

**AGENDA  
CITY OF ST. CHARLES, IL  
GOVERNMENT SERVICES COMMITTEE MEETING  
JAMES MARTIN, CHAIRMAN**

**MONDAY, MARCH 23, 2015, 7:00 P.M  
CITY COUNCIL CHAMBERS  
2 E. MAIN STREET, ST. CHARLES, IL 60174**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. ADMINISTRATIVE**
  - a. Electric Reliability Report – Information only.
  - b. Tree Commission Minutes – Information only.
- 4. COMMUNITY DEVELOPMENT DEPARTMENT**
  - a. Presentation of a Concept Plan for Woodward Court.
  - b. Presentation of Downtown St. Charles Brand.
- 5. FIRE DEPARTMENT**
  - a. Recommendation to approve the City of St. Charles Allocation of the Tri City Ambulance Association Budget Subject to the Approval of the City Budget.
- 6. PUBLIC WORKS DEPARTMENT**
  - a. Presentation of 2014 Electric Reliability Report.
  - b. Presentation of Proposed 2015 MFT Street Rehabilitation Project.
  - c. Recommendation to Waive the Formal Bid Procedure and approve HVAC Preventative Maintenance and Inspection Contract with Service Mechanical.
  - d. Presentation of the 2015 Brush Pick Up Program.
  - e. Recommendation to approve Spring Tree Planting Contract with Pedersen Company.

- f. Recommendation to Waive the Formal Bid Procedure and approve Contract with K. Hoving Companies for the Street Sweeping Program.
- g. Recommendation to Waive the Formal Bid Procedure and approve Parking Lot Sweeping Maintenance Contract with Alliance Sweeping for the Downtown Parking Lot Sweeping Program.
- h. Recommendation to approve Amendment of Title 13 “Public Utilities”, Chapter 13.16, “Water”, Section 13.16.205 “Water Conservation” of the City Code.

**7. POLICE DEPARTMENT**

- a. Recommendation to approve Changes to City of St. Charles City Code Title 9 “Public Peace, Morals and Welfare,” Chapter 9.45 “Nuisance Abatement.”
- b. Recommendation to approve Changes to City of St. Charles City Code Title 5 “Business Licenses and Regulations,” Chapter 5.36 “Solicitors.”
- c. Recommendation to approve Street and Parking Lot Closures and Use of Amplification Equipment for the Fine Arts Show.
- d. Recommendation to approve the use of City Plazas/Property and Use of Amplification Equipment for STC Live.
- e. Recommendation to approve a Resolution Requesting the Closure of Routes 64 and 31 for the Memorial Day Parade.
- f. Recommendation to Amend approval for Street and Parking Lot Closures for 2015 St. Charles Half Marathon.

**8. MAYOR’S OFFICE**

- a. Recommendation to approve proposal for a Class B liquor license for Shima’s Sushi to be located at 2400 E Main Street, St. Charles (former Sushi Yama Restaurant).
- b. Recommendation to approve proposal for a Class B liquor license for Salsa Verde located at 1850 Lincoln Highway.
- c. Recommendation to approve proposal for a Class B liquor license for Ram Restaurant Group Inc. d/b/a Abby’s to be located at 11N 3<sup>rd</sup> Street #2, St. Charles (former Thai Zie Restaurant).

- d. Recommendation to approve Late Night Permits for Class B and C Licenses of the City of St. Charles for FY 15/16.

**9. ADDITIONAL BUSINESS**

**10. EXECUTIVE SESSION**

- Personnel
- Pending Litigation
- Probable or Imminent Litigation
- Property Acquisition
- Collective Bargaining


**11. ADJOURNMENT**

	<b>AGENDA ITEM EXECUTIVE SUMMARY</b>					
	Title:		Electric Reliability Report – Information Only			
	Presenter:		Tom Bruhl			
<i>Please check appropriate box:</i>						
	Government Operations		X	Government Services 03.23.15		
	Planning & Development			City Council		
	Public Hearing					
Estimated Cost:		\$	Budgeted:	YES		NO
If NO, please explain how item will be funded:						
<b>Executive Summary:</b>						
For information only.						
<b>Attachments:</b> <i>(please list)</i>						
February 2015 Outage Reports.						
<b>Recommendation / Suggested Action</b> <i>(briefly explain):</i>						
For information only.						
<i>For office use only:</i>		<i>Agenda Item Number: 3.a</i>				



City of St. Charles  
February 2015 Outages

OUTAGE No.	DATE	TIME OFF	TIME ON (Min)	AREA AFFECTED	CIRCUIT No.	CAUSE	NO. OF CUST.	OUTAGE MINUTES	MAJOR CATEGORY	SUB CATEGORY
1	2/3/2015	7:12 AM	28	N. High School, Q Center, E. Main & Rt. 31	7962	ComEd compression sleeve failure resulted in one phase down near Rt 25 and Dunham Rd	2675	74,900	ComEd Loss	L7962
2	2/3/2015	1:10 PM	0	Prairie St.; 7th St. to 8th S.	624	Cutting over new 50KVA transformer to new Hendrix conductor.	9	0	Scheduled	SCMEU
3	2/6/2015	8:56 AM	0	Prairie St. & S. 4th St.	624	Moving lateral primary from A single phase to C single phase on new Hendrix.	10	0	Scheduled	SCMEU
4	2/23/2015	10:00 AM	20	1401 S. 3rd St.	624	Replaced connections at the house.	1	20	Equipment	Connector
5	2/23/2015	7:30 PM	30	310 S. 4th St.	331	Damaged meter.	1	30	Equipment	Meter
6	2/25/2015	2:00 PM	30	3N987 Rt. 31	224	Bad connections on transformer.	1	30	Equipment	Connector
						<b>Total of Interrupted Minutes</b>		<b>74,980</b>		
						<b>Total SAIDI*</b>				
						Total of ComEd Interrupted Minutes		<b>74,900</b>		
						Total SAIDI without ComEd	<b>0.005</b>			
						*System Average Interruption Duration Index (SAIDI)	<b>4.855</b>			

	<b>AGENDA ITEM EXECUTIVE SUMMARY</b>						
	Title:	Tree Commission Minutes – Information only					
	Presenter:	Peter Suhr					
<i>Please check appropriate box:</i>							
	Government Operations		X	Government Services 03.23.15			
	Planning & Development			City Council			
	Public Hearing						
Estimated Cost:	N/A	Budgeted:	YES		NO	X	
If NO, please explain how item will be funded:							
<b>Executive Summary:</b>							
<p>A duty of the Tree Commission is to advise and consult with the Government Services Committee. January 2015 Tree Commission meeting minutes are attached.</p>							
<b>Attachments:</b> <i>(please list)</i>							
Tree Commission Minutes – January 2015 meeting minutes.							
<b>Recommendation / Suggested Action</b> <i>(briefly explain):</i>							
For information only.							
<i>For office use only:</i>		Agenda Item Number: 3.b					

**MINUTES  
CITY OF ST. CHARLES  
TREE COMMISSION MEETING  
RON ZIEGLER, CHAIRMAN  
JANUARY 22, 2015**

**Members Present:** Valerie Blaine, Ralph Grathoff, Raymond Hauser, Suzi Myers, Pam Otto, Caroline Wilfong, Ron Ziegler

**Members Absent:** Jon Duerr

**Others Present:** Chris Adesso, AJ Reineking, Isabel Soderlind

**Visitors Present:** None

**1. Call to Order & Pledge of Allegiance**

The meeting was convened by Comm. Ziegler at 7:03 p.m.

**2. Roll Call**

**3. Introductions of Visitors - Comments and Concerns:**

Mr. Adesso introduced AJ Reineking, the new Public Works Manager at the City of St. Charles. Mr. Reineking briefly updated the commissioners on his background and mentioned that he was looking forward to working with the Tree Commission in the future. The Commissioners then introduced themselves.

**4. Minutes Review and Approval**

Motion by Comm. Myers, seconded by Comm. Blaine to accept and place on file the minutes of the Tree Commission meetings held on September 11, October 15, and November 13, 2014.

Voice vote: unanimous; Nays – None; Absent: Jon Duerr

- Motion carried at 7:08 p.m.

**5. Old Business**

**A. Funding of the Urban Management Forestry Plan**

Mr. Adesso stated that Tony Bellafigiore has been working with Phil Graf on Phase I of the Urban Management Forestry Plan (UMFP). Mr. Bellafigiore will be meeting with Mr. Graf next week to review the rough draft of the plan. Mr. Adesso anticipates that Phase I of the UMFP will be completed by the end of this fiscal year.

Public Works has been working on next year's fiscal budget. Urban Forestry's budget is commensurate with this current year; therefore Mr. Adesso anticipates monies will be available to continue on Phase II of the UMFP for next year.

## **6. New Business**

### **A. Update on the Emerald Ash Borer**

All the assessed ash trees in “bad” to “poor” condition were removed last August/September and replaced during the fall planting season. As planned, the remaining parkway ash trees will be reassessed again this spring/summer. Most of these trees are currently being treated professionally by their sponsors (residents) and most of them have remained in good condition. As mentioned above, the Forestry budget will remain similar to this fiscal year. Mr. Adesso is remaining optimistic that these trees will remain “healthy” and will not need to be removed; therefore the Urban Forestry budget can then focus more on maintenance rather than removals and replacements.

### **B. News and Concerns from Public Works**

Due to the milder weather this winter, the Public Services division has been focusing on pruning and raising the canopies on the trees. This past month the urban forestry crews have focused on the southwest quadrant of town.

### **C. Langum Woods Clean Up:**

Commissioner Otto has remained in contact with Nathan and Brian Lingard. The Boy Scout troop has approximately ten scouts available to assist in the Langum Park Clean Up. Commissioner Otto will try to schedule the event on a Saturday between the end of January and the end of March. Public Services will make sure they pick up the trimmings once the clean-up is completed.

### **D. Commissioner Vacancy**

On behalf of the Tree Commission, the Public Works Office contacted two residents that had expressed an interest in joining the Commission. Carol Riordan was interested in the appointment and contacted the Mayor’s Office. Per Tina Nilles, Ms. Riordan is on the agenda to be appointed at the City Council meeting Monday, February 2, 2015.

Commissioner Grathoff and Houser also mentioned that Richard DeMar and Paul Pedersen were also interested in being commissioners but they were uncertain if there would be a conflict of interest since they are both currently contracted by the City.

Isabel Soderlind, will contact the Mayor’s Office and determine if there would be a conflict of interest and if there could be more than nine members on the Commission.

## **7. Committee Reports**

### **A. Education Committee.**

In September the Commission motioned to purchase up to twelve copies of the book titled, “Why Would Anyone Cut a Tree Down?” for each school in the district. To date the books have not been ordered. Public Works will order twelve copies of the books in digital form. Commissioner Myers will then distribute the books to the schools once the City has received them.

## B. Publicity Committee

Comm. Wilfong and Comm. Myers set up a display promoting Arbor Day at the Wellness Fair at Lincoln School earlier in the evening. Some good contacts were made while they attended the fair.

## C. Arbor Day Committee

The Committee reviewed the 2015 Arbor Day Checklist:

Arbor Day is scheduled for 4:00 PM, Friday, April 24, 2015.  
Lincoln Park has been reserved through the Park District from 2:00 to 6:00 PM.

Item To Accomplish	Delegated To	Completed	Comments/Notes
Renting of the Tent	Ms. Soderlind		
Presentation of Colors:	Comm. Otto Comm. Wilfong Comm. Blaine		Contact Troop 5 Lincoln School Cub Master Girl Scout Leader
Contact Midwest Ground Covers for donation of perennials	Comm. Grathoff		
Contact Potential Speakers	Comm. Blaine/Otto Chris Adesso		Witness Tree Jack Pizzo
Contact Ms. Tieche at Munhall School	Comm. Otto		Re: Type of presentation and speaker system needs
Order Speaker system	Ms. Soderlind		Coordinate with Public Services (RJ Recording)
Tree Demonstration	Comm. Grathoff		Contact Chris Scott
Entertainment/Music	Comm. Myers		Contact Rick Weals
Prepare Programs and Invitations	Ms. Soderlind		
Purchase Cookies	Ms. Soderlind		
Set up of Tables/Chairs/Podium	Tony Bellafiore		
Tribute to Trees – Update Website/Den Article	Ms. Soderlind		
Interactive Children's Activity	Comm. Otto Comm. Blaine Comm. Myers		Leaf Rubbings/Leaf Stamps/Bark Rubbings Need crayons Recycled paper
Planting of Tree on Arbor Day			Contact John Baird at District 303 – determine location

## 8. Communications

### A. Electric and Public Services Tree Activity Reports

Motion by Comm. Myers, seconded by Comm. Blaine to accept and place on file the Electric Division/Public Services Tree Activity Reports for September, October, November and December 2014, as presented.

**Voice vote:** unanimous; Nays – None; Absent: Jon Duerr

## **9. Additional Items – Comments**

### **A. Commissioners:**

**Comm. Myers:** Commented that it was a good meeting.

**Comm. Otto:** Mentioned that she was looking forward to Arbor Day.

**Comm. Hauser:** Great meeting.

**Comm. Blaine:** Comm. Blaine invited the commissioners to stop by and visit the new tree exhibit at Creek Bend Native Center on Dean Street, St. Charles.

**Comm. Grathoff:** None.

**Chair. Ziegler:** Thanked everyone's participation at this meeting.

**Comm. Wilfong:** No comments.

### **B. Staff and Visitors:**

**AJ Reineking:** Commented that he was very excited to work with this engaged and committed committee. He is looking forward to working with this committee in the future.

**Chris Adesso:** Mr. Adesso mentioned Geneva's Natural Resource Committee was holding their Wine, Cheese & Trees 2015 Event on March 21, from 7:00 to 10:00 p.m. This fund raiser is a formal event held at Persinger Recreation Center on Peck Road. Tickets can be purchased in advanced or at the door for \$30. The monies go directly toward the Geneva's Natural Resources Committee's initiatives and activities. Mr. Adesso has attended in the past and it was a fun and entertaining night with the proceeds going towards a good cause.


Mr. Adesso also requested the committee to consider the concept of re-branding and re-naming the Tree Commission to a natural resources and urban forestry committee. The committee would broaden its scope to all natural resources, urban forestry and sustainability initiatives. Mr. Adesso will discuss this concept further at the next Tree Commission meeting.

## **10. Adjournment**

Motion by Comm. Grathoff, second by Comm. Otto to adjourn the meeting.

**Voice vote:** unanimous; Nays – None; Absent: Jon Duerr

/ims

 <b>ST. CHARLES</b> <small>S I N C E 1 8 3 4</small>	<b>AGENDA ITEM EXECUTIVE SUMMARY</b>						
	Title:		Presentation of a Concept Plan for Woodward Court				
	Presenter:		Russell Colby				
Please check appropriate box:							
		Government Operations		X		Government Services 03.23.15	
		Planning & Development				City Council	
Estimated Cost:				Budgeted:		YES	NO
If NO, please explain how item will be funded:							
<b>Executive Summary:</b>							
<p>The subject property constitutes seven (7) vacant parcels in the Pine Ridge Park/Regency Estates PUD. Development of the property is subject to Ordinance 2006-Z-4. Per that ordinance, the property is within the Pine Ridge Park portion of the PUD, which is intended for commercial and/or office development.</p> <p>The applicant, 1300 Spring Street, LLC, is proposing a Concept Plan to develop an apartment complex on the property. Details of the Concept Plan are as follows:</p> <ul style="list-style-type: none"> <li>• Rezone the property from BC Community Business to RM-3 General Residential.</li> <li>• Construct 240 apartment units on approximately 13 acres.</li> <li>• Common open space, clubhouse, and pool for use by the apartment complex residents.</li> </ul> <p>The Land Use Plan designation for the property is split between Corridor/Regional Commercial and Industrial/Business Park.</p> <p><b>Plan Commission Review:</b></p> <p>The Plan Commission reviewed the Concept Plan on 3/17/15. Commissioners' comments were as follows:</p> <ul style="list-style-type: none"> <li>• Most Commissioners expressed support for the multi-family land use and the associated amendments to the Land Use Plan and Zoning Map and noted the project could act as a catalyst for commercial development in the area. However, some Commissioners questioned changing the land use based on incompatibility with the recently adopted Comprehensive Plan.</li> <li>• General support for the proposed density and height.</li> <li>• Walkability and connectivity should be improved between adjacent uses.</li> <li>• A traffic study will be needed.</li> <li>• Some Commissioners expressed support for the architecture, while others felt it was too institutional and did not have a residential feel.</li> </ul>							
<b>Attachments:</b> (please list)							
Staff Memo, Application for Concept Plan, Memo from Regency Estates Residents, Excerpts from Ordinance No. 2006-Z-4							
<b>Recommendation / Suggested Action</b> (briefly explain):							
Provide feedback on the Concept Plan. The staff memo lists a number of questions the Committee may consider when providing feedback.							
For office use only:		Agenda Item Number: 4.a					

Community & Economic Development  
Planning Division

Phone: (630) 377-4443

Fax: (630) 377-4062



**Staff Report**

**TO:** Chairman James Martin  
And Members of the Government Services Committee

**FROM:** Ellen Johnson, Planner

**RE:** Woodward Court Concept Plan

**DATE:** March 23, 2015

**I. APPLICATION INFORMATION:**

**Project Name:** Woodward Court – Concept Plan

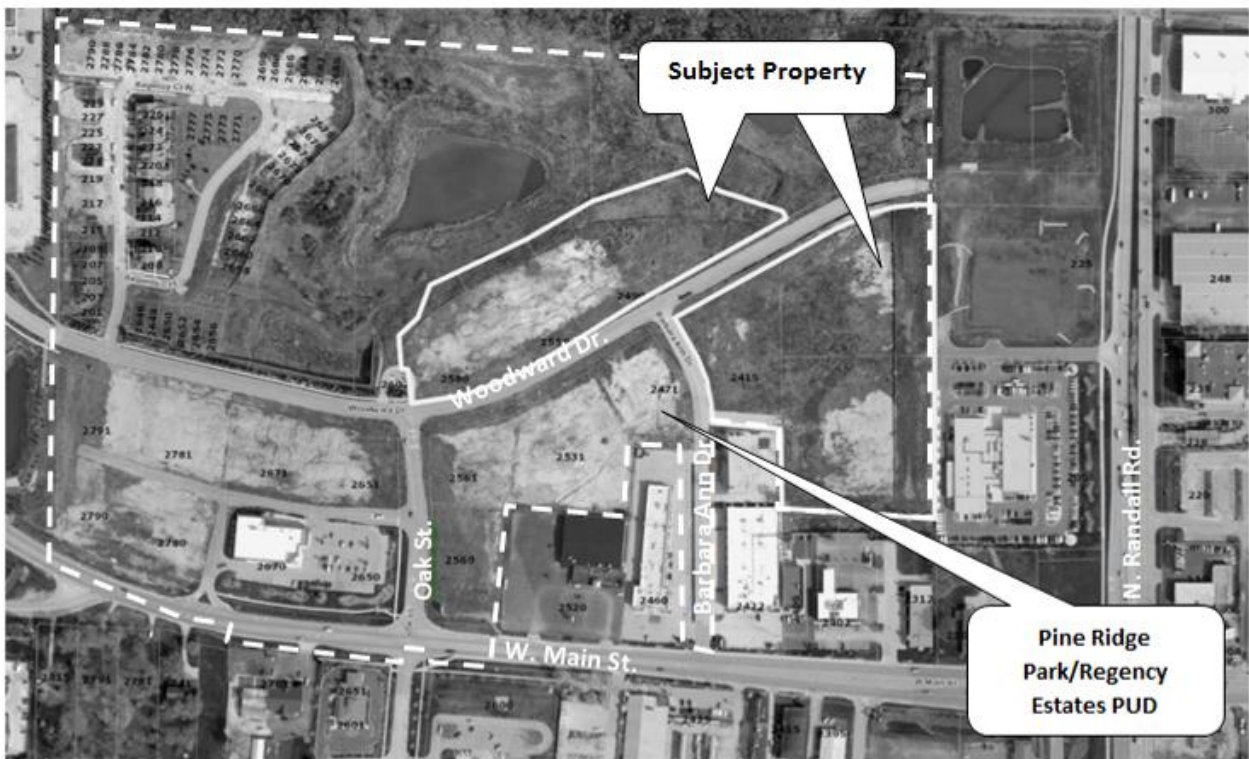
**Applicant:** 1300 Spring Street, LLC

**Purpose:** To construct a 240-unit apartment complex comprised of ten (10) buildings and a club house.

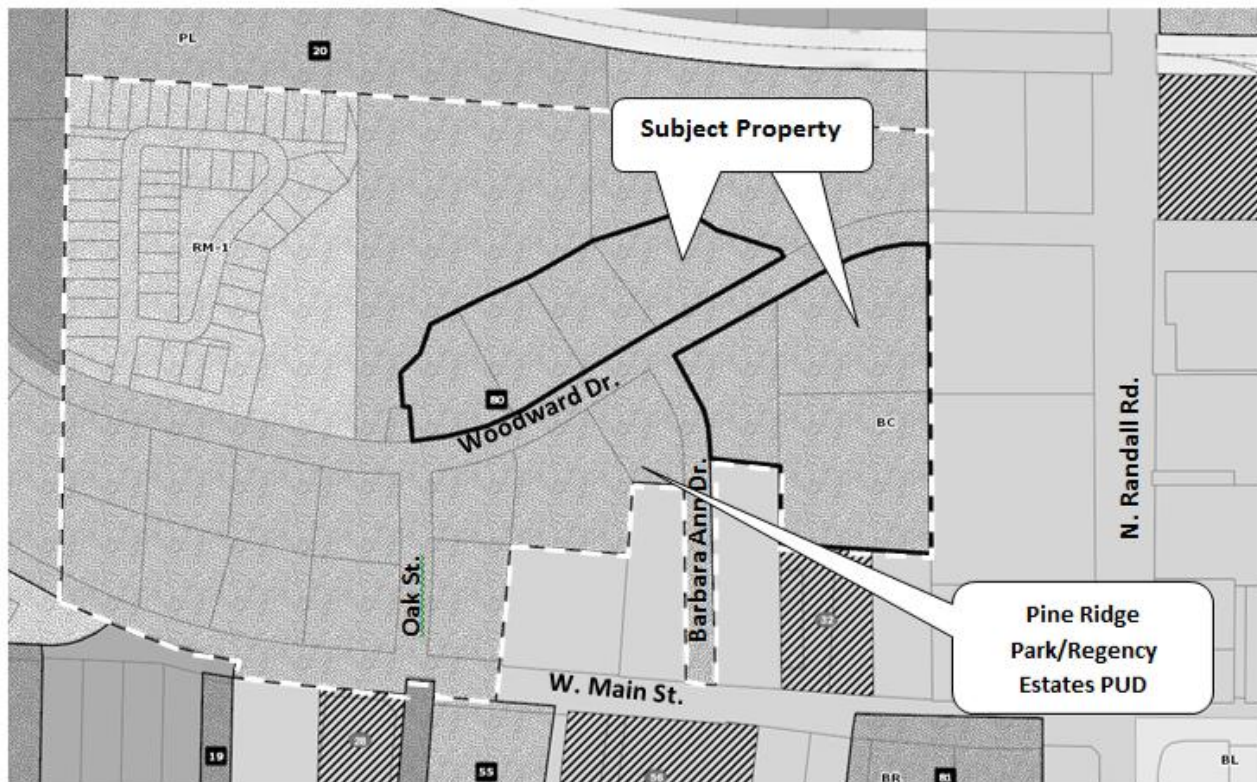
<b>General Information:</b>		
<b>Site Information</b>		
Location	Woodward Dr. at Oak St. and Barbara Ann Dr. (7 parcels in the Pine Ridge Park PUD)	
Acres	13.02 acres	
Application:	Concept Plan	
Applicable City Code Sections	Title 17, Chapter 17.12 - Residential Districts Ord. 2006-Z-4 "An Ordinance Rezoning Property and Granting a Special Use as a PUD for Pine Ridge Park and Regency Estates PUD"	
<b>Existing Conditions</b>		
Land Use	Vacant property	
Zoning	BC Community Business & Planned Unit Development (PUD)	
<b>Zoning Summary</b>		
North	BC Community Business & PUD	Open Space- stormwater detention/wetlands
East	BC Community Business & PUD	Vacant property, car dealership
South	BC Community Business & PUD	Commercial buildings
West	BC Community Business, RM-1Mixed Medium Density Residential (not directly adjacent)	Open Space, townhomes/single-family homes (Regency Estates)
<b>Comprehensive Plan Designation</b>		
Industrial/Business Park; Corridor/Regional Commercial		



## Aerial Photo



## Zoning



## II. OVERVIEW

### A. PROPERTY HISTORY

The subject property is comprised of seven (7) vacant lots in the Pine Ridge Park/Regency Estates PUD, which was approved in 2006 under Ordinance No. 2006-Z-4. The PUD, which is approximately 60 acres in total, includes the following:

- Pine Ridge Park – 27.43 acre, 18 lot commercial development zoned B-3 Service Business District (rezoned to BC Community Business District when the Zoning Ordinance was updated in 2006).
  - Lot 19 was created through subdivision and added to the PUD in 2011.
  - Most of the 19 commercial lots remain vacant.
  - No development has been proposed on the seven lots on which Woodward Court would be developed.
  - The only residential uses currently permitted in Pine Ridge Park under the PUD are affordable dwelling units on the second and third floors of Lots 1-7 (up to 40 units).
    - The proposed development is located on Lots 1-3 and 16-19.
- Regency Estates – 13.17 acre, 44 single-family home lots and 5 townhome units originally zoned R4-A Attached Single family Residence District (rezoned to RM-1 Mixed Medium Density Residential District when the Zoning Ordinance was updated in 2006).
  - PUD Preliminary Plan was approved for this portion of the PUD in 2006 and one townhome building was developed.
  - The PUD ordinance was amended in 2011 to allow single-family homes on the remainder of Regency Estates.
- 14.39 acres of open space/stormwater detention
- 7.98 acres of public right-of-way.

### B. PROPOSAL

1300 Spring Street, LLC, applicant and contract purchaser, is proposing to construct an apartment complex on the property. Details of the proposal are as follows:

- Rezone the property from BC Community Business to RM-3 General Residential.
- Construct ten (10), three-story apartment buildings, each with 24 units, for a total of 240 units.
  - Four (4) apartment buildings and a clubhouse/pool are proposed on the northern portion of the site (5.3 acres on the north side of Woodward Dr.).
  - Six (6) apartment buildings are proposed on the southern portion of the site (7.7 acres at the southeast corner of Woodward and Barbara Ann Drives).
  - A total of 120 one-bedroom units and 120 two-bedroom units.
- Access to the northern portion of the site from Woodward Dr.; access to the southern portion of the site from Barbara Ann and Woodward Drives.
- A total of 408 on-site parking spaces.
- Common open space, clubhouse, and pool for use by the apartment complex residents.

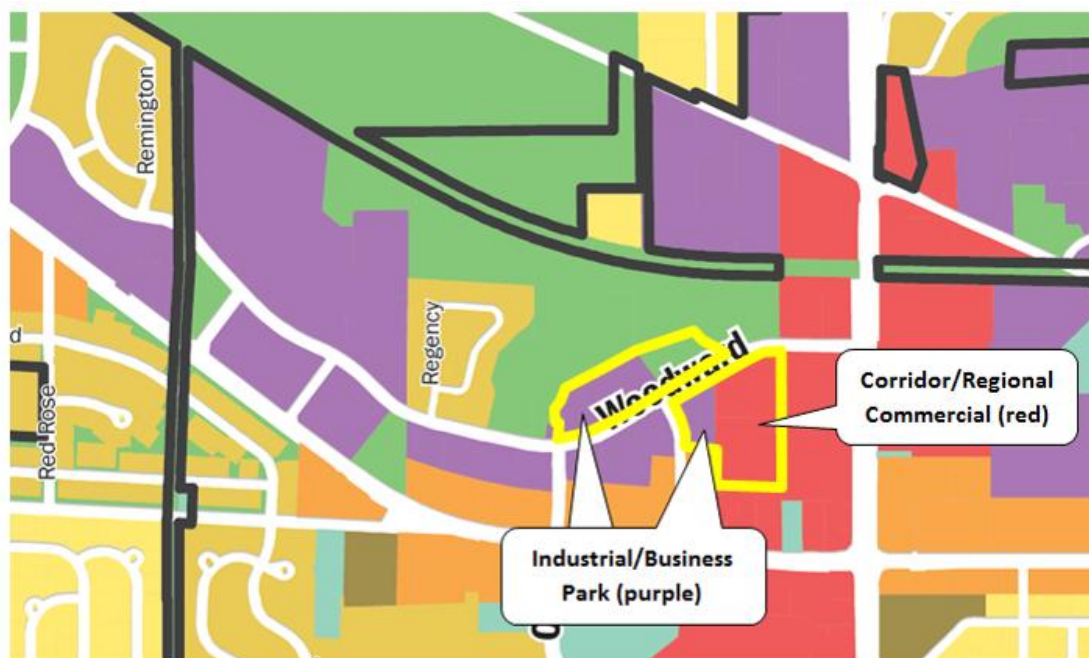
### C. REVIEW PROCESS

The purpose of the Concept Plan review is to enable the developer to obtain informal input on a concept prior to spending considerable time and expense in the preparation of detailed plans and architectural drawings. The Concept Plan process also serves as a forum for citizens and owners of neighboring property to ask questions and express their concerns and views regarding the potential development. Following the conclusion of the Concept Plan review, the developer can decide whether to formally pursue the project.

## III. ANALYSIS

### A. COMPREHENSIVE PLAN

The Land Use Plan adopted as part of the 2013 Comprehensive Plan identifies the subject property as within two land use categories: Industrial/Business Park and Corridor/Regional Commercial, as shown on the map below. The proposal is not consistent with the Land Use Plan. If the project moves forward, prior to City Council approval, staff recommends the land use designation be changed to Multi-Family Residential.



\*The area shown in green is technically designated Parks/Open Space on the Land Use Plan. However, this parcel was subdivided and zoned for commercial use in 2011 and was added to the Pine Ridge Park PUD at that time. The GIS data used when the Land Use Plan was produced had not been updated to reflect the subdivision/rezoning. Therefore, the Parks/Open Space area can be disregarded.

Industrial/Business Park- the Plan states,

*“Areas designated for industrial/business park are intended to accommodate a variety of uses ranging from light assembly, storage and distribution, low intensity fabrication operations, research and “tech” industry applications, intense commercial services uses, and more. These areas are also intended to provide for business park/office park uses,*

*which could include “stand alone” office buildings and complexes or several buildings incorporated into a “campus like” setting.*

Corridor/Regional Commercial- the Plan states,

*“Areas designated as corridor/regional commercial are intended to accommodate larger shopping centers and developments that service a more regional function, drawing on a customer base that extends beyond the City limits...Areas designated for corridor/regional commercial are located primarily in larger consolidated areas along the City’s heavily traveled corridors and intersections.”*

Multi-Family Residential- the Plan states,

*“Multi-family residential structures contain multiple housing units, are usually stacked vertically and attached horizontally, and typically have common hallways and other amenities...Most multi-family developments are located in or near areas of intense commercial development with access to goods, services, and transportation network.”*

Residential Land Use Policies are provided on p.43 of the Comprehensive Plan. The following policy is particularly relevant to the proposal:

***Locate new multi-family residential developments in appropriate locations within the City and consider the implication of concentrating units in one location or area of the City-*** *“Apartments are an important component of a healthy housing stock, expanding housing options for those wishing to live in St. Charles but cannot afford, or have chosen not to, own their home...multi-family housing contributes to residential density which can improve the viability of shopping areas in the community. Recognizing that this Plan is dynamic and not “set in stone”, the City should promote multi-family housing in areas identified in the Land Use and Residential Areas Plans, but consider proposals in other areas provided any significant impact on schools, traffic, and other infrastructure can be mitigated.”*

**B. ZONING REVIEW**

The applicant is proposing the property be rezoned to the RM-3 General Residential District. This is the least restrictive zoning district in terms of density and is one of only two residential zoning districts that permit multi-family development. The purpose of the RM-3 District is:

*“To accommodate a range of housing densities, including higher density residential up to approximately twenty (20) units per acre, at locations that will provide efficient use of land and infrastructure.”*

The table below compares the RM-3 District zoning requirements with the Concept Plan. Deviations that would be required to accommodate the development as proposed are denoted in ***bold italics***. The table differentiates between the northern portion of the site, which is the 5.3 acres on the north side of Woodward Dr., and the southern portion of the site, which is the 7.7 acres at the southeast corner of Woodward and Barbara Ann Drives.

	<b>RM-3 (proposed zoning)</b>	<b>Concept Plan</b>
<b>Min. Lot Area</b>	2,200 sf per unit (for multi-family)	2,359 sf per unit
<b>Min. Lot Width</b>	65 ft.	1,021.8 ft. – northern portion (along Woodward Dr.) 284.6 ft. – southern portion (along Barbara Ann Dr.)
<b>Density in units per acre</b>	20 du/acre	18 du/acre
<b>Max. Building Coverage</b>	40%	Approx. 18%
<b>Max. Building Height</b>	45 ft. or 4 stories, whichever is less	37.5 ft. / 3 stories
<b>Min. Front Yard</b>	30 ft.	41.3 ft. – northern portion (from Woodward Dr.) 37.5 ft. – southern portion (from Barbara Ann Dr.)
<b>Min. Exterior Side Yard</b>	30 ft.	N/A – northern portion 39.4 ft. – southern portion (from Woodward Dr.)
<b>Min. Interior Side Yard</b>	25 ft.	<b>9.4 ft. – northern portion</b> 33.8 ft. – southern portion
<b>Min. Rear Yard</b>	30 ft.	<b>18.8 ft. – northern portion</b> 56.3 ft. – southern portion
<b>Off-Street Parking</b>	1.2 spaces per 1-bedroom unit 1.7 spaces per 2-bedroom unit (348 spaces required; 139 spaces – northern portion & 209 spaces – southern portion)	408 spaces (189 spaces – northern portion; 219 spaces – southern portion)

### C. SITE LAYOUT

The proposed site plan includes the following:

- Northern portion:
  - Four apartment buildings (24 units per building, 96 units total), clubhouse, and pool.
  - Parking is provided in front of the buildings.
  - Greenspace and landscaping is shown around the perimeter of the site, between buildings, and in the interior of the parking lot.
  - Internal sidewalk circulation is provided between the buildings and along the northern edge of the parking lot.
  - Four access points off of Woodward Dr.
- Southern portion:
  - Six apartment buildings (24 units per building, 144 units total).
  - Parking is generally located at the interior of the site.
  - Greenspace and landscaping around the perimeter of the site and between buildings.
  - Internal sidewalk circulation between buildings and along parking areas.

- One access point off of Barbara Ann Dr. and one off of Woodward Dr.

***Staff Comments:***

- Public sidewalks are required along the complete frontages of Woodward Dr. and Barbara Ann Dr. Some of the proposed private sidewalks around the buildings can be relocated to function as public sidewalks.
- Demarcated crossings should be added at the intersection of Woodward Dr. and Barbara Ann Dr. to allow safe pedestrian access between the northern and southern portions of the development.
- The applicant should consider reducing the number of access points along Woodward Dr. to minimize the potential for traffic conflicts. This will need to be studied as part of the traffic study that will be required.

**D. BUILDING DESIGN**

The applicant has provided exterior building elevations. Development in the RM-3 District is subject to Zoning Ordinance **Ch. 17.06 Design Review Standards and Guidelines**, specifically Section 17.06.050 Standards and Guidelines – RM-1, RM-3, and RM-3 Districts. The following comments are related to the design standards and guidelines in the Design Review chapter:

- One elevation design was submitted. Consider varying the design of the ten buildings, while retaining a unifying architectural design through use of similar architectural forms, elements, materials, and color.
- Exterior building materials will need to be provided to ensure compliance with the ordinance.

**E. LANDSCAPING**

The architectural site plan depicts general landscaping. If the project moves forward, a landscape plan in accordance with Zoning Ordinance **Ch. 17.26 Landscaping and Screening** will be required as part of the PUD Preliminary Plan. This landscape plan will be required to include the following elements:

- In total, at least 15% of the development area will need to be landscaped.
- Building foundation landscaping will be required.
- Street frontage landscaping will be required along Woodward and Barbara Ann Drives.
- Parking lots will need to be screened along Woodward and Barbara Ann Drives.
- A minimum of 10% of the interior of the parking lots will need to be devoted to landscaping. This can include islands that extend into the parking lot from its edges.

**F. ENGINEERING REVIEW**

- If the project moves forward, the applicant will be required to submit a traffic study that examines the traffic impacts at the affected intersections, including Barbara Ann Dr. at W. Main St. and Oak St. at W. Main St., as well as site ingress/egress locations and on-site circulation.

*Comments from Development Engineering and Public Works can be found in the attached memo.*



**G. INCLUSIONARY HOUSING**

Based on the last Affordable Housing Update completed in 2013, the requirement to provide affordable units is set a zero. Therefore, no additional units or fees are currently required for the development. However, the City is in the process of reviewing the Affordable Housing Update which may result in the requirement being reactivated.

**H. SCHOOL AND PARK FEE-IN-LIEU CONTRIBUTIONS**

School and Park Land-Cash worksheets have been completed and submitted. A copy of the Concept Plan has been forwarded to the school and park districts for any comments.

The applicant has expressed interest in reducing the Park fee in-lieu contribution due to the on-site amenities that will be provided. A listing of those amenities is provided with the application and has been forwarded to the Park District for consideration.

**IV. APPROVAL PROCESS**

The applicant would need to gain approval of the following in order to permit the development as proposed in the Concept Plan:

1. Land Use Plan Amendment: To change the land use designation in the Comprehensive Plan for the property from Corridor/Regional Commercial and Industrial/Business Park to Multi-Family Residential.
2. Map Amendment: To rezone the property from BC Community Business to RM-3 General Residential.
3. Amendment to Special Use for PUD: To change the development requirements for the subject portion of the PUD.
4. PUD Preliminary Plan: To approve the physical development of the subject property under the PUD, including site plan, elevations, landscape plan, and engineering plans.
5. Preliminary & Final Plat of Subdivision: To approve re-subdivision of the property and the plat that will be recorded with Kane County.

**V. SUGGESTED ACTION**

Review the Concept Plan and provide comments to the developer. Staff is recommending the Committee provide feedback on the following:

- ✓ The change in land use from commercial/office to multi-family.
- ✓ The proposed density.
- ✓ The building architecture.
- ✓ The site layout.

**VI. ATTACHMENTS**

- Development Engineering & Public Works Review Memo
- Application for Concept Plan for Woodward Court
- Excerpts from Ordinance No. 2006-Z-4

**Community & Economic Development  
Development Engineering Division**

Phone: (630) 443-3677

Fax: (630) 377-4062



# Memo

Date: 3/10/15

To: Ellen Johnson

From: Christopher Tiedt, P.E.

RE: Woodward Court Concept Plan

---

I have reviewed the submitted engineering plans for the Woodward Court Concept Plan being proposed within the Pine Ridge Park Subdivision. The following documents were reviewed.

