



**PLAN COMMISSION AGENDA ITEM EXECUTIVE SUMMARY**

<b>Project Title/Address:</b>	Heritage Green PUD – Final Plat of Subdivision		
<b>City Staff:</b>	Russell Colby, Planning Division Manager		
<b>PUBLIC HEARING</b>		<b>MEETING 10/6/15</b>	X

**APPLICATION:** Final Plat of Subdivision

**ATTACHMENTS AND SUPPORTING DOCUMENTS:**

Staff Report	Final Plat of Subdivision
Final Plat Application	Heritage Green PUD Ordinance #2015-Z-3

**SUMMARY:**

The subject property comprises most of a city block bound by S. 5th, Indiana, S. 6th and Ohio Avenues and is the location of the Raymond Judd House, 309 S. 6th Ave., a City designated Historic Landmark.

In February 2015, the City approved PUD Ordinance No. 2015-Z-3, approving the Heritage Green PUD project. The Judd House will be converted into 4 apartment units and 3 additional townhome buildings will be constructed on the remainder of the development site, with 3 units in each townhome building.

A Final Plat of Subdivision has been submitted for approval. The Final Plat is in conformance with the Preliminary Subdivision Plat that was approved with the PUD ordinance.

Staff has a number of relatively minor comments listed in the Staff Report.

**SUGGESTED ACTION:**

Review the Final Plat of Subdivision.

Staff has found the application materials to be complete and the Final Plat to be in compliance with the approved PUD Preliminary Plan.

Staff recommends approval of the Final Plat of Subdivision.

**INFO / PROCEDURE – FINAL PLAT OF SUBDIVISION:**

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

Community & Economic Development  
 Planning Division

Phone: (630) 377-4443

Fax: (630) 377-4062



ST. CHARLES  
 SINCE 1834

**STAFF MEMO**

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

**FROM:** Russell Colby  
 Planning Division Manager

**RE:** Heritage Green PUD (309 S. 6<sup>th</sup> Ave.) – Final Plat of Subdivision

**DATE:** October 2, 2015

**I. APPLICATION INFORMATION:**

**Project Name:** Heritage Green PUD (309 S. 6<sup>th</sup> Ave.)

**Applicant:** Bob Rasmussen, JRD Development Inc.

**Purpose:** Final Plat of Subdivision approval

<b>General Information:</b>		
<b>Site Information</b>		
Location	309 S. 6 <sup>th</sup> Ave. (Block bound by Rt. 25/5 <sup>th</sup> , 6 <sup>th</sup> , Indiana & Ohio Aves.)	
Acres	35,424 square feet (0.88 acres)	
Applications:	Final Plat of Subdivision	
Applicable City Code Sections	Title 16, Subdivisions and Land Improvement PUD Ordinance 2015-Z-3 (Heritage Green PUD)	
<b>Existing Conditions</b>		
Land Use	Existing Judd House and vacant development site	
Zoning	CBD-2 Mixed Use Business District	
<b>Zoning Summary</b>		
North	CBD-2 Mixed Use Business	Heritage Square
East	RT-4 Trad. Single & Two Family Res.	1 to 2 unit residential houses
South	RT-4 Trad. Single & Two Family Res.	1 to 2 unit residential houses
West	RT-4 Trad. Single & Two Family Res.	1 to 2 unit residential houses
<b>Comprehensive Plan Designation</b>		
Single Family Attached Residential		

## **II. OVERVIEW**

The subject property comprises most of a city block bound by S. 5th, Indiana, S. 6th and Ohio Avenues and is the location of the Raymond Judd House, 309 S. 6th Ave., a City designated Historic Landmark.

In February 2015, the City approved PUD Ordinance No. 2015-Z-3, approving the Heritage Green PUD project.

The project was previously called Foxwood Square and included the Judd House and construction of 10 townhome units around the property. Only 1 townhome building of 2 units was constructed in 2007 (at the northeast corner of the site). No further construction occurred at the site. The townhome units are now under separated ownership.

A new owner, represented by Bob Rasmussen of JRD Development, received approval earlier this year to convert the Judd House into 4 apartment units and construct 3 additional townhome buildings on the remainder of the development site, with 3 units in each townhome building.

## **III. ANALYSIS**

A Final Plat of Subdivision has been submitted for approval. The Final Plat is in conformance with the Preliminary Subdivision Plat that was approved with the PUD ordinance.

Staff has a number of relatively minor comments:

1. Existing easements granted as part of the previous platting of the property for the Riverside Church and Foxwood Square developments will need to be abrogated, either on this document or on a separate Plat of Vacation. Suggest adding a note stating:
  - a. Utility Easement, Landscape Easement, Pedestrian Easement and Vehicular and Pedestrian Ingress/Egress Easement granted by “Foxwood Square Planned Unit Development City of St. Charles, Kane County Illinois” recorded as Doc. No. 2007K079062, are hereby abrogated.
  - b. City Utility Easement granted by “Final Plat of Riverside Community Church” recorded as Doc. No. 2004K074998, is hereby abrogated.
2. An 8 ft. access easement for the sidewalk along 6<sup>th</sup> Avenue will need to be retained and shown on the plat, or abrogated and re-granted on the plat.
3. The ingress-egress easements are not completely drawn on the plat. This will need to be corrected.
4. The ingress-egress easements needs to note that it benefits all lots in the subdivision, in addition to the existing townhome building (Lot 1 in the “Foxwood Square Planned Unit Development City of St. Charles, Kane County Illinois” recorded as Doc. No. 2007K079062)
5. The County Recorder may not allow for lot numbers that include letters. The numbering scheme may need to be changed from 3a, 3b, 3c to 301, 302, 303, etc.

Final Engineering plans are currently under review by staff. The infrastructure improvements are minor and are limited to modifying services for the proposed buildings.

Although stormwater detention is not required for the project, an updated stormwater report needs to be provided demonstrating that the stormwater runoff will not be increased post development. This document will update the information provided with the original Foxwood Square project from 2007.

#### **IV. SUGGESTED ACTION**

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

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



COMMUNITY & ECONOMIC DEV./PLANNING DIVISION

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

**FINAL PLAT OF SUBDIVISION APPLICATION**

<b>For City Use</b>	
Project Name:	<u>Heritage Green Final Plat</u>
Project Number:	<u>2014</u> -PR- <u>022</u>
Application Number:	<u>2015</u> -AP- <u>034</u>

*Received Date*  
**RECEIVED**  
**St. Charles, IL**  
  
SEP 21 2015  
  
**CDD**  
**Planning Division**

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

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

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

<b>1. Property Information:</b>	Location: <u>309 S. 6th Ave</u>	
	Parcel Number (s): <u>09-34-208-000, 09-34-208-003, 09-34-208-004, 09-34-208-007, 09-34-208-009, 09-34-208-008</u>	
	Proposed Subdivision Name: <u>Heritage Green</u>	
<b>2. Applicant Information:</b>	Name <u>Bob Rasmussen</u>	Phone <u>630-774-9101</u>
	Address <u>409 Illinois Ave #1-0</u> <u>St. Charles, IL 60174</u>	Fax <u>630-443-9008</u>
		Email <u>Bob@midwestcustomhomes.com</u>
<b>3. Record Owner Information:</b>	Name <u>Redemption Holdings, LLC</u>	Phone
	<u>679 Heartland Drive</u> <u>Sugar Grove, IL 60554</u>	Fax
		Email

**Please check the type of application:**

**Subdivision:**

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

**Planned Unit Development (PUD):**

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

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

**Attachment Checklist:**

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

**APPLICATION FEE:**

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

**REIMBURSEMENT OF FEES AGREEMENT:**

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

**REIMBURSEMENT OF FEES INITIAL DEPOSIT:**

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

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

**PROOF OF OWNERSHIP and DISCLOSURE:**

Submit one of the following:

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

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

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

**□ PLANS:**

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

**Copies of Plans:**

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

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

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

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

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

**□ ENGINEER'S COST ESTIMATE SPREADSHEET:**

See attached form.

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

**□ STORMWATER REPORT**

**□ FINANCIAL GUARANTEE & LAND IMPROVEMENT AGREEMENT**

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

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

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

**□ COPIES OF THIRD PARTY PERMIT/APPROVALS**


- Illinois EPA Water Pollution Control Permit for sanitary sewer extension


- Illinois EPA Division of Public Water Supplies Permit for water mains
- Notice of Intent (NOI) letter/permit for NPDES Stormwater Discharge for sites 5 acres and larger
- IDNR Office of Water Resources Permit (for work in flood plain)
- Wetlands Permit from Army Corps of Engineers
- Kane County DOT and/or IDOT signature on Final Plat (if applicable)
- Offsite easements and right of way necessary to construct the required Land Improvements

**WORKSHEETS (Residential Development only)**

- **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 WORKSHEET**

**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 9-21-15  
 Date

  
 \_\_\_\_\_  
 Applicant or Authorized Agent 9-18-15  
 Date





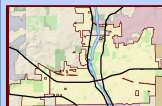
# City of St. Charles, Illinois

Two East Main Street St. Charles, IL 60174-1984  
Phone: 630-377-4400 Fax: 630-377-4440 - www.stcharlesil.gov

## Heritage Green PUD (309 S. 6th Ave)

RAYMOND ROGINA *Mayor*

MARK KOENEN *City Administrator*



Data Source:  
City of St. Charles, Illinois  
Kane County, Illinois  
DuPage County, Illinois  
Projection: Transverse Mercator  
Coordinate System: Illinois State Plane East  
North American Datum 1983  
Printed on: November 13, 2013 08:35 AM



0 40 80 Feet

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Powered by Precision GIS

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

# PLAT OF SUBDIVISION HERITAGE GREEN

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

LOT NUMBER	AREA	SQ.FT.
1	4,073	
2	4,073	
3	4,073	
4	5,293	
OUTLOT	18,162	

DIRECTOR OF COMMUNITY DEVELOPMENT (or Designee)

STATE OF ILLINOIS )  
 COUNTY OF KANE ) ss  
 I, \_\_\_\_\_ do hereby certify that the required improvements have been installed, or the required guarantee bond has been posted for the completion of all required land improvements.

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

### CITY COUNCIL CERTIFICATE

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

Mayor  
 Attest: City Clerk

### COUNTY CLERK CERTIFICATE

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

County Clerk

### ILLINOIS DEPARTMENT OF TRANSPORTATION

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

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

### PLAN COMMISSION CERTIFICATE

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

### OWNER'S CERTIFICATE

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

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

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

### NOTARY PUBLIC CERTIFICATE

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

### MORTGAGEE'S CERTIFICATION

Approved and accepted by \_\_\_\_\_ as Mortgagee.  
 Dated at \_\_\_\_\_, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_.  
 By: \_\_\_\_\_  
 Attest: \_\_\_\_\_

### SURVEYOR'S CERTIFICATE

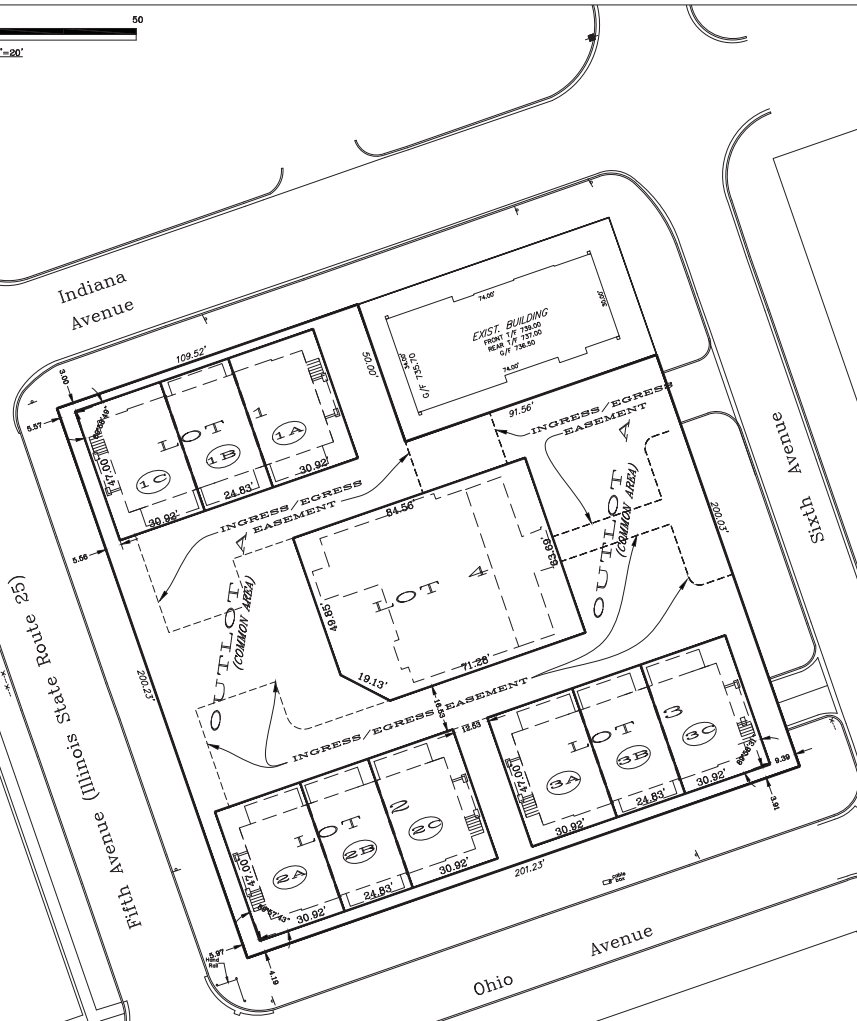
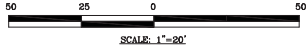
STATE OF ILLINOIS )  
 COUNTY OF DUPAGE ) ss  
 This is to certify that I, \_\_\_\_\_ Illinois Land Surveyor No. \_\_\_\_\_ have surveyed and subdivided the following described property:  
 PARCEL 1 AND LOTS 2 THROUGH 6 ALL INCLUSIVE IN FOXWOOD SQUARE PLANNED UNIT DEVELOPMENT, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF, RECORDED JULY 30, 2007, AS DOCUMENT NO. 2007K079062, IN CITY OF ST CHARLES, KANE COUNTY, ILLINOIS.  
 Given under my hand and seal of \_\_\_\_\_, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_.

Norbert Lambert, P.L.S.  
 ILLINOIS PROFESSIONAL LAND SURVEYOR  
 NO. \_\_\_\_\_

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

**NOTES:**  
 DIRECT VEHICULAR ACCESS SHALL NOT BE ALLOWED TO FIFTH AVENUE (ILLINOIS STATE ROUTE 25) OR OHIO AVENUE.  
 2-4 UTILITY EASEMENT IS HEREBY ESTABLISHED ACROSS ALL LOTS AND PARCELS IN ACCORDANCE WITH THE APPROPRIATE EASEMENT PROVISIONS CONTAINED HEREIN.

LAMBERT & ASSOCIATES  
 ILLINOIS PROFESSIONAL LAND SURVEYORS  
 955 W. LIBERTY DRIVE  
 HEARDEN, IL 60187  
 630.653.6331  
 I. DESIGN FIRM NO. 184-006511 SEPTEMBER 8, 2015 SHEET 1 OF 1



IC2

**City of St. Charles, Illinois**

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

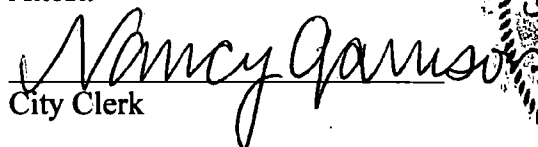
6. That after the adoption and approval hereof, the Ordinance shall (i) be printed or published in book or pamphlet form, published by the authority of the Council, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation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

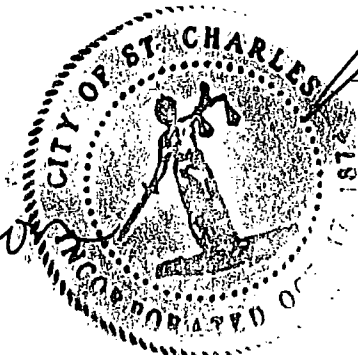
PRESENTED to the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 16th day of February, 2015.

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

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

Attest:

  
City Clerk



  
Raymond P. Rogina, Mayor

COUNCIL VOTE:

Ayes: 9

Nays:

Absent: 1

Abstain:

APPROVED AS TO FORM:

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

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

**Exhibit A**

**Subject Realty  
Legal Description**

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

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



**Exhibit B**

**Findings of Fact for Map Amendment**

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

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

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

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

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

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

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

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

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

The development has lied dormant for 7+ years.

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

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

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

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

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

N/A

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

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

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

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

**Exhibit C**

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

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

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

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

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

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

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

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

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

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

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

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

The infrastructure is currently in place and is sufficient.

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

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

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

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

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

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

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

The development will conform to all current codes.

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

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

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

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

**Exhibit D**

**PUD Development Standards**

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

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

# HERITAGE GREEN

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

CITY OF ST. CHARLES, ILLINOIS

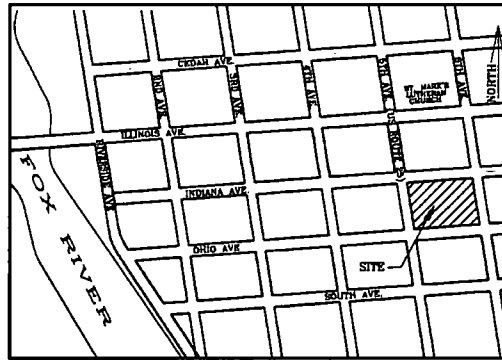
WARNING



CALL BEFORE YOU DIG  
 (HOURS: 800-485-8888)

## CITY OF ST. CHARLES NOTES

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



LOCATION MAP  
 NOT TO SCALE

## SHEET INDEX

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

## LEGEND

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

### UNDERGROUND UTILITY NOTE:

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

### USE OF DRAWINGS

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

### HOLD HARMLESS STATEMENT

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

STATE OF ILLINOIS  
 COUNTY OF KANE (SS)

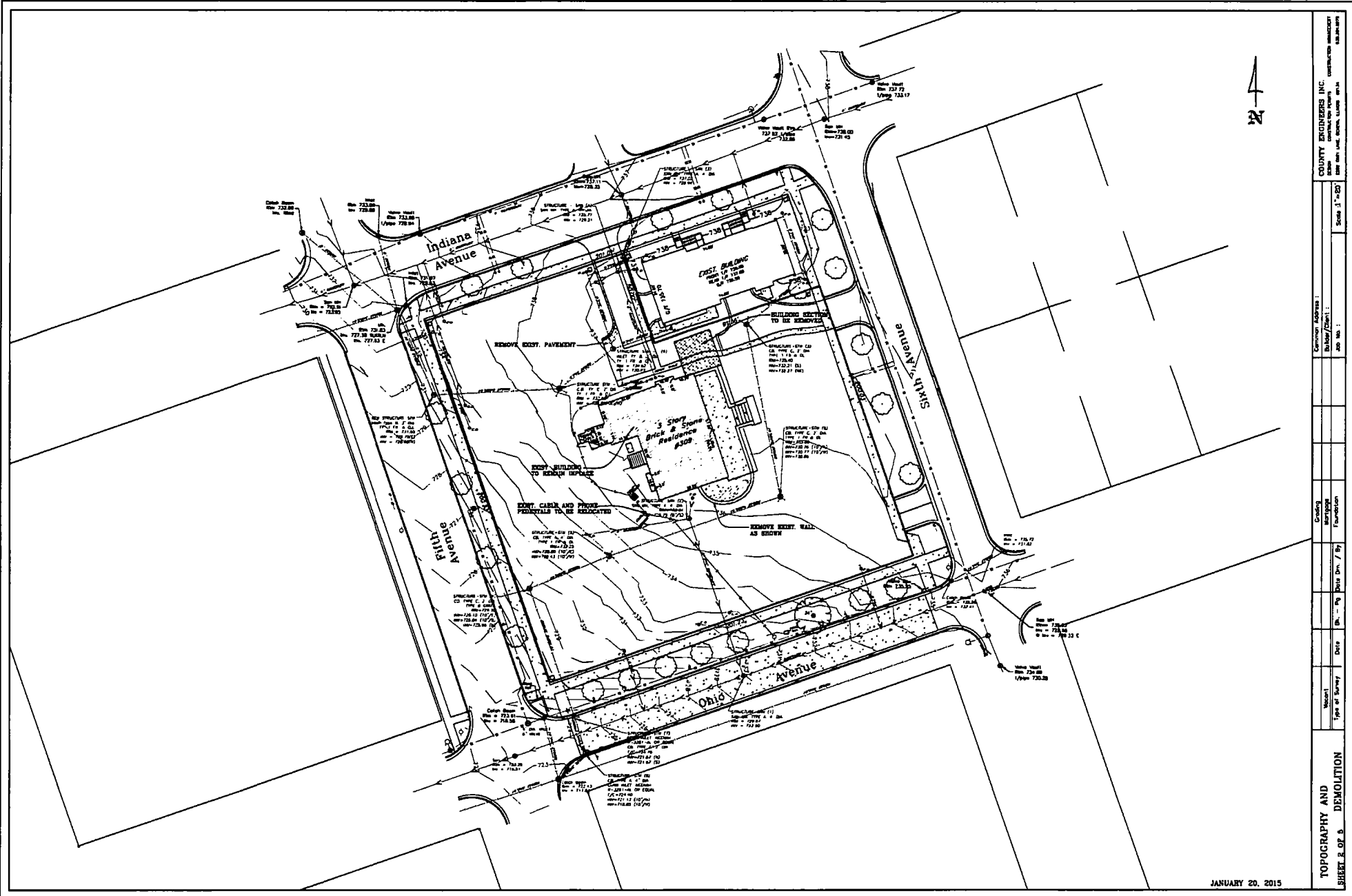
TO THE BEST OF MY KNOWLEDGE AND BELIEF THE DRAINAGE OF SURFACE WATERS WILL NOT BE CHANGED BY THE CONSTRUCTION OF SUCH SUBDIVISION OR ANY PART THEREOF, OR THAT IF SUCH SURFACE WATER DRAINAGE WILL BE CHANGED REASONABLE PROVISION HAS BEEN MADE FOR COLLECTION AND DIVERSION OF SUCH SURFACE WATERS INTO PUBLIC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



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

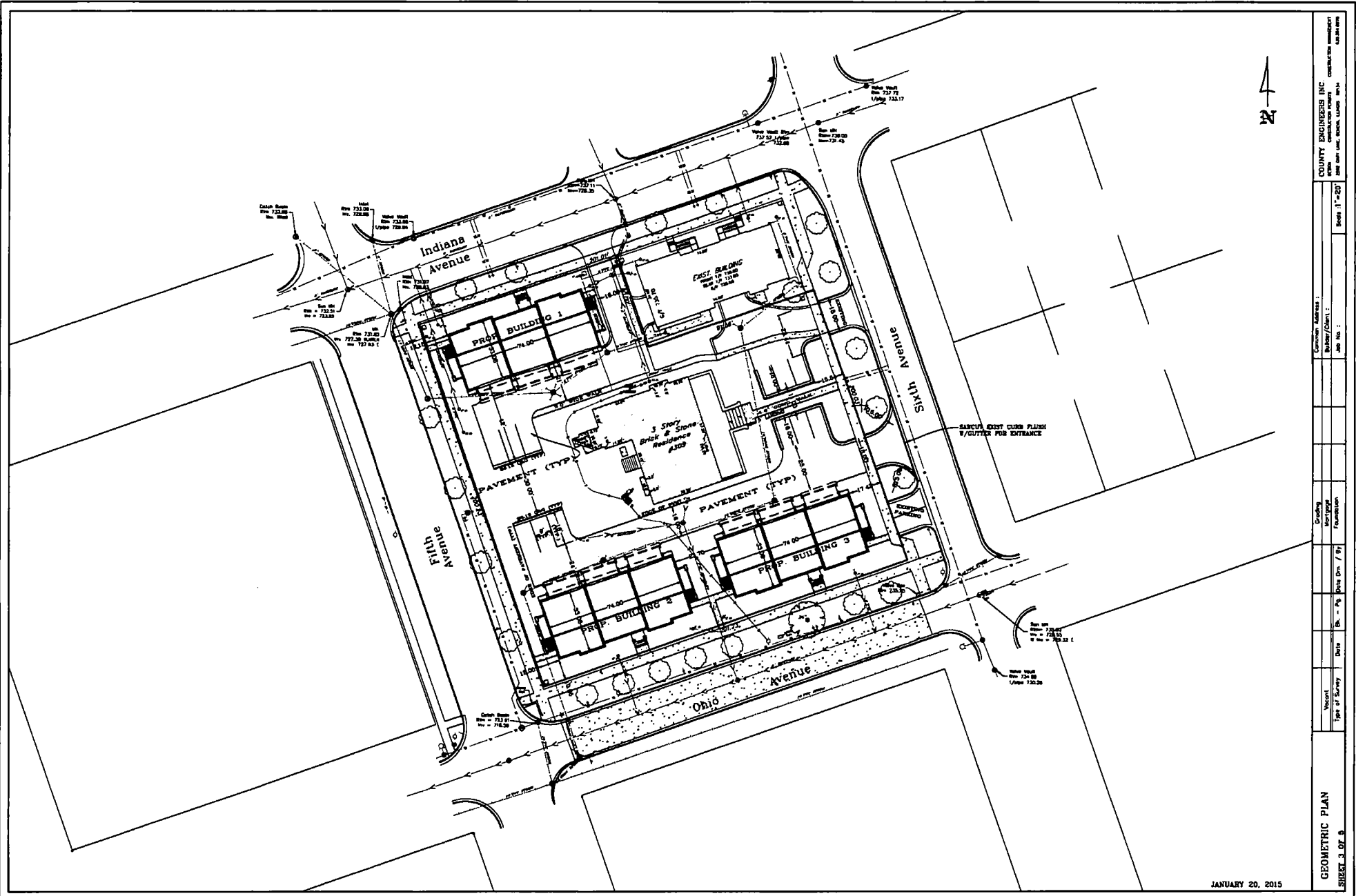
COUNTY ENGINEERS INC.  
 2202 GARY LANE, GENEVA, ILLINOIS 60134  
 630.364.6976 ceillinois@aol.com





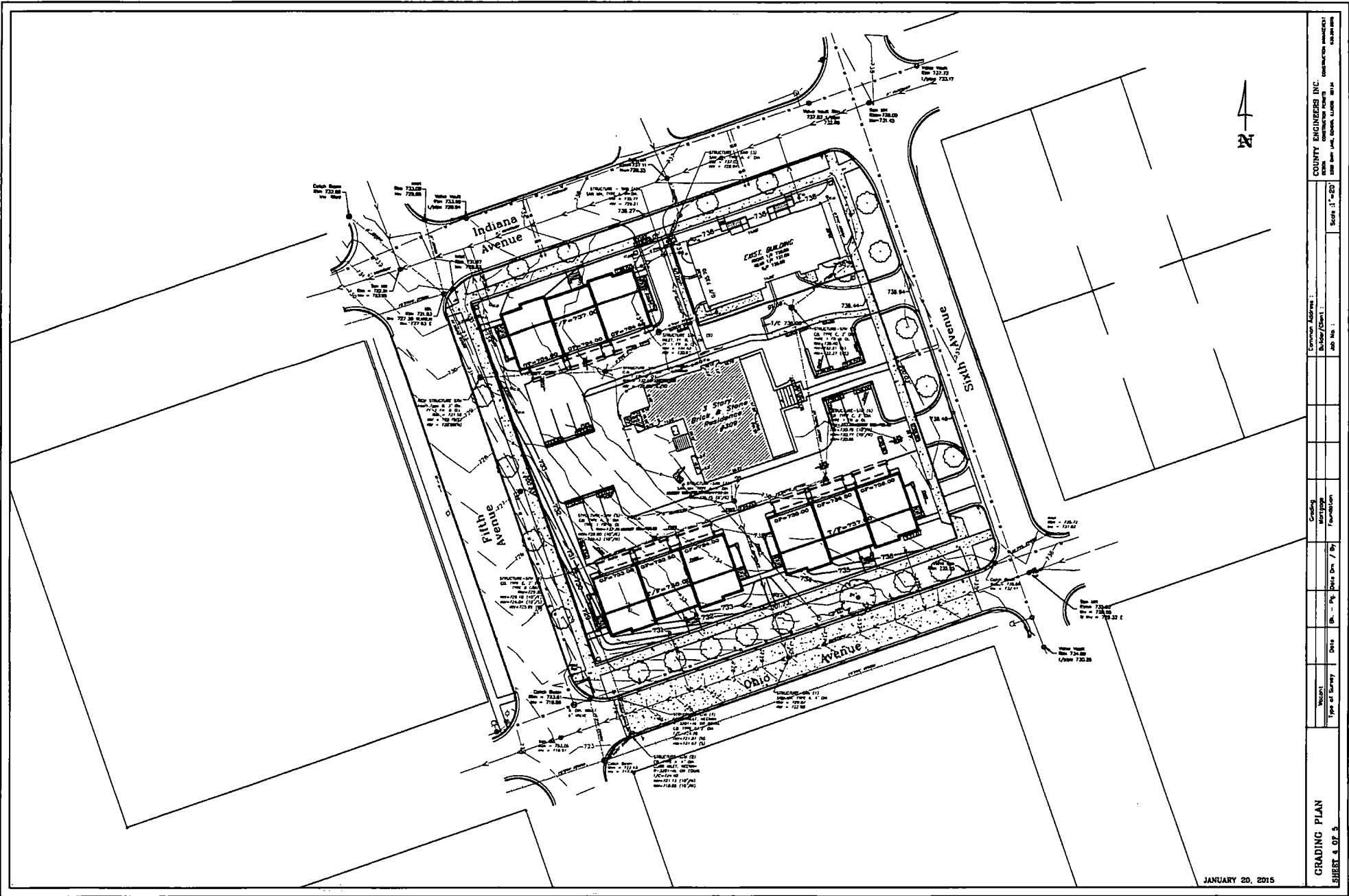
TOPOGRAPHY AND DEMOLITION		SHEET 2 OF 3	
Project Name:	TOPOGRAPHY AND DEMOLITION	Scale:	AS SHOWN
Date:	JANUARY 20, 2015	Drawn By:	[Redacted]
Checked By:	[Redacted]	Reviewed By:	[Redacted]
Client:	COUNTY ENGINEERS INC.	Address:	[Redacted]
Project No.:	[Redacted]	Sheet No.:	2 OF 3

JANUARY 20, 2015



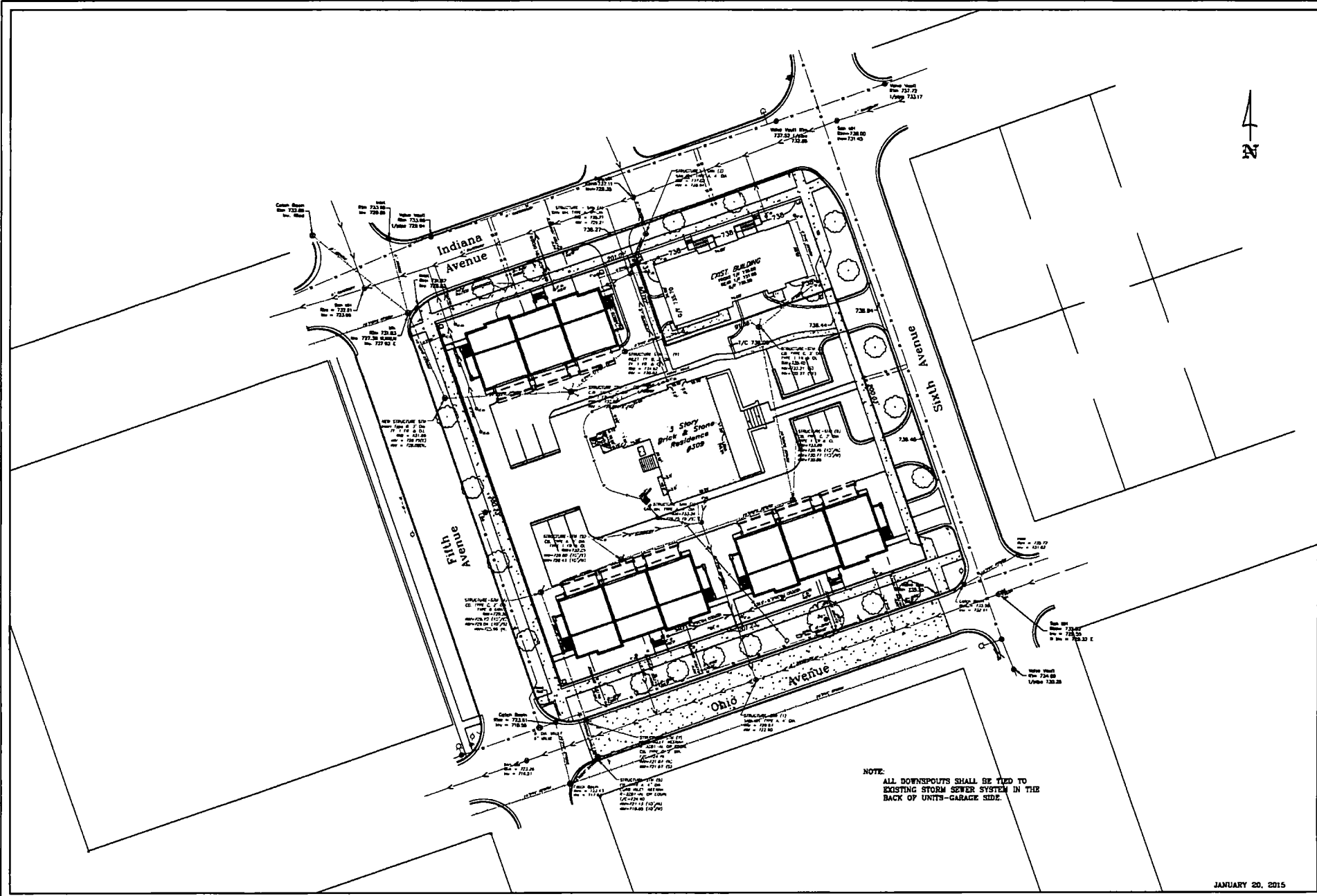
<b>GEOMETRIC PLAN</b> SHEET 3 OF 6	Worksheet: Type of Survey:	Date:	Drawn by: Date:	Checked by: Date:	Grading: Elevation:	Construction: Foundation:	Construction: Address: Subdiv./Dist.: Job No.:	Scale: 1" = 20' COUNTY ENGINEERS, INC. ENGINEERS 1000 East Main Street, Columbus, Ohio 43260 Phone: 614-291-1100 Fax: 614-291-1101
	COUNTY ENGINEERS, INC. ENGINEERS 1000 East Main Street, Columbus, Ohio 43260 Phone: 614-291-1100 Fax: 614-291-1101							

JANUARY 20, 2015



JANUARY 20, 2015

<b>GRADING PLAN</b> SHEET 4 OF 5	Common Address : Building/Chart : Job No. :	Grading Description Foundation	COUNTY ENGINEERS INC. REGISTERED PROFESSIONAL ENGINEER 1000 West 1st Street, Lincoln, Nebraska 68501
	Date : Drawn By : Checked By : Type of Survey :	Date : Drawn By : Checked By : Type of Survey :	Date : Drawn By : Checked By : Type of Survey :



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

UTILITY PLAN		SHEET 5 OF 5		JANUARY 20, 2015	
Client:	County Engineers Inc.	Project:	Construction Management	Scale:	1" = 20'
Drawn by:	John Smith	Checked by:	John Smith	Date:	1/20/15
Project No.:	15-001	Sheet No.:	5		



Common Address:	
Grading	
Mortgage	
Builder/Client:	
Job No.:	
Date:	
Scale:	NTS

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

# PLAT OF SUBDIVISION HERITAGE GREEN

PARCEL 1 AND LOTS 2 THROUGH 6 ALL INCLUSIVE IN FOXWOOD SQUARE PLANNED UNIT DEVELOPMENT, IN THE CITY OF SAINT CHARLES, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF, RECORDED JULY 30, 2007, AS DOCUMENT NO. 2007K079082, IN KANE COUNTY, ILLINOIS.

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

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

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

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

CITY COUNCIL OF CITY OF  
 ST. CHARLES, ILLINOIS

Mayor  
 Attest:  
 City Clerk

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

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

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

County Clerk

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

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

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

**PLAN COMMISSION CERTIFICATE**

STATE OF ILLINOIS )  
 COUNTY OF KANE ) ss

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

CITY OF ST. CHARLES PLAN COMMISSION

Chairman

**OWNER'S CERTIFICATE**

STATE OF ILLINOIS )  
 COUNTY OF KANE ) ss

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

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

St. Charles Community Unit School District 303.

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

**NOTARY CERTIFICATE**

STATE OF ILLINOIS )  
 COUNTY OF KANE ) ss

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

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

Notary Public

**MORTGAGEE'S CERTIFICATION**

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

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

By \_\_\_\_\_

Attest:

**SURVEYOR'S CERTIFICATE**

STATE OF ILLINOIS )  
 COUNTY OF DUPAGE ) ss

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

PARCEL 1 AND LOTS 2 THROUGH 6 ALL INCLUSIVE IN FOXWOOD SQUARE PLANNED UNIT DEVELOPMENT, IN THE CITY OF SAINT CHARLES, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF, RECORDED JULY 30, 2007, AS DOCUMENT NO. 2007K079082, IN KANE COUNTY, ILLINOIS.

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

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

**UTILITY EASEMENT PROVISIONS**

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

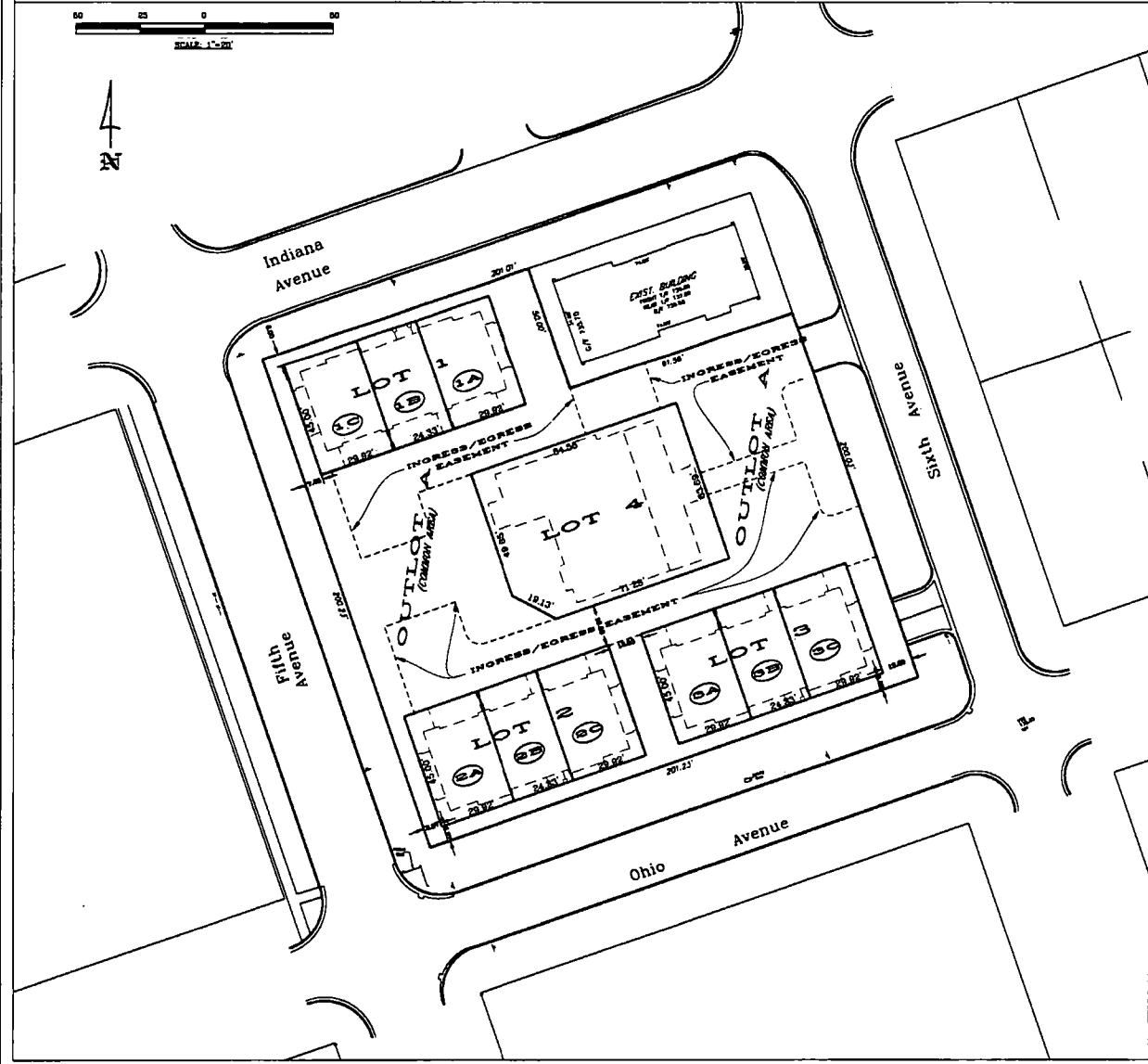
**SPECIAL FLOOD HAZARD AREA CERTIFICATE**

This is to certify that the parcels included in the nature of said (are/are not) located in any Special Flood Hazard Area identified for the City/Town/Village/County of \_\_\_\_\_ Illinois by the Federal Emergency Management Agency in the Flood Insurance Rate Map, Parcel No. \_\_\_\_\_ Dated \_\_\_\_\_ 20\_\_

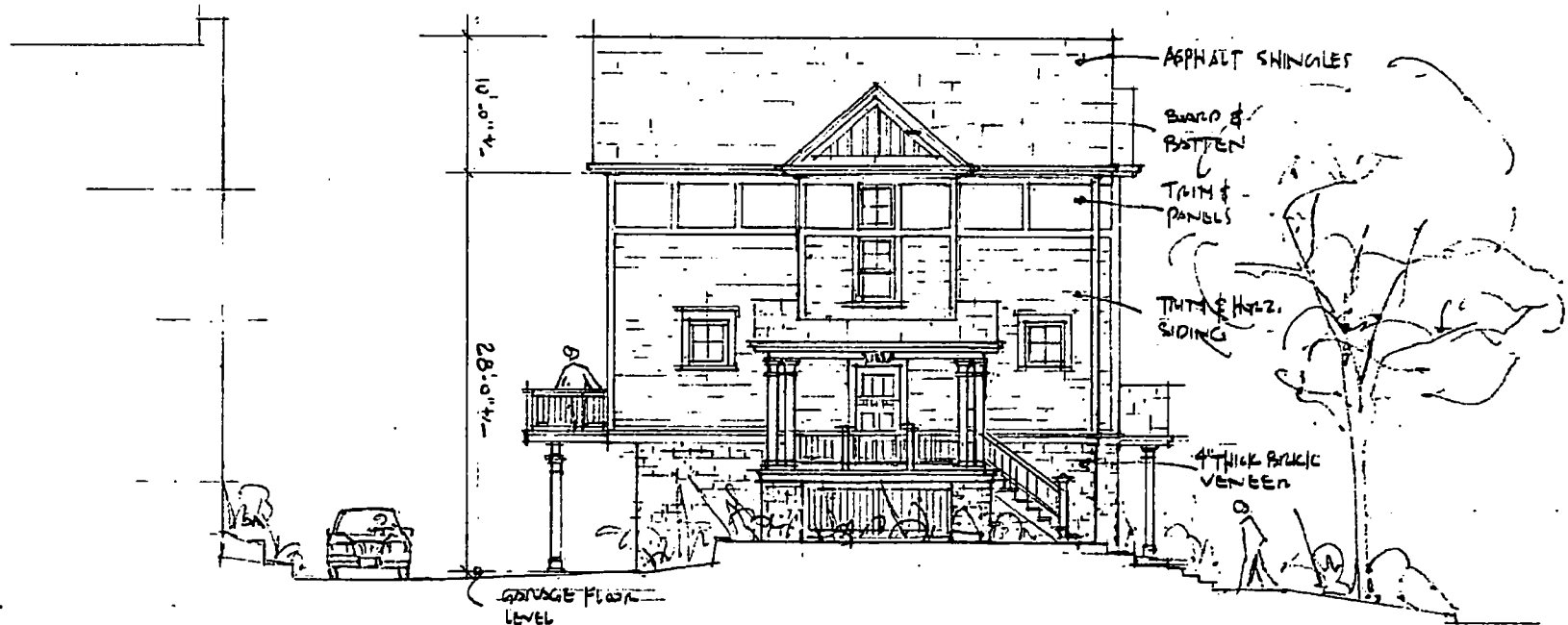
Illinois Registered Land Surveyor No. \_\_\_\_\_

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

**LAMBERT & ASSOCIATES**  
 ILLINOIS PROFESSIONAL LAND SURVEYORS  
 833 N. WISCONSIN AVENUE  
 CHICAGO, IL 60610  
 847.653.1411  
 6 DESIGN FIRM NO 188-008311 JANUARY 20, 2013 SHEET 1 OF 1







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

SHEET  
 1  
 OF 2





PRELIMINARY STREET SIDE ELEVATION 1-4-15

1/8" = 1'-0"

MARSHALL ARCHITECTS

PROPOSED TOWN HOMES AT "HERITAGE GREEN"

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

SHEET  
2  
OF 2



PRELIMINARY REAR ELEVATION 12.28.14

1/8" = 1'-0"

MARSHALL ARCHITECTS

PROPOSED TOWN HOMES AT "HERITAGE GREEN"

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

SHEET

3

OF 3

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

## Certificate

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

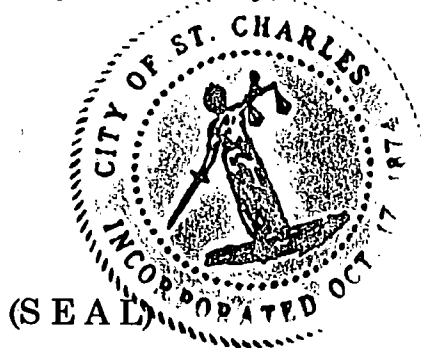
I further certify that on February 17, 2015, the Corporate Authorities of such municipality passed and approved Ordinance No. 2015-Z-3, entitled

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

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

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

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



*Nancy Garrison*  
\_\_\_\_\_  
Municipal Clerk