a proposed 250+ unit Class A apartment property. However, we have appraised the as is market value of the subject site under current zoning with no contingencies. The subject does not have existing improvements and is currently farmland.

The scope of this assignment involved inspecting the subject and surrounding area, the examination of marketing and exposure times, and land sales data. The ensuing appraisal report has been prepared in conformity with and is subject to the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute, and the Uniform Standards of Professional Appraisal Practice of the Appraisal Foundation (USPAP) appraisal guidelines. Accordingly, the report considers all of the recognized appraisal methods and techniques that materially contribute to a proper valuation of the real property under analysis. The appraisal is subject to the attached Assumptions and Limiting Conditions.

We have performed our services and prepared this report in accordance with applicable, generally accepted appraisal practices. We make no other warranties, either expressed or implied, as to the character and nature of such services and product.

March 9, 2017
Mr. Jeff Ratzler
Page 2

Based on our inspection and analysis of economic trends influential to the property, it is our opinion that the as is market value of the fee simple interest in the 20.48-acre subject site at Bricher Road in the City of Saint Charles, Kane County, Illinois, as of the effective date of the appraisal, February 25, 2017, and subject to the incorporated Assumptions and Conditions and its current zoning, is:

TWO MILLION THREE HUNDRED THOUSAND (\$2,300,000) DOLLARS

We are of the opinion that a reasonably achievable marketing time for the market value opinion, assuming the property was properly priced and actively marketed, is 12 to 36 months commencing from the effective date of appraisal going forward. We estimate an exposure period of 12 to 36 months preceding the effective date of appraisal, if properly priced and actively marketed.

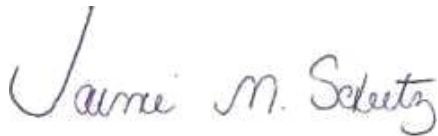
If you have any questions about this appraisal report, please contact us at your earliest convenience.

Respectfully submitted,

JOSEPH J. BLAKE AND ASSOCIATES, INC.



Michael J. Maglocchi, MAI
Managing Partner
Illinois Certified General Real Estate Appraiser No. 553.000119; Expires 09/30/17



Jaime M. Scheetz
Senior Appraiser
Illinois Certified General Real Estate Appraiser No. 553.002450; Expires 09/30/17

SUMMARY OF SALIENT FACTS AND CONCLUSIONS

LOCATION: Appraisal of the Vacant Land at Bricher Road
Saint Charles, Kane County, IL

DESCRIPTION: 20.48-acres

PURPOSE AND INTENDED USE
OF THE APPRAISAL: The purpose of this appraisal report is to provide our opinion of the as is market value of the fee simple interest in the subject as of February 25, 2017 as well as to provide an understanding of the market valuation of raw land in the area. The intended use of this appraisal Executive Capital, in asset management decisions regarding the subject.

PERTINENT DATES
Effective Date of Appraisal: February 25, 2017
Date of Report: March 9, 2017

SITE DATA: The subject is zoned BR –Regional Business and part of PUD 47 (see Extraordinary Assumptions). It consists of 20.48 acres of vacant land. The property is along Bricher Road on the south. It is just west of Randall Road and one-half mile west of Randall Road and Lincoln Highway. According to the prospective buyer, Mr. Jeff Ratzler, the land is under contract. It is a part of a larger, 32-acre property that will be replatted. The property sale and price are contingent on the property being rezoned to RM3 to allow for a proposed 250+ unit Class A apartment property. However, we have appraised the as is value of the subject site. This property does not have existing improvements and is currently farmland.

ZONING: BR – Regional Business District (part of PUD 47)

HIGHEST AND BEST USE
As Vacant: Residential Development (As Planned)

FINAL MARKET VALUE OPINION

Market Value of Subject Site: \$2,300,000

This Appraisal Report is subject to underlying assumptions and limiting conditions qualifying the information contained in the Report as follows:

The valuation estimate applies only to the property specifically identified and described in the Report.

Information and data contained in the Report, although obtained from public record and other reliable sources, and, where possible, carefully checked by the appraisers, is accepted as satisfactory evidence upon which rests the final expression of property value.

The appraisers have made no legal survey, nor have they commissioned one to be prepared and, therefore, reference to a sketch, plat, diagram, or previous survey appearing in the Report is only for the purpose of assisting the reader to visualize the property.

It is assumed that all information known to the client and relative to the valuation has been accurately furnished and that there are no undisclosed leases, agreements, liens, or other encumbrances affecting the use of the property.

Ownership and management are assumed to be competent and in responsible hands.

No responsibility beyond reasonableness is assumed for matters of a legal nature, whether existing or pending.

The appraisers, by reason of this Appraisal, shall not be required to give testimony as expert witnesses in any legal hearing or before any Court of Law unless justly and fairly compensated for such services.

By reason of the Purpose of the Appraisal and Function of the Report herein set forth, the value reported is only applicable to the Property Rights Appraised and the Appraisal Report should not be used for any other purpose.

Disclosure of the contents of this Appraisal Report is governed by the Bylaws and Regulations of the Appraisal Institute.

Neither all nor any part of the contents of this Report (especially any conclusions as to value, the identity of the appraisers, or the firm with which they are connected, or any reference to the Appraisal Institute or to the MAI Designation) shall be reproduced for dissemination to the public through advertising media, public relations media, news media, sales media, or any other public means of communication without the prior consent and written approval of the appraisers.

The appraisers have not been furnished with soil or subsoil tests. In the absence of soil boring tests, it is assumed that there are no unusual subsoil conditions or, if any do exist they can be or have been corrected through the use of modern construction techniques at a reasonable cost.

This appraisal is based on the conditions of local and national economies, purchasing power of money, and financing rates prevailing at the effective Date of Appraisal.

The appraisers are not engineers, and any references to physical property characteristics in terms of quality, condition, cost, suitability, soil conditions, flood risk, obsolescence, etc., are strictly related to their economic impact on the property. No liability is assumed for any engineering-related issues.

Unless otherwise stated in this report, the existence of hazardous material that may or may not be present on the property was not observed by the appraiser. The presence of substances such as asbestos, urea-formaldehyde foam insulation or other potentially hazardous materials may affect the value of the property. The value estimate is predicated on the assumption that there is no such material on or in the property that would cause a loss in value. No responsibility is assumed for any such conditions, or for any expertise or engineering knowledge required to discover them. The client is urged to retain an expert in this field, if desired.

Toxic and hazardous substances, if present within a facility, can introduce an actual or potential liability that may adversely affect marketability and value. Such affect may be in the form of immediate clean-up expense or future liability of clean-up costs (stigma). In the development of our opinion of value, no consideration was given to such liability or its impact on value. The client releases Joseph J. Blake and Associates from any and all liability related in any way to environmental matters.

Possession of this report or a copy thereof does not imply right of publication, nor use for any purpose by any other than the client to whom it is addressed, without the written consent of the authors.

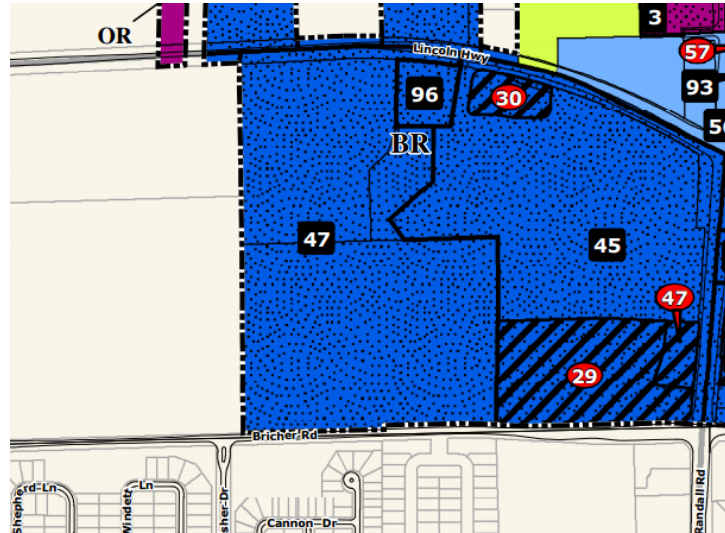
The liability of Joseph J. Blake and Associates, Inc., and its employees is limited to the client, Executive Capital. The intended user of this appraisal report is Executive Capital. Third parties, who desire us to prepare appraisals of the subject property for their use, should contact Joseph J. Blake and Associates, Inc. at 10 South LaSalle Street, Suite 1140, Chicago, Illinois 60603.

Cash flow projections are forecasts of estimated future operating characteristics and are based on the information and assumptions contained within the appraisal report. The achievement of the financial projections and prospective values will be affected by fluctuating economic conditions and is dependent upon other future occurrences that cannot be assured. Actual results may well vary from the projections contained herein. The appraisers do not warrant that these forecasts and prospective values will occur. Projections may be affected by circumstances beyond the current realm of knowledge or control of the appraisers.

The Americans with Disabilities Act (“ADA”) became effective January 26, 1992. We have not made a specific compliance survey and analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the ADA. It is possible that a compliance survey of the property, together with a detailed analysis of the requirements for the ADA, could reveal that the property is not in compliance with one or more of the requirements of the Act. If so, this fact could have a negative effect upon the value of the property. Since we have no direct evidence relating to this issue, we did not consider possible non-compliance with the requirements of the ADA in estimating the value of the property.

Extraordinary Assumptions

The subject is zoned BR –Regional Business and part of PUD 47. The zoning has been obtained from the Saint Charles zoning map. See below. The property is contingent on the property being rezoned to RM3 to allow for a proposed 250+ unit Class A apartment property. However, we have appraised the as is value of the subject site. This property does not have existing improvements and is currently farmland. According to the prospective buyer, the property will be replatted as it is currently part of a larger parcel of land. We assume that the zoning as noted above is correct and that it will be replatted without delay.



The property is currently being farmed by one tenant. We were not provided with the lease but were informed that it is a short term lease. As such, we have appraised the fee simple value of the subject.

As of the date of this report, we have not received a soils report, survey, engineering study or an environmental report. Therefore, it is assumed that the property is not encumbered by any easements, deed restrictions, environmental or wetlands/soils deficiencies that would negatively affect the value of the property.

The site size of 20.48 acres was provided by the prospective buyer and confirmed by the purchase contract. We received a plat of a topographic survey of the larger, 32-acre site that was performed by Engineers Scientists Surveyors in October 2016 (project number 16262). As such, we have used 20.48-acres in our analysis. In addition, the subject has not been legally subdivided. We assume that this will occur in a timely fashion with no delays and at a minimal cost.

The use of these extraordinary assumptions might have affected the assignment results.

I, Jaime M. Scheetz, certify that:

- I have made a personal inspection of the property that is the subject of this report.
- all market data pertaining to the final value estimate has been accumulated from various sources and, where possible, personally examined and verified as to details, motivation and validity.

I, Michael J. Maglocchi, MAI, certify that:

- I have not made a personal inspection of the subject property.
- I have reviewed the analyses, conclusions, and opinions concerning real estate contained in this report and fully concur with the final value estimate herein expressed.
- the Appraisal Institute conducts a program of continuing education for its designated members. MAIs who meet the minimum standards of this program are awarded periodic educational certification.
- as of the date of this report, I have completed the continuing education program for Designated Members of the Appraisal Institute.

We, Michael J. Maglocchi and Jaime M. Scheetz, certify that:

- the statements of fact contained in this report are true and correct.
- the reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are our personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- we have no present or prospective interest in the property that is the subject of this report, and we have no personal interest with respect to the parties involved.
- we have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- our engagement in this assignment was not contingent upon developing or reporting predetermined results.
- our compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.

CERTIFICATION

6

- the appraisal assignment was not based on a requested minimum valuation, a specific valuation, or the approval of a loan.
- we are professionally competent to perform this appraisal assignment by virtue of previous experience with similar assignments and/or appropriate research and education regarding the specific property type being appraised.
- the reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics & Standards of Professional Appraisal Practice of the Appraisal Institute, which include the Uniform Standards of Professional Appraisal Practice (USPAP).
- the use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- no one provided significant real property appraisal assistance to the persons signing this certification.
- we have not previously appraised this property in the three years immediately prior to the date of acceptance of this assignment. We have not provided any other services relating to the subject property in the three years immediately prior to the date of acceptance of this assignment.

Based on our inspection and analysis of economic trends influential to the property, it is our opinion that the as is market value of the fee simple interest in the 20.48-acre subject site at Bricher Road in the City of Saint Charles, Kane County, Illinois, as of the effective date of the appraisal, February 25, 2017, subject to the incorporated Assumptions and Conditions and subject to the existing zoning, is:

TWO MILLION THREE HUNDRED THOUSAND (\$2,300,000) DOLLARS

We are of the opinion that a reasonably achievable marketing time for the market value opinion, assuming the property was properly priced and actively marketed, is 12 to 36 months commencing from the effective date of appraisal going forward. We estimate an exposure period of 12 to 36 months preceding the effective date of appraisal, if properly priced and actively marketed.

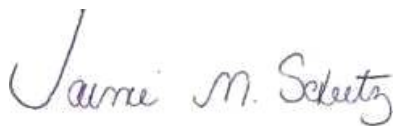
JOSEPH J. BLAKE AND ASSOCIATES, INC.



Michael J. Maglocchi, MAI

Managing Partner

Illinois Certified General Real Estate Appraiser No. 553.000119; Expires 09/30/17



Jaime M. Scheetz

Senior Appraiser

Illinois Certified General Real Estate Appraiser No. 553.002450; Expires 09/30/17

IDENTIFICATION OF SUBJECT PROPERTY

The subject is zoned BR-Regional Business and part of PUD 47 (see Extraordinary Assumptions). It consists of 20.48 acres of vacant land. The property is along Bricher Road on the south. It is just west of Randall Road and one-half mile west of Randall Road and Lincoln Highway. It is a part of a larger, 32-acre property that will be replatted. The pending sale and purchase price are contingent on the property being rezoned to RM3 to allow for a proposed 250+ unit Class A apartment property. However, we have appraised the as is value of the subject site under current zoning and no contingencies. The subject does not have existing improvements and is currently farmland.

As of the effective date of appraisal, the Kane County Assessor's Office identifies the subject with the following parcel numbers:

14-12-16-200-010 & 14-12-16-216-400-005

LEGAL DESCRIPTION

The legal description of the property was provided by the prospective buyer and is found in the site description section of the report. We have not commissioned a survey, nor have we had one verified by legal counsel. Therefore, before being used for any other purpose, we suggest the legal descriptions be verified by legal counsel.

PURPOSE, CLIENT, INTENDED USER AND USE OF THE APPRAISAL

The purpose of this appraisal report is to provide our opinion of the as is market value of the fee simple interest in the subject as of February 25, 2017 under its existing zoning without contingencies as well as to provide an understanding of the market valuation of raw land in the area. The intended use of this appraisal report is to assist the client and sole intended user, Executive Capital, with asset management decisions regarding the subject.

EFFECTIVE DATE OF APPRAISAL/INSPECTION/ANALYSIS/REPORT

The appraisal report with its analysis, conclusions, and final opinion of market value, is specifically applicable to the effective date of appraisal: February 25, 2017. The date of the analysis is February 25, 2017. The property was last inspected February 25, 2017. The date of this report is March 9, 2017.

PROPERTY RIGHTS APPRAISED

The subject is appraised on the basis of a fee simple estate, which is defined as:

"Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat."¹

DEFINITION OF MARKET VALUE

Market value, as defined under the Federal Financial Institutions Reform, Recovery and Enforcement Act of 1989 (FIRREA), is:

"The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus.

Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions, whereby:

1. buyer and seller are typically motivated;
2. both parties are well informed or well advised, and acting in what they consider their best interests;
3. a reasonable time is allowed for exposure in the open market;
4. payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
5. the price represents normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale."²

¹ *The Dictionary of Real Estate Appraisal*, Fifth Edition (Appraisal Institute 2010), page 78.

² (12 C.F.R. Part 34.42(g); 55 *Federal Register* 34696, August 24, 1990, as amended at 57 *Federal Register* 12202, April 9, 1992; 59 *Federal Register* 29499, June 7, 1994) *The Dictionary of Real Estate Appraisal*, Fifth Edition, (Appraisal Institute 2010), Pages 122-123.

SCOPE OF THE APPRAISAL

The three most widely accepted approaches to value, the Cost Approach, Income Capitalization Approach, and Sales Comparison Approach were considered, but only the Sales Approach was employed.

The Cost Approach derives market value by establishing the land value of the vacant and unimproved parcel(s) and then adds the depreciated cost of any infrastructure improvements to come to value conclusion. This technique was not is used, because it makes a direct correlation between value and cost which can be unreliable. In particular, the Cost Approach is unable to account for low cost and less tangible contributors to a subdivisions value, such as an annexation agreement and platted and engineered sites. In this case, it is inherently unreliable and unnecessary to determining a credible value opinion.

The Income Capitalization Approach is not applicable to residential land in this market as there is no significant leased fee land market.

The Sales Approach is the most direct and effective means by which to establish a land value opinion and was the Approach most necessary to deriving a credible value opinion of the subject.

The scope of this assignment entails the collection, verification and analysis of data pertinent to the Sales Comparison Approach. Market data compiled for this report include a variety of land sales. This data is a result of research specific to the state of Illinois and the regional area and is considered pertinent to the subject. The data has been verified by buyers, sellers, brokers, managers, government officials or other sources regarded as knowledgeable and reliable.

Information specific to the subject, such as descriptive information, zoning and tax records were derived from public records and from discussions with the prospective buyer and is assumed to be correct. The information appeared reliable, based on an inspection of the property.

Specific estimates concerning prices per square foot, highest and best use conclusions, etc., reflect the judgment of the Appraisers based on interpretation of the market data. The reasoning behind such estimates is illustrated throughout the Sales Comparison Approach.

HISTORY OF THE SUBJECT

According to the prospective buyer, Mr. Jeff Ratzler, the land is under contract. It is a part of a larger, 32-acre property that will be replatted. The property sale and price are contingent on the property being rezoned to RM3 to allow for a proposed 250+ unit Class A apartment property.

To the best of our knowledge, there have been no other ownership transfers, sales or listings of the subject parcels over the five-year period prior to the effective date of this appraisal other than the current contract.

EXPOSURE TIME AND MARKETING PERIOD

Implicit in a market value estimate is the condition that "a reasonable time is allowed for exposure in the open market." In a statement issued by the Appraisal Standards Board (ASB) of the Appraisal Foundation, it was noted that reasonable exposure time is presumed to precede the effective date of value. Exposure time is defined as follows: "the estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal; a retrospective estimate based on an analysis of past events assuming a competitive and open market."³

Marketing time is defined as "an opinion of the amount of time it might take to sell a real or personal property interest at the concluded market value level during the period immediately after the effective date of the appraisal. Marketing time differs from exposure time, which is always presumed to precede the effective date of an appraisal."⁴

The subject consists of a land parcel encompassing 20.48-acres. It is currently vacant and being used as farmland.

The PWC Real Estate Investor Survey for the National Development Land Market, 4th Quarter 2016, states the typical time a development land parcel is on the market prior to selling ranges from 3 to 36 months and averages 16 months. However, the subject's neighborhood is in the growth stage of its economic life cycle with no significant sources of external obsolescence noted (other than the weakened economy and reduced effective demand for ownership housing over the short term).

Considering the subject's location and the current weak economic conditions, a projected marketing time of 12 to 36 months commencing from the date of appraisal going forward and an exposure period of 12 to 36 months preceding the date of appraisal is estimated.

³ *The Dictionary of Real Estate Appraisal*, Fifth Edition, (Appraisal Institute 2010), Page 73

⁴ *The Dictionary of Real Estate Appraisal*, Fifth Edition, (Appraisal Institute 2010), Page 121

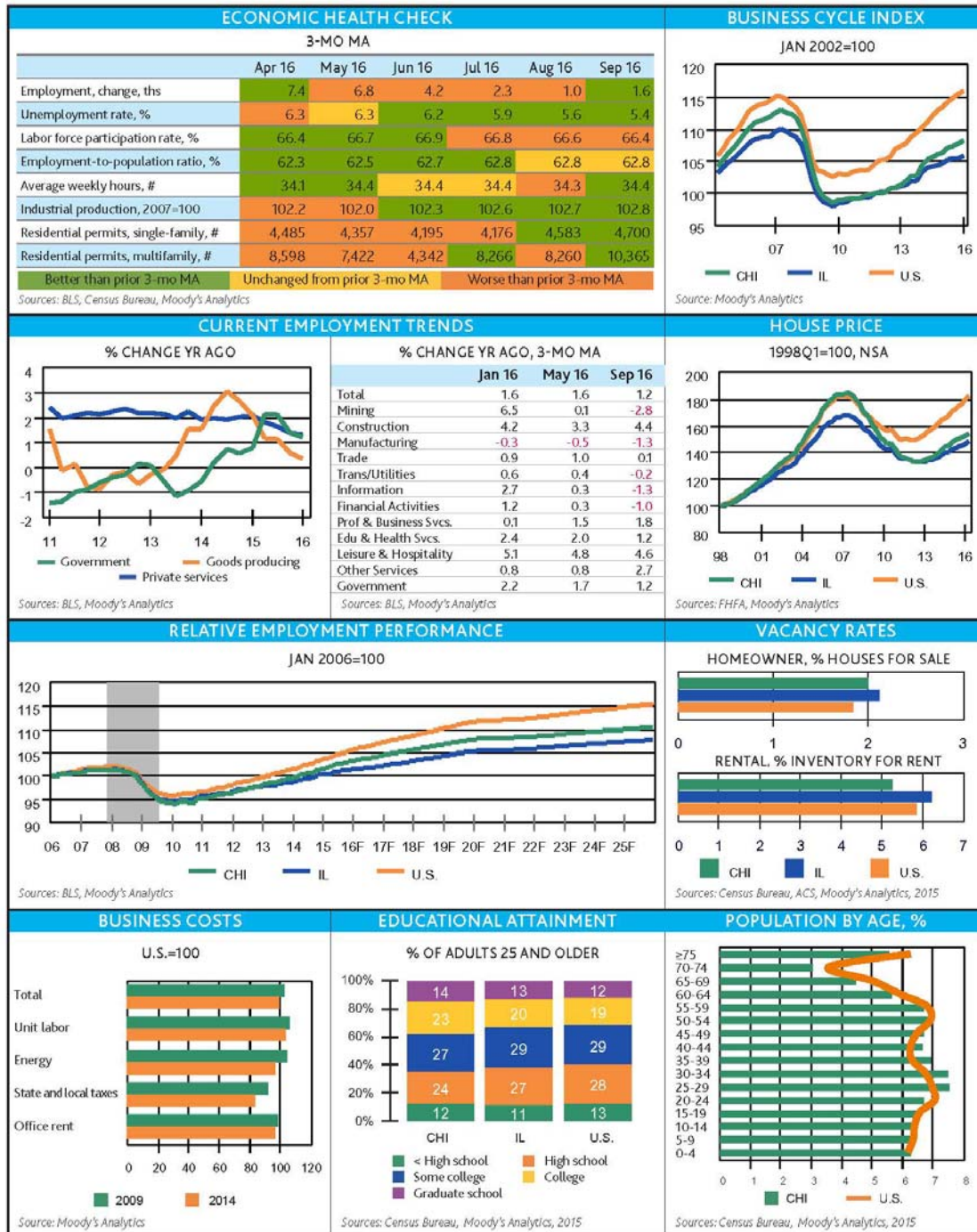
The dynamic nature of economic relationships in a market area has a direct bearing on real estate values and the long-term quality of a real estate investment. In the market, the value of real estate property is not based on the historical acquisition prices paid for the property in the past nor the cost of its creation. Thus, the value of real estate property is based on what economic benefit buyers and sellers perceive it will provide in the future based on the Principle of Anticipation. Consequently, the attitude of the market toward a property in a specific neighborhood or market area reflects the probable future trend of that area.

The subject is in Saint Charles, Kane County, IL. Due to its effect on the subject market, a description of the Chicago metropolitan area is provided. The Chicago-Naperville-Joliet, IL-IN-WI Metropolitan Statistical Area (MSA), the third largest MSA in the United States, is at the western foot of Lake Michigan.

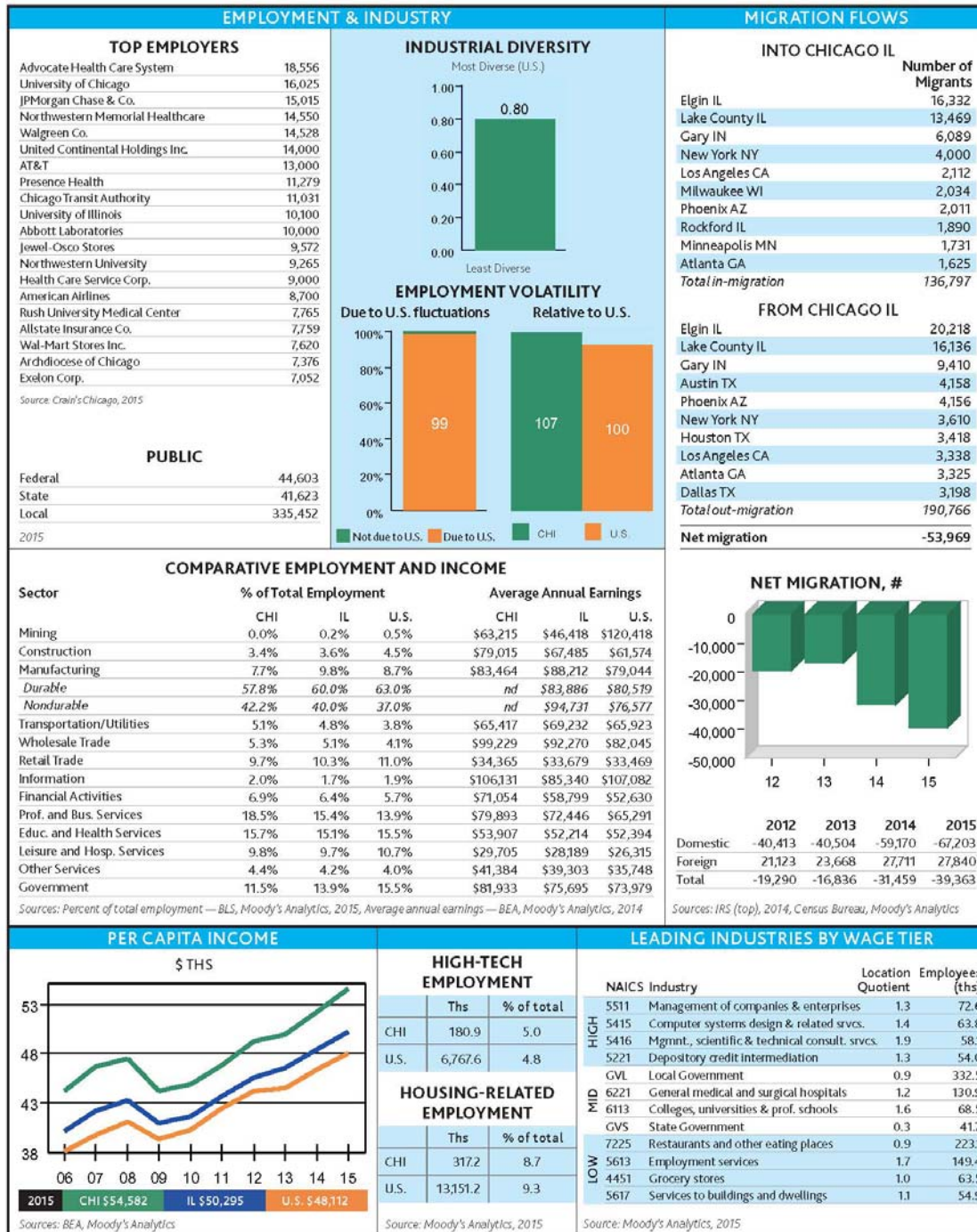
The area analysis on the following pages is reprinted with permission from *Moody's Economy.com*.