- Plat of Survey prepared by Haeger Engineering dated 2/17/15 (1-page)
- Site Aerial Exhibit for Woodward Court prepared by Haeger Engineering dated 2/17/15 (1-page)
- Existing Conditions Plan for Woodward Court prepared by Haeger Engineering dated 2/17/15 (1-page)
- Proposed Site Plan for Woodward Court prepared by Haeger Engineering dated 2/17/15 (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 at a conceptual level. I have complied Development Engineering and Public Works comments and included them below. These comments are offered up for the applicant's consideration:

**Development Engineering:**

1. A Traffic Impact Study will need to be completed to identify what potential impacts the increase in traffic generated from this site may have on the surrounding road network and what improvements may be required to accommodate the additional traffic.
2. Water modeling will need to be performed to insure that minimum the existing water system is capable of meeting required fire flows for the proposed development.
3. A sanitary sewer capacity analysis will need to be completed to determine if the existing sanitary system (including lift stations, pipes, treatment plant) has available capacity to accommodate the increase in sewer flows based on this proposed development. Any and all recommendations resulting from that study will need to be reviewed and included in the design.
4. The proposed site plan will need to be revised to insure that proper access to the City lift station located at the SW corner of Lot 3 can be maintained.



5. A site circulation analysis would be very useful to determine if there are any areas where access is limited. A WB-50 turning template should be used at a minimum.
6. An analysis will need to be completed that compares the previous stormwater management system with the proposed stormwater management system to determine if enough detention already exists for the proposed development or if additional detention is required for the proposed development.
7. Required wetland buffers will need to be determined and depicted on the preliminary engineering plans to insure that encroachment into these areas with the proposed development does not occur.
8. The overland drainage route from the existing detention pond located at the south end of Lot 18 will need to be taken into account with the overall design of the project. This route runs north along the east side of Lot 18.
9. A full stormwater permit, permit application fee, and stormwater report will all required calculations will be required at the time of preliminary engineering.
10. Should the proposed curb cuts into Lot 16 off of Barbara Ann be relocated, the existing curb cut along the south side of Lot 16 from Barbara Ann Drive would need to be removed.
11. Some utilities will need to be relocated based on the proposed site plan to meet minimum separation requirements (ie watermain near pool and hot tub, etc) and due to conflicts (building on lot 16 over existing storm sewer, Clubhouse over existing storm, etc).
12. All buildings require separate domestic and fire services tapped on a public watermain.
13. Access to the City owned lift station will need to be maintained and taken into consideration with the site layout to accommodate all equipment necessary to service the lift station.
14. The centerline of the eastern most access drive heading south from Woodward Drive will be within 50'-60' of the centerline of future anticipated access drive that will also head south and connect with the access drive currently constructed behind the Resnick Mercedes dealership.

**Public Works:**

15. Existing SSA will need to be modified to accommodate proposed project.
16. The sanitary service for the two western most buildings is shown running through an existing storm manhole.
17. Existing sanitary sewer stubs and water service stubs that will not be utilized need to be properly abandoned. This could involve removing connections from existing mains.
18. Sidewalks will be required to be extended along the public right-of-way along the entire length of the frontages for all of the public right-of-ways.

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.

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

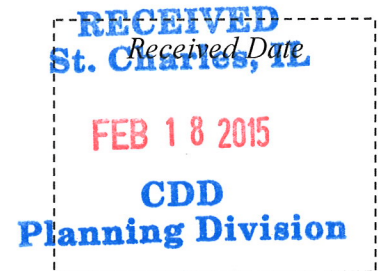


COMMUNITY & ECONOMIC DEV./PLANNING DIVISION

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

**CONCEPT PLAN APPLICATION**

<b>CITYVIEW</b>	
Project Name:	<u>Woodward Court</u>
Project Number:	<u>2015</u> -PR- <u>003</u>
Application Number:	<u>2015</u> -AP- <u>007</u>



*To request review of a Concept Plan for a property, complete this application and submit it with all required attachments to the Planning Division.*

*When the application is complete and has been reviewed by City staff, we will schedule a Plan Commission review, as well as a review by the Planning and Development Committee of the City Council. While these are not formal public hearings, property owners within 250 ft. of the property are invited to attend and offer comments.*

*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.*

<b>1. Property Information:</b>	Location: Pine Ridge Park - St. Charles	
	Parcel Number (s): 09-29-452-009, 09-29-452-008, 09-29-452-007, 09-29-479-005, 09-29-479-006, 09-29-479-007, and 09-29-426-003	
	Proposed Project Name: Woodward Court	
<b>2. Applicant Information:</b>	Name 1300 Spring Street, LLC	Phone 630-659-0133
	Address 40W304 LaFox Road, Suite B St. Charles, IL 60175	Fax 630-659-0110
		Email mchorneyko@aol.com
<b>3. Record Owner Information:</b>	Name Real Property Holdings - St. Charles, IL, LLC	Phone 216-222-6021
	Address 1900 East 9th Street, 22nd Floor Attn: Charles Buttle, Vice President Mail Stop: B7-4B13-22-1 Cleveland, OH 44144	Fax 855-843-2338
		Email

**Please check the type of application:**

- ☒ **PUD Concept Plan:** Proposed Name: Woodward Court
- ☐ **Subdivision Concept Plan** Proposed Name: \_\_\_\_\_
- ☐ **Other Concept Plan** \_\_\_\_\_

**Zoning and Use Information:**

Current zoning of the property: BC - PUD #80

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

Current use of the property: Vacant

Proposed zoning of the property: RM -3 PUD? Yes

Proposed use of the property: Multi-Family Dwellings

Comprehensive Plan Designation: BC

**Attachment Checklist**

☒ **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:** See Exhibit "B"

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

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

*NOTE: Private covenants and deed restrictions can limit private property rights with respect to the use of land even though the City's Zoning Ordinance may authorize the use or a less restrictive use. We strongly advise that*

*you perform a title search on the property to determine if there any private covenants containing use restrictions or other deed restrictions. As those private covenants and deed restrictions may conflict with the City's Zoning Ordinance, it is further recommended that you consult with an attorney to obtain an opinion with respect to whether your intended use is compatible with those restrictions.*

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

✕ **PLAT OF SURVEY:**

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

✕ **AERIAL PHOTOGRAPH:**

Aerial photograph of the site and surrounding property at a scale of not less than 1"=400', preferably at the same scale as the concept plan.

✕ **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. A pdf document file or files of all plans shall be required with each submittal. The number of paper plans required shall be as determined by the Director of Community Development, based upon the number of copies needed for review.

#### **Copies of Plans:**

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

#### **Concept Plans shall show:**

1. Existing Features:

- Name of project, north arrow, scale, date
- Boundaries of property with approximate dimensions and acreage
- Existing streets on and adjacent to the tract
- Natural features including topography, high and low points, wooded areas, wetlands, other vegetative cover, streams, and drainage ways.
- General utility locations or brief explanation providing information on existing sanitary sewer, storm sewer, water, and other utilities necessary to service the development.

2. Proposed Features:

- Name of project, north arrow, scale, date
- Boundaries of property with approximate dimensions and acreage
- Site plan showing proposed buildings, pedestrian and vehicular circulation, proposed overall land use pattern, open space, parking, and other major features.
- Architectural elevations showing building design, color and materials (if available)
- General utility locations or brief explanation providing information on existing sanitary sewer, storm sewer, water, and other utilities necessary to service the development

**☒ SUMMARY OF DEVELOPMENT:** See Exhibit "C"

Written information including:

- List of the proposed types and quantities of land use, number and types of residential units, building coverage, floor area for nonresidential uses and height of proposed buildings, in feet and number of stories.
- Statement of the planning objectives to be achieved and public purposes to be served by the development, including the rationale behind the assumptions and choices of the applicant
- List of anticipated exceptions or departures from zoning and subdivision requirements, if any

**☒ PARK AND SCHOOL LAND/CASH WORKSHEETS**

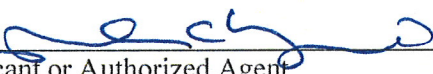
For residential developments, Park and School land/cash worksheets in accordance with Title 16 of the St. Charles Municipal Code with population projections establishing anticipated population and student yields.

- ☒ INCLUSIONARY HOUSING SUMMARY:** For residential developments, submit information describing how the development will comply with the requirements of Chapter 17.18, Inclusionary Housing.

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

\_\_\_\_\_  
Record Owner

\_\_\_\_\_  
Date

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

2-17-15


\_\_\_\_\_  
Date

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

STATE OF ILLINOIS     )  
                                      ) SS.  
KANE COUNTY            )

I, Michael-Dean Chorneyko, being first duly sworn on oath depose and say that I am  
Manager of 1300 Spring Street, LLC, an Illinois Limited Liability  
Company (L.L.C.), and that the following persons are all of the members of the said L.L.C.:

<u>Gerald R. Hubbe</u>	_____
<u>Michael-Dean Chorneyko</u>	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

By:  Manager

Subscribed and Sworn before me this 17th day of  
February, 20 15.

  
Notary Public

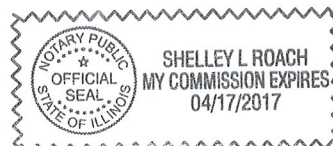


EXHIBIT "A" – Woodward Court Project

LOTS 1 THROUGH 3, BOTH INCLUSIVE, AND 16 OF PINE RIDGE PARK PHASE 1, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 31, 2006 AS DOCUMENT NUMBER 2006K011887, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

ALSO

LOTS 17 AND 18 OF PINE RIDGE PARK PHASE II, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 11, 2007 AS DOCUMENT NUMBER 2007K039250, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

ALSO

LOT 19 OF RESUBDIVISION OF PART OF PARCEL 1 IN PINE RIDGE PARK PHASE I, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 20, 2012 AS DOCUMENT NUMBER 2012K089448, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

# WOODWARD COURT

Summary of Apartment Development  
Woodward Drive & Oak Street  
St. Charles, IL 60175  
February 17, 2015

Site area: ~13.02 Acres

Use: Dwelling – Multiple Family

Existing Zoning: BC – PUD#80  
Proposed Zoning: RM-3

Bulk Requirements	Allowed	Actual
Units per Acre	20	18.5
Minimum Lot Width	65'	~272'
Maximum Building Coverage	40.00%	18.00%
Maximum Building Height	45' or 4 Stories	37'-6" & 3 Stories
Minimum Front Yard	30'	30'
Minimum Interior Side Yard	25'	25'
Minimum Exterior Side Yard	30'	30'
Minimum Rear Yard	30'	30'
Landscape Buffer Yard	30'	30'

## **Building Information:**

- Multiple Family Apartments
- 10 buildings @ 3 stories each
- 9,448sf footprint per apartment building
- 28,334sf per apartment building
- 24 units/apartment building
- 12 one bedroom ~865sf
- 12 two bedroom ~1,100sf
- 240 units in overall project
- Clubhouse ~5,000sf
- Exterior Veneers:
  - Fiber cement veneer
  - Aluminum coping
  - Type 5A Construction
  - Fully Sprinklered

## **Parking:**

- 120 One Bedroom @ 1.2 spaces = 144 spaces required
- 120 Two Bedroom @ 1.7 spaces = 204 spaces required
- Total parking spaces required = 348 spaces required
- Actual spaces = 364
- 348 spaces for apartments & 16 spaces for the clubhouse

## **Anticipated Construction Start: 9/1/15**

## **Exceptions or departures from zoning and subdivision requirements:**

1. Rezone Property from BC PUD#80 to RM-3
2. Building Materials – Veneer – Request that fiber cement stacked stone be considered as an acceptable veneer for portions of the facade.
  - A. Example Product for Reference – Nichiha StackedStone – KuraStone.
  - B. Dimensions of panel – 6"H x 25-5/8"L



# WOODWARD COURT

Statement of Planning Objectives  
Woodward Drive & Oak Street  
St. Charles, IL 60175  
February 17, 2015

## **Planning Objectives**

The developer's objectives are to serve the market demand for upscale residential rental apartments within the western corridor of St. Charles. The project will consist of the highest quality architectural design elements and interior finishes. The project will have shared community amenities for residents including a Clubhouse including outdoor pool area, fitness center, meeting/media rooms and kitchen area for catering utilization. The site plan is a European inspired design including open park like areas, courtyards and circulation patterns.

## **Rationale / Market Demand**

The rental market is continuously evolving whereby the more recent economic challenges has created a demand for upscale rentals for the young professionals that either don't want to own due to the recent housing collapse or they can't afford to purchase, but prefer to rent in an area with quality construction, finishes and amenities. The active seniors experiencing a change in their lifestyle are desiring to downsize and are also looking for quality rentals within the market area to be active and close to their young families.

## RESIDENTIAL ZONING COMPLIANCE TABLE

Name of Development: Woodward Court

	Zoning District Requirement	Existing PUD Requirement (if applicable)	Proposed
	District:	Ordinance #:	
Minimum Lot Area	20		18.5
Minimum Lot Width	65'		~272'
Maximum Building Coverage	40.00%		18.00%
Maximum Building Height	45' or 4 Stories		37'-6" & 3 Stories
Minimum Front Yard	30'		30'
Interior Side Yard	25'		25'
Exterior Side Yard	30'		30'
Minimum Rear Yard	30'		30'
% Overall Landscape Area			
Building Foundation Landscaping			
% Interior Parking Lot Landscape			
Landscape Buffer Yards <sup>1</sup>			
# of Parking spaces	348		364 (including 16 at the Clubhouse)

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



March 5, 2015

Russel Colby, Planning Division Manager  
Ellen Johnson, Planner  
Department of Planning  
City of St. Charles, IL

**Woodward Court Development**  
Concept Plan  
Dedications

Below is a list of proposed amenities with their estimated sizes & costs. With these amenities we are looking for relief from the Parks Department Dedication requirements.

**Swimming Pool & Patio                      \$ 310,000**

***2,500 sf***

Swimming pool, patio, outdoor pavilion with grills

**Community Center                              \$ 380,000**

***2,400 sf***

Entertainment room, Catering Kitchen, Locker rooms, Fitness room

**Walking Paths                                  \$ 130,000**

***4,500 lf (21,600 sf)***

**Outdoor Pavilions                              \$ 120,000**

3 outdoor pavilions with patios & grills

**Community Garden plats                      \$ 10,000**

***6,000 sf***

Raised paver garden plats

**Total cost of amenities                      \$ 950,000**

# PARK LAND/CASH WORKSHEET

City of St. Charles, Illinois

Name of Development Woodward Court  
 Date Submitted: \_\_\_\_\_  
 Prepared by: \_\_\_\_\_



Type of Dwelling	# Dwelling Units (DU)	Population Generation per Unit	Estimated Population
<b>Detached Single Family</b>			
➤ 3 Bedroom		DU x 2.899	=
➤ 4 Bedroom		DU x 3.764	=
➤ 5 Bedroom		DU x 3.770	=
<b>Attached Single Family</b>			
➤ 1 Bedroom		DU x 1.193	=
➤ 2 Bedroom		DU x 1.990	=
➤ 3 Bedroom		DU x 2.392	=
➤ 4 Bedroom		DU x 3.145	=
<b>Apartments</b>			
➤ Efficiency		DU x 1.294	=
➤ 1 Bedroom	120	DU x 1.758	= 211
➤ 2 Bedroom	120	DU x 1.914	= 230
➤ 3 Bedroom		DU x 3.053	=

**Totals** 240 441  
 Total Dwelling Units Estimated Total Population

## Park Site Requirements

Estimated Total Population 441 x .010 Acres per capita = 4.41 Acres

## Cash in lieu of requirements -

Total Site Acres 4.41 x \$240,500 (Fair Market Value per Improved Land) = \$ 1,060,605.00

# SCHOOL LAND/CASH WORKSHEET

City of St. Charles, Illinois

Name of Development Woodward Court  
 Date Submitted: \_\_\_\_\_  
 Prepared by: \_\_\_\_\_



## Estimated Student Yield by Grades

Type of Dwelling	# of dwelling Units (DU)	Elementary (Grades K to 5)		Middle (Grades 6 to 8)		High (Grades 9 to 12)	
Detached Single Family							
➤ 3 Bedroom		DU x .369	=	DU x .173	=	DU x .184	=
➤ 4 Bedroom		DU x .530	=	DU x .298	=	DU x .360	=
➤ 5 Bedroom		DU x .345	=	DU x .248	=	DU x .300	=
Attached Single Family							
➤ 1 Bedroom		DU x .000	=	DU x .000	=	DU x .000	=
➤ 2 Bedroom		DU x .088	=	DU x .048	=	DU x .038	=
➤ 3 Bedroom		DU x .234	=	DU x .058	=	DU x .059	=
➤ 4 Bedroom		DU x .322	=	DU x .154	=	DU x .173	=
Apartments							
➤ Efficiency		DU x .000	=	DU x .000	=	DU x .000	=
➤ 1 Bedroom	120	DU x .002	= .24	DU x .001	= .12	DU x .001	= .12
➤ 2 Bedroom	120	DU x .086	= 10.32	DU x .042	= 5.04	DU x .046	= 5.52
➤ 3 Bedroom		DU x .234	=	DU x .123	=	DU x .118	=

Totals 240 TDU 10.56 TE 5.16 TM 5.64 TH

## School Site Requirements

Type	# of students	Acres per student	Site Acres
Elementary (TE)	10.56	x .025	= .264
Middle (TM)	5.16	x .0389	= .200
High (TH)	<del>5.52</del> <b>5.64</b>	x .072	= <del>.397</del> <b>.406</b>

Total Site Acres ~~.861~~ **.870**

## Cash in lieu of requirements -

~~.861~~ **.870** (Total Site Acres) x \$240,500 (Fair Market Value per Improved Land) = \$ ~~207,070.50~~ **209,235.00**

# PLAT OF SURVEY

OF

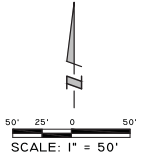
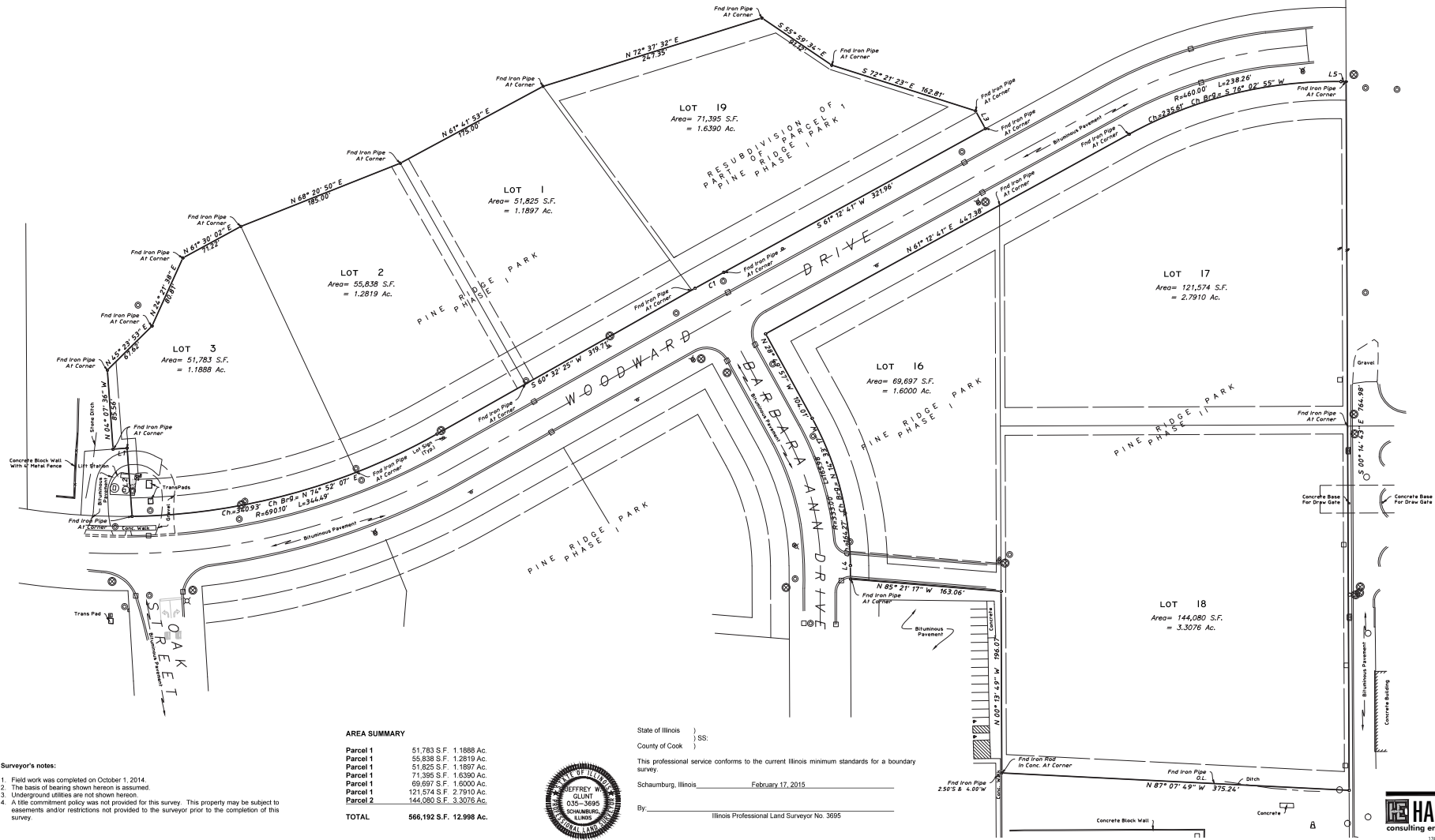
LOTS 1 THROUGH 3, BOTH INCLUSIVE, AND 16 OF PINE RIDGE PARK PHASE I, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 31, 2006 AS DOCUMENT NUMBER 2006011887, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

ALSO LOTS 17 AND 18 OF PINE RIDGE PARK PHASE II, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 11, 2007 AS DOCUMENT NUMBER 2007039290, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

ALSO LOT 19 OF RESUBDIVISION OF PART OF PARCEL 1 IN PINE RIDGE PARK PHASE I, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 20, 2012 AS DOCUMENT NUMBER 2012089448, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

LINE TABLE		
Line	Direction	Length
L1	S 85° 52' 24.47" W	15.21'
L2	N 4° 07' 35.53" W	73.86'
L3	S 28° 47' 16.78" E	21.87'
L4	N 0° 16' 27.39" W	14.63'
L5	S 89° 06' 41.72" E	5.58'

CURVE TABLE				
Curve	Length	Radius	Chord	Chord Bearing
C1	35.60'	3040.00'	35.60'	S 60° 52' 45" W



LEGEND	
○	Manhole
○	Catch Basin
□	Inlet
□	Planned End Section
⊙	Fire Hydrant
⊙	Valve Vault
⊙	Valve Box
⊙	Light Pole
⊙	Hand Hole
⊙	Fence
⊙	Pipe Bollard
⊙	Sign
⊙	Gas Meter
⊙	Electrical Pedestal
⊙	Electric Manhole
⊙	Electric Meter
⊙	Curb & Gutter
⊙	Depressed Curb
⊙	Retaining Wall
⊙	Recorded
⊙	Measured
⊙	On Line

## AREA SUMMARY

Parcel 1	51,783 S.F. 1.1888 Ac.
Parcel 1	55,838 S.F. 1.2819 Ac.
Parcel 1	51,825 S.F. 1.1897 Ac.
Parcel 1	71,395 S.F. 1.6390 Ac.
Parcel 1	69,697 S.F. 1.6000 Ac.
Parcel 1	121,574 S.F. 2.7910 Ac.
Parcel 2	144,080 S.F. 3.3076 Ac.
<b>TOTAL</b>	<b>566,192 S.F. 12.998 Ac.</b>



State of Illinois )  
County of Cook )

This professional service conforms to the current Illinois minimum standards for a boundary survey.

Schaumburg, Illinois February 17, 2015

By: \_\_\_\_\_ Illinois Professional Land Surveyor No. 3695

## Surveyor's notes:

- Field work was completed on October 1, 2014.
- The basis of bearing shown hereon is assumed.
- Underground utilities are not shown hereon.
- A title commitment policy was not provided for this survey. This property may be subject to easements and/or restrictions not provided to the surveyor prior to the completion of this survey.

**HAEGER ENGINEERING**  
consulting engineers • land surveyors

1304 N. Main Street, Schaumburg, IL 60173  
Tel: 815.394.6600 Fax: 815.394.6608

Illinois Professional Design Firm License No. 184-003152  
www.haegerengineering.com





Scale 1" = 40'

No. Date Revision

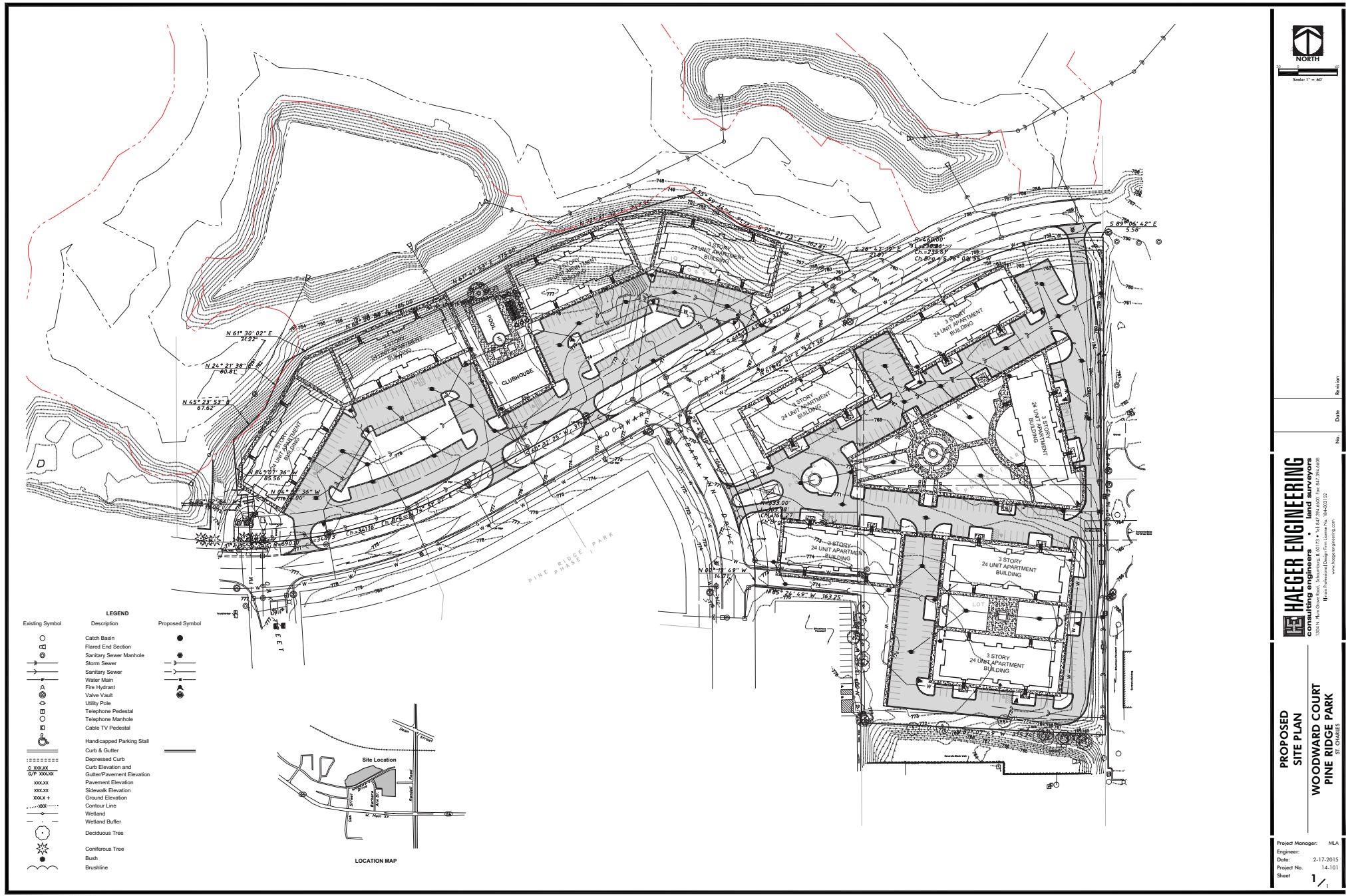
**HAEGER ENGINEERING**  
CONSULTANTS  
1504 N. Elm Street, Suite 100, Springfield, IL 62761-4606  
Tel: 618.278.4600 Fax: 618.278.4608  
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**SITE AERIAL EXHIBIT**  
**WOODWARD COURT**  
**PINE RIDGE PARK**  
ST. CHARLES

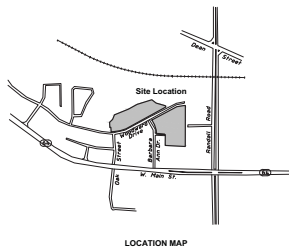
Project Manager: MEA  
Engineer:  
Date: 2-17-2015  
Project No. 14-101  
Sheet 1







LEGEND	
Existing Symbol	Proposed Symbol



Scale 1" = 40'

**PROPOSED  
SITE PLAN**

**WOODWARD COURT  
PINE RIDGE PARK  
ST. CHARLES**

Project Manager: MLA  
Engineer: 2-17-2015  
Date: 14-101  
Project No.:  
Sheet: 1

**HAEGER ENGINEERING**  
Civil/Structural/Environmental/Geotechnical/Industrial/Transportation/Utility/Construction Management  
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Woodward Court  
Pine Ridge Park  
St. Charles, IL

Architectural Site Plan

Scale: 1" = 100'

01/21/15





Color Perspective



Woodward Court  
Pine Ridge Park  
St. Charles, IL

3/5/15



Color Elevations



Woodward Court  
Pine Ridge Park  
St. Charles, IL

3/5/15

# MEMORANDUM

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**DATE:** March 17, 2015

**TO:** Plan Commission – City of Saint Charles

**FROM:** Regency Estates Residents

**RE:** **Woodward Court Pine Ridge PUD  
Re-Zoning Request By MRConstruction**

**Cc:**

---

The following questions, comments and concerns were raised following the meeting held by MRConstruction on March 10, 2015 at Taphouse Grill in Saint Charles regarding the proposed re-zoning of Pine Ridge PUD to residential in order to construct an apartment complex consisting of 240 units currently named Woodward Court.

1. The proposed price point of \$1,800 to \$2,000 seems high for the target demographic (young professionals and retired persons). Can MRC provide supporting documentation for the proposed price point such as target demographic salaries, consumer debt (car loan, school loan), cost of living, etc. Does the target demographic have available income? Typically, college graduates and retired people have the smallest amount of expendable income.
2. Young professionals that may be able to afford the proposed rent price point may be those who work in Chicago and are able to demand higher salaries. This group of people may prefer a location closer to a train station.
3. What is the cost of rent on a square foot basis?
4. In the price point listed above, what is to keep young professionals from putting their money toward a townhome and equity in a real estate purchase vs. an apartment?
5. What is the contingency plan in the event that the above price point cannot be achieved? Lower rent? If so, how does this effect target demographic? Does lowering the rent have an effect on property values in the area?
6. Who will own the apartments after construction? Who will manage the apartments after construction?

7. What are the regulations surrounding designation of Section 8 housing and could this development at some point in the future fall under Section 8 housing?
8. How will background checks be handled? Are there any municipal policies in place to ensure adequate background checks are performed?
9. Will zoning the area in question from Community Business to Residential result in a change in house values in the area? If so, would the home value raise or decrease?
10. How many developments has the developer built similar to this? How many years have they been in service and are they successful?
11. What is the Forest Preserves opinion of placing residential in this location vs. Community Business? Will there be an impact on the wildlife?
12. How will constructing apartments over commercial affect vehicle traffic on Woodward Avenue?
13. What is the total number of parking spaces required for this development?
14. There is a bus stop located at the corner of Woodward Drive and Regency Court. There is concern that placing apartments along Woodward Drive would increase the morning commute traffic (over that of Community Business) and effect child safety. Currently, there is no stop sign installed and vehicles regularly speed down Woodward.
15. Does the School District have capacity to handle an estimated extra 60 children? (assuming 120 – 2 bedroom apartments at 3 person/apartment and 120 – 1 bedroom apartments at 1.5 person/apartment) source: Title 35, Part 370, Appendix A.
16. There is concern that the morning commute traffic would grow and that the “Red Light, Green Light” times for the stop lights at the intersection of IL RTE 64 and Oak Street would need to be adjusted to allow longer green light time for those turning off of Oak Street, east onto IL RTE 64. This is especially true in the event that Woodward does not extend to Randall Road.
17. The overall height of the apartment buildings adjacent to the wetland is a concern.
18. Where will dumpsters be located? Will they be completely enclosed with a fence?

19. Noise and light pollution from the apartment buildings adjacent to the wetland is a concern.
20. Will the City require a portion of the development to be dedicated as open space to be used for a park or other public space?
21. From a planning perspective, an apartment complex that shares lot lines with commercial zones does not include adequate buffer zones.
22. The development is split with a portion of the development located north of Woodward and the remainder to the south. Amenities for the development will be located on either side of Woodward Drive requiring frequent foot or vehicle traffic across Woodward. Once the area is built out, Woodward will receive higher traffic volumes once Woodward terminates at Randall Road.

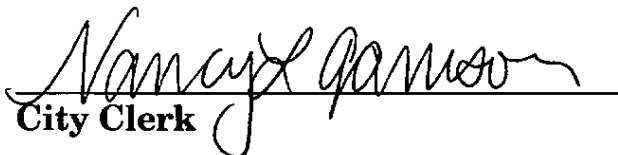
**City of St. Charles, Illinois**

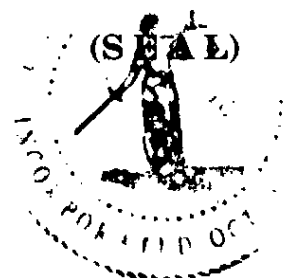
**Ordinance No. 2006-Z-4**

**An Ordinance Rezoning Property and Granting a  
Special Use as a Planned Unit Development for Pine-  
Ridge Park and Regency Estates PUD (A Portion of the  
West Gateway PUD)**

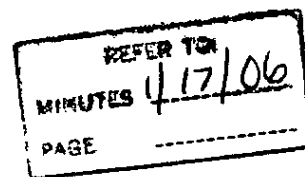
**Adopted by the  
City Council  
of the  
City of St. Charles  
January 17, 2006**

**Published in pamphlet form by  
authority of the City Council  
of the City of St. Charles,  
Kane and Du Page Counties,  
Illinois, January 20, 2006**

  
City Clerk







ORDINANCE NO. 2006-Z-4

**AN ORDINANCE REZONING PROPERTY AND  
GRANTING A SPECIAL USE AS A PLANNED UNIT DEVELOPMENT  
FOR PINE-RIDGE PARK AND REGENCY ESTATES PUD  
(A PORTION OF THE WEST GATEWAY PUD)**

**WHEREAS**, a petition for rezoning from the R-1 Single Family Residence District to the R-4A Attached Single Family Residence District for the real estate described in Exhibit I attached hereto and made a part hereof (hereinafter sometimes referred to as "Regency Estates") has been filed by Regency Estates, L.L.C., being the owner of record of Regency Estates; and

**WHEREAS**, a petition for rezoning from the R-1 Single Family Residence District to the B-3 Service Business District for the real estate described in Exhibit II attached hereto and made a part hereof (hereinafter sometimes referred to as "Pine Ridge Park") has been filed by Pine Ridge Park, L.L.C., being the owner of record of Pine Ridge Park; and

**WHEREAS**, a petition for granting a Special Use as a Planned Unit Development for Regency Estates and Pine Ridge Park, being the real estate described in Exhibit "III" attached hereto and made a part hereof, (hereinafter sometimes referred as "Subject Realty") has been filed by Pine Ridge Park, L.L.C. and Regency Estates, L.L.C., being the owners of record (hereinafter sometimes collectively referred to as "OWNERS") of the Subject Realty; and

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

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

**WHEREAS**, the City Council of the City of St. Charles hereby makes the following findings of fact:

**FINDINGS OF FACT FOR REZONING:**

**1. Existing uses of property within the general area of the Subject Realty.**

The property to the north is owned by Kane County Forest Preserve District and is passive open space, not currently used for active recreation use. At the southeast corner of the Subject Realty, several retail uses already exist along Main Street, including a bowling alley and a tavern. To the south, across Main St. there are several service uses, including the Post Office, a bank, a vending service company, and a rental company. Additional retail uses are planned as part of the recently approved Zylstra Center PUD, at the NE corner of Main Street

and Randall Road. The property to the west is currently industrial and vacant, and the property to the east is vacant.

**2. The zoning classification of property within the general area of the Subject Realty.**

The property to the North is zoned R-1 PUD, the property to the south is B-3 Service Business and E-1 Single Family Estate. The E-1 parcels are recently annexed properties that either contain business uses (such as St. Charles Bowl), or are planned for office use. The property to the east is zoned M-1, Manufacturing. The property to the west is zoned R-1 PUD which permits commercial and residential uses.

**3. The suitability of the Subject Realty to the uses permitted under the existing zoning classification.**

The R-1 classification does not accommodate the uses contemplated under the existing or proposed PUD, or in the Comprehensive Plan, and the Subject Realty is not well suited to a large lot single family development due to its topography and its proximity to commercial and industrial uses. The City's practice in 1990 was to assign R-1 zoning or other restrictive districts to PUD's, and to grant additional uses and standards via the PUD. City policy has changed, and it is now considered more appropriate for the underlying zoning district(s) in PUD's to more closely align with the uses and standards as the Subject Realty will be developed.

**4. The trend of development, if any, in the general area of the Subject Realty.**

The trend of development in the area is for commercial and other business uses, for areas either fronting on or in close proximity to Rt. 64. Some multifamily uses are being proposed as one moves further away from the intersection of Randall and Rt. 64 (Remington Glen is under construction).

**5. Projected use of the Subject Realty, as indicated in the Comprehensive Plan.**

The Comprehensive Plan designation for the Subject Realty is for Retail and Service – a mix of retail, services and other similar business uses.

**FINDINGS OF FACT FOR SPECIAL USE:**

**1. 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 Special Use for a PUD is already in place. This proposal calls for the modification of the specific location of the permitted residential and retail commercial areas (legal descriptions) already approved within the existing PUD. The site plan indicates that the site will be developed in an orderly manner, and will not be detrimental to or endanger the public health,

safety, comfort or general welfare.

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

The Special Use will offer a planned opportunity for retail to develop along the Route 64 corridor and in the interior of the Subject Realty. Retail and office uses along Rt. 64 are anticipated in the City's Comprehensive Plan. The Special Use will compliment other retail development in the vicinity. The residential portion of the proposed PUD will be tucked away in the north-west corner, and eventually will be connected to other residential uses to the west.

3. **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 promote the orderly development of the surrounding property by the proposed extension of roads and utilities. The proposed uses will not impede the development or improvement of surrounding properties. On the contrary, it is hoped that the proposed PUD will function as a catalyst.

4. **That adequate utilities, access roads, drainage and/or necessary facilities have been, or are being, provided.**

The necessary infrastructure in terms of roads and utilities will be constructed as part of this PUD. The site is proposed to be served by the planned extension of Oak Street and via the existing Barbara Ann Drive off of Rt. 64. Additionally, there is a right-in-right-out access proposed at the western corner of the Subject Realty. A new road (Woodward Drive), running in the east-west direction along the length of the Subject Realty will provide future connections to Randall Road to the east, as well as a future connection to the property to the west and to Peck Rd. On-site detention will be provided as part of this PUD.

5. **That adequate measures have been, or will be taken to provide ingress and egress so designed as to minimize traffic congestion in public streets.**

As mentioned above, the site will be adequately served by roads with direct access off of Rt. 64. Access will consist of a right in/right out, a full access at Oak Street, and a full access at the existing Barbara Ann Drive, which is proposed to be dedicated. The new east-west road will assist in relieving congestion at the intersection of Main Street and Randall Road, once it is connected to Randall and Peck via adjoining developments.

6. **That the Special Use shall, in all other respects, conform to the applicable regulations of the B-3 Service Business District and the R-4A Single Family Attached Residence District, as appropriate, except as such regulations may in each instance be modified by**

**the City Council pursuant to recommendations of the Plan Commission.**

The Special Use will conform to all other applicable regulations of the B-3 and R-4A Districts as well as the provisions of the Special Use granting the Planned Unit Development.

**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 17.02.180 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 by: a) rezoning Pine Ridge Park to the B-3 Business Service District, b) rezoning Regency Estates to the R-4A Attached Single Family Residence District and c) the granting of a Special Use as a Planned Unit Development for the entire Subject Realty, pursuant to the provisions of Title 17 of the St. Charles Municipal Code, as amended, all of the Subject Realty being subject to the additional conditions, variations and restrictions hereinafter set forth.

**SECTION 2.** That the Subject Realty may be developed only in accordance with the St. Charles Municipal Code as now in effect or as hereafter amended (except as specifically varied herein), the requirements of the B-3 or R4A zoning district, as appropriate, together with the requirements of the Special Use for the Planned Unit Development being granted (except as specifically varied herein), and in accordance with the additional procedures, definitions, uses, and restrictions contained herein and set forth in Exhibits "TV-A", "TV-B", "V", "VI-A", "VI-B", "VI-C", "VI-D", "VI-E", "VI-F" and "VI-G", all as attached hereto and made a part hereof..

**A. Zoning Requirements and Standards**

1. Permitted and Special Uses: Only those uses listed in Exhibit "TV-A" as to Pine Ridge Park and Exhibit "TV-B" as to Regency Estates shall be allowed as permitted and special uses within those respective portions of the Subject Realty, as set forth therein.
2. Residential Density: A maximum of 61 attached single family dwelling units shall be

permitted within Regency Estates. Moderately priced dwelling units (affordable to persons making 80-120% of the Area Median Income of the City of St. Charles, as determined by the City) shall be permitted on the second and third floors of lots 1 through 7 of the Pine Ridge Park; there shall be a maximum of 40 such units.

3. Yard and Setback Requirements: The yard and setback requirements set forth in Exhibit "IV-A" as to Pine Ridge Park and Exhibit "IV-B" as to Regency Estates shall apply to the development of the Subject Realty.
4. Signs: Signs shall be permitted as set forth in the provisions of Title 17 of the St. Charles Municipal Code and of Exhibits "IV-A", "IV-B", "VI-F" and "VI-G".
5. Maximum Floor Area: The maximum floor area of non-residential uses shall be as provided in Exhibit "IV-B".
6. Building Height: The maximum building height in Pine Ridge Park and Regency Estates shall be as provided in Title 17 of the St. Charles Municipal Code, except as specifically provided in Exhibit "IV-A" and "IV-B".
7. Commercial Area Architecture: Buildings and structures constructed from time to time within Pine Ridge Park shall incorporate external materials and features in substantial conformity with Exhibit "IV-A" attached hereto and made a part hereof.

**B. Approval:** The following plans for Pine Ridge Park and Regency Estates are hereby approved:

1. A one page plan entitled "P.U.D. Concept Plan Regency Estates and Pine Ridge Park" prepared by Trans/Land, Ltd., dated January 13, 2006, a reduced copy of which is attached hereto and made a part hereof as Exhibit "VI-A"; and
2. A one page plan entitled "P.U.D. Preliminary Engineering Plan Regency Estates" prepared by Western Engineering, P.C., dated January 13, 2006, a reduced copy of which is attached hereto and made a part hereof as Exhibit "VI-B"; and
3. A one page plan entitled "P.U.D. Preliminary Plan Regency Estates" prepared by Trans/Land, Ltd., dated July 28, 2005, a reduced copy of

- which is attached hereto and made a part hereof as Exhibit "VI-C"; and
4. Six page landscape plan entitled "Pine Ridge Park Entry Rte 64 & Oak St.", "Pine Ridge Park Frontage Route 64 & Oak Street", "Regency Estates Overall Planting Plan Woodward Drive", "Regency Estates Entrance Woodward Drive", "Regency Estates Common Area Regency Court", and "Regency Estates Townhome Unit Planting Plan Woodward Drive", prepared by Rebecca Eisele of Forstar Landscaping, dated March 25, 2005, a reduced copy of which is attached hereto and made a part hereof as Exhibit "VI-D"; and
  5. A two-page building elevation drawing entitled "Regency Estates" prepared by Michael J. Grimson and Associates, dated April 15, 2004, a reduced copy of which is attached hereto and made a part hereof as Exhibit "VI-E"; and
  6. A two-page signage plan entitled "Pine Ridge Park" prepared by Aurora Sign Company, dated March 22, 2005, attached hereto and made a part hereof as Exhibit "VI-F"; and
  7. A one-page drawing showing a monument sign entitled "Regency Estates" received July 7, 2005, attached hereto and made a part hereof as Exhibit "VI-G".

These plans constitute a PUD Concept Plan for Pine Ridge Park, a PUD Preliminary Plan for Regency Estates, and a Preliminary Plan of Subdivision for Pine Ridge Park.

The OWNERS shall be entitled to all rights and remedies concerning the Regency Estates PUD Preliminary Plans which are provided by City of St. Charles Zoning Code Section 17.42.080 C, and applicable laws of the State of Illinois with respect to preliminary plans following approval thereof by the CITY.

**D.     Landscaping**

Landscaping for a phase or subphase of the development of the Subject Realty shall be completed prior to the occupancy of any structure for that phase or subphase. However, if

conditions beyond the control of the OWNERS of the phase or subphase prohibit the installation of the landscaping prior to a request for occupancy of a structure, a temporary certificate of occupancy may be issued for a period not to exceed nine months. If the landscaping is not completed as of the expiration of the temporary certificate of occupancy, the Building Commissioner shall not be required to issue a final certificate of occupancy or any additional temporary certificates of occupancy, but may do so in his discretion as governed by the St. Charles Municipal Code.

**E. Temporary Facilities**

OWNERS may utilize model sales facilities and temporary parking facilities on the residential portion of the Subject Realty from the time a final plat is recorded for a phase of unit of the Subject Realty until one hundred eighty (180) days after occupancy permits have been issued for ninety percent (90%) of the dwelling units permitted within each such phase or unit; such temporary parking facilities shall be removed by OWNER at the end of such 90 day period, at the request of the CITY.

**F. Miscellaneous**

Provisions of the Annexation Agreement set forth in Exhibit "V" are incorporated herein by reference as if fully set forth herein.

**SECTION 3. HOLD HARMLESS AND INDEMNIFICATION**

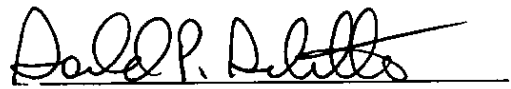
In the event a claim is made against the CITY, its officers, other officials, agents and employees or any of them, or if the CITY is made a party-defendant in any proceeding arising out of or in connection with the approval and issuance of a Special Use Permit for a Planned Unit Development for the Subject Realty, or the development of the Subject Realty, the OWNER shall defend and hold the CITY and such officers, other officials, agents and employees harmless from all claims, liabilities, losses, taxes, judgments, costs and fees, including expenses and reasonable attorney's fees, in connection therewith. The CITY and such officers, other officials, agents and employees shall reasonably cooperate in the defense of such proceedings.

**SECTION 4.** That this Ordinance shall become effective from and after its passage and approval in accordance with law.

**PRESENTED** to the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 17 day of January, 2006.

**PASSED** by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 17 day of January, 2006.

**APPROVED** by the Mayor of the City of St. Charles, Kane and DuPage Counties, Illinois this 17 day of January, 2006.

  
MAYOR

ATTEST

  
CITY CLERK

COUNCIL VOTE:

AYES: 10

NAYS: 0

ABSENT: —



August 5, 2005  
Project No. 366.002

**Exhibit "I-A"**

Greg Nutt's tract, St. Charles, Kane County, Illinois

That part of the Southeast Quarter of Section 29, Township 40 North, Range 8 East of the Third Principal Meridian described as follows: Commencing at the southwest corner of said Quarter; thence northerly along the West line of said Quarter 1822.35 feet to the westerly extension of the northerly line of a tract of land conveyed from Janus and Sarah Brown to Robert Banford by Warranty Deed executed May 2, 1853 and recorded June 20, 1853 in Book 30, Page 365 for the point of beginning; thence easterly along said westerly extension and said northerly line and its easterly extension forming an angle of  $85^{\circ}18'28''$  from the last described course (measured counterclockwise therefrom) 2153.05 feet to the westerly line of a tract of land conveyed to Robert C. Hahn, trustee under trust agreement dated November 13, 1998 by Document 1999K108466; thence southerly along the westerly line of said Hahn tract forming an angle of  $94^{\circ}38'18''$  from the last described course (measured counterclockwise therefrom) 1044.34 feet to the northerly line of a tract of land conveyed to Joseph and Myra Heger by Warranty Deed recorded December 2, 1957 as Document 850530; thence westerly along the northerly line of said Heger tract forming an angle of  $86^{\circ}54'25''$  from the last described course (measured counterclockwise therefrom) 375.12 feet to the northwest corner of said Heger tract; thence northerly along the northerly extension of the westerly line of said Heger tract forming an angle of  $93^{\circ}06'$  from the last described course (measured counterclockwise therefrom) 196.07 feet to a point that is 601.07 feet northerly (as measured along said westerly line and extension thereof) of the center line of Illinois State Route No. 64 to the northeast corner of a tract of land conveyed to American National Bank and Trust Company of Chicago as trustee under Trust No. 5049-AH by Document 96K062242; thence westerly along the northerly line of said tract forming an angle of  $94^{\circ}49'$  from the last described course (measured clockwise therefrom) 163.25 feet to the northwest corner thereof; thence southerly along the westerly line of said tract parallel with the westerly line of said Heger tract forming an angle of  $85^{\circ}11'$  from the last described course (measured clockwise therefrom) 602.13 feet to said center line; thence westerly along said center line forming an angle of  $85^{\circ}11'$  from the last described course (measured counterclockwise therefrom) 0.51 feet to the southeast corner of a tract of land conveyed to the People of the State of Illinois by Document 2004K087894; thence northerly along the easterly line of said tract forming an angle of  $85^{\circ}12'50''$  from the

prolongation of the last described course (measured clockwise therefrom) 43.41 feet to the northeast corner thereof; thence westerly along the northerly line of said tract forming an angle of  $93^{\circ}28'18''$  from the last described course (measured clockwise therefrom) 65.71 feet to the easterly line of a tract of land conveyed to James and Meta Mannion by Document 1999K072828; thence northerly along the easterly line of said Mannion tract forming an angle of  $93^{\circ}30'08''$  from the last described course (measured counterclockwise therefrom) 489.98 feet to the northeast corner thereof; thence westerly along the northerly line of said Mannion tract forming an angle of  $94^{\circ}49'$  from the last described course (measured clockwise therefrom) 125.87 feet to the northwest corner thereof; thence southerly along the westerly line of said Mannion tract perpendicular to the last described course 179.60 feet to a point that is 350.40 feet northerly (as measured along the westerly line of said Mannion tract) of said center line; thence westerly along a line perpendicular to the last described course 290.0 feet; thence southerly along a line perpendicular to the last described course 350.40 feet to said center line; thence westerly along said center line perpendicular to the last described course 455.57 feet to a point of curvature therein; thence westerly and northwesterly along a curve to the right tangent to the last described course having a radius of 1719.12 feet, 657.14 feet to the West line of said Quarter; thence northerly along said West line 1330.77 feet to the point of beginning in the City of St. Charles, Kane County, Illinois and containing 61.253 acres.

August 5, 2005  
Project No. 366.002

**Exhibit "I-B"**

Proposed Pine Ridge Park, St. Charles, Kane County, Illinois (zoning)

That part of the Southeast Quarter of Section 29, Township 40 North, Range 8 East of the Third Principal Meridian described as follows: Commencing at the southwest corner of said Quarter; thence northerly along the West line of said Quarter 1822.35 feet to the westerly extension of the northerly line of a tract of land conveyed from Janus and Sarah Brown to Robert Banford by Warranty Deed executed May 2, 1853 and recorded June 20, 1853 in Book 30, Page 365; thence easterly along said westerly extension and said northerly line and its easterly extension forming an angle of 85°18'28" from the last described course (measured counterclockwise therefrom) 722.42 feet for a point of beginning; thence continuing easterly along the last described course 1430.63 feet to the westerly line of a tract of land conveyed to Robert C. Hahn, trustee under trust agreement dated November 13, 1998 by Document 1999K108466; thence southerly along the westerly line of said Hahn tract forming an angle of 94°38'18" from the last described course (measured counterclockwise therefrom) 1044.34 feet to the northerly line of a tract of land conveyed to Joseph and Myra Heger by Warranty Deed recorded December 2, 1957 as Document 850530; thence westerly along the northerly line of said Heger tract forming an angle of 86°54'25" from the last described course (measured counterclockwise therefrom) 375.12 feet to the northwest corner of said Heger tract; thence northerly along the northerly extension of the westerly line of said Heger tract forming an angle of 93°06' from the last described course (measured counterclockwise therefrom) 196.07 feet to a point that is 601.07 feet northerly (as measured along said westerly line and extension thereof) of the center line of Illinois State Route No. 64 to the northeast corner of a tract of land conveyed to American National Bank and Trust Company of Chicago as trustee under Trust No. 5049-AH by Document 96K062242; thence westerly along the northerly line of said tract forming an angle of 94°49' from the last described course (measured clockwise therefrom) 163.25 feet to the northwest corner thereof; thence southerly along the westerly line of said tract parallel with the westerly line of said Heger tract forming an angle of 85°11' from the last described course (measured clockwise therefrom) 602.13 feet to said center line; thence westerly along said center line forming an angle of 85°11' from the last described course (measured counterclockwise therefrom) 0.51 feet to the southeast corner of a tract of land conveyed to the People of the State of Illinois by Document 2004K087894; thence northerly along

the easterly line of said tract forming an angle of  $85^{\circ}12'50''$  from the prolongation of the last described course (measured clockwise therefrom) 43.41 feet to the northeast corner thereof; thence westerly along the northerly line of said tract forming an angle of  $93^{\circ}28'18''$  from the last described course (measured clockwise therefrom) 65.71 feet to the easterly line of a tract of land conveyed to James and Meta Mannion by Document 1999K072828; thence northerly along the easterly line of said Mannion tract forming an angle of  $93^{\circ}30'08''$  from the last described course (measured counterclockwise therefrom) 489.98 feet to the northeast corner thereof; thence westerly along the northerly line of said Mannion tract forming an angle of  $94^{\circ}49'$  from the last described course (measured clockwise therefrom) 125.87 feet to the northwest corner thereof; thence southerly along the westerly line of said Mannion tract perpendicular to the last described course 179.60 feet to a point that is 350.40 feet northerly (as measured along the westerly line of said Mannion tract) of said center line; thence westerly along a line perpendicular to the last described course 290.0 feet; thence southerly along a line perpendicular to the last described course 350.40 feet to said center line; thence westerly along said center line perpendicular to the last described course 455.57 feet to a point of curvature therein; thence westerly and northwesterly along a curve to the right tangent to the last described course having a radius of 1719.12 feet, 657.14 feet to the West line of said Quarter; thence northerly along said West line 605.80 feet to a point that is 724.97 feet southerly of the westerly extension of the northerly line of said Brown's tract (as measured along said West line); thence easterly along a curve to the left having a radius of 960.0 feet tangent to a line forming an angle of  $114^{\circ}10'20''$  from the last described course (measured clockwise therefrom) 182.94 feet; thence easterly along a line tangent to the last described curve at the last described point 508.57 feet; thence easterly along a curve to the left tangent to the last described course having a radius of 690.0 feet, 52.96 feet to a line parallel with said West line from the point of beginning; thence northerly along said parallel line 851.23 feet to the point of beginning in the City of St. Charles, Kane County, Illinois and containing 48.086 acres.

Revised August 5, 2005  
Project No. 366.002

**Exhibit "I-C"**

Proposed Townhome Area for Regency Estates, St. Charles, Kane County, Illinois  
(zoning)

That part of the Southeast Quarter of Section 29, Township 40 North, Range 8 East of the Third Principal Meridian described as follows: Commencing at the southwest corner of said Quarter; thence northerly along the West line of said Quarter 1822.35 feet to the westerly extension of the northerly line of a tract of land conveyed from Janus and Sarah Brown to Robert Banford by Warranty Deed executed May 2, 1853 and recorded June 20, 1853 in Book 30, Page 365 for a point of beginning; thence easterly along said westerly extension and said northerly line forming an angle of 85°18'28" from the last described course (measured counterclockwise therefrom) 722.42 feet; thence southerly along a line parallel with the penultimate described course 851.23 feet; thence westerly along a curve to the right having a radius of 690.0 feet tangent to a line forming an angle of 98°51'22" from the last described course (measured clockwise therefrom) 52.96 feet; thence westerly along a line tangent to the last described course at the last described point 508.57 feet; thence westerly along a curve to the right having a radius of 960.0 feet tangent to the last described course 182.94 feet to said West line; thence northerly along said West line 724.97 feet to the point of beginning in the City of St. Charles, Kane County, Illinois and containing 13.167 acres.

## EXHIBIT "IV-A"

### Development Standards and Design Criteria - Pine Ridge Park

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A. The provisions of Chapter 17.24 "B3 Service Business District" shall apply to Pine Ridge Park except that the following provisions for permitted and special uses, floor area ratio, maximum building height, minimum yards and setbacks, sign regulations, landscaping requirements, and architectural standards shall apply in lieu of any conflicting provisions of Chapter 17.24:

1. Permitted and Special Uses

(a) Permitted Uses

- ☐ Amusement establishments, including bowling alleys, pool halls, gymnasiums, swimming pools and skating rinks
- ☐ Amusement game device arcade provided the arcade meets all the standards and requirements specified for such arcades in the St. Charles Zoning Ordinance
- ☐ Antique shops
- ☐ Apparel shops
- ☐ Art and school supply stores
- ☐ Art galleries
- ☐ Auction rooms
- ☐ Automobile accessory stores
- ☐ Automotive vehicle and automotive equipment sales;
- ☐ Bakeries, where not more than fifty percent of the floor access is devoted to processing, and not employing more than eight persons
- ☐ Banks and financial institutions with or without drive-in lanes
- ☐ Barbershops
- ☐ Beauty parlors
- ☐ Bicycle sales, rental and repair
- ☐ Blueprinting and photocopying establishments
- ☐ Book/stationery/greeting card stores
- ☐ Building material sales, with accessory outside storage, provided outside storage does not exceed sixteen feet in height;
- ☐ Contractors' and construction offices
- ☐ Camera and photographic supply stores
- ☐ Candy and ice cream stores
- ☐ Carpet and rug stores
- ☐ Caskets and casket supplies
- ☐ Catering establishments
- ☐ China and glassware stores
- ☐ Churches

- ☐ Clothing establishments
- ☐ Clubs and lodges, private, fraternal, or religious
- ☐ Coffee shop
- ☐ Coin and philatelic stores
- ☐ Computer sales and service
- ☐ Convenience stores
- ☐ Currency exchanges
- ☐ Custom dressmaking
- ☐ Department stores
- ☐ Drive-in establishments and facilities
- ☐ Drug stores
- ☐ Dry-cleaning and laundry
- ☐ Electronics and household appliance stores
- ☐ Employment agencies
- ☐ Exterminating shops
- ☐ Feed stores
- ☐ Fire stations
- ☐ Flower shops and greenhouses
- ☐ Food stores - including grocery stores, meat markets, bakeries, and delicatessens (retail only)
- ☐ Frozen food shops, including locker rental in conjunction therewith
- ☐ Fuel and ice sales, retail only
- ☐ Furniture stores, including upholstery when conducted as part of the retail operation and secondary to the principal use
- ☐ Furrier shops, including incidental storage and conditioning of furs
- ☐ Garden supply and seed stores
- ☐ Gift shops
- ☐ Haberdasheries
- ☐ Hardware stores
- ☐ Hobby shops
- ☐ Interior decorating shops, including upholstery and making of draperies, slipcovers, or other similar articles when conducted as part of the retail operations and secondary to the principal use
- ☐ Jewelry stores, including watch repair
- ☐ Job printing shops, using presses having beds of not more than fourteen inches and twenty inches
- ☐ Landscape contractors
- ☐ Laundromats
- ☐ Leather goods and luggage store
- ☐ Libraries
- ☐ Libraries, branch
- ☐ Liquor stores, retail sales
- ☐ Loan offices
- ☐ Machinery and equipment sales, but not including service, repair,

or reconditioning and storage of all machinery shall be within enclosed buildings

- ☐ Mail order houses
- ☐ Meat markets, including the sale of meat and meat products to restaurants, motels, clubs and other similar establishments when conducted as part of the retail business on the premises
- ☐ Medical and dental clinics
- ☐ Meeting halls
- ☐ Millinery shops
- ☐ Monument sales
- ☐ Motels
- ☐ Museums
- ☐ Musical instrument sales and repair
- ☐ Newspaper offices, but not including printing
- ☐ Nurseries
- ☐ Nursery schools and day care centers
- ☐ Office supply stores
- ☐ Offices, business, professional and public
- ☐ Opticians and optometrists
- ☐ Orthopedic and medical appliance stores, but not including the assembly or manufacture of such articles
- ☐ Parking lots and storage garages (automobile)
- ☐ Paint and wallpaper stores
- ☐ Pet shops
- ☐ Physical fitness, gymnasiums and reducing salons
- ☐ Photocopying and photography studios
- ☐ Picture framing, when conducted on the premises for retail trade
- ☐ Plumbing showrooms and shops
- ☐ Police stations
- ☐ Post office
- ☐ Radio and television service and repair shops
- ☐ Recording studios
- ☐ Recreational buildings, community centers, and meeting halls
- ☐ Restaurants with or without drive-in lanes
- ☐ Schools, commercial or trade, not involving any danger of fire, explosion, nor of offensive noise, vibration, smoke, dust, odor, glare, heat, or other objectionable influences
- ☐ Schools, music, dance or business
- ☐ Secondhand stores and rummage shops
- ☐ Sewing machine sales and service, household machines only
- ☐ Shoe and hat repair stores
- ☐ Sporting goods stores
- ☐ Tailor shops
- ☐ Taxidermists



- ☐ Telegraph offices
- ☐ Telephone exchanges and telephone transmission equipment buildings and electric distribution centers
- ☐ Temporary buildings for construction purposes for a period not to exceed the duration of such construction
- ☐ Tobacco shops, retail sales
- ☐ Toy shops
- ☐ Travel bureaus and transportation ticket offices
- ☐ Typewriter and adding machine sales and service establishments
- ☐ Undertaking establishments and funeral parlors
- ☐ Variety stores
- ☐ Vehicle service facilities
- ☐ Veterinary clinics
- ☐ Video and audio tape and supply stores
- ☐ Accessory uses to the permitted uses listed above in this section
- ☐ Other accessory uses: Communication antennas

(b) Special Uses

- ☐ Outdoor dining
- ☐ Outdoor entertainment
- ☐ Outdoor sales areas

2. Floor Area Ratio (FAR): The Maximum Building Coverage shall be 0.40.
3. Building Height: The maximum building height shall be 3 stories or 40 feet, not including screening devices for roof top mechanical equipment, whichever is greater.
4. Minimum Yards and Setbacks:
  - (a) Minimum building and parking setback along West Main Street: 50 feet
  - (b) Minimum building setback along collector and arterial streets (other than Main Street): 40 feet
  - (c) Minimum parking setback along collector and arterial streets (other than Main Street): 20 feet
  - (d) Minimum interior side and rear yard for parking along the easterly and northerly property lines of Pine Ridge Park: 5 feet

5. Signs

(a) Freestanding Signs

(i) Number and Size:

(aa) Adjacent to Main Street:

- One double-faced 200 sq. ft. sign at the full access on Main Street;
- One double-faced 100 sq. ft. sign at the right-in-right-out on Main Street;
- Five monument signs (one for each outlot, fronting Main Street) – 32 sq. ft. size, with maximum height not to exceed 8 feet above grade.

(bb) Adjacent to Woodward Drive: One double-faced freestanding monument sign is permitted for each lot – 32 sq. ft. in size with a maximum height of 8 ft. above grade.

(ii) Setback: All freestanding signs shall be setback from the nearest right-of-way a minimum of ten (10) feet.

(iii) Exterior Materials and Design: The base, framing, and display area of a freestanding monument sign shall be architecturally compatible with the materials, colors and design of the building to which it is accessory. There shall be no restriction on the color or any lettering, logos, or other advertising on the sign.

(b) Other Provisions

(i) Other signs including wall signs and awnings are permitted. The surface area of a sign or signs attached to a wall shall not exceed one and one half square feet for each linear foot of frontage of the wall on which the sign or signs are located. Lettering on awnings or canopies shall not exceed one square foot for each linear foot of frontage of the awning or canopy on which the lettering is located. In the case of a use which does not have any exterior wall frontage, the surface area of such sign shall not exceed one and one half (1.5%) percent of the floor area occupied by such use.

(ii) There shall be no flashing lights or moving parts on any sign within the Commercial Parcel.

(iii) Use of awning signage is encouraged to compliment and

harmonize with the building design, materials and colors.

- (iv) Temporary Signs shall comply with the provisions of Section 17.02.150 C. of the St. Charles Zoning Code, except as modified by the provisions of Exhibit "V" to this Ordinance.

6. Landscape Standards: Landscaping shall comply with the provisions of the St. Charles Zoning ordinance and with the following additional requirements:

(a) General Provisions

- (i) The preservation of existing trees and other vegetation shall be considered in the landscape design. Grading and other site improvements shall be designed so as to preserve existing trees whenever practical, while allowing permitted development, in accordance with the provisions of Chapter 8.30 of the St. Charles Municipal Code, "Tree Preservation on Private Property".
- (ii) Landscape design shall provide for appropriate proportion, balance, unity, variety of species, and variety of color and texture evident throughout the four seasons.
- (iii) Landscaping materials native to the region shall be used whenever feasible.
- (iv) Landscaping shall be designed to complement the massing of buildings, screen parking and service areas, and to provide visual relief.
- (v) Landscaping shall be designed so as to reduce the intrusion of headlights and other glare.
- (vi) Landscaping shall be designed with attention to the long-term maintenance of the plant materials. Irrigation systems shall be installed when necessary to ensure long-term maintenance.
- (vii) Earth mounds and berming are encouraged, where appropriate. Berms should be no steeper than a 1 to 3 proportion.

(b) Parking Lot and Vehicle Use Area Internal Planting

- (i) Landscape islands shall be provided so that not more than 20 consecutive parking spaces adjoin each other.

- (ii) The minimum size of landscape islands shall be 9 feet in width and 18 feet in length, and should be graded to provide a crown of approximately 6-12 inches.
- (c) Building Foundation Landscaping
  - (i) Foundation plantings may be formal and uniform, or uneven and naturalistic. Foundation plantings should respond to the materials and form of a building.
  - (ii) Consideration of the mature size of plants is important in the design of foundation plantings. In particular, the relationship of the plant's mature size to the placement and size of windows, architectural features and the height of the building is important.
  - (iii) Foundation plantings for retail buildings should be installed where reasonably practicable across the front facade and along the building at the corner side yards, excepting entrance walks and drives, drive-in facilities and approaches, pedestrian areas and other such features and amenities which are not conducive to foundation plantings.
- (d) Landscaping Signage: Monument signs should have a landscape bed surrounding the base.

## **7. Architectural Standards**

### **A. *Articulation of Building Facades***

*Intent: To reduce the apparent bulk of buildings and relate them to a human scale.*

1. Building walls that are visually prominent as viewed from any public street, or from an internal circulation road that provides access to two or more buildings, should conform with the following standards:
  - a. Walls that are over one-hundred (100) feet in length should incorporate offsets, projections or recesses a minimum of three (3) feet in depth, extending over twenty percent (20%) of the façade, as measured in square feet of wall area.
  - b. Architectural features such as arcades, arbors, windows, doors, entryways, awnings, pilasters, cornices, decorative banding, and other decorative features should comprise at least fifty percent (50%) of visually prominent building walls, as measured in square feet of wall area.
2. All building walls that face the street should have at least two (2) of the following architectural features to avoid the appearance of blank walls facing the street:

- i. change in wall plane of at least two (2) feet,
  - ii. change in wall texture or masonry patterns,
  - iii. transparent windows,
  - iv. columns or pilasters.
3. Building entryways should offer protection from weather such as overhangs, awnings, canopies, etc.
4. Building design should include features to add identity and architectural interest such as projecting cornices, medallions, lighting fixtures, art work, belt courses of a different color or texture, pilasters, etc.
5. Predominant façade colors should be subtle, neutral or earth-tones. Primary colors, high-intensity colors, metallic or fluorescent colors, and black are prohibited as predominant façade colors. Building trim and accent areas may be brighter and include primary colors (as detailed in Section G. Colors, below).

#### ***B. Windows and Transparency***

*Intent: Allow people outside commercial buildings to see activity within, and allow people inside to see activity and weather conditions outside.*

1. Retail buildings and tenant spaces with 30,000 square feet or less of gross floor area should provide windows so that the first floor is transparent from a height of eighteen (18) inches to a minimum of seven (7) feet above the walkway grade for no less than sixty percent (60%) of the horizontal length of the facade, and should include a public entrance. Windows shall be clear glass (no tinted or reflective glass), recessed or projected in the wall plane to create shadow and visual interest, and should include visually prominent sills or other appropriate forms of framing. Awnings, pilasters or columns may be used to accentuate window openings and add interest to the design of the building.
2. Development of the outlots should help define and enhance the character of the public street frontage by placing outlot buildings near the street with showcase windows and architectural features oriented toward the street as well as to the interior parking lot.

#### ***C. Building Entrances and Pedestrian Walkways***

*Intent: People should be able to tell where building entrances are located, and walking into the building should be a pleasant experience.*

1. Buildings should have a public entrance on a façade that faces a public street or private drive that provides primary access.
2. All public entrances should be articulated from the building mass. Examples of such

articulation include: canopies or porticos, overhangs, arcades, raised corniced parapets over the door, peaked roof forms, arches, outdoor patio or seating areas, display windows, details such as tile work and moldings integrated into the building design, and integral planters or wing walls that include landscaping or seating.

3. Facades which abut parking areas and contain a public entrance should provide pedestrian walkways and foundation landscape areas parallel to the foundation not less than six (6) feet in width. Sidewalks in this area should have a minimum width of six (6) feet.
4. Pedestrian routes to building entrances should be marked with pavers, striping, or delineated by the design and location of landscape features.

#### ***D. Roof Design***

*Intent: Roofs should be designed to add visual interest to the building, to conceal necessary service equipment, and to establish the building's identity.*

1. Roof lines should either be varied with a change in height or the incorporation of a major focal point feature, such as a dormer, gable or projected wall feature, minimum of every one-hundred (100) linear feet in building length.
2. Exposed roof materials shall be similar to, or an architectural equivalent of asphalt or fiberglass shingle, wood shingle, standing seam metal roof or better. The roof of any building may be flat.
3. Parapets should feature three-dimensional cornices or other shadow-creating detail elements along their tops.
4. Mansard roof designs are discouraged.
5. "Green roof" designs are encouraged.
6. Pipe stacks and similar appurtenances that are required by code and cannot reasonably be hidden should be concealed as much as possible by location and coloring.

#### ***E. Building Wall Materials***

*Intent: Buildings should be constructed of quality materials that reduce maintenance costs over the life of the building, relate to traditional building materials used historically in Kane County, and reinforce the character of the community. Approved and prohibited building materials are:*

1. Approved Materials
  - a. Brick
  - b. Wood
  - c. Native or architectural cast stone

- d. Tinted and/or textured concrete masonry units
  - e. Cement based Stucco
  - f. Tilt-up concrete panels designed with an architectural pattern or a brick veneer are permitted; plain concrete panels are prohibited
2. Prohibited Materials
- a. Smooth-faced, untinted concrete masonry units
  - b. Exterior Insulation Finish Systems
  - c. Vinyl
  - d. Plain tilt-up concrete panels

***F. Screening of Mechanical Equipment***

As viewed from ground levels at a variety of locations, all mechanical equipment located on the roof or around the perimeter of a structure shall be screened by a raised parapet or with a structure comparable and compatible with the exterior building materials.

- a) A raised parapet or other architectural feature that is an integral part(s) of the building may be required as screening for rooftop mechanical equipment or to soften rooftop views.
- b) Screening for rooftop mechanical equipment shall incorporate similar architectural features of the building and/or be constructed of a material and color compatible with other elements of the building.
- c) Incidental rooftop equipment deemed unnecessary to be screened by the Director of Community Development or a designee shall be of color to match the roof or the sky, whichever is more effective.
- d) Equipment used for mechanical, processing, bulk storage tanks, or equipment used for suppressing noise, odors, and the like that protrudes from a side of a building or is located on the ground adjacent to a building shall be screened from public view as much as practical with materials matching the design of the building. Where miscellaneous exterior equipment cannot be fully screened with matching building materials, landscaping may be used as additional screening.

***G. Colors***

Garish or bright accent colors (i.e., orange, bright yellow, or fluorescent colors) on any portion of the building such as trim, banding or patterns on walls, cloth or metal awnings, entryway features shall be minimized, but in no case shall such coloring exceed 10% of each wall area.

#### ***H. Compatibility within the Development***

The buildings to be developed within the Pine Ridge Property shall be compatible and harmonious with each other in their exterior architectural design features. Compatibility of architectural design features may be achieved by similarity of some design elements, while allowing dissimilarity of others. Buildings shall be considered compatible if at least three of the following five design elements are similar, as determined by the City Council, when comparing any proposed building with the previously approved buildings:

- a. Type of materials (brick, stone, wood, metal, etc.)
- b. Colors and textures of exterior surfaces
- c. Architectural scale (size and height of buildings, both actual and perceived)
- d. Placement and rhythm of doors, windows, wall planes, visible wall joints, and visible roof elements.

#### ***I. Refuse enclosures***

Refuse enclosures should be made of the same building materials as the building they are to serve, and should be gated.



## **EXHIBIT “IV-B”**

### **Development Standards and Design Criteria – Residential Area (Regency Estates)**

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A. The provisions of Chapter 17.15 “R4A Attached Single Family Residence District” shall apply to Regency Estates except that the following provisions for permitted and special uses, development standards, signs, and landscape standards shall apply in lieu of any conflicting provisions in Chapter 17.15:

#### 1. Permitted and Special Uses

(a) Permitted Uses

- Accessory uses
- Attached single-family dwellings (townhomes)
- Parks and playgrounds
- Swimming pools, tennis courts and related recreational facilities managed by a homeowners’ association, access to a residential development
- Temporary buildings for construction purposes for a period not to exceed the period of such construction
- Two-family dwellings
- Group Home for persons with disabilities (small)

(b) Special Uses

- Group home for persons with disabilities (large)

#### 2. Development Standards

(a) No residential building shall contain more than 6 dwelling units

(b) The standards and requirements for yards, setbacks, building height and percentage of common open space shall be in accordance with the following:

- (i) Minimum Perimeter Setback: 25 ft.
- (ii) Minimum Setback on Collector Street (Woodward Drive): 40 ft.
- (iii) Minimum distance from garage door to back of curb of local streets: 20 ft.
- (iv) Minimum Townhome to townhome building separation: 20 ft.
- (v) Minimum common or public open space: 25%

- (vi) Common open space shall be defined as the area within Regency Estates, as legally described in "Exhibit I-C", which is not occupied by buildings, structures, off-street parking, or off-street loading, and which is available for use by residents. Common open space shall not be deemed to include any part of required setback areas or required front, rear or side yards.
- (vii) Maximum building height: 35 ft.

### 3 Signs

- (a) Number of Signs: One freestanding entry monument including an identification sign and entry features is permitted at the entrance to the residential area; entrance piers are permitted in conjunction with the entry monument and at each street entrance into the residential area.
- (b) Height: The maximum height of the identification sign shall be 5 feet above average finished grade of the yard within 25 feet of the sign in which the sign is located. The maximum height of the entry monument and coordinating piers shall be 7 feet above average finished grade of the yard within 25 feet of the sign in which they are located.
- (c) The area of the identification sign display surface shall not exceed 32 square feet.

### 4 Landscape Standards: Landscape requirements shall be in accordance with provisions set forth in Chapter 17.38 of the St. Charles Municipal Code, and with the following:

- (a) General
  - (i) The preservation of existing trees and other vegetation shall be considered in the landscape design. Grading and other site improvements shall be designed so as to preserve existing trees whenever practical, while allowing permitted development, in accordance with the provision of Chapter 8.30 of the St. Charles Municipal Code, "Tree Preservation on Private Property".
  - (ii) Landscape design shall provide for appropriate proportion, balance, unity, variety of species, and variety of color and texture evident throughout the four seasons.

- (iii) Landscaping materials native to the region shall be used whenever feasible.
  - (iv) Landscaping shall be designed to complement the massing of the buildings, screen parking and service areas, and to provide visual relief.
  - (v) Landscaping shall be designed so as to reduce the intrusion of headlights and other glare.
  - (vi) Landscaping shall be designed with attention to the long-term maintenance of the plant materials. Irrigation systems shall be installed when necessary to ensure long-term maintenance.
  - (vii) Earth mounds and berming are be encouraged, where appropriate. Berms should be no steeper than 1 to 3 proportion.
- (b) Building Foundation Landscaping
  - (i) Foundation plantings may be formal and uniform, or uneven and naturalistic. Foundation plantings should respond to the materials and form of a building.
  - (ii) Consideration of the mature size of plants is important in the design of foundation plantings. In particular, the relationship of the plant's mature size to the placement and size of windows, architectural features and the height of the building is important.
- (c) Landscaping of Signage
  - (i) Monument signs should have a landscape bed surrounding the base.

## **Exhibit “V”**

### **Paragraphs in the Eleventh Amendment Incorporated Into and Made a Part of This Ordinance**

2. ZONING. Subsequent to the execution of this AGREEMENT, the CITY’S Corporate Authorities shall adopt and approve an ordinance amending the West Gateway PUD with respect to the Subject Property which amending ordinance is entitled “An Ordinance Amending Ordinance No. 1990-Z-3 entitled ‘An Ordinance Granting a Special Use as a Planned Unit Development for the West Gateway PUD’ (Twelfth Amendment)” (the “Regency Estates/Pine Ridge Park PUD Ordinance”) in form and substance substantially similar to the form of said Ordinance attached hereto and incorporated herein as Exhibit B-1. Thereafter, the Subject Property shall be developed only in accordance with the provisions of this AGREEMENT, the Regency Estates/Pine Ridge Park PUD Ordinance, the CITY’S Municipal Code, to the extent not modified herein, and all other applicable statutes, rules and regulations of the State of Illinois and Kane County, as the same may, from time to time, apply to the development of the Subject Property.

3. SPECIAL USE WITH PRELIMINARY PLAN.

A. FIRST PHASE PUD PRELIMINARY PLAN: RECORD OWNERS have submitted to the CITY for its approval a first phase PUD Preliminary Plan for Regency Estates with a PUD Concept Plan for the balance of the Subject Property, as permitted by Section 17.42.080 B (3) (b) of the St. Charles Municipal Code (the “First Phase PUD Preliminary Plan”). The First Phase PUD Preliminary Plan is attached to, and incorporated in, the Regency Estates/Pine Ridge Park PUD Ordinance heretofore incorporated herein as Exhibit B-1. The CITY agrees that the First Phase PUD Preliminary Plan depicted on Exhibits VI-A through VI-E to Exhibit B-1 constitutes a PUD Preliminary Plan for Regency Estates, a Preliminary Plan of Subdivision for Pine Ridge Park, and a PUD Concept Plan for Pine Ridge Park. The First Phase PUD Preliminary Plan

depicted on Exhibits VI-A through VI-E to Exhibit B-1 will be approved with the approval of the Regency Estate/Pine Ridge Park PUD Ordinance (Exhibit B-1).

B. FIRST PHASE PUD PRELIMINARY PLAN LAND IMPROVEMENTS: The First Phase PUD Preliminary Plan includes all required offsite Land Improvements (as defined in Chapter 16 of the St. Charles Municipal Code) required for the development of the Subject Property. All such required offsite Land Improvements shall be designed and completed as part of the said First Phase.

C. PINE RIDGE PARK PUD PRELIMINARY PLANS: PUD Preliminary Plans for Pine Ridge Park shall be submitted for review by the Plan Commission and City Council for any building or site development within Pine Ridge Park. If a re-subdivision is proposed, a Preliminary Plan of Subdivision and a Final Plat shall also be submitted. Each such additional PUD Preliminary Plan shall conform with the provisions of Exhibit B-1 as the same may be amended from time to time, the St. Charles Municipal Code in effect as of the date of submittal including but not limited to Title 17 (Zoning), Title 16 (Subdivisions and Land Improvements) and Title 18 (Stormwater Management). Required Land Improvements shall be those remaining on-site Land Improvements which, in the opinion of the City Engineer, reasonably relate to the land which is the subject of each such additional PUD Preliminary Plan.

D. MAJOR OR MINOR CHANGES: Any proposed change or amendment to an approved PUD Preliminary Plan shall be classified as a major or minor change in the manner, provided in Title 17 of the St. Charles Municipal Code. The Corporate Authorities may approve a change as a minor change as therein provided.

E. REVISED PUD PRELIMINARY PLAN: The City Engineer may require submittal of a revised PUD Preliminary Plan covering the entire Subject Property to the extent he reasonably determines, in his sole and exclusive discretion,

that a proposed change in the approved PUD Preliminary Plan for Regency Estates or in the PUD Concept Plan for Pine Ridge Park, or any PUD Preliminary Plan for any portion of Pine Ridge Park affects onsite and/or offsite electrical system improvements or Land Improvements (as defined in Section 16.08.150 of the St. Charles Municipal Code) including but not limited to (1) onsite and offsite road improvements and traffic signalization, (2) water supply mains, (3) sanitary sewers, including a lift station, to be connected to an existing sanitary sewer west of the Subject Property and (4) storm water management facilities.

F. REQUIRED ENGINEERING PLANS & FINAL PLATS: Required Engineering Plans (as defined in Section 16.08.090 of the St. Charles Municipal Code) and Final Plats (as defined in Section 16.08.110 of the St. Charles Municipal Code) must be submitted either in conjunction with or following the submittal of PUD Preliminary Plans and Preliminary Plans of Subdivision for the Subject Property. Engineering Plans shall include all required onsite and offsite Land Improvements.

G. RECORD OWNERS APPROVAL: The RECORD OWNERS approve of, and agree to abide by, all of the provisions of Exhibit B-1.

4. COMMENCEMENT OF CONSTRUCTION AND MODEL HOMES.

A. LAND IMPROVEMENTS: Except as hereinafter provided in Subsection B. hereof, no construction of Land Improvements shall be commenced prior to approval of Engineering Plans for the Land Improvements to be constructed for the First Phase PUD Preliminary Plan or, as appropriate, a PUD Preliminary Plan for a subsequent unit or phase, and the approval and recording of a Final Plat for such unit or phase.

B. EXCAVATION AND GRADING PERMIT: The CITY has heretofore issued a storm water permit for site grading, soil erosion control and related work. Notwithstanding Section 4 A., upon proper application, the CITY may approve an additional storm water permit for storm water management

outlets and grading, soil erosion control measures, seeding and restoration on some or all of the Subject Property prior to approval of Engineering Plans for construction of the Land Improvements required to be constructed for the First Phase PUD Preliminary Plan. In order to secure such approval, the RECORD OWNERS must submit, and obtain the CITY'S approval of, the following:

1. A County Permit Letter for the outfall sewer.
2. An appropriate and acceptable easement for the Hahn property for the outfall sewer.
3. An appropriate and acceptable license agreement from the Union Pacific Railroad.
4. Compliance with any other conditions imposed by Title 18 of the St. Charles Municipal Code.

The issuance of the additional excavation and grading permit as herein provided does not constitute approval of all or any part of the Final Engineering Plans. Any work undertaken by the RECORD OWNERS pursuant to a permit issued under the authority of this Subsection and prior to approval of the Final Engineering Plans shall be performed at the risk of the RECORD OWNER or RECORD OWNERS, as may be appropriate.

C. BUILDING PERMITS: No building permit shall be issued for construction of any structure (including model homes) within the Subject Property until after the Engineering Plans and a Final Plat have been approved and a Final Plat has been recorded for the unit or phase in which the building permit or permits are requested. Further, no building permit shall be issued prior to the construction of streets, including the bituminous binder course, in locations sufficient to provide access for emergency and inspection vehicles to the lot or parcel for which the building permit is sought, and required fire flow is available to such property from a public hydrant located within the distance from said property as required by Title 15 of the St. Charles Municipal Code. The determination as to whether the roads and fire flow are available and in acceptable

condition shall be made by the CITY'S Building Commissioner, in consultation with the Director of Public Works and the Fire Chief.

D. MODEL HOMES: Notwithstanding the foregoing, the CITY will issue a building permit for one attached single family model building (containing two or more model dwelling units) within Regency Estates, only, prior to construction of the bituminous binder course and availability of required fire flow, subject to the condition that access is made available by a stone base course sufficient to provide inspection and emergency vehicle access. The determination as to whether this condition has been met shall rest in the sole and exclusive discretion of the CITY'S Building Commissioner, in consultation with the Director of Public Works and the Fire Chief. In addition, the RECORD OWNER shall provide CITY with a written indemnification, release and discharge of liability with respect to all building construction activity prior to availability of bituminous base and required fire flow.

The RECORD OWNER may utilize model sales facilities and temporary accessory parking facilities in connection with the development of Regency Estates, only, from the time a Final Plat is recorded for a phase or unit until the sales for all dwelling units (excepting dwelling units containing model home sales facilities) have been closed. Within one hundred and eighty days of the closing of the sale of the last unit (excepting model units), the use of dwelling units as model home sales facilities shall cease and the accessory temporary parking facilities shall be removed. In addition, the RECORD OWNER may utilize one temporary sales trailer and temporary accessory parking lot within Subject Property from the date hereof until thirty days after a temporary or permanent occupancy certificate has been issued for a model home sales facility. Any such temporary sales trailer shall be located a reasonable distance (not less than 75 feet) from the nearest adjacent arterial street right-of-way and shall require a storm water permit to be issued prior to any pavement or any site work.



E. MODEL HOME TEMPORARY SIGNAGE – REGENCY ESTATES: Temporary illuminated or non-illuminated double faced marketing and identification signs, with a maximum height of fifteen (15) feet and a maximum total cumulative sign face area of two hundred (200) square feet, and non-illuminated temporary directional turn signs not exceeding a maximum total cumulative sign face area of twenty-four (24) square feet and eight (8) feet in height may be installed and maintained by RECORD OWNER for Regency Estates at any location within the Subject Property. The location of such signs shall otherwise be in conformance with the provisions of Section 17.02.150 of the St. Charles Municipal Code. RECORD OWNER may also install and maintain temporary model identification signs and temporary parking signs for each model home sales unit, of totaling not more than twenty-four (24) square feet each, within the same time period. The signage provided for herein shall be subject to permitting, shall be constructed in compliance with all applicable CITY codes and may be erected and maintained from the date hereof until the sale of the last dwelling unit with Regency Estates has been closed. When the last dwelling unit with Regency Estates has been closed, the RECORD OWNER shall cause all such temporary signage to be removed.

F. TEMPORARY SIGNAGE - PINE RIDGE PARK: The RECORD OWNER of Pine Ridge Park may install and maintain temporary illuminated or non-illuminated, double-faced “For Sale” or “For Lease” signs which may also indicate future users and identify the project for subdivided lots of Pine Ridge Park not exceeding five (5) in total, provided each such sign shall not exceed ten (10) feet in height with a total sign face area not exceeding one hundred twenty-five (125) square feet. The exact location of such signs shall be subject to CITY approval. The signage provided for herein shall be subject to permitting, shall be constructed in compliance with all applicable CITY codes and may be erected and maintained from the date hereof until the sale of the last lot or unit within Pine Ridge Park has been closed. When the sale of the last lot or unit within Pine

Ridge Park has been closed, the RECORD OWNER shall cause all such temporary signage to be removed.

5. COMPLETION OF IMPROVEMENTS PRIOR TO OCCUPANCY. No occupancy permit shall be issued for any building on the Subject Property until the City Council has accepted all of the offsite Land Improvements and all of the onsite Land Improvements related to such unit or phase with the exception of sidewalks, street trees, parkway seeding, and final surface course of streets.

Each of the RECORD OWNERS, with respect to Regency Estates and Pine Ridge Park, as appropriate, shall maintain all public streets within such portion of the Subject Property in an acceptable condition until the Corporate Authorities shall accept them. Further, said RECORD OWNERS shall be responsible for snow removal on all public streets until the Corporate Authorities shall accept same. The Corporate Authorities may accept said streets prior to the installation of the final surface course provided that the CITY shall continue to hold security sufficient to assure the completion of said street.

At all times, each RECORD OWNER shall be responsible for removal of construction debris and waste related to that portion of the Subject Property being developed by them.

6. OFFSITE EASEMENTS AND EMINENT DOMAIN. The RECORD OWNERS are responsible for obtaining all offsite dedications, easements and licenses sufficient to accommodate the construction, maintenance, repair and replacement of all Land Improvements and of the electric distribution system improvements as described in Exhibit "L" hereto required in connection with the development of any portion of the Subject Property encompassed by a final plat. The easements shall be, in form and substance, acceptable to the CITY. In the event the RECORD OWNERS are unable to obtain such off-site easements, dedications or licenses under terms and conditions deemed reasonable by the CITY, the CITY may, at the request of the RECORD OWNERS, or either of them, exercise its power of eminent domain to acquire such interests. The CITY'S decision to utilize its eminent domain powers is expressly reserved to its sole and exclusive discretion. In the event the CITY elects to exercise the

powers of eminent domain for the purposes described herein, the RECORD OWNER or RECORD OWNERS, if such request has been made by both of them, shall reimburse the CITY for all reasonable costs, judgments, settlements and expenses, including reasonable attorneys' and expert witness' fees which are incurred by the CITY and are associated with, or arise out of, the acquisition of such rights.

The CITY shall from time to time provide an estimate for all such costs and expenses, settlements or judgments, including reasonable attorney's and witness fees. A guarantee of payment (in the form of a letter of credit or cash deposit as designated by the appropriate RECORD OWNER) shall be submitted to, approved and retained by the CITY prior to the CITY incurring any such expense. The RECORD OWNERS agree to reimburse the CITY for eligible expenses within thirty days after the invoicing of same. The invoice shall be mailed to the RECORD OWNERS at the address specified herein, United States mail, postage prepaid. Such mailing shall constitute conclusive evidence that notice has been made as herein required. Should the RECORD OWNERS fail to make such reimbursement payment to the CITY within thirty days of the invoice, the CITY may, in addition to securing reimbursement through the collateralization herein provided, discontinue any further action on behalf of the RECORD OWNERS, or either of them as may be appropriate. Further, the CITY may refuse to issue any additional building, occupancy or other permits requested by either RECORD OWNER who has failed to make timely reimbursement as herein required.

The CITY shall make available to the RECORD OWNERS any dedicated rights-of-way, or easements or licenses over real estate owned by the CITY or in which it has an interest to the extent the CITY may determine those interests are necessary for the construction or installation of Land Improvements and electric distribution system improvements to service any portion of Subject Property; provided, however, that any and all costs and expenses incurred by the CITY in connection therewith from the effective date of this AGREEMENT shall be repaid to the CITY by the RECORD OWNERS.

With respect to land over which the CITY has no power of eminent domain, such as land owned by the State or other units of local government, it shall be the

responsibility of the RECORD OWNERS, or either of them as the case may be, to obtain all such offsite dedications, easements or licenses as may be necessary to accommodate all Land Improvements and electric distribution system improvements which are reasonably determined by the Corporate Authorities to be necessary for the development of Subject Property. Such dedications, easements or licenses shall be acquired in the name of, and for the use and benefit of, the CITY and shall be acquired prior to approval by the Corporate Authorities of any Final Plat.

7. UTILITY IMPROVEMENTS.

A. SEWER AND WATER UTILITY SERVICE: The CITY acknowledges that once final engineering has been approved and all third party easements and licenses are granted, the RECORD OWNERS may connect to the CITY wastewater and water systems. The RECORD OWNERS shall apply for all required connection permits and shall pay the CITY'S required tap-on or connection fees as, from to time to time, may be provided by ordinance. Each approved connection shall be performed in accordance with the CITY'S rules and regulations pertaining thereto. Except as otherwise set forth herein, the RECORD OWNERS shall be responsible for the payment of all costs associated with extending the aforesaid utilities to the approved locations on the Subject Property. The CITY shall accept the dedication of such improvements in accordance with the provisions of Title 16 of the St. Charles Municipal Code.

The CITY and the RECORD OWNERS believe that, at the present time, the CITY has sufficient conveyance and treatment capacity to provide wastewater treatment for the Subject Property when fully developed and, further, that at the present time, the CITY is not under any order restricting its right to connect the Subject Property to its wastewater treatment facility. CITY further states its belief that, at the present time, the CITY'S municipal water distribution system has sufficient line and supply capacity to serve the Subject Property, when fully developed with potable water and fire flow protection. Notwithstanding the foregoing, the CITY may require that a fire pump be provided for a specific

building when consideration is given to a specific use proposed for the building and the building construction type. The CITY does not make any representation that a fire pump will not be required. The CITY agrees that, during the term of this AGREEMENT, it shall own and operate its water system and wastewater treatment facilities in a reasonable and prudent manner but does not thereby guarantee that, throughout the term of this AGREEMENT, sufficient water supply or wastewater treatment capacity will always be available or that the Illinois EPA, under current standards or under standards subsequently adopted, will not order a restriction upon additional connections to the CITY'S utilities. Subject to the foregoing reservation, the CITY agrees to cooperate with RECORD OWNERS in obtaining such permits as may be required from time to time under both federal and state law, including (without limitation) the Illinois Environmental Protection Agency, permitting the connection on to the sanitary sewer and water mains of the CITY in order to develop and use the Subject Property.

The CITY shall not be responsible for its inability to provide any of the utility services identified herein, or for any loss or damage, including consequential damage, or delay in installation caused by strikes, riots, the elements, embargos, the failure of carriers or the inability to obtain materials or other acts of God or by virtue of any other cause beyond CITY'S reasonable control, including but not limited to inability to acquire necessary easements or permits subject to review and issuance by other agencies.

B. ELECTRIC UTILITY IMPROVEMENTS: The Subject Property shall receive electrical service by being connected to the CITY owned electric utility. The CITY shall design and construct the facilities necessary to provide electrical service to the Subject Property and to each lot or parcel developed within the Subject Property. The design and construction of the electrical system facilities shall be at the expense of the RECORD OWNERS.

The RECORD OWNERS agree to comply with the CITY'S electric utility ordinances of general applicability in effect from time to time throughout the term

of this AGREEMENT. The RECORD OWNERS agree to pay any current or future electrical connection charges or fees, for the respective phases of their development, as the same may be in effect at the time of connection on a basis equivalent to that imposed on other similar users in the CITY. The CITY, its electric utility and the RECORD OWNERS acknowledge that, as applied to the Subject Property, the St. Charles Municipal Electric Utility's practice with respect to payment and responsibility for improvements under the current electric utility ordinances is described in Exhibit "L" attached hereto and incorporated herein. The RECORD OWNERS hereby waive all causes of action against CITY, its officials, officers and employees and agents, and the City of St. Charles Electric Utility, its officials, officers, employees and agents challenging the validity of Sections 13.08.010 through 13.08.150 of the St. Charles Municipal Code as currently in effect or as they may be in effect from time to time throughout the term of this AGREEMENT. The CITY shall not be required to refund any electric connection charges paid by Owners in the event CITY'S ordinances are ruled invalid.

The RECORD OWNERS shall not request electric service from any electric utility other than the City of St. Charles Electric Utility, unless CITY shall determine, by resolution of the Corporate Authorities, that the CITY is unable to provide electric service to Subject Property.

C. STORM WATER MANAGEMENT FACILITIES: The RECORD OWNERS shall cause the Subject Property to be improved with storm water management, detention and other storm water drainage facilities. The storm water management and detention facilities shall include, without limitation, storm sewers, inlets, structures and drainage swales, retaining walls, storm sewers connecting detention basins, wetlands and wetland buffers and the off-site outfall storm sewer for the project and/or the parcel or lot within the Regency Estates/Pine Ridge Park PUD (the "Storm Water Management Facilities"). The Storm Water Management Facilities shall be designed and constructed in full compliance with the provisions of the St. Charles Municipal Code and, to the

extent appropriate, the rules and regulations of County of Kane, Illinois. The Storm Water Management Facilities and all appurtenant facilities not dedicated to and accepted by the CITY shall be owned and maintained by the RECORD OWNERS and their successors and assigns. The RECORD OWNERS shall provide for the long-term ownership, maintenance, repair and replacement of such private Storm Water Management Facilities shall be assumed by a joint property ownership association.

D. SPECIAL SERVICE AREA: While the preceding subsection requires that the long-term ownership and responsibility for the maintenance, repair and replacement for the non-dedicated Storm Water Management Facilities responsibilities shall be assumed by a joint property ownership association to be formed by the RECORD OWNERS and their successors and assigns, the CITY will require that this obligation be collateralized through the formation of a Special Service Area ("SSA") or Areas ("SSAS") comprising all or any part of the Subject Property, as may be appropriate. The RECORD OWNERS, together with their successors and assigns, shall cooperate with the CITY in the formation of, and shall not object to the establishment of, or any amendment to, such "SSA" or SSAS. The purposes of the SSA or SSAS shall be to make financial provision for the maintenance, repair, reconstruction or replacement of the non-dedicated Storm Water Management Facilities in the event that the joint property ownership association or associations fail to properly perform these functions. Each such SSA or SSAS shall be for a perpetual duration with a maximum rate of 1.00 percent per annum (\$1.00 per \$100 of equalized assessed valuation) on all of the taxable property within each such SSA.

If and when the RECORD OWNERS, or their successors and assigns, record any one or more declaration of covenants, conditions or restrictions upon the Subject Property or any portion thereof, they shall include provisions implementing this covenant which shall be binding upon the future owners of record of the Subject Property, or portion thereof, which may be subjected to the terms of the declaration.

E. STORM WATER MANAGEMENT FACILITIES –

ENGINEERING: The Phase I Preliminary Engineering Plan shall provide for Storm Water Management Facilities to be located along the northerly portion of the Regency Estate/Pine Ridge Park PUD. These Storm Water Management Facilities are designed to provide sufficient storm water detention capacity to serve all of the Regency Estates/Pine Ridge Park PUD when fully developed. Each phase of development within the Regency Estates/Pine Ridge Park PUD shall utilize these detention facilities to meet all of the storm water detention requirements for that phase as a part of the overall drainage plan and shall incorporate such additional Storm Water Management Facilities as may be required to fully implement the overall drainage plan. The overall drainage plan shall be subject to the review and approval of the CITY.

At the time of the recording of each Final Plat, the RECORD OWNER of that portion of the Subject Property so platted shall grant to the CITY an easement over all Storm Water Management Facilities to be constructed within that portion of the Subject Property and within easements over those portions of other property not included within the Subject Property which are to be improved with Storm Water Management Facilities. The terms of each such easement shall provide that the appropriate RECORD OWNER, its successors and assigns, are to remain responsible for the maintenance of these Storm Water Management Facilities. Further, if, in the reasonable judgment of the City Engineer, the appropriate RECORD OWNER, its successors and assigns, fail to do so, the easement will provide that the CITY will be authorized to go upon that portion of the Subject Property for the purpose of performing such work as the City Engineer may deem reasonably appropriate or necessary to maintain such Storm Water Management Facilities or to correct any deficiencies with respect thereto. The CITY shall have the right to bill the appropriate RECORD OWNER, or its successors or assigns, for the reasonable cost of all such work together with an additional reasonable amount necessary to compensate the CITY for undertaking and managing said work.



F. SOIL EROSION CONTROL: Upon five days' notice to the RECORD OWNERS, or either of them, the CITY shall have the right to issue a stop work order halting any construction of Land Improvements, buildings and other structures if the City Engineer determines that the soil erosion control measures required by Title 18 of the St. Charles Municipal Code, as shown on an approved erosion control plan, are not being adequately maintained; provided, however, that if the City Engineer determines that an emergency exists and that immediate action is necessary, the five day notice shall not be required. The RECORD OWNERS each agree that a stop work order may be issued on such grounds against either of them with respect to the portion of the Subject Property on which the violation occurs. Any such stop work order will not be lifted until all violations are corrected. Each RECORD OWNER agrees that they shall indemnify and hold the CITY harmless from any and all losses, claims, expenses, and penalties, including attorneys' fees, arising out of the CITY'S issuance of a stop work order on such grounds, unless the stop work order was improperly issued as determined by a court of competent jurisdiction.

G. SANITARY SEWER LIFT STATION: The RECORD OWNERS propose the installation of a sanitary sewer lift station to provide wastewater collection and conveyance service for the Subject Property. The lift station will be designed and constructed by the RECORD OWNERS subject to CITY approval of the specifications, layout, material and all other matter relating to the operation of the lift station. When completed, the lift station will be inspected and, if accepted by the City Council, conveyed and dedicated to the CITY, and thereafter shall thereafter be owned and operated by the CITY. The lift station shall include an emergency power generator and telemetry meeting all CITY requirements.

The RECORD OWNERS shall designate a separate lot or parcel upon which the lift station shall be constructed and that lot or parcel will be so designated on the plat of subdivision covering that portion of the Subject Property within which the lift station lot or parcel is located. The RECORD OWNERS

shall convey said lot or parcel to the CITY by Special Warranty Deed, free of all liens and encumbrances. Said conveyance shall be at no cost to the CITY. The RECORD OWNERS shall procure title insurance on the lift station site naming the CITY as the owner and insured party subject only to such exceptions to title as the CITY may reasonably agree. The closing of this conveyance shall be subject to payment of all customary pro-rations, and the closing costs related to this transaction shall be shared between the parties as is customary in St. Charles, Illinois. Further, said conveyance shall occur when, in the reasonable judgment of the CITY, no further infrastructure construction will occur in and around the said lot or parcel but in no event later than 2 years after the recordation of a final plat covering that portion of the Subject Property where the lift station is located.

8. ROAD IMPROVEMENTS.

A. RIGHT-OF-WAY DEDICATIONS: Each final plat covering portions of the Subject Property located adjacent to the existing right-of-way of Illinois Route 64 shall provide for the dedication and conveyance of sixty (60') feet of right-of-way north of the centerline of Illinois Route 64. In addition, each final plat shall provide an easement for public roadway, traffic control equipment, sidewalks, bicycle paths, and utility purposes within additional triangular areas at the northeast and northwestern corners of Oak Street and Illinois Route 64 measuring fifty (50') feet in length along each right-of-way, and within a fifteen (15) ft. wide strip of land parallel to and immediately adjacent to the right of way required to be dedicated for IL Route 64. The dedications and easements described in this Section A shall be provided at no cost to the City and in accordance with Section 16.12.210 ("Transfer of Dedications and Easements") of the St. Charles Municipal Code.

B. ROADWAY CONSTRUCTION STANDARDS: The RECORD OWNERS shall design, construct, pay for and, where appropriate, dedicate to the CITY, or the State of Illinois, as the case may be, the road improvements identified in this Section 8 and on Exhibit "VI-A" to Exhibit "B-1". The

construction of the road improvements shall be in accordance with the roadway classifications and relevant specifications set forth in the CITY'S subdivision regulations for Land Improvements or in accordance with State of Illinois standards, as appropriate.

C. INTERSECTION IMPROVEMENTS - IL. ROUTE 64 (Main Street):

Access to the Subject Property from Illinois Route 64 shall be limited to the type, number and general locations identified in Exhibit "VI-C" to Exhibit "B-1", except such additional locations as the City Council in its sole discretion may determine. The CITY and RECORD OWNERS acknowledge that all access to Illinois State Route 64 is subject to the approval of the Illinois Department of Transportation.

The RECORD OWNERS shall improve the intersections along IL. Route 64 that will provide access to the Subject Property. These intersection locations include a private right in/right out, Oak Street extended and Barbara Ann Drive, all at Illinois Route 64. The nature and scope of the on site and off site improvements shall be as determined and required by IDOT and may include right turn lanes, pavement marking, shoulder improvements and storm sewer improvements. The CITY shall not be required to issue any building permit except for one building for model homes until RECORD OWNERS have obtained an IDOT permit for construction and have submitted all financial guarantees as may be required by IDOT.

D. CONTRIBUTION FOR FUTURE RT. 64 WIDENING: The RECORD OWNERS shall, as a precondition to the recording of the first final plat for any portion of the Subject Property, contribute \$865,000.00 to the CITY for the future widening of the existing three lane section of Illinois Route 64 into a five lane section as depicted on Exhibit M.

E. WOODWARD DRIVE EXTENSION: Notwithstanding any contrary provision of this Section 8 to the contrary, the RECORD OWNERS shall

cause the dedication and completion of the construction of the east end of Woodward Drive, as depicted upon the Preliminary Plan, to the eastern boundary of the Subject Property in accordance with the provisions of this Subsection E.

(i) The dedication and construction of the east end of Woodward Drive shall be completed within four (4) years from the date of this Agreement; or

(ii) In the event (a) KDOT and the CITY come to an agreement related to access to Randall Road as the same relates to the Subject Property and relevant adjacent property and (b) the CITY approves a preliminary plan or a PUD for the "Hahn Property", then the dedication and construction of the east end of Woodward Drive shall be completed within eighteen (18) months of the last to occur of the KDOT agreement or the approval of the preliminary plan or a PUD for the "Hahn Property".

The completion of the extension of east Woodward Drive, as hereinabove provided, may only occur subsequent to the approval of such extension by the United States Army Corps of Engineers. As of the date hereof, the RECORD OWNERS have made application to the Corps. If, for any reason, they fail to secure the approval of the Corps, the RECORD OWNERS shall nonetheless dedicate the right-of-way for the extension (as per Subsection 8 A. above) and tender to the CITY a financial guarantee covering the estimated cost of the construction of the eastern extension of Woodward Drive as reasonably may be determined by the City Engineer in the exercise of good engineering practice.

The RECORD OWNERS shall submit a financial guarantee in the form of a cash escrow or letter of credit within 60 days of the first to occur of (i) or (ii) above, and shall maintain such guarantee for a period of three years, or until completion of the easterly extension of Woodward Drive, whichever shall first occur. The terms of the required guarantee shall provide that the CITY will have the right to use the cash escrow or draw on the letter of credit to improve the

easterly extension of Woodward Drive if RECORD OWNERS have not completed the improvement within one year of the submittal of the letter of credit.

In addition to the foregoing, and prior to the dedication of the right-of-way for the eastern extension of Woodward Drive, the RECORD OWNERS shall grant to the CITY, its officers, agents and contractors, a permanent twenty (20') foot easement within the proposed right-of-way permitting the CITY to install and construct, own, operate, repair, replace and maintain Storm Water Management Facilities as hereinbefore defined.

F. CROSS ACCESS – ST. CHARLES BOWL: The RECORD OWNERS shall provide cross access to St. Charles Bowl from Woodward Drive through adjacent lots. The conceptual location of this point of cross access is as depicted on the final exhibits attached to the Regency Estates/Pine Ridge Park PUD Ordinance heretofore incorporated herein as Exhibit B-1. The final location and configuration of said point of cross access shall be acceptable to the CITY and shall be depicted upon the PUD Preliminary Plan for Lots 12, 13 or 14, whichever shall first occur.

The establishment of the Cross Access Agreement with any adjoining parcel shall be contingent and conditioned upon the owner of the adjoining parcel entering into a mutual and reciprocal easement agreement with the applicable RECORD OWNER which will provide for: a) reciprocal access easement for egress of pedestrians and vehicles over and across those portions of each parcel thereby affected; b) reimbursement to the applicable RECORD OWNER by the adjacent parcel owner of a pro rata share based upon relative traffic generation of each parcel, of the design and construction costs incurred by RECORD OWNER with respect to the intersection, street and driveway improvements located within or servicing the access easement parcel; c) the sharing of maintenance and snow removal costs on the aforementioned pro rata basis; d) the reservation by the applicable RECORD OWNER of the right to, from time to time, limit or close the access easement parcel from use as may be necessary to prevent the vesting of

rights beyond those expressly provided in the Agreement; and e) such other terms and conditions as are customarily contained in such Agreements. The Agreement shall be prepared by RECORD OWNER and subject to review and approval by the CITY's attorney, however such approval shall not be unreasonably withheld. The RECORD OWNER shall exercise good faith and due diligence in seeking to obtain the approval and execution of the Agreement by the owners of all property affected or benefited thereby, and following such proper execution the Agreement shall be recorded against all of the land being affected. In no event, however, shall any adjoining parcel be connected to any private drive within Pine Ridge Park until an Agreement has been agreed to and effectuated with respect thereto.

G. COMBINED PARCEL ACCESS. The RECORD OWNERS agree to minimize curb cuts on Woodward Drive and to combine and share cross access between adjacent lots. *(For example Lots 1 and 2 or 2 and 3, 4 and 5, 6 and 7, etc. would share an access drive).*

9. MAINTENANCE AND RESTORATION OF LAND IMPROVEMENTS. Each of the RECORD OWNERS shall be jointly and severally liable for the maintenance, repair, restoration and replacement, of any and all improvements intended to be dedicated to the CITY which are damaged or disturbed by reason of construction traffic or activity related the development of Subject Property. This obligation shall terminate upon the acceptance by the CITY of the dedication except where the acceptance of the dedication is a partial acceptance, as where the CITY accepts the dedication of a street prior to the installation of the final surface course or lift. Such repair and/or replacement shall cause the damaged Land Improvements to be restored to a condition which meets and complies with their originally designed sizes, standards and topography; all of said work to be performed in a manner satisfactory to the CITY. Should the RECORD OWNERS fail to perform any maintenance, repair, restoration and replacement, as herein required, the CITY may do so and, in that event, the cost thereof shall be a liability of the RECORD OWNERS.

10. FINANCIAL GUARANTEES. The RECORD OWNERS shall each

submit to the CITY a financial performance guarantee in the form of a letter of credit conforming to the provisions of Title 16 of the St. Charles Municipal Code to guarantee completion of Land Improvements, mass grading and erosion control installation, storm water detention, and any other improvements required herein in connection with the approval of the First Phase PUD Preliminary Plan or any subsequent Final Plat for all or any portion of Regency Estates or Pine Ridge Park. The financial performance guarantee shall be released upon the satisfactory completion and acceptance of the Land Improvements guaranteed thereby and the posting with the CITY of an acceptable maintenance guarantee securing the maintenance of the Land Improvements for a period of one (1) year after CITY'S acceptance of same. Periodic partial draw-downs of the financial guarantee will be allowed subject to the reasonable approval of the City Engineer.

11. FACILITIES TO BE UNDERGROUND. The RECORD OWNERS shall cause all utilities and communications facilities intended to serve Subject Property including, but not by way of limitation, all telephone, electric and cable television lines, to be installed underground. This requirement shall be affixed to all final plats.

12. LIMIT ON CITY RESPONSIBILITY FOR UTILITIES. 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 inability to obtain financing upon such terms as the City Council may determine, 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, modifications of Facilities Planning Area boundaries, Army Corps of Engineers permits, railroad licenses and permits, Kane County permits and easements, and Illinois environmental Protection Agency permits.

13. RECAPTURE AGREEMENTS. Each RECORD OWNER shall pay its pro-rata share of improvement costs for other eligible improvements which, in the opinion of the CITY'S Corporate Authorities, may be used for the benefit of the Subject Property (hereinafter "Existing Reimbursement Obligations") to the extent such Existing

Reimbursement Obligations are reflected in other recapture or reimbursement agreements heretofore entered into by the CITY with others. The Existing Reimbursement Obligations attributable and chargeable against the Subject Property are summarized in Exhibit "G-5" attached hereto and made a part hereof. As of January 31, 2006 such obligations total approximately two hundred twelve thousand eight hundred ninety-six dollars and five cents (\$212,896.05), and the RECORD OWNERS agree to cause said sum plus any additional interest as provided in the recapture or reimbursement agreements, to be paid over to the CITY within sixty (60) days of the execution of this Agreement. The CITY has no knowledge of any additional or other reimbursement obligations currently affecting Subject Property other than as identified in said Exhibit "G-5".

14. REQUIREMENTS OF OTHER JURISDICTIONS. Notwithstanding any contrary covenant or condition contained herein, the CITY shall not be deemed to be in breach of this AGREEMENT if its performance of any such covenant or condition is not consistent with, or is precluded by, a legal duty, rule, regulation or requirement which is imposed by any other governmental bodies or agencies having jurisdiction over Subject Property, the CITY or the RECORD OWNERS.

15. SCHOOL AND PARK CONTRIBUTIONS. The RECORD OWNERS of the Subject Property, heretofore legally described on Exhibit A-1, hereby agrees to comply with the provisions of Chapter 16.32 of the St. Charles Municipal Code in effect as of the date of the recording of any final plat by making the cash contributions in lieu of the land contributions for said school and park purposes as therein required. Prior to the recording of any such final plat, said RECORD OWNER shall provide the CITY with a letter from the appropriate school and/or park district setting forth the calculation of the cash contribution and confirming that the sum so calculated has been paid to the respective district or that alternative and acceptable arrangements for the payment of the cash contribution to the respective district have been made. The RECORD OWNER of the Subject Property further agrees that all such cash contributions for schools and parks may be used by the recipient school or park district for land acquisition, building construction, site improvements, capital improvements, equipment, operations, or any



other purpose which will serve the immediate or future needs of the residents of the subdivision for which the contribution was received, as determined by the recipient school or park district. The school and park cash contributions shall constitute the sole and exclusive obligation of the RECORD OWNER of the Subject Property for contributions and donations to the applicable school and park districts and said RECORD OWENR shall have no obligation to donate, by conveyance or otherwise, any land to either of the applicable school and/or park districts. The RECORD OWNER of that portion of the Subject Property referred to as Pine Ridge Park, heretofore legally described on Exhibit A-4, shall have no obligation to make any contribution of land, cash or otherwise to or for the benefit of any school and park districts with respect to the platting or development of Pine Ridge Park, provided Pine Ridge Park is developed only for those non-residential uses provided under this AGREEMENT, or any other non-residential use of Pine Ridge Park hereafter approved by CITY.

16. BLANKET AND OTHER ONSITE EASEMENTS. At CITY's request, the RECORD OWNERS shall provide one or more blanket easement(s) over, under and upon all common open space, private common driveways and parking areas within Subject Property permitting the access of emergency vehicles and further permitting the ownership, operation, maintenance, repair, replacement and customary servicing of all electricity lines, all sanitary sewer, storm drainage, storm water detention and retention, and water main systems, telephone lines, natural gas supply systems, communication facilities (including cable television and other cabled communication facilities) and other utilities, on all final plats. The blanket easement(s) shall be granted to the CITY and, as appropriate, to all other utility providers which now hold, or which may in the future hold, a CITY franchise. Further, said blanket easement(s) shall extend to the City and its franchisees together with their respective officers, employees, and agents, together with related emergency and service vehicles and equipment.

Said easements shall expressly exclude all building pad areas as the same may, from time to time, be established, modified or relocated. The blanket easement(s) shall contain terms which will permit relocation of existing utility facilities located within an easement area as may be required, from time to time, to facilitate the development or

redevelopment of any portion of Subject Property provided, however, that the cost of the relocation shall be born by the respective RECORD OWNER, successor or assign, or other party seeking such relocation and, in each case, shall be further subject to the approval of the owner of the utility as to the proposed site of the utility relocation. Said easements shall further require any CITY franchisee which carries out work within the easement premises to indemnify, defend and hold harmless the CITY and the RECORD OWNER(S) or their successors or assigns from any claim, liability, cost and/or expense, including reasonable attorneys fees, arising directly or indirectly from such work. Further, all such franchises shall be required to restore the easement premises by properly grading and restoring the surface treatment (i.e., paving, sod, etc.) to pre-disturbance condition in a prompt manner upon the substantial completion of such work.

17. WELL AND SEPTIC PROHIBITED. There shall be no private wells or septic systems constructed within the Subject Property. Further, there shall be no private wastewater treatment facilities serving Subject Property. Within 10 days after City Council acceptance of any water mains on Subject Property, the RECORD OWNERS shall plug any existing wells on Subject Property in conformity with the regulations of the Illinois Department of Mines and Minerals and any other applicable State or Federal requirements and shall provide documentation to the CITY that such plugging has been accomplished, all in form and substance acceptable to the City Council.

18. BUILDING CODE. The RECORD OWNERS shall comply in all respects with the applicable provisions of Title 15 of the St. Charles Municipal Code which are in effect at the time the CITY issues to the RECORD OWNERS, or any of their successors or assigns, a building or other permit or permits in connection with the construction buildings and structures on Subject Property. This requirement shall be expressly deemed to include any future amendment to the provisions of Title 15 of the St. Charles Municipal Code.

19. NO REQUIREMENT TO DEVELOP. The RECORD OWNERS and their respective successors and assigns shall not be required to develop or plat any of Subject Property. In the event, however, that the either of the RECORD OWNERS, or

any of their respective successors and assigns, develop or plat any portion of the Subject Property, such development and platting shall be in accordance with this Agreement and the Regency Estates/Pine Ridge Park PUD Ordinance.

20. MAINTENANCE OF PRIVATE FACILITIES. Each RECORD OWNER, as to its respective portion of Subject Property, agrees to repair and maintain all private retention and 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 CITY, or any other governmental entity. In the event of the conveyance or assignment of all or part of Subject Property, the record titleholders shall be responsible for such repair and maintenance as contemplated in this paragraph.

21. ACCEPTANCE OF RIGHTS-OF-WAY DEDICATIONS AND CONVEYANCE OF LAND IMPROVEMENTS. Upon the submittal of any final plat for any portion of the Subject Property, the RECORD OWNERS shall cause each of said plats to include provisions for the dedication of public rights-of-way for streets covering those portions of the Subject Property being platted together with any additional rights-of-way dedication reasonably deemed necessary or appropriate with respect to the portions of the Subject Property being finally platted. Contemporaneously with the submittal of any final plat for any portion of the Subject Property, the RECORD OWNERS shall cause the plat reflecting the additional right-of-way dedication covering the Annexation Parcel to be submitted to the CITY'S for its acceptance and approval.

Upon the request of a RECORD OWNER, the CITY shall consider the acceptance of the dedication and conveyance of the completed portions of the required Land Improvements (as that term is defined in the City's Subdivision Control Regulations) including all public streets, and all sanitary sewers, storm drainage sewers, inlets and structures, and water mains lying within public dedicated rights-of-way or publicly dedicated easements. If the City Engineer, upon review, determines that the tendered Land Improvements have been constructed in conformance with this AGREEMENT, the exhibits incorporated in this AGREEMENT and, as appropriate, approved engineering plans and specifications, said Engineer shall recommend acceptance thereof to the City Council which shall consider accepting all of the

satisfactorily completed portions and elements of the Land Improvements. As a precondition to the acceptance of any of the Land Improvements, the RECORD OWNERS, or either of them as may be appropriate, shall convey and transfer said Land Improvements to the CITY free of all liens or encumbrances by appropriate bills of sale and other conveyance documents as required by the CITY.

Upon the receipt of a complete written request by the RECORD OWNERS, or either of them as appropriate, the CITY shall act upon said request for acceptance of the tendered Land Improvements within 30 days. If the CITY refuses to accept the dedication and conveyance of the Land Improvements, the CITY shall provide the applicable RECORD OWNER with a letter of rejection citing the deficiencies within 40 days from receipt of such complete submittal.

22. PERMANENT SIGNS AND ENTRY FEATURES. Permanent, illuminated signage shall be permitted for Subject Property, including a monument style entry sign and entry features for Regency Estates and monument and wall signs for each of the users within Pine Ridge Park, as provided in Exhibit "IV-A" and "IV-B" of Exhibit "B-1". To the extent the foregoing exhibits do not modify or require relief from the CITY'S code provisions related to signage, said code provisions shall control.

23. CONTRIBUTION FOR AFFORDABLE HOUSING. REGENCY ESTATES L.L.C. shall contribute to the CITY \$1,000 per dwelling unit to be constructed within Regency Estates, at the time of issuance of each building permit for residential buildings within Regency Estates. This contribution shall be used for the purpose of providing affordable housing within the CITY, in a manner to be determined by the CITY. If the CITY does not use the contributions for the purpose of providing affordable housing within the CITY within five years of the date received, it shall return the contributions to REGENCY ESTATES L.L.C.

24. REIMBURSEMENT. The RECORD OWNERS shall reimburse the CITY for its reasonable attorney's fees, engineering and planning consultants, and CITY staff review time incurred by the CITY in connection with the processing and review of

any and all matters pertaining to this AGREEMENT, including the drafting and negotiation hereof. Payment by the RECORD OWNERS to the CITY shall occur promptly after receipt by the RECORD OWNERS of invoices for such work.

## **EXHIBIT “VI”**

### **PLANS**

Exhibit VI-A: A one page plan entitled “P.U.D. Concept Plan Regency Estates and Pine Ridge Park” prepared by Trans/Land, Ltd., dated January 13, 2006.

Exhibit VI-B: A one page plan entitled “P.U.D. Preliminary Engineering Plan Regency Estates” prepared by Western Engineering, P.C., dated January 13, 2006.

Exhibit VI-C: A one page plan entitled “P.U.D. Preliminary Plan Regency Estates” prepared by Trans/Land, Ltd., dated July 28, 2005


Exhibit VI-D: A six-page landscape plan entitled “Pine Ridge Park Entry Rte 64 & Oak St.”, “Pine Ridge Park Frontage Route 64 & Oak Street”, “Regency Estates Overall Planting Plan Woodward Drive”, “Regency Estates Entrance Woodward Drive”, “Regency Estates Common Area Regency Court”, and “Regency Estates Townhome Unit Planting Plan Woodward Drive”, prepared by Rebecca Eisele of Forstar Landscaping, dated March 25, 2005

Exhibit VI-E: A two-page building elevation drawing entitled “Regency Estates” prepared by Michael J. Grimson and Associates, dated April 15, 2004


Exhibit VI-F: A two-page signage plan entitled “Pine Ridge Park” prepared by Aurora Sign Company, dated March 22, 2005

Exhibit VI-G: A one-page drawing showing a monument sign entitled “Regency Estates” received July 7, 2005



	<b>AGENDA ITEM EXECUTIVE SUMMARY</b>						
	Title:	Presentation of Downtown St. Charles Brand					
	Presenter:	Lynne Schwartz, Downtown St. Charles Partnership Matt O'Rourke, Economic Development Division Manager					
<i>Please check appropriate box:</i>							
	Government Operations		X	Government Services – 03.23.15			
	Planning & Development			City Council			
	Public Hearing						
Estimated Cost:	\$ 0	Budgeted:	YES		NO		
If NO, please explain how item will be funded:							
Presentation Only – Update on previously funded project.							
<b>Executive Summary:</b>							
Lynne Schwartz of the Downtown St. Charles Partnership will present an update on the downtown St. Charles Branding initiative. This will consist of a review of the project from its inception.							
<b>Attachments:</b> <i>(please list)</i>							
None							
<b>Recommendation / Suggested Action</b> <i>(briefly explain):</i>							
Presentation Only							
<i>For office use only:</i>		Agenda Item Number: 4.b					



	<b>AGENDA ITEM EXECUTIVE SUMMARY</b>																	
	Title:	Recommendation to approve the City of St. Charles Allocation of the Tri City Ambulance Association Budget Subject to the Approval of the City Budget																
	Presenter:	Fire Chief Joe Schelstreet																
Please check appropriate box:																		
	Government Operations	X	Government Services 03.23.15															
	Planning & Development		City Council															
Estimated Cost:	\$310,174.00	Budgeted:	YES	X	NO													
If NO, please explain how item will be funded:																		
<b>Executive Summary:</b>																		
<p>On March 13, 2015, The Tri-City Ambulance Board of Directors approved the operating budget for Fiscal Year 2015/2016. The budget projects total expenditures of \$4,179,656 to be offset by approximately \$3,193,445 in revenue as well as a \$100,000 spend down of reserve funds and contributions from member agencies.</p> <table border="0" style="width: 100%;"> <tr> <td>City of St. Charles</td> <td>\$310,174.00</td> <td>City of Batavia</td> <td>\$310,174.00</td> </tr> <tr> <td>City of Geneva</td> <td>\$239,277.00</td> <td>Batavia FPD</td> <td>\$19,940.00</td> </tr> <tr> <td>Geneva Township</td> <td>\$6,647.00</td> <td></td> <td></td> </tr> </table> <p>Additionally, the Tri City Ambulance Board also approved a contract with Paramedic Services of Illinois to provide paramedic services for Fiscal Year 2015/2016. The current five-year contract for paramedic staffing which was approved on March 9, 2012 provides an annual renewal option with an increase of 1 % for a total of \$2,429,326.00. This is the third renewal of the original contract.</p>							City of St. Charles	\$310,174.00	City of Batavia	\$310,174.00	City of Geneva	\$239,277.00	Batavia FPD	\$19,940.00	Geneva Township	\$6,647.00		
City of St. Charles	\$310,174.00	City of Batavia	\$310,174.00															
City of Geneva	\$239,277.00	Batavia FPD	\$19,940.00															
Geneva Township	\$6,647.00																	
<b>Attachments:</b> (please list)																		
FY 15/16 Tri City Ambulance Association Budget TCA Resolution 2015-01																		
<b>Recommendation / Suggested Action</b> (briefly explain):																		
Recommendation to approve the City of St. Charles Allocation, \$310,174, of the Tri City Ambulance Association Budget subject to the approval of the City Budget.																		
For office use only:		Agenda Item Number: 5.a																

## Preliminary Tri City Ambulance Budget for FY 15/16

Account	Description	2014/2015	2015/2016	Change %	
1311	Travel Expense	\$ 5,300	\$ 6,000	13%	
1312	Training Fees, Tuition	\$ 4,000	\$ 5,500	38%	
2102	Office Supplies	\$ 282	\$ 290	3%	
2109	Software	\$ 1,545	\$ 1,591	3%	
2116	Chemicals	\$ 274	\$ 282	3%	
2125	Gas, Oil, Antifreeze	\$ 38,813	\$ 39,978	3%	
2142	Regulatory Supplies	\$ 282	\$ 290	3%	
2161	Small Equipment & Hardware	\$ 15,019	\$ 15,470	3%	
2172	Medical Supplies	\$ 18,500	\$ 19,055	3%	
2181	Parts, Fittings-Motor Vehicles	\$ 15,078	\$ 15,531	3%	
2182	Parts, Fittings-Other Equipment	\$ 2,217	\$ 2,283	3%	
2199	Supplies, Not Classified	\$ 281	\$ 281	0%	
	<b>Commodities</b>	<b>\$ 101,592</b>	<b>\$ 106,552</b>	<b>5%</b>	
2205	Collection Services	\$ 15,700	\$ 15,700	0%	
2206	Legal	\$ 3,900	\$ 4,017	3%	
2231	Professional Service	\$ 157,066	\$ 153,566	-2%	
2233	Maintenance Auto Equipment	\$ 37,132	\$ 38,245	3%	
2239	Maintenance-Other Equipment	\$ 12,126	\$ 12,490	3%	
2242	Tri-Com	\$ 132,355	\$ 136,326	3%	
2247	Monthly Cell Phone Expense	\$ 11,310	\$ 10,000	-12%	
2255	Postage & Freight	\$ 1,126	\$ 1,126	0%	
2277	Rentals	\$ -	\$ -		
2281	Printing and Binding	\$ 1,400	\$ 1,400	0%	
2299	Contractual Field Personnel	\$ 2,405,273	\$ 2,429,326	1%	
	Administrator	\$ 49,275	\$ 50,753		
	<b>Contractual</b>	<b>\$ 2,826,663</b>	<b>\$ 2,852,949</b>	<b>1%</b>	\$ 973,237
	<b>write off assumption</b>				
2902	Inventory - Carrying Charge				
2903	Bad Debt-Geneva	\$ 120,906	\$ 108,815	-10%	
2904	Medicare: Medicaid W/O -Gen	\$ 89,353	\$ 98,288	10%	
2905	Bad Debt- Batavia	\$ 266,020	\$ 239,418	-10%	
2906	Medicare: Medicaid W/O -Bat	\$ 197,843	\$ 217,627	10%	
2931	Inventory- Overhead	\$ -	\$ -		
2951	Bad Debt-St. Charles	\$ 292,425	\$ 263,182	-10%	
2952	Medicare: Medicaid W/O St.C	\$ 211,659	\$ 232,825	10%	
	<b>Misc. Expense</b>	<b>\$ 1,178,206</b>	<b>\$ 1,160,155</b>	<b>-2%</b>	
3137	Data Processing Equipment	\$ -	\$ 7,000		
3199	Capital Expense N/C	\$ 60,000	\$ 60,000	0%	
3518	Ambulance Replacement	\$ -	\$ -	0%	
	<b>Capital</b>	<b>\$ 60,000</b>	<b>\$ 60,000</b>	<b>0%</b>	
		\$ -			
	<b>TOTAL EXPENDITURES</b>	<b>\$ 4,166,460</b>	<b>\$ 4,179,656</b>	<b>0%</b>	
	<b>Revenue increase assumption</b>				
342 16	Ambulance Service - St. Charles	\$ 1,386,738	\$ 1,386,738	0%	
342 17	Ambulance Service - Geneva	\$ 617,330	\$ 617,330	0%	
342 18	Ambulance Service - Batavia	\$ 1,141,842	\$ 1,141,842	0%	
		<b>\$ 3,145,910</b>	<b>\$ 3,145,910</b>	<b>0%</b>	
	<b>Recovery assumption</b>				
369 01	Recovery of Bad Debts St. Chas.	\$ 23,357	\$ 23,357	0%	
369 05	Recovery of Bad Debts Geneva	\$ 10,032	\$ 10,032	0%	
369 06	Recovery of Bad Debts Batavia	\$ 14,146	\$ 14,146	0%	
369 40	Finance Charges				
369 99	Interest				
	<b>TOTAL RECOVERY ASSUMPTION</b>	<b>\$ 47,535</b>	<b>\$ 47,535</b>	<b>0%</b>	
	<b>TOTAL REVENUE</b>	<b>\$ 3,193,445</b>	<b>\$ 3,193,445</b>	<b>0%</b>	\$ -
	<b>DUE FROM PARTICIPATING MEMBERS</b>	<b>\$ 973,015</b>	<b>\$ 986,211</b>	<b>1%</b>	
	<b>SPEND DOWN FROM RESERVE</b>		<b>\$ 100,000</b>		
		<b>\$ 973,014.87</b>	<b>\$ 886,211</b>	<b>-9%</b>	
			<b>\$ (86,804)</b>		

# **Tri-City Ambulance**

## **Resolution No. 2015-1**

**A Resolution Of Tri-City Ambulance Service Board Of Directors  
Authorizing The City Of St. Charles, As Lead Agency For Tri-City, To  
Include The Approved Operating Budget For The Period Of May 1,  
2015 Through April 30, 2016 In The St. Charles Municipal Budget For  
And On Behalf Of Tri-City Ambulance Service.**

**Presented & Passed by the  
Tri-City Ambulance Board of Directors on March 13, 2015**

WHEREAS, Tri-City Ambulance Service (hereinafter Tri-City), formed by intergovernmental agreement dated May 14, 1985, has a duly selected Board of Directors charged with the review and approval of an annual operating budget, and;

WHEREAS, the Board of Directors has reviewed and approved the operating budget for the period of May 1, 2015 through April 30, 2016 in the manner set forth in the intergovernmental agreement dated May 14, 1985, and;

WHEREAS, a copy of said budget document is attached hereto and a made a part hereof, and;

WHEREAS, the City of St. Charles is Lead Agency and must, as Lead Agency for Tri-City, include said budget document as part of the municipal budget for the City of St. Charles for the same period;

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of Tri-City Ambulance Service that the City of St. Charles, as Lead Agency, is authorized and directed to include the approved budget document for the period of May 1, 2015 through April 30, 2016 within the municipal budget of the City of St. Charles, Kane and DuPage Counties, Illinois, for and on behalf of Tri-City.


Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

BY: Jeffery D. Schielke  
Chairman

ATTEST: \_\_\_\_\_  
Secretary

Ayes \_\_\_\_\_  
Nays \_\_\_\_\_  
Absent \_\_\_\_\_

	<b>AGENDA ITEM EXECUTIVE SUMMARY</b>						
	Title:		Presentation of 2014 Electric Reliability Report				
	Presenter:		Tom Bruhl				
<i>Please check appropriate box:</i>							
	Government Operations		X	Government Services			03.23.15
	Planning & Development			City Council			
	Public Hearing						
Estimated Cost:		\$	Budgeted:	YES		NO	
If NO, please explain how item will be funded:							
<b>Executive Summary:</b>							
Presentation of the annual system reliability report.							
<b>Attachments:</b> <i>(please list)</i>							
None.							
<b>Recommendation / Suggested Action</b> <i>(briefly explain):</i>							
For information only.							
<i>For office use only:</i>		Agenda Item Number: 6.a					

	<b>AGENDA ITEM EXECUTIVE SUMMARY</b>																																																			
	Title:	Presentation of Proposed 2015 MFT Street Rehabilitation Project																																																		
	Presenter:	Karen Young																																																		
<i>Please check appropriate box:</i>																																																				
	Government Operations			X	Government Services – 03.23.15																																															
Estimated Cost:	N/A			Budgeted:	YES	X	NO																																													
<b>Executive Summary:</b>																																																				
<p>City staff is presenting the recommended roadways to be included as part of the City's 2015 MFT Street Rehab Program. The following is a list of the proposed public roadway locations for rehabilitation as part of this program.</p> <table border="1"> <thead> <tr> <th>Street</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td>Greenwood Lane</td> <td>Oxmoor Court</td> <td>N. End of Red Gate Park</td> </tr> <tr> <td>Oxmoor Court</td> <td>Greenwood Ln.</td> <td>East End</td> </tr> <tr> <td>Mockingbird Court</td> <td>Greenwood Ln.</td> <td>West End</td> </tr> <tr> <td>Crabapple Lane</td> <td>Persimmon Dr.</td> <td>Persimmon Dr.</td> </tr> <tr> <td>N. Tyler Road</td> <td>East Main Street</td> <td>Allen Lane</td> </tr> <tr> <td>Stone Drive</td> <td>Production Dr.</td> <td>Dukane Dr.</td> </tr> <tr> <td>Dukane Drive</td> <td>Stone Dr.</td> <td>Kirk Rd.</td> </tr> <tr> <td>S. 10th Ave.</td> <td>South Ave</td> <td>Indiana Ave.</td> </tr> <tr> <td>Walnut Ave.</td> <td>S. 2nd Ave.</td> <td>S. 3rd Ave.</td> </tr> <tr> <td>Walnut Ave.</td> <td>S. 3rd Ave.</td> <td>S. 4th Ave.</td> </tr> <tr> <td>Walnut Ave.</td> <td>S. 4th Ave.</td> <td>S. 5th Ave.</td> </tr> <tr> <td>S. 8th Street</td> <td>Oak St.</td> <td>Indiana St.</td> </tr> <tr> <td>8th Court</td> <td>Oak St.</td> <td>South End</td> </tr> <tr> <td>Avalon Court</td> <td>S. 15th St.</td> <td>West End</td> </tr> </tbody> </table> <p>In addition to the proposed public roadway locations listed above this year's program also includes other various utility repairs at these locations.</p>								Street	From	To	Greenwood Lane	Oxmoor Court	N. End of Red Gate Park	Oxmoor Court	Greenwood Ln.	East End	Mockingbird Court	Greenwood Ln.	West End	Crabapple Lane	Persimmon Dr.	Persimmon Dr.	N. Tyler Road	East Main Street	Allen Lane	Stone Drive	Production Dr.	Dukane Dr.	Dukane Drive	Stone Dr.	Kirk Rd.	S. 10th Ave.	South Ave	Indiana Ave.	Walnut Ave.	S. 2nd Ave.	S. 3rd Ave.	Walnut Ave.	S. 3rd Ave.	S. 4th Ave.	Walnut Ave.	S. 4th Ave.	S. 5th Ave.	S. 8th Street	Oak St.	Indiana St.	8th Court	Oak St.	South End	Avalon Court	S. 15th St.	West End
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S. 8th Street	Oak St.	Indiana St.																																																		
8th Court	Oak St.	South End																																																		
Avalon Court	S. 15th St.	West End																																																		
<b>Attachments:</b> <i>(please list)</i>																																																				
Copy of Roadway Location Map																																																				
<b>Recommendation / Suggested Action</b> <i>(briefly explain):</i>																																																				
For Information Only																																																				
<i>For office use only:</i>		<i>Agenda Item Number: 6.b</i>																																																		

 MFT STREET LOCATION

GREENWOOD LN. - OXMOOR CT. TO NORTH  
END OF RED GATE PARK  
OXMOOR CT. - GREENWOOD LN. TO EAST  
END MOCKINGBIRD CT. - GREENWOOD LN. TO WEST  
END CRABAPPLE LN. - PERSIMMON DR. TO PERSIMMON DR.  
NORTH TYLER RD. - E. MAIN ST. TO ALLEN LN.  
STONE DR. - PRODUCTION DR. TO DUKANE DR.  
DUKANE DR. - STONE DR. TO KIRK RD.  
S. 10TH AVE. - SOUTH AVE. TO INDIANA AVE.  
AVALON CT. - 15TH ST. TO WEST  
END WALNUT AVE. - S. 5TH AVE. TO S. 2ND AVE.  
S. 8TH ST. - OAK ST. TO INDIANA ST.  
8TH CT. - OAK ST. TO SOUTH  
END




## 2015 MFT STREET PROGRAM



SCALE: NONE  
DATE: APRIL 3, 2014  
REV: MARCH 6, 2015

SCALE FEET  
0 1000 2000

FILE: REV-2015-MFT-STREETS.DGN

	<b>AGENDA ITEM EXECUTIVE SUMMARY</b>							
	Title:	Recommendation to Waive the Formal Bid Procedure and Approve HVAC Preventative Maintenance and Inspection Contract with Service Mechanical						
	Presenter:	AJ Reineking						
Please check appropriate box:								
	Government Operations		X	Government Services 03.23.15				
	Planning & Development			City Council				
	Public Hearing							
Estimated Cost:	\$72,564	Budgeted:	YES	X	NO			
If NO, please explain how item will be funded:								
<b>Executive Summary:</b>								
<p>Over the last 13 years, the City has developed a relationship with Service Mechanical to provide heating, venting, and cooling (HVAC) service for City facilities. In an effort to consolidate service and create value to the City, the staff moved to award Service Mechanical an agreement to serve all of our facilities in fiscal year 08/09.</p> <p>Our first five years of utilizing Service Mechanical was a success. Building on this success, staff recommends continuing with Service Mechanical for another fiscal year. Service Mechanical has agreed to hold pricing for a sixth consecutive year.</p>								
<b>Attachments:</b> (please list)								
Renewal Letter - Service Mechanical to provide HVAC service Bid Waiver								
<b>Recommendation / Suggested Action</b> (briefly explain):								
Recommendation to waive the Formal Bid Procedure and award of Contract to Service Mechanical in an amount not to exceed \$72,564, pending approval of the Fiscal Year 15/16 budget.								
For office use only:		Agenda Item Number: 6.c						

### **REQUEST FOR WAIVING BID PROCEDURE**

We request the City Council to waive the bid procedure and accept the quotation (requiring two-thirds City Council vote) submitted by:

Service Mechanical Industries  
50 E. Commerce Drive, Suite 100  
Schaumburg, IL 60173

For the purchase of: Preventive Maintenance and Inspection for the Building Environmental Systems.

At a cost not to exceed: \$ 72,564

Reason for the request to waive the bid procedure: This will be Service Mechanical's thirteenth year as a vendor with the City. The City has developed a solid working relationship with Service Mechanical and their service technicians. With the addition of the Public Works Facility along with all other City buildings we believe this plan would serve the City best and also help in assessing our current HVAC equipment and implementing a ten-year maintenance and replacement plan. Service Mechanical has also agreed to hold pricing for a sixth consecutive year.

Other Quotations Received: None

Date: 03/23/2015

Requested by: \_\_\_\_\_

Department Director: \_\_\_\_\_

Purchasing Manager: \_\_\_\_\_

Committee Chairman: \_\_\_\_\_

**THIS REQUEST FORM MUST BE SIGNED BY ALL PARTIES PRIOR TO REQUESTING COMMITTEE APPROVAL FOR WAIVING OF THE BID PROCEDURE. REQUESTS FORWARDED DIRECTLY TO THE CITY COUNCIL (AND BYPASSING COMMITTEE) MUST BE SIGNED BY ALL PARTIES PRIOR TO REQUESTING CITY COUNCIL APPROVAL. SUCH REQUESTS ARE TO BE OF AN EMERGENCY NATURE WHERE TIME IS OF THE ESSENCE.**



March 06, 2015

Mr. AJ Reineking  
City of St. Charles  
2 E. Main Street  
St. Charles, IL 60174

**Re: HVAC Preventive Maintenance Agreements for the following locations:**

250 N. Riverside Ave.	1405 Prairie St.	228 N. Randall Rd.
200 Walnut Ave.	1000 Dunham Rd.	5N061 Rt. 25
1425 South Ave.	2900 N. 5th Ave.	650 Peck Rd.
215 E. Main St.	2529 Oak St.	454 S. 37th Ave
630 N. 12 <sup>th</sup> St.	15 N. First St.	2901 Campton Hills Rd.
300 N. Riverside Ave.	213 N. Riverside Ave.	2900 Production Dr.
2561 Dukane Dr.	1000 Illinois St.	200 Devereaux Way - Public Works
211 N. Riverside Ave.	2 E. Main St.	200 Devereaux Way - Waste Water
112 N. Riverside Ave.		200 Devereaux Way - Sludge Handling

Dear Mr. Reineking:

The Preventive Maintenance Agreements for the above referenced locations will automatically renew on **May 1, 2015**. We appreciate the opportunity to provide maintenance at these locations and we look forward to continuing to serve you. There will be **no increase** in the price of the Preventive Maintenance Agreements for the upcoming year. We will continue to provide you with quality service under the terms and conditions of your original agreements.


For your convenience, no further communication is required to keep these agreements in effect. Your next scheduled maintenances will be performed without interruption.


Please call our office at (847) 342-9100 if we may answer any questions or be of further assistance.

Sincerely,

*Service Mechanical Industries*

Erika Bartell  
Administrative Assistant

	<b>AGENDA ITEM EXECUTIVE SUMMARY</b>						
	Title:	Presentation of the 2015 Brush Pick-up Program					
	Presenter:	AJ Reineking					
<i>Please check appropriate box:</i>							
	Government Operations		X	Government Services 03.23.2015			
	Planning & Development			City Council			
	Public Hearing						
Estimated Cost:		Budgeted:	YES	X	NO		
If NO, please explain how item will be funded:							
<b>Executive Summary:</b>							
<p>The City provides brush collection services for its residents on a monthly basis through the spring, summer and fall months. This contractual service has historically run from April through November. In 2014, in an effort to reduce costs without severely impacting the level of service provided to the residents, the number of collection cycles was reduced from 8 to 7 with the July collection being eliminated.</p> <p>The 2015 brush collection program is proposed to remain at 7 collection cycles. However, after receiving feedback from a number of residents and several elected officials, the July collection will be reinstated. To maintain the 7 collection cycles with a July collection, the November collection cycle will be eliminated from the 2015 program. The November collection typically takes place mid-month, which is after the Public Services Division has kicked off its winter snow programming, and is thought to be a lighter month in terms of volume of brush received.</p> <p>The 2015 Brush Pickup Program will continue to be monitored, and all feedback will be considered prior to the 2016 brush collection season.</p>							
<b>Attachments:</b> <i>(please list)</i>							
None.							
<b>Recommendation / Suggested Action</b> <i>(briefly explain):</i>							
For information only.							
<i>For office use only:</i>		Agenda Item Number: 6.d					

	<b>AGENDA ITEM EXECUTIVE SUMMARY</b>							
	Title:	Recommendation to Approve Tree Planting Contract with Pedersen Company						
	Presenter:	AJ Reineking						
<i>Please check appropriate box:</i>								
	Government Operations		X	Government Services 03.23.2015				
	Planning & Development			City Council				
	Public Hearing							
Estimated Cost:	\$72,100.00	Budgeted:	YES	X	NO			
If NO, please explain how item will be funded:								
<b>Executive Summary:</b>								
<p>In August, the Government Services Committee received a report that 181 of the 326 standing Ash trees located in City owned rights of way (ROW) had declined and were scheduled for removal. Of those 181 removal sites, 136 locations have had the stump ground and have had a tree replacement location identified.</p> <p>In addition to the Ash removal sites, 70 other locations throughout the City have had trees removed and stumps cleared due to various ailments and declining factors. These combined 206 locations have all been reviewed by the City's consultant arborist, Graf Tree Care, and a planting list is being coordinated between Graf and the nursery, Pedersen Company.</p> <p>Pedersen provided the City with an installed unit price from the Ash Replacement Program. They have agreed to extend the unit cost to all 206 locations scheduled for the Spring Planting. The unit price includes the cost of the tree, the installation, watering, as well as the gator bag installation and a warranty.</p>								
<b>Attachments:</b> <i>(please list)</i>								
Bid Waiver Pedersen Extension Letter								
<b>Recommendation / Suggested Action</b> <i>(briefly explain):</i>								
Recommendation to approve Tree Planting Contract with Pedersen Company in the amount of \$72,100.								
<i>For office use only:</i>		<i>Agenda Item Number: 6.e</i>						

## **REQUEST FOR WAIVING BID PROCEDURE**

We request the City Council to waive the bid procedure and accept the quotation (requiring two-thirds City Council vote) submitted by:

Pedersen Company  
6N543 Route 25  
St. Charles, IL 60174

For the purchase of: Provision, Planting, and Watering Maintenance of Parkway Trees

At a cost not to exceed: \$ 72,100

Reason for the request to waive the bid procedure: Pedersen Company has provided and planted trees in the City's Rights of Way (ROW) for the duration of the Ash Replacement Program, as a result of the Emerald Ash Borer (EAB). The City has identified 206 tree removal sites that are ready for replacement installations, 136 of which are Ash removal sites. Pedersen Co. has agreed to hold their Ash Replacement Program pricing for all 206 locations. Pedersen's replacement services include the cost of the tree, the installation, watering, as well as the gator bag installation and a warranty.

Other Quotations Received: None

Date: 03/23/2015

Requested by: \_\_\_\_\_

Department Director: \_\_\_\_\_

Purchasing Manager: \_\_\_\_\_

Committee Chairman: \_\_\_\_\_

**THIS REQUEST FORM MUST BE SIGNED BY ALL PARTIES PRIOR TO REQUESTING COMMITTEE APPROVAL FOR WAIVING OF THE BID PROCEDURE. REQUESTS FORWARDED DIRECTLY TO THE CITY COUNCIL (AND BYPASSING COMMITTEE) MUST BE SIGNED BY ALL PARTIES PRIOR TO REQUESTING CITY COUNCIL APPROVAL. SUCH REQUESTS ARE TO BE OF AN EMERGENCY NATURE WHERE TIME IS OF THE ESSENCE.**

# PEDERSEN Co.



Landscape Contracting & Management

(847) 488-0303  
Fax (847) 488-0966  
[www.pedersencompany.com](http://www.pedersencompany.com)

March 12, 2015

**VIA E-MAIL [tbellafore@stcharlesil.gov](mailto:tbellafore@stcharlesil.gov)**

The City of St. Charles  
Attn: Tony Bellafore  
Two Main Street  
St. Charles, IL 60174

Re: Spring 2015 Tree Planting Program

Dear Tony:


This letter verifies that Pedersen Company will be holding the same pricing from the fall 2014 tree planting program, through the spring 2015 planting.

Sincerely,

A handwritten signature in dark ink, appearing to read "Paul Pedersen", with a long horizontal flourish extending to the right.

Paul Pedersen  
President

PFP/lh

	<b>AGENDA ITEM EXECUTIVE SUMMARY</b>						
	Title:	Recommendation to Waive the Formal Bid Procedure and Approve Contract with K. Hoving Companies for the Street Sweeping Program					
	Presenter:	AJ Reineking					
<i>Please check appropriate box:</i>							
	Government Operations		X	Government Services 03.23.2015			
	Planning & Development			City Council			
Estimated Cost:	\$77,175	Budgeted:	YES	X	NO		
If NO, please explain how item will be funded:							
<b>Executive Summary:</b>							
<p>The City of St. Charles Public Works Department provides street sweeping services to the community. This public policy translates into good sound environmental practice by removing grit and foreign contaminants from the roadways and preventing that material from entering the watershed. In addition, street sweeping removes materials from the roadways that may otherwise create unsafe conditions and traffic accidents. Most public streets will be swept by a contractor while Public Works staff concentrates on downtown roads, special events and construction sweeping activities.</p> <p>In 2012, City staff solicited vendors to assist with Street Sweeping Services. K. Hoving was approved for a 3-year contract which will expire on April 30, 2015. K. Hoving has proposed to maintain their 2014/2015 rates for an additional year. The following is the tentative schedule for the sweeping of streets this year.</p> <p>March 24  May 6  June 23  August 11  September 22  October 27  November 10  November 24</p>							
<b>Attachments:</b> <i>(please list)</i>							
Proposal Letter Request for Waiving Bid Procedure							
<b>Recommendation / Suggested Action</b> <i>(briefly explain):</i>							
Recommendation to approve a Street Sweeping Contract with K. Hoving Companies in the amount of \$77,175, pending approval of the Fiscal Year 15/16 Budget.							
<i>For office use only:</i>		Agenda Item Number: 6.f					



Hoving Clean Sweep, LLC.  
2351 Powis Road  
West Chicago, IL. 60185  
Phone: 630-377-7000 Fax: 630-377-7462

February 26, 2015

City St Charles  
2 E. Main Street,  
St. Charles, IL 60174-1984

A.J. Reineking

Thank you for the opportunity to service the City of St. Charles street sweeping needs. Hoving Clean Sweep strives to work as a partner to service the residents to provide the highest level of service at competitive pricing.

Hoving Clean Sweep would like to offer the City of St. Charles a one year extension with a 0% increase for the 2015 sweeping season. We hope that this offer meets with your approval. If you have any questions or suggestions please feel free to give us a call.

Sincerely,

K.J. Loerop

Greg Miller

### **REQUEST FOR WAIVING BID PROCEDURE**

We request the City Council to waive the bid procedure and accept the quotation (requiring two-thirds City Council vote) submitted by:

K. Hoving Companies  
2351 Powis Road  
West Chicago, IL 60185

For the purchase of: Street Sweeper Service

At a cost of: \$ 77,175

Reason for the request to waive the bid procedure: In 2013 K. Hoving was found to be the most responsive and responsible of the four contractors who responded to the City's Request for Proposal (RFP) for street sweeping services. On April 30, 2015, K. Hoving's three-year contract will expire. They have offered to maintain their competitive proposal pricing for an additional year with a 0% increase.

Other Quotations Received: Three (3)

Date: 03/25/2013

Requested by: \_\_\_\_\_


Department Director: \_\_\_\_\_

Purchasing Manager: \_\_\_\_\_

Committee Chairman: \_\_\_\_\_

**THIS REQUEST FORM MUST BE SIGNED BY ALL PARTIES PRIOR TO REQUESTING COMMITTEE APPROVAL FOR WAIVING OF THE BID PROCEDURE. REQUESTS FORWARDED DIRECTLY TO THE CITY COUNCIL (AND BYPASSING COMMITTEE) MUST BE SIGNED BY ALL PARTIES PRIOR TO REQUESTING CITY COUNCIL APPROVAL. SUCH REQUESTS ARE TO BE OF AN EMERGENCY NATURE WHERE TIME IS OF THE ESSENCE.**



	<b>AGENDA ITEM EXECUTIVE SUMMARY</b>							
	Title:	Recommendation to Waive the Formal Bid Procedure and Approve Parking Lot Sweeping Maintenance Contract with Alliance Sweeping for the Downtown Parking Lot Sweeping Program						
	Presenter:	AJ Reineking						
<i>Please check appropriate box:</i>								
	Government Operations		X	Government Services 03.23.2015				
	Planning & Development			City Council				
	Public Hearing							
Estimated Cost:	\$40,600	Budgeted:	YES	X	NO			
If NO, please explain how item will be funded:								
<b>Executive Summary:</b>								
<p>Since 2008, the City has been utilizing Alliance Sweeping to help maintain our City parking lots and parking decks. Starting in the spring and continuing to our first snow event, Alliance sweeps our parking lots and parking decks one (1) time each week. On occasion, they are available for special services such as clean up after a parade.</p> <p>Staff proposed the same budget of \$40,600 for FY15/16 as is currently budgeted in FY14/15 to continued sweeping services. In an effort to help maintain our fiscal responsibility, Alliance Sweeping has held their pricing in the last five consecutive years. In 2013, under separate agreement, we solicited pricing from four other sweeping vendors. Alliance Sweeping provided the most cost competitive quote.</p>								
<b>Attachments:</b> <i>(please list)</i>								
Proposal from Alliance Sweeping to provide Parking Lot & Parking Deck Sweeping Service Bid Waiver Form								
<b>Recommendation / Suggested Action</b> <i>(briefly explain):</i>								
Recommendation to Waive the Formal Bid Procedure and Approve Parking Lot Sweeping Maintenance Contract with Alliance Sweeping in an amount of \$40,600, pending approval of the Fiscal Year 15/16 Budget.								
<i>For office use only:</i>		<i>Agenda Item Number: 6.g</i>						

**ALLIANCE SWEEPING SERVICES**  
**655 DEERFIELD ROAD ST. 100 #226**  
**DEERFIELD, IL 60015**

**(847) 858-3503**

**MARK@ALLIANCE-SWEEPING.COM**  
**PARKING LOT SWEEPING**



City of St. Charles  
Saint Charles, IL 60174  
areineking@stcharles.il.gov

Location: City of St. Charles  
Municipal Lots  
Saint Charles, IL 60174

March 6, 2015  
Phone: 630-443-3709  
Fax:

*We hereby propose and agree to perform the following work according to the specifications set forth as follows:*

**2015 Budget**

**WEEKLY:**

Machine sweep all exterior asphalt parking lot surfaces of the following locations.  
Broom sweep curbs and corners. Remove most dirt and debris.

<b><u>LOTS:</u></b>	<b>Price Per Cleaning:</b>		
Lot A	\$35.00	Lot J \$80.00	Lot R \$45.00
Lot B	\$60.00	Lot K \$50.00	Lot T \$35.00
Lot C	\$35.00	Lot L \$45.00	Lot U \$50.00
Lot E	\$30.00	Lot N \$50.00	total \$885.00
Lot F	\$40.00	Lot O \$55.00	
Lot G	\$75.00	Lot P \$95.00	
Lot H	\$60.00	Lot Q \$45.00	

**INSURANCE:** We are fully insured with Commercial General Liability coverage including Contractual Liability, Completed Operations insurance as well as Statutory Workman's Compensation. Certificates of insurance are available upon receipt of signed contract. Cost subject to change for additional special coverage.

Your acceptance of this proposal will constitute a CONTRACT between us. This contract may be cancelled by either party upon ninety (90) days written cancellation notice. Unless otherwise stated, this contract will be self-renewing after one year.

Prices quoted above are based upon standard lot sweeping practices. Any deviation or alteration of the above specifications will be executed only upon written authorization.

Customer represents and warrants that, during the term of this agreement and for one year thereafter, customer will not hire any current or former employee of Alliance Sweeping Services without the written consent of Alliance Sweeping Services.

**TERMS:** Net 30 days, 2% monthly service charge on all past due accounts. As a condition of this contract, you agree to pay all cost of collection if this account becomes delinquent.

*Approved and accepted by:*

***ALLIANCE SWEEPING SERVICES***

\_\_\_\_\_  
Mark Michaels, President

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**ALLIANCE SWEEPING SERVICES**  
**655 DEERFIELD ROAD ST. 100 #226**  
**DEERFIELD, IL 60015**

**(847) 858-3503**

**MARK@ALLIANCE-SWEEPING.COM**  
**PARKING LOT SWEEPING**



City of St. Charles  
Attn: AJ Reineking  
Saint Charles, IL 60174  
areineking@stcharles.il.gov

Location: City of St. Charles  
Municipal Lots  
Saint Charles, IL 60174

March 6, 2015  
Phone: 630-433-3709  
Fax:

---

*We hereby propose and agree to perform the following work according to the specifications set forth as follows:*

**2015 Budget**

**WEEKLY:**

Machine sweep all exterior asphalt parking lot surfaces of the following locations.  
Broom sweep curbs and corners. Remove most dirt and debris.

**LOTS:            Price Per Cleaning:**

200 Walnut	\$100
100 Illinois	\$175

---

**INSURANCE:** We are fully insured with Commercial General Liability coverage including Contractual Liability, Completed Operations insurance as well as Statutory Workman's Compensation. Certificates of insurance are available upon receipt of signed contract. Cost subject to change for additional special coverage.

Your acceptance of this proposal will constitute a CONTRACT between us. This contract may be cancelled by either party upon ninety (90) days written cancellation notice. Unless otherwise stated, this contract will be self-renewing after one year.

Prices quoted above are based upon standard lot sweeping practices. Any deviation or alteration of the above specifications will be executed only upon written authorization.

Customer represents and warrants that, during the term of this agreement and for one year thereafter, customer will not hire any current or former employee of Alliance Sweeping Services without the written consent of Alliance Sweeping Services.

**TERMS:** Net 30 days, 2% monthly service charge on all past due accounts. As a condition of this contract, you agree to pay all cost of collection if this account becomes delinquent.

*Approved and accepted by:*

***ALLIANCE SWEEPING SERVICES***

---

Mark Michaels, President

---

Date: \_\_\_\_\_

Date: \_\_\_\_\_

### **REQUEST FOR WAIVING BID PROCEDURE**

We request the City Council to waive the bid procedure and accept the quotation (requiring two-thirds City Council vote) submitted by:

Alliance Sweeping Service, Inc.  
1601 Atlantic Drive, Unit 137  
West Chicago, IL 60185

For the purchase of: Parking Lot & Parking Deck Sweeping Maintenance Service

At a cost of: \$ 40,600

Reason for the request to waive the bid procedure: Alliance Sweeping has provided the City with excellent service since 2008 and leaves us with no doubt they will continue to do so. In effort to help maintain our fiscal responsibility, Alliance Sweeping has held their pricing in the last five consecutive years. In 2013, under separate agreement, we solicited pricing from four other sweeping vendors. Alliance Sweeping provided the most cost competitive quote.

Other Quotations Received: None

Date: 3/23/2015

Requested by: \_\_\_\_\_

Department Director: \_\_\_\_\_

Purchasing Manager: \_\_\_\_\_

Committee Chairman: \_\_\_\_\_

**THIS REQUEST FORM MUST BE SIGNED BY ALL PARTIES PRIOR TO REQUESTING COMMITTEE APPROVAL FOR WAIVING OF THE BID PROCEDURE. REQUESTS FORWARDED DIRECTLY TO THE CITY COUNCIL (AND BYPASSING COMMITTEE) MUST BE SIGNED BY ALL PARTIES PRIOR TO REQUESTING CITY COUNCIL APPROVAL. SUCH REQUESTS ARE TO BE OF AN EMERGENCY NATURE WHERE TIME IS OF THE ESSENCE.**

	<b>AGENDA ITEM EXECUTIVE SUMMARY</b>							
	Title:	Recommendation to approve amendment of Title 13 “Public Utilities”, Chapter 13.16, “Water”, Section 13.16.205 “Water Conservation” of the City Code						
	Presenter:	John Lamb						
<i>Please check appropriate box:</i>								
	Government Operations		X	Government Services 03.23.15				
	Planning & Development			City Council				
Estimated Cost:	NA	Budgeted:	YES		NO			
If NO, please explain how item will be funded:								
<b>Executive Summary:</b>								
<p>Staff is recommending amendments to the Water Conservation Section of the City Ordinance. Most of the changes are consistent with surrounding communities. In addition, the Northwest Water Planning Alliance has asked member communities such as St. Charles to adopt this language.</p> <p>The Northwest Water Planning Alliance is comprised of eighty (80) communities within a five county area. It is an association whose main purpose is to plan for and conserve the water supply to ensure a sustainable water supply for the area. The proposed changes are below:</p> <table border="0"> <tr> <td style="vertical-align: top;"> <u>Current</u>  Water conservation applies May 1 to August 31.  Allow sprinkling 12:00 a.m. to 9:00 a.m.  Allow sprinkling 6:00 p.m. to 10:00 p.m.  Allows installing sod, seeding, landscaping anytime.  No provision for Waste of Water  Provision for \$50.00 fine. </td> <td style="vertical-align: top;"> <u>Proposed</u>  Apply year round.  <b>6:00 a.m.</b> to 9:00 a.m.  6:00 p.m. to <b>9:00 p.m.</b>  Prohibited in July and August.  Waste of Water Prohibited  Progressive fines of \$100.00 and \$200.00 </td> </tr> </table> <p>In addition there is Emergency Proclamation language proposed. This language is in the attachment with other changes. Basically this is a provision that allows the Mayor to declare an emergency in drought conditions that would prohibit all watering.</p>							<u>Current</u> Water conservation applies May 1 to August 31. Allow sprinkling 12:00 a.m. to 9:00 a.m. Allow sprinkling 6:00 p.m. to 10:00 p.m. Allows installing sod, seeding, landscaping anytime. No provision for Waste of Water Provision for \$50.00 fine.	<u>Proposed</u> Apply year round. <b>6:00 a.m.</b> to 9:00 a.m. 6:00 p.m. to <b>9:00 p.m.</b> Prohibited in July and August. Waste of Water Prohibited Progressive fines of \$100.00 and \$200.00
<u>Current</u> Water conservation applies May 1 to August 31. Allow sprinkling 12:00 a.m. to 9:00 a.m. Allow sprinkling 6:00 p.m. to 10:00 p.m. Allows installing sod, seeding, landscaping anytime. No provision for Waste of Water Provision for \$50.00 fine.	<u>Proposed</u> Apply year round. <b>6:00 a.m.</b> to 9:00 a.m. 6:00 p.m. to <b>9:00 p.m.</b> Prohibited in July and August. Waste of Water Prohibited Progressive fines of \$100.00 and \$200.00							
<b>Attachments:</b> <i>(please list)</i>								
Proposed Ordinance Amendments								
<b>Recommendation / Suggested Action</b> <i>(briefly explain):</i>								
Recommendation to approve Water Conservation Ordinance Authorizing Amendment of Title 13 “Public Utilities”, Chapter 13.16, “Water”, Section 13.16.205 “Water Conservation” of the St. Charles Municipal Code and a Resolution Authorizing the Mayor and Clerk to execute the same.								
For office use only		Agenda Item Number: 6.h						

**City of St. Charles, Illinois**  
**Ordinance No. 2015-M-\_\_\_\_\_**

**An Ordinance Authorizing Amendment of Title 13 “Public Utilities”, Chapter 13.16, “Water”, Section 13.16.205 “Water Conservation ” Of the St. Charles Municipal Code**

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

**13.16.205 Water conservation.**

**B. Application of Regulations.**

1. The provisions of this section shall apply to persons using water provided by the city, and regardless of whether any person using water shall have a contract for water service with the city.
2. **The provisions of section (C) shall apply year-round, subject to any modifications thereof, including application of these or other regulations during this or any other time, by an emergency proclamation.**

C. Conservation of Residential, Business and Industrial Outdoor Water Uses. All persons using city water shall adhere to the following schedules for lawn watering with sprinklers. ~~during the time period from May 1 to August 31 of each year.~~

2. Sprinkling hours: water may be used for sprinkling only between the hours of ~~12:00 a.m. to 6:00 a.m.~~ **6:00 a.m.** and 9:00 a.m. and between the hours of 6:00 p.m. and ~~10:00~~ **9:00** p.m., Central Standard Time or Central Daylight Savings Time, as the case may be.

**4. Sod Laying and Seeded Lawn Installation Permit Requirement**

~~a. No person shall lay, cause to be laid, seed or cause to be seeded any sod or seed lawn in the city, except as permitted in the manner hereinafter set forth.~~

**a. Notwithstanding the above provisions, sod laying, lawn seeding, and the planting of other landscaping for the establishment of a new lawn or new landscaping is prohibited from July 1 through August 31 each year, unless the source of watering for said sod, lawn seeding or planting of landscaping is derived from reclaimed greywater, recycled effluent, or harvested rainwater. The prohibition shall not apply to soil erosion and sedimentation plans required pursuant to city ordinances (with approved plans) or for restorations due to required repairs of public utilities (e.g., water main breaks).**

**b. Except for the period of July 1 through August 31 of each year or during an emergency proclamation event, water from the city water distribution system or private wells may be used for the establishment of sod or seeded turf lawns planted or installed in the current year.** A permit issued by the Director of Public Works (or his designated representative) is required for the installation of all seeded and sodded lawns. The application (a copy of which is appended hereto) for a sod laying and seeded lawn installation permit shall include the following information:

- i) The address of the property where the sod is to be laid.
- ii) The name and address of the owner of said property.
- iii) The name and address of the contractor.
- iv) The number of square feet of sod to be laid.
- v) The date on which the sod is to be laid.
- vi) The date the property owner will commence using water from the city water distribution system to water the sod, in accordance with the regulations set forth in this section.

c. The issuance of a sod laying and seeded lawn installation permit shall allow the permittee to water the newly installed sod or seed utilizing sprinkling device(s) for a period of time not to exceed eight hours on the first day. For the next consecutive nine days watering shall be permitted between the hours of ~~5:00~~ **6:00** a.m. to 9:00 a.m. and between the hours of 6:00 p.m. to ~~10:00~~ **9:00** p.m. Following the said 10-day period, the permittee must comply with the conservation schedule set forth in paragraphs C(1) and C(2) above.

**D. Waste of Water Prohibited: No person shall allow a continuous stream of water to run off into any gutter, ditch, drain, or street inlet while using water for restricted purposes, nor shall a person spray or sprinkle streets or sidewalks.**

**E. Emergency Proclamation: Whenever the water supply is diminished from any cause, including, but not limited to, prolonged dry period or drought, increased water demand, equipment failure, or water quality concerns, to an amount which in the opinion of the city engineer or director of public works is or is likely to become dangerous to the health and safety of the public, the [mayor or manager] is hereby authorized and empowered to issue an emergency proclamation specifying different or additional regulations on the use of water.**

- 1. In the case of regional dry periods or drought, the mayor shall take into account the recommendations of the regional water supply planning group, the Northwest Water Planning Alliance (NWPAA), on making the decision to issue an emergency proclamation.**
- 2. Such regulations may provide for limitations on the usage of water, limitations on days and hours of use of water for some or all purposes, and**

prohibition of specified uses of water. The following shall constitute the default emergency regulations:


- a. In the case of moderate to severe drought conditions or similar regional water supply constraints as advised by the NWPA, the use of sprinkler systems shall be prohibited. Outdoor use of water shall still be allowed for those exempted uses in subsection (D)(2) and do not have to follow hour or day restrictions.
  - b. In the case of extreme to exceptional drought conditions or similar regional water supply constraints as advised by the NWPA, the use of water outdoors for any purpose shall be prohibited.
3. Upon issuing such proclamation, the [mayor or manager] shall make the contents thereof known to the public by posting a copy at the [city or village] hall, and by news release to local newspapers and radio media, and may also endeavor to notify the [city or village] residents and other persons in any other practical manner that he or she shall devise. Further, the [mayor or manager] shall immediately deliver notice of such proclamation, and the regulations that have been imposed by such proclamation, to all members of the [city council or village board].
4. The emergency proclamation of the [mayor or manager], and the regulations imposed thereby, shall remain in full force and effect until any one of the following shall first occur:
  - a. The [mayor or manager] determines that the emergency no longer exists and that the emergency proclamation, and the regulations imposed thereby, shall no longer continue in effect.
  - b. The [city council or village board] modifies or repeals the emergency proclamation, and the regulations imposed thereby, by means of an ordinance enacted at any regular or special meeting of the [city council or village board].
5. Any [city or village] employee or officer may, at the direction of the [mayor or manager], notify and warn any person of the effect of said emergency proclamation and direct said person to comply with said watering or sprinkling restrictions. If any said person, after having first been warned about said restrictions of the emergency proclamation, shall continue to violate said restrictions of the proclamation, they shall be deemed to be in violation of this section.



**F. Authority:** The authority to prohibit and further regulate the sprinkling of lawns, shrubbery and gardens shall be expressly reserved and may be amended from time to time, as necessary, by the [mayor or manager] and [city council or village board].

**D.G. Penalties:** ~~Any person who is found to have violated an order of the City Council or who has failed to comply with any provision of this chapter and the orders, rules and regulations and permits issued hereunder, shall be fined fifty dollars (\$50.00). In addition to the penalties provided herein, the City may recover reasonable attorney's fees, court costs, court reporter fees and other expenses of litigation.~~

1. Any person who violates, disobeys, neglects, fails to comply with or resists enforcement of the provisions of this ordinance shall, within ten (10) days of receiving notice of such violation, pay the [city or village] a fine, as follows:
  - a. Fifty dollars (\$50.00) for a first offense;
  - b. One hundred dollars (\$100.00) for a second offense; and
  - c. Two hundred dollars (\$200.00) for each subsequent offense.
2. Each day a violation occurs or continues shall be considered a separate violation for purposes of this section.
3. In addition to penalties provided herein, the city may recover reasonable attorney fees, court costs, court reporter fees and other expenses of litigation.

	<b>AGENDA ITEM EXECUTIVE SUMMARY</b>						
	Title:	Recommendation to Approve Changes to City of St. Charles City Code Title 9 “Public Peace, Morals and Welfare,” Chapter 9.45 “Nuisance Abatement.”					
	Presenter:	Deputy Chief David Kintz					
<i>Please check appropriate box:</i>							
	Government Operations	X	Government Services 03.23.15				
	Planning & Development		City Council				
	Public Hearing						
Estimated Cost:	N/A	Budgeted:	YES		NO		
If NO, please explain how item will be funded:							
<b>Executive Summary:</b>							
<p>With the recent changes to City Code Title 5 “Business Licenses and Regulations,” Chapter 5.20 “Massage Business Licensing,” the Police Department identified an additional need under the definitions for a Chronic Nuisance Property. Many of the businesses that ordinance 5.20 is designed to cover lease the property and do not own their own building. By adding a violation of the Massage Licensing to the definitions for a Chronic Nuisance Property under 9.45, this will allow the City to make sure the property owner is engaged. The massage license deals only with the tenant who runs the business. This will enhance our ability to reduce/eliminate future problems.</p>							
<b>Attachments:</b> <i>(please list)</i>							
Cover Memo							
<b>Recommendation / Suggested Action</b> <i>(briefly explain):</i>							
Recommendation to approve Changes to City of St. Charles City Code Title 9 “Public Peace, Morals and Welfare,” Chapter 9.45 “Nuisance Abatement.”							
<i>For office use only:</i>		<i>Agenda Item Number: 7.a</i>					

Chapter 9.45

NUISANCE ABATEMENT

Sections:

9.45.010	Abatement of Chronic Nuisance Properties
9.45.020	Definitions
9.45.030	Remedy
9.45.040	Abatement of Nuisance
9.45.050	Procedure
9.45.060	Commencement of Action, Burden of Proof
9.45.070	Emergency Closing Procedure
9.45.080	Severability

**9.45.010 Abatement of Chronic Nuisance Properties**

- A. Any certain property within the City of St. Charles that becomes a chronic nuisance property is in violation of this chapter and is subject to its remedies.
  - B. Any person in charge who permits property under his or her ownership or control to be a public nuisance property shall be in violation of this chapter and subject to its remedies.
- (Ord. 2007-M-10 § 1.)

**9.45.020 Definitions**

- A. **CHRONIC NUISANCE PROPERTY.** Property upon which two or more of the behaviors listed below have occurred during any 180-day period, as a result of any two (2) separate factual events that have been independently investigated by any law enforcement agency.
  - 1. Disorderly Conduct as defined in 720 ILCS 5/26-1.
  - 2. Unlawful Use of Weapons as defined in 720 ILCS 5/24-1, et seq.
  - 3. Mob Action as defined in 720 ILCS 5/25.1.
  - 4. Discharge of a Firearm as defined in 720 ILCS 5/24-1.2 and 1.5.
  - 5. Gambling as defined in 720 ILCS 5/28-1.
  - 6. Possession, Manufacture or Delivery of Controlled Substances as defined in 720 ILCS 570/40, et seq.
  - 7. Assault or Battery or Any Related Offense as defined in 720 ILCS 5/12-1, et seq.
  - 8. Sexual Abuse or Related Offenses as defined in 720 ILCS 5/12-15, et seq.
  - 9. Public Indecency as defined in 720 ILCS 5/11-9, et seq.
  - 10. Prostitution as defined in 720 ILCS 5/11-14, et seq.
  - 11. Criminal Damage to Property as defined in 720 ILCS 5/21-1, et seq.
  - 12. Possession, Cultivation, Manufacture or Delivery of Cannabis as defined in 720 ILCS 550/1, et seq.
  - 13. Illegal consumption or Possession of Alcohol as defined in 235 ILCS 5/1, et seq.
  - 14. Violation of any City of St. Charles ordinance or State of Illinois statute controlling or regulating the sale or use of alcoholic beverages.
  - 15. Violation of City of St. Charles property maintenance code section 305, or any successor code section, relative to rubbish and garbage.
  - 16. Violation of chapter 8.28 of this code relative to plants and weeds.

17. Violation of chapter 5. 20 of this code relative to massage licensing.

(Ord. 2012-M-9 § 1.)

- B. CONTROL: the ability to regulate, restrain, dominate, counteract or govern conduct that occurs on that property.
- C. OWNER: any person, agent, firm or corporation having any legal or equitable interest in the property. Owner includes but is not limited to: (1) a mortgagee in possession in who is vested (a) all or part of the legal title to the property or (b) all or part of the beneficial ownership and the right to the present use and enjoyment of the premises; or (2) an occupant who can control what occurs on the property.
- D. PERMIT: to suffer, allow, consent to, acquiesce by failure to prevent, or expressly ascent or agree to the doing of an act.
- E. PERSON: any natural person, association, partnership or corporation capable of owning or using property in the City of St. Charles.
- F. PERSON IN CHARGE: any person in actual or constructive possession of a property including but not limited to an owner, occupant of property under his or her domain, ownership, or control.
- G. PROPERTY: any real property, including land in that which is affixed, incidental or pertinent to land, including but not limited to any premises, room, house, building, or structure or any separate part or portion thereof whether permitted or not.

(Ord. 2007-M-10 § 1.)

**9.45.030 Remedy**

- A. In the event a court determines property to be a chronic nuisance property, the court may order that the property be closed and secured against all use and occupancy for a period of not less than thirty (30) days, but not more than one hundred and eighty (180) days, or the court may employ any other remedy deemed by it to be appropriate to abate the nuisance.
- B. In addition to the remedy provided in paragraph A above, the court may impose upon the owner of the property a civil penalty in the amount of up to One Hundred Dollars (\$100) per day, payable to the City of St. Charles, for each day the owner had actual knowledge that the property was a public nuisance property and permitted the property to remain public nuisance property.
- C. In determining what remedy or remedies shall be allowed, court may consider evidence of other conduct that has occurred on the property, including but not limited to:
  - 1. The disturbance of neighbors.
  - 2. The recurrence of loud and obnoxious noises.
  - 3. Repeated consumption of alcohol in public.
  - 4. The repeated sale or possession of controlled substances on the premises.

(Ord. 2007-M-10 § 1.)

**9.45.040 Abatement of Nuisance**

The City of St. Charles or the State's Attorney of Kane County may commence an action to abate public nuisance as described above. Upon being satisfied by affidavits or other sworn evidence that an alleged public nuisance exists, the court may without notice or bond, enter a temporary restraining order or a preliminary injunction to enjoin any defendant from maintaining such nuisance and may enter an order restraining any defendant from removing or interfering with all property used in connection with the public nuisance.

(Ord. 2007-M-10 § 1.)

**9.45.050 Procedure**

When the Chief of Police of the City of St. Charles receives two or more police reports documenting the occurrence of nuisance activity on or within a property, the Chief of Police shall

## NUISANCE ABATEMENT

independently review such reports to determine whether they describe criminal acts. Upon such findings, the Chief may:

- A. Notify the person in charge in writing that the property has been determined to be a chronic nuisance property. The notice shall contain the following information:
  1. The street address or a legal description sufficient for identification of the property.
  2. A statement that the Chief of Police has information that the property may be a chronic nuisance property, with a concise description of the nuisance activities that may exist, or that have occurred. The Chief of Police shall offer the person in charge an opportunity to propose a course of action that the Chief of Police agrees will abate the nuisance activities giving rise to the violation.
  3. Demand that the person in charge respond to the Chief of Police within ten (10) days to discuss the nuisance activities.
- B. After complying with the notification procedures described herein when the Chief of Police receives a police report documenting the occurrence of a third nuisance activity at or within a property and determines that the property has become a chronic nuisance property, the chief of Police shall:
  1. Notify the person in charge in writing that the property has been determined to be a chronic nuisance property. The notice shall contain the following information:
    - a. The street address or legal description sufficient for identification of the property.
    - b. A statement that the Chief of Police has determined the property to be chronic nuisance property with a concise description of the nuisance activities leading to his/her findings.
    - c. Demand that the person in charge respond within ten (10) days to the Chief of Police and propose a course of action that the Chief of Police agrees will abate the nuisance activities giving rise to the violation.
  2. Service shall be made either personally or by first class mail, postage prepaid, return receipt requested, addressed to the person in charge at the address of the property believed to be a chronic nuisance property, or such other place which is likely to give the person in charge notice of the determination by the Chief of Police.
  3. A copy of the notice shall be served on the owner at such address as shown on the tax records of the county in which the property is located, and/or the occupant, at the address of the property, if these persons are different than the person in charge and shall be made either personally or by first class mail, postage prepaid.
  4. A copy of the notice shall also be posted at the property after then (10) days has elapsed from the service or mailing of the notice to the person in charge, and the person in charge has not contacted the Chief of Police.
  5. The failure of any person to receive notice that the property maybe a chronic nuisance property shall not invalidate or otherwise affect the proceedings under this chapter.
  6. If after the notification, but prior to the commencement of legal proceedings by the City pursuant to this chapter, a person in charge stipulates with the Chief of Police that the person in charge will pursue a course of action the parties agree will abate the nuisance activities giving rise to the violation, the Chief of Police may agree to postpone legal proceedings for a period of not less than ten (10) nor more than thirty (30) days, except in the case of a nuisance activity where a search warrant was executed at the property. If the agreed course of action does not result in the abatement of the nuisance activity or if no agreement concerning abatement is reached within thirty (30) days, the Chief of Police shall commence a legal proceeding to abate the nuisance.

## NUISANCE ABATEMENT

7. Concurrent with the notification procedures set forth herein, the Chief of Police shall maintain copies of the notice, as well as any other documentation, which supports legal proceedings.
  - C. When a person in charge makes a response to the Chief of Police as required above, any conduct or statements made in connection with the furnishing of that response shall not constitute an admission that any nuisance activities have or are occurring. This subsection does not require the exclusion of any evidence that is otherwise admissible or offered for any other purpose.
  - D. The Chief of Police shall have the authority to delegate procedural responsibilities to enforce this ordinance to another member of the Police Department, while maintaining oversight of the process.
- (Ord. 2007-M-10 § 1.)

### **9.45.060 Commencement of Action, Burden of Proof**

- A. In an action seeking closure of a chronic nuisance property, the City shall have the initial burden of showing the preponderance of the evidence that the property is a chronic nuisance property.
- B. It is a defense to an action seeking the closure of chronic nuisance property that the owner of the property at the time in question could not, in the exercise of reasonable care or diligence, determine that the property had become a public nuisance property, or could not, in spite of the exercise of reasonable care and diligence, control the conduct leading to the finding that the property is a chronic nuisance property.
- C. In establishing the amount of any civil penalty requested, the court may consider any of the following factors if they need to be found appropriate, and shall cite those found applicable:
  1. The actions or lack of action taken by the person in charge to mitigate or correct the problem at the property.
  2. Whether the problem at the property was repeated or continuous.
  3. The magnitude or gravity of the problem.
  4. The cooperation of the person in charge with the City.
  5. The cost of the City investigating and correcting or attempting to correct the condition.

(Ord. 2007-M-10 § 1.)

### **9.45.070 Emergency Closing Procedure**

- A. In the event that it is determined that the property is an immediate threat to the public safety and welfare, the City may apply to the court for such interim relief as is deemed by the Chief of Police to be appropriate. In such an event, the notification provision set forth in Section 9.45.040 above need not be complied with; however, the City shall make a diligent effort to notify the person in charge prior to a court hearing.
- B. In the event the court finds that the property constitutes a chronic nuisance property as defined in this section, the court may order the remedy set out above. In addition, in the event that it also finds the person in charge had knowledge of activities or conditions of the property constituting or violating this chapter and permitted the activities to occur, the court may assess a civil fine as provided above.
- C. The court may authorize the City of St. Charles to physically secure the property against use or occupancy in the event that the owner fails to do so within the time specified by the court. In the event that the City is authorized to secure the property, all costs reasonably incurred by the City to affect a closure shall be made and assessed as a lien against the property. If used herein, "costs" mean these costs actually incurred by the City for the physical securing of the property, as well as tenant relocation costs.
- D. The City of St. Charles Department of Public Works affecting the closure shall prepare a statement of cost and the City of St. Charles shall thereafter submit said statement to the court of its review. If

## **NUISANCE ABATEMENT**

no objection of the statement is made within the period described by the court, a lien in said amount may be recorded against said property.


- E. Any person who is assessed the cost of closure and/or civil penalty by the court shall be personally liable for the payment thereof by the City.
- F. A tenant is entitled to their reasonable relocation costs, as those are determined by the court if without actual notice, the tenant moved in the property, after either:
  - 1. The owner or tenant received notice as described herein of the Police Chief's determination as described above.
  - 2. Unknown owner or other agent received notice of an action brought pursuant to this Section.
  - 3. Any person who is assessed with costs of closure and/or civil penalty by the court shall be personally liable for the payment thereof to the City.

(Ord. 2007-M-10 § 1.)

### **9.45.080 Severability**

If any provision of this ordinance or its application, or any person or circumstances is held to be invalid for any reason, the remainder of said application of its provisions to the other persons or circumstances shall not be in any way affected.

(Ord. 2007-M-10 § 1)

	<b>AGENDA ITEM EXECUTIVE SUMMARY</b>						
	Title:	Recommendation to Approve Changes to City of St. Charles City Code Title 5 “Business Licenses and Regulations,” Chapter 5.36 “Solicitors.”					
	Presenter:	Deputy Chief David Kintz					
<i>Please check appropriate box:</i>							
	Government Operations	X	Government Services 03.23.15				
	Planning & Development		City Council				
	Public Hearing						
Estimated Cost:	N/A	Budgeted:	YES		NO		
If NO, please explain how item will be funded:							
<b>Executive Summary:</b>							
<p>Citizens have brought it to our attention that they were not able to distinguish which solicitors had been vetted and approved by the City. With this in mind, the Police Department conducted a review of our ordinance covering solicitors and a few changes were identified.</p> <p>The proposed changes follow the best practices of area communities to ensure that applicants pass the appropriate background checks.</p> <p>Approved solicitors will now be issued ID cards by the Police Department and be required to display them so citizens will know they have a permit. The permit will also now have an expiration date. A permit will be valid for 90 days.</p> <p>The Illinois Vehicle Code allows for charitable solicitations on the roadway when a municipality expressly permits it by ordinance. This change further defines who may qualify for a permit. This will not have any effect on our current charitable organizations.</p> <p>A group seeking a permit for solicitation can expect approval generally within two weeks of submitting the application and fingerprint data. Previous to these changes, applications were approved in about one week. All other provisions of the ordinance remain in effect.</p>							
<b>Attachments:</b> <i>(please list)</i>							
Cover Memo Ordinance Update							
<b>Recommendation / Suggested Action</b> <i>(briefly explain):</i>							
Recommendation to Approve Changes to City of St. Charles City Code Title 5 “Business Licenses and Regulations,” Chapter 5.36 “Solicitors.”							
<i>For office use only:</i>		<i>Agenda Item Number: 7.b</i>					



## Police Department

# Memo

Date: 3/10/2015  
To: Chief James Keegan  
From: Deputy Chief David Kintz  
Re: Solicitor Ordinance Update

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I conducted a review of our solicitor ordinance. In general, our ordinance compares very well with that of similar municipalities. I did find some areas that need to be addressed and I recommend that a few changes be made.

1. Our ordinance does not specify the length of time that a permit is good for. I found ordinances that range from unspecified to annual permits. I recommend that a solicitor permit be valid for 90 days.
2. We will soon have the ability to create professional identification badges. Each approved solicitor should be issued an identification badge that clearly shows a photo, solicitor name, company name, St. Charles Solicitor Permit, and expiration date. The ordinance will be amended to reflect the requirement to submit a photo in an approved electronic format to be used to make the identification badge. The ordinance will also reflect that the solicitor must prominently display the badge.
3. Our ordinance prohibits the issuing of a permit to a convicted felon or convicted sex offender. The police department is not allowed to use the LEADS interface to check a criminal history for a solicitor application. We can require them to submit a fingerprint inquiry via Livescan through the Uniform Conviction Information Act (UCIA). This will provide conviction data from the State of Illinois. I recommend that the ordinance be changed to reflect the requirement for each solicitor to submit a fingerprint inquiry through UCIA with an authorized Livescan vendor. The Police Department will also conduct a local records check in addition the report from UCIA.
4. The Illinois Vehicle Code allows for charitable solicitations on the roadway when expressly permitted by local ordinance. Our ordinance allows for this type of solicitation. I do recommend that a permit only be granted to a charitable organization with a City of St. Charles mailing address or to an organization that serves the residents of St. Charles.

I have attached a copy of the suggested changes to the ordinance with this memorandum. Please let me know if there are any other areas of concern to be reviewed.



## **SOLICITORS**

### **Chapter 5.36**

#### **SOLICITORS**

##### **Sections:**

5.36.010	Definitions.
5.36.020	Charitable Solicitation; Registration.
5.36.030	Commercial Solicitation; Registration.
5.36.040	Registration Fee.
5.36.050	Notice Regulating Soliciting.
5.36.060	Duty of Solicitors.
5.36.070	Uninvited Soliciting Prohibited.
5.36.080	Time Limit for Soliciting.
5.36.090	Prohibitions.
5.36.100	Additional Regulations for Charitable Solicitations.
5.36.110	Records Kept.
5.36.120	Violation – Penalty

##### **5.36.010 Definitions.**

The following words and phrases as used in this ordinance shall have the following meanings, unless a different meaning is required by the context:

**CHARITABLE ORGANIZATIONS:** Any benevolent, philanthropic, patriotic, not for profit, religious or one purporting to be such which solicits and collects funds for charitable purposes.

**CHARITABLE PURPOSE:** Any charitable, benevolent, philanthropic, patriotic, not for profit, or religious purpose.

**CHARITABLE SOLICITATION:** Any request for the donation of money, property or anything of value, or the pledge of a future donation of money, property or anything of value; or the selling or offering for sale of any property, real or personal, tangible or intangible, whether of value or not, including, but not limited to, goods, books, pamphlets, tickets, publications or subscriptions to publications or brochures, upon the representation, express or implied, that the proceeds of such sale will be used for a “charitable purpose” as such term is herein defined.

**COMMERCIAL SOLICITATION:** Seeking to obtain orders for the purchase of goods, wares, merchandise, foodstuffs, services of any kind, character or description whatever, for any kind of consideration whatever; seeking to obtain subscriptions to books, magazines, periodicals, etc.

**PERSON:** Any individual, organization, group, association, partnership, corporation, trust or any combination thereof.

**SOLICITATION:** Any “charitable solicitation” or “commercial solicitation”, as those terms are defined herein.

**SOLICITOR:** Any person who engages in “charitable solicitation” or “commercial solicitation”, as those terms are defined herein.

(Ord. 2012-M-22 § 1; Ord. 1970-M-16 (part): prior code § 25.1001.)

##### **5.36.020 Charitable Solicitation; Registration.**

## SOLICITORS

- A. It shall be unlawful for any charitable organization to engage in charitable solicitation within the corporate limits of the City unless such organization has registered with the City as hereinafter provided.
- B. Any charitable organization engaging in charitable solicitation within the corporate limits of the City shall register the following information with the Chief of Police or his designee:
  - 1. The name and address of the charitable organization and the name or names under which it intends to engage in solicitation.
  - 2. The names and addresses of all persons who will engage in charitable solicitation in the City.
  - 3. The dates and time of day such solicitations are to be made and the geographic areas within the City wherein such solicitation shall be conducted at a particular time and day.
  - 4. A written statement of recent date issued by the attorney general of Illinois that the charitable organization has complied with the provisions of 225 Illinois Compiled Statutes 460/1 et seq., or a written statement by the attorney general of exemption under 225 Illinois Compiled Statutes 460/3.

(Ord. 2012-M-22 § 1; Ord. 1970-M-16 (part): prior code § 25.1002.)

### **5.36.030 Commercial Solicitation; Registration.**

- A. It shall be unlawful for any person to engage in commercial solicitation within the corporate limits of the City unless such person shall have first obtained approved registration from the City as hereinafter provided.
- B. Application for registration shall be made upon a form provided by the City. The applicant shall truthfully state in full the following information and submit the following documentation:
  - 1. The name and address of the person who intends to engage in solicitation.
  - 2. The name and address of the person or organization by whom the applicant is employed or represents, and the length of time of such employment or representation.
  - 3. The name and address of the person in charge of solicitation in the City and an address within the state of Illinois where service of process may be had.
  - 4. Applicant shall submit his or her driver's license or state ID number and date of birth, as well as a physical description of applicant.
  - 5. The dates and time of day such solicitation is to be made and the geographic area within the City wherein such solicitation shall be conducted at a particular time and day.
  - 6. The date, or approximate date, of the latest previous application for registration under this ordinance, if any.
  - 7. Whether a registration issued to the applicant under this ordinance has ever been revoked.
  - 8. Whether the applicant has been convicted of a violation of any of the provisions of this ordinance or the ordinances of any other Illinois municipality regulating solicitation.
  - 9. A description sufficient for identification of the subject matter of the solicitation which the applicant will engage in.
  - 10. Whether the applicant has ever been convicted of the commission of a felony under the laws of the state of Illinois or any other state, or of a law of the United States.
  - 11. An electronic headshot photo of each applicant in an approved format.
  - 12. Proof of submission for Uniform Conviction Information Act through a fingerprint conviction information request with an approved Livescan Vendor with the Illinois State Police.
- C. An application for registration shall be submitted to the Chief of Police and shall be verified under oath. The Chief of Police shall acknowledge receipt of such application in writing within five (5) working days of such receipt and shall act upon such application within ten (10) days after its receipt. No application shall be effective until acted upon by the Chief of Police. If the Chief of Police finds and determines that all the requirements of this ordinance have been met, the Chief of

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## SOLICITORS

Police shall issue said approval forthwith. [Registration shall be valid for 90 days from the date of issue.](#)

- D. The failure of an applicant to fulfill the requirements of this ordinance shall be a basis for the denial of an approved registration by the Chief of Police. In addition, no approved registration shall be issued to any person who has been convicted of a felony under the laws of the state Illinois or any other state or under the laws of the United States; nor to any person who has been convicted of a sex offense as defined by 720 Illinois Compiled Statutes, Act 5, Article 11 or any other equivalent law of any other state; nor to any person who has been convicted of a violation of any of the provisions of this ordinance; nor to any person whose registration issued hereunder has previously been revoked as herein provided. In the event that any registration is denied for failure to comply with the requirements set forth hereinabove, the Chief of Police shall immediately notify the applicant, in writing, of the reasons for denial. If said application is not cured within ten (10) days after the date on which the Chief of Police denies the issuance of said registration, said application shall be null and void.
- E. The Chief of Police shall revoke an approved registration for a violation of any of the regulations listed in sections 5.36.050 through 5.36.090 of this ordinance, inclusive. Immediately upon such revocation, written notice thereof shall be given by the Chief of Police to the holder of the approved registration by certified or registered mail, return receipt requested. Upon receipt of said notice of revocation, all solicitation activity shall cease.

(Ord. 2012-M-22 § 1; Ord. 1998-M-82 § 1; Ord. 1979-M-4 § 1; Ord. 1970-M-16 (part): prior code § 25.1003.)

### **5.36.040 Registration Fee.**

The fee for application and approval of registration required to engage in commercial solicitation pursuant to this ordinance shall be fifty dollars (\$50.00) per applicant. Said fee shall be paid at the time of application and prior to the processing of said application.

(Ord. 2012-M-22 § 1; Ord. 1970-M-16 (part): prior code § 25.1004.)

### **5.36.050 Notice regulating soliciting.**

Any person owning or occupying any premises within the City may post a notice indicting if solicitors are not invited at said premises.

Such notice so exhibited shall constitute sufficient notice to any solicitor of the determination by the owner or occupant of the premises of the information contained thereon.

(Ord. 2012-M-12 § 1; Ord. 1970-M-16 (part): prior code § 25.1006; prior code § 25.1005.)

### **5.36.060 Duty of solicitors.**

It shall be the duty of every solicitor, upon going onto any premises in the City, to first examine the notice provided for in section 5.36.050 of this ordinance, if any is attached, and be governed by the statement contained on the notice. If the notice states: "NO SOLICITORS INVITED", then the solicitor, whether registered or not, shall immediately and peacefully depart from the premises. [Each approved solicitor must display the City of St. Charles issued permit prominently when soliciting.](#)

(Ord., 2012-M-22 § 1; Ord. 1970-M-16 (part): prior code § 25.1007; prior code § 25.1006.)

### **5.36.070 Uninvited soliciting prohibited.**

It is hereby declared to be unlawful and shall constitute a nuisance for any person to remain upon any premises and ring the doorbell upon or near any door, or create any sound in any other manner calculated to attract the attention of the owner or occupant of such premises for the purpose of securing an audience with the owner or occupant thereof, and engage in "solicitation" as herein defined in defiance of the notice exhibited at the premises in accordance with the provisions of section 5.36.050 of this ordinance.

## SOLICITORS

Any solicitor who has gained entrance to any premises, whether invited or not, shall immediately and peacefully depart from the premises when requested to do so by the occupant  
(Ord. 2012-M-22 § 1; Ord. 1970-M-16 (part): prior code § 25.1008; prior code § 25.1007.)

### **5.36.080 Time limit on soliciting.**

- A. No person shall engage in “solicitation” as herein defined prior to nine o’clock (9:00) A.M. or after seven o’clock (7:00) P.M. of any day. No person shall engage in commercial solicitation at any time on a Sunday or any state or national holiday.
- B. No commercial solicitor shall solicit within five hundred feet (500’) of the property line of any elementary or secondary school.

(Ord. 2012-M-22 § 1; Ord. 2010-M-25 § 1; Ord. 1970-M-16 (part): prior code § 25.1009; prior code § 25.1008.)

### **5.36.090 Prohibitions.**

- A. Felons and Persons Convicted of Sex Offenses as Solicitors: It shall be unlawful for any person to be a solicitor who has been convicted of a felony under the laws of the state of Illinois, or any equivalent law of any other state, or under the federal laws of the United States. It shall be unlawful for any person to be a solicitor who has been convicted of a sex offense as defined by 720 Illinois Compiled Statutes, Act 5, Article 11, or any equivalent law of any other state.
- B. Fraud: No person shall misrepresent his name, occupation, financial condition, social conditions or residence, and no person shall make or perpetrate any other misstatement, deception or fraud, in connection with any charitable or commercial solicitation, or in any application or report filed under this ordinance.

(Ord. 2012-M-22 § 1; Ord. 2010-M-25 § 1; Ord. 1970-M-16 (part): prior code § 25.1009.)

### **5.36.100 Additional Regulations for Charitable Solicitations.**

- A. Financial Disclosure Required: The charitable organization shall distribute to every person solicited a financial statement of said charitable organization for the preceding twelve (12) months which shall include a balance sheet and statement of income and expenses clearly setting forth the following: gross receipts and gross income from all sources broken down into total receipts and income from each separate solicitation project or source; cost of administration; cost of solicitation; cost of programs designed to inform or educate the public; funds or properties transferred out of the state of Illinois, with explanation as to recipient and purpose; total net income amount for each major purpose, charitable or otherwise. Statements shall be signed by the president or other authorized officer or agent and shall be accompanied by an opinion signed by an independent certified public accountant that said financial statement fairly represents the financial operation of the charitable organization.

A copy of the annual report to the attorney general of Illinois required by 225 Illinois Compiled Statutes 460/4, as amended, may be presented in lieu of the aforementioned financial statement. For the purpose of financial statements, the definitions and standards applicable to the annual report to the attorney general as set forth in paragraph 460/4 shall be utilized.

In the event a charitable organization has not been established for a period of twelve (12) months, a copy of the registration statement filed with the attorney general of Illinois pursuant to 225 Illinois Compiled Statutes 460/2, as amended, may be utilized.

- B. Solicitation of Charitable Contributions On Highways: Solicitation of charitable contributions on highways within the City shall be permitted; provided, however, that all such activity shall be conducted in strict conformity with and shall be limited to that activity permitted under the provisions of the Illinois vehicle code paragraph 5/11-1006(c) and this code.

## SOLICITORS

In order to, on an ongoing basis, evaluate the safety of solicitors and the safety of motorists, and to otherwise provide for the orderly flow of traffic, the City may authorize charitable solicitation on highways to take place during such times as the City may approve, notwithstanding any time limitation set forth in section 5.36.080 of this ordinance to the contrary. Permits will only be given charitable organizations with a City of St. Charles mailing address. A permit may be granted at the discretion of the Chief of Police to a charitable organization who serves citizens of St. Charles but may not have a St. Charles mailing address.

(Ord. 2012-M-22 § 1; Ord. 1970-M-16 (part): prior code § 25.1013.)

### **5.36.110 Records Kept.**


The Chief of Police shall cause to be kept an accurate record of every application received and acted upon together with all other information and data pertaining thereto, under the provisions of this ordinance, and a record of the denial of any and all applications.

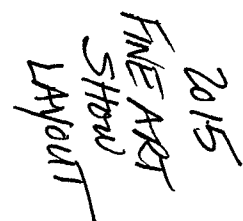
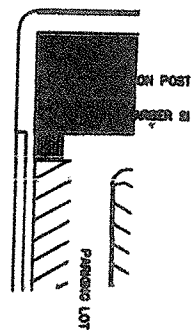
(Ord. 2012-M-22 § 1; Ord. 1970-M-16 (part): prior code § 25.1011.)

### **5.36.120 Violation – Penalty.**


Any person violating any of the provisions of this chapter shall, upon conviction thereof, be subject to a fine of not more than five hundred dollars (\$500) for each offense.

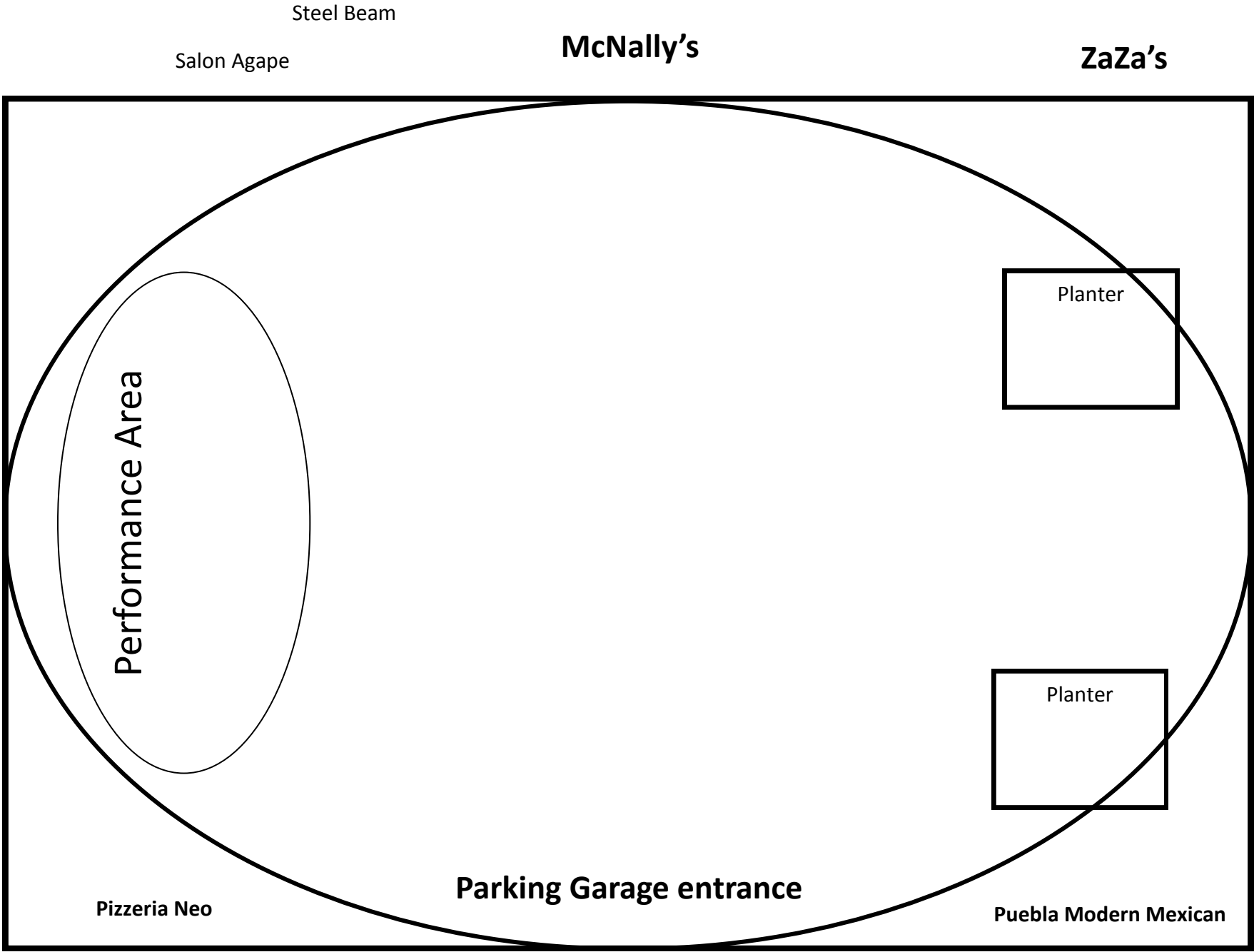
(Ord. 2012-M-22 § 1; Ord. 1994-M-18 § 1.)


	<b>AGENDA ITEM EXECUTIVE SUMMARY</b>						
	Title:	Recommendation for Approval of Street and Parking Lot Closures and Use of Amplification Equipment for the Fine Arts Show					
	Presenter:	Chief Jim Keegan					
<i>Please check appropriate box:</i>							
	Government Operations		X	Government Services 3.23.15			
	Planning & Development			City Council			
	Public Hearing						
Estimated Cost:	\$1,979.79 (PW)	Budgeted:	YES	X	NO		
If NO, please explain how item will be funded:							
Public Works will deliver and pick up barricades during regular operating hours.							
<b>Executive Summary:</b>							
<p>The Fine Arts Show will be held on South Riverside Avenue between Main Street and Illinois Avenue, as well as Walnut Avenue between Riverside Avenue and 2<sup>nd</sup> Avenue from Saturday, May 23<sup>rd</sup> through Sunday, May 24<sup>th</sup>. The event will be open from 10 a.m. – 6 p.m. on Saturday and 10 a.m. – 5 p.m. on Sunday; Friday will only be for set-up for the event. The amplification license is being requested for these time frames.</p> <p>The Downtown St. Charles Partnership is requesting the closure of the following streets:</p> <ul style="list-style-type: none"> <li>• South Riverside Avenue from Main Street to Illinois Avenue from 5 a.m. on May 22<sup>nd</sup> through 8 p.m. on Sunday, May 24<sup>th</sup>.</li> <li>• Walnut Avenue from 2<sup>nd</sup> Avenue to Riverside Avenue from 5 a.m. on Friday, May 22<sup>nd</sup> through 8 p.m. on Sunday, May 24<sup>th</sup>.</li> <li>• The parking lot between Riverside and 2<sup>nd</sup> Avenue from 5 a.m. on Friday, May 22<sup>nd</sup> through 8 p.m. on Sunday, May 24<sup>th</sup>.</li> </ul> <p>The applicant has requested placement of a tent/stage at the southern end of the BMO Harris Bank lot (in cooperation with BMO Harris), on the west side of First Street, and has additionally requested temporary electric service to that location. The applicant will be responsible for the actual time and material costs expended by the Electric Utility, as well as the electric energy consumption, for the requested temporary service.</p> <p>There will not be a preview party this year, therefore there will be no service of alcohol or need for a liquor license.</p> <p>The event sponsor will remove all barricades from the street once all of the booths are gone.</p>							
<b>Attachments:</b> <i>(please list)</i>							
Diagram of the booth layout							
<b>Recommendation / Suggested Action</b> <i>(briefly explain):</i>							
Recommendation to approve street and parking lot closures and use of amplification equipment for the Fine Arts Show.							
<i>For office use only:</i>		Agenda Item Number: 7.c					





	<b>AGENDA ITEM EXECUTIVE SUMMARY</b>					
	Title:	Recommendation to Approve the Use of City Plazas/Property and Use of Amplification Equipment for STC Live				
	Presenter:	Chief Jim Keegan				
<i>Please check appropriate box:</i>						
	Government Operations		X	Government Services 03.23.15		
	Planning & Development			City Council		
	Public Hearing					
Estimated Cost:	\$ N/A	Budgeted:	YES		NO	
If NO, please explain how item will be funded:						
Public Works will deliver and pick up barricades during regular operating hours.						
<b>Executive Summary:</b>						
<p>STC Live will be held in various locations throughout downtown St. Charles on Wednesday and Friday evenings between the hours of 5 p.m. and 10 p.m. from Memorial Day weekend through September 13, 2015. Note: the event coordinator stated in the application that for the opening and closing weekends for the 2015 events, the days of the week will probably be Friday – Sunday. This is the third year for this event and no issues have been reported to date regarding it. The intent of this program is to draw people to downtown and the local businesses and the Downtown St. Charles Partnership oversees and coordinates this program.</p> <p>STC Live will take place on the First Street Plaza, the Volunteer Plaza (the new area behind the Municipal Center, next to the river), and in front of participating businesses. Some past participating businesses include Blue Goose Market, Kimmer's Ice Cream, and Dick Pond Athletics. The performers (musicians, jugglers, magicians etc.) set up on the sidewalk outside of the business, not requiring any of the parking spaces to be closed.</p> <p>Electricity is used on the First Street Plaza, as it has been in the past. Attached is a basic layout of the First Street Plaza for the performance, similar to the Volunteer Plaza.</p>						
<b>Attachments:</b> <i>(please list)</i>						
Diagram of the First Street Plaza						
<b>Recommendation / Suggested Action</b> <i>(briefly explain):</i>						
Recommendation to approve the use of City Property/Plazas and use of amplification equipment for STC Live.						
<i>For office use only:</i>		<i>Agenda Item Number: 7.d</i>				



	<b>AGENDA ITEM EXECUTIVE SUMMARY</b>												
	Title:		Recommendation to Approve a Resolution for the Closure of Routes 64 and 31 for the Memorial Day Parade										
	Presenter:		Chief Jim Keegan										
Please check appropriate box:													
	Government Operations		X	Government Services 03.23.15									
	Planning & Development			City Council									
	Public Hearing												
<table border="1"> <tr> <td>Estimated Cost:</td> <td>\$N/A</td> <td>Budgeted:</td> <td>YES</td> <td></td> <td>NO</td> <td></td> </tr> </table>							Estimated Cost:	\$N/A	Budgeted:	YES		NO	
Estimated Cost:	\$N/A	Budgeted:	YES		NO								
If NO, please explain how item will be funded:													
<b>Executive Summary:</b>													
<p>The City of St. Charles is requesting to have a Memorial Day Parade on May 25, 2015 on Main Street between the hours of 9:30 a.m. and 11 a.m.</p> <p>The revised special events application was submitted on March 9<sup>th</sup>. No changes to the time or event are requested from past Memorial Day parades.</p>													
<b>Attachments:</b> <i>(please list)</i>													
Resolution													
<b>Recommendation / Suggested Action</b> <i>(briefly explain):</i>													
Recommendation to approve the closure of Routes 64 and 31 for the Memorial Day Parade.													
For office use only:		Agenda Item Number: 7.e											

**City of St. Charles, Illinois**  
**Resolution No. \_\_\_\_\_**

**A Resolution Requesting the Closure of Routes 64 and 31 for the  
Memorial Day Parade**

**Presented & Passed by the  
City Council on \_\_\_\_\_**

**WHEREAS**, the City of St. Charles is sponsoring a Memorial Day Parade in the City of St. Charles, and;

**WHEREAS**, this production will require the temporary closure of Main Street (Route 64) a state highway in the City of St. Charles, and;

**WHEREAS**, Section 4-408 of the Illinois Highway Code authorizes the Department of Transportation to issue permits to local authorities to temporarily close portions of state highways for such public purposes or needs as parades and local celebrations;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois, that permission to close Main Street (Route 64) on Monday, May 25, 2015 from 9:30 a.m. to 11 a.m. is requested of the Department of Transportation;

**BE IT FURTHER RESOLVED** that if such permission is granted by the Department of Transportation, all highway traffic during the periods of time specified shall be detoured over the following routes:

For westbound on Route 64; south on 5<sup>th</sup> Avenue (Route 25) to Illinois Avenue, west to 7<sup>th</sup> Street, north to Route 64. For southbound on Route 31: west on State Street from Route 31 to 7<sup>th</sup> Street, south on 7<sup>th</sup> Street to Illinois Street, east on Illinois Street to Route 31. For eastbound Route 64 and northbound Route 31, use the reverse route.

**BE IT FURTHER RESOLVED** that if such permission is granted by the Department of Transportation, the City of St. Charles assumes full responsibility for the direction, protection and regulation of the traffic during the time the detour is in effect, and all liabilities for damages of any kind occasioned by the closing of the state highway, and it is further agreed that efficient all-weather detours will be maintained to the satisfaction of the Department and conspicuously marked for the benefit of traffic diverted from the state highway.

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to the Department of Transportation to serve as a formal request for the permission sought in this resolution.

**Presented** to the City Council of the City of St. Charles, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_ 2015.

**Passed** by the City Council of the City of St. Charles, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_ 2015.

**Approved** by the Mayor of the City of St. Charles, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_ 2015.

\_\_\_\_\_  
Raymond P. Rogina, Mayor

Attest:

\_\_\_\_\_  
Nancy Garrison, City Clerk


**Council Vote:**

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Abstain: \_\_\_\_\_

Absent: \_\_\_\_\_

	<b>AGENDA ITEM EXECUTIVE SUMMARY</b>						
	Title:	Recommendation to Amend Approval for Street and Parking Lot Closures for 2015 St. Charles Half Marathon					
	Presenter:	Deputy Chief Huffman					
<i>Please check appropriate box:</i>							
	Government Operations		X	Government Services 03.23.15			
	Planning & Development			City Council			
	Public Hearing						
Estimated Cost:	<b>PD:</b> \$1,953.60 <b>PW:</b> \$2,413.46 <b>TOTAL: \$4,367.06</b>		Budgeted:	YES	X	NO	
If NO, please explain how item will be funded:							
All city costs are to be paid by the event sponsor, as done in the prior events.							
<b>Executive Summary:</b>							
<p>On August 4, 2014, Council voted to approve street and parking lot closures for the St. Charles Half Marathon, to be held on Saturday, April 25, 2015 beginning at 7:00 a.m.</p> <p>Upon further logistical review, the Police Department is recommending and requesting the following additional closures and restrictions:</p> <ul style="list-style-type: none"> <li>• N. 3<sup>rd</sup> St. between W. Main St. and Cedar St., on April 25 from 6:30 a.m. to 7:30 a.m.</li> <li>• No Parking on Dean St. on April 25 from 5:00 a.m. to 11:00 a.m.</li> </ul> <p>These changes are being requested by the Police Department (not the event sponsor, Multisport Madness) in the interests of safety.</p> <p>The N. 3<sup>rd</sup> St. closure will allow for the staging of the race participants, which are expected to number around 1,500. The original plan was to stage them in the 200 block of Cedar St.; however we have determined this location to be inadequate. 3<sup>rd</sup> St. from W. Main to Cedar St. will then be reopened once all the runners have left the starting line. This change will also eliminate the need to close Cedar St. at N. 2<sup>nd</sup> St., as was previously approved.</p> <p>The parking restriction on Dean St. is being requested due to concerns over the runners sharing the road with vehicular traffic. This will provide enough space on the roadway for the runners to travel along the side and shoulder area while allowing for the normal flow of traffic. Upon approval, Multisport Madness will notify all of the residents on Dean St. as to the parking restriction. Additionally, the Police Department will place a lighted message board Dean St. to advise all residents of the pending parking restrictions. This message board will be put in place on April 22.</p> <p>In addition, Multisport Madness was previously not planning on the race route traveling through the Timbers subdivision, as documented in my memo to Government Services dated May 7, 2014. Since that time, they have added a 10K race to run concurrent with the Half Marathon. The 10K race route does travel through the Timbers, while the Half Marathon does not. This new course for the 10K does not require any additional closings or restrictions. Multisport Madness notified the residents of the Timbers of the 10K route via mail in September of 2014. No negative responses were received. They will again notify the residents of the upcoming race.</p>							
<b>Attachments:</b> <i>(please list)</i>							
Previous Executive Summaries; Previous memo; Original map/route for event; Amended map/route for the event; full route map for Half Marathon; Full route map for 10K.							
<b>Recommendation / Suggested Action</b> <i>(briefly explain):</i>							
The Police Department recommends and requests approval for the additional street closures and parking restrictions for the St. Charles Half Marathon on April 25, 2015.							
<i>For office use only:</i>		<i>Agenda Item Number: 7.f</i>					



ST. CHARLES  
SINCE 1834

## AGENDA ITEM EXECUTIVE SUMMARY

Title: Recommendation to Approve Street and Parking Lot Closures and Use of Amplification Equipment for the 2014 St. Charles 12K of Christmas and the 2015 St. Charles Half Marathon

Presenter: Interim Chief Huffman

Please check appropriate box:

<input type="checkbox"/>	Government Operations	<input checked="" type="checkbox"/>	Government Services 05.27.14
<input type="checkbox"/>	Planning & Development	<input type="checkbox"/>	City Council
<input type="checkbox"/>	Public Hearing	<input type="checkbox"/>	

Estimated Cost:	PD: 12K: \$1,041.92; ½ Marathon: \$1,953.60 PW: \$2,413.46 (for each event) <b>TOTAL for both events: \$7,822.44</b>	Budgeted:	YES	X	NO	
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If NO, please explain how item will be funded:

All city costs are to be paid by the event sponsor, as done in the prior events.

### Executive Summary:

This application was submitted on March 24, 2014 and encompasses both events.

Multisport Madness has submitted a special event application for two separate events:

- I. St. Charles 12K of Christmas to take place on Saturday, December 6, 2014
- II. St. Charles Half Marathon to take place on Saturday, April 25, 2015

Both of these are running events and the request for both is to have a start/finish line in the 100 blk. of N. 3<sup>rd</sup> St. between Cedar and State St.

Please see the attached memo outlining the details for each event.

The event sponsors are also requesting the use of an amplification system (PA) at the start and finish lines for the duration of the events. Event sponsors were reminded by the Special Events committee to keep in consideration the surrounding neighborhoods when utilizing the amplification in the early morning hours.

The sponsors will ensure advance notification and promotion is done in the downtown area, with special emphasis on any business directly along the closure route.

### Attachments: (please list)


Memo and map routes

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

The Police Department recommends approval of the street and parking lot closures and use of amplification equipment for the 2014 St. Charles 12K of Christmas and the 2015 St. Charles Half Marathon.

For office use only:

Agenda Item Number: 4.b

 <b>ST. CHARLES</b> SINCE 1834		<b>AGENDA ITEM EXECUTIVE SUMMARY</b>					
		Title:		Motion to Approve Request for Street and Parking Lot Closures and Use of Amplification Equipment for the 2014 St. Charles 12K of Christmas			
		Presenter:		Deputy Chief Huffman			
Please check appropriate box:							
		Government Operations		X		Government Services 7.28.14	
		Planning & Development				City Council	
		Public Hearing					
Estimated Cost:		<b>PD:</b> \$1,041.92 <b>PW:</b> \$2,413.46 <b>TOTAL: \$3,455.38</b>		Budgeted:		YES	X
						NO	
If NO, please explain how item will be funded:							
All city costs are to be paid by the event sponsor, as done in the prior events.							
<b>Executive Summary:</b>							
<p>As you are aware, this event was presented to City Council for consideration and approval on July 7, 2014. At that time, a motion was made and voted upon to table this agenda item for presentation at the July 28, 2014 Government Services meeting. This was due to concerns of the 12K of Christmas conflicting with the TriCity Family Services Snowflake Shuffle 5K event, which is also scheduled for December 6, 2014. There were also concerns over residents not having enough time to respond to the letter sent by Multisport Madness to those who live on the race routes.</p> <p>Staff has determined that the TriCity Family Services Snowflake Shuffle 5K fundraising event will be held on December 6, 2014 at 9:00 a.m., and will be conducted in the Mill Creek subdivision of Geneva. Additionally, as of July 14, 2014, there have been six residents who responded to the letters sent out by Multisport Madness. Four responses were in support of the race, while two of the responses requested additional information.</p> <p>Multisport Madness has advised that their event is different from the Snowflake Shuffle 5K (3.1 miles), in that it is a 7.5-mile event and typically draws a different type of athlete than what a 5K will. Multisport Madness is sensitive to the issue of competing or interfering with the fundraising efforts of TriCity Family Services, and they do not believe the 12K of Christmas will do this.</p>							
<b>Attachments:</b> (please list)							
Previous Executive Summaries; Previous Memo; Map/route for event							
<b>Recommendation / Suggested Action</b> (briefly explain):							
The Police Department and City staff recommend and request approval for street and parking lot closures and the use of amplification equipment for the 2014 St. Charles 12K of Christmas on December 6, 2014.							
For office use only:		Agenda Item Number:					



## Police Department



# Memo

**Date:** May 7, 2014

**To:** Government Services

**From:** Interim Chief Huffman

**Re:** St. Charles 12K of Christmas & St. Charles Half Marathon

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### 12K of Christmas

The 12K would begin at 2:00 PM and the organizers expect to have between 300-600 participants. That event would start on N. 3rd St. The runners would then turn left (west) on to State St. The race would continue west on to Dean St. and then north on to 17th St. into the Foundry Business Park area. It would continue through Timbers Park and onto the streets of the Timbers neighborhood. It would then continue north in to un-incorporated St. Charles Township along Ferson Creek Rd., Wildrose Rd., and Thornapple Rd. The race would then re-enter the City, circle through the Thornwood Drive area, and then return to the Foundry Business Park and back along Dean and State Streets to 3rd Street.

For this event, the organizers are requesting that the following areas be closed from 10:00 a.m. - 4:30 p.m.:

- VFW Parking Lot
- N. 3rd St. from Cedar to State St.
- Cedar St. from N. 2nd St. to N. 3rd St.
- The roadway from N. 3rd St. to just west of the entrance to Isaaco's & Taste of Himalayas will need to be closed the entire time. The roadway from that entrance to N. 2nd St. will only need to be closed from 1:00 p.m. - 2:15 p.m.
- State St. from N. 3rd St. to N. 4th St.

The organizers also request the following:

- No Parking on Cedar St. from N. 3<sup>rd</sup> St. to N. 2nd St.
- No Parking on State St. from N. 3rd St. to N. 9th St.

### Half Marathon

This race would start and finish in the same location, however, the race would start at 7:00 a.m. and approximately 1,000 participants are expected. The route for this race is similar to that of the 12K except that it will not go through the Timbers subdivision and encompasses a larger

additional portion of areas north and west of the City before returning and finishing again on 3rd St. The closures and parking restrictions above would be the same except that the requested closure times would be 3:00 a.m. - 12:00 p.m.

**Police Assistance**

For both events the organizer plans to use volunteers all along the route. Police assistance will be needed however at:

- I. 3<sup>rd</sup> St. & State St.
- II. 3<sup>rd</sup> St. & Cedar St.
- III. 9<sup>th</sup> St. & Dean St.
- IV. 17<sup>th</sup> St. & Dean St.

In addition, an officer would be needed near Randall and Dean St. for the half marathon.

The event organizer will be contacting the Kane County Sheriff's Office for assistance outside the City limits.

SGH/skc

# Memo

**Date:** July 7, 2014

**To:** Government Operations Committee

**From:** Interim Chief Huffman

**Re:** 12 K of Christmas & Half Marathon

---

The first annual 12K of Christmas, to take place on December 6, 2014, and the Half Marathon, to take place on April 25, 2015, were both proposed by Multisport Madness at the May 27, 2014 Government Services Committee. The Committee did approve their proposal based on several conditions which were to be met in time for the July 7, 2014 City Council meeting.

In an effort to meet these requirements, City staff met with Multisport Madness and the following was agreed upon for the new proposal:

- Race start time of 8:30 a.m. for the 12K of Christmas; race is anticipated to be complete by 10:30 a.m.
- Also for the 12K, the Filling Station parking lot will be labeled "No Race Parking" to allow for parking for the patrons of the surrounding businesses.
- For the Half Marathon, racers will be directed to park in the 1<sup>st</sup> Street parking deck; several other, smaller lots will be marked with "No Parking" signs to allow for the patrons of those businesses.
- Multisport Madness has invited surrounding businesses to attend a meeting on Tuesday, July 1 at 4:30 p.m., in which someone from the Downtown Partnership will attend, to discuss any issues with what they are proposing for their events.

Barring any objections from businesses that City staff is not aware of, City staff is in agreement that these events can now be brought to Committee for approval with these changes that have been agreed upon.

The Police Department recommends approval.

SGH/skc





**City of St. Charles, Illinois**  
Two East Main Street St. Charles, IL 60174-1951  
Phone: 630-377-1400 Fax: 630-377-4440 - [www.stcharles.il.gov](http://www.stcharles.il.gov)

## Precision GIS

RAYMOND ROGINA Mayor  
MARK KOENEN City Administrator

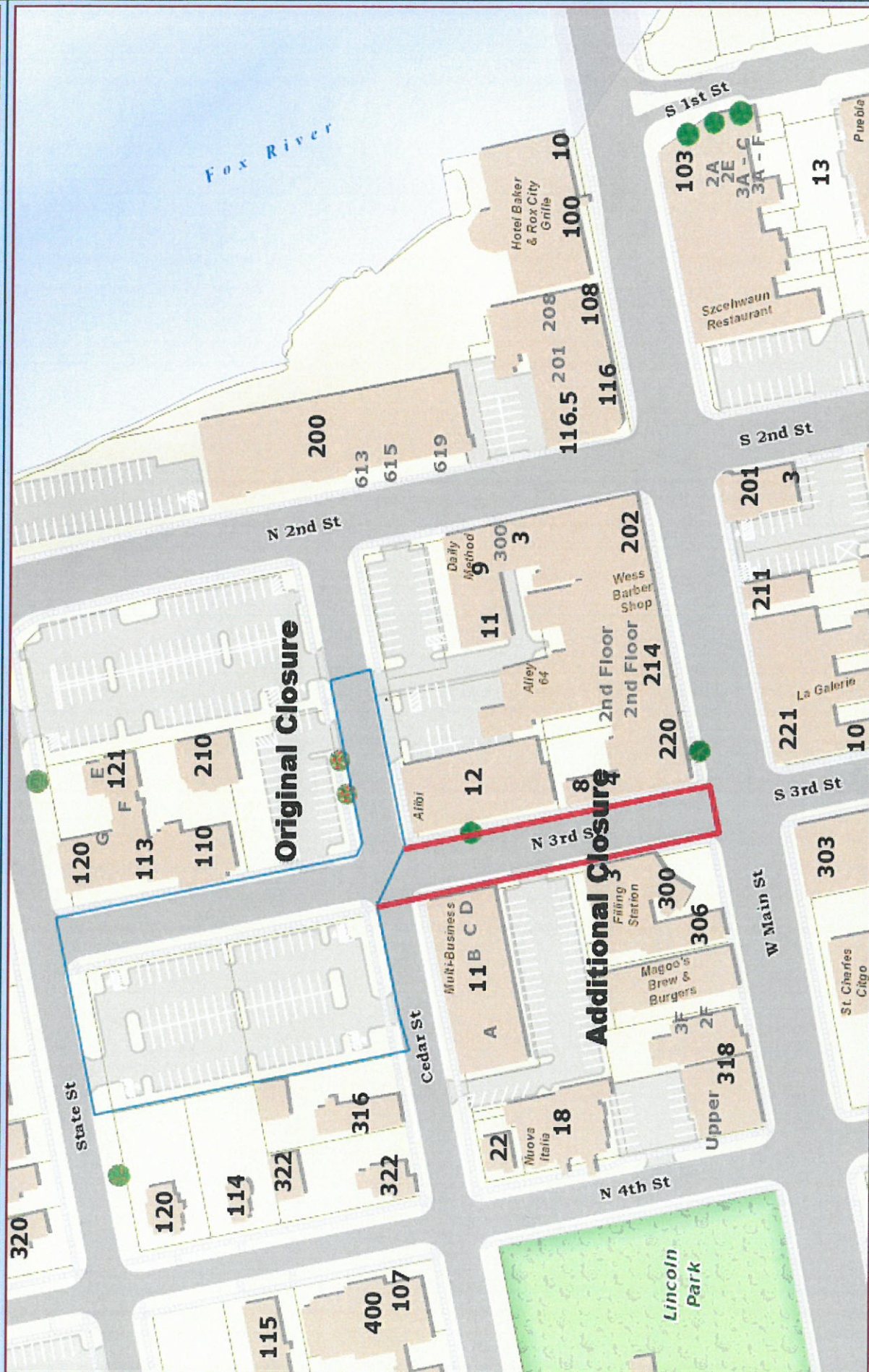


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Map Source:  
City of St. Charles, Illinois  
Aerial Imagery: Google Earth  
Projection: Transverse Mercator  
Datum: North American Datum 1983  
Created on: March 17, 2015 11:51 AM





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Data Source:  
 City of St. Charles, Illinois  
 St. Charles County, Illinois  
 St. Charles County, Illinois  
 Projection: Transverse Mercator  
 Coordinate System: Illinois State Plane East  
 North American Datum 1983  
 Created on: March 17, 2015 11:49 AM



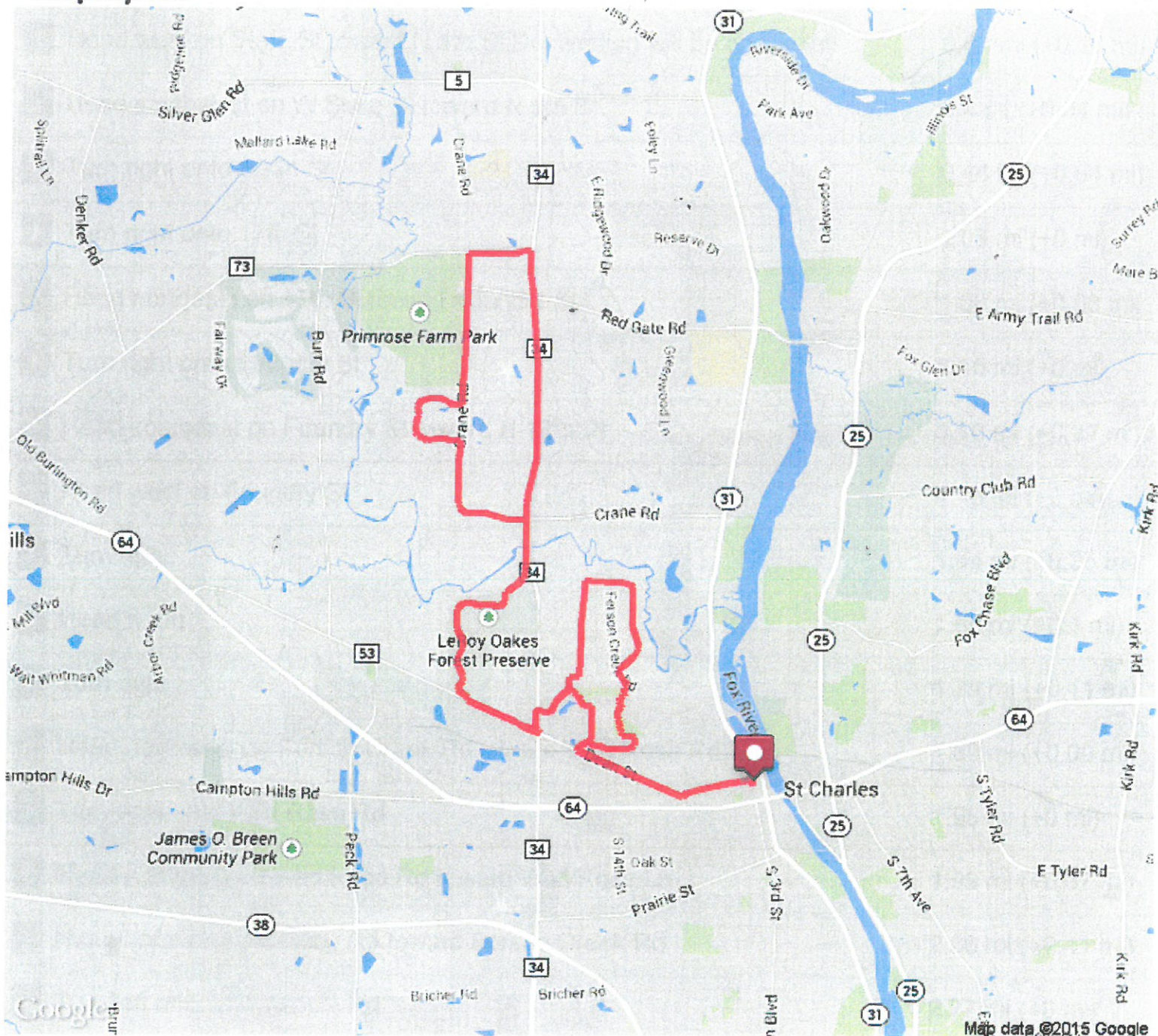


# SLY FOX HALF MADNESS

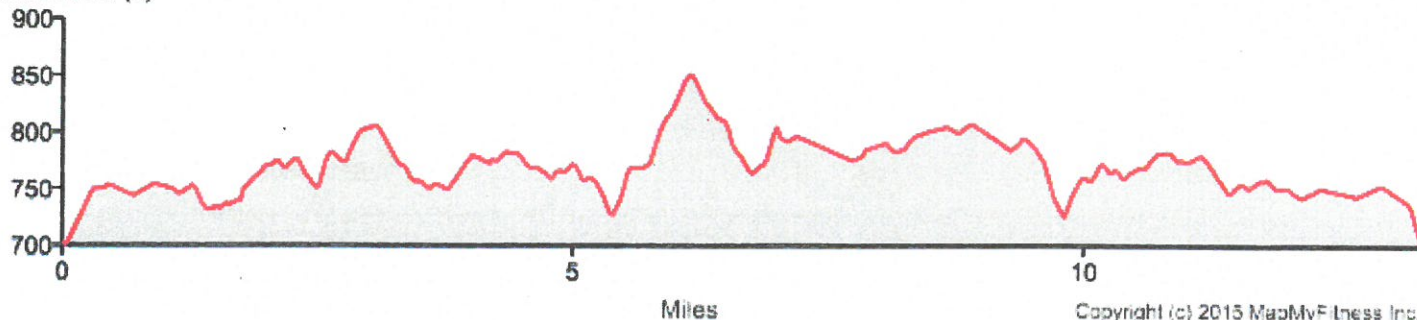
Distance: 13.36 mi

Elevation: 429.55 ft (Max: 851.84 ft)

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ELEVATION (ft)

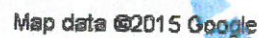



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	<b>AGENDA ITEM EXECUTIVE SUMMARY</b>												
	Title:	Recommendation to Approve a Proposal for a Class B Liquor License for Shima's Sushi to be located at 2400 E Main Street, St. Charles (former Sushi Yama Restaurant)											
	Presenter:	Mayor Rogina											
<i>Please check appropriate box:</i>													
	Government Operations		X	Government Services 03.23.15									
	Planning & Development			City Council									
	Public Hearing			Liquor Control Commission									
<table border="1" style="width: 100%;"> <tr> <td>Estimated Cost:</td> <td></td> <td>Budgeted:</td> <td>YES</td> <td></td> <td>NO</td> <td></td> </tr> </table>							Estimated Cost:		Budgeted:	YES		NO	
Estimated Cost:		Budgeted:	YES		NO								
If NO, please explain how item will be funded:													
<b>Executive Summary:</b>													
<p>This is a request for a new Class B liquor license for Shima's Sushi to be located at 2400 E Main Street, St. Charles (former Sushi Yama Restaurant). The owners are not requesting a late night permit. All paper work is in order and background checks are being completed by the Police Department as well as fingerprints have been taken and BASSET certifications are complete.</p> <p>This application is recommended by the Liquor Control Commission meeting held on March 16, 201.</p>													
<b>Attachments:</b> <i>(please list)</i>													
Liquor License Application (front page) Background Check Site Plan and Business Plan Menu													
<b>Recommendation / Suggested Action</b> <i>(briefly explain):</i>													
Recommendation to approve a proposal for a Class B Liquor License for Shima's Sushi to be located at 2400 E Main Street, St. Charles (former Sushi Yama Restaurant).													
<i>For office use only:</i>		<i>Agenda Item Number:</i> 8.a											



Date: 3/16/15  
☒ New Application  
☐ Renewal Application

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



**City Retail Liquor Dealer License Application (rev. 12/13) Non-Refundable**

Ordinance 5.08.050.A1

Application must be completed in full

Incomplete applications will be rejected

Business Type: Circle one

Individual

Partnership

Corporation

Other

Business Name SHIMA'S SUSHI

Sales Tax #

Business Address 2400 E. Main St. Unit#107A St. Charles, IL 60174

Business Phone # To be apply

Contact Person Tadashi Shimabuku

Title President

Phone #

If Corporation, Corporate Name TK Shima, Inc.

Corporation Address 2400 E. Main St. Unit#107A St. Charles, IL 60174

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

Have you had a business within the City of St. Charles under any other corporate name: Yes ☒ No ☐

If yes, list address of business 40 W222 La Fox Rd. Campton Hill, IL 60175

Full Name, include Middle Initial Tadashi Shimabuku

Title President

Birth Date

Birthplace

Driver's License

Home Phone #

Home Address 3724 Linden Dr. Island Lake, IL 60042

Full Name, include Middle Initial Nobuo Kotake

Title Vice-President

Birth Date

Birthplace

Driver's License

Home Phone #

Home Address 137 S. Foley St. Bensenville, IL 60106

Full Name, include Middle Initial

Title

Birth Date

Birthplace

Driver's License #

Home Phone #

Home Address

Type of Establishment: ( ) Package ☒ Restaurant ( ) Tavern ( ) Hotel/Banquet/  
Arcada/Q-Center ( ) Other

Check as Applicable to ( ) Holding Bar [5.08.010-F] ☒ Service Bar [5.08.010-O] ( ) Live Entertainment [5.08.010-H]  
Type of Establishment: ( ) Outside Dining [17.20.020-R]

Brief Business Plan Description based on type of establishment listed above:

Operation of Japanese Restaurant Offering Sushi and other  
Authentic Japanese Cuisison.

Initial: Liq Comm

Police Chief

Police Department



# Memo

Date: 3/13/2015

To: The Honorable Ray Rogina, Mayor-Liquor Commissioner

From: James Keegan, Chief of Police *J. Keegan*

Re: Background Investigations; Abby's, Salsa Verde & Shima's Sushi (All Class B Requests)

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The purpose of this memorandum is to document and forward to your attention the results of the background investigations conducted by members of the St. Charles Police Department concerning the above mentioned establishments.

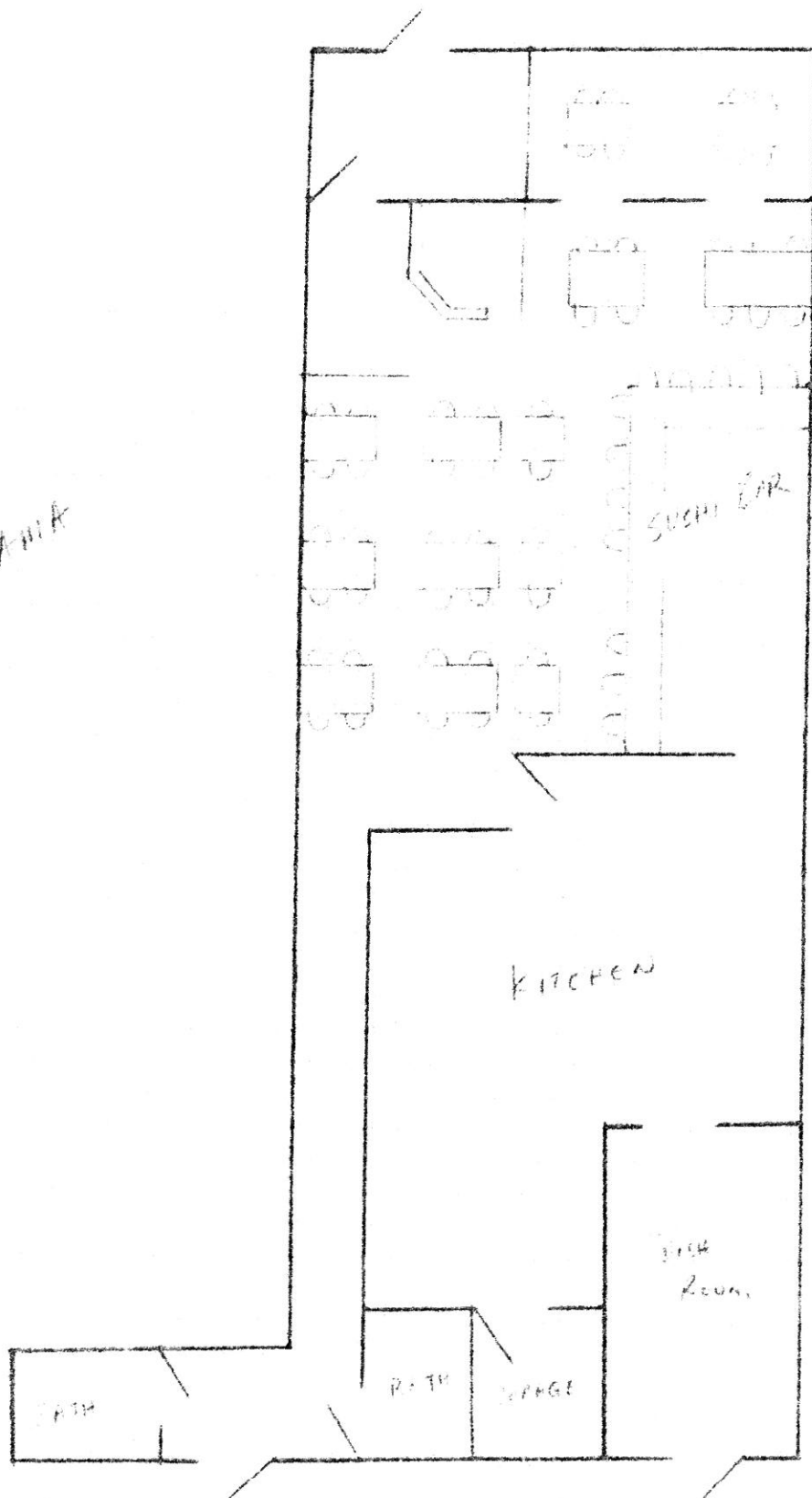
As is customary procedure, a detective was assigned each of these investigations and reviewed both the site location and the corresponding applicants of these proposed liquor license applications.

We found nothing that would preclude either of the site locations and the applicants from moving forward with liquors sales and on-site consumption, subject to Council/Commission approval.

Thank you in advance for your consideration in this matter.

Abby's:	11 N. 3 <sup>rd</sup> Street
Salsa Verde:	1850 Lincoln Highway
Shima's Sushi:	2400 E. Main Street #107A

SUSHI / AMIA



## **BUSINESS PLAN**

### **SHIMA'S SHUSHI JAPANESE RESTAURANT AT ST. CHARLES**

SHIMA' SUSHI delivers a traditional Japanese cuisine by the hand of real Japanese professional kitchen chef and experience sushi chef.

We are loved to have people who locals living in the area of St. Charles, IL would love to have family style Japanese foods and unique sushi as well.

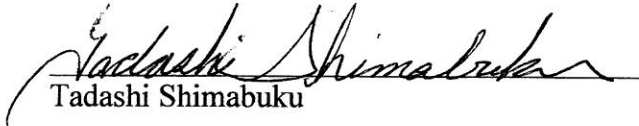
We specialize in Japanese seafood and sushi prepared to your specifications. At SHIMA'S SUSHI we buy only the finest ingredients and spare no expense to ensure quality and taste. Each ingredient is sourced from select marketplaces to provide freshness and an unbeatable flavor for all our customers.

Our gold to make you and your families to enjoy with our warm hospitality "OMOTENASHI" and friendly service.

" WE WELCOME "IRASHAI-MASE" TO ALL "

Come and bring along your families and friends to join newest Japanese restaurant in at St. Charles.

We hope to see you soon.

  
Tadashi Shimabuku

March 09,2015

# Welcome to SHIMA'S SUSHI Japanese Restaurant

## Kids' Meal

### Kids' Dinner Plate

(Served with salad, steamed rice or vegetable fried rice, and one vegetable or pork egg roll)

\*Hibachi: Soy sauce flavor

\*Teriyaki: Sweet soy sauce flavor

#### Teriyaki or Hibachi 照焼/ヒバチ

Chicken 鶏肉..... \$7.95

Shrimp 海老..... \$8.95

Beef 牛肉..... \$9.95

Chicken Cutlet チキンカツ..... \$8.95

Kids' Chicken Cutlet



-All kids' dinner is served on a fish tray.

### Kids' Sushi Appetizer

#### Joey & Johnny

ジョーイ アンド ジョニー

\$6.00

Crab stick sushi  
with egg cake and  
sushi rice wrapped  
in soy paper.



### American Kids' Favorites

#### Corn Dog アメリカンドッグ

\$2.50

#### Chicken Nuggets チキンナゲット

\$4.95

#### Popcorn Shrimp ポップコーンシュリンプ

\$4.95

## Kids' Drink

Juice (Apple or Orange) ジュース.....\$2.00

Milk or Chocolate Milk 牛乳/チョコレートミルク..\$2.50

Kiddy Cocktail キディ・カクテル.....\$2.50

Ramune (Small) ラムネ.....\$2.50

Original, Orange, Strawberry, Grape, Melon

Ramune (Large) ラムネ.....\$4.50

Original, Strawberry, Melon

Bottled Water (Dasani or Perrier) 水....\$1.50

Soft Drinks ソーダ.....\$2.50

Coke, Diet Coke, Cherry Coke, Sprite,  
Fanta (Grape, Orange, Strawberry),  
Ginger Ale, Club Soda, Tonic Water

Hot Green Tea or Iced Tea 緑茶/紅茶.....\$2.00

\*Refill for Hot Tea and Iced Tea is free\*

Ramune  
(Small,  
Original)



Ramune  
(Large,  
Original)





## Cold Appetizer

### Japanese Traditions

- Goma-ae** 胡麻和え.....\$4.95  
Blanched spinach with a sesame sauce.
- Ohitashi** おひたし.....\$4.95  
Blanched spinach in a mild soy sauce.
- Cucumber Salad** きゅうりのサラダ.....\$4.95  
Sliced cucumber in a special vinegar dressing.
- Mixed Salad** ミックスサラダ.....\$5.95  
A mix of seaweed, squid, and octopus.
- Seaweed Salad** 冷し若布.....\$4.95
- Octopus Salad** たこ山菜.....\$4.95
- Squid Salad** いか山菜.....\$4.95



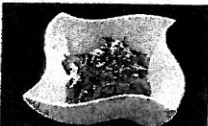
Goma-ae



Ohitashi



Cucumber Salad



Mixed Salad



Seaweed Salad



Octopus Salad

### Sunomono Moriawase

酢の物盛り合わせ

\$7.95

Sliced cucumber topped with various kinds of fresh seafood and marinated in a vinegar sauce.



### Tataki

Seared tuna or beef served with two kinds of Japanese sauce.

**Tuna Tataki** 鮪のたたき.....\$12.95

**Beef Tataki** 牛肉のたたき...\$12.95



Beef Tataki

### Specials

#### Ray's Smoked Salmon

レイのスモークサーモン

\$7.95

Smoked salmon, jalapeno, and cream cheese wrapped with seaweed.



#### Sashimi Appetizer

刺身アペタイザー

\$12.95

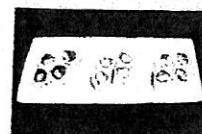
Sampler of tuna, white tuna, salmon, and red snapper sashimi.



### Sushi Roll Appetizer

寿司(巻き)アペタイザー

\$7.50



3 choices of the following:

California, Boston, Alaskan, Philadelphia, Spicy Tuna, Spicy White Tuna, Spicy Salmon, and Spicy Scallop.

### Sushi & Roll Appetizer

にぎり寿司と巻き寿司アペタイザー

\$9.95

Sushi (3 choices of the following):

Tuna, White Tuna, Salmon, Yellowtail, White Fish, Octopus, and Smelt Roe.

Roll (2 choices of the following)

California, Boston, Alaskan, Philadelphia, Spicy Tuna, Spicy White Tuna, Spicy Salmon, and Spicy Scallop.



### Shima's Tower

Avocado and fresh fish marinated in vinaigrette.

- 1) Tuna Tower 島タワー(鮪).....\$9.95
- 2) White Tuna Tower 島タワー(白鮪).....\$9.95
- 3) Salmon Tower 島タワー(鮭).....\$9.95
- 4) Christine's Tower クリスティン・タワー (tuna, white tuna, and salmon).....\$12.95



Tuna Tower



Christine's Tower

### Shima's Special Salad

#### 1) Shrimp & Calamari Tempura

島サラダ(海老といかの天ぷら)

(Large) \$12.95 (Small) \$6.95

#### 2) Salmon & White Tuna Tempura

島サラダ(鮭と白鮪の天ぷら)

(Large) \$12.95 (Small) \$6.95

#### 3) Fresh Tuna & Avocado

島サラダ(鮪の刺身とアボカド)

(Large) \$12.95 (Small) \$6.95

#### 4) Avocado

島サラダ(アボカド)

(Large) \$9.95 (Small) \$5.95

Shrimp & Calamari Tempura (Large)

Fresh Tuna & Avocado (Small)



# Hot Appetizer

## Japanese Favorites

### Edamame 枝豆

\$4.25

Boiled soy beans served warm and in the pod.



### Egg Roll 春巻 (2 pieces)

\$3.25

Choice of pork or vegetable.



### Crab Rangoon クラブ・ランゲーン

\$4.95

Packed with a mix of crab and cream cheese.



### Avocado Egg Roll (2 pieces)

アボカドの春巻

\$5.95

Filled with avocado, cream cheese, and a crab stick.



### Gyoza (6 Pieces) 餃子

\$4.95

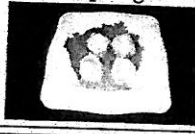
Japanese style pot stickers. Choice of pork or chicken.



### Shumai (4 pieces) シュウマイ

\$5.95

Steamed or deep fried shrimp dumplings.



### Agedashi Tofu (5 pieces) 揚げ出し豆腐

\$5.25

Deep fried tofu served in a special sauce.



### Yakitori (2 pieces) 焼鳥

\$4.95

Skewers of roasted chicken brushed with special sauce.



### Beef & Asparagus (8 pieces) ビーフ・アスパラ

\$7.95

Asparagus wrapped with thinly sliced beef.



### Egg Yolk Shrimp 海老の卵黄ソース添え

\$6.95

Shrimp covered in an egg yolk sauce.



### Garlic Shrimp ガーリック・シュリンプ

\$6.95

Shrimp coated in garlic-infused bread crumbs.



### Kakiage かき揚げ

\$4.95

A mix of deep fried vegetables and seafood.



### Takoyaki (5 pieces) たこやき

\$4.95

Japanese-style hush puppies with octopus inside.



### Bill's Special ビルの特選

\$12.00

Salmon and Whitefish tempura with a cucumber salad.



### Baked Oysters バイクド・オイスター

\$7.95

Covered in tempura crumbs and baked until golden.



## Sautéed Dishes

### Sautéed Squid

いかの丸焼き

\$6.95



### Sautéed Vegetables

野菜のソテー

\$5.95



## Tempura

Deep fried and served with a savory tempura sauce.

Combination Shrimp (2 pieces) & Vegetable (3 pieces) 海老と野菜 \$6.50

Vegetables 野菜 \$4.95

Avocado アボカド \$4.95

Jalapeño ハラペーニョ \$4.95

White Tuna 白鮭 \$5.95

Calamari いか \$5.95

Chicken 鶏肉 \$5.95

Red Snapper 鯛 \$5.95

Salmon 鮭 \$5.95

Scallops 帆立 \$5.95

Shrimp 海老 \$5.95

Soft Shell Crab ソフト・シェル・クラブ \$8.95



Avocado Tempura



Jalapeño Tempura



Calamari Tempura



Scallop Tempura

## Hibachi or Teriyaki

\*Hibachi: Soy sauce flavor  
\*Teriyaki: Sweet soy sauce flavor

Calamari いか \$6.95

Chicken 鶏肉 \$6.95

Scallops 帆立 \$6.95

Shrimp 海老 \$6.95

Red Snapper 鯛 \$7.95

Salmon 鮭 \$7.95

Beef 牛肉 \$10.95

Fillet Mignon フィレ・ミニョン \$14.95



Scallops



Calamari



## Dinner Menu

(Served with salad, choice of miso or mushroom soup, steamed rice or vegetable fried rice, and one vegetable or pork egg roll)

### Tempura

Deep fried in a batter and served with a savory tempura sauce.

Vegetable (10 pieces) 野菜の天ぷら.....\$14.95

Shrimp (10 pieces) 海老の天ぷら.....\$19.95

Tempura Combination ~Vegetable (8 pieces) &  
Shrimp (6 pieces) ~野菜と海老の天ぷらコンボ.....\$18.95

Tempura Combination



### Teriyaki or Hibachi

-Served in a bento box style

\*Hibachi: Soy sauce flavor \*Teriyaki: Sweet soy sauce flavor

Combination 1 照焼/ヒバチコンボ1.....\$26.95

(Fillet Mignon and one of your choice from below)

Combination 2 照焼/ヒバチコンボ2.....\$22.95

(Two of your choices from the below exclude Fillet Mignon)

Fillet Mignon フィレ・ミニョン.....\$22.95

Beef 牛肉.....\$19.95 | Scallops 帆立.....\$18.95

Calamari いか.....\$18.95 | Red Snapper 鯛.....\$18.95

Salmon.....\$18.95 | Shrimp 海老.....\$18.95

Chicken 鶏肉.....\$17.95



Combination 1  
(Hibachi Fillet Mignon & Shrimp)



Hibachi Fillet Mignon

### Panko Encrusted Dishes\*

Deep fried in panko and served with special tonkatsu sauce.

Beef Cutlet ビーフかつ.....\$20.95

Fried Shrimp (7 pieces) 海老フライ.....\$18.95

Chicken Cutlet チキンかつ.....\$17.95



Beef Cutlet



Fried Shrimp

#### \*1 What is "Panko"?

"Panko (パン粉)" is simply Japanese bread crumbs used for fried food. Compared with bread crumbs commonly sold in the United States, panko is crispier when it is fried. "Pan" means "bread" in Portuguese because bread was brought to Japan by Portuguese missionaries. "ko" means "flour", "crumb" or "powder".

## Japanese Fusion

-Served in a bento box style

### Beef & Broccoli

牛肉とブロッコリの炒め物..\$19.95

### Shrimp & Broccoli

海老とブロッコリの炒め物..\$18.95

### Chicken & Broccoli

鶏肉とブロッコリの炒め物..\$17.95



Beef & Broccoli

### Sautéed Vegetables

### Sautéed Vegetables

野菜のソテー

\$12.95

Assorted vegetables sautéed with soy sauce.



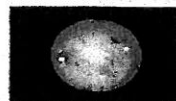
## Sides

### Soups & Salad

Miso Soup 味噌汁.....\$1.50  
Japanese soybean soup with seaweed, tofu, and green onion.

Mushroom Soup きのこスープ.....\$1.50  
Chicken broth with green onion, mushroom and tempura crumbs.

Salad サラダ.....\$2.00  
Served with ginger dressing.



Miso Soup



Mushroom Soup



Salad

### Fried Rice

\*Small: a bowl of fried rice

\*Large: equivalent to two bowls of fried rice.

1)Vegetable Fried Rice 野菜焼飯  
(Large)\$5.00 (Small)\$2.50

2)Chicken Fried Rice 鶏肉焼飯  
(Large)\$6.00 (Small)\$3.00

3)Shrimp Fried Rice 海老焼飯  
(Large)\$7.00 (Small)\$3.50

4)Beef Fried Rice 牛肉焼飯  
(Large)\$8.00 (Small)\$4.00

5)Fried Rice Combo コンボ焼飯  
(Large)\$12.95 (Small)\$5.95



Vegetable Fried Rice (S)



Vegetable Fried Rice (L)



## Sushi / Sashimi Dinner

(Served with salad, choice of miso or mushroom soup and one vegetable or pork egg roll)

### Sushi Combination Plate

寿司コンビネーション

\$21.95

2 Tuna, 2 Salmon,  
1 California roll(4 pieces),  
1 Spicy Tuna(4 pieces) and  
1 each of the following: White Tuna,  
White Fish, Yellowtail, Shrimp,  
and Octopus.



### American Sushi Combination

アメリカン寿司コンビネーション

\$22.95

4 Tuna, 4 Salmon,  
1 California rolls(4 pieces),  
and 1 Spicy Tuna(4 pieces).



### Sashimi Combination Plate

刺身コンビネーション

(21 pieces)  
\$23.95

An assortment of freshly sliced raw fish  
served with shredded radish.  
Comes with choice of steamed white rice  
or fried rice.



Fresh slices of tuna, salmon or assorted raw seafood served  
over a bed of sushi rice.

Chirashi ちらし寿司.....\$21.95

Tekka-Don 鉄火丼.....\$21.95

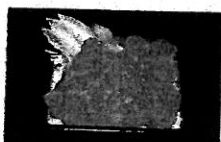
Salmon-Don 鮭丼.....\$21.95

Unagi-Don 鰻丼.....\$21.95

Broiled freshwater eel mixed with a Japanese-style  
barbeque sauce and served over warm rice.



Chirashi



Tekka-Don



Unagi-Don

### Sushi & Sashimi Combination Plate

寿司・刺身コンビネーション

\$28.95

**Sashimi:**  
1 Tuna, 1 White Tuna, 1 Yellowtail,  
and 1 Salmon.

**Sushi:**  
1 California Roll(4 pieces),  
1 Spicy Tuna(4 pieces),  
and 1 each of the following:  
Tuna, White Tuna, Yellowtail, Shrimp,  
and Salmon.



## Noodle Dinner

### Tempura Udon/Soba

Udon: Thick Japanese wheat noodle.  
Soba: Japanese buckwheat noodle.

Shrimp and vegetable tempura served  
with your choice of udon or soba.

Tempura Udon 天婦羅うどん

Full Size (フルサイズ).....\$9.95

Half Size (ハーフサイズ)...\$5.95

Tempura Soba 天婦羅そば.....\$9.95



### Nabeyaki Udon

Udon: Thick Japanese wheat noodle.

Nabeyaki Udon 鍋焼きうどん

.....\$12.95

Shrimp and crab stick tempura,  
chicken, and egg served in a pot  
over hot soup and thick udon noodle.



### Niku Udon

Udon: Thick Japanese wheat noodle.

Niku Udon 肉うどん

Full Size (フルサイズ)...\$12.95

Half Size (ハーフサイズ)..\$6.95

Beef and green onion served with  
udon noodles in a soy sauce broth.



### Yakisoba

Japanese style egg noodles stir-fried  
with vegetables in a light sauce.  
Comes with miso or mushroom soup.

Vegetable 野菜.....\$10.95

Chicken 鶏肉.....\$12.95

Shrimp 海老.....\$13.95

Beef 牛肉.....\$14.95



Shrimp Yakisoba

### Tempura Zaru Soba

Soba: Japanese buckwheat noodle.

Tempura and cold soba  
noodles with a dipping broth  
on the side.

Tempura Zaru Soba

天ざるそば.....\$12.95



### Ramen

Ramen ラーメン .....\$9.95

A Japanese favorite. Egg noodles  
and vegetables in a light soy  
sauce broth.





**Sara's Roll** - California roll topped with crab stick, tempura crumbs, and special sauce.



**Rainbow Roll** - California roll topped with tuna, white tuna, salmon, and yellowtail.



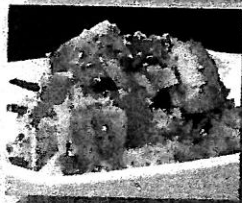
**Snake Roll** - Eel roll topped with eel tempura, tempura crumbs, and barbeque sauce.



**Cancun Roll** - Shrimp tempura and jalapeno slices topped with avocado, cilantro, and special sauce.



**Sean's Roll** - Shrimp tempura, cucumber, crab stick, spicy tuna, and special sauce.



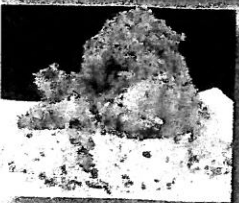
**Kayla's Roll** - Deep fried spicy tuna roll topped with a mix of avocado, cucumber, mango, and tuna.



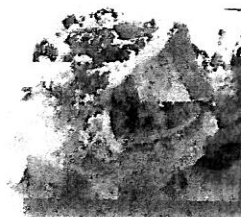
**Courtney's Roll** - Shrimp tempura, spicy tuna, cucumber, crab stick tempura, and avocado wrapped in seaweed and deep fried.



**Shima's Roll #2** - Shrimp tempura and cream cheese topped with with avocado, mango, and special sauce.



**Shima's Roll #4** - California roll topped with garlic shrimp and tempura crumbs.



**Mom's Roll** - Deep fried California roll with crab stick, cream cheese, tempura crumbs, and special sauce.



**Caterpillar Roll** - Eel roll topped with avocado and barbeque sauce.



**Big Roll** - Egg, cucumber, crab stick, pickled radish, squash, and smelt roe.



**Sandy's Roll** - Shrimp tempura, cream cheese, crab stick, avocado, and special sauce.



**Crazy Roll** - Tuna, white tuna, salmon, cilantro, jalapeno, cream cheese, crab stick, and special sauce.



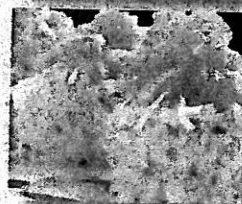
**Volcano** - Spicy tuna topped with spicy scallop, tempura crumbs, and special sauce.



**Shima's Roll #1** - Tempura calamari and cream cheese deep fried and topped with tempura crumbs and special sauce.



**Shima's Roll #3** - California roll topped with golden shrimp and smelt roe.

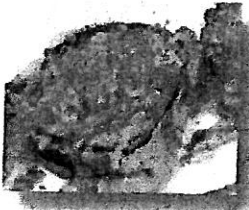


**Shima's Roll #5** - Spicy scallop roll topped with crab stick, smelt roe, tempura crumbs, and special sauce.

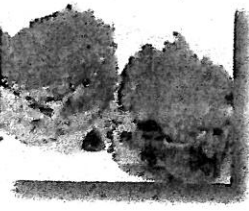




**Burrito** - Shrimp tempura, cream cheese, crab stick, and jalapeno wrapped in a tortilla, deep fried and topped with special sauce.



**Godzilla** - Shrimp tempura, cream cheese, and crab stick, deep fried and topped with special sauce.



**Rock n' Roll** - Shrimp tempura, cream cheese, crab stick, and smelt roe, deep fried and topped with special sauce.



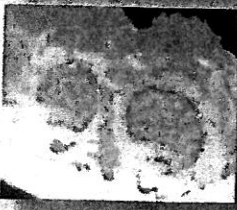
**Shana's Roll** - Shrimp tempura, crab stick, cream cheese, and eel, deep fried and topped with special sauce.



**Dynamite** - Green leaf lettuce, shrimp tempura, jalapeno, and crab stick wrapped with seaweed and topped with extra spicy sauce.



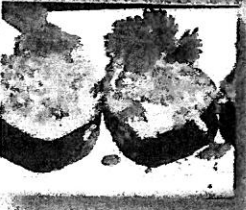
**Summer Roll** - Yellowtail topped with tuna, white tuna, cilantro, and special sauce.



**Sunset Roll** - Spicy crab stick mixed with smelt roe and topped with salmon, smelt roe, and special sauce.



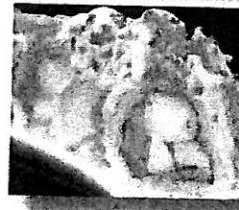
**Van's Roll** - Salmon skin, avocado, cucumber, egg cake, smelt roe, and special sauce.



**Andro & Gerry** - Fried oyster, smelt roe, and jalapeno topped with crab stick, cilantro, and special sauce.



**Net's Roll** - Avocado, spicy tuna, crab stick, and shrimp tempura topped with spicy scallop and special sauce.



**Susan's Roll** - Shrimp tempura, jalapeno, and spicy tuna topped with spicy crab and special sauce.



**Dragon Roll** - Eel and cucumber topped with avocado, shrimp, and special sauce.



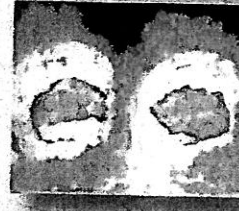
**Green Dragon** - Tempura shrimp and cream cheese topped with avocado, tempura crumbs, and special sauce.



**Red Dragon** - Spicy tuna topped with tuna, avocado, tempura crumbs, and special sauce.



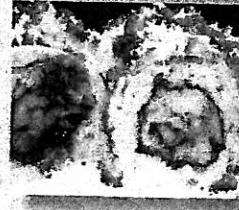
**White Dragon** - Spicy white tuna topped with white tuna, avocado, tempura crumbs, and special sauce.



**Orange Dragon** - Spicy salmon topped with salmon, avocado, tempura crumbs, and special sauce.



**Rainbow Dragon** - Spicy tuna topped with tuna, salmon, white salmon, avocado, tempura crumbs, and special sauce.



**Black Dragon** - Eel, cucumber, and cream cheese wrapped with eel and topped with smelt roe and special sauce.



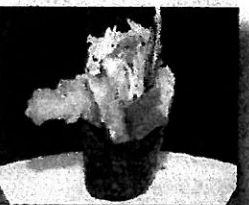
**Felicity's Roll** - Shrimp tempura, spicy tuna, green leaf lettuce, jalapeno, crab stick, and cream cheese with special sauce and tempura crumbs.



**Brett's Roll** - Shrimp tempura and cucumber topped with tuna, avocado, and red spicy sauce.



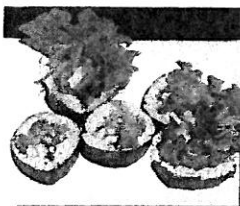
**Crystal's Roll** - Spicy tuna and jalapeno topped with tuna, white tuna, jalapeno and a spicy sauce.



**Maddie's Roll** - Calamari tempura, cucumber, crab stick, spicy tuna, and special sauce. Can be Hand Roll (pictured) or Regular Roll (Maki).



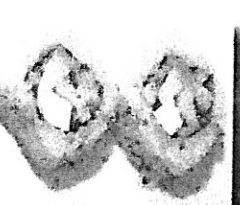
**Spider** - Deep fried soft shell crab and cucumber.



**Alex's Roll** - Avocado, cucumber, carrot, asparagus, sweet potato, and green leaf lettuce.



**Claudio's Roll** - Shrimp tempura and avocado topped with tuna, salmon, and red spicy sauce.



**Gina's Roll** - Avocado, crab stick, and cream cheese.

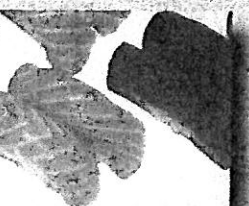


**Shima's Roll #6** - Tuna and jalapeno topped with jalapenos and a spicy sauce.



**Natalie** - Shrimp tempura, cucumber, and cream cheese topped with avocado, crab stick, and tempura crumbs.

## ***A Guide for the Beginner:***



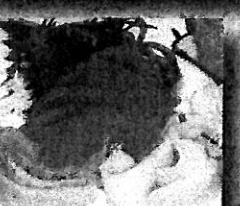
**Sushi** - Traditional sushi looks similar to this. It is a slice of raw fish on top of vinegar-infused rice with a dab of wasabi in between.



**Maki** - Maki means 'roll' in Japanese. It is seaweed wrapped around sushi rice and a filling of your choice. Does not need to be raw fish.



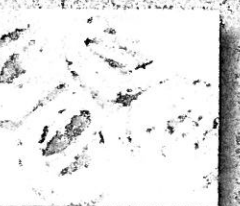
**Crunchy Roll** - A crunchy roll is a maki roll that is covered in crunchy tempura crumbs. Mark 'CR' on your sushi menu when ordering.



**Sashimi** - Sashimi is simply slices of raw fish. It is generally eaten with a dash of soy sauce and pickled ginger.



**Hand Roll** - A hand roll is not the same as maki. It is a larger roll and conical in shape as seen in the picture here. Mark 'HD' on your sushi menu when ordering.



**Spicy Roll** - A roll with spicy sauce. Both maki and hand rolls can be made spicy upon request. Mark 'SP' on your sushi menu when ordering.



# Welcome to

# SHIMA'S SUSHI

## Japanese Restaurant

### Kids' Meal

(Served with salad, steamed rice or vegetable fried rice, and one vegetable or pork egg roll)

#### Kids' Dinner Plate

\*Hibachi: Soy sauce flavor  
\*Teriyaki: Sweet soy sauce flavor

#### Teriyaki or Hibachi 照焼/ヒバチ

Chicken 鶏肉	\$7.95
Shrimp 海老	\$8.95
Beef 牛肉	\$9.95

#### Chicken Cutlet チキンカツ.....\$8.95



Kids' Chicken Cutlet

-All kids' dinner is served on a fish tray.

### Kids' Sushi Appetizer

#### Simple Roll

素巻き

\$3.50

Simply rice and seaweed. Good for the sushi beginner (kids and adults).



#### Joey & Johnny

ジョーイ アンド ジョニー

\$6.00

Crab stick sushi with egg cake and sushi rice wrapped in soy paper.



### American Kids' Favorites

Corn Dog アメリカンドッグ	\$2.50
Chicken Nuggets チキンナゲット	\$4.95
Popcorn Shrimp ポップコーンシュリンプ	\$4.95



Corn Dog



Chicken Nuggets



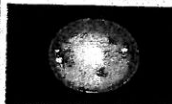
Popcorn Shrimp

### Sides

Miso Soup 味噌汁.....\$1.50  
Japanese soy bean soup with seaweed, tofu, and green onion.

Mushroom Soup きのこスープ.....\$1.50  
Chicken broth with green onion, mushroom and tempura crumb.

Salad サラダ.....\$2.00  
Served with ginger dressing.



Miso Soup



Mushroom Soup



Salad

### Kids' Drink

Juice ジュース.....\$2.00  
Apple or Orange

Milk or Chocolate Milk  
牛乳/チョコレートミルク.....\$2.50

Kiddy Cocktail キディ・カクテル.....\$2.50

Ramune (Small) ラムネ.....\$2.50  
Original, Orange, Strawberry, Grape, Melon

Ramune (Large) ラムネ.....\$4.50  
Original, Strawberry, Melon

Bottled Water 水.....\$1.50  
Dasani or Perrier

Soft Drinks ソーダ.....\$2.50  
Coke, Diet Coke, Cherry Coke, Sprite, Fanta (Grape, Orange, Strawberry), Ginger Ale, Club Soda, Tonic Water

Hot Green Tea or Iced Tea  
緑茶/紅茶.....\$2.00

\*Refill for Hot Tea and Iced Tea is free\*



Ramune (Small, Original)



Ramune (Small, Strawberry)



Ramune (Large, Original)

## Cold Appetizer

### Japanese Traditions

- Goma-ae** 胡麻和え.....\$4.95  
Blanched spinach with a sesame sauce.
- Ohitashi** おひたし.....\$4.95  
Blanched spinach in a mild soy sauce.
- Cucumber Salad** きゅうりのサラダ.....\$4.95  
Sliced cucumber in a special vinegar dressing.
- Mixed Salad** ミックスサラダ.....\$5.95  
A mix of seaweed, squid, and octopus.
- Seaweed Salad** 冷し若布.....\$4.95
- Octopus Salad** たこ山菜.....\$4.95
- Squid Salad** いか山菜.....\$4.95



Goma-ae



Ohitashi



Cucumber Salad



Mixed Salad



Seaweed Salad



Octopus Salad

### Sunomono Moriawase

酢の物盛り合わせ

\$7.95

Sliced cucumber topped with various kinds of fresh seafood and marinated in a vinegar sauce.



### Tataki

Seared tuna or beef served with two kinds of Japanese sauce.

**Tuna Tataki** 鰯のたたき.....\$12.95

**Beef Tataki** 牛肉のたたき...\$12.95



Beef Tataki

### Specials

#### Ray's Smoked Salmon

レイのスモークサーモン

\$7.95

Smoked salmon, jalapeno, and cream cheese wrapped with seaweed.



#### Sashimi Appetizer

刺身アヘタイザー

\$12.95

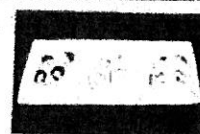
Sampler of tuna, white tuna, salmon, and Yellowtail.



### Sushi Roll Appetizer

寿司(巻き)アヘタイザー

\$7.50



3 choices of the following:

California, Boston, Alaskan, Philadelphia, Spicy Tuna, Spicy White Tuna, Spicy Salmon, and Spicy Scallop.

### Sushi & Roll Appetizer

にぎり寿司と巻き寿司アヘタイザー

\$9.95

Sushi (3 choices of the following):

Tuna, White Tuna, Salmon, Yellowtail, White Fish, Octopus, and Smelt Roe.

Roll (2 choices of the following):

California, Boston, Alaskan, Philadelphia, Spicy Tuna, Spicy White Tuna, Spicy Salmon, and Spicy Scallop.



### Shima's Tower

Avocado and fresh fish marinated in vinaigrette.

- 1) Tuna Tower 島タワー(鰯).....\$9.95
- 2) White Tuna Tower 島タワー(白鰯).....\$9.95
- 3) Salmon Tower 島タワー(鮭).....\$9.95
- 4) Christine's Tower クリスティン・タワー (tuna, white tuna, and salmon).....\$12.95



Tuna Tower



Christine's Tower

### Shima's Special Salad

#### 1) Shrimp & Calamari Tempura

島サラダ(海老といかの天ぷら)

(Large) \$12.95 (Small) \$6.95

#### 2) Salmon & White Tuna Tempura

島サラダ(鮭と白鰯の天ぷら)

(Large) \$12.95 (Small) \$6.95

#### 3) Fresh Tuna & Avocado

島サラダ(鰯の刺身とアホカト)

(Large) \$12.95 (Small) \$6.95

#### 4) Avocado

島サラダ(アホカト)

(Large) \$9.95 (Small) \$5.95

Shrimp & Calamari Tempura (Large)

Fresh Tuna & Avocado (Small)





## Hot Appetizer

### Japanese Favorites

#### Edamame

枝豆

\$4.25

Boiled soy beans served warm and in the pod.



#### Egg Roll 春巻

(2 pieces)

\$3.25

Choice of pork or vegetable.



#### Crab Rangoon

クラブ・ラングーン

\$4.95

Packed with a mix of crab and cream cheese.



#### Avocado Egg Roll (2 pieces)

アボカドの春巻

\$5.95

Filled with avocado, cream cheese, and a crab stick.



#### Gyoza

(6 Pieces)

餃子

\$4.95

Japanese style pot stickers. Choice of pork or chicken.



#### Shumai

(4 pieces)

シュウマイ

\$5.95

Steamed or deep fried shrimp dumplings.



#### Agedashi Tofu

(5 pieces)

揚げ出し豆腐

\$5.25

Deep fried tofu served in a special sauce.



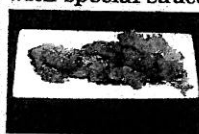
#### Yakitori

(2 pieces)

焼鳥

\$4.95

Skewers of roasted chicken brushed with special sauce.



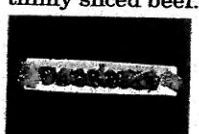
#### Beef & Asparagus

(8 pieces)

ビーフ・アスパラ

\$7.95

Asparagus wrapped with thinly sliced beef.



#### Egg Yolk Shrimp

海老の卵黄ソース添え

\$6.95

Shrimp covered in an egg yolk sauce.



#### Garlic Shrimp

ガーリック・シュリンプ

\$6.95

Shrimp coated in garlic-infused bread crumbs.



#### Kakiage

かき揚げ

\$4.95

A mix of deep fried vegetables and seafood.



#### Takoyaki

(5 pieces)

たこやき

\$4.95

Japanese style hush puppies with octopus inside.



#### Bill's Special

ビルのスペシャル

\$12.00

Salmon and Whitefish tempura with a cucumber salