



PLAN COMMISSION AGENDA ITEM EXECUTIVE SUMMARY

Project Title/Address:	Firethorne Apartments Access Drive – 1320-1370 Brook St.		
City Staff:	Ellen Johnson, Planner Russell Colby, Planning Division Manager		
PUBLIC HEARING 11/18/14	X	MEETING 11/18/14	X

APPLICATION: Special Use for PUD (PUD Amendment)

ATTACHMENTS AND SUPPORTING DOCUMENTS:

Staff Report	Staff Review Comments & Photos
Special Use Application, received 10/8/14	Traffic Impact Memo, received 11/6/14
PUD Ordinance 1987-Z-4	

SUMMARY:

The subject property is a six-building, 72-unit apartment complex located east of N. 15th St. between Dean St. and Main St. The property was developed under the Firethorne PUD, ordinance 1987-Z-4. Under this ordinance, the only vehicular access to the property for residents is from Brook St., via 15th St. Access to the property from Dean St. is limited to emergency vehicle and pedestrian use.

The applicant, Firethorne Apartments, LLC, is seeking approval of an amendment to the PUD ordinance to allow a paved vehicular access drive to Dean Street for both resident and emergency vehicle use. The proposed access drive runs north from the northern portion of the complex’s parking lot to Dean Street.

The applicant has also applied for a Minor Change to PUD Preliminary Plan for the physical changes to the site. The Minor Change will be reviewed by the Planning & Development Committee and does not involve a public hearing.

SUGGESTED ACTION:

Conduct the public hearing and close if all testimony has been taken.

Staff has placed this item on the meeting portion of the agenda for a vote should the Plan Commission feel that they have enough information to make a recommendation.

Staff has found the application materials to be complete. Upon resolution of outstanding staff comments, the proposal has the ability to meet City Code requirements.

INFO / PROCEDURE – SPECIAL USE FOR PUD APPLICATIONS:

- Per **Sec. 17.04.400**, PUDs are intended to: “Accommodate projects that incorporate a single use or mix of uses, which are planned and developed, or redeveloped, as a unit. PUD review encompasses zoning regulations for development of private facilities as well as subdivision and other land development regulations for development of public facilities. Therefore, the standards to be considered in reviewing PUD’s have a wider scope than for other types of applications. PUD’s should provide amenities not otherwise required, and the PUD process should not be employed solely as a means of intensifying the use of the land.”
- Public hearing is required, with a mailed notice to surrounding property owners.
- 1 finding of fact for Special Use for PUD, with criteria to consider – The finding (*Is the PUD in the public interest?*) must be in the affirmative to recommend approval. The criteria to consider need not be all in the affirmative to recommend approval.

Community & Economic Development
 Planning Division

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



STAFF MEMO

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

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

RE: Amendment to Special Use for Planned Unit Development – Firethorne Apartments (1320-1370 Brook St.)

DATE: November 18, 2014

I. APPLICATION INFORMATION:

Project Name: Firethorne Apartments – Access drive

Applicant: Firethorne Apartments, LLC

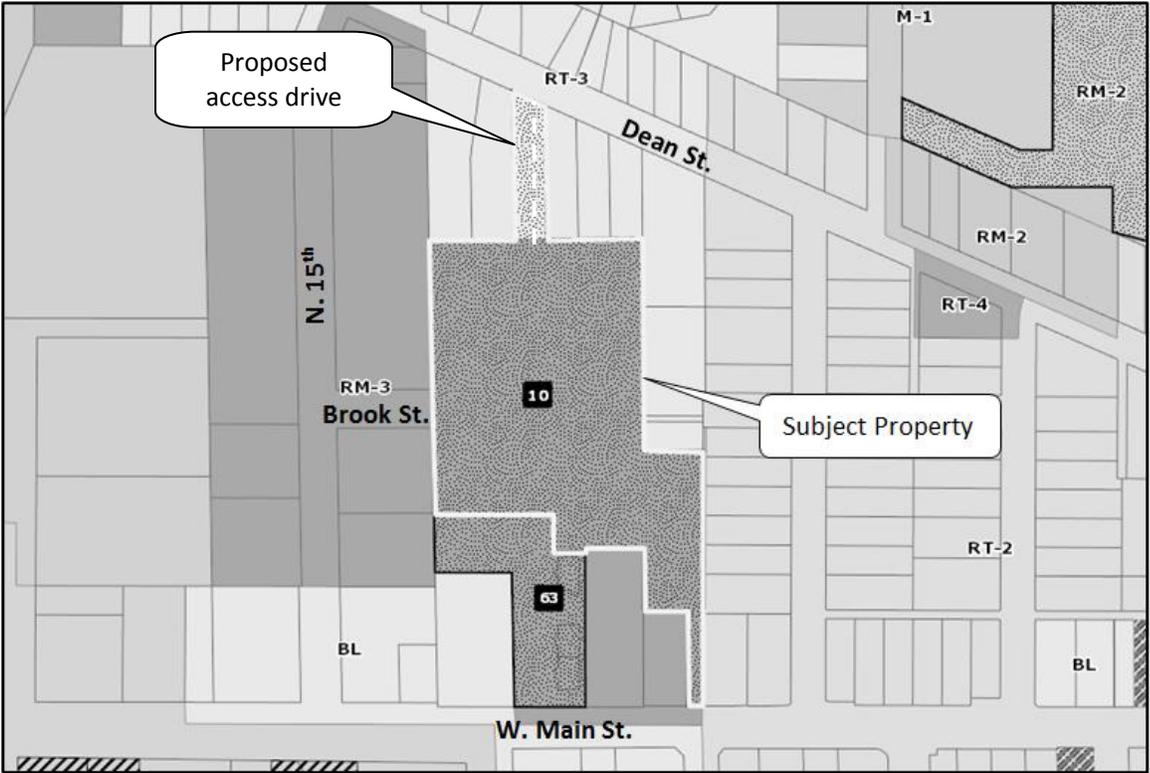
Purpose: Review Special Use application requesting an amendment to the Firethorne Apartments PUD to permit a paved vehicular access drive from the existing apartment complex to Dean St.

General Information:		
Site Information		
Location	1320-1370 Brook St.	
Acres	5.2 acres	
Applications	1) Special Use for Planned Unit Development	
Applicable Ordinances and Zoning Code Sections	17.04 Administration 17.12 Residential Districts 17.26 Landscaping and Screening Ordinance No. 1987-Z-4	
Existing Conditions		
Land Use	Multi-family residential – six buildings, 72 units	
Zoning	RM-3 General Residential, RT-3 Traditional Single-Family Residential, and Planned Unit Development	
Zoning Summary		
North	RT-3 Traditional Single-Family Residential	Single-family homes
East	RT-3 & RT-2 Traditional Single-Family Residential	Single-family homes
South	RM-3 General Residential & Planned Unit Development	Apartments buildings
West	RM-3 General Residential	Apartment buildings
Comprehensive Plan Designation		
Multi-Family Residential		

Aerial Photo



Surrounding Zoning



II. BACKGROUND

Property History

Development of the subject property was approved under the Firethorne Apartments PUD, Ordinance No. 1987-Z-4. The six-building, 72-unit apartment complex approved under this ordinance was constructed in 1989. Per the ordinance, the only paved vehicular access to the property for residents is from Brook St. Access to the property from Dean St. is limited to emergency vehicles and pedestrian use.

Emergency Access

The St. Charles Fire Department has been in contact with the property owner, Firethorne Apartments, LLC, over the past several months regarding access to the apartment complex from Dean St. Per the PUD Preliminary Plan approved under Ordinance No. 1987-Z-4, a gravel drive was to be constructed from the complex to Dean St. in order to provide a secondary means of access for emergency vehicles. Aerial imagery from 1990 depicts this gravel drive. However, the drive was either removed or grass has covered the gravel due to lack of maintenance and/or use. The Fire Department requested Firethorne reinstall the gravel drive. (*See Fire Department memo for more background*). The City issued a Notice of Zoning Violation to the property owner regarding the emergency access drive on 10/3/14.

Proposal

Rather than installing the gravel drive from the apartment complex to Dean St. for emergency access only, Firethorne Apartments, LLC, applicant and owner, is proposing to amend the PUD ordinance to permit a paved vehicular access drive in the same location. Currently, residents are limited to vehicular access from the site's Brook St. entrance, just east of N. 15th St. Details of the proposal are as follows:

- Amend Section 2.H of Ordinance No. 1987-Z-4 by removing language limiting the vehicular access to Dean Street as emergency and pedestrian access only.
- The proposed amendment would permit an additional paved access drive to the complex from Dean St. The area proposed for the drive is currently mowed grass.

The applicant has also applied for a Minor Change to PUD for the physical addition of the paved access drive. The Minor Change will be reviewed by the Planning & Development Committee and does not involve a public hearing.

III. STAFF ANALYSIS

A. PUD AMENDMENT LANGUAGE

Currently, Section 2.H of Ordinance No. 1987-Z-4 states:

H. Limitations on Access- There shall be no vehicular access to the Subject Realty from West Main Street, and access to the Subject Realty from Dean Street shall be limited to emergency and pedestrian access only.

The proposed amended language of Section 2.H of Ordinance No. 1987-Z-4 is as follows:

H. Limitations on Access- There shall be no vehicular access to the Subject Realty from West Main Street.

B. TRAFFIC IMPACTS

The applicant has submitted a memo authored by engineering firm CEMCON, Ltd., which provides information regarding trip generation and sight distance from the proposed access drive. The primary findings are as follows:

- Approx. 192 vehicles per day are anticipated to utilize the proposed access drive onto Dean St.
 - The apartment complex is estimated to generate about 479 trips per. 60% of these vehicles are expected to use the current entrance off of 15th St. and 40% are expected to use the proposed new entrance on Dean St., based on IDOT traffic count data.
- There will be no significant obstructions to the line of sight for drivers exiting the apartment complex onto Dean St.

Staff Comments

- The City does not require traffic-related signage on private access drives. However, the Commission may wish to consider placing conditions upon a recommendation for approval related to such signage, for example installation of a stop sign for cars exiting the drive onto Dean St.

C. LANDSCAPING

Per **Section 17.12.030 Bulk Regulations**, where a property within the RM-3 Zoning District abuts or is across a street from property in any RE, RS, or RT Zoning District, a 30 ft. landscape buffer yard is required to provide screening between the uses.

Most of the subject property is zoned RM-3 and the parcel abuts property within RT Districts to the north and east. However, the portion of the subject property on which the proposed access drive is to be constructed is zoned RT-3. Landscape buffering is not required for RT zoned properties. Thus per the Zoning Ordinance, the applicant is not required to provide a landscape buffer along the proposed access drive.

However, the landscape plan approved under the PUD ordinance includes landscaping along the gravel access drive to Dean St. A total of nine (9) shade trees and an unspecified number of deciduous shrubs were to be planted on either side of the drive. There are a few existing trees in the vicinity, but the amount of plantings depicted on the landscape plan either no longer exist or were never planted.

Staff Comments

- The Plan Commission may consider placing a condition upon a recommendation for approval that landscape buffering be provided along the proposed access drive due to the fact that the drive will be utilized as a primary access point for an RM-3 zoned property and is adjacent to RT-3 zoned property on three sides, and because landscaping was supposed to have been installed per the PUD ordinance.
 - Since the landscape plan from the PUD ordinance did not specify the number and size of plantings, the Plan Commission may wish to require a revised landscape plan for the subject portion of the property in accordance with the requirements of **Section 17.26.070 Landscape Buffers**.

IV. SUGGESTED ACTION

Conduct the public hearing on the Special Use and close if all the testimony has been taken.

Staff has placed this item on the meeting portion of the agenda for a vote should the Plan Commission feel that they have enough information to make a recommendation. The applicant has provided findings of fact in support of their proposal as part of the Special Use application.

Staff has found the application materials to be complete. Upon resolution of outstanding staff comments, the proposal has the ability to meet City Code requirements.

V. ATTACHMENTS

- Design Review Comments: Fire Department, Development Engineering, Electric Utility
- Photos of proposed access drive location; taken by staff 9/29/14
- Application for a Special Use; received 10/8/14 (includes findings of fact, site plan, and traffic impact memo)
- Ordinance No. 1987-Z-4



Memo

Date: 10/30/2014
To: Ellen Johnson
From: Lt. Brian Byrne
Project: 2014PR019 -Firethorne Apartments
Application Number: 2014AP034

Site Plan-Review

The Fire Department approves the new access from Dean St. as drawn.

The following is some background information on the project:

This past spring 2014 or fall 2013 (not sure of the exact date) the City public works department repaved the section of Brook St. between N. 5th St. and the Firethorne Apartments and during that time we had difficulty accessing the site for emergency calls. The research into secondary access then ensued; we discovered the language in the PUD that required the secondary access off Dean St. We then started the conversation about this secondary access with the manager of the property and sent a subsequent letter on June 4th asking that this gravel emergency access road be restored by July 7, 2014. From previous years aerial photos you could see that the road once existed. During that time frame the management was also trying to solve their own parking and access issues, parking on Brook St. that can sometimes limit access for their own tenants. They felt that additional access would be desirable for them as well, not only for use for emergency vehicles. In conclusion, their management and ownership felt that since they were required to re-establish the emergency access, they would approach the City for an additional full access drive off Dean St. in addition to the current access off Brook St..

**Community & Economic Development
Development Engineering Division**

Phone: (630) 443-3677

Fax: (630) 377-4062



Memo

Date: 10/21/14

To: Ellen Johnson

From: Christopher Tiedt, P.E. 

RE: Firethorne Apartments

I have reviewed the submitted site plan for the proposed access drive out to Dean Street for the Firethorne Apartments located at 1350 Brooks Street. The following document was reviewed.

- Site Plan for Firethorne Apartments prepared by CEMCON, Ltd. Dated 9-22-2014 (1-page)

I have reviewed the above documents for conformance with the City of St. Charles Ordinances, Kane County Stormwater Ordinances and general engineering and construction practices. The following comments are offered up for your consideration:

1. For approval of the site plan for the minor change to the PUD, a preliminary stormwater report will need to be submitted to demonstrate compliance with the Kane County Stormwater Ordinance.
2. An underground stormwater management vault is shown, but no details have been provided. These details and calculations will need to be included with the stormwater report previously mentioned.
3. Please identify all proposed curb radiuses shown.
4. All proposed curbing is identified as M3.12, which is not a City standard. B6.12 depressed curb will be required along Dean Street where the access drive meets Dean Street.

For Final Engineering Approval and Building Permit Application:

5. A stormwater permit application, application fee and associated stormwater report will be required as disturbance is greater than 5,000 sf.
6. The stormwater report should also include a long term maintenance plan for the underground stormwater vault being shown.
7. Final engineering plans will need to be submitted for review and approval at time of the building permit application. These plans at a minimum shall include all SWPPP, Specifications, and details for the proposed improvements.

8. An engineer's estimate for the proposed stormwater management improvements and all work taking place in the public ROW will need to be prepared and submitted for review.
9. Prior to the start of construction a financial guarantee in the amount of 115% of the approved engineer's estimate will need to be submitted.
10. A stormwater detention easement will need to be provided over the proposed underground stormwater management system prior to final approval.

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



Firethorne Apartments
Thomas Bruhl to: Ellen Johnson

10/14/2014 08:41 AM

History: This message has been replied to.

Hi Ellen,

Please pass the following comments on to the applicant:

The City of St. Charles has a 7,200V overhead system that crosses Dean Street at the proposed intersection and then continues south along the proposed driveway.

There also appears to be overhead services to the house at 1233 Dean Street that cross the new intersection. Should any of these overhead facilities be in conflict or require increased height, the cost of said relocation will be the responsibility of the customer.

Thanks
Tom

Thomas Bruhl, P.E. | Electric Services Manager
2 E. Main Street , St. Charles, IL 60174-1984
phone: 630.377.4407 | fax: 630.377.7009 | www.stcharlesil.gov
tbruhl@StCharlesIL.gov

CITY OF **ST CHARLES, ILLINOIS**

1. Proposed location of paved access drive- looking north from Firethorne Apartments parking lot



2. Proposed location of paved access drive- looking south from Dean St.



CITY OF ST. CHARLES

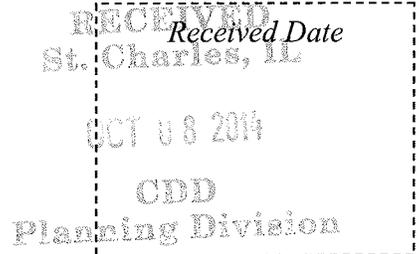
TWO EAST MAIN STREET
ST. CHARLES, ILLINOIS 60174-1984



COMMUNITY DEVELOPMENT/PLANNING DIVISION

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

SPECIAL USE APPLICATION



CITYVIEW	
Project Name:	<u>Firethorne Apartments</u>
Project Number:	<u>2014</u> -PR- <u>019</u>
Application Number:	<u>2014</u> -AP- <u>034</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:	Parcel Number (s): 09-28-378-156	
	Street Address (or common location if no address is assigned): 1350 Brook Street St. Charles, Illinois 60174	
2. Applicant Information:	Name Firethorne Apartments, LLC	Phone 630-513-1113
	Address 1350 Brook Street St. Charles, Illinois 60174	Fax
		Email
3. Record Owner Information:	Name Firethorne Apartments, LLC	Phone 630-513-1113
	Address 1350 Brook Street St. Charles, Illinois 60174	Fax
		Email
4. Billing: <i>To whom should costs for this application be billed?</i>	Name Firethorne Apartments, LLC	Phone 630-513-1113
	Address 1350 Brook Street St. Charles, Illinois 60174	Fax
		Email

Information Regarding Proposed Special Use:

Comprehensive Plan designation of the property: Multi-Family Residential

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

What is the property's current zoning? RT-3; RM-3 PUD

What is the property currently used for? Multi family residential rental apartments

What Special Use(s) are you applying for? Please select from the list of Special Uses in the Zoning Ordinance for the appropriate zoning district.

Special Use for PUD revision

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

Construct a permanent paved access drive to Dean Street

For Special Use Amendments only:

What Special Use ordinance do you want to amend? Ordinance No. 1987-Z-4

Why is the proposed change necessary?

To allow for an additional vehicular access for residents and emergency vehicles to Dean Street.

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

Modify Section 2, H to remove language limiting the vehicular access to Dean Street as emergency and pedestrian access only.

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

- APPLICATION:** Completed application form signed by the applicant
- APPLICATION FEE:** Application fee in accordance with Appendix B of the Zoning Ordinance.
- 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.
- 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%).

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.

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/>

ENDANGERED SPECIES REPORT:

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

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

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 - Fifteen (15) full size copies, Three (3) 11" by 17", and a PDF electronic file on a CD-ROM.
- Revision Submittal for Plan Commission - Twenty-Two (22) full size copies, Three (3) 11" by 17" and a PDF electronic file on a CD-ROM.

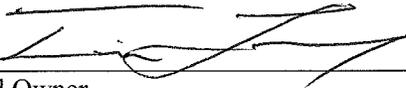
SITE PLAN (Note: For a Special Use for PUD, submit PUD Preliminary Plan Application in lieu of Site Plan)

A plan or plans showing the following information:

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

- 17. Angle of parking spaces
- 18. Parking space dimensions and aisle widths
- 19. Driveway radii at the street curb line
- 20. Width of driveways at sidewalk and street curb line
- 21. Provision of handicapped parking spaces
- 22. Dimensions of handicapped parking spaces
- 23. Depressed ramps available to handicapped parking spaces
- 24. Location, dimensions and elevations of freestanding signs
- 25. Location and elevations of trash enclosures
- 26. Provision for required screening, if applicable
- 27. Exterior lighting plans showing:
 - a. Location, height, intensity and fixture type of all proposed exterior lighting
 - b. Photometric information pertaining to locations of proposed lighting fixtures

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



 Record Owner 10/2/14
Date

 Applicant or Authorized Agent Date

FINDINGS OF FACT SHEET – SPECIAL USE

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



As the applicant, the “burden of proof” is on you to show how your proposed Special Use will comply with each of the applicable standards. Therefore, you need to “make your case” by explaining specifically how your project meets each of the following standards.

Firethorne Apartments
Project Name or Address

Date

From the Charles Zoning Ordinance, Section 17.04.430.C.2:

No Special Use or amendment to Special Use shall be recommended by the Plan Commission unless it finds that the proposed Special Use or amendment to Special Use will conform with each of these standards. The Plan Commission shall submit its written findings together with its recommendations to the City Council after the conclusion of the Public Hearing, and also may recommend such conditions as it may deem necessary to ensure conformance with these standards.

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.

Construction of a permanent additional access drive to Dean Street
will allow an additional means of ingress and egress to the property.

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

The land is available now only as an emergency access.
A paved driveway with curb and gutter will now be provided.

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 additional drive access will allow the site generated traffic an alternate means of entering and exiting the property.

- 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 area is already developed with residential uses.

- 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 revision of the Special Use to add a new paved permanent driveway will create a safer development rather than a detrimental effect by having a additional all weather access for emergency vehicles and the residents of the apartment complex.

- 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 new driveway will be designed and constructed to comply with the ordinances of the City of St. Charles.

FINDINGS OF FACT SHEET – SPECIAL USE FOR A PLANNED UNIT DEVELOPMENT (PUD)



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

As the applicant, the “burden of proof” is on you to show how your proposed Planned Unit Development meets the applicable standards. Therefore, you need to “make your case” by explaining specifically how the project meets each of the following standards.

Firethorne Apartments _____
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:

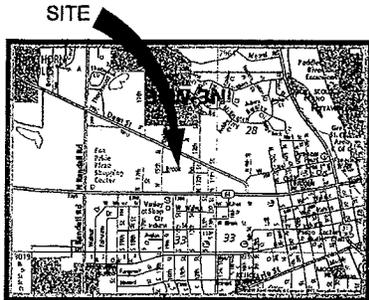
i. The proposed PUD advances one or more of the purposes of the Planned Unit Development procedure stated in Section 17.04.400.A:

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

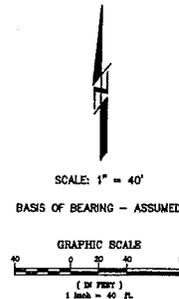
Existing PUD development. Modification is being done to add
another access driveway to provide a second means of ingress
and egress from the complex.

ALTA/ACSM LAND TITLE SURVEY

LEGAL DESCRIPTION
 LOT 1 IN FIREHORNE, ACCORDING TO PLAT OF SUBDIVISION RECORDED AS DOCUMENT 1844120 AS AMENDED BY CERTIFICATE OF CORRECTION RECORDED 1989 AS DOCUMENT 1989705, IN THE CITY OF ST. CHARLES, HANE COUNTY, ILLINOIS.



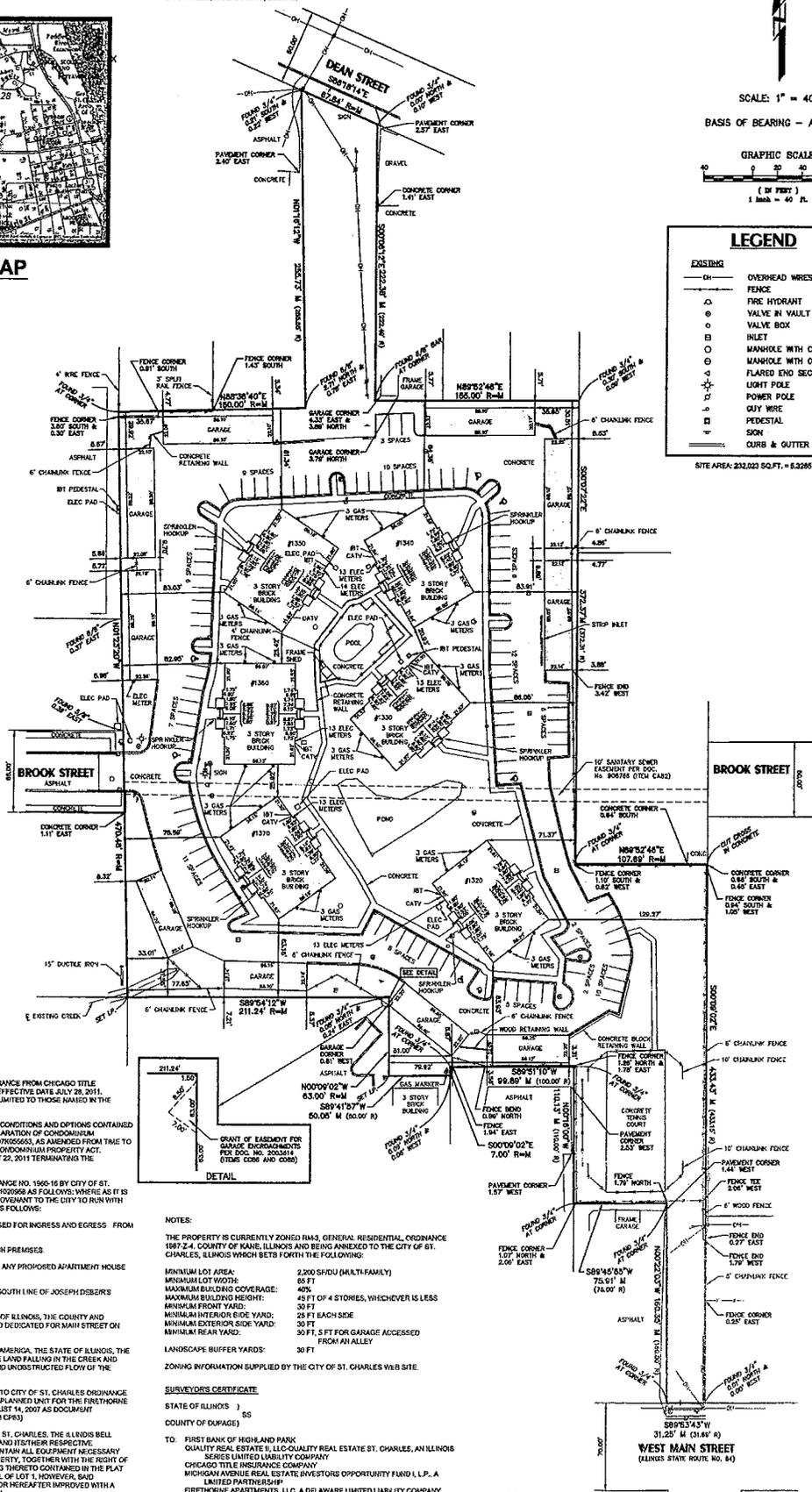
LOCATION MAP
NOT TO SCALE



LEGEND

—○—	OVERHEAD WIRES
—	FENCE
○	FIRE HYDRANT
○	VALVE IN VAULT
○	VALVE BOX
○	INLET
○	MANHOLE WITH CLOSED LID
○	MANHOLE WITH OPEN LID
○	FLARED END SECTION
○	LIGHT POLE
○	POWER POLE
○	GUY WIRE
○	PEDESTAL
○	SIGN
—	CURB & GUTTER

SITE AREA: 232,020 SQ.FT. = 5.32265 ACRES



- NOTES:**
- THIS SURVEY IS BASED ON A COMMITMENT FOR TITLE INSURANCE FROM CHICAGO TITLE INSURANCE COMPANY ORDER NUMBER 1401 860010431 D1, EFFECTIVE DATE JULY 28, 2015. EASEMENTS AND ENCUMBRANCES ON THE PROPERTY ARE LIMITED TO THOSE NAMED IN THE COMMITMENT.
 - REFERENCE IS MADE TO TERMS, PROVISIONS, COVENANTS, CONDITIONS AND OPTIONS CONTAINED IN AND RIGHTS AND EASEMENTS ESTABLISHED BY THE DECLARATION OF CONDOMINIUM OWNERSHIP RECORDED MAY 22, 2007 AS DOCUMENT NO. 2007055655, AS AMENDED FROM TIME TO TIME AND LIMITATIONS AND CONDITIONS IMPOSED BY THE CONDOMINIUM PROPERTY ACT, AMENDED PER DOCUMENT 201104064 RECORDED AUGUST 22, 2011 TERMINATING THE CONDOMINIUM DECLARATION. (ITEM 8977)
 - REFERENCE IS MADE TO PROVISIONS IN THE ZONING ORDINANCE NO. 1995-16 BY CITY OF ST. CHARLES A COPY RECORDED APRIL 13, 1994 AS DOCUMENT 1020958 AS FOLLOWS; WHERE AS IT IS NECESSARY THAT THE OWNERS EXECUTE AND RECORD A COVENANT TO THE CITY TO RUN WITH THE LAND AS BELOW DESCRIBED CONTAINING RESTRICTIONS AS FOLLOWS:
 - A. THE ALLEY TO THE EAST OF THE PROPERTY IS NOT TO BE USED FOR INGRESS AND EGRESS FROM AND TO SUCH PROPERTY.
 - B. NO MORE THAN 6 UNITS SHALL BE CONSTRUCTED UPON SUCH PREMISES.
 - C. DRIVEWAY OFF WEST MAIN STREET TO BE ON WEST SIDE OF ANY PROPOSED APARTMENT HOUSE THAT MIGHT BE BUILT ON THE PREMISES.
 - D. SOUTH LINE OF BUILDING SHALL NOT EXTEND BEYOND THE SOUTH LINE OF JOSEPH DISBRES HOUSE. (ITEM 8979)
 - REFERENCE IS MADE TO RIGHTS OF THE PUBLIC, THE STATE OF ILLINOIS, THE COUNTY AND MUNICIPALITY IN AND TO THE SOUTHERLY PART OF THE LAND DEDICATED FOR MAIN STREET ON THE SUBDIVISION PLAT. (ITEM 8920)
 - REFERENCE IS MADE TO RIGHTS OF THE UNITED STATES OF AMERICA, THE STATE OF ILLINOIS, THE MUNICIPALITY AND THE PUBLIC IN AND TO THAT PART OF THE LAND FALLING IN THE CREEK AND RIGHTS OF THE ADJOINING OWNERS IN AND TO THE FREE AND UNOBSTRUCTED FLOW OF THE WATERS OF SAID CREEK. (ITEM 8961)
 - REFERENCE IS MADE TO TERMS AND PROVISIONS RELATING TO CITY OF ST. CHARLES ORDINANCE NO. 1987-24, AN ORDINANCE GRANTING A SPECIAL USE AS A PLANNED UNIT FOR THE FIREHORNE APARTMENTS FUL AS DISCLOSED BY DEED RECORDED AUGUST 14, 2007 AS DOCUMENT 200704041, AND VARIOUS OTHER DEEDS OF RECORD. (ITEM 8963)
 - REFERENCE IS MADE TO AN EASEMENT IN FAVOR OF CITY OF ST. CHARLES, THE ILLINOIS BELL TELEPHONE COMPANY, NORTHERN ILLINOIS GAS COMPANY, AND ILLINOIS RESPECTIVE SUCCESSIONS AND ASSIGNS, TO INSTALL, OPERATE, AND MAINTAIN ALL EQUIPMENT NECESSARY FOR THE PURPOSE OF SERVICING THE LAND AND OTHER PROPERTY, TOGETHER WITH THE RIGHT OF ACCESS TO SAID EQUIPMENT AND THE PROVISIONS RELATING THERETO CONTAINED IN THE PLAT RECORDED AS DOCUMENT NO. 198130, AFFECTING ALL OF IT, HOWEVER, SAID EASEMENTS SHALL NOT EXTEND TO ANY AREA EITHER NOW OR HEREAFTER IMPROVED WITH A PERMANENT STRUCTURE AS THEREIN PROVIDED. (ITEM 8964)
 - REFERENCE IS MADE TO A RELEASE AND INDEMNITY AGREEMENT FOR FENCES LOCATED IN UTILITY AND DRAINAGE EASEMENTS RECORDED JULY 14, 1999 AS DOCUMENT 1999020266 BETWEEN WILLIAM L. CENTERS AND THE CITY OF ST. CHARLES. (ITEM 8965)
 - REFERENCE IS MADE TO DOCUMENT 2007014902 BEING A SPECIAL WARRANTY DEED ADDRESSING VARIOUS ENCUMBRANCES BASED ON A SURVEY BY STACY FERGUSON LAND SURVEYING, INC. DATED JANUARY 18, 2007 AS ORDERED BY NUMBER 06-439. (ITEM 8907 AND 8908)
 - NOTE: CONTAINS 101 REGULAR OUTDOOR PARKING SPACES AND 8 OUTDOOR HANDICAP SPACES RELOCATED FROM THE OWNER PROPOSED 23 PARKING SPACES IN THE GARAGES ON THE PROPERTY.

NOTES:

THE PROPERTY IS CURRENTLY ZONED R14.5, GENERAL RESIDENTIAL, ORDINANCE 1987-24, COUNTY OF HANE, ILLINOIS AND BEING ANNEXED TO THE CITY OF ST. CHARLES, ILLINOIS WHICH SETS FORTH THE FOLLOWING:

MINIMUM LOT AREA: 2,200 SQ.FT. (MULTIFAMILY)
 MINIMUM LOT WIDTH: 46 FT.
 MAXIMUM BUILDING COVERAGE: 40%
 MAXIMUM BUILDING HEIGHT: 45 FT OF 4 STORIES, WHICHEVER IS LESS
 MINIMUM FRONT YARD: 30 FT.
 MINIMUM INTERIOR SIDE YARD: 25 FT EACH SIDE
 MINIMUM EXTERIOR SIDE YARD: 30 FT.
 MINIMUM REAR YARD: 30 FT., 5 FT FROM GARAGE ACCESSED FROM AN ALLEY
 LANDSCAPE BUFFER YARDS: 30 FT

ZONING INFORMATION SUPPLIED BY THE CITY OF ST. CHARLES WEB SITE.

SURVEYOR'S CERTIFICATE
 STATE OF ILLINOIS)
 COUNTY OF DUPAGE)
 I, **Mark S. Stineke**,
 ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 30-257
 MY LICENSE EXPIRES/RENEWS 11/30/2012

TO: FIRST BANK OF HIGH AND PARK QUALITY REAL ESTATE II, LLC-QUALITY REAL ESTATE ST. CHARLES, AN ILLINOIS SERIES LIMITED LIABILITY COMPANY CHICAGO TITLE INSURANCE COMPANY MICHIGAN AVENUE REAL ESTATE INVESTORS OPPORTUNITY FUND I, L.P., A LIMITED PARTNERSHIP FIREHORNE APARTMENTS, LLC, A DELAWARE LIMITED LIABILITY COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

DATE OF PLAT OR MAP: SEPTEMBER 8, 2011
 BY: **Mark S. Stineke**
 ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 30-257
 MY LICENSE EXPIRES/RENEWS 11/30/2012



INTECH CONSULTANTS, INC.
 ENGINEERS / SURVEYORS
 1809 UNIVERSITY LANE, SUITE D ULSIE, ILLINOIS
 TEL: (630) 864-5656 FAX: (630) 864-8052
 E-MAIL: CAD@INTECHCONSULTANTS.COM
 ILLINOIS REGISTRATION NO. 184-001040

ALTA/ACSM LAND TITLE SURVEY



CEMCON, Ltd.

CONSULTING ENGINEERS, LAND SURVEYORS & PLANNERS

November 5, 2014

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

Re: Firethorne Apartments
904.093

Dear Ms. Johnson:

Firethorne Apartments is an existing apartment complex located at 1850 Brook Street, in St. Charles, Illinois. They are proposing to add a second driveway to their property via Dean Street (see attached Site Plan). The second access will be a full functioning driveway to allow residents to use Dean Street as an alternate route. This access will also function as a second point of ingress and egress for emergency vehicles. CEMCON, Ltd. has estimated the number of trips that would be used by this access and sight distance issues that will be encountered at the intersection with Dean Street. Below is a summary of our findings.

TRIP USING NEW DRIVEWAY:

Firethorne Apartments currently has 72 - 2 bedroom units. Based on the ITE Trip Generation Manual, 8th Edition, the rates for an Apartment (ITE Land Use 220) is 6.65 trips per day per unit. Therefore, Firethorne Apartments should generate about 479 trips per day. Based on our analysis the new entrance should create a 60/40 split of traffic, where 60% of the vehicles (287 vehicles per day) will use the current main entrance on 15th Street and 40% of the vehicles (192 vehicles per day) will use the new entrance on Dean Street. These percentages were derived using the Illinois Department of Transportation Average Daily Traffic counts at the intersection of Route 64 (W. Main Street) and Randall Road. See Figure 1 to see where this intersection is located in relationship to the site and traffic volumes. Based on the IDOT counts, approximately 29,800 vehicles per day (26% of the total) travel north on Randall Road and north of Dean Street; 39,000 vehicles per day (34%) travel south on Randall Road; 24,100 vehicles per day (21%) travel east on Route 64; and 22,400 vehicles per day (19%) travel west on Route 64. Based on these percentages, it is estimated 26% of the vehicles will use Dean Street to access Randall Road. The remaining 74% of the vehicles, from this site, will head toward Main Street. Since Main Street could also be accessed via Dean Street, a conservative approach was used to create the 60/40 split. Therefore, the estimated traffic using this new entrance will be 192 vehicles per day.

Figure #1: Site Location Map



SIGHT DISTANCE AND NEW DRIVEWAY:

This new entrance will be cut into an existing road. In doing this, CEMCON, Ltd. has reviewed the sight distance that will be encountered by vehicles exiting the site. Attached is a site plan and profile detailing out the sight distance. The posted speed limit on Dean Street is 30 mph so a design speed of 35 mph has been used for this analysis. Based on IDOT's Bureau of Local Road and Streets Manual, the intersection sight distance for this road should be 390 feet (Section 28-3.03 Figure 28-3D). As shown in the attached plan and profile, using a height of eye and object of 3.5 feet, there are no grade or geometry obstructions to the line of sight.

In addition to the line of sight plan and profile analysis, a visual inspection has been done from this proposed intersection point. Based on the pictures below, it appears there are no obstructions to the line of sight looking left (west). Please note that the tree in the foreground will

Ms. Ellen Johnson
November 5, 2014
Page 3

be removed with the construction of the road. Looking right (east) there is a tree that overhangs into the line of sight that will need to be trimmed back to allow vehicles a clear line of sight.



Looking Left (West)



Looking Right (East)

Please feel free to contact me with any questions or if you need additional information. I can be reached by phone at (630) 862-2100 or by email at michael.keith@cemcon.com.

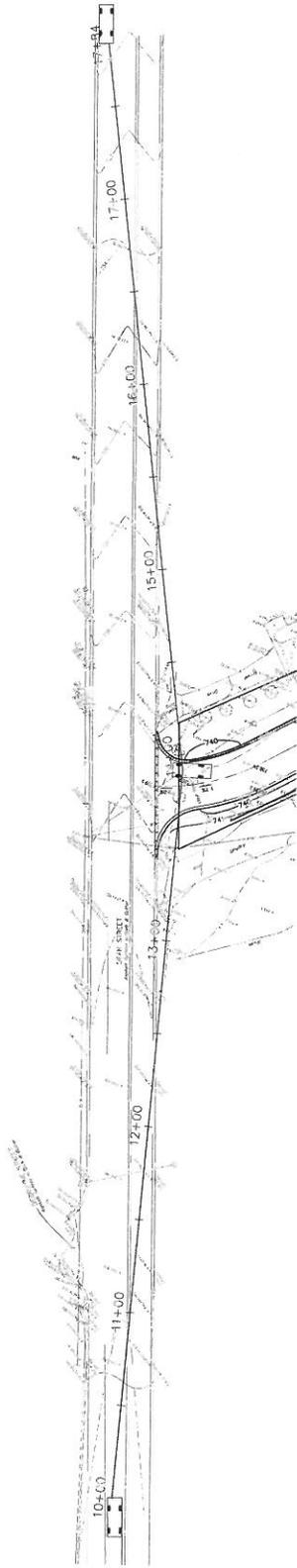
Sincerely,
CEMCON, Ltd.

A handwritten signature in blue ink that reads "Michael B. Keith".

Michael B. Keith, P.E.
Senior Project Manager

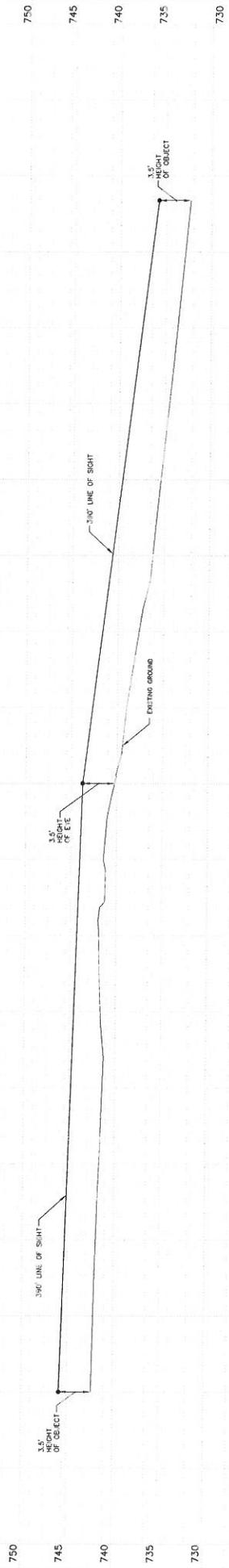
MBK/sv
Enc.

H:\904093\ENGINEER\2014-11-05 Johnson @ City of St. Charles - Site Distance Letter.doc



DEAN STREET

NOTES:
 POST SPEED = 30 MPH
 DESIGN SPEED = 35 MPH
 SIGHT DISTANCE = 300 FEET



STATION	ELEVATION	DESCRIPTION	PREVIOUS NO.	DATE
10+00	745.8			
11+00	741.9			
12+00	741.4			
13+00	741.8			
14+00	740.2			
15+00	737.7			
16+00	733.4			
17+00	733.6			
17+84	732.4			

PREPARED FOR: FIRETHORN APARTMENTS
 1350 BROOK STREET
 ST. CHARLES, IL 60174
 (630) 513-1113

PREPARED BY: CEMCON, Ltd.
 2280 White Oak Circle, Suite 100
 St. Charles, IL 60152
 Phone: (630) 210-0079 Fax: (630) 652-2199
 E-Mail: ceng@cemcon.com Website: www.cemcon.com

FILE NAME: LINE OF SIGHT.DWG
 DES: 84083
 DWT: 10-20-14
 DATE: 10-20-14
 1750: BR: 750
 1750: BR: 750
 1750: BR: 750

LINE OF SIGHT EXHIBIT
 FIRETHORN APARTMENTS

SHEET NO. 1 OF 1

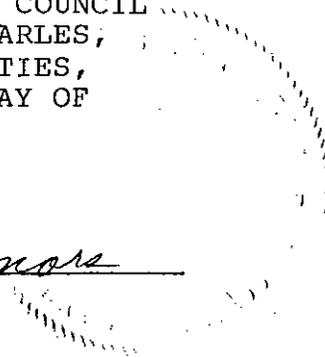
CITY OF ST. CHARLES

ORDINANCE NO. 1987-Z-4

AN ORDINANCE GRANTING A SPECIAL USE
AS A PLANNED UNIT DEVELOPMENT FOR
THE FIRETHORNE APARTMENTS PUD

ADOPTED BY THE
CITY COUNCIL
OF THE
CITY OF ST. CHARLES
THIS 18th DAY OF MAY, 1987

PUBLISHED IN PAMPHLET FORM BY
AUTHORITY OF THE CITY COUNCIL
OF THE CITY OF ST. CHARLES,
KANE AND DU PAGE COUNTIES,
ILLINOIS, THIS 21st DAY OF
MAY, 1987


Jean M. Connors
CITY CLERK

ORDINANCE NO. 1987-Z-4

AN ORDINANCE GRANTING A SPECIAL USE
AS A PLANNED UNIT DEVELOPMENT FOR
THE FIRETHORNE APARTMENTS PUD

REFER TO:
MINUTES 5-18-87
PAGE 2380

DATE OF PUBLICATION 5/21/87
NEWSPAPER Pamphlet form

WHEREAS, the Gary Wheaton Bank as Trustee under Trust Agreement #4408, owner of record, (hereinafter referred to as "OWNER", which shall include all successors and assigns) and James F. Cooke, as agent and attorney for applicants Myron Andersen and Donn Nelson, contract purchasers, have filed a petition for a Special Use as a Planned Unit Development in the R-5 Multiple Residence District, for the property legally described in Exhibit "A", attached hereto and made a part hereof, (hereinafter referred to as "Subject Realty") and an application for approval of a preliminary plan; and

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

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

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

SECTION 1. That Section 17.06.020 of Title 17 of the St. Charles Municipal Code, as amended, and as set forth in the

Zoning District Map as described therein and on file in the Office of the City Clerk, is hereby amended to grant a Special Use as a Planned Unit Development in the R-5 Multiple Residence District for the Subject Realty, subject to the additional requirements and restrictions provided herein.

SECTION 2. That the Subject Realty may be developed only in accordance with all ordinances of the City as now in effect or hereafter amended (except as specifically varied herein), and in accordance with the following added definitions, procedures and restrictions:

A. Preliminary Plan

Except as specifically stated herein, the Subject Realty shall be developed only in conformance with the preliminary plan consisting of:

1. The drawing entitled "Preliminary Plan" revised April 6, 1987 prepared by The Lannert Group; and
2. The drawing entitled "Landscape Plan" revised April 6, 1987 prepared by The Lannert Group; and
3. The drawing entitled "Engineering Plan" prepared by Robert H. Anderson and Associates and the Lannert Group, revised April 1, 1987; and
4. The cover sheet entitled "Firethorne Luxury Apartments" and two sheets of architectural concept drawings prepared by Myron Andersen Construction, Inc. received March 11, 1987.

B. Phasing

The Subject Realty shall be developed in no more than one phase.

C. Building Permits

No building permit shall be issued for construction of any structure on the Subject Realty until after the preliminary plan, landscape plan, architectural plans, engineering plans, and final plan have been approved and a final plat has been recorded for the Subject Realty.

C. Height

The maximum building height (as defined in Title 17 of the St. Charles Municipal Code) of any building on the Subject Realty shall be three stories or forty feet (40'), whichever is lower.

D. Setbacks

A setback of five (5) feet from all exterior property lines of the Subject Realty, as shown on the Preliminary Plan, shall be provided. No building of any kind shall be constructed or placed within this setback. Fencing and landscaping may be located within such setback, as shown in the preliminary plan described in paragraph "A" hereof, and as otherwise approved by the City Council.

E. Number of Buildings - Single Lot

A variation from the provisions of Section 17.18.040 of the St. Charles Municipal Code is hereby allowed to

permit a maximum of six buildings on the Subject Realty, which shall be considered as one lot. The Subject Realty shall not be resubdivided.

F. Number of Units

There shall be not more than seventy-two (72) dwelling units on the Subject Realty.

G. Uses

Only the uses permitted in the R-5 Multiple Residence District shall be permitted on the Subject Realty.

H. Limitations on Access

There shall be no vehicular access to the Subject Realty from west Main Street, and access to the Subject Realty from Dean Street shall be limited to emergency and pedestrian access only.

I. Soil Erosion

OWNER shall adhere to measures for the prevention of soil erosion during the construction of the development pursuant to the ordinances and any other applicable rules and regulations of the CITY, the "Procedures and Standards for Urban Soil Erosion and Sedimentation Control in Illinois", published in October 1981, and recommended procedures of the Kane-DuPage Soil and Water Conservation District and any other applicable regulatory agency, whichever is more restrictive.

J. Maintenance of Private Facilities

The OWNER shall repair and maintain all private drives, parking lots, detention basins, storm sewer lines, surface drainage facilities, and any other land improvements, common areas or facilities which are not conveyed to and accepted by the CITY. In the event of the conveyance or assignment of all or any part of the Subject Realty, any such conveyance or assignment shall contain an agreement between the parties involved as to the responsibility for repair and maintenance as contemplated in this paragraph.

K. Landscaping

All unpaved areas adjoining a building and its accessory parking shall be landscaped prior to occupancy of such building, in accordance with the landscape plan approved herein, compliance being determined by the Director of City Planning. Landscaping of the Subject Realty shall be completed prior to occupancy of the final multiple family residential building on the Subject Realty in accordance with the landscape plan approved herein, compliance being determined by the Director of City Planning.

L. Storm Water Drainage.

All storm water collected by the on-site storm sewer system shall be tributary to the on-site detention basin.

M. Architectural Plan Modifications.

Modifications to the architectural plans for the garages, including typical elevation drawings showing exterior materials and design of the walls facing the property adjoining the Subject Realty, shall be submitted for review prior to approval of the Final Plat, and shall be subject to approval of the Plan Commission and City Council.

N. Required Land Improvements

1. OWNER shall construct and pay for all land improvements, including but not limited to on-site and off-site improvements, extensions, and related appurtenances necessary for the development of the Subject Realty, for:

- a) water main systems;
- b) sanitary sewer systems, lifting stations and force mains;
- c) storm sewer systems;
- d) retention and detention basins;
- e) grading and surface drainage ways and facilities;
- f) electric facilities, including installation of underground conduit as specified by the City; and
- g) streets, curbs, sidewalks, street lights, street signs, parkway landscaping, tree plantings, and related improvements.

All such land improvements (the "Required Land Improvements") shall be completed within two years of the date of recording of the final plat for the Subject Realty. OWNER shall grant to the CITY, at no cost to the CITY, all easements for any utilities and communication facilities that the CITY may request. Prior to the approval of the final plat for the Subject Realty the CITY shall have the right to designate which easements, dedications, and land improvements will be accepted by the CITY. The OWNER shall transfer to the CITY title, free and clear of all liens and encumbrances, to all on-site and off-site Required Land Improvements which the City has so designated for acceptance. In connection with any sale, assignment, or transfer of any interest in the land or improvements thereto by OWNER to another entity, the CITY may require the OWNER to retain, or the recipient in such sale, assignment, or transfer to assume or acquire such interest in any such easement, extension, repair, maintenance, and replacement at the sole cost of the OWNER, and as may be required from time to time by the CITY.

2. OWNER shall repair and replace, in accordance with the original sizes, standards and topography in a manner satisfactory to the CITY, all CITY property damaged or disturbed by reason of its work in connection with the

development of the Subject Realty.

3. A blanket easement over, under and upon all unimproved common open space and all private streets and private common driveways and parking areas within the Subject Realty for access for police and fire protection and for the operation of and access for maintenance, repair, replacement and customary servicing of all electricity and telephone lines, natural gas supply systems, and all sanitary sewer, storm drainage and water main systems, communication facilities and other utilities, shall be provided by plat in favor of the CITY and all of the involved utility companies, now or in future receiving a CITY franchise, their respective officers, employees, and agents, together with related emergency and service vehicles and equipment.

4. After approval of the Final Plat for the Subject Realty and prior to signature by the Mayor and City Engineer, the OWNER shall present a guarantee for completion of the land improvements as required by ordinance including but not limited to the "Required Land Improvements" or in lieu thereof at OWNER'S election, an undertaking by OWNER as secured by an irrevocable letter of credit, escrow account or irrevocable commitment certifying that adequate funds are and will be available at a sound and reputable

banking or financial institution authorized to do business in the State of Illinois. Such irrevocable letter of credit, escrow account or irrevocable commitment shall be in effect for a period of two and one half (2 1/2) years from the date of recording of the final plat for the Subject Realty, shall run in favor of the CITY and shall indicate there are sufficient funds available for one hundred fifteen percent (115%) of the estimated cost of all the Required Land Improvements of the final plat being presented to the CITY for approval and that such funds are held for such purposes only and for no other purposes. Such undertaking, irrevocable letter of credit, escrow account or irrevocable commitment shall be in a form to allow the CITY to procure the funds irrevocably committed to complete the aforescribed land improvements if construction of said improvements is not completed in accordance with ordinance or the schedule approved by the City, whichever first occurs, and shall otherwise be in a form acceptable to the CITY.

5. OWNER shall reimburse CITY for inspection and engineering costs and reasonable attorneys' fees incurred by CITY in connection with the construction and installation of the Required Land Improvements described in this Ordinance and the processing of matters

pertaining to this Ordinance. Payment by OWNER's representative and agent to CITY shall occur promptly after receipt by OWNER of invoices for such work.

6. In the event CITY requests OWNER to oversize any Required Land Improvement such oversizing shall take place on the following basis: The City Engineer and the Owner's Engineer shall prepare cost estimates indicating the construction cost for the Required Land Improvement and for the oversized improvement requested by the CITY. The actual cost difference for construction will be assumed by the CITY. Reimbursement for such cost difference shall be made to the OWNER upon acceptance of such improvements by the City Council subject to budget and timing as may be in accordance with law and as may be agreed on by OWNER and City, or otherwise approved by the City, and provided City shall be in receipt of a general contractor's affidavit and lien waivers in accordance with the Illinois Mechanics Lien Act and a Bill of Sale conveying title to the CITY free and clear of all liens and encumbrances. All engineering and inspection costs shall be paid by OWNER. The operation of any State law or City ordinance having general applicability to all entities in a class including OWNER shall not be deemed to be a request by CITY as herein described.

7. OWNER shall provide that all existing and new utilities and communications facilities including telephone, electric, and cable television to serve the Subject Realty shall be underground, and this requirement shall be affixed to the final plat.

8. The CITY shall not be held responsible for its inability to install any utility, or for any loss or damage including consequential damage or delay in installation caused by strikes, riots, elements, embargoes, failure of carriers, inability to obtain material, or other acts of God, or any other cause beyond CITY's reasonable control, including but not limited to the acquisition of easements and IEPA permits.

O. Hold Harmless and Indemnification

In the event a claim is made against the City of St. Charles, or if the City is made a party-defendant in any legal proceeding arising out of or in connection with the approval of this Ordinance for a Planned Unit Development or the development of the Subject Realty, the OWNER shall defend the City, at City's election, and hold the City harmless from and against all liabilities, losses, judgments, costs, fees, including reasonable attorneys fees, and reasonable expenses incurred in connection therewith. The City shall reasonably

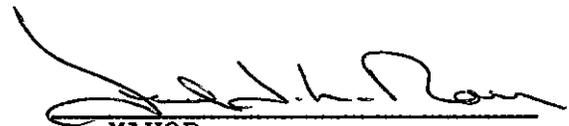
cooperate in the defense of such proceedings.

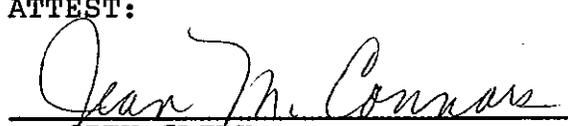
SECTION 3. That after the adoption and approval hereof the Ordinance shall (i) be printed or published in book or pamphlet form, published by the authority of the Council, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation within the City of St. Charles.

PRESENTED to the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois, this 18th day of May, 1987.

PASSED by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois, this 18th day of May, 1987.

APPROVED by the Mayor of the City of St. Charles, Kane and DuPage Counties, Illinois, this 18th day of May, 1987.


MAYOR

ATTEST:

CITY CLERK

Ordinance No. 1987-7-4
Page 13

COUNCIL VOTE:

Ayes: 9
Nays: 0
Absent: 1

PARCEL 1: THAT PART OF LOT 1 OF THE DEAN FERSON HEIR'S FIRST ADDITION TO ST. CHARLES, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT; THENCE NORTH $89^{\circ} 57' 40''$ WEST ALONG THE SOUTH LINE OF SAID LOT 50 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID LOT 810.35 FEET TO A POINT 150 FEET SOUTH OF THE SOUTHERLY LINE OF DEAN AVENUE (MEASURED ALONG THE LAST DESCRIBED COURSE EXTENDED); THENCE NORTH $89^{\circ} 57' 40''$ WEST PARALLEL WITH THE SOUTH LINE OF SAID LOT 165 FEET FOR THE POINT OF BEGINNING; THENCE SOUTH $89^{\circ} 57' 40''$ EAST PARALLEL WITH THE SOUTH LINE OF SAID LOT 165 FEET; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID LOT 535.35 FEET TO A POINT 275 FEET NORTH OF, MEASURED ALONG THE EXTENSION OF THE LAST DESCRIBED COURSE, THE SOUTH LINE OF SAID LOT; THENCE NORTH $89^{\circ} 57' 40''$ WEST PARALLEL WITH THE SOUTH LINE OF SAID LOT 100 FEET; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID LOT 7 FEET; THENCE NORTH $89^{\circ} 57' 40''$ WEST PARALLEL WITH THE SOUTH LINE OF SAID LOT 50 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID LOT 63 FEET; THENCE NORTH $89^{\circ} 57' 40''$ WEST PARALLEL WITH THE SOUTH LINE OF SAID LOT 211.24 FEET TO THE WEST LINE OF SAID LOT; THENCE NORTH $1^{\circ} 15'$ WEST ALONG SAID WEST LINE 470.39 FEET TO A POINT 325.50 FEET SOUTH OF THE NORTHWEST CORNER OF SAID LOT; THENCE NORTH $88^{\circ} 45'$ EAST AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE 150 FEET; THENCE NORTH $1^{\circ} 15'$ WEST PARALLEL WITH THE WEST LINE OF SAID LOT 255.55 FEET TO THE SOUTHERLY LINE OF DEAN AVENUE; THENCE SOUTH $66^{\circ} 14' 50''$ EAST ALONG SAID SOUTHERLY LINE 67.84 FEET TO A LINE DRAWN NORTH, PARALLEL WITH THE EAST LINE AND EAST LINE EXTENDED OF SAID LOT, FROM THE POINT OF BEGINNING; THENCE SOUTH ALONG SAID PARALLEL LINE 222.50 FEET TO THE POINT OF BEGINNING; IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

PARCEL 2: THAT PART OF LOTS 1 AND 3 OF THE DEAN FERSON HEIRS FIRST ADDITION TO ST. CHARLES, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF LOT 3; THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SAID LOT 3, 475 FEET FOR THE POINT OF BEGINNING; THENCE WESTERLY PARALLEL WITH MAIN STREET TO THE NORTH AND SOUTH CENTER LINE OF SECTION 28; THENCE CONTINUING WESTERLY ALONG SAID PARALLEL LINE 50 FEET; THENCE SOUTHERLY AND PARALLEL WITH THE NORTH AND SOUTH CENTER LINE OF SECTION 28 TO THE SOUTH LINE OF SAID LOT; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF LOT 1 AND ALONG THE SOUTHERLY LINE OF SAID LOT 3 TO THE SOUTHEASTERLY CORNER OF LOT 3; THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID LOT 3 TO THE POINT OF BEGINNING; (EXCEPTING THEREFROM THE WEST 76.0 FEET, AS MEASURED ON THE NORTH AND SOUTH LINES THEREOF, OF THE SOUTH 165.0 FEET, AS MEASURED ON THE EAST AND WEST LINES THEREOF OF), IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

STATE OF ILLINOIS)
)
COUNTIES OF KANE AND DU PAGE) SS.

C E R T I F I C A T E

I, Jean M. Connors, certify that I am the duly elected and acting municipal clerk of the City of St. Charles, Kane and DuPage Counties, Illinois.

I further certify that on May 18, 1987 the Corporate Authorities of such municipality passed and approved Ordinance No. 1987-Z-4, entitled AN ORDINANCE GRANTING A SPECIAL USE AS A PLANNED UNIT DEVELOPMENT FOR THE FIRETHORNE APARTMENTS PUD

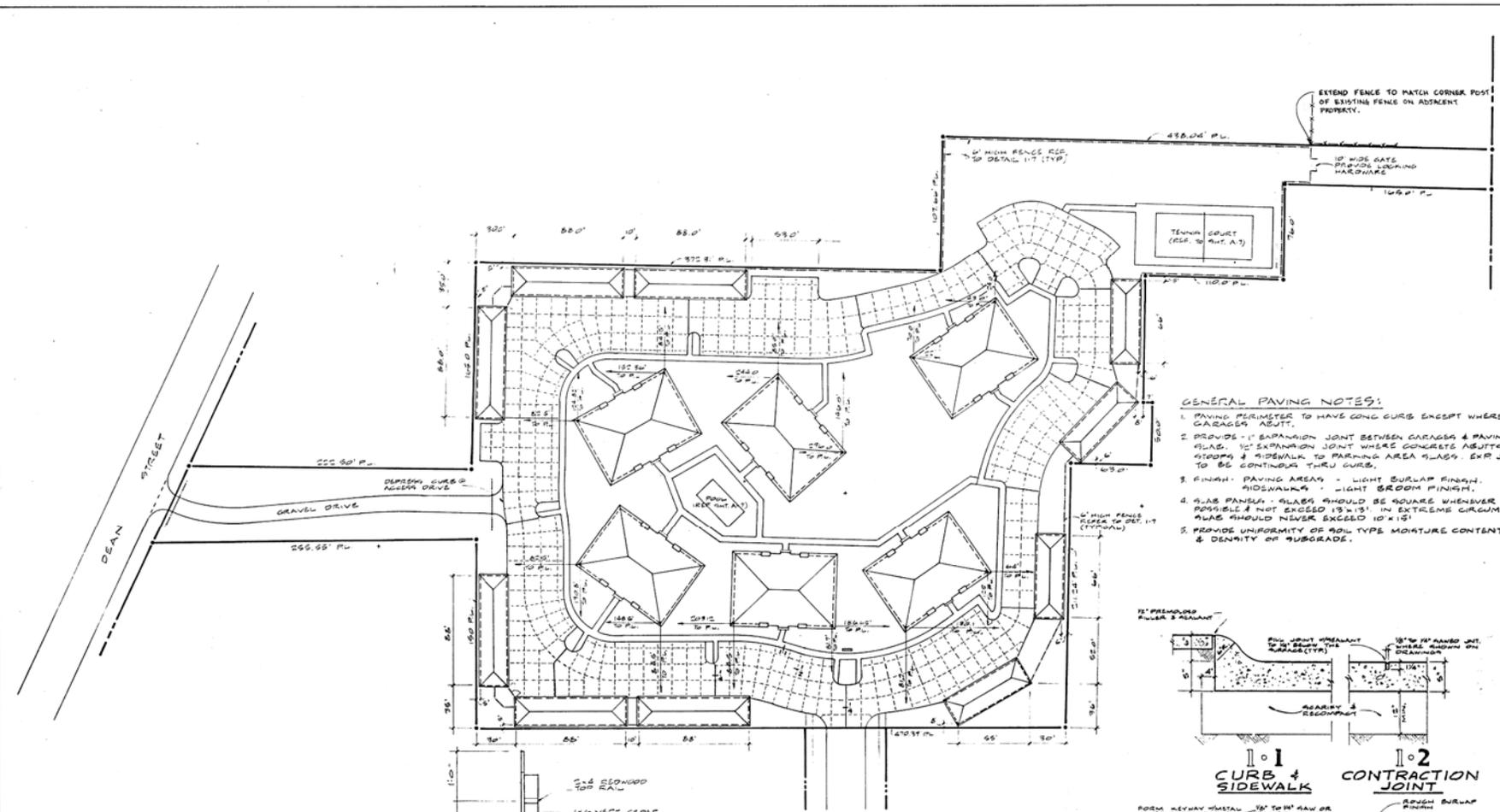
_____ which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 1987-Z-4, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on May 21, 1987, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at St. Charles, Illinois, this 20th day of May, 1987.

Jean M. Connors
Municipal Clerk

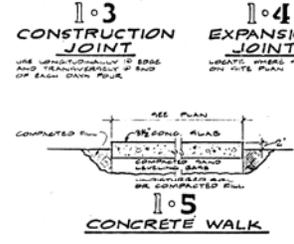
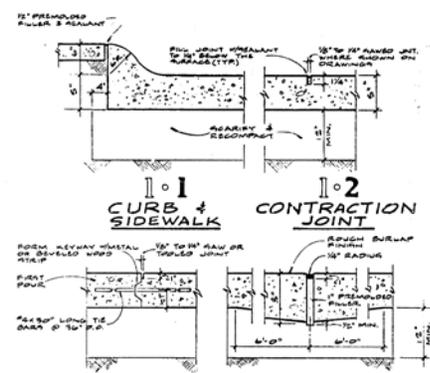
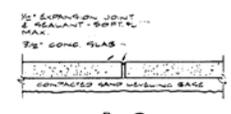
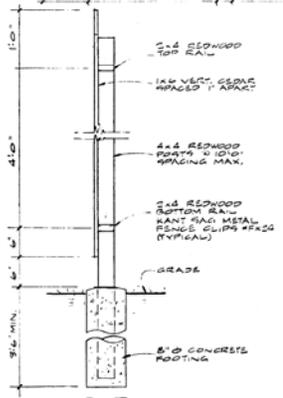
(S E A L)



GENERAL PAVING NOTES:

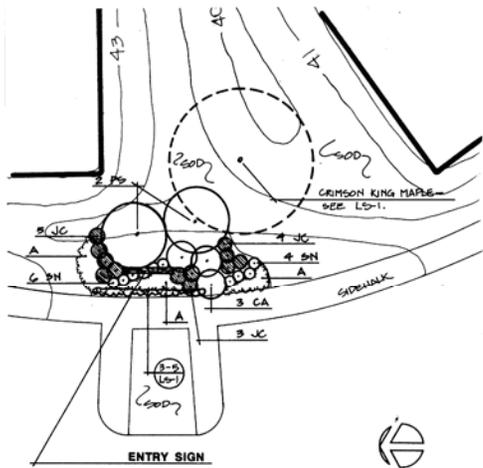
1. PAVING PERIMETER TO HAVE CONC CURB EXCEPT WHERE GARAGES ADJUT.
2. PROVIDE 1" EXPANSION JOINT BETWEEN GARAGES & PAVING SLABS. 1/2" EXPANSION JOINT WHERE CONCRETE ADJUTS SIDEWALK & SIDEWALK TO PARKING AREA SLABS. EXP. JNT. TO BE CONTIGUOUS THRU CURB.
3. FINISH PAVING AREAS - LIGHT BURLAP FINISH. SIDEWALKS - LIGHT BROOM FINISH.
4. SLAB PANELS - SLABS SHOULD BE SQUARE WHENEVER POSSIBLE & NOT EXCEED 15'x15'. IN EXTREME CIRCUMSTANCES SLABS SHOULD NEVER EXCEED 10'x15'.
5. PROVIDE UNIFORMITY OF 90% TYPE MOISTURE CONTENT & DENSITY OF SUBGRADE.

SITE PLAN
SCALE: 1" = 40 FEET



Approved first landscape plan





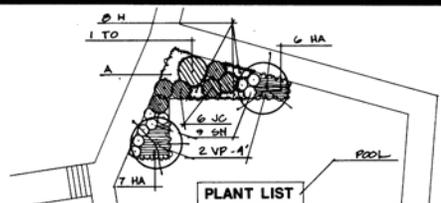
ENTRY PLANTING DETAIL

SCALE 1"=10'-0"

PLANT LIST

QTY.	SYMBS	BOTANICAL NAME	COMMON NAME	SIZE	CONDITION
2	PS	FOUR SEEDS	"SEED FIVE"	4'-10"	NA
3	CA	CORNAS ALBA "ELAGANTISSIMA"	"UNUSUATED BROOM"	4"	NA
12	JC	JUNIPERUS CHINENSIS "OLD GOLD"	"OLD GOLD JUNIPER"	3"	OR 1gal.
10	SN	SPYRIS JAPONICA "NORWAN"	"NORWAN SPYRIS"	24"	
8	A	ANNUALS (PETUNIAS, MARIGOLDS, IMPATIENS)		12"	Flat

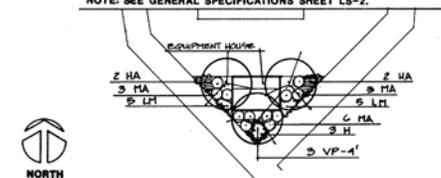
NOTE: SEE GENERAL SPECIFICATIONS SHEET LS-2.



PLANT LIST

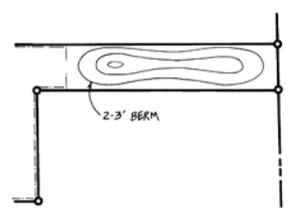
QTY.	SYMBS	BOTANICAL NAME	COMMON NAME	SIZE	CONDITION
1	TO	TRIMM OCCIDENTALIS "TRIMM"	"MISSION ARBOVITAE"	4"	NA
5	VP	YUCCA FRONTALIS	"MISSION YUCCA"	4"	NA
6	JC	JUNIPERUS C. "OLD GOLD"	"OLD GOLD JUNIPER"	3"	NA
9	SN	SPYRIS JAPONICA "NORWAN"	"NORWAN SPYRIS"	18"	NA
12	HA	HEXIA AQUIFOLIA	"MISSION GRASS KELLY"	18"	1gal.
11	HA	HEXIA UNOLATA "MIDIO VARIETATA"	"MIDIO VARIETATED HEXIA"	1gal.	
17	HA	HENDERSONIA (ORANGE)	"DARTLIP"	2"	MIN. 2 NA
10	LM	LAMEN MACULATA "SEASON SILVER"	"SEASON SILVER DEAD NETTLE"	QTY.	
2	A	ANNUALS - YELLOW		FLATS	MIN. 1" O.C.

NOTE: SEE GENERAL SPECIFICATIONS SHEET LS-2.



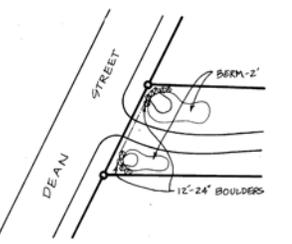
POOL PLANTING DETAIL

SCALE 1"=10'-0"



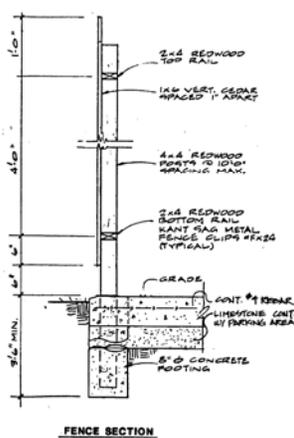
BERM DETAIL

SCALE 1"=20'



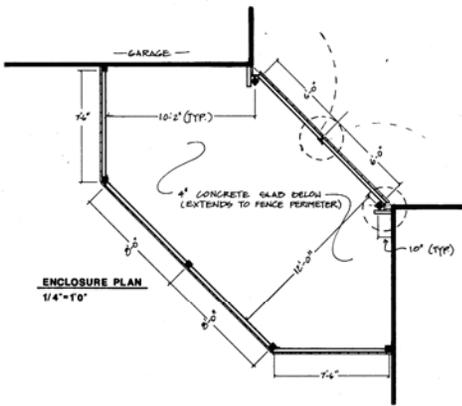
BERM DETAIL

SCALE 1"=20'



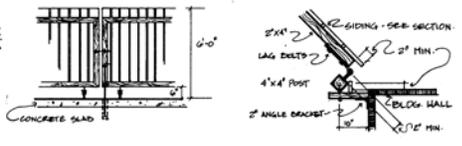
FENCE SECTION

SCALE 1"=1'-0"



ENCLOSURE PLAN

SCALE 1/4"=10'



ELEVATION FROM INSIDE

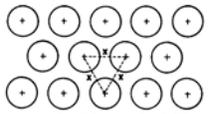
NO SCALE

CORNER DETAIL

SCALE 3/4"=1'-0"

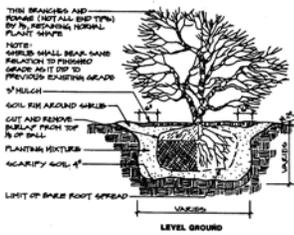
TYPICAL TRASH ENCLOSURE DETAIL

SCALE 1"=1'-0"



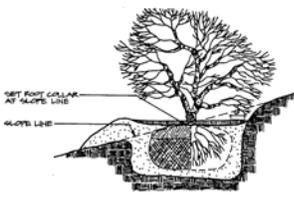
DETAIL: TYPICAL PLANT SPACING

NOT TO SCALE



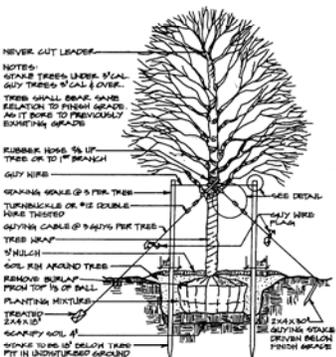
DETAIL: SHRUB PLANTING

NOT TO SCALE



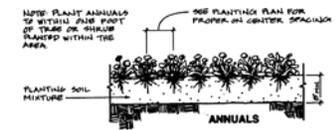
DETAIL: PLANTING ON SLOPE

NOT TO SCALE



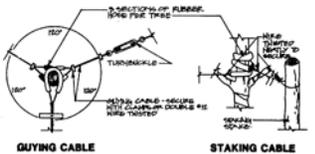
DETAIL: DECIDUOUS TREE PLANTING

NOT TO SCALE



DETAIL: GROUNDCOVER PLANTING

NOT TO SCALE



DETAIL: GUYING & STAKING CABLE

NOT TO SCALE



DETAIL: EVERGREEN TREE PLANTING

NOT TO SCALE

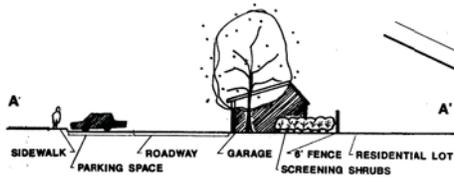
HORIZON INVESTMENT COMPANY
6940 VAL DORN
LINCOLN, NEBRASKA 68506

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ONE WEST ILLINOIS STREET
ST. CHARLES, ILLINOIS 60174

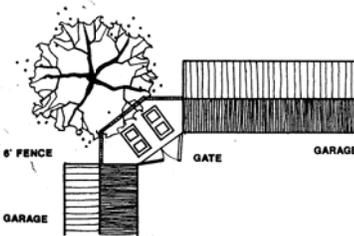
CONSTRUCTION DETAILS

JOB NUMBER: 8848
COMPLETED: 10-27-87
REVISED: 12-4-87
1/19/88

SHEET NUMBER: LS-3

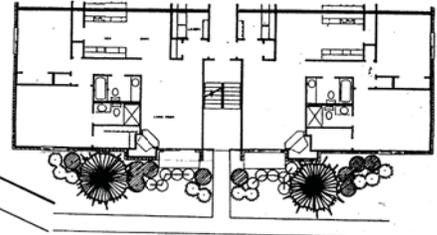


ELEVATION A - A'
SCALE: 1/16" = 1'-0"



DETAIL: TRASH ENCLOSURE
SCALE: 1/16" = 1'-0"

NOTE: PARKING STRUCTURES ARE TO BE OF ROUGH-SAWN CEDAR, WITH ROOFING MATERIAL MATCHING THAT USED ON THE APARTMENT BUILDINGS. ARCHITECTURAL STYLE OF PARKING STRUCTURES TO BE SIMILAR TO APARTMENT BUILDINGS.



TYPICAL UNIT PLANTING
SCALE: 3/32" = 1'-0"

PLANT LIST FOR TYPICAL UNIT PLANTING

- | | |
|--|---|
| <ul style="list-style-type: none"> EVERGREEN TREES - 3'-6" HEIGHT <ul style="list-style-type: none"> ARIES CONCOLOR PICEA PARVIFLORA PINES NIGRA PINES STROBUS MEDIUM DECIDUOUS SHRUBS - 24"-30" HEIGHT <ul style="list-style-type: none"> DOGWOOD SPICULIFERA KOENIGIA ALATA 'COMPACTA' SPRING PALMISTIANA 'MISTY' VIBURNUM CRUCIATA 'COMPACTA' SMALL DECIDUOUS SHRUBS - 18"-24" HEIGHT <ul style="list-style-type: none"> OSTERASTER APICULATA SPYRIDER THUNDERBOLT ALBIS ALPINA SPYRIDER BAMBULA 'PROCELLE' EVERGREEN SHRUBS - 18" HEIGHT <ul style="list-style-type: none"> ZAMIOPHORA HEDYCLAYALIS ANDROMEDA COMPACTA ZAMIOPHORA CHONICATA 'PITTOSPORUM COMPACTA' | <ul style="list-style-type: none"> WHITE FIR COLORADO SPRUCE AUSTRIAN PINE FACTORY WHITE PINE REYING DOCKWOOD DMAP WICKED BUCKWHEAT DMAP KUNGAN LILAC DMAP CHERRYBLOSSOM VIBURNUM CRANBERRY COTONEASTER DMAP JAPANESE BARBERY ALPINE CURRAWAY PROCELLE SPINNA COMPACT ANDROMEDA JUNIPER COMPACT POTTIER JUNIPER |
|--|---|

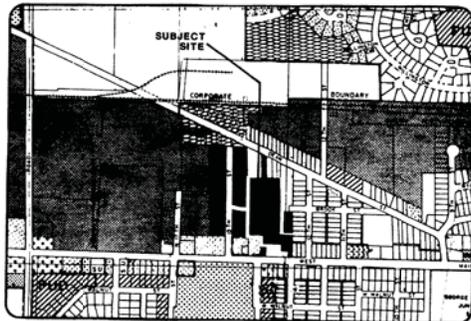
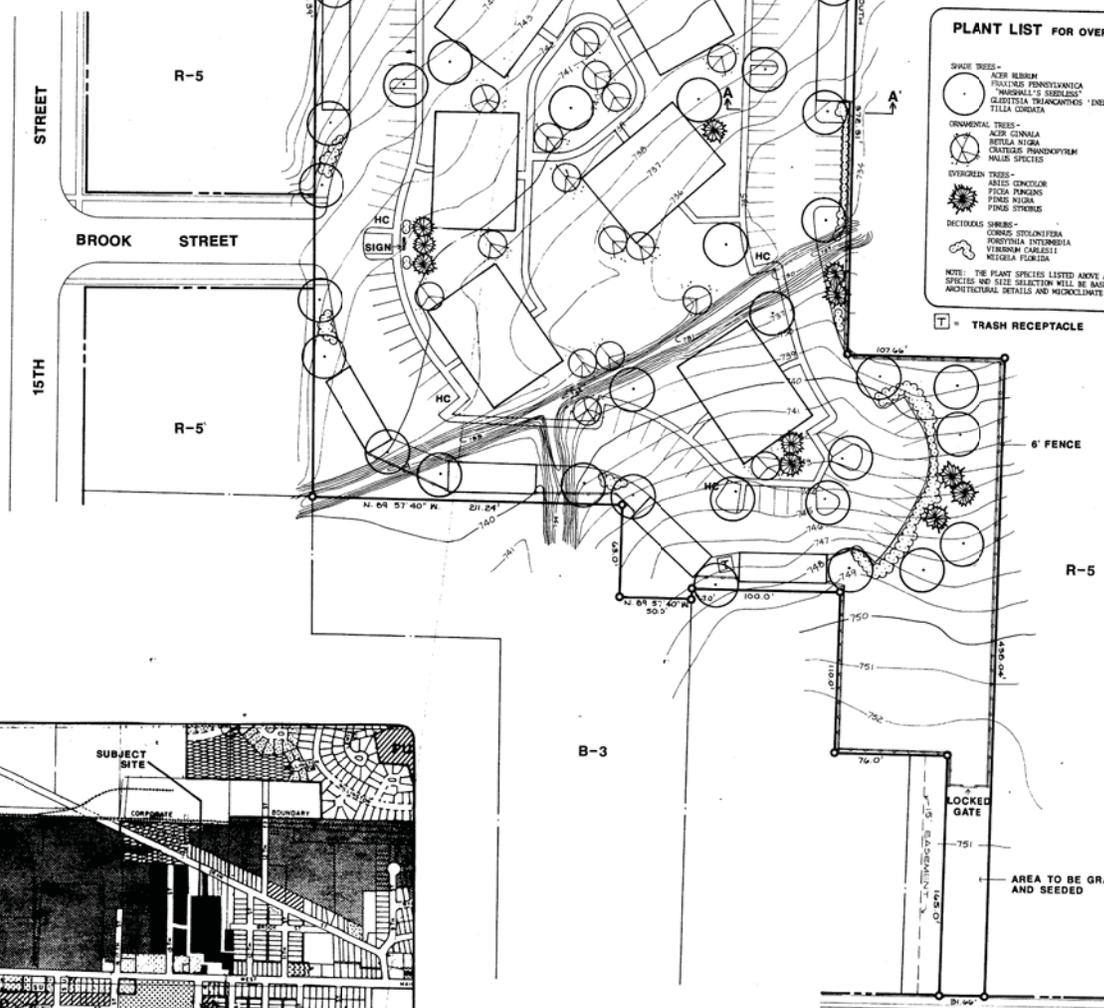
NOTE: THE PLANT SPECIES LISTED ABOVE ARE REPRESENTATIVE ONLY. FINAL SPECIES AND SIZE SELECTION WILL BE BASED UPON PLANT AVAILABILITY, ARCHITECTURAL DETAILS AND MICROCLIMATE CONDITIONS.

PLANT LIST FOR OVERALL LANDSCAPE PLAN

- | | |
|--|--|
| <ul style="list-style-type: none"> SHADE TREES - <ul style="list-style-type: none"> ACER BIRMINGHAM FRAXINUS PENNSYLVANICA 'MORNINGGLORY' QUERCUS 'BIANGANTHUS 'ENERGIC' TILIA CORORATA ORNAMENTAL TREES - <ul style="list-style-type: none"> ACER CINNABEA BETULA NIGRA CRATAEGUS PHAENOPYRUM MALUS SPECIES EVERGREEN TREES - <ul style="list-style-type: none"> ARIES CONCOLOR PICEA PARVIFLORA PINES NIGRA PINES STROBUS DECIDUOUS SHRUBS - <ul style="list-style-type: none"> DOGWOOD SPICULIFERA KOENIGIA ALATA VIBURNUM CRUCIATA MEIGELIA FLORIDA | <ul style="list-style-type: none"> RED MAPLE MORNINGGLORY SEEDLESS ASH THORNLESS HONEYLOCUST LITTLELEAF LINCOLN AMER MAPLE RIVER BIRCH INDICATOR HAWTHORNE FLOWERING CRAB WHITE FIR COLORADO SPRUCE AUSTRIAN PINE EASTERN WHITE PINE REYING DOCKWOOD FORSTYTHIA VIORUM CRUCIATA MEIGELIA |
|--|--|

NOTE: THE PLANT SPECIES LISTED ABOVE ARE REPRESENTATIVE ONLY. FINAL SPECIES AND SIZE SELECTION WILL BE BASED UPON PLANT AVAILABILITY, ARCHITECTURAL DETAILS AND MICROCLIMATE CONDITIONS.

T = TRASH RECEPTACLE



ST. CHARLES TOWNSHIP
ST. CHARLES PARK DISTRICT
S.C. SCHOOL DISTRICT #303

LOCATION MAP
SCALE: 1" = 600'



WEST MAIN STREET

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LANDSCAPE PLAN



HORIZON INVESTMENT COMPANY

5931 SOUTH 58TH STREET SUITE B LINCOLN, NEBRASKA 68516

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SITE DATA

LAND USE	ACRES	PERCENT
BUILDING COVERAGE	.95	17.6%
PARKING AND DRIVES	1.51	28.1%
OPEN SPACE	2.92	54.3%
TOTAL	5.38	100.0%

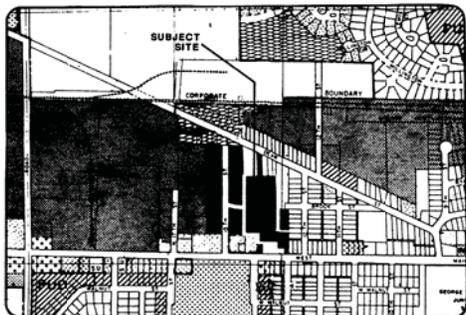
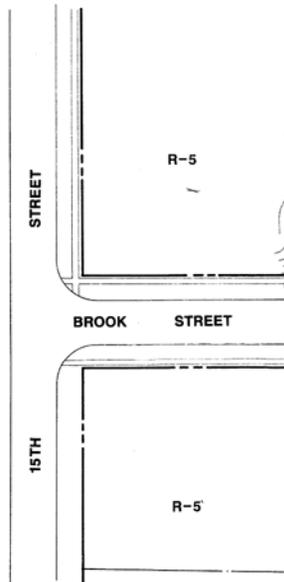
PARKING SPACES

OPEN	110
ENCLOSED	72
RATIO	2.5 PER UMT

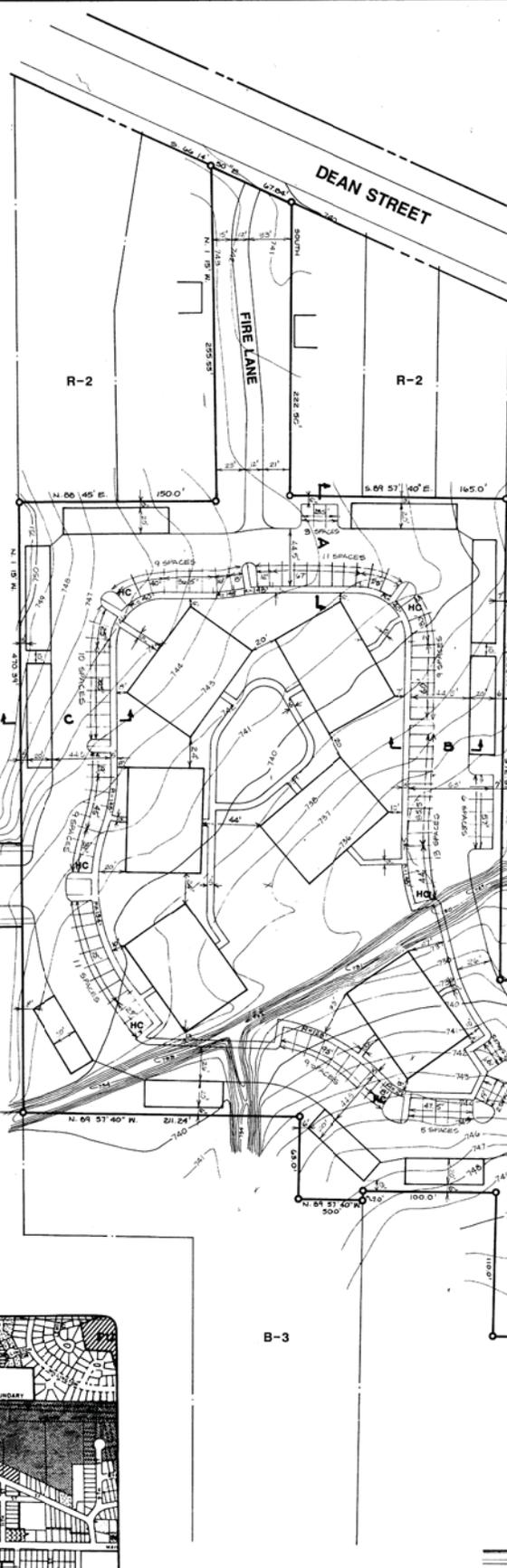
BUILDINGS

TYPE OF UNIT	2 BEDROOM
NUMBER OF BUILDINGS	6
NUMBER OF UNITS PER BUILDING	12
TOTAL UNITS	72
AREA OF SITE	5.38 ACRES
GROSS DENSITY	13.4 UNITS PER ACRE

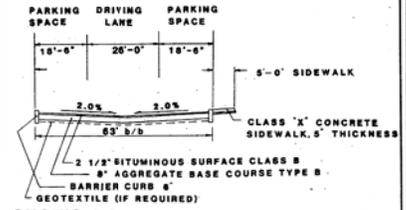
HC = PARKING SPACE FOR HANDICAPPED USER



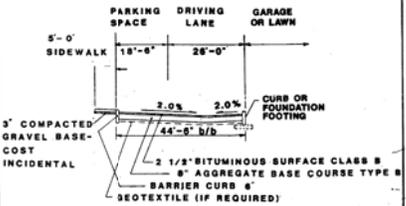
ST. CHARLES TOWNSHIP
ST. CHARLES PARK DISTRICT
S.C. SCHOOL DISTRICT #303
LOCATION MAP
SCALE: 1" = 600'



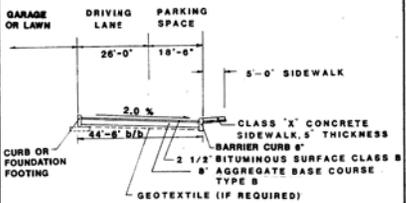
TYPICAL SECTIONS
PRIVATE DRIVE WITH PARKING
(WITHIN COMPLEX)



SECTION A



SECTION B



SECTION C

GENERAL NOTES:

1. TYPICAL PARKING SPACE WILL BE 9.5' x 18.5'.
2. HANDICAP PARKING SPACES WILL BE 12' x 18.5'.
3. ALL GARAGE STRUCTURES WILL BE A MINIMUM OF 5' FROM PROPERTY LINES.
4. ALL INTERNAL RADII WILL BE A MINIMUM OF 5' RADIUS.
5. ALL SIDEWALKS WILL BE 5' MINIMUM WIDTH.

WEST MAIN STREET



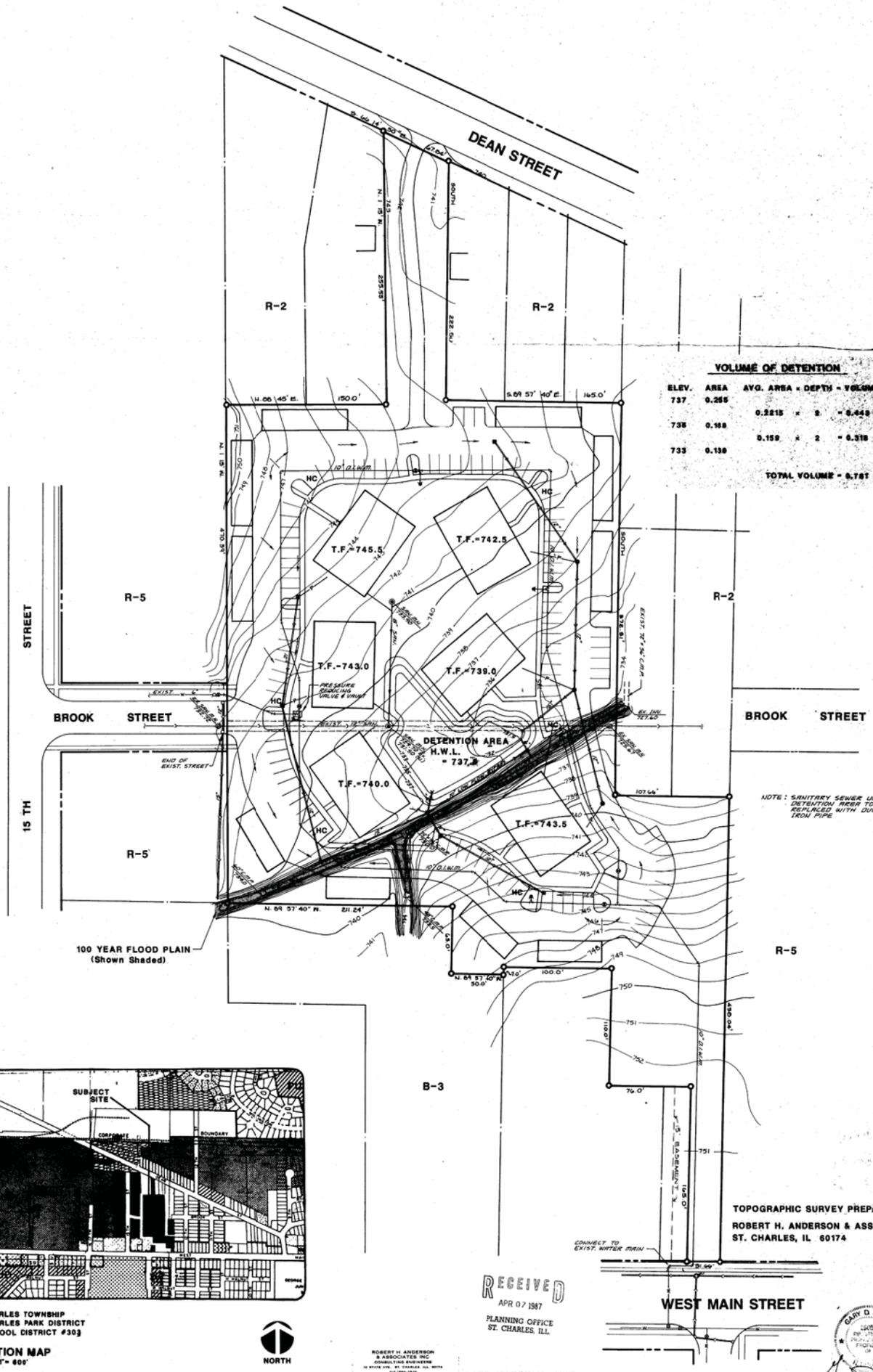
PRELIMINARY PLAN



HORIZON INVESTMENT COMPANY
5931 SOUTH 59TH STREET SUITE B LINCOLN, NEBRASKA 68516

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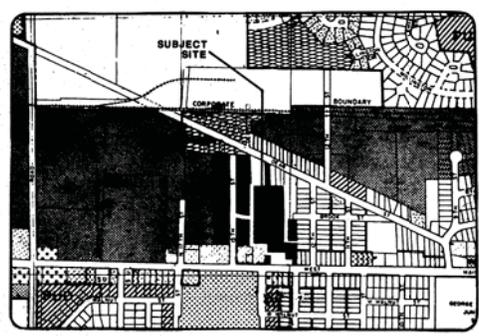


VOLUME OF DETENTION

ELEV.	AREA	AVG. AREA x DEPTH	VOLUME
737	0.265	0.2215 x 2	= 0.443 cu. ft.
738	0.108	0.159 x 2	= 0.318 cu. ft.
733	0.138		
TOTAL VOLUME =			0.761 cu. ft.

NOTE: SANITARY SEWER UNDER DETENTION AREA TO BE REPLACED WITH DUCTILE IRON PIPE

TOPOGRAPHIC SURVEY PREPARED BY:
 ROBERT H. ANDERSON & ASSOC., INC.
 ST. CHARLES, IL 60174



ST. CHARLES TOWNSHIP
 ST. CHARLES PARK DISTRICT
 S.C. SCHOOL DISTRICT #303
LOCATION MAP
 SCALE: 1" = 400'



ROBERT H. ANDERSON
 & ASSOCIATES, INC.
 CONSULTING ENGINEERS
 10 S. MAIN ST., SUITE 200, ST. CHARLES, ILL. 60174
 TEL. 314-733-1100

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 ST. CHARLES, ILL.

DATE: MARCH 10, 1987
 REVISED, DATE: APRIL 1, 1987



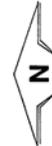
ENGINEERING PLAN



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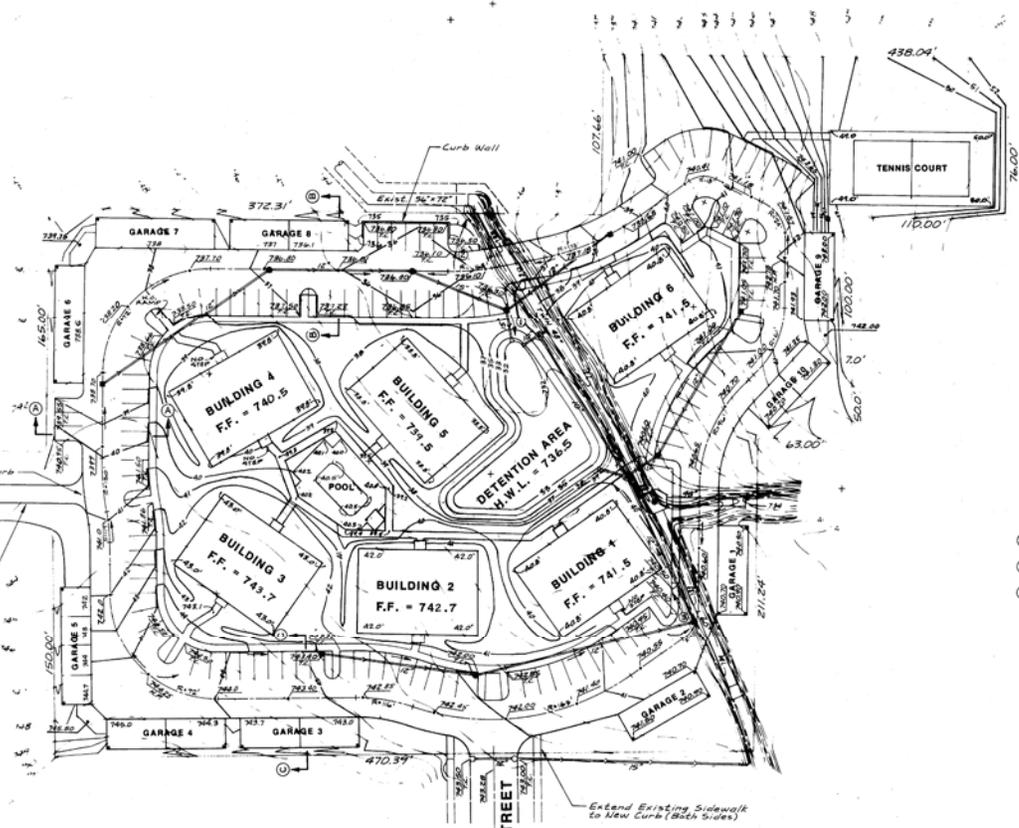
WEST MAIN STREET
WEST MAIN STREET



See Back of Existing
Curb to Outer to
Provide Depressed
Curb for Full Length
of Entrance

DEAN STREET

2" Bituminous Apron
From Back of Curb
to Right-of-Way
12' Wide Fire Access Road
(Gravel)
See Section on Sheet E5



- ① Overflow from East Side Parking Lot
- ② Emergency Overflow from Detention Area
- ③ Overflow from West Side Parking Lot

BROOK STREET

NOT FOR CONSTRUCTION

A
B
C
D
E

PLOTTED BY:	DATE	BY	REVISION DESCRIPTION	DATE	BY	REVISION DESCRIPTION
CHECKED BY:						
DRAWN BY:						
CHECKED BY:						
APPROVED BY:						

RHA&A ROBERT H. ANDERSON & ASSOCIATES, INC.
CONSULTING ENGINEERS
ST. CHARLES, EAST DUNDEE, ILLINOIS

FIRETHORNE APARTMENTS
ST. CHARLES, ILLINOIS
GRADING PLAN

PROJECT NO. 257-000-8
SCALE: 1"=40' DATE: 9-1-1987
SHEET **E 4** OF **8**