PRÉCIS® U.S. METRO MIDWEST » Chicago-Naperville-Arlington Heights IL



PRÉCIS® U.S. METRO MIDWEST » Chicago-Naperville-Arlington Heights IL



Conclusion

The Chicago metropolitan area has had an established history of economic stability due to its accessibility to major markets, its central location, excellent transportation facilities, and diversified economic base. These features of the subject area are positive factors reinforcing the value of real estate located within the area over the long term. Projections for the area are for continued long-term economic growth. This is expected to have a supportive effect leading to increasing property values for all property types within the near future. Its size, location, and economic diversity provide investors with a perceived safe harbor during downturns in the national economic cycle.



According to the *PwC Real Estate Investor Survey*, 4th Quarter 2016:

In *Emerging Trends in Real Estate*® 2017, development ranks as the second preferred investment category/strategy among Emerging Trends respondents for 2017 – ahead of opportunistic and core investments and just below value-added investments. Even though development’s rating slipped this year compared to last year’s report – down from 3.82 to 3.53 on a scale of 1 (abysmal) to 5 (excellent), it’s a trend seen in each of the four investment strategies. Ratings declined from 0.11 (core investments) to 0.29 (development) and averaged 0.19.

When looking at development prospects for each of the five major commercial real estate (CRE) sectors included in *Emerging Trends*, individual rating declines are also noted. The largest decline over the past year occurred for the retail sector, where the rating fell from 2.82 to 2.42. According to the report, a consensus is emerging that e-commerce will decrease the overall demand for retail space, but will not come anywhere near supplanting it. The key for retailers and developers will be to design spaces for successfully blending bricks and clicks.

Outside of traditional CRE property sectors, *Emerging Trends* respondents felt development prospects in 2017 were strong for fulfillment assets, age-restricted housing, medical office, urban/high-street retail, and student housing, which has become a popular sector in recent years. Even though some *Emerging Trends* respondents believe that investing in student housing has largely played out with sufficient supply to meet the demand from a small high-income market, the volume of students at respected colleges and universities is expected to stay strong for the foreseeable future.

Of the 78 U.S. metros included in *Emerging Trends*, the top five individual markets with regard to development prospects in the year ahead were (in order) Austin, Portland, Nashville, Raleigh/Durham, and Dallas/Fort Worth. New to this list for 2017 were both Portland and Raleigh/Durham while Boston and Charlotte were dropped from the top-five list from last year. Other cities that received strong development prospect ratings were Los Angeles, Seattle, Charlotte, Denver, and Orange County. On the other hand, cities that received poor development prospect ratings included Providence, Buffalo, Tacoma, and Hartford.

On an unleveraged basis, discount rates (including developers’ profit) for the national development land market range from 10.00% to 20.00% and average 16.00% this quarter. This average is 50 basis points higher than the average from both six months ago and a year ago.

The typical time that a property is on the market prior to selling ranges from 3 to 36 months and averages 16 months.

Looking ahead over the next 12 months, surveyed investors unanimously forecast property values in the national development land market to increase. Their expected

appreciation rate ranges up to 10.0% and averages 5.6% – slightly below the rate six months ago (5.9%). (56)

National Market Yield Rates for Real Estate Investments National Development Land Market Fourth Quarter 2016		
	Current Quarter	Second Quarter 2016
Free & Clear Range	10.00%-20.00%	10.00%-20.00%
Average	16.00%	15.50%
Preferred Absorption	1 to 20+	1 to 20+
Change Rates		
Lot Prices	1.0% to 10.0%	0.0% to 8.0%
Development Costs	3.0% to 5.0%	1.0% to 5.0%
Marketing Period	3 to 36 months	3 to 36 months
Average	16	16

Source: PwC Real Estate Investor Survey, 4th Quarter 2016

CHICAGO MULTI-FAMILY MARKET

According to the Marcus and Millichap 4th Quarter 2016 Chicago Metro Area Multifamily Research Market Report:

A deep pool of renters is helping bolster fundamentals amid a construction boom. Healthy job growth coupled with the allure of an urban lifestyle will underpin improvements in the Chicagoland apartment market this year. The local economy is registering strong gains across an array of employment sectors, highlighting the metro's economic strength and diversity. Additionally, the continued corporate migration from the suburbs to the city is bringing young professionals and high-paying job opportunities to the core. These working millennials overwhelmingly favor renting over homeownership and seek residence in city cores that offer walkability and a live-work-play lifestyle. The strength of the city apartment market will be put to the test with an unprecedented wave of construction set to come online in the next two years. The deep pool of renters will absorb most of the new space, though a rise in vacancy and concession usage may occur. The suburbs will face similar challenges as development also ramps up outside the core, albeit at a lower intensity. Suburban vacancy will remain on the decline as robust apartment demand outstrips new deliveries. Falling vacancy coupled with the surge of high-end construction hitting the market will enable another year of healthy rent growth throughout Chicagoland.

Interest rates at historical lows coupled with improving property fundamentals have kept buyer demand strong for Chicagoland apartments. Deal flow is accelerating and cap rates are low, though buyers are beginning to show resistance to outsize pricing, stifled by concerns about the length of the current expansion. Seller expectations, on the other hand, continue to escalate, creating a widening disconnect between property owners and

buyers. Well-priced deals will receive multiple competing offers, though many owners are unwilling to part with their properties unless stellar pricing can be achieved. As a result, a lot of investors are investigating Class C properties in the suburbs where higher yields can be found. These assets will generally change hands at cap rates in the mid-7 percent range,

Suburban Highlights

After sliding 80 basis points last year, the suburban vacancy rate fell 20 basis points in the past 12 months to 3.1 percent in September, the lowest level in over five years. Central Cook County boasts the lowest vacancy among all submarkets at 1.7 percent, down 30 basis points year over year.

In the last four quarters ending in September, the average effective rent jumped 5.6 percent to \$1,159 per month. The most expensive apartments can be found in the Evanston/Rogers Park/Uptown submarket with tenants paying \$1,502 per month on average.

Conclusion

Development land ranks as the second preferred investment category/strategy among Emerging Trends respondents for 2017 – ahead of opportunistic and core investments and just below value-added investments. Constriction trends for multi-family seem to be on the rise locally and nationally. Vacancy rates are at all-time lows and rental rates are rising.

Demographic data within one-, three- and five-miles of the subject is summarized below.



Demographic and Income Comparison Profile

St. Charles
 Bricher Rd, St Charles, Illinois, 60134
 Rings: 1, 3, 5 mile radii

Prepared by Esri
 Latitude: 41.89778
 Longitude: -88.33659

	1 mile	3 miles	5 miles
Census 2010 Summary			
Population	10,692	56,218	104,237
Households	4,142	20,831	37,369
Families	2,982	15,017	28,007
Average Household Size	2.48	2.63	2.75
Owner Occupied Housing Units	3,073	16,150	30,167
Renter Occupied Housing Units	1,069	4,681	7,202
Median Age	38.5	39.7	40.0
2016 Summary			
Population	10,846	57,498	107,050
Households	4,163	21,053	37,876
Families	2,967	15,045	28,194
Average Household Size	2.50	2.67	2.78
Owner Occupied Housing Units	2,951	15,764	29,762
Renter Occupied Housing Units	1,212	5,289	8,114
Median Age	39.1	40.5	40.7
Median Household Income	\$83,460	\$90,123	\$99,962
Average Household Income	\$106,747	\$117,646	\$126,086
2021 Summary			
Population	11,048	58,314	109,015
Households	4,222	21,224	38,304
Families	2,992	15,079	28,390
Average Household Size	2.52	2.68	2.80
Owner Occupied Housing Units	2,980	15,814	30,024
Renter Occupied Housing Units	1,242	5,410	8,280
Median Age	39.8	41.3	41.5
Median Household Income	\$96,312	\$101,833	\$108,225
Average Household Income	\$116,160	\$126,928	\$135,912
Trends: 2016-2021 Annual Rate			
Population	0.37%	0.28%	0.36%
Households	0.28%	0.16%	0.22%
Families	0.17%	0.05%	0.14%
Owner Households	0.20%	0.06%	0.18%
Median Household Income	2.91%	2.47%	1.60%



Demographic and Income Comparison Profile

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2016 Households by Income	1 mile		3 miles		5 miles	
	Number	Percent	Number	Percent	Number	Percent
<\$15,000	231	5.5%	949	4.5%	1,730	4.6%
\$15,000 - \$24,999	255	6.1%	1,071	5.1%	1,793	4.7%
\$25,000 - \$34,999	298	7.2%	1,377	6.5%	2,129	5.6%
\$35,000 - \$49,999	435	10.4%	2,053	9.8%	3,151	8.3%
\$50,000 - \$74,999	647	15.5%	3,330	15.8%	5,524	14.6%
\$75,000 - \$99,999	535	12.9%	2,622	12.5%	4,616	12.2%
\$100,000 - \$149,999	822	19.7%	4,229	20.1%	8,041	21.2%
\$150,000 - \$199,999	526	12.6%	2,726	12.9%	5,173	13.7%
\$200,000+	414	9.9%	2,695	12.8%	5,718	15.1%
Median Household Income	\$83,460		\$90,123		\$99,962	
Average Household Income	\$106,747		\$117,646		\$126,086	
Per Capita Income	\$39,585		\$43,492		\$45,168	
2021 Households by Income	Number	Percent	Number	Percent	Number	Percent
<\$15,000	230	5.4%	930	4.4%	1,676	4.4%
\$15,000 - \$24,999	231	5.5%	965	4.5%	1,543	4.0%
\$25,000 - \$34,999	416	9.9%	1,963	9.2%	2,896	7.6%
\$35,000 - \$49,999	262	6.2%	1,301	6.1%	2,140	5.6%
\$50,000 - \$74,999	517	12.2%	2,682	12.6%	4,318	11.3%
\$75,000 - \$99,999	516	12.2%	2,495	11.8%	4,380	11.4%
\$100,000 - \$149,999	951	22.5%	4,749	22.4%	9,127	23.8%
\$150,000 - \$199,999	648	15.3%	3,236	15.2%	6,110	16.0%
\$200,000+	451	10.7%	2,903	13.7%	6,115	16.0%
Median Household Income	\$96,312		\$101,833		\$108,225	
Average Household Income	\$116,160		\$126,928		\$135,912	
Per Capita Income	\$42,632		\$46,560		\$48,302	



Demographic and Income Comparison Profile

St. Charles
 Bricher Rd, St Charles, Illinois, 60134
 Rings: 1, 3, 5 mile radii

Prepared by Esri
 Latitude: 41.89778
 Longitude: -88.33659

2010 Population by Age	1 mile		3 miles		5 miles	
	Number	Percent	Number	Percent	Number	Percent
Age 0 - 4	623	5.8%	3,169	5.6%	5,915	5.7%
Age 5 - 9	751	7.0%	4,058	7.2%	8,176	7.8%
Age 10 - 14	843	7.9%	4,497	8.0%	9,036	8.7%
Age 15 - 19	847	7.9%	4,409	7.8%	8,199	7.9%
Age 20 - 24	599	5.6%	2,774	4.9%	4,702	4.5%
Age 25 - 34	1,179	11.0%	5,861	10.4%	9,536	9.1%
Age 35 - 44	1,537	14.4%	7,951	14.1%	15,227	14.6%
Age 45 - 54	1,743	16.3%	9,720	17.3%	18,769	18.0%
Age 55 - 64	1,309	12.2%	7,160	12.7%	13,353	12.8%
Age 65 - 74	657	6.1%	3,337	5.9%	5,962	5.7%
Age 75 - 84	401	3.7%	2,104	3.7%	3,507	3.4%
Age 85+	202	1.9%	1,177	2.1%	1,855	1.8%

2016 Population by Age	1 mile		3 miles		5 miles	
	Number	Percent	Number	Percent	Number	Percent
Age 0 - 4	591	5.4%	3,033	5.3%	5,697	5.3%
Age 5 - 9	667	6.1%	3,548	6.2%	7,221	6.7%
Age 10 - 14	767	7.1%	4,222	7.3%	8,696	8.1%
Age 15 - 19	852	7.9%	4,204	7.3%	7,937	7.4%
Age 20 - 24	630	5.8%	3,304	5.7%	5,692	5.3%
Age 25 - 34	1,368	12.6%	6,698	11.6%	11,111	10.4%
Age 35 - 44	1,369	12.6%	7,108	12.4%	13,563	12.7%
Age 45 - 54	1,583	14.6%	8,783	15.3%	17,166	16.0%
Age 55 - 64	1,486	13.7%	8,383	14.6%	15,602	14.6%
Age 65 - 74	907	8.4%	4,848	8.4%	8,753	8.2%
Age 75 - 84	413	3.8%	2,091	3.6%	3,600	3.4%
Age 85+	215	2.0%	1,274	2.2%	2,012	1.9%

2021 Population by Age	1 mile		3 miles		5 miles	
	Number	Percent	Number	Percent	Number	Percent
Age 0 - 4	596	5.4%	3,027	5.2%	5,694	5.2%
Age 5 - 9	633	5.7%	3,289	5.6%	6,643	6.1%
Age 10 - 14	705	6.4%	3,797	6.5%	7,927	7.3%
Age 15 - 19	801	7.3%	4,036	6.9%	7,861	7.2%
Age 20 - 24	622	5.6%	2,945	5.1%	5,151	4.7%
Age 25 - 34	1,376	12.5%	7,138	12.2%	12,038	11.0%
Age 35 - 44	1,508	13.7%	7,564	13.0%	14,161	13.0%
Age 45 - 54	1,422	12.9%	7,704	13.2%	15,309	14.0%
Age 55 - 64	1,534	13.9%	8,650	14.8%	16,182	14.8%
Age 65 - 74	1,122	10.2%	6,196	10.6%	11,361	10.4%
Age 75 - 84	507	4.6%	2,667	4.6%	4,623	4.2%
Age 85+	221	2.0%	1,300	2.2%	2,066	1.9%



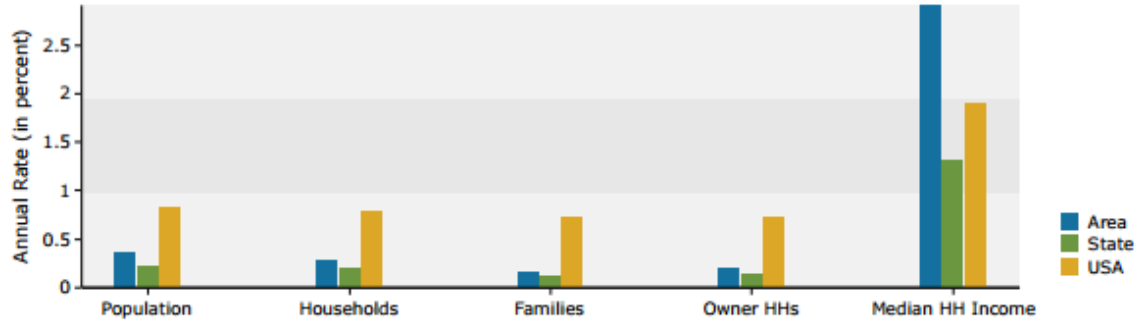
Demographic and Income Comparison Profile

St. Charles
 Bricher Rd, St Charles, Illinois, 60134
 Rings: 1, 3, 5 mile radii

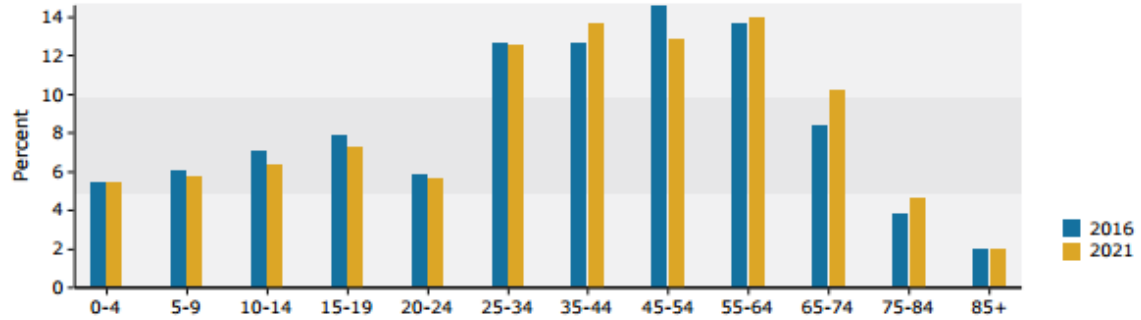
Prepared by Esri
 Latitude: 41.89778
 Longitude: -88.33659

1 mile

Trends 2016-2021



Population by Age





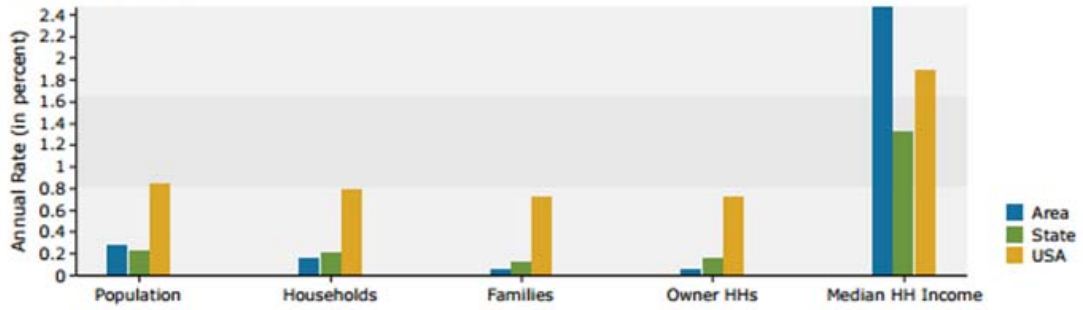
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St. Charles
Bricher Rd, St Charles, Illinois, 60134
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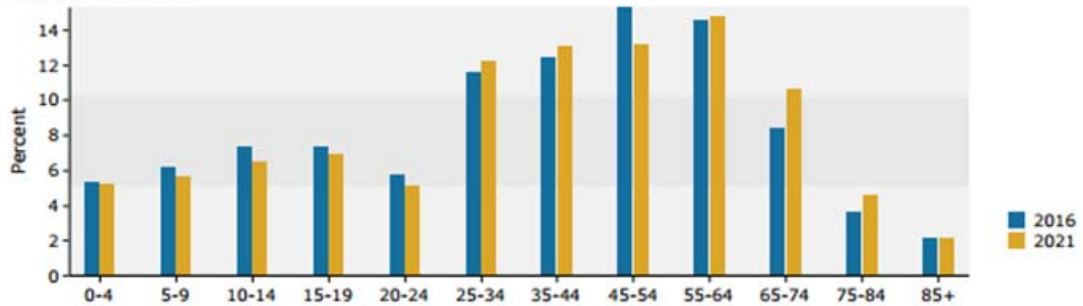
Prepared by Esri
Latitude: 41.89778
Longitude: -88.33659

3 miles

Trends 2016-2021



Population by Age





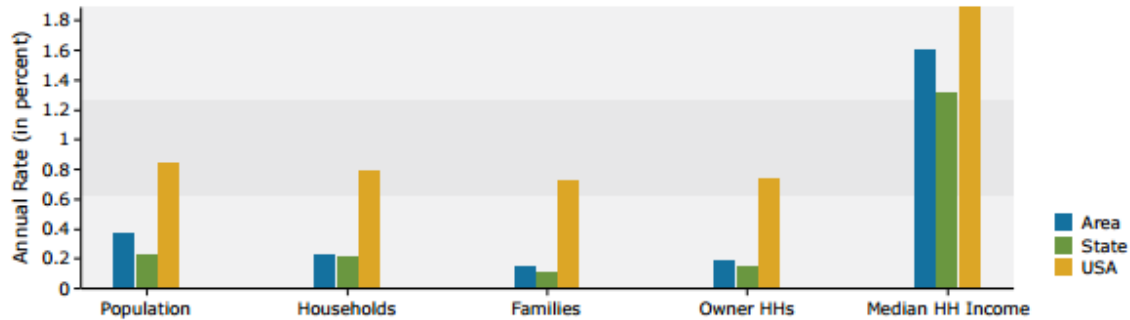
Demographic and Income Comparison Profile

St. Charles
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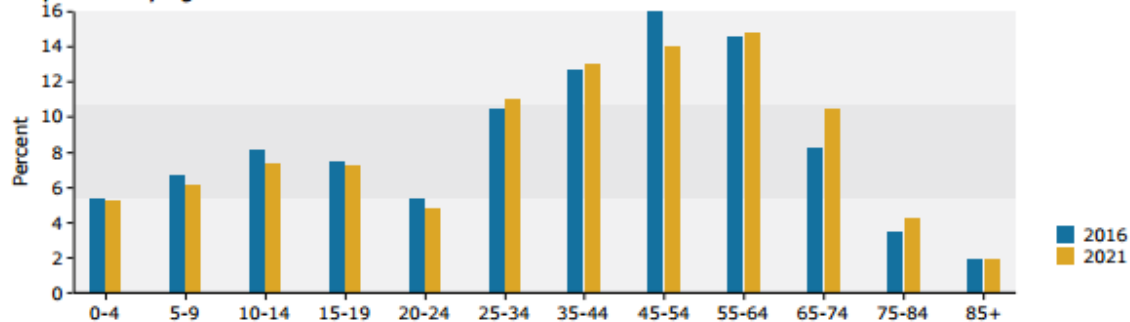
Prepared by Esri
 Latitude: 41.89778
 Longitude: -88.33659

5 miles

Trends 2016-2021



Population by Age



According to the 2010 census, the population within a one-mile radius of the subject is 10,692, increasing to 56,218 in a three-mile radius and 104,237 in a five-mile radius. There are 4,142 households within a one-mile radius, increasing to 20,831 in a three-mile radius and 37,369 in a five-mile radius. In 2016, the median household income in a one-mile radius is \$83,460, increasing to \$90,123 in a three-mile radius and \$99,962 in a five-mile radius. There are 1,212 renter occupied housing unit within one-mile of the subject in 2016, increasing to 6,289 in a three-mile radius and 8,114 in a five-mile radius.

Conclusion

The current neighborhood uses are mostly residential to the south and commercial to the east with vacant farmland to the north and west. The neighborhood is in the growth stage of its economic life cycle with no significant sources of external obsolescence noted. There appears to be a transition from less intensive, agricultural or idle land use to residential and some commercial use in the immediate area of the subject. Property values within the neighborhood are expected to continue to increase gradually over the longer term, inclusive of the subject's.

A neighborhood is defined as: "A group of complementary land uses; a congruous grouping of inhabitants, buildings, or business enterprises."⁵ A neighborhood should be distinguished from a district, which is defined as "a neighborhood characterized by homogenous land use."⁶ For example, predominantly residential neighborhoods typically contain some commercial properties that provide services for local residents. The boundaries of a neighborhood can be physical such as a lake, stream or major highway or they may be less easily discernible such as changes in prevailing land use or occupant characteristics.

The subject is in Saint Charles, Illinois, which had a population of 32,974 as of the 2010 US Census. The official city slogan is Pride of the Fox, after the Fox River that runs through the center of town. Saint Charles is part of a tri-city area along with Geneva and Batavia, all western suburbs of similar size and relative socioeconomic condition.

The top employers for the area, according to the Saint Charles 2009 Comprehensive Annual Financing Report, are Saint Charles Community School District (1,780 employees), System Sensor (550 employees), OMRON (500 employees), Pheasant Run Resort (450 employees), City of Saint Charles (350 employees) and Saint Charles Park District (300 employees).

Saint Charles is home to the Kane County Fair in July and the Kane County Flee Market every month. Saint Charles is also home to the Arcada theatre, which has hosted Martin Short, Joan Rivers and Bill Cosby. Downtown Saint Charles was named one of the region's "Top 10" by the Chicago Tribune for fine dining, arts and entertainment, recreational opportunities, unique shopping and a lively nighttime personality. Family Circle named Saint Charles #1 in its 2011 Annual Survey of Best Towns and Cities for families. The survey included communities from across the country and is featured in the magazine's August 2011 issue. The communities in the magazine combine affordable housing, good neighbors, green spaces, strong public schools and giving spirits.

The Saint Charles Public Library is nationally ranked among the best libraries in the U.S. and has earned a "three star" rating in the 201 Library Journal Index. In 2008, as a part of a promotional effort by a local water gardening company, Saint Charles named itself the water garden capital of the world.

Saint Charles is home to the Q Center, a 95-acre conference site. Originally built as a Catholic Women's Liberal Arts College, St. Dominic College, it later became Arthur Andersen's Center for Professional Education. It is now used by Accenture, and hosts meetings, conferences and executive learning for Fortune 500 companies, associations and social, military, education, religious and fraternal organizations from all over the world.

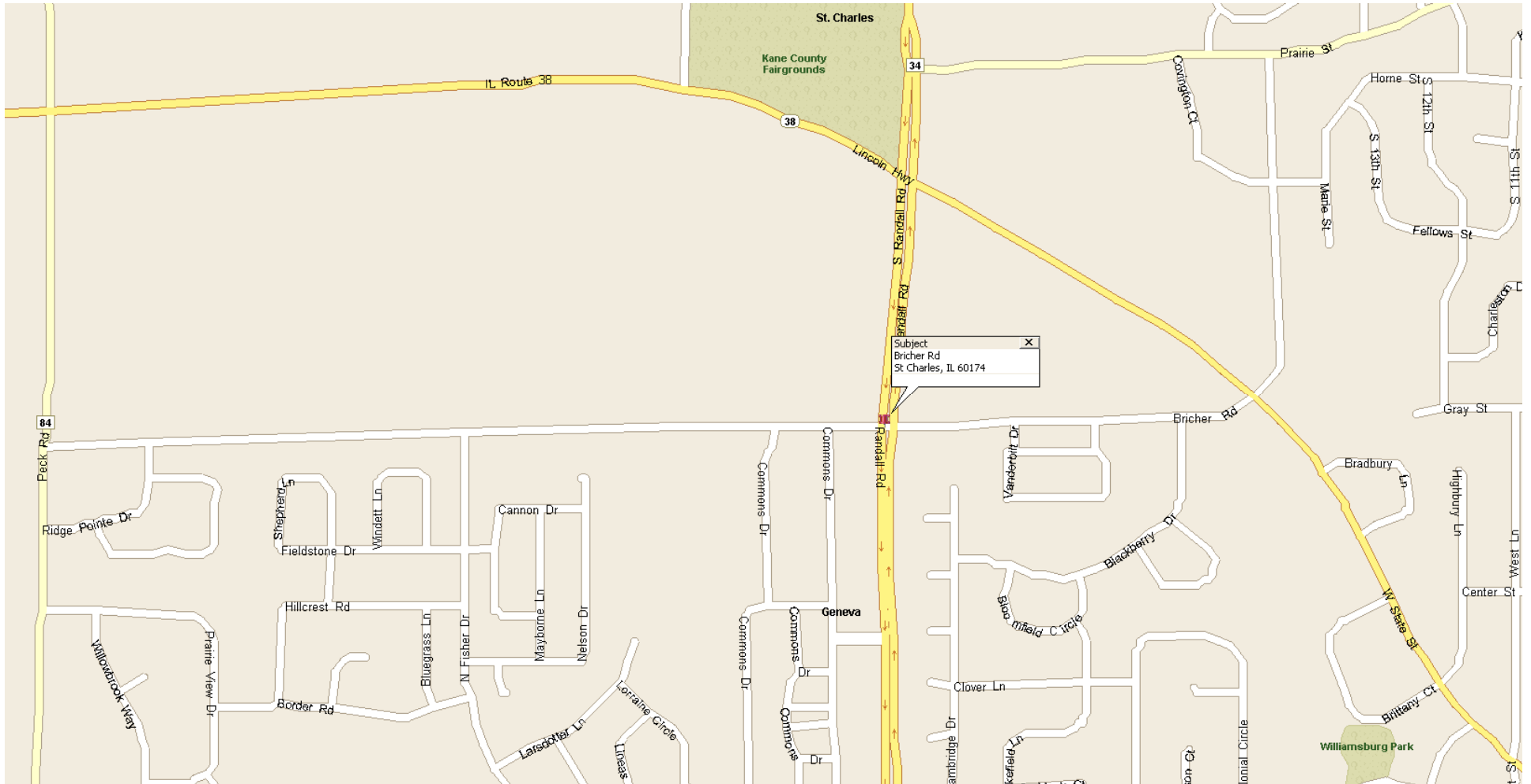
Conclusion

The subject is positioned in an area that is surrounded by retail and residential and is part of a larger farmland piece that will be sectioned off upon sale of the property and later developed.

⁵ *The Dictionary of Real Estate Appraisal*, Fifth Edition, (Appraisal Institute 2010), Page 133.

⁶ *The Dictionary of Real Estate Appraisal*, Fifth Edition, (Appraisal Institute 2010), Page 60.

Neighborhood Map



LOCATION: Appraisal of the Vacant Land at Bricher Road in Saint Charles, Illinois.

SHAPE/SIZE/FRONTAGE: The subject is a slightly irregular site encompassing 20.48 acres.

TOPOGRAPHY: The site's topography appears flat and it is currently being farmed by one tenant.

FLOOD HAZARD: According to FEMA flood map ID 17089C0264H dated August 3, 2009, the site does not appear to be in a 100-year or 500-year flood plain and is in Zone X.

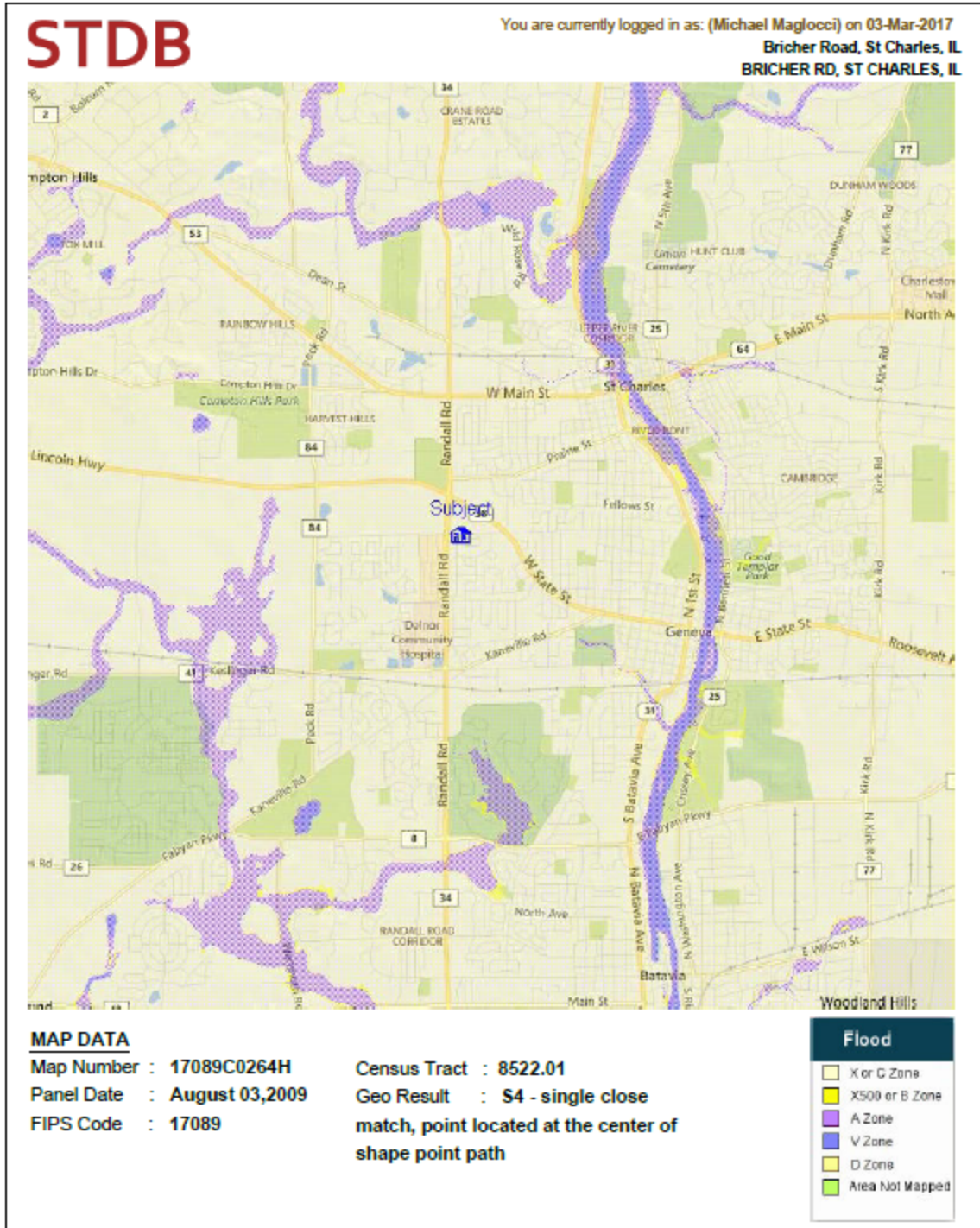
ACCESSIBILITY/VISIBILITY:
SOIL CONDITIONS
AND EASEMENTS: The subject has frontage along Bricher Road.
Environmental studies of the subject property were not available for our review (See Assumptions and Limiting Conditions).

IMPROVEMENTS: There are no building improvements on the site, but water and sewer lines have been installed to the site.

UTILITIES AND SERVICES: The subject site has access to all utilities (electricity, telephone, water/sewer, and gas service) available along Bricher Road, a two-lane, asphalt paved street that will be the primary points of access for the future subdivision. We assume normal utility easements. We also assume no detrimental easements exist on the site.

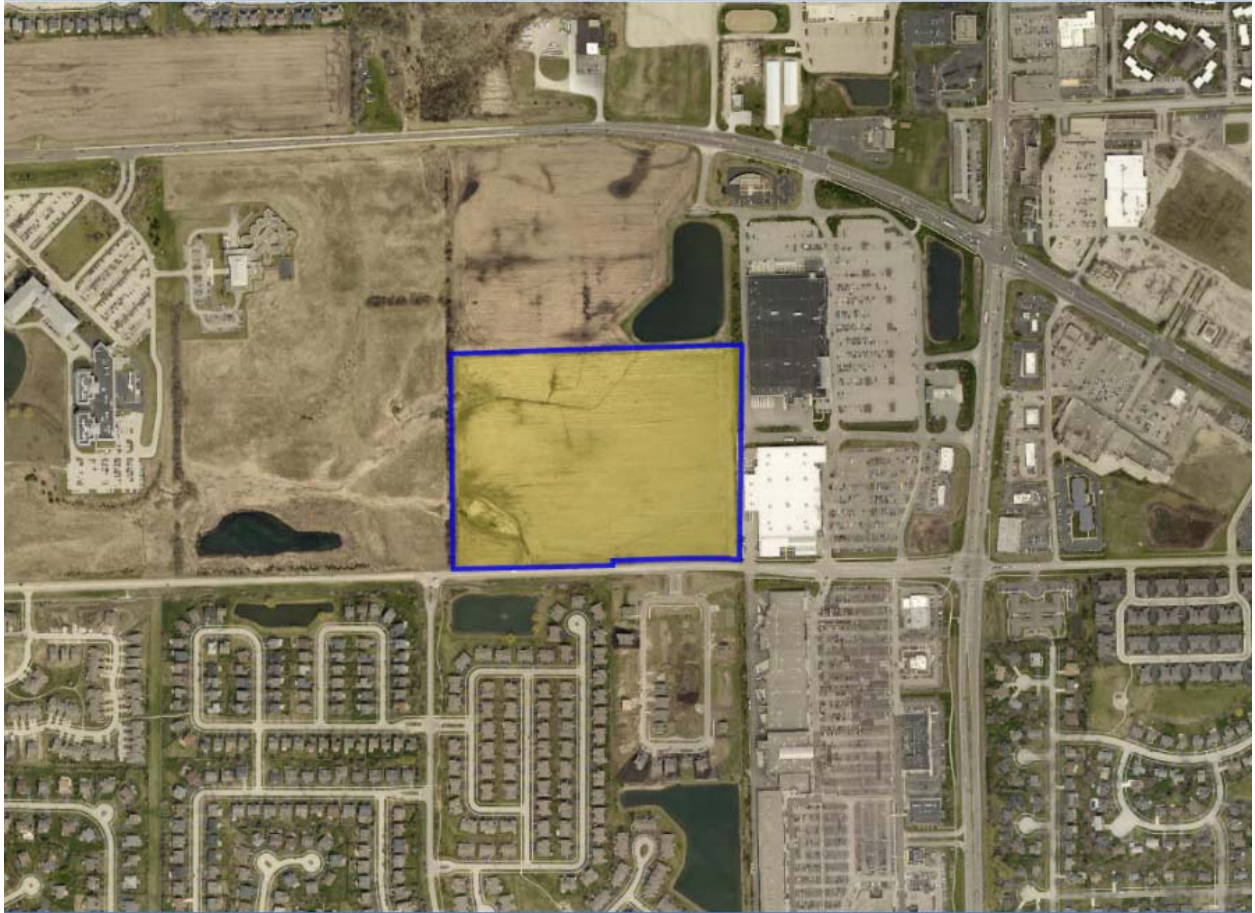
SUMMARY: The site appears to be adequate for the intended residential improvements.

ZONING: BR – Regional Business and part of PUD 47 (see Extraordinary Assumptions).



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SITE DESCRIPTION

The land referred to in this Commitment is described as follows:

NOTE: THIS LEGAL DESCRIPTION IS FOR INFORMATIONAL PURPOSES ONLY AND SHOULD NOT BE USED ON LEGAL DOCUMENTS.

PART OF:

THAT PART OF THE SOUTHEAST 1/4 OF SECTION 32, TOWNSHIP 40 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 32, SAID CORNER ALSO BEING THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO FIRSTAR BANK OF GENEVA, SUCCESSOR TRUSTEE TO THE FIRST NATIONAL BANK OF GENEVA, AS TRUSTEE UNDER TRUST NUMBER 2640. AS RECORDED IN DOCUMENT NO. 1884216; THENCE NORTH 00 DEGREES, 13 MINUTES, 06 SECONDS WEST, ALONG THE WEST LINE OF SAID SOUTHEAST 1/4, 1068.42 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO MEIJER, INC., AS RECORDED IN DOCUMENT NO. 1999K032600; THENCE NORTH 88 DEGREES, 26 MINUTES, 16 SECONDS EAST ALONG THE SOUTH LINE OF SAID MEIJER, INC. LAND, A DISTANCE OF 1353.30 FEET; THENCE SOUTH 1 DEGREE, 33 MINUTES, 25 SECONDS EAST FOR 1068.11 FEET TO THE SOUTH LINE OF SAID SECTION 32; THENCE SOUTH 88 DEGREES, 26 MINUTES, 12 SECONDS WEST ALONG THE SOUTH LINE OF SAID SECTION 32, A DISTANCE OF 1378.26 FEET TO THE POINT OF BEGINNING, (EXCEPT THAT PART CONVEYED BY DEED DOCUMENT RECORDED AS 2000K028065 TO THE CITY OF GENEVA) IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

THIS COMMITMENT IS VALID ONLY IF SCHEDULE B IS ATTACHED.

REAL ESTATE TAXES

The subject is identified by the City of Saint Charles, Kane County Assessor's Office by the following tax parcel number:

09-32-400-028

Tax bills in Kane County are typically payable semi-annually, one year in arrears. The subject is assessed as vacant land. However, it is part of a larger parcel that has not been legally subdivided. In addition, the current property's assessed value is based on vacant land and will increase as infrastructure and residential development is completed.

ZONING

The subject is zoned BR – Regional Business and part of PUD 47 (Bricher Commons PUD). The purpose of this district is to provide locations along Strategic Regional Arterial corridors for shopping centers and business uses that draw patrons from St. Charles, surrounding communities and the broader region. This district consists primarily of large-scale development that has the potential to generate significant automobile traffic.

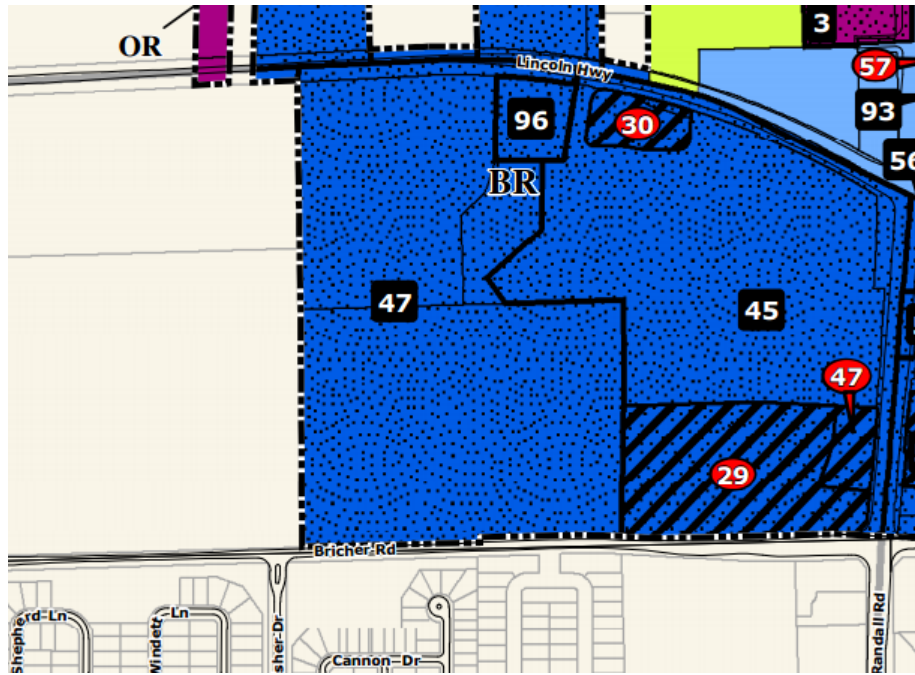
Residential uses were not permitted in this district when the PUD was initially approved for commercial development under Ordinance No. 1999-Z-11. Permitted uses include various cultural/religious/recreational and entertainment uses as well as college, medical center, hospital, post office, public service facility, bank, day care center, financial institution, gas station, home improvement center, dental clinic, motor vehicle rental, office, outdoor sales, personal services, restaurant, retail sales, tavern, theater, animal hospital, mini warehouse, temporary motor vehicle storage, etc.

In 2006, the PUD was amended under Ordinance No. 2006-Z-7. In addition to the commercial uses already permitted on the property, the amendment allowed for multi-family residential uses on up to 34.5 acres of the property, subject to a density limitation (maximum of 250 units) and that 20% of the units must be affordable. A conceptual site plan was included illustrating the intended residential and commercial land uses and internal circulation, including a roadway through the site connection Bricher Road and Route 38. No preliminary plans were submitted for development of the property as contemplated under the 2006 PUD ordinance.

The comprehensive plan design for this area is an industrial/business part with potential for residential uses.

The zoning classification has been obtained from the Saint Charles zoning map. See below. The property is contingent on the property being rezoned to RM3 to allow for a proposed 250+ unit Class A apartment property. However, we have appraised the as is value of the subject site under its existing zoning without contingencies. This property does not have existing improvements and is currently farmland. According to the prospective buyer, the property will be replatted as it is currently part of a larger parcel of land. We assume that the zoning as noted above is correct and that the site can be replatted without delay.

ZONING



Highest and best use, as defined by the Appraisal Institute, is: "The reasonably probable and legal use of vacant land or an improved property that is physically possible, appropriately supported, financially feasible, and that results in the highest value."⁷

In determining the highest and best use of the subject, careful consideration was given to the economic, legal and social factors, which motivate investors to develop, own, buy and sell, manage, and lease real estate.

In estimating the highest and best use of a vacant parcel of land there are essentially four stages of analysis:

1. Possible Use - What uses of the site in question are physically possible?
2. Permissible Use (legal) - What uses are permitted by zoning and deed restrictions on the site in question?
3. Feasible Use - Which possible and permissible uses will produce a net return to the owner of the site?
4. Highest and Best Use - Among the feasible uses, which will produce the highest net return or highest present worth of the site in question?

The following tests must be met in estimating the Highest and Best Use of a vacant parcel: the potential use must be physically possible and legally permissible, there must be a profitable demand for such use, and it must return to the land the highest net return for the longest period of time. These tests have been applied to the subject site and are discussed below.

Physically Possible - The first constraint imposed upon the possible use of a site, as if vacant, is dictated by its physical characteristics. Size, shape, area, and terrain affect the uses to which land may be developed. Utility of a parcel may depend on its frontage and depth. Irregularly shaped parcels may cost more to develop, and when developed may have less utility than a regularly shaped parcel of the same size.

The site is 20.48 acres and has accessibility from Bricher Road. All public utilities are reportedly at the property.

The subject site is sufficient in size and shape to accommodate a variety of uses, including residential, industrial, office, retail or office flex uses. Surrounding land uses are mostly retail, residential, and agricultural. Considering the visibility and accessibility of the site, residential or agricultural (interium) use appears to be the most appropriate use of the site.

Legally Permissible –The subject is zoned BR – Regional Business and part of PUD 47. The zoning has been obtained from the Saint Charles zoning map. The pending sale and price are contingent on the property being rezoned to RM3 to allow for a proposed 250+ unit Class A

⁷ *The Dictionary of Real Estate Appraisal*, Fifth Edition, (Appraisal Institute 2010), Page 93.

apartment property. However, we have appraised the as is value of the subject site under its existing zoning. This property does not have existing improvements and is currently farmland.

Financially Feasible – Sales of large tracts of land are not common in this market. In addition, there does not appear to be any significant development occurring. The planned development of the site is for residential housing if rezoning can be obtained. A complete feasibility analysis would be required to establish a time-line for development of the proposed use, which is outside the scope of this appraisal.

Highest and Best Use, As If Vacant - Based on the uses of the subject site which have been determined to be physically possible, legally permissible, and financially feasible, it is concluded that one of the highest and best uses of the subject site, as if vacant, is ultimately for a residential development (pending zoning approval) and subject to financial feasibility. Otherwise, a likely interim use is for agriculture.

The Sales Comparison Approach is based upon the assumption that a prudent buyer would not pay more for a property than it would cost to acquire a comparable substitute property. This approach involves direct comparison of the property being appraised to other similar type properties that have sold or are currently offered for sale. Since no two properties are ever identical, adjustments for differences in quality, location, size, and market appeal are often necessary.

The reliability of this technique is dependent upon the availability of comparable sales data, the verification of the sales data, the degree of comparability of each sale with the subject property, the date of the sale in relation to the date of the appraisal, taking into account market changes during the interim, and consideration of any non-typical conditions affecting price or terms of the sale.

The price a typical purchaser pays is usually the result of an extensive shopping process in which available alternatives are compared. The property purchased typically represents the best available balance between the buyer's specifications and the purchase price. Hence, carefully verified and analyzed data will generally provide good evidence of value, if it represents typical actions and reactions of buyers and sellers active in the market.

In applying the Sales Comparison Approach, the characteristics of the subject are compared with the characteristics of properties that have sold in the marketplace. The sales have been analyzed on a price per acre basis with adjustments made for variances in property rights conveyed, financing terms, condition of sale, time of sale, location, size, exposure/access other factors as noted, and economic characteristics.

Land Sales Analysis

In this section **the price per acre of gross land area** is the unit of comparison employed to determine an opinion of value of the subject. Within the following paragraphs are discussions relative to the adjustments, which compensate for any economic and physical differences between the comparable sale data and the subject property.

Land Sale 1

PROPERTY

Location: Kirk and Legacy Road
Saint Charles, IL

SALE DATA:

Date of Sale: October 2015
Days on Market: N/A
Sale Price: \$2,122,500
Property Rights Sold: Fee Simple Interest
Financing: Cash to Seller
Condition of Sale: Arm's Length Transaction
Grantor: Venture One Real Estate, LLC
Grantee: AJR Filtration, Inc.

SITE DATA:

Area: 15.10 acres or 657,756 SF
Topography: Level
Improvements: None
Zoning: M-1 PUD, Saint Charles

UNIT OF COMPARISON:

Price Per Acre: \$140,563

COMMENTS:

The land is at the intersection of Kirk Road and Legacy Boulevard. The land acquired will be the future site of a build-to-suit industrial property that will be the corporate headquarters for AJR Filtration, a manufacturer of air filters. This sale had a condition of a build to suit development being included in the sale of this property.

Land Sale 2

PROPERTY

Location: 6N917 Route 25
Saint Charles, IL

SALE DATA:

Date of Sale: October 2015
Days on Market: N/A
Sale Price: \$1,375,000
Property Rights Sold: Fee Simple Interest
Financing: Cash to Seller
Condition of Sale: Arm's Length Transaction
Grantor: Wayne Pierre LLC
Grantee: Honey Bridge Ranch LLC

SITE DATA:

Area: 28.84 acres or 1,256,270 SF
Topography: Level
Improvements: 2 Barns (Horse Farm)
Zoning: E-1

UNIT OF COMPARISON:

Price Per Acre : \$47,677

COMMENTS:

This property was previously operated as an equestrian facility, but the new buyer planned to turn it into single-family residences. It consisted of four separate parcels.

Land Sale 3

PROPERTY

Location: South Street & Burgess Road
Geneva, IL

SALE DATA:

Date of Sale: August 2016
Days on Market: 856 days
Sale Price: \$2,000,000
Property Rights Sold: Fee Simple Interest
Financing: Cash to Seller
Condition of Sale: Assemblage
Grantor: Richard T. Cooper
Grantee: Havlicek Builders, Inc.

SITE DATA:

Area: 8.5 acres or 370,260 SF
Topography: Level
Improvements: Horse
Zoning: R1

UNIT OF COMPARISON:

Price Per Acre: \$235,294

COMMENTS:

This land was purchased by Havlicek Builders, Inc. The sale included 4 parcels immediately west of Geneva Golf Club. An application with the city has been filed for the rezoning from R1 to R2. The buyer was proposing to develop a 25 lot detached single-family subdivision.

Land Sale 4

PROPERTY

Location: Deerpath Road
Batavia, IL

SALE DATA:

Date of Sale: June 2014
Days on Market: N/A
Sale Price: \$1,450,000
Property Rights Sold: Fee Simple Interest
Financing: Cash to Seller
Condition of Sale: REO Sale
Grantor: West Suburban Bancorp Inc.
Grantee: Toll IL IV, LP

SITE DATA:

Area: 38.18 acres or 1,663,120 SF
Topography: Level
Improvements: None
Zoning: Residential

UNIT OF COMPARISON:

Price Per Acre: \$37,978

COMMENTS:

This property was proposed to be made into 63 lots for single-family homes. The transaction was in escrow for 515 days. The property was part of an REO sale.

Listing 1

PROPERTY

Location: 7N504 Route 31
South Elgin, IL

SALE DATA:

Date of Sale: Available
Days on Market: N/A
Sale Price: \$1,500,000
Property Rights Sold: N/A
Financing: N/A
Condition of Sale: N/A
Grantor: N/A
Grantee: N/A

SITE DATA:

Area: 20.11 acres or 875,992 SF
Topography: Flat
Improvements: None
Zoning: Residential

UNIT OF COMPARISON:

Price Per Acre: \$74,590

COMMENTS:

This property is currently available and zoned single-family residential low density.

Adjustment Grid

	<i><u>Sale 1</u></i>	<i><u>Sale 2</u></i>	<i><u>Sale 3</u></i>	<i><u>Sale 4</u></i>	<i><u>Listing 1</u></i>
Address	Kirk & Legacy Rd. Saint Charles, IL	6N917 Route 25 Saint Charles, IL	South Street & Burgess Rd. Geneva, IL	Deerpath Road Batavia, IL	7N504 Route 31 South Elgin, IL
Zoning	M-1 PUD	E-1	R1	Residential	Residential
Sale Date	October-15	October-15	August-16	June-14	Available
Land Size - Acres	15.10-acres	28.84-acres	8.5-acres	38.18-acres	20.11-acres
Land Size - SF	657,756 SF	1,256,270 SF	370,260 SF	1,663,120 SF	875,992 SF
Sale Price	\$2,122,500	\$1,375,000	\$2,000,000	\$1,450,000	\$1,500,000
Price Per Acre	\$140,563	\$47,677	\$235,294	\$37,978	\$74,589.76
Comments	The land will be the future site of a corporate headquarters.	This property was operated as an equestrian facility.	This land is proposed to be developed with a 25-lot single-family subdivision.	This property was an REO sale and the proposed use was for 63 single-family homes.	This property is currently available.
<i><u>Adjustments</u></i>					
Property Rights Conveyed	0.00%	0.00%	0.00%	0.00%	0.00%
	\$2,122,500	\$1,375,000	\$2,000,000	\$1,450,000	\$1,500,000
Financing Terms	0.00%	0.00%	0.00%	0.00%	0.00%
	\$2,122,500	\$1,375,000	\$2,000,000	\$1,450,000	\$1,500,000
Conditions of Sale	0.00%	0.00%	-15.00%	25.00%	-5.00%
	\$2,122,500	\$1,375,000	\$1,700,000	\$1,812,500	\$1,425,000
Market Conditions	4.00%	4.00%	2.00%	8.00%	0.00%
	<u>\$2,207,400</u>	<u>\$1,430,000</u>	<u>\$1,734,000</u>	<u>\$1,957,500</u>	<u>\$1,425,000</u>
Adjusted Sale Price Per Acre	\$146,185	\$49,584	\$204,000	\$51,270	\$70,860
<i><u>Physical Characteristics</u></i>					
Location	-15.00%	15.00%	-15.00%	15.00%	15.00%
Zoning	5.00%	5.00%	-5.00%	-5.00%	-5.00%
Accessibility/Visibility	0.00%	0.00%	0.00%	25.00%	25.00%
Size	-5.00%	8.00%	-12.00%	18.00%	0.00%
Utilities/Infrastructure	0.00%	0.00%	0.00%	0.00%	0.00%
Total Physical Adjustments	-15.00%	28.00%	-32.00%	53.00%	35.00%
Adjusted Price Per Acre	\$124,258	\$63,467	\$138,720	\$78,444	\$95,661
			High:		\$138,720
			Low:		\$63,467
			Mean:		\$100,110
			Median:		\$95,661

Analysis of Comparable Data

Property Rights Conveyed

The subject is being appraised on a fee simple basis. All of the sales transferred on a fee simple basis and therefore no adjustment was required to their sale prices per square foot.

Financing Terms

Adjustments for non-market financing arrangements estimated by using cash equivalency calculation are applied to any sales transactions with unusual financing in order to equate them to comparable market transactions. The comparables sales presented within this report were reported as being sold on a cash or equivalent basis. Therefore, no adjustments are warranted for this element of comparison.

Conditions of Sale

An adjustment for conditions of sale is necessary to ascertain the motivation of buyers and sellers of comparable sales, which are not arms length transactions. Numerous factors may exist, such as an existing relationship between the buyer and the seller, inadequate market exposure, economic restraints, or legal considerations that influence the sales price or timing of the sale. Sale 3 was part of an assemblage, indicating a downward adjustment to its price per acre. Sale 4

appears to be an REO sale (real estate owned by the former lender). As such, an upward adjustment was made to the price per acre of this sale. Sales 1 and 2 appear to be an arm's length transactions and no adjustments were made to the prices per acre of these sales. Listing 1 was adjusted downward, as this is a current listing and its price will likely be negotiated downward.

Market Conditions (Time)

Comparable Sales 1-4 occurred in June 2014 through August 2016 and their sale prices per acre were adjusted upward in varying degrees. No adjustment was made to the price per acre of Listing 1.

Location

Comparables 1 and 3 is in a superior locations and their prices per acre was adjusted downward. Sale 2, 4 and Listing 1 are in inferior locations and their prices per acre were adjusted upward for location.

Size

Comparables 1 and 3 are smaller than the subject, requiring downward adjustments to their sale prices per acre. Comparables 2 and 4 are larger than the subject and their sale prices per acre were adjusted upward. No adjustment was made to the price per acre of Listing 1.

Zoning

The subject is Regional Business District. Sale 1 is an industrial district and Sale 2 is zoned for a horse farm. As such, both sales required an upward adjustment per acre for zoning. However, Sales 1, 3 and 4 were contingent upon rezoning, requiring downward adjustments to their prices per acre. Listing 1 is zoned for residential, indicating a downward adjustment to its price per acre.

Utility/Infrastructure

According to the prospective buyer, utilities are to the site for the subject and no infrastructure is in place on the site. No adjustments were made under this heading.

Access and Exposure

Sales 1-3 have similar exposure and their sale prices per acre were not adjusted under this heading. Sale 4 and Listing 1 were adjusted upward under this heading for inferior access and exposure.

Summary and Conclusion

The sales comparables indicated the following unadjusted market range:

	<u>\$/Acre Before Adjustments</u>	<u>\$/Acre After Adjustments</u>
High	\$235,294	\$138,720
Low	\$37,978	\$63,467
Mean	\$99,921	\$98,648

We spoke with Mark Coleman of Coleman Land Company (630.377.1600). He is familiar with the subject site and proposed use. According to Mr. Coleman, he has a 7-acre parcel in Carpentersville, Illinois that is proposed for multi-family. He stated that it is in an inferior area as the subject but also smaller than the subject. In his opinion, the price per square foot of the subject site is currently \$2.50, or \$108,900 per acre. We also spoke with Russ Nelms with Coldwell Banker Commercial (630.587.4632). According to Mr. Nelms, there was a sale on September 9, 2014 at Randall Road and Silver Glen in South Elgin (St. Charles school district). A 50.85 acre parcel sold for \$7,600,000 or \$149,459 per acre. This property was owned by First Midwest and sold to Pulte. He stated that they planned to build single-family homes. He said a second property sold across from the subject on Bricher Road. The sale date was August 15, 2014 and the sale price is \$3,304,500. The site size was 14.42-acres or \$229,161 per acre. According to Mr. Nelms, both of these sales have a very high price per acre and his opinion is that they are both overpriced and surprised him when they sold for such a high price per square foot. However, these two sales were most likely contingent upon rezoning, indicating a higher price per acre.

Considering the above, with consideration given to the brokers in the area, the subject’s land value is projected between \$100,000 and \$125,000 per acre for an average of \$112,500. The land value is calculated as:

Size		Estimated Value per acre	Final Opinion of Subject As Is
20.48 acres	x	\$112,500	\$2,304,000
Rounded			\$2,300,000

**ESTIMATED MARKET VALUE
VIA THE SALES COMPARISON APPROACH,
Rounded to...**

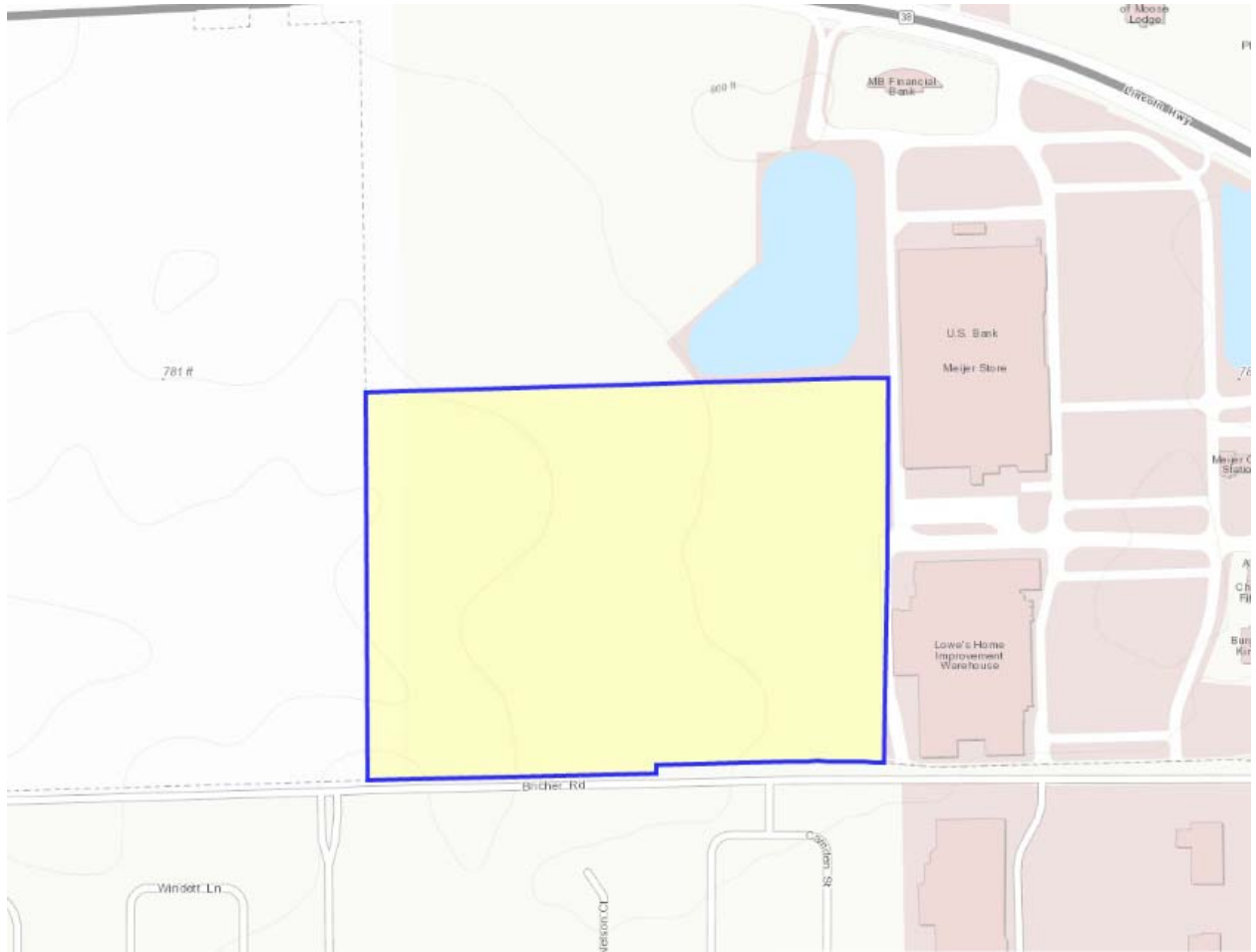
\$2,300,000

Based on our inspection and analysis of economic trends influential to the property, it is our opinion that the market value of the fee simple interest in the 20.48-acre subject site at Bricher Road in the City of Saint Charles, Kane County, Illinois, as of the effective date of the appraisal, February 25, 2017, and subject to the incorporated Assumptions and Conditions under its existing zoning, is:

TWO MILLION THREE HUNDRED THOUSAND (\$2,300,000) DOLLARS

We are of the opinion that a reasonably achievable marketing time for the market value opinion, assuming the property was properly priced and actively marketed, is 12 to 36 months commencing from the effective date of appraisal going forward. We estimate an exposure period of 12 to 36 months preceding the effective date of appraisal, if properly priced and actively marketed.

ADDENDA





JOSEPH J. BLAKE AND ASSOCIATES, INC.
REAL ESTATE VALUATION AND CONSULTING

10 South LaSalle Street, Suite 1140 | Chicago, Illinois 60603 | Phone: 312-372-1333 | Fax: 312-372-5333 | www.josephblake.com

VIA E-MAIL: jeff@e-a.net

February 15, 2017

Executive Capital
c/o Mr. Jeff Ratzler
Vice President
Big Rock Executive Center
47W210 Route 30
Big Rock, IL 60511

Re: Fee Proposal for Land Appraisal and
Apartment Supply and Demand Analysis of:
20± Acre Site and Proposed 250± Unit Class A+ Apartment in
St. Charles, IL

Dear Ratzler:

In accordance with your request, herewith submitted is our fee proposal for preparing an appraisal and appraisal report of the above referenced property as well as a supply and demand analysis of the immediate and local Class A apartment market.

The purpose of the appraisal will be to provide our opinion of the fee simple interest in a 20± acre site under its current zoning for agricultural use. Under separate cover, we will also provide a local supply and demand analysis relating to a proposed 250± unit proposed Class A+ apartment.

The fee for the assignment will be \$4,000, due upon completion and delivery of the final appraisals.

We will put forth our best efforts to provide you with an electronic copy of the appraisal within 3 weeks of authorization. *The date of authorization is the date we receive a signed copy of this fee proposal along with all information required to complete this assignment.*

If court testimony, arbitration or additional consulting services are required, the additional fee will be based on \$300 per hour plus travel and all related expenses including but not limited to pre and post trial/arbitration meetings, appraisal reviews, air fare, auto mileage, meals, lodging, messenger and overnight services, telephone calls, ground transportation, copying charges, clerical service, etc.

As always, the appraisals will conform to the standards set forth in the Code of Professional Ethics and Standards of Valuation Practice of the Appraisal Institute, and Uniform Standards of Valuation Practice of the Appraisal Foundation, FIRREA (Financial Institutions Reform, Recovery and Enforcement Act), as well as the attached Assumptions and Limiting Conditions.

If certain information is not received in a timely fashion, the delivery date of the appraisals may be delayed beyond the stated time frame.

If the assignment is canceled, the fees and expenses incurred to that point will be \$300 per hour plus related expenses not to exceed the total fee.

Corporate Headquarters: 425 Broad Hollow Road, Suite 429 | Melville, New York 11747 | (516) 827-0222

Regional Offices: Atlanta | Boston | Chicago | Dallas | Los Angeles | Miami | New York City | San Francisco | Washington D.C.

Blake & Sanyu Alliance: Tokyo | Osaka | Nagoya | Sendai

If after the assignment is placed on hold by the client, or if within a 10 day period after cancellation by the client, authorization is given to proceed with the assignment, the fee structure will remain the same and all fees and expenses paid will be credited against the original fee assuming the scope of work has not changed. The revised delivery date of the final reports may then be set by mutual agreement. Please keep in mind that any assignments placed on hold by the client may result in extended delivery dates for the final report.

If a draft report is issued at the request of the client, and final comments on the draft are not provided by the client in order to finalize the report in 5 days of issue, then the entire agreed upon fee will be due and payable at that point, if not already paid and service charges will begin to accrue the 50th day after the draft was sent out (see below).

We reserve the right to access a service charge of 1 ½ percent per month (18 percent) on any outstanding balance for which payment has not been received after 45 days from the invoice date. The service charge shall be capitalized and become part of the outstanding balance as the interest accrues.

In the event we must take legal action to collect any portion of our outstanding fees, reasonable attorneys' fees, court costs, sheriffs' fees and other related costs associated with the collection of the account shall be paid by *Executive Capital*, if Joseph J. Blake and Associates, Inc. prevails in such action. This proposal, at the option of Joseph J. Blake and Associates, Inc., may be revised or withdrawn if not signed and received by Joseph J. Blake and Associates by March 30, 2017.

If the nature or scope of the assignment is changed, we reserve the right to alter the time frame and fee structure accordingly. Additional copies of the appraisal reports will be available at a cost of \$75 per copy plus messenger or overnight delivery charges.

If the terms and conditions of this proposal are agreeable, kindly indicate your acceptance by signing in the space provided below and return a copy together with all information required to commence the assignment at your earliest convenience.

We wish to thank you for utilizing the services of Joseph J. Blake and Associates, Inc. and for the confidence you have demonstrated in our ability to perform this assignment.

Respectfully submitted,

JOSEPH J. BLAKE AND ASSOCIATES, INC.



Michael J. Maglocchi, MAI, Managing Partner
State-Certified General Real Estate Appraiser
NO. 553.000119

I understand and accept that the final appraisals will be subject to the above fee proposal and the attached Assumptions and Limiting Conditions. I also certify that I am authorized by my company or client to engage the services described in this contract.

By  Print: JEFFREY

Title: VP Date: 2/15/17

Phone Number: 630 556 3771

- Enclosure: Assumptions and Limiting Conditions
- Definition of Market Value
- Wiring Instructions
- Privacy Notice

QUALIFICATIONS OF THE APPRAISER

MICHAEL J. MAGLOCCI, MAI, MRICS

Mr. Maglocchi holds the position of Managing Partner with the Chicago office of Joseph J. Blake and Associates, Inc., at 10 S. LaSalle Street, Suite 1140, Chicago, Illinois.

FORMAL EDUCATION

Pennsylvania State University – State College, Pennsylvania
Bachelor of Science in Business Administration
Concentration in Real Estate

REAL ESTATE AND APPRAISAL EDUCATION

Course Name	Provider
Real Estate Appraisal Principles	Appraisal Institute
Basic Valuation Procedures	Appraisal Institute
Capitalization Theory and Techniques, Part I	Appraisal Institute
Capitalization Theory and Techniques, Part II	Appraisal Institute
Capitalization Theory and Techniques, Part B	Appraisal Institute
Case Studies in Real Estate Valuation	Appraisal Institute
Standards of Professional Practice	Appraisal Institute
Residential Valuation	Appraisal Institute
Valuation Analysis and Report Writing	Appraisal Institute
Market Analysis	Appraisal Institute
Litigation Valuation	Appraisal Institute

PROFESSIONAL AFFILIATIONS

Affiliation	Number
Appraisal Institute, Designated Member	No. 7107
Royal Institution of Chartered Surveyors, Member	No. 6328662
Illinois State Certified General Real Estate Appraiser	No. 553.000119
Indiana State Certified General Real Estate Appraiser	No. CG69100363
Iowa State Certified General Real Estate Appraiser	No. 198507083
Michigan State Certified General Real Estate Appraiser	No. 1201001719
Ohio State Certified General Real Estate Appraiser	No. 384673
Pennsylvania State Certified General Real Estate Appraiser	No. GA001005-R
Wisconsin State Certified General Real Estate Appraiser	No. 114-10
Illinois Coalition of Appraisal Professionals, Founding Member and Past President	

Appraisal Institute Service	Dates
Government Relations Committee, Member	2014/2015
Chicago Chapter, President	1999
National Board of Directors, Member	Past
Region III, Chair	Past
Chicago Chapter Board of Directors, Member	Past
Non-Residential Demonstration Appraisal Reports Subcommittee, Member	Past
Regional Standards and Ethics Panel, Member	Past
Master's Degree Committee, Member	Past

QUALIFICATIONS OF THE APPRAISER

APPRAISAL EXPERIENCE

Responsibilities include the appraisal of all types of investment grade and noninvestment grade real estate, including office buildings, regional malls, power centers, community centers, neighborhood centers, industrial properties and apartments, condominium complexes, residential subdivisions, hotels, cineplexes, restaurants, vacant land and special use properties, as well as providing related consulting. Mr. Maglocchi has appraised and has supervised appraisals as well as prepared consulting studies of properties for a variety of public pension funds, large institutional investors, pension fund advisors, insurance companies and banks.

Mr. Maglocchi has been qualified as an expert witness in Federal Bankruptcy Court in the State of Wisconsin (Milwaukee) and Illinois (Chicago) and has given oral and written testimony in each. He has also testified in the Supreme Court of New York. In addition, he has provided testimony in litigation matters, both civil and criminal.

Recent awards include:

- Appraisal Institute President's Appreciation Award (2011)
- Chicago Chapter Exceptional Leadership and Dedicated Service Award (2010)
- Appraisal Institute Region III Service Award (2009/2010)
- Heritage Award (2007)

CERTIFICATION



QUALIFICATIONS OF THE APPRAISER

JAIME SCHEETZ

Ms. Scheetz holds the position of Senior Appraiser with the Chicago office of Joseph J. Blake and Associates, Inc., at 10 S. LaSalle Street, Suite 1140, Chicago, Illinois.

FORMAL EDUCATION

University of Illinois, Champaign-Urbana
Bachelor of Science in Finance

REAL ESTATE AND APPRAISAL EDUCATION

Course Name	Provider
Real Estate Appraisal Principles	Appraisal Institute
Basic Valuation Procedures	Appraisal Institute
Capitalization Theory and Techniques, Part A	Appraisal Institute
Standards of Professional Practice	Appraisal Institute
Fundamentals of Real Estate Appraisal	Appraisal Institute
Appraising the Single Family Residence	Appraisal Institute

PROFESSIONAL AFFILIATIONS

Affiliation	Number
Illinois State Certified General Real Estate Appraiser	No. 553.002450

APPRAISAL EXPERIENCE

Variety of assignments for financial institutions and banks, including: retail, shopping centers, industrial properties, market studies, apartments, and vacant land.

CERTIFICATION





AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item number: 3b

Title:	Presentation regarding Beekeeping in Residential Districts in St. Charles
Presenter:	Rita Tungare-Director of Economic & Community Development Mim Evans- NIU Center of Governmental Studies (facilitator) Bob Vann – Building & Code Enforcement Div. Manager

Meeting: Planning & Development Committee

Date: April 10, 2017

Proposed Cost: \$ N/A

Budgeted Amount: \$

Not Budgeted:

Executive Summary (if not budgeted please explain):

In response to concerns from residents, the topic of beekeeping in residential areas was discussed at Planning & Development Committee meetings in August, September, and October of 2016. The Committee postponed consideration of an ordinance and directed staff to further research the subject and engage experts and stakeholders to contribute to the educational component. A Focus Group of selected individuals and experts were assembled representing a couple of local residents living adjacent to beehives: School District and Park District representatives; an insurance agency professional; a master gardener, and a representative from the Fox Valley Beekeeping Association. Two 2-hour long Focus Groups sessions were held in January and March 2017. The meetings were facilitated by Mim Evans from the NIU Center for Governmental Studies.

Mim Evans will be presenting the findings of the Focus Group discussion. Based on the group’s discussion and report, staff is proposing standards that the Committee may consider for the adoption of a Residential Beekeeping Ordinance. The standards are:

1. Owner occupied – Single family zoning districts.
2. Maximum of 2 hives per property. Minimum distance of 25 feet from lot lines – permitted in the rear yard only.
3. Registration with the Illinois Dept. of Agriculture required.
4. Rear yard shall have a 6 ft. high solid fence and/or approved equivalent.
5. Water source at hives.
6. Written notice to abutting neighbors on all sides.
7. Approved training in beekeeping.

A permit shall be required with a proposed fee of \$65.00 to verify compliance.

Staff is also seeking direction on whether the Committee would wish to consider a deadline for the existing beehives in residential areas to come into compliance if a new ordinance is adopted or wish to grandfather the existing beehives.

State records show there are 6 licensed Beekeepers within the City limits and 3 are registered in residential areas.

Attachments (please list):

Beekeeping in St. Charles Summary Report by Center for Governmental Studies

Recommendation/Suggested Action (briefly explain):

Review findings of report and provide direction on the standards for regulating beekeeping as recommended by staff. Staff will then work with the City Attorney to draft an ordinance for consideration at a subsequent Planning & Development Committee or City Council meeting, per the Committee’s desire.

Beekeeping in St. Charles, IL Summary Report

Prepared for:
City of St. Charles, IL
March 31, 2017

Prepared by:
Center for Governmental Studies
Northern Illinois University



Introduction & Background

Introduction

The City of St. Charles was approached by residents living adjacent to a back yard containing honey bee hives. The residents requested assistance in dealing with the presence of the hives. State records indicate that there are six licensed beekeepers within the city limits. Three of these beekeepers are operating in residential areas. St. Charles does not currently have an ordinance addressing beekeeping in residential areas.

A study group was formed to research and discuss how the City might address this issue. The group consisted of 7 members representing different points of view on beekeeping. The members were:

- Pam Otto, Manager, Nature Program and Interpretive Services, St. Charles Park District
- Mark Bozik, ROE Schools Facilities Coordinator, St. Charles CUSD 303
- Carol Schreiber, Neighbor adjacent to existing backyard bee hives
- Angelika Masnica, Neighbor adjacent to existing backyard bee hives
- Thomas Mollenhauer, Owner, TGM Insurance Agency
- Sarah Fellerer, U of I Extension Horticulture Program Coordinator
- Tom Luppino, Fox Valley Beekeeping Association

Additional participants were Director of Community & Economic Development Rita Tungare and Building & Code Enforcement Division Manager Bob Vann.

Northern Illinois University's Center for Governmental Studies was retained to facilitate the group discussions and prepare a report and presentation summarizing their findings. The group met twice. During these meetings, information about beekeeping was shared, concerns were raised and discussed, other communities' approach to beekeeping was presented, and guidelines for the City were developed. The findings of the group are presented in this report.

The report is organized into three sections:

- General information on backyard beekeeping
- Overview of how communities have addressed this issue
- Guidelines for the City to consider in deciding how to address backyard beekeeping in residential neighborhoods within the St. Charles city limits.

Backyard Beekeeping

Honey Bee Basics

An understanding of honey bees is helpful in considering how to address honey bee hives located in residential areas. Key points regarding honey bees are discussed below.

Domestic honey bees live in colonies. The colonies are housed in hives that consist of multiple stacked boxes. The bees leave the hive and travel up to several miles to obtain nectar and pollen from plants. In

the process of doing so, they also pollinate the plants. They return to the hive where the nectar is converted to honey. At certain times in the life of the colony, the bees will swarm. This occurs when the bees are forming a new colony or looking for a new location for their nest.

Honey bees are part of the natural environment and will exist in St. Charles whether domesticated or not. They perform the valuable function of pollinating plants. They also provide many products used by humans, honey being the best known. Honey bee populations have been declining. While there is disagreement as to why is occurring, it is having a significant impact on agricultural food production.

Bees vs. Wasps

Distinguishing bees from wasps can be difficult. They look similar and often are found in the same general area. Both can sting. However, there are significant differences, as described below. A chart summarizing the differences can be found in the appendix.

Appearance

Honey bees are a single type of bee. They are brown, yellow or orange with black stripes. Some are mostly black. They appear fuzzy. They have pollen baskets on their rear legs. The legs are difficult to see when flying.

There are several different types of wasps including yellow jackets, paper wasps and hornets. While they each have a unique appearance, there are some common elements among all wasps. They have a more distinct waist. They are not fuzzy and may be shiny in appearance. The colors may be brighter than honey bees. Wasps do not have pollen baskets and their legs often can be seen when in flight. Some are considerably longer than honey bees.

Nests

Wild honey bees live in a single large nest made of waxy material and hanging vertically. There is no exterior covering on the nest allowing the bees and their activity can be seen. However, the nest is most often inside a cavity in a tree or in a manmade structure.

Wasp nests vary in construction and location. They have a paper type covering over the nest. The nest may be located underground or attached to a tree or building. Some are quite large while others are very small.

Food

Honey bees feed on nectar and pollen. They are not interested in human food or garbage and they do not eat other insects. Wasps are attracted to sweet or rotting food. Wasps also eat other insects.

Aggressiveness

Honey bees are less likely than wasps to bother humans for several reasons. Perhaps most importantly, honey bees can only sting once and then they die. This is because they have a barbed stinger which they cannot disengage from their victim without mortally damaging their own body. Therefore, a honey bee is very reluctant to sting. On the other hand, wasps can sting an infinite number of times without any damage to their own body, making them much more willing to do so. Additionally, because honey bees are not interested in human food, they are less likely to come into close contact with humans. Wasps are attracted to human food and therefore can often be found in a soda can or hanging around a picnic or meal site, leading to conflicts with humans.

Circumstances that can cause honey bees to become aggressive include disturbance of the hive, and warm, humid weather.

Life span

Honey bee colonies can survive for multiple years while the lifespan of individual honey bees varies depending on their role in the hive. Wasp nests are used for a single warm weather season. The wasps will die after a second frost, leaving the nest unused going forward.

Usefulness

Honey bees pollinate all types of ornamental and food producing plants, playing a critical role in our food system. It is estimated that one third of our food plants are pollinated by insects, and honey bees may be responsible for up to 80% of that third. Honey bees also produce honey for human consumption along with other food and nonfood products.

Wasps are useful in helping to balance undesirable insect populations. However they do not pollinate plants or produce honey.

Backyard Beekeeping Concerns

While honey bees are beneficial to the environment and indirectly or directly produce food for human consumption, there are concerns when they live in residential areas. These are described below.

Attractive Nuisance

Hives can be an attractive nuisance for people. Decorating hives can increase interest in people to investigate them. Signs also can have the unintended effect of attracting attention. The close proximity of homes in suburban neighborhoods can make it difficult to have hives not be visible and attract attention. There is particular concern that children or uninformed adults may approach or disturb hives in an effort to get a close look. A visual barrier or fence and educational material can discourage people from approaching hives.

Disruption of Backyard Activities

Neighbors are concerned that typical outdoor recreation activities such as swimming in backyard pools, playing ball games, and mowing the lawn may upset the bees and cause them to sting people. Children may accidentally kick a ball into the yard where the hives are located or hit the hive with something and anger the bees. The keepers state that an angry reaction can occur from a disturbed bee hive but it is more likely from wasps than bees, and that often when people are stung they mistake the culprit for bees when it was wasps. A barrier such as a high fence can help reduce the chance of children or objects disturbing the hive. Some garden plantings can attract bees and others do not. Education on what to plant can help keep bees out of a yard. A list of plants that are attractive to bees can be found in the appendix.

Health Concerns

Allergic reactions are a serious concern for people with allergies and neighbors who may have guests with allergies. Epi pens are available by prescription only so it is not possible for a beekeeper or neighbor to keep one on hand. If someone has never been stung, they may not know that they are allergic to

stings. Life threatening allergic reactions are relatively rare. More common are localized reactions which can be painful, itchy and swell.

Hives Attracting Undesirable Wildlife

Accessible hives may attract nuisance animals such as skunks or wasps. It is possible that bees and wildlife will be found in the same area because they are attracted to some of the same things.

Swarms

Swarms occur when a large group of bees gather together someplace other than their hive often because the bees are looking for a new nest location. This generally occurs once a year or less. When the bees swarm they are full of honey which makes them unlikely to sting. However, swarms are a nuisance and frightening to neighbors whether they sting or not. Help is available at no cost to remove swarms by contacting local beekeepers. Contact information for help with swarm removal can be found in the Appendix.



How Have Other Communities Addressed Backyard Beekeeping?

As interest in backyard beekeeping has grown, many cities have considered whether or not regulations are warranted, and if so, what should the regulations include. Communities can be divided into three groups with relation to backyard beekeeping:

1. Communities banning backyard beekeeping-These communities have generally regarded beekeeping as an agricultural activity similar to keeping of livestock and banned it on these grounds.
2. Communities specifically allowing beekeeping-These communities have developed a set of regulations to enable beekeepers to raise bees while minimizing inconveniences and risks to neighbors.
3. Communities that have not addressed beekeeping-These communities allow beekeeping by default. While there is not an ordinance, there sometimes are suggestions and guidelines for getting along with neighbors.

It should be noted that some communities have established designated bee gardens where beekeeping is allowed. The St Charles Park District does not plan to have a public beekeeping garden for two reasons. First, they do not have a park with the needed acres of forage plants that a dense population of honeybees would require. Second, having a number of hives maintained by different keepers with varying levels of experience in close proximity can lead to increased incidences of disease and parasite transmission.

City staff surveyed 19 suburban Chicago cities about how they addressed backyard beekeeping. Eight specifically allowed beekeeping and provided an ordinance or guidelines for doing so. Ten did not allow backyard beekeeping. One city had not formally addressed the issue but requested that hives be placed near the center of the lot.

Communities with Regulated Beekeeping

Communities that have an ordinance allowing beekeeping generally include some or all of the elements discussed below.

Process

These are the steps that an applicant must complete in order to have a backyard honey bee colony. They can include training, licensing, permit, notice, inspections, and other requirements.

- **Training:** Some communities require beekeepers to show proof of knowledge of good beekeeping practices. This can include safety precautions, avoiding annoying neighbors, and maintaining a healthy colony. Training can be obtained from a beekeepers association, educational institution or public agency.
- **Application and fee:** An application begins the process of allowing a person to keep a hive and also gathers much of the information that will be needed to provide notice to neighbors, inspect the hive, and maintain a record of where hives are located and who can be contacted in case of questions or issues regarding a hive. Fees can be collected to cover expenses incurred by the city in administering the process.
- **Permit:** A permit is issued once all requirements have been met. The permit can be a one-time requirement or need to be renewed on a set schedule if there is concern that circumstances surrounding hives may change.
- **Licensing:** Licensing is currently required at the state level by the Department of Agriculture. Obtaining a state license should be a prerequisite for securing a local permit.
- **Notice to neighbors:** Neighbors can be informed when an application is received for a hive to be located within a certain distance. The boundaries of the notice area will have to be decided. Notice can be the responsibility of the applicant or the city and can include the proposed location, information on what is allowed according to city ordinance, and educational material on bees.
- **City inspection:** The city may want to physically inspect the site to be sure that all installation requirements have been met.
- **Handling complaints:** It should be decided who will handle complaints regarding an existing colony. This information should be readily available on a city website and could be included in the notice to neighbors.

Characteristics

These points address how the hive is constructed and physical elements required in the yard.

- **Hive construction:** Domestic colonies live in multi-tiered hives made up of separate boxes. The lower boxes are called brood boxes and are where the immature bees are raised. The upper boxes are where the honey is made and stored. A single hive can have over half a dozen boxes. The number of boxes can be specified in the ordinance.
- **Water source:** The bees need a clean source of water. Locating it onsite will discourage the bees from looking for water in other yards that may have pools, bird baths, etc.
- **Flyway barrier:** a barrier at least six feet high will encourage the bees to fly above people's heads as they leave the yard. They are likely to maintain that height for some distance reducing the likelihood that they will intersect humans. The barrier can be a solid fence or heavy plantings. The barrier can be around the hives or around the yard.
- **Signage:** While there is some thought that signs attract attention to the hives which may lead to curious people investigating them, other opinions are that signs can warn people of the hives' presence and tell them to stay away. Signage may also include contact information in case of a problem with the hive.
- **Location:** Where the hives are located in the community and within the yard is the most detailed and variable issue addressed by ordinances. A discussion of all the points that may be covered with regard to location follows.
 - **Zoning districts allowing beekeeping:** Some ordinances have blanket statements that allow beekeeping in certain zone classifications
 - **Number of colonies per lot:** Some ordinances do not specify how many colonies may be on a lot as long as all other requirements are met. Others limit the number to as few as one or two regardless of lot size.
 - **Number of colonies per neighborhood:** Some ordinances limit the number of hives that can be located within a single neighborhood. This requires defining neighborhood boundaries and keeping track of whether hives from past years are still active.
 - **Required lot sizes:** Many ordinances specify a minimum lot size.
 - **Number of dwelling units on the lot:** Most ordinances only allow beekeeping in single family areas with one dwelling unit per lot. However, some allow beekeeping where there may be more than one dwelling unit per lot.
 - **Distance of hives from lot lines or neighboring homes:** The distance required between hives and lot lines varies. While some ordinances only address lot size, this does not ensure that a hive will not be close to a neighboring yard.
 - **Owner on site:** Some ordinances require that the owner of the hives live on-site.



Miscellaneous items

There are several additional points occasionally included in ordinances.

- Nucleus colonies: A nucleus colony is a small separate hive where the beekeeper can raise a small group of bees to replenish the main hive or start an additional hive.
- Wax and comb storage: There is some concern that if bees wax and honey combs are not stored properly they may attract undesirable insects and wildlife. Where these items are stored can be specified in the ordinance.
- Maintenance of hives and equipment: The ordinance may include requirements for maintenance of the hives, surrounding area and equipment.
- Assistance in swarm removal: The ordinance may include procedures for removing swarms from neighboring property.
- Liability insurance: Beekeepers may be required to show that they have liability insurance covering any damages or injuries as a result of the hive.

Summaries of ordinances from communities in the Chicago metropolitan area and Minnesota can be found in the appendix and contain details on how each of the above items have been addressed.

Guidelines for Considering a St. Charles Ordinance Regulating Beekeeping

The study group's mission was to provide the City with guidance to assist in deliberations regarding whether St. Charles should regulate beekeeping and, if so, how. While the group was not asked to arrive at a consensus, there was general agreement on many issues. Below are the points the group thought should be considered by the City. The group agreed that the four main elements of ordinances in other communities could form the basis of St. Charles' ordinance as well. Therefore, their comments are organized into the four components of process, characteristics, location, and miscellaneous issues. Each is discussed below.

1. Process: There should be a clear process to follow in order to keep a bee hive in a residential area.

- Training: A City-approved training program should be completed with a certificate of completion issued at the end. The certificate would have to be presented to obtain a permit. The Geneva Park District and some bee clubs offer training. Online training is not considered adequate. The training should include both how to be a good neighbor and how to raise healthy bees. The City should investigate how often the training program is offered and whether or not that will be adequate. Perhaps several different programs could be approved providing more options regarding timing and location. Information on existing training programs in the area can be found in the appendix.
- Permit: A permit would provide the City with a record of ownership and neighbors with contact information. It could be posted at the site where neighbors could see it. Obtaining a permit would be a one-time requirement rather than annual. A site plan

indicating compliance with all physical aspects of the ordinance would have to be submitted to the City before a permit would be issued.

- Application fee: The fee amount should equal the costs incurred to administer.
- State license: An Illinois beekeeping license should be submitted with the application.
- Notice to neighbors: The burden should be on the applicant to notify neighbors of his/her request to keep bees on a property. An affidavit should be submitted with the application. All applicants must include the same information in their notice to neighbors. This should include education material and how to get help if a swarm is in their yard.
- City inspection: City staff should conduct an on-site inspection of the colony to ensure that all requirements have been met. The application/permit fee should cover the cost of inspection.
- Complaints: Neighbors should have information on how to notify the City of a complaint. Objective criteria should be established for determining a legitimate complaint.

2. Location: The City should determine where hives can be located. This information should be readily available to both prospective bee keepers and neighbors.

- Lot size: While many cities regulate lot size, this is not really the issue. The important factor is how far the hives are from the lot lines. If this criteria is met, then lot size does not matter.
- Number of colonies per lot: Opinions range from 1 to 3-4.
- Location within the lot: Both distance to lot line and distance to neighbor's homes could be considered. It was decided that distance to lot line was more relevant because outdoor activities were the concern and that could be anywhere in the neighbor's lot. Opinions ranged from 25 feet to 35 feet. There was a question regarding locating hives on a roof.
- Number of housing units: It was decided that hives could only be kept on single family detached lots.
- Owner on site: The owner of the hives must live on-site.
- Commercial locations: It was decided that the issue at hand is hives on residential lots so commercial lots will not be addressed.

3. Characteristics: The elements of the hive and site can affect whether or not the hives and neighbors coexist well.

- Hive type/construction: Hives consist of a number of boxes. The bottom layers are brood boxes. Two brood boxes was an agreed upon number to allow. In addition to the brood boxes, up to six upper boxes can be allowed.
- Water: There must be a source of clean water on-site.
- Flyway barrier: Either a fence or heavy vegetation barrier (6 feet high) is required between the lot with the hives and all neighboring lots. Some neighbors would like the





lot to be fenced and other prefer the look of vegetation. If there is a public space adjacent such as a school or park, a fence is required.

- Hives vs. Houses: This is a domestic honey bee ordinance only and does not apply to bee houses for wild bees or other kinds of insects.

4. Miscellaneous

- Nucleus colony: A nucleus colony is a hive where immature bees are raised in order to maintain the hive. A nucleus colony can be kept on site in addition to the permitted hives.
- Hives cannot be kept in a residential area for commercial purposes.

Appendix

Honeybees compared to Yellow Jackets, Paper Wasps and Hornets				
	Honeybee	Yellow Jacket	Paper Wasp	Hornet
				
Color	Varies but generally amber to brown translucent alternating with black stripes; some are mostly black	Black and opaque bright yellow stripes	Dusty yellow to dark brown or black	Black and ivory white markings
Size	½ inch	½ inch	¾ to 1 inch	¾ inch
Legs	Not generally visible while flying; pollen baskets on rear legs can be seen while walking	Two long legs are visible hanging down during flight; no pollen baskets	Long, no pollen baskets	No pollen baskets
Behavior toward humans and animals	Gentle unless hive is threatened	Aggressive	Gentle	Aggressive
Preferred Food	Nectar and pollen from flowers	Other insects, overripe fruit, sugary drinks, human food, particularly meat	Other insects	Other insects
Stinger	Barbed, kills bee when used	Smooth, retracts and can be used indefinitely	Smooth, retracts and can be used indefinitely	Smooth, retracts and can be used indefinitely
Lives in	Large colonies of flat wax-based honeycomb hanging vertically	Ground, small cavities or semi-open structures	Small umbrella-shaped papery combs hanging horizontally in protected spaces; attics, eaves	Large paper nest shaped like inverted pear, usually hangs from branches or eaves

Beekeeping in Suburban Chicago Communities

TOWN	ALLOWED	REQUIREMENTS	OTHER INFO
Bartlett	Yes - Bee hives are allowed as part of an agricultural use.	Property must be zoned ER-1 and a minimum of 10 acres. The hives must be 100 feet from the nearest lot line and at least 100 feet from the street.	Found in FAQ
Batavia	? - Animal Raising, Non-Commercial	Minimum 2 acre lot size	Chapter 2.1: Single Family Residential Districts / Table 2.103: Land Use Regulations – Single Family Residential Districts
North Aurora	No - No person shall own, keep or harbor within the village any dangerous animal, bees , farm animal, insect, or other animal which is feral natural in the eyes of the law.		Title 6 - Animals. 6.08.060
Warrenville	Yes - along with the selling of honey and related products on lots of 20,000 square feet or more.	The number of colonies shall not exceed 4 for the first 20,000 square feet of lot area and 2 colonies for each 10,000 square feet thereunder; register with IL Dept. of Agriculture; must provide water source; must be kept at least 10 feet from all property lines at all times and may not be located in side, corner side or front yards.	Section 10.A.2.A.9 - Accessory uses and yards - home occupations
Hanover Park	Yes - only at HP Community Apiary.	Permit required. Limited to 2 hives. Register with the IL Dept. of Agriculture. Must provide \$1M in public liability insurance, automobile liability insurance, and source of water. Must have Village approved beekeeping skills.	Permit application
Wilmette	Not permitted		

Glen Ellyn	No ordinance - only as personal hobby. Cannot be home occupation.	Have guidelines in place for residents who are interested in beekeeping. No more than 3 hives. Must be minimum of 25' from the side and rear lot lines. Water source. Written notification must be submitted to all adjacent neighbors.	
Oak Park	Yes	Permit required. Limited to 2 hives that meet Village code requirements; register with IL Dept. of Agriculture.	Chapter 20 - Public Health, Article 20
Schaumburg	Yes - at the Community Bee Garden or at home. •Beehives are currently allowed in the A and R-1 residential districts. Lots in the "A" (Agricultural) zoning district are a minimum size of 5 acres, and lots in the R-1 (Single Family Rural) zoning district are a minimum size of 2.5 acres. •Beehives are permitted as a "special use" in R-4, R-6, R-6C, and R-7 residential districts. The R-4, R-6, R-6C, and R-7 residential districts are comprised of lots ranging in size from 8,750 – 20,000 square feet. Special Use review fee \$603.	For Community Bee Garden: Limited to 3 hives. Register with the IL Dept. of Agriculture. Completed application, certificate of insurance, and hold harmless agreement. Must demonstrate beekeeper knowledge. At home, must go through a village review and approval process.	POLICY STATEMENT 5.76 TITLE: - COMMUNITY BEE GARDEN
Palatine	Yes	IL beekeepers permit required. 25 ft. from property line. Fence required.	Chapter 5 - Article IV. Beekeeping
Elmhurst	Not permitted		
Evanston	Yes	No more than 8 apiaries in each ward. City license required; \$25 fee; register with IL Dept. of Agriculture; fence and signage required; source of water	Title 9 - Public Safety (9-4-19)
Geneva	Not regulated	Request hives be placed as close to the center of the yard as possible.	
Elburn	Only in agricultural district		Article VI

South Elgin	Only in F-1 farming district - categorized as an agricultural use		
Wheaton	No ordinance or procedures.		
Aurora	No - No person shall own, keep or harbor within the village any dangerous animal, bees, farm animal, insect, or other animal which is feral natural in the eyes of the law.		Chapter 9 - Animals. Sec. 9-15
West Chicago	No information on website and no response from staff.		
Elgin	No information on website and no response from staff.		

Compiled by City of St. Charles staff

Minnesota Beekeeping Ordinances

Information current as of date shown.

City	County	Ordinance Citation	Ordinance Language	Contact Information	Date
Andover	Anoka	Title 5, Chapter 1, Section (d)	Must be zoned R1, R2, or R3 and have at least two acres.	(763) 755-5100	8-1-13
Anoka	Anoka	Section 10-2	Bees are not mentioned in the city code, but the city planner said she would consider honey bees to be "non-domesticated" animal. The code prohibits non-domesticated or farm animals within City limits.	(763) 576-2700	8-1-13
Apple Valley	Dakota		Currently, no ordinance on bees. However, code prohibits non-domestic animals, and City interprets bees as non-domestic. City is revising the ordinance to expressly prohibit bees.	(952) 953-2500	8-1-13
Arden Hills	Ramsey	Chapter 13, 25.07	Bees are considered farm animals and are allowed within city limits as long as the lot meets the setback requirements (which depend upon how the hive is constructed).	(651) 792-7800	8-1-13
Bayport	Washington	Section 14	Honey bees are not allowed within City limits.	(651) 275-4404	8-1-13
Blaine	Anoka	Section 14-225	Areas zoned residential may not have honey bees. Areas zoned agricultural may have honey bees.	(763) 785-6122	8-1-13
Bloomington	Hennepin	Section 12.116(a)(2)	Owners of bees, shall have at least one acre per bee hive not exceeding twenty-four (24) cubic feet in size. Farm poultry, farm animals and bees are not allowed on properties with three or more dwelling units. The owner of the farm poultry, farm animals and bees		8-1-13

			shall live in the dwelling on the property.		
Brooklyn Center	Hennepin	Section 1-101	No mention of bees in ordinances, so honey bees are permitted.	(763) 569-3300	8-1-13
Brooklyn Park	Hennepin	Section 92.50	Honey bees are permitted in lots over 5 acres. Other require registration.	(763) 424-8000	11-24-15
Burnsville	Dakota	Section 6-2-20	Honey bees are prohibited in all parts of Burnsville.	(952) 895-4400	2-8-17
Carver	Carver	Section 1005.02	Codicil 1 allows animals not listed under Section 1005.02 in city limits as long as they are not a nuisance. Therefore, honey bees are allowed as long as they are not a nuisance.	(952) 448-5353	8-1-13
Centerville	Anoka	Chapter 90.02(B)	"Licensing Honey Bees. Notwithstanding other provisions of this chapter, a person may keep honey bee colonies on any premises after first obtaining a license as provided in this subsection. No license shall be issued except in compliance of this section. (1) Lot size shall be a minimum of one-half acre; (2) No more than two honey bee colonies shall be allowed; (3) Hives shall be setback from property lines a minimum of 25 feet; (4) Applicant must document at least 16 hours of training in beekeeping, and (5) the colony shall be maintained in good order and not be a nuisance to any member of the public."	(651) 429-3232	8-1-13
Champlin	Hennepin		Honey bees are not mentioned within Champlin's ordinances. The City would allow honey bees as long as they were not a nuisance and the neighbors were on board.	(763) 421-8100	8-1-13

Chanhasen	Hennepin and Carver	Chapter 20	Bees are considered a farm animal and are allowed on properties of 10 acres or more.	(952) 227-1100	8-1-13
Chaska	Carver	Chapter 5, Section 82	The Chaska Police Department is in charge of code enforcement. Police officer told me they would allow a honey bee hive as long as it didn't bother the neighbors.	(952) 448-9200	8-1-13
Circle Pines	Anoka	Section 320.02(B)	"Licensing Honey Bees. Notwithstanding other provisions of this chapter, a person may keep honey bee colonies on any premises after first obtaining a license as provided in this subsection. No license shall be issued except in compliance of this section. (1) Lot size shall be a minimum of one-half acre; (2) No more than two honey bee colonies shall be allowed; (3) Hives shall be setback from property lines a minimum of 25 feet; (4) Applicant must document at least 16 hours of training in beekeeping, and (5) the colony shall be maintained in good order and not be a nuisance to any member of the public."	(763) 784-5898	8-1-13
Coon Rapids	Anoka	6-502(2), (5)	"Non-domestic animals are defined as ... bees. It shall be unlawful to keep, maintain, harbor, or feed any non-domestic animal within the City except where permitted elsewhere in this Chapter."		8-1-13
Corcoran	Hennepin		Section 1020.020: bees are agricultural use. Allowed in areas zoned for agricultural use.	(763) 420-2288	8-1-13
Cottage Grove	Washington	Section 11-3-7	Bees are considered a farm animal and are allowed on properties of 5 or more acres.	(651) 458-2800	8-1-13

			Section defining "farm animal" is 11-1-3.		
Crystal	Hennepin		City ordinances do not cover bees. Therefore, bees are allowed.	(763) 531-1000	8-1-13
Dayton	Wright and Hennepin	Section 1001.42 subd.8(1)(e)	Honey bees are prohibited in areas zoned residential - Old Village, residential - mobile home, industrial and business, unless you have a conditional use permit.	(763) 427-4589	8-1-13
Duluth	St. Louis	1959-6-80	Ok in areas zoned rural;. Others require license.		11-23-15
Eagan	Dakota	Section 10.12	Honey bees may be kept on properties in areas that are zoned agricultural and have a minimum of five acres. Or by permit.		3-6-15
Edina	Hennepin	Section 300.11	Bees are allowed with permit. ordinance link		10-1-15
Elko New Market	Scott	Section 6-4-5	Section 6-4-2 Honeybees are considered a farm animal. Section 6-4-5 states, "Farm animals shall be kept only in areas approved under the city zoning ordinance."		8-1-13
Excelsior	Hennepin	Section 6-4	Ordinance defines "undomesticated animal" as "any animal, mammal, amphibian, or reptile, which is of a species which is wild by nature or of a species which due to size, vicious nature, or other characteristics is inherently dangerous to human beings." "Any person may own, keep, harbor, or maintain any non-domesticated animal, provided that it weighs less than 50 pounds."		8-1-13
Falcon Heights	Ramsey	Section 113-3	Honey bees are defined as a farm animal. Farm animals are not allowed to be harbored within the city. The Falcon	(651) 792-7600	8-1-13

			Heights City Council looked into a honey bee ordinance last year but ultimately did not pass it.		
Forest Lake	Anoka	Chapter 99	Bees are defined as a farm animal. City code allows farm animals in areas zoned for agricultural use and if the property is five acres or more.	(651) 464-3550	8-1-13
Fridley	Anoka	Section 101.03(2)	"Livestock" is defined as "horses, cattle, goats, rabbits, sheep, swine, fowl, and other animals used for utility." Provides instructions for written license application and annual fee.	(763) 571-3450	8-1-13
Golden Valley	Hennepin	Section 10.32	Honey bees are defined as a farm animal. Farm animals are not allowed to be harbored within the city.		8-1-13
Hastings	Dakota and Washington	Chapter 91.01	Bees are not mentioned in the city code, so they are permitted. City planner warned that if the bees stung people or upset the neighbors, they could be removed through the public nuisance ordinance (Section 95.20).	(651) 480-2350	8-1-13
Hibbing	St. Louis	Section 10.23	Honey bees are defined as a farm animal. Farm animals are not allowed to be harbored within the city.		2-8-17
Hopkins	Hennepin		Hopkins Code of Ordinances does not address honey bees, so they interpret that to mean they are not permitted.	952-548-6303	2-8-17
Hugo	Washington		Although not expressly listed in the ordinance, honey bees are considered "farm animals," so they are allowed in areas zoned agricultural and on lots of five or more acres.	(651) 762-6300	8-1-13
Independence	Hennepin	510.05 subd. 46	Defines bees as "livestock." Bees are allowed in areas which are zoned agricultural.	(763) 479-0527	8-1-13

Inver Grove Heights	Dakota	Section 10-2-2	Bees are allowed in areas zoned agricultural or estate.	(651) 450-2500	8-1-13
Jordan	Scott		No ordinance, so bees are not allowed. Perhaps could apply for a conditional use permit stating beekeeping as a home occupation.	(952) 492-2535	8-1-13
Lake Elmo	Washington	Title 9, Chapter 95.71	Honey bees are allowed on property five acres or more. Permit required for under 5 acres.	(651) 747-3900	10-1-15
Lake St. Croix Beach	Washington	No online ordinances	No one from the City returned my messages.	(651) 436-7031	8-1-13
Lakeville	Dakota	title 11-35-3	Bees are classified as farm animals and are not allowed on residential property,		2-8-17
Lauderdale	Ramsey	Section 5-3-1	Bees are defined as a farm animal. City ordinance 5-3-4-1 requires a permit to have a farm animal.	(651) 792-7650	8-1-13
Lilydale	Dakota	Section 801.01	It's unclear if bees are allowed or not in the ordinances, and no one at the City returned my phone messages.	(651) 457-2316	8-1-13
Lino Lakes	Anoka	Zoning	Restricted to agricultural zoned land		11-23-15
Long Lake	Hennepin		Honey bees are not mentioned in the Code. City of Long Lake's general position is if it is not expressly allowed, it is prohibited.	(952) 473-6961	8-1-13
Mahtomedi	Washington	Chapter 3.02	"No person may keep within the City any of the following: any hive or other facility for the housing of bees."	(651) 426-3344	8-1-13
Maple Plain	Hennepin		Honey bees are not mentioned in the Code. City of Maple Plain's general position is that they are allowed, but are subject to the nuisance ordinance.	(763) 479-0515	8-1-13
Maplewood	Ramsey		Considering an urban agriculture ordinance, but so	(651) 249-2000	8-1-13

			far no actual ordinance. Bees are allowed unless they become a nuisance.		
Marine on St. Croix	Washington	Chapter 5	City of Marine on St. Croix does not have an ordinance about honey bees. The City's position is that they are allowed unless they are a nuisance.	(651) 433-3636	8-1-13
Medicine Lake	Hennepin	Section 200.2(7)(b)	Bees are classified as farm animals. Must get a conditional use permit to have bees.	(763) 542.9701	8-1-13
Mendota Heights	Dakota	Ordinance 448, not yet codified	Brand new ordinance: Bee keeping is allowed on properties of fifty (50) acres or more.	(651) 255-1153	8-1-13
Minneapolis	Hennepin	Section 74.80	Must get a permit from Minneapolis Animal Care and Control.		8-1-13
Minnetonka	Hennepin		No ordinance on bees, so bees are allowed unless they are a nuisance.	(952) 939-8200	8-1-13
Village of Minnetonka Beach	Hennepin	Section 508(C)(28)(b)	"No person shall keep or allow to be kept any hive or other facility for the housing of honeybees."	(952) 471-8878	8-1-13
Minnetrista	Hennepin	Section 1110.09	Bees are considered farm animals. "Farm animals may only be kept in A or AP zoning districts, or in a residential lot of at least ten acres in size provided that farm animals on said residential lots are not sheltered within 300 feet of an adjoining piece of property."	(952) 446-1660	8-1-13
Moundsview	Ramsey	Title 700 Chapt 701	Bees allowed by permit. Link to permit		9-25-15
New Brighton	Ramsey		Honey bees require permit link to permit	(651) 638-2100	6-1-15
Newport	Washington	Section 600.21	Honey bees are considered a farm animal. Must have a permit from the City Council. Lot size must be at least four	(651) 459-5677	8-1-13

			acres. Must provide written notification to occupied property owners situated within 250 feet from the hive. Additional standards of practice listed in Section 600.21 subd. 3(F)(4).		
North St. Paul	Ramsey	Section 95.23	Honey bees are classified as a farm animal. No farm animals are allowed within city limits.		8-1-13
Oak Park Heights	Washington	Section 602.02(B)	Honey bees are classified as a farm animal. Farm animals are only permitted in areas zoned O - Open Space Conservation District and also need a conditional use permit.	(651) 439-4439	8-1-13
Oakdale	Washington	Section 4-18	"No person shall keep or allow to be kept any man-made or manufactured hive or other facility for the housing of bees within the city without a permit."	(651) 739-5086	8-1-13
Orono	Hennepin	Section 62-1	Honey bees are classified as a farm animal and are allowed in areas zoned for agriculture.	(952) 249-4600	8-1-13
Osseo	Hennepin	Chapter 93.18(z)	City code states that any caring for any non-domestic animal is a public nuisance, so beekeeping currently is not allowed. However, City Attorney said the City might be open to a resident asking for a variance or trying to change the ordinance.	(763) 425-2624	8-1-13
Plymouth	Hennepin	Zoning Ordinance 21170.01 subd.3	Bees are only allowed in areas zoned future restricted development (rural).	(763) 509-5080	8-1-13
Prior Lake	Scott		No ordinance, so bees are allowed unless they are a nuisance.	(952) 447-9800	8-1-13
Richfield	Hennepin	Section 905.41	Bees are considered non-domestic animals. All non-domestic animals are prohibited.	(612) 861-9702	8-1-13

Robbinsdale	Hennepin	Section 915.37	"It is unlawful to keep or maintain roosters or bees, without first having obtained a permit therefor."	(763) 537-4534	8-1-13
Rogers	Hennepin	Section 125-1	Bees are classified as a farm animal and are allowed in areas zoned agricultural.	(763) 428-2253	8-1-13
Rosemount	Dakota		No ordinance on honey bees, so they are allowed.	(651) 322-2022	8-1-13
Roseville	Ramsey		No ordinance on honey bees, so they are allowed. The City reserves the right to regulate location and fencing in the future.	(651) 792-7000	8-1-13
Sauk Rapids	Benton	Section 4.10, Subd.22(C)	Permits beekeeping limited to six hives.	(320) 258-5300	
St. Anthony Village	Hennepin		No ordinance on honey bees, so City of St. Anthony Village's position is that they are not allowed.	(612) 782-3301	8-1-13
St. Francis	Anoka	Section 8-3-5	"Bees shall not be kept on parcels smaller than five (5) acres in size. No parcel shall have more than one hive or colony housing structure not to exceed three (3) feet in size in any dimension unless it is an agricultural use. All hives shall be of the removable frame type. All hives shall be kept one hundred (100) feet from any property line."	(763) 753-2630	8-1-13
St. Louis Park	Hennepin		Bees are not addressed in city ordinance, so they are allowed as long as they are not a nuisance.	(952) 924-2500	8-1-13
St. Paul	Ramsey	Chapter 198.02(d)	"No person shall keep or allow to be kept any hive or other facility for the housing of bees within the city without a permit."	(651) 266-8989	8-1-13
St. Paul Park	Washington	Ordinance #694	Honey bees are allowed; must get a permit and obey set back ordinance.	(651) 459-9785	8-1-13

Savage	Scott	Section 91.01(2)	Bees are classified as a farm animal. Under Section 91.04, farm animals are "allowed only as a legal non-conforming use where a similar use occurred before the most recent change in the Zoning Code and continues consistently thereafter."	(952) 882-2660	8-1-13
Shakopee	Scott	Section 11.02(5)(B)	Bees are classified as an "agricultural use" and allowed in areas zoned rural residential or agricultural.	(952) 233-9300	8-1-13
Shoreview	Ramsey	Section 601.010(4)	Bees are classified as a non-domestic animal. Non-domestic animals permitted on lots that are two or more acres and are zoned detached residential or residential estate.	(651) 490-4600	8-1-13
Shorewood	Hennepin	Section 705.09	Bees are classified as an "urban farm animal." Section 705.09 subd 2(h) states, "The number of bee hives shall not exceed four."	(952) 960-7900	8-1-13
South St. Paul	Dakota	Section 15-1(3)	Bees are listed as a farm animal. Section 15-3 states, "It shall be illegal for any person to own, possess, harbor, or offer for sale, any farm animals within city limits..."	(651) 554-3200	8-1-13
Spring Park	Hennepin		Bees are not allowed in city limits.	(952) 471-9051	8-1-13
Stillwater	Washington	Section 27-3	Bees are allowed in city limits with a permit. The ordinance sets forth rules and regulations.	(651) 430-8800	8-1-13
Sunfish Lake	Dakota	Section 1225.01	Bees are considered farm animals. Only farm animals expressly listed (such as bees) are allowed in the City of Sunfish Lake with a permit.	(763) 231-2555	8-1-13
Victoria	Carver	Chapter 30, Article VIII, Section 30-313(13)	Bees are only allowed in areas zoned agricultural and if you get a conditional use permit.	(952) 443-4210	8-1-13

Virginia	St. Louis		Honey bees are defined as a farm animal. Farm animals are not allowed to be harbored within the city.		2-8-17
Waconia	Carver	Section 710.15 subd. 1	Bees are considered farm animals, so they are allowed in areas zoned agricultural.	(952) 442-2184	8-1-13
Wayzata	Hennepin		No ordinance, so bees are allowed unless they are a nuisance.	(952) 404-5300	8-1-13
West St. Paul	Dakota	Section 905.15 subd. 3	Bees are allowed. The only requirement is that the hives are at least 100 feet from neighboring houses. Some lots are too small to comply with this requirement.	(651) 552-4100	8-1-13
White Bear Lake	Ramsey and Washington	Section 702.045	Bee keeping is allowed in City limits with a license.	(651) 429-8526	8-1-13
Woodbury	Washington	Section 24-4	Bees are considered "livestock" and are allowed on property of five or more acres in areas zoned rural residential or existing farmstead.	(651) 714-3500	8-1-13

[Department of Entomology](#)

**College of Food, Agricultural
and Natural Resource Sciences**
UNIVERSITY OF MINNESOTA

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MODEL BEEKEEPING ORDINANCE

February 22, 2007

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Prepared by the Minnesota Hobby Beekeepers Association

This model ordinance is not intended to be adopted without legal review by counsel representing the jurisdiction considering it. Like any proposed ordinance, it must be reconciled with existing ordinances and may be revised to fit community standards and needs. Our purpose in advancing the model ordinance is to offer a document with the apicultural framework we believe will enable hobbyist and sideliner beekeepers to safely and successfully pursue this pleasurable and economically, culturally and agriculturally critical activity in urban and suburban areas.

WHEREAS, honey bees (*apis mellifera*) are of benefit to mankind, and to Minnesota in particular, by providing agriculture, fruit and garden pollination services and by furnishing honey, and other useful products; and

WHEREAS, Minnesota is among the leading states in honey production and agricultural by products associated with beekeeping throughout the United States; and

WHEREAS, domestic strains of honey bees have been selectively bred for desirable traits, including gentleness, honey production, tendency not to swarm and non-aggressive

behavior, characteristics which are desirable to foster and maintain; and

WHEREAS, gentle strains of honey bees can be maintained within populated areas in reasonable densities without causing a nuisance if the bees are properly located and carefully managed;

NOW THEREFORE, be it ordained and enacted by _____:

Section 1. Preamble Adopted.

That the findings contained in the preamble of this ordinance are hereby adopted as a part of this ordinance.

Section 2. Definitions.

As used in this article, the following words and terms shall have the meanings ascribed in

this section unless the context of their usage indicates another usage.

2.1 "Apiary" means the assembly of one or more colonies of bees at a single location.

2.2 "Beekeeper" means a person who owns or has charge of one or more colonies of bees.

2.3 "Beekeeping equipment" means anything used in the operation of an apiary, such as hive bodies, supers, frames, top and bottom boards and extractors.

2.4 "Colony" means an aggregate of bees consisting principally of workers, but having, when perfect, one queen and at times drones, brood, combs, and honey.

2.5 "Hive" means the receptacle inhabited by a colony that is manufactured for that purpose.

2.6 "Honey bee" means all life stages of the common domestic honey bee, *apis mellifera* species.

2.7 "Lot" means a contiguous parcel of land under common ownership.

2.8 “Nucleus colony” means a small quantity of bees with a queen housed in a smaller than usual hive box designed for a particular purpose.

2.9 “Undeveloped property” means any idle land that is not improved or actually in the process of being improved with residential, commercial, industrial, church, park, school or governmental facilities or other structures or improvements intended for human occupancy and the grounds maintained in associations therewith. The term shall be deemed to include property developed exclusively as a street or highway or property used for commercial agricultural purposes.

Section 3. Purpose of Ordinance.

3.1 The purpose of this ordinance is to establish certain requirements for beekeeping within the City, to avoid issues which might otherwise be associated with beekeeping in populated areas.

3.2 Compliance with this ordinance shall not be a defense to a proceeding alleging that a given colony constitutes a nuisance, but such compliance may be offered as evidence of the beekeeper’s efforts to abate any proven nuisance.

3.3 Compliance with this ordinance shall not be a defense to a proceeding alleging that a given colony violates applicable ordinances regarding public health, but such compliance may be offered as evidence of the beekeeper’s compliance with acceptable standards of practice among hobby beekeepers in the State of Minnesota.

Section 4. Standards of Practice.

4.1 Honey bee colonies shall be kept in hives with removable frames, which shall be kept in sound and usable condition.

4.2 Each beekeeper shall ensure that a convenient source of water is available to the colony so long as colonies remain active outside of the hive.

4.3 Each beekeeper shall ensure that no wax comb or other material that might encourage robbing by other bees are left upon the grounds of the apiary lot. Such materials once removed from the site shall be handled and stored in sealed containers, or placed within a building or other insectproof container.

4.4 For each colony permitted to be maintained under this ordinance, there may also be maintained upon the same apiary lot, one nucleus colony in a Model Beekeeping Ordinance February 22, 2007

hive structure not to exceed one standard 9-5/8 inch depth 10-frame hive body with no supers.

4.5 Each beekeeper shall maintain his beekeeping equipment in good condition, including keeping the hives painted if they have been painted but are peeling or flaking, and securing unused equipment from weather, potential theft or vandalism and occupancy by swarms. It shall not be a defense to this ordinance that a beekeeper’s unused equipment attracted a swarm and that the beekeeper is not intentionally keeping bees.

Section 5 Colony Density.

5.1 Except as otherwise provided in this ordinance, in each instance where a colony is kept less than 25 feet from a property line of the lot upon which the apiary is located, as measured from the nearest point on the hive to the property line, the beekeeper shall establish and maintain a flyway barrier

at least 6 feet in height. The flyway barrier may consist of a wall, fence, dense vegetation or a combination there of, such that bees will fly over rather than through the material to reach the colony. If a flyway barrier of dense vegetation is used, the initial planting may be 4 feet in height, so long as the vegetation normally reaches 6 feet in height or higher. The flyway barrier must continue parallel to the apiary lot line for 10 feet in either direction from the hive, or contain the hive or hives in an enclosure at least 6 feet in height. A flyway barrier is not required if the property adjoining the apiary lot line (1) is undeveloped, or (2) is zoned agricultural, industrial or is outside of the City limits, or (3) is a wildlife management area or naturalistic park land with no horse or foot trails located within 25 feet of the apiary lot line.

5.2 No person is permitted to keep more than the following numbers of colonies on any lot within the City, based upon the size or configuration of the apiary lot:

- a. One half acre or smaller lot 2 colonies
- b. Larger than 1/2 acre but smaller than 3/4 acre lot 4 colonies
- c. Larger than 3/4 acre lot but smaller than 1 acre lot 6 colonies
- d. One acre but smaller than 5 acres 8 colonies
- e. Larger than 5 acres no restriction

5.3 Regardless of lot size, so long as all lots within a radius of at least 200 feet from any hive, measured from any point on the front of the hive, remain undeveloped, there shall be no limit to the number of colonies. No grandfathering rights shall accrue under this subsection.

5.4 If the beekeeper serves the community by removing a swarm or swarms of honey bees from locations where they are not desired, the beekeeper shall not be considered in violation the portion of this ordinance limiting the number of colonies if he temporarily houses the swarm on the apiary lot in compliance with the standards of practice set out in this ordinance for no more than 30 days from the date acquired.

Model Beekeeping Ordinance February 22, 2007

Section 6. Inspection.

A designated City official shall have the right to inspect any apiary for the purpose of ensuring compliance with this ordinance between 8 a.m. and 5 p.m. once annually upon prior notice to the owner of the apiary property, and more often upon complaint without prior notice.

Section 7. Presumed Colony/Hive Value.

For the purpose of enforcing City ordinances against destruction of property, each colony/hive shall be presumed to have a value of \$275.

Section 8. Compliance.

8.1 Upon receipt of credible information that any colony located within the City is not being kept in compliance with this ordinance, [the designated City official] shall cause an investigation to be conducted. If the investigation shows that a violation may exist and will continue, [the designated City official] shall cause a written notice of hearing to be issued to the beekeeper, which notice shall set forth:

- a. The date, the time and the place that the hearing will be held, which date shall be not less than 30 days' from the date of the notice;
- b. The violation alleged;

c. That the beekeeper may appear in person or through counsel, present evidence, cross examine witnesses and request a court reporter, and
d. That if [the designated City official] finds that they have been kept in violation of this ordinance, and if the violation is not remediated within the time allowed, the bees may be ordered removed and/or destroyed.

Notices shall be given by certified US Mail return receipt requested or personal delivery. However, if the beekeeper cannot be located, then notice may be given by publication in a legal newspaper for the county in which the apiary property is located, at least seven days before the hearing.

8.2 The hearing shall be conducted by [the designated City official]. The burden shall be on the City to demonstrate by a preponderance of evidence that the colony or colonies have been kept in violation of this ordinance. If [the designated City official] finds a violation, then he/she may order that the bees be removed from the City or such other action as may address the violation, and that the apiary lot be disqualified for permitting under this ordinance for a period of 2 years from the date of the order, the apiary lot ownership changes, in which case the prohibition shall terminate. If the order has not been complied with within 20 days of the order, the City may remove or destroy the bees and charge the beekeeper with the cost thereof. Upon destruction of bees by the City, all equipment shall be returned by the City to the beekeeper, with expenses of transportation to be paid by the beekeeper. The City's destruction of the bees shall be by a method that will not damage or contaminate the equipment, include wax foundation.

8.3 The decision of the hearing officer may be appealed by the beekeeper as provided in the City's rules and procedures. If no provision for appeal exists, then the beekeeper may file a notice of appeal with the City secretary within 15 days of the date the order is placed in US Mail to the beekeeper, or 10 days if the decision is announced at the hearing by [the designated City official]. An appeal shall not stay [the designated City official]'s decision, and the beekeeper shall be required to comply with such order pending the outcome of the appeal.

8.4 No hearing and no order shall be required for the destruction of honey bees not residing in a hive structure that is intended for beekeeping.

Section 9. Savings Clause.

In the event any part of this ordinance or its application to any person or property is held to be unenforceable for any reason, the unenforceability thereof will not affect the enforceability and application of the remainder of this ordinance, which will remain in full force and effect.

Section 10. Effective Date.

This ordinance shall become effective on _____, 20_____.

Beekeeping Training Programs

Provided by Fox Valley Beekeepers

Anyone interested in becoming a beekeeper or improving their beekeeping skills will have the opportunity to enroll in one of two courses in the west-suburban area. Both courses are 8 weeks in length, starting late January and running through Mid-March.



[Geneva Park District](#) class on beekeeping will start on Tuesday, January 31 (through March 21) at Stephen Persinger Recreation Center at Peck Farm Park, 3507 Kaneville Road, Geneva, IL. This course is 8 weeks and will provide you with the information and skills needed to start and manage your own bee hive. Learn how to start raising honey bees, seasonal management of hives, and the use of bees for pollination and honey production. The class will learn the parts of the bee hive and how these social insects work within the hive. The book,

First Lessons in Beekeeping, will be available for purchase at the first class meeting. 7 - 9 p.m. Contact Trish Burns at 630 262-8244 to register.

[Wheaton Park District](#) class on beekeeping will start on Wednesday, February 1 (through March 22) at Wheaton North High School in Wheaton, IL. Contact Matt Wrobel, Adult Education Coordinator, at the Wheaton Park District - 630 510-5131 for more information.

Farther West

Check <http://www.belfrybees.com> as well for classes starting in January for both the beginner and experienced.

Ongoing classes

[Honeybeesonline.com](http://www.honeybeesonline.com) holds multiple classes throughout the season in Fairmount, IL. <http://www.belfrybees.com> also hold periodic classes through the year. Check the website for schedule.



Bee-ing a Good Neighbor



Good-neighbor Beekeeping Practices and Your Whitewater City Ordinance Requirements

1. Review the local city ordinance on keeping honeybees for details not covered in this document
 - ⌘ Beekeeping is allowed in our community, but requires a permit and certain restrictions to minimize the potential for nuisance issues and to promote good beekeeping practices
 - ⌘ Your permit application requires a one-time fee and must include a site plan. See attached example permit application and site plan: consider a Google satellite map screenshot or visit <http://gisinfo.co.walworth.wi.us/map3x/> to take screenshot of your property. A well-drawn sketch of your property, approximately to scale, may suffice. Photos can be useful but do not substitute for a site plan
 - ⌘ Although beekeeping is allowed by local ordinance, if ordinance requirements are not being followed, the City may require you to remove the beehives from your property

2. Although not required by the ordinance, it is a good practice to inform your neighbors of your intent to raise honeybees
 - ⌘ You can alleviate fears by educating your neighbors of the docile nature of honey bees and the benefits of having honey bees in the neighborhood
 - ⌘ Describe the difference between honey bees and the more aggressive wasps and hornets
 - ⌘ Honey bees will pollinate vegetables, flowers, trees, and bushes
 - ⌘ Find out if any neighbors have serious allergies to bee stings. Be respectful and place your beehive further away from allergic neighbor's property lines
 - ⌘ Encourage neighborhood children and your own children to wear shoes around your beehive and blooming plants in your lawn
 - ⌘ Discuss bee swarm behavior, so neighbors understand that swarms may be cast from your hive and that they should not be alarmed, but should inform you if they see a swarm or swarm cluster
 - ⌘ Have neighbors notify you if they plan on pesticide applications
 - ⌘ SHARE your honey crop with your neighbors
 - ⌘ Get them involved if they appear interested – invite them over for a colony inspection

3. Be discreet about the placement of your beehives

- ✂ Consider a rooftop if possible, out of the way of human activity
- ✂ You may keep a maximum of 3 colonies on your property with 1 additional temporary nucleus colony for purpose of swarm collection or splitting of colonies. Properties greater than 1 acre in size may keep additional colonies (2 additional colonies for each additional acre)
- ✂ City Ordinance requires that your beehives be placed in your back or side yard only and no closer than 5 feet from your property line. Entrances must face away from adjacent neighbor lot lines
- ✂ For beehives within 30 feet of a lot line you must establish a 6-foot tall flyway barrier that extends 10 feet on either side of the nearest beehive. The flyway barrier can be a solid or closely slatted fence, wall, dense line of vegetation, or combination thereof. The purpose of the flyway barrier is to raise the flight path of bees leaving the beehive, thereby limiting their interactions with nearby residents. (see example diagram below)

✂ Honey bees must be maintained in beehives with removable combs for inspection purposes. Both langstroth and top bar beehives are acceptable structures

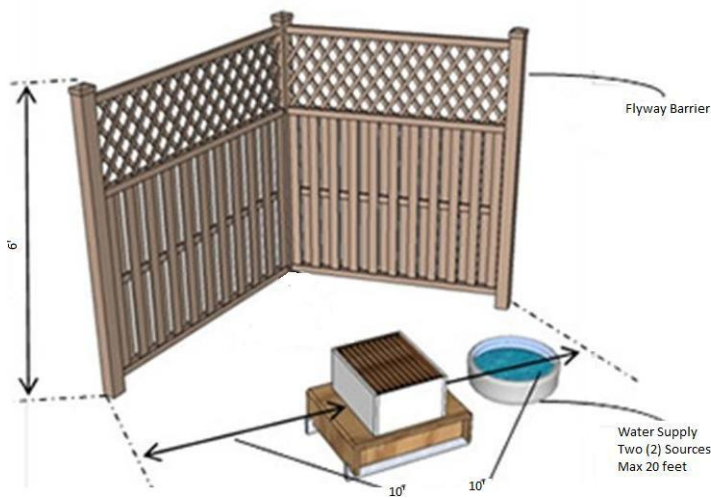


Diagram noting flyway barrier requirements. Flyway barrier must extend 10 feet to each side of the nearest beehive if beehive is within 30 feet of a property line. Also note 2 water sources are required to be continually filled with water except during winter months

4. Provide water sources for your bees to keep them out of neighbor's pool, bird baths, pet watering bowls and water spigots
 - ✂ Because the most common nuisance complaint of urban honey bees is bees congregating at nearby water sources, City Ordinance requires that you maintain 2 water sources on your property (1 within 20 feet of beehives) and each water source shall be continually filled with water when the bees are active outside the hive (water source may cease in the winter months).
 - ✂ Suggested water sources would include a bird bath that is regularly filled with water and/or a chicken waterer – each filled with stones to allow bees to perch near the water.

5. Minimize the potential for robbing behavior
 - ☞ Beekeepers are required to ensure that no empty beehives, bee comb, or other materials that might encourage robbing are left upon the property
 - ☞ No open feeding of honey bees is allowed

6. Learn to work your beehives at appropriate times
 - ☞ Sunny days between 10 a.m. and 3 p.m., when most of the field bees are foraging, is an excellent time to examine your hives. Use smoke appropriately when inspecting hives
 - ☞ Avoid working your bees when there is threatening or inclement weather
 - ☞ Respect your neighbors and DON'T work on your colonies when neighbors have activities going on in their yard.

7. Promote the benefit of urban beekeeping
 - ☞ Backyard gardens often lack sufficient number of pollinators
 - ☞ Some of the best honey can be produced in city areas without the harmful pressure of chemical sprays often used in heavily farmed areas
 - ☞ Cities often have an abundance of nectar sources such as basswood, black locust, and maple trees

Name: _____ Phone: _____

Applicant Address: _____ City: _____ State: _____
 Zip code: _____

Rental Property: Yes or No

(If yes, property owner's signature and information required)

Property owner Signature: _____ Date: _____

e-mail: _____ phone number: _____

Requirements:

1. A \$10.00 application fee

2. Site Plan (Please draw dimensions, note number of intended beehives, site location, water sources, and flyway barriers)

Please see attached site plan

- *2-3 langstroth beehives are intended with 1 of these being a rooftop hive (currently 2 beehives)*
- *All beehives will be in the backyard no closer than 5 feet to the lot line. The backyard is entirely enclosed by an existing 6 foot tall fence along with dense vegetation as a flyway barrier*
- *2 sources of water include a chicken waterer and a bird bath*

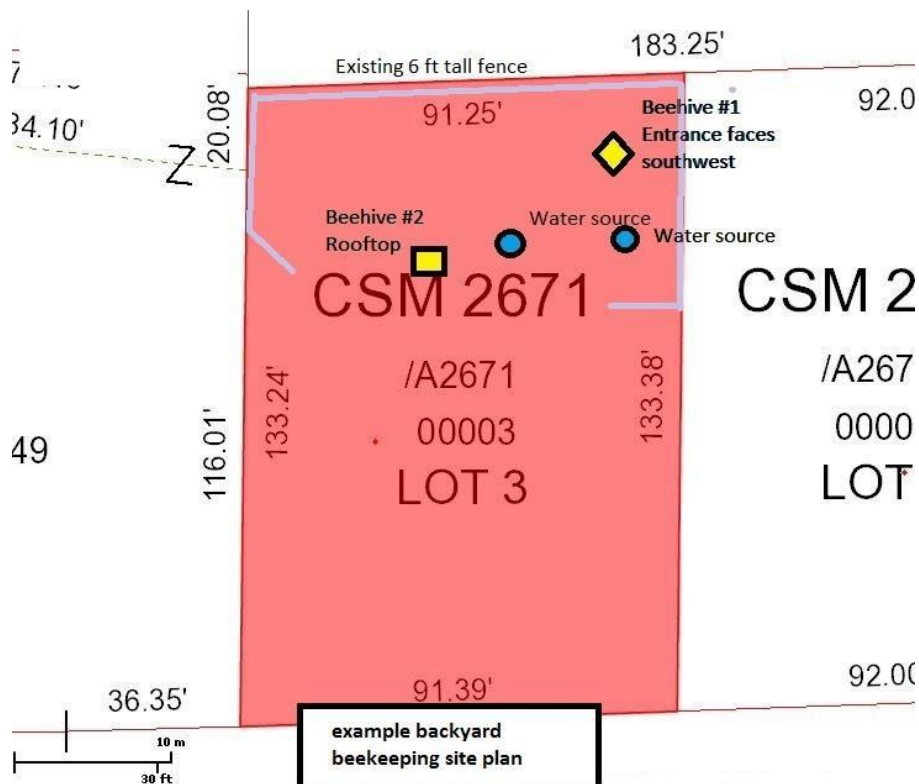
Neighborhood Services Director approval: Yes No

Date _____ Signature _____

Date issued: _____

Fee Paid: Yes No





Beehive #1:



Beehive #2 Rooftop (exit of observation hive maintained indoors):



Plants That Don't Attract Bees

Certain flowers are more attractive to bees than others.

Bees help pollinate many types of plants, including garden plants like cucumbers, but for people who are allergic or do not want to attract bees to their yard, they can be a nuisance. While many flowering plants attract bees, you can choose flowers -- based on certain characteristics, such as scent, color or bloom shape -- that do not attract bees.

Blooms

Bees are attracted to tubular-shaped flowers that they can crawl into, or small, flat flowers that they can walk on. They like blooms with abundant nectar. To find plants that do not attract bees, look for those with the opposite bloom characteristics and avoid planting flowering fruit trees, poppies and roses. Instead opt for plants that flower at night, produce inconspicuous blooms or are wind-pollinated plants. Some examples include evening primrose (*Primula alpicola*) and pussy toes (*Antennaria dioica*).

Color

Bees are attracted to a variety of bright colors, but blue, yellow and purple flowers are the most attractive to bees. Avoid flowers with those bloom colors and opt for flowers with red blooms. Bees do not see red -- it appears black to them -- so red flowers do not attract bees. Choose from the vast variety of red flowers available to avoid bees.

Scent

Bees are attracted to flowers that emit a pleasant scent, and this is why they seem to follow people wearing perfume, cologne or hairspray. Some plants act as a natural insecticide and repel insects. For this reason, planting flowers such as Mexican marigolds (*Tagetes lucida*) and chrysanthemums will not attract bees and can also detour other insect pests.

What to Plant

Bees are not attracted to many types of trees, such as elm, birch and oak, or to conifers, ground covers or shrubs. Ornamental grasses are an excellent choice if you do not want to attract bees to your yard, as bees are not attracted to them and they add beauty to the landscape. Sedges (*Carex* spp.) make striking additions to water gardens, rock gardens, and as borders while producing insignificant flowers that are not attractive to bees.

Source: sfgate.com

Swarm Control Contacts

MEMBER NAME	ADDRESS	CONTACT	SERVICE
Carol Lussky	Big Timber Road Elgin, 60124	Carol Lussky 847-888-0142 carol@sheepwreckfarm.com	Local Honey Provider Swarm Retrieval
Brian Olson	Geneva, 60134	630-277-7285 bikupabees@gmail.com	Swarm Retrieval
Larry Geddes	Geneva, IL, 60134	630-208-1660 lgamy@aol.com	Local Honey Provider Swarm Retrieval
Jim Blough	512 Meadowwood Lane Oswego, 60543	815-419-8445 jimmybeeshoney@gmail.com	Local Honey Provider Swarm Retrieval
Reid Root	1422 Quincy Bridge Court Bartlett, il 60103	847.812.8927 reidroot1@gmail.com	Local Honey Provider Swarm Retrieval
David Hornor	Bartlett, il 60103	David Hornor 630-432-1641 dhornor@sbcglobal.net	Swarm Retrieval
Mark Schmidt	Batavia, IL	Mark Schmidt 630-390-8019 schmidt3113@sbcglobal.net	Swarm Retrieval
Bob McDonell	Carol Stream, IL 60188	Bob McDonell 630-668-6687 Beekeeperbob@gmail.com	Swarm Retrieval
Ryan Purmann	Elburn, IL 60119	Ryan Purman 224-234-8713	Swarm Retrieval
Honey Oaks	Elburn, IL 60119	Angela Nelson (630) 405-3801	Local Honey Provider Swarm Retrieval
Glenn Mize	Geneva, IL 60134	Glenn Mize 630-338-2119	Swarm Retrieval
Beth Mankowski	Geneva, IL 60134	Beth Mankowski 6302479177 bmankowski@hotmail.com	Swarm Retrieval
Michael Ream	Hampshire, il 60140	Michael Ream	Swarm Retrieval

		847-271-5438 mbream@sbcglobal.net	
Marks Bee Bizz	Montgomery, il 60538	Mark Kirshner 630-636-8148 markk1975@sbcglobal.net http://www.marksbeebizz.net	Swarm Retrieval
Donna Childs	Sandwich, Il 60548	Donna Childs 815-786-4876 DonnaJimChilds@comcast.net	Swarm Retrieval
Jane Ranney	St. Charles, IL 60174	Jane Ranney JFR811@AOL.COM	Swarm Retrieval
Reader Apiaries	Streamwood, IL 60107	Jeff Reader 630-289-4870 jereader@att.net	Local Honey Provider Pollen or Propolis provider Swarm Retrieval
Steve King	Winfield, IL 60190	Steve King	Swarm Retrieval
Michael Mealman	Elburn, Illinois 60119	Michael Mealman 630-768-8432 Muskyfishingbricky@att.net	Swarm Retrieval

**AGENDA ITEM EXECUTIVE SUMMARY**

Agenda Item number: 3c

Title:

Plan Commission recommendation to approve an Amendment to Special Use for PUD for Meijer, 855 S. Randall Rd. (Meijer PUD)

Presenter:

Ellen Johnson

Meeting: Planning & Development Committee

Date: April 10, 2017

Proposed Cost: N/A

Budgeted Amount: N/A

Not Budgeted: **Executive Summary** *(if not budgeted please explain):*

The subject property is the site of the Meijer store, which is part of the Meijer PUD, approved under Ordinance 1999-M-24.

Callie Robertson of Anchor Signs, Inc., has applied for a Special Use for PUD Amendment in order to modify the permitted wall signage on the Meijer building. Five (5) wall signs are currently permitted per the PUD ordinance, while seven (7) wall signs exist on the building. Proposed is to allow eight (8) wall signs on the building. The proposed amendment would bring existing signage into compliance with the PUD ordinance and would allow an additional sign for a Pharmacy Drive-Up to be installed in the future.

Plan Commission Review

Plan Commission held a public hearing on 4/4/17 and voted 7-0 to recommend approval of the Amendment to Special Use, with a condition that the Pharmacy Drive-Up sign may only be installed after a Pharmacy Drive-Up is constructed.

Annexation Agreement

Property within the Meijer PUD is subject to the provisions of an annexation agreement between the City and property owner, expiring in 2019. The annexation agreement will need to be amended to incorporate the changes to the Meijer PUD. A public hearing to consider the annexation agreement amendment will be scheduled for the City Council meeting on May 1, pending a recommendation from the Planning & Development Committee.

Attachments *(please list):*

Plan Commission Resolution, Staff Report, Application for Special Use, Sign Renderings, Excerpt from Ordinance 1999-M-24, Letter from Neighboring Property Owner

Recommendation/Suggested Action *(briefly explain):*

Plan Commission recommendation to approve an Amendment to Special Use for PUD for Meijer, 855 S. Randall Rd. (Meijer PUD).

City of St. Charles, Illinois
Plan Commission Resolution No. 7-2017

A Resolution Recommending Approval of an Application for Special Use to amend Ordinance 1999-M-24 (Meijer PUD) regarding permitted wall signage on the Meijer building, 855 S. Randall Rd. (Callie Robertson, Anchor Sign)

Passed by Plan Commission on April 4, 2017

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

WHEREAS, the Plan Commission held a public hearing and has reviewed the Application for Special Use to amend PUD Ordinance 1999-M-24 (Meijer PUD) regarding permitted wall signage on the Meijer building and;

WHEREAS, in accordance with Section 17.04.410.D.3, the Plan Commission finds the amendment to Special Use for PUD to be in the public interest based on the following criteria for Planned Unit Developments:

CRITERIA FOR PLANNED UNIT DEVELOPMENTS (PUDS)

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

The amendment of the existing Meijer PUD to include all (8) proposed signs, would help (1) promote a creative approach to the building design that allows users to understand fully every type of business which Meijer offers. The additional signage

Resolution 7-2017

would also (6) encourage the redevelopment of the site to no longer be inappropriate, as it would make it legal to have all the current signs installed, as it seems that a portion of them were installed without the city's prior knowledge. Including all signage on the PUD would (7) encourage a collaborative process amongst Meijer, its neighbors, the government, and the community as it would support Meijer's economic growth within St. Charles by allowing it to advertise, in a non-distracting way, the businesses located within Meijer, including US Bank and Starbucks. It would also come to the aid of customers to know how to best navigate the large parking lot with signs marking entrances, different areas of the store (Starbucks, Garden Center, etc.) and eventually where to go for the Pharmacy drive-thru.

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.**

Resolution 7-2017

B. Conforming to the requirements would be impractical, as the list of proposed/current signage is not excessive, it is used to clearly mark what is available and where it located within the store.

iii. **The proposed PUD conforms with the standards applicable to Special Uses (section 17.04.330.C.2):**

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

The public convenience will be found in the signage alerting customers that the Meijer contains both a Starbucks and a US Bank. It also alerts them what side of the store the Garden Center is on, and where the Pharmacy Drive-thru will be.

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

Not applicable; only changes to permitted signage.

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 Special Use will only mark the building further in a legible, yet not excessive manner. It will not diminish the use or enjoyment of other properties in the vicinity or neighborhood because it is not flashy or distracting.

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 establishment will not impede the normal or orderly development of the surrounding property because it will only effect the signage.

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

The establishment will not be detrimental the general welfare of the public as it will only effect the signage.

F. Conformance with Codes: That the proposed Special Use conforms to all existing Federal, State and local legislation and regulation and meets or

Resolution 7-2017

exceeds all applicable provisions of this Title, except as may be varied pursuant to a Special Use for Planned Unit Development.

The proposed PUD will conform to all existing regulation, just allow for an increased amount of signage.

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

The proposed PUD will be beneficial to the economic well-being of the City as it will allow customers to come to Meijer for not only groceries, which will increase business and jobs.

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

The proposed PUD conforms to the Comprehensive Plan's intent as it clearly marks the large building as to avoid confusion for its customers without being excessive in its signs.

NOW, THEREFORE, be it resolved by the St. Charles Plan Commission to recommend to City Council approval of Special Use requesting an amendment to PUD Ordinance 1999-M-24 regarding permitted wall signage on the Meijer building, with a condition that the Pharmacy Drive-Up sign may only be installed after a Pharmacy Drive-Up is constructed.

Roll Call Vote:

Ayes: Kessler, Frio, Pretz, Holderfield, Schuetz, Macklin-Purdy, Vargulich

Nays:

Absent: Wallace, Funke

Motion carried: 7-0

PASSED, this 4th day of April 2017.

Chairman
St. Charles Plan Commission

Community & Economic Development
 Planning Division

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



STAFF MEMO

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

FROM: Ellen Johnson, Planner

RE: Amendment to Special Use for Planned Unit Development – Meijer PUD (855 S. Randall Rd.)

DATE: April 7, 2017

I. APPLICATION INFORMATION

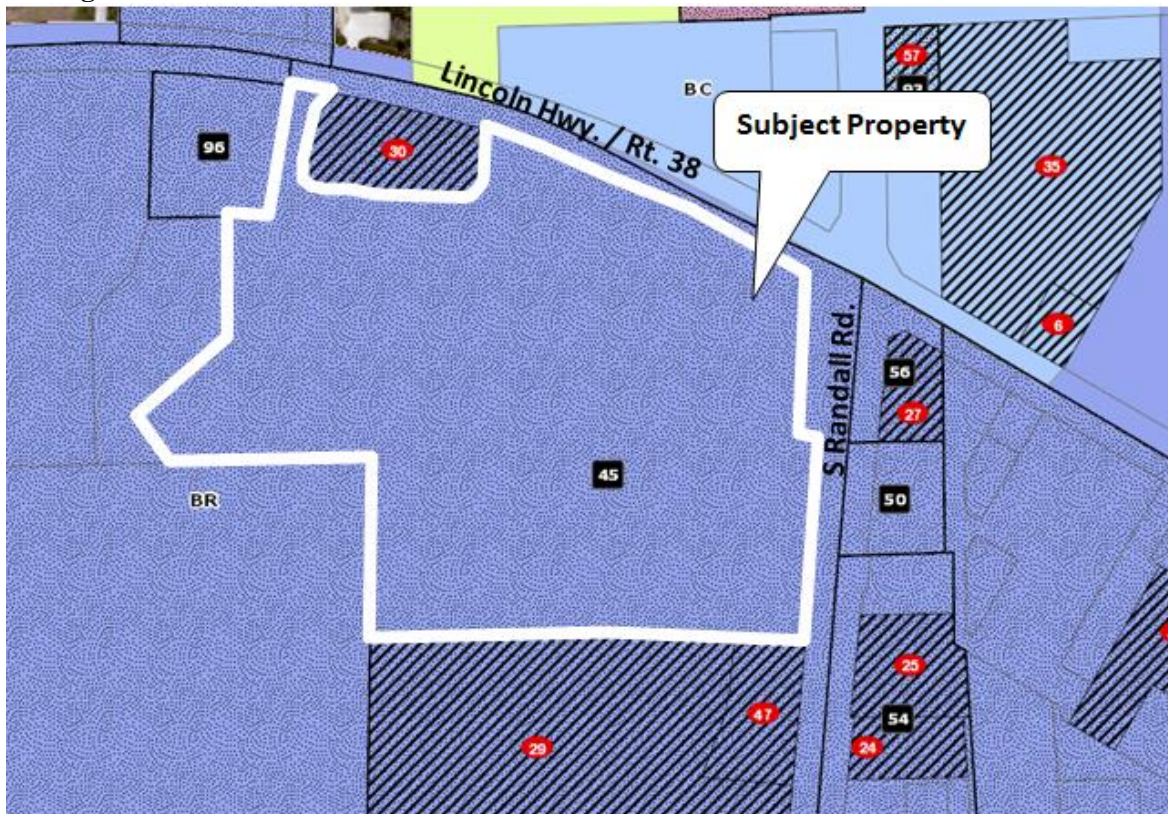
Project Name: Meijer Sign Amendment
Applicant: Callie Robertson, Anchor Sign Inc.
Purpose: To amend the permitted wall signage on the Meijer store

General Information:		
Site Information		
Location	855 S. Randall Rd.	
Acres	27.8 acres	
Applications	1) Special Use for a Planned Unit Development	
Applicable Ordinances and Zoning Code Sections	17.04 Administration Ordinance No. 1999-M-24 “An Ordinance Granting a Special Use as a Planned Unit Development (Meijer PUD)”	
Existing Conditions		
Land Use	Commercial- Meijer store	
Zoning	BR Regional Business & PUD (Meijer PUD)	
Zoning Summary		
North	BC Community Business PL Public Lands	Retail strip center, Moose Lodge, Fair Grounds
East	BR Regional Business & PUD (Randall Road Commercial PUDs)	St. Charles Episcopal Church; medical offices
South	BR Regional Business & PUD (Meijer PUD)	Lowe’s
West	BR Regional Business & PUD (Bricher Commons PUD & Metro Storage PUD)	Metro Storage facility, vacant land
Comprehensive Plan Designation		
Corridor/Regional Commercial		

Aerial



Zoning



II. BACKGROUND

The subject property is the site of the Meijer store, constructed in 2000. Development of the property was approved under Ordinance 1999-M-24 “An Ordinance Granting a Special Use as a Planned Unit Development (Meijer PUD)”.

Development standards for the Meijer PUD are provided in Exhibit III of the PUD Ordinance. Permitted signage on the property is included in the list of standards. A total of five (5) wall signs with square footages of each sign are identified for the Meijer building in the Signage Summary attached to Exhibit III.

Changes have been made to the wall signs on the Meijer building over the past several years. Some of these changes, such as replacing the large “Meijer” sign, have been permitted through the Building Division in conformance with the Meijer PUD sign standards. Other changes have occurred without a permit and do not conform to the Meijer PUD sign standards. This includes installation of a US Bank sign and a Starbucks sign.

III. PROPOSAL

Callie Robertson of Anchor Sign, Inc. has applied for a PUD amendment on behalf of Meijer in order to modify the permitted wall signage on the Meijer building to bring the existing signage into compliance. Proposed is to allow eight (8) wall signs on the building. Seven (7) signs are currently installed on the building.

Approval of the amendment would bring existing nonconforming signage into compliance, meaning that such signage would be able to be refaced. It is the applicant’s intention to reface the Starbucks sign in the near future.

IV. ANALYSIS

A. SIGN REGULATIONS

The table below lists the Meijer wall signage currently permitted per the PUD Ordinance, alongside the wall signage proposed by the applicant.

PUD Ordinance		Proposed PUD Amendment	
Sign	Sign Area (square feet)	Sign	Sign Area (square feet)
Meijer, Fresh	414 sf	Meijer	411 sf
Welcome	12 sf	Starbucks	16 sf
Pharmacy Drive-Thru (never installed)	33 sf	US Bank	27 sf
Pharmacy	33 sf	Welcome (left side)	12 sf
Garden Center	19 sf	Welcome (right side)	12 sf
		Pharmacy	16 sf
		Garden	19 sf
		Pharmacy Drive Up	44 sf
TOTAL Sign Area	511 sf	TOTAL Sign Area	557 sf

Per the PUD Ordinance, five (5) total wall signs with a total sign area of 511 sf are currently permitted on the Meijer building. Proposed is allowing eight (8) wall signs, with a total sign area of 557 sf. All signage proposed to be incorporated in the PUD amendment currently

exists on the Meijer building, except the Pharmacy Drive Up sign. The applicant wishes to have the option to add this sign in the future.

B. PUD AMENDMENT

The proposed PUD amendment would replace the list of wall signage in the Signage Summary of Exhibit III of Ordinance 1999-M-24 with the sign renderings provided by the applicant, which includes the type and size of each of the eight (8) proposed wall signs. The other signage listed on the Signage Summary regarding the Meijer monument sign and gas station signs will remain unchanged.

C. ANNEXATION AGREEMENT

Property within the Meijer PUD is subject to the provisions of an annexation agreement between the City and property owner, expiring in 2019. The annexation agreement will need to be amended to incorporate the changes to the Meijer PUD. A public hearing to consider the annexation agreement amendment will be scheduled for the City Council meeting on May 1, pending a recommendation from the Planning & Development Committee.

V. PLAN COMMISSION RECOMMENDATION

The Plan Commission held a public hearing on 4/4/17. The Commission voted 7-0 to recommend approval of the Amendment to Special Use, subject to installation of the Pharmacy Drive-Up sign only after a Pharmacy Drive-Up is constructed.

VI. ATTACHMENTS

- Application for Special Use; received 3/16/2017
- Sign Renderings; revisions dated 3/10/2017
- Excerpt from Ordinance 1999-M-24 (Exhibit III)
- Letter from neighboring property owner; dated 3/23/2017

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



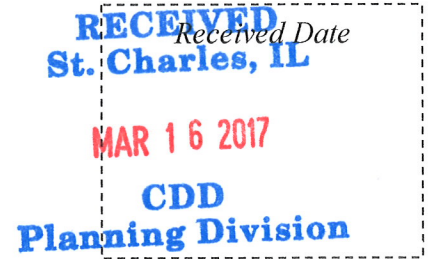
COMMUNITY & ECONOMIC DEV./PLANNING DIVISION

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

SPECIAL USE APPLICATION

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

For City Use	
Project Name:	<u>Meijer - Sign Amendment</u>
Project Number:	<u>2017 -PR- 006</u>
Application Number:	<u>2017 -AP- 013</u>



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

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

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

1. Property Information:	Location: Meijer - 855 S. Randall Rd. 60174	
	Parcel Number (s): 06-28-176-065	
	Proposed Name: Starbucks at Meijer	
2. Applicant Information:	Name Callie Robertson of Anchor Sign, Inc.	Phone 843-576-3209
	Address 2200 Discher Ave. Charleston, SC 29405	Fax 843-576-7209
		Email crobertson@anchorsign.com
3. Record Owner Information:	Name Meijer Group, Inc.	Phone 616-791-3909
	Address 2350 3 Mile Rd, NW. Grand Rapids, MI 49544	Fax
		Email matt.levitt@meijer.com

Please check the type of application:

- Special Use for Planned Unit Development - PUD Name:** _____
- New PUD
- Amendment to existing PUD- Ordinance #: 1999-M-24
- PUD Preliminary Plan filed concurrently
- Other Special Use (from list in the Zoning Ordinance):** _____
- Newly established Special Use
- Amendment to an existing Special Use Ordinance #: _____

Information Regarding Special Use:

Comprehensive Plan designation of the property: Commercial

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

What is the property's current zoning? Commercial (BR + PUD)

What is the property currently used for? Meijer - Commercial - Grocery

If the proposed Special Use is approved, what improvements or construction are planned?
Refacing and retrofitting the current Starbucks sign.

For Special Use Amendments only:

Why is the proposed change necessary?
There are currently (7) signs on the building, and the PUD only allows for (5) signs.

What are the proposed amendments? (Attach proposed language if necessary)
We would like to make all (7) current signs legal, leave the option open to install the Pharmacy Drive Thru sign which would create a total of (8), and we would like to reface the current Starbucks sign.

Note for existing buildings:

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

Attachment Checklist:

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

APPLICATION FEE:

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

REIMBURSEMENT OF FEES AGREEMENT:

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

REIMBURSEMENT OF FEES INITIAL DEPOSIT:

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

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

PROOF OF OWNERSHIP and DISCLOSURE:

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

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

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

LEGAL DESCRIPTION: For entire subject property, on 8 1/2 x 11 inch paper

PLAT OF SURVEY: *Tax parcel info

A current plat of survey for the Subject Realty showing all existing improvements on the property, prepared by a registered Illinois Professional Land Surveyor. *Wall signage

FINDINGS OF FACT:

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

LIST OF PROPERTY OWNERS WITHIN 250 FT.:

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

SOIL AND WATER CONSERVATION DISTRICT APPLICATION:

Copy of completed Land Use Opinion application as required by state law, as submitted to The Kane-Dupage Soil and Water Conservation District. <http://www.kanedupageswcd.org/>

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

ENDANGERED SPECIES REPORT:

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

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

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

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

PLANS:

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

Copies of Plans:

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

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

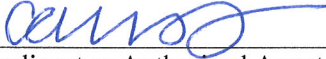
A plan or plans showing the following information:

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

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

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

SEE LETTER

Record Owner	Date
	2/17/2017
Applicant or Authorized Agent	Date



March 15, 2017

City of Saint Charles, IL
2 East Main Street
St. Charles, IL 60174

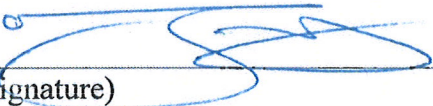
Re: Meijer
M1-182
855 S. Randall Rd.
St. Charles, IL 60174

To Whom It May Concern:

This letter enables Anchor Sign, Inc. and its representatives to be an authorized agent of the property owner, giving them permission to apply to amend the Special Use for PUD for the Bricher Commons PUD, to allow changes to the permitted signage on the property.

Thank you in advance for all your cooperation.

Sincerely,


(Signature)

ANTHONY LAPINSKI CONSTRUCTION PROJECT MANAGER
(Printed Name/Title)

CRITERIA FOR PLANNED UNIT DEVELOPMENTS (PUDs)



For Special Use for PUD or PUD Amendment applications.

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

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

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

Meijer Signage - 1999-M-24

2/17/2017

PUD Name

Date

From the St. Charles Zoning Ordinance, Section 17.04.410.3:

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

i. The proposed PUD advances one or more of the purposes of the Planned Unit Development procedure stated in Section 17.04.400.A:

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

The amendment of the existing Meijer PUD to include all (8) proposed signs, would help (1) promote a creative approach to the building design that allows users to understand fully every type of business which Meijer offers. The additional signage would also (6) encourage the redevelopment of the site to no longer be inappropriate, as it would make it legal to have all the current signs installed, as it seems that a portion of them were installed without the city's prior knowledge. Including all signage on the PUD would (7) encourage a collaborative process amongst Meijer, its neighbors, the government, and the community as it would support Meijer's economic growth within St. Charles by allowing it to advertise, in a non-distracting way, the businesses located within Meijer, including US Bank and Starbucks. It would

iii. The proposed PUD conforms with the standards applicable to Special Uses (section 17.04.330.C.2):

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

The public convenience will be found in the signage alerting customers that the Meijer contains both a Starbucks and a US Bank. It also alerts them what side of the store the Garden Center is on, and where the Pharmacy Drive-thru will be.

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

Not applicable; only changes to permitted signage.

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 Special Use will only mark the building further in a legible, yet not excessive manner. It will not diminish the use or enjoyment of other properties in the vicinity or neighborhood because it is not flashy or distracting.

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 establishment will not impede the normal or orderly development of the surrounding property because it will only effect the signage.

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

The establishment will not be detrimental the general welfare of the public as it will only effect the signage.

- 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 proposed PUD will conform to all existing regulation, just allow for an increased amount of signage.

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

The proposed PUD will be beneficial to the economic well-being of the City as it will allow customers to come to Meijer for not only groceries, which will increase business and jobs.

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

The proposed PUD conforms to the Comprehensive Plan's intent as it clearly marks the large building as to avoid confusion for its customers without being excessive in its signs.



St. Charles, IL Variance Renderings

Meijer	84 1/2" Meijer
Type:	Individual channel letters/ Remote
Illumination:	Internally Illuminated LED
Square Footage:	410.90

Starbucks	48" Starbucks Logo Disk
Type:	Wall Sign Reface / LED Retrofit
Illumination:	LED Illumination
Square Footage:	16.00

USBank	36" USBank
Type:	Pan Face
Illumination:	NON Illuminated
Square Footage:	27.00

Welcome L	18" Welcome
Type:	N/A
Illumination:	NON Illuminated
Square Footage:	12.00

Welcome R	18" Welcome
Type:	N/A
Illumination:	NON Illuminated
Square Footage:	12.00

Pharmacy	18" Pharmacy
Type:	N/A
Illumination:	NON Illuminated
Square Footage:	16.11

Garden	18" Garden
Type:	N/A
Illumination:	NON Illuminated
Square Footage:	19.28

Drive UP	23 1/4" Pharmacy Drive-up / Linear
Type:	Individual FCO Letters
Illumination:	Non-Illuminated
Square Footage:	43.88
To Grade:	Top of sign to grade = 20'-2" Bottom of sign to grade = 15'-0 1/2"



Client: Meijer
 Site #: M1-182
 Address: 855 S. Randall Rd.
 St. Charles, IL 60174
 St. Charles

REVISION INFO	02/28/2017	Original Variance Rendering	JL
	03/10/2017	Updated Pharmacy Drive Up	JL

This rendering is the property of Anchor Sign, Inc. It is for the exclusive use of Anchor Sign, Inc. and the party which requested the rendering. It is an unpublished original drawing not to be distributed, reproduced or exhibited without the consent of Anchor Sign, Inc. Please contact your account manager with questions regarding this statement.

1.800.213.3331
 2200 Discher Street, Charleston, SC 29405
 PM: Jason Henry

Meijer	84 1/2" Meijer
Type:	Individual channel letters/ Remote
Illumination:	Internally Illuminated LED
Square Footage:	410.90



Existing Full Facade of Storefront



Existing



Sign Layout Detail

Scale: 3/16" = 1'-0"

	Client: Meijer	02/28/2017	Original Variance Rendering	JL	<p>This rendering is the property of Anchor Sign, Inc. It is for the exclusive use of Anchor Sign, Inc. and the party which requested the rendering. It is an unpublished original drawing not to be distributed, reproduced or exhibited without the consent of Anchor Sign, Inc. Please contact your account manager with questions regarding this statement.</p> <p>1.800.213.3331 2200 Discher Street, Charleston, SC 29405 PM: Jason Henry</p>
	Site #: M1-182	03/10/2017	Updated Pharmacy Drive Up	JL	
	Address: 855 S. Randall Rd.				
	St. Charles, IL 60174				
	St. Charles				

Starbucks	48" Starbucks Logo Disk
Type:	Wall Sign Reface / LED Retrofit
Illumination:	LED Illumination
Square Footage:	16.00



Existing Full Facade of Storefront



Existing



Proposed Reface / LED Retrofit

Scale: N.T.S.



Reface / Retrofit Sign Layout Detail

Scale: 3/4" = 1'-0"

	Client: Meijer	02/28/2017	Original Variance Rendering	JL	This rendering is the property of Anchor Sign, Inc. It is for the exclusive use of Anchor Sign, Inc. and the party which requested the rendering. It is an unpublished original drawing not to be distributed, reproduced or exhibited without the consent of Anchor Sign, Inc. Please contact your account manager with questions regarding this statement.	
	Site #: M1-182	03/10/2017	Updated Pharmacy Drive Up	JL		
	Address: 855 S. Randall Rd.					
	St. Charles, IL 60174					
	St. Charles					
		1.800.213.3331 2200 Discher Street, Charleston, SC 29405 PM: Jason Henry				

USBank	36" USBank
Type:	Pan Face
Illumination:	NON Illuminated
Square Footage:	27.00



Existing Full Facade of Storefront



Existing



USBank Layout Detail
Scale: N.T.S

	Client: Meijer	REVISION INFO	02/28/2017	Original Variance Rendering	JL	This rendering is the property of Anchor Sign, Inc. It is for the exclusive use of Anchor Sign, Inc. and the party which requested the rendering. It is an unpublished original drawing not to be distributed, reproduced or exhibited without the consent of Anchor Sign, Inc. Please contact your account manager with questions regarding this statement.	
	Site #: M1-182		03/10/2017	Updated Pharmacy Drive Up	JL		
	Address: 855 S. Randall Rd.						
	St. Charles, IL 60174						
	St. Charles					 1.800.213.3331 2200 Discher Street, Charleston, SC 29405 PM: Jason Henry	

Welcome L	18" Welcome
Type:	N/A
Illumination:	NON Illuminated
Square Footage:	12.00



Existing Full Facade of Storefront



Existing



Welcome Left Layout Detail

Scale: N.T.S



Client:	Meijer
Site #:	M1-182
Address:	855 S. Randall Rd. St. Charles, IL 60174 St. Charles

REVISION INFO	02/28/2017	Original Variance Rendering	JL
	03/10/2017	Updated Pharmacy Drive Up	JL

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1.800.213.3331
2200 Discher Street, Charleston, SC 29405
PM, Jason Henry

Welcome R	18" Welcome
Type:	N/A
Illumination:	NON Illuminated
Square Footage:	12.00



Existing Full Facade of Storefront



Existing



Welcome Right Layout Detail

Scale: N.T.S



Client:	Meijer
Site #:	M1-182
Address:	855 S. Randall Rd. St. Charles, IL 60174 St. Charles

REVISION INFO	02/28/2017	Original Variance Rendering	JL
	03/10/2017	Updated Pharmacy Drive Up	JL

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AnchorSign
 1.800.213.3331
 2200 Discher Street, Charleston, SC 29405
 PM, Jason Henry

Pharmacy	18" Pharmacy
Type:	N/A
Illumination:	NON Illuminated
Square Footage:	16.11



Existing Full Facade of Storefront



Existing



Pharmacy Layout Detail
Scale: N.T.S



Client:	Meijer
Site #:	M1-182
Address:	855 S. Randall Rd. St. Charles, IL 60174 St. Charles

REVISION INFO	02/28/2017	Original Variance Rendering	JL
	03/10/2017	Updated Pharmacy Drive Up	JL

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AnchorSign
1.800.213.3331
2200 Discher Street, Charleston, SC 29405
PM: Jason Henry

Garden	18" Garden
Type:	N/A
Illumination:	NON Illuminated
Square Footage:	19.28



Existing Full Facade of Storefront



Existing



Garden Center Layout Detail
Scale: N.T.S



Client:	Meijer
Site #:	M1-182
Address:	855 S. Randall Rd. St. Charles, IL 60174 St. Charles

REVISION INFO	02/28/2017	Original Variance Rendering	JL
	03/10/2017	Updated Pharmacy Drive Up	JL

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1.800.213.3331
2200 Discher Street, Charleston, SC 29405
PM: Jason Henry

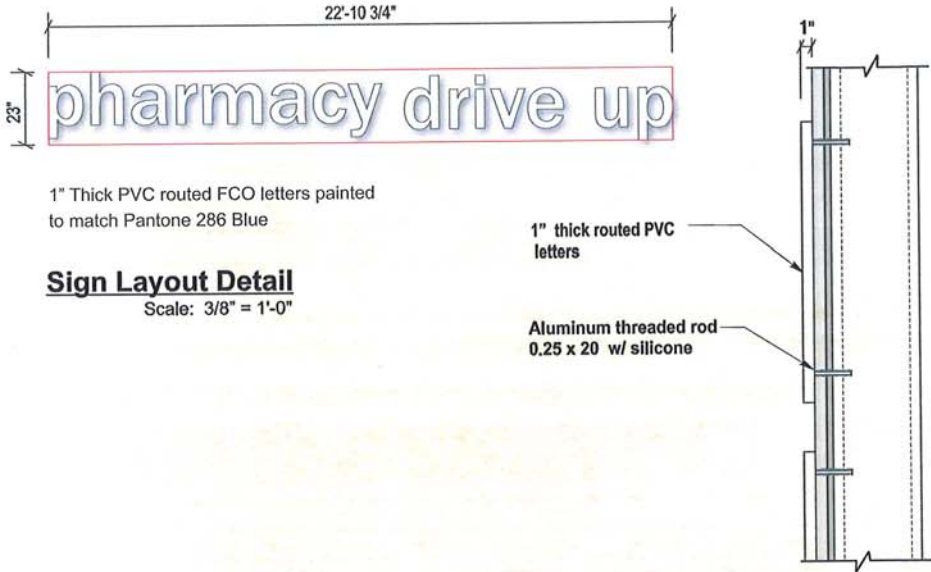
Drive UP	23 1/4" Pharmacy Drive-up / Linear
Type:	Individual FCO Letters
Illumination:	Non-Illuminated
Square Footage:	43.88
To Grade:	Top of sign to grade = 20'-2" Bottom of sign to grade = 15'-0 1/2"



Existing Full Facade of Storefront



Existing



1" Thick PVC routed FCO letters painted to match Pantone 286 Blue

Sign Layout Detail
Scale: 3/8" = 1'-0"

Section @ FCO Letters
SCALE: N.T.S.



Client:	Meijer
Site #:	M1-182
Address:	855 S. Randall Rd. St. Charles, IL 60174 St. Charles

REVISION INFO	02/28/2017	Original Variance Rendering	JL
	03/10/2017	Updated Pharmacy Drive Up	JL

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AnchorSign
1.800.213.3331
2200 Discher Street, Charleston, SC 29405
P.M. Jason Henry

EXHIBIT III

**DEVELOPMENT STANDARDS AND DESIGN CRITERIA
MEIJER PUD**

- A. Additional Permitted Uses on the Meijer Store Parcel:
 - 1. Outdoor Sales Area (as shown on the Preliminary Plan)
 - 2. Automobile Service Station (one only, as shown on the Preliminary Plan)
 - 3. Drive-in Pharmacy (as shown on the Preliminary Plan)

- B. A twenty-five foot (25') parking lot setback and a fifty foot (50') building setback shall be required from the Rt. 38/Lincoln Highway right of way.

- C. Eleven signs shall be permitted on the Meijer Store parcel, in accordance with the attached schedule.

- D. Outlots shall be generally developed in concurrence with the overall theme of the Meijer Store.

MEIJER

SIGNAGE SUMMARY

Randall Road and Lincoln Highway (SR. 38)

St. Charles, Illinois

TYPE	ID	LOGO	NO.	SQ. FT. EACH	TOTAL SQ. FT.
Wall Mounted Logo w/Fresh	GF-4	Meijer, Fresh	1	414	414
Routed Welcome	DS2000.1	Welcome	1	12	12
Routed Pharmacy Drive Thru	DS2000.2	Pharmacy Drive Thru	1	33	33
Routed Pharmacy	DS2000.3	Pharmacy	1	33	33
Routed Garden Center	DS2000.4	Garden Center	1	19	19
Total Mounted on Main Store					511
Monument Sign	GP-2	Meijer, 24 Hours	2	58	116
Total Monument					116
Gas Station Multiple Canopy Logos	GS-4.1	Meijer	3	20	60
Total Mounted on Gas Station Canopy					60
Gas Station Monument Price Cabinet w/o Logo	GS-5	Type of Gas/Price	1	69	69
Total Free Standing					69
Total Sign Area					756 sq.ft.



March 23, 2017

Ms. Rita Tungare
City of St. Charles
Director of Community & Economic Development
Two East Main St
St Charles, IL 60174

Re: Meijer Store – 855 S. Randall Rd. - Amendment to Special Use for Planned Unit Development

Dear Ms. Tungare,

Metro Storage supports Meijer's proposed amendment to their existing special use planned development for additional wall signs. Based on their building's location, size, access, and sight lines we agree with the request.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. Heilman", with a long, sweeping underline.

Robert Heilman
VP of Development
Registered Architect

**AGENDA ITEM EXECUTIVE SUMMARY**

Agenda Item number: 3d

Title:

Plan Commission recommendation to approve a General Amendment to Title 17 of the St. Charles Municipal Code (Zoning Ordinance) pertaining to yard encroachments for pergolas and sports courts.

Presenter:

Ellen Johnson

Meeting: Planning & Development Committee

Date: April 10, 2017

Proposed Cost: N/A

Budgeted Amount: N/A

Not Budgeted: **Executive Summary** *(if not budgeted please explain):*

Staff is proposing a General Amendment to the Zoning Ordinance regarding the following topics:

1. Pergola encroachment and definition of “Pergola” and “Gazebo”: Permit pergolas up to 3 ft. from the side property line in the RT and CBD-2 zoning districts.
2. Sports Court encroachment and definition of “Sports Court”: Change tennis courts to sports courts on the table of permitted yard encroachments to clarify location restrictions for sports courts.

The proposed changes are in regards to Table 17.22-3 “Permitted Encroachments”, which lists where structures can be placed within the required yard setbacks.

Plan Commission Review

Plan Commission held a public hearing on 4/4/17. The Commission voted 7-0 to recommend approval of the General Amendment, with a condition that the following additional provision be added for pergolas:

1. A pergola directly adjacent to a principal structure shall be permitted to encroach up to 8 ft. into the required front and exterior side yards in the RT Traditional Residential zoning districts, similar to the provisions for an unenclosed front porch.

Attachments *(please list):*

Plan Commission Resolution, Staff Report, General Amendment Application

Recommendation/Suggested Action *(briefly explain):*

Plan Commission recommendation to approve a General Amendment to Title 17 of the St. Charles Municipal Code (Zoning Ordinance) pertaining to yard encroachments for pergolas and sports courts.

City of St. Charles, Illinois
Plan Commission Resolution No. 8-2017

A Resolution Recommending Approval of a General Amendment to Ch. 17.22 “General Provisions”, Section 17.22.030 “Permitted Encroachments” and Ch. 17.30 “Definitions”, Section 17.30.030 “General Definitions” (yard encroachments for pergolas and sports courts).

Passed by Plan Commission on April 4, 2017

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

WHEREAS, the Plan Commission held a public hearing and has reviewed the petition for a General Amendment to Ch. 17.22 “General Provisions”, Section 17.22.030 “Permitted Encroachments” and Ch. 17.30 “Definitions”, Section 17.30.030 “General Definitions” (yard encroachments for pergolas and sports courts); and

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

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

Residential Areas Goal 1 is to, “Maintain the City’s image and desirability as a great place to live by preserving and enhancing the diversity, quality, character, safety, affordability, and appeal of residential neighborhood” (p. 22). The proposed amendment supports this goal by modifying and clarifying setback requirements which will help to maintain and preserve the desirability of residential neighborhoods.

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

The proposed amendment supports the following purpose statements listed in Ch. 17.02 of the Zoning Ordinance:

- Promoting the public health, safety, comfort, convenience and general welfare.
- Protecting the character of established residential neighborhoods.

3. Whether the proposed amendment corrects an error or omission, adds clarification to existing requirements, is more workable than the existing text, or reflects a change in policy,

The proposed amendment regarding pergolas reflects a change in policy to allow pergolas within the interior side yard in the RT Traditional Residential zoning districts, up to 3 ft. from the property line. Currently, pergolas are not permitted in the interior side yard.

The proposed amendment regarding sports courts adds clarification to existing requirements, as the ordinance currently addresses only tennis courts.

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

The proposed amendment regarding pergolas will provide homeowners in the Traditional Residential neighborhoods more flexibility in the use of their yards.

The proposed amendment regarding sports courts adds clarification to the requirements, making the City's expectations clear for both staff and the general public, which will allow for more consistent interpretation of the requirements for all types of sports course.

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

The proposed amendment regarding pergolas will not create nonconformities, as the proposal will create less rigorous requirements than currently exist.

The proposed amendment regarding sports course may cause a small number of existing sports courts to be nonconforming since regulations previously were unclear for sports courts other than tennis courts. However, such sports courts will not be required to come into conformance with the new requirements, per the authority to continue granted in Ch. 17.08 "Nonconformities".

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

The proposed amendment regarding pergolas will apply to all property within the RT Traditional Residential zoning districts.

The proposed amendment regarding sports courts will apply to all property in the City.

NOW, THEREFORE, be it resolved by the St. Charles Plan Commission to recommend to City Council approval of a General Amendment to Ch. 17.22 "General Provisions", Section 17.22.030 "Permitted Encroachments" and Ch. 17.30 "Definitions", Section 17.30.030 "General Definitions" (yard encroachments for pergolas and sports courts), subject to also permitting pergolas that are directly adjacent to the principal structure to encroach up to 8 ft. into the front and exterior side yards in the RT Traditional Residential zoning districts.

Roll Call Vote:

Ayes: Holderfield, Schuetz, Frio, Kessler, Macklin-Purdy, Pretz, Vargulich

Nays:

Abstain:

Resolution 8-2017
Page 3

Absent: Wallace, Funke
Motion Carried: 7-0

PASSED, this 4th day of April 2017.

Chairman
St. Charles Plan Commission

Community & Economic Development
Planning Division

Phone: (630) 377-4443

Fax: (630) 377-4062



STAFF MEMO

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

FROM: Ellen Johnson, Planner

RE: Application for a General Amendment to Title 17 of the City Code (Zoning Ordinance) regarding yard encroachments for Pergolas and Sports Courts.

DATE: April 7, 2017

I. GENERAL INFORMATION

Project Name: General Amendment – Yard Encroachments
Applicant: City of St. Charles
Purpose: Modify and clarify yard encroachments for Pergolas and Sports Courts

II. BACKGROUND

Proposed is a General Amendment addressing two issues with provisions of the Zoning Ordinance observed by staff:

1. Pergola encroachment and definition of “Pergola” and “Gazebo”.
2. Sports Court encroachment and definition of “Sports Court”.

The proposed changes are in regards to Table 17.22-3 “Permitted Encroachments” (see attached). This table lists various accessory structures, building projections, recreational and mechanical equipment, and other elements on a property other than the primary structure, and identifies the extent to which each type of structure/projection/etc. can be located within the required yard setbacks.

III. ANALYSIS & PROPOSAL

1. Pergola encroachment and definition of “Pergola” and “Gazebo”:

Proposal:

- a. Ch. 17.22 “General Provisions”, Table 17.22-3 “Permitted Encroachments”. Separate “Pergola” from “Gazebo” on the table. Add encroachment information for Pergola:

Type	Front Yards, Ext. Side Yards, Rear Yards of Through Lots	Interior Side Yards	Rear Yards	Landscape Buffer Yards
Pergola	NP	P, 3 ft. from lot line in RT and CBD-2 districts; NP in other districts	P, 3 ft. from lot line	P

- b. Ch. 17.30 “Definitions”, Section 17.30.030 “General Definitions”: Add definition of “Pergola”:
***Pergola.** An open-sided structure consisting of parallel colonnades supporting an open roof of girders and cross rafters.*
- c. Ch. 17.30 “Definitions”, Section 17.30.030 “General Definitions”: Add definition of “Gazebo”:
***Gazebo.** A freestanding roofed structure that may or may not be open on all sides.*

Explanation: Currently, gazebos and pergolas are grouped together in the table of permitted yard encroachments. Neither type of structure is permitted to encroach into the required front, exterior side, or interior side yard. Both structures are permitted in the rear yard, up to 3 ft. from the rear lot line.

The proposed amendment separates pergolas from gazebos in the table of permitted yard encroachments. The same yard requirements will remain from gazebos. However, pergolas will be permitted within the interior side yard, up to 3 ft. from the lot line, only in the RT and CBD-2 zoning districts.

Also proposed are definitions of pergola and gazebo, as these types of structures are currently undefined in the Zoning Ordinance.

Over the past several months, staff has encountered situations where property owners want to build a pergola in their side yard, but are not able to do so because of the side yard setback requirement and the location of the house on the lot. This has occurred particularly in the RT Traditional Residential zoning districts, which comprise the City’s older residential neighborhoods, generally surrounding downtown. Properties within the RT districts are generally characterized by smaller, narrower lots than properties within the RS Suburban Residential districts. The RS districts comprise single-family subdivisions generally constructed after 1960.

Encroachment provisions for certain types of structures are different for the RT districts than other zoning districts due to the smaller lots and more compact pattern of development in these areas. For example, in the RT districts only, detached garages are permitted within the front and exterior side yards, up to 15 ft. from the property line. Also, patios are permitted in any yard with no limitation. In addition, stoops are allowed to encroach into the front or exterior side yard from a structure with a nonconforming setback.

Further, due to the small, narrow lots in the RT districts, side yards are generally utilized to a greater extent than in the RS districts. It is common for detached garages and driveways to be located within the side yards, as well as sheds, fences, patios, and other structures.

2. Sports Court encroachment and definition of “Sports Court”:

Proposal:

- a. Ch. 17.22 “General Provisions”, Table 17.22-3 “Permitted Encroachments”. Change “Tennis Courts” to “Sports Courts”, retaining the same encroachment information as currently exists for Tennis Courts:

Type	Front Yards, Ext. Side Yards, Rear Yards of Through Lots	Interior Side Yards	Rear Yards	Landscape Buffer Yards
Sports Court, excluding those located on park/playground or school sites	NP	NP	P, 10 ft. from lot line	NP

- b. Ch. 17.30 “Definitions”, Section 17.30.030 “General Definitions”: Add definition of “Sports Court”:

Sports Court. *A hardscape area used for recreational purposes, including, but not limited to, tennis courts, basketball courts, racquetball courts, and ice rinks. This definitional shall not include swimming pools or driveways used for access to a garage.*

Explanation: The table of permitted yard encroachments currently lists Tennis Courts and specifies the extent to which they can encroach into the yard setbacks. Other types of sports court such as basketball courts and ice rinks are not included in the table, making it unclear as to where these structures are permitted within a yard. The proposed amendment changes Tennis Court to Sports Court and retains the same encroachment information as exists for Tennis Courts.

This winter, the City received a complaint from a resident whose neighbor constructed an ice rink within their front yard. Because ice rinks are not addressed in the Zoning Ordinance, staff did not have definitive information to provide to the resident regarding regulations for the location of ice rinks. The proposed amendment clarifies the location restrictions for such improvements.

IV. PLAN COMMISSION RECOMMENDATION

The Plan Commission held a public hearing on the General Amendment on 4/4/17 and voted 7-0 to recommend approval, with a condition that the following additional provision be added for pergolas:

1. A pergola directly adjacent to a principal structure shall be permitted to encroach up to 8 ft. into the required front and exterior side yards in the RT Traditional Residential zoning districts, similar to the provisions for an unenclosed front porch.

V. ATTACHMENTS

- Application for General Amendment, filed by staff on 2/22/17
- Table 17.22-3 “Permitted Encroachments”

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



COMMUNITY & ECONOMIC DEV./PLANNING DIVISION

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

GENERAL AMENDMENT APPLICATION

CITYVIEW	
Project Name:	GA- Yard Encroachments
Project Number:	2017 -PR- 005
Application Number:	2017 -AP- 008



Instructions:

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

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

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

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

Attachment Checklist

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

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

□ **WORDING OF THE REQUESTED TEXT AMENDMENT**

What is the amendment regarding?

Yard encroachments for pergolas and sports courts.

What sections are proposed for amendment?

Chapters(s): 17.22; 17.30

Section(s): 17.22.030; 17.30.030

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

See attached.

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

Ellen Johnson
Applicant

2/22/17
Date

Ch. 17.22 “General Provisions”, Section 17.22.030 “Permitted Encroachments”, Table 17.22-3 “Permitted Encroachments”

Separate Gazebos and Pergolas:

Type	Front Yards, Ext. Side Yards, Rear Yards of Through Lots	Interior Side Yards	Rear Yards	Landscape Buffer Yards
Pergola	NP	P, 3 ft. from lot line in RT and CBD-2 districts; NP in other districts	P, 3 ft. from lot line	P

Type	Front Yards, Ext. Side Yards, Rear Yards of Through Lots	Interior Side Yards	Rear Yards	Landscape Buffer Yards
Gazebo <i>(Existing)</i>	NP	NP	P, 3 ft. from lot line	P

Change Tennis Courts to Sports Courts:

Type	Front Yards, Ext. Side Yards, Rear Yards of Through Lots	Interior Side Yards	Rear Yards	Landscape Buffer Yards
Sports Court, excluding those located on park/playground or school sites	NP	NP	P, 10 ft. from lot line	NP

Ch. 17.30 “Definitions”, Section 17.30.030 “General Definitions”

Add definition of Gazebo:

Gazebo. A freestanding roofed structure that may or may not be open on all sides.

Add definition of Pergola:

Pergola. An open-sided structure consisting of parallel colonnades supporting an open roof of girders and cross rafters.

Add definition of Sports Court:

Sports Court. A hardscape area used for recreational purposes, including, but not limited to, tennis courts, basketball courts, racquetball courts, and ice rinks. This definitional shall not include swimming pools or driveways used for access to a garage.

FINDINGS OF FACT – GENERAL AMENDMENT



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

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

See attached.

Amendment Description/Ordinance Section Number _____
Date

From the Charles Zoning Ordinance, Section 17.04.320.C:

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

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

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

3. Whether the proposed amendment corrects an error or omission, adds clarification to existing requirements, is more workable than the existing text, or reflects a change in policy.

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

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

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

Findings of Fact

1. The Consistency of the proposed amendment with the City's Comprehensive Plan.

Residential Areas Goal 1 is to, "Maintain the City's image and desirability as a great place to live by preserving and enhancing the diversity, quality, character, safety, affordability, and appeal of residential neighborhood" (p. 22). The proposed amendment supports this goal by modifying and clarifying setback requirements which will help to maintain and preserve the desirability of residential neighborhoods.

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

The proposed amendment supports the following purpose statements listed in Ch. 17.02 of the Zoning Ordinance:

- Promoting the public health, safety, comfort, convenience and general welfare.
- Protecting the character of established residential neighborhoods.

3. Whether the proposed amendment corrects an error or omission, adds clarification to existing requirements, is more workable than the existing text, or reflects a change in policy.

The proposed amendment regarding pergolas reflects a change in policy to allow pergolas within the interior side yard in the RT Traditional Residential zoning districts, up to 3 ft. from the property line. Currently, pergolas are not permitted in the interior side yard.

The proposed amendment regarding sports courts adds clarification to existing requirements, as the ordinance currently addresses only tennis courts.

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

The proposed amendment regarding pergolas will provide homeowners in the Traditional Residential neighborhoods more flexibility in the use of their yards.

The proposed amendment regarding sports courts adds clarification to the requirements, making the City's expectations clear for both staff and the general public, which will allow for more consistent interpretation of the requirements for all types of sports course.

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

The proposed amendment regarding pergolas will not create nonconformities, as the proposal will create less rigorous requirements than currently exist.

The proposed amendment regarding sports course may cause a small number of existing sports courts to be nonconforming since regulations previously were unclear for sports courts other than tennis courts. However, such sports courts will not be required to come into conformance with the new requirements, per the authority to continue granted in Ch. 17.08 "Nonconformities".

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

The proposed amendment regarding pergolas will apply to all property within the RT Traditional Residential zoning districts.

The proposed amendment regarding sports courts will apply to all property in the City.

17.22.030 – Permitted encroachments

Encroachments into required yards shall be permitted as provided in Table 17.22-3 (Permitted Encroachments), subject to the specific limitations applicable to the particular encroachment described.

TABLE 17.22-3				
PERMITTED ENCROACHMENTS				
P= Permitted NP= Not permitted;				
Where a dimension is given, it indicates the maximum projection into the required yard unless otherwise specified				
No permitted encroachments are allowed in the sight triangle as described in Section 17.22.010 E				
Type of Structure or Use Encroachment	Required Yards			
	Front Yards, Exterior Side Yards And Rear Yards of Through Lots	Interior Side Yards	Rear Yards	Landscape Buffer Yards
Accessibility Ramps	P	P	P	P
Air Conditioner Window Units	P, 18 inches	P, 18 inches	P, 18 inches	P, 18 inches
Arbors and Trellises	P	NP	P	P
Balconies	P, 30 inches	P, 30 inches	P, 30 inches	P, 30 inches
Basketball standards and backboards	P	P	P	NP
Bay Windows no more than 1 story in height and occupying no more than 33% of the exterior length of the wall	P, 30 inches	P, 30 inches	P, 30 inches	P, 30 inches
Canopies accessory to gas stations, drive- through restaurants, drive-through banks, etc.	P but must comply with yard requirements for parking facilities	P but must comply with yard requirements for parking facilities	P but must comply with yard requirements for parking facilities	NP
Cantilever	NP	NP	NP	NP

17.22.030 – Permitted encroachments

Chimneys	P, 30 inches	P, 30 inches	P, 30 inches	P, 30 inches
Compost Piles, Firewood Storage, Refuse and Recycling Receptacles (except when temporarily placed near the street for collection)	NP	NP	P	NP
Decks/Raised Patios	NP	P, min. 3 ft. from lot line	P, min. 3 ft. from lot lines	NP
Dog houses and dog runs	NP	NP	P	NP
Eaves, including gutters	P, 30 inches	P, 30 inches	P, 30 inches	P, 30 inches
Fences	P, except per 17.22.	P	P	P
Fire Escapes (Open)	NP	P	P	P
Flag Poles	P	P	P	P
Garages, Detached (RT Districts)	P in exterior side yard in RT-2, RT-3, & RT-4, but shall be min. 15 ft. from right of way	P, min. 3 ft. from lot line	P, min. 5 ft. from rear lot line w/o alley, min. 3 ft. from side lot line and from alley	NP
Garages, Detached (other than RT Districts)	NP	P, min. 3 ft from lot line	P, min. 5 ft from rear lot line w/o alley, min. 3 ft from side lot line and from alley	NP
Gazebos and Pergolas	NP	NP	P, min. 3 ft. from lot lines	P
Hot Tubs	NP	P, min. 3 ft. from lot line	P, min. 3 ft. from lot lines	NP

17.22.030 – Permitted encroachments

Landscape plantings, ornamental lighting, and benches, statues, bird baths, sculptures, and similar decorative fixtures	P	P	P	P
Laundry Drying Equipment (clotheslines and poles)	NP	P	P	NP
Marquees, Awnings and Canopies	P, maximum 30 inches	P, maximum 30 inches	P, maximum 30 inches	NP
Ground mounted mechanical equipment units, including central air conditioning, heating, ventilating, compressors, pool and filtering equipment	NP/P ₁	P, min.5 ft. from lot line	P, min. 5 ft. from lot lines	NP
Non-commercial wireless antennas (amateur radio)	NP	NP	P, min. 3 ft. from lot lines	NP
Outdoor Fireplaces	NP	NP	P, min. 3 ft. from lot lines	NP
Parking lots, surface, drive-thru lanes, and access aisles	See Chapter 17.24, Off-Street Parking, Loading and Access	See Chapter 17.24, Off-Street Parking, Loading and Access	See Chapter 17.24, Off-Street Parking, Loading and Access	NP
Patio, at Grade	P, maximum 8 ft. encroachment; P in RT districts	P, 3 ft. from lot line; P in RT districts	P, 3 ft. from lot line; P in RT districts	NP
Playground and recreational equipment	NP	NP	P, min. 3 ft from lot lines	NP

17.22.030 – Permitted encroachments

and play houses accessory to residential uses, except basketball standards and backboards				
Porches, Enclosed (including screened-in porches)	NP	NP	NP	NP
Porches, Unenclosed	P, maximum 8 ft. encroachment	NP	P, maximum 8 ft. encroachment	NP
Refuse enclosure (subject to standards for Fences and Walls and per 17.26.120)	NP	P, 3 ft from lot lines	P 3 ft from lot lines	NP
Satellite Dish Antenna, Small	NP/P1	NP/P1	P	NP/P1
Satellite Dish Antenna, Large	NP	NP	P, 5ft from lot lines	NP
Sheds and Private Greenhouses	NP	P, min. 3 ft. from lot line	P, min. 3 ft. from lot lines	NP
Sidewalks and walkways	P	P	P	P
Signs, subject to Chapter 17.28, Signs	P	P	P	NP
Stairways and Steps, 4ft. high or less, extending not more than 30 inches into the required yard or, if there is a front porch, 30 inches from the porch	P	P	P	P
Stoop	P, maximum 8 ft. encroachment; In RT Districts, maximum 4 ft. encroachment from a structure that has a nonconforming front yard or exterior side yard setback.	P, minimum as required by building code	P, 3 ft. from lot line	NP

17.22.030 – Permitted encroachments

Swimming Pools, subject to Chapter 15.36, Swimming Pools, of the St. Charles Municipal Code	NP	NP	P, subject to Chapter 15.36, of the City Code, "Swimming Pools"	NP
Tennis Courts, excluding those located on park/playground or school sites	NP	NP	P, min. 10 feet from lot lines	NP
Transformers, switchgear, and other utility installations	P	P	P	P

1 Where it is impractical to locate mechanical equipment within the interior side or rear yard of a single family or two family dwelling, the Building Commissioner may approve an alternative location in the yards indicated, provided the mechanical equipment is screened from view from adjoining property and public streets in accordance with Section 17.26.120.

1 Where a Small Satellite Dish Antenna cannot receive a clear signal within the yard and setback requirements of the zoning district or the rear yard, the dish may be located in an alternative location in the yards indicated in compliance with Section 17.22.020 Communication Antennas.

([2016-Z-11](#) [1]: § 6-11; [2008-Z-24](#) [2]: § 14; [2008-Z-20](#) [3]: § 3; [2002-Z-24](#) [4]: § 1; [2002-Z-14](#) [5]: § 1; [2002-Z-9](#) [6]: § 4; [1994-Z-9](#) [7]: § 1; [1993-Z-15](#) [8]: § 1 & 2; [1988-Z-21](#) [9]: § 1; [1983-Z-6](#) [10]: § 1; [1983-Z-3](#) [11]: § 1; [1979-Z-7](#) [12]: § 1; [1963-12](#) [13]: §§ 1,2,3; [1960-16](#) [14]: § IV (K); [1960-16](#) [14]: § IV(J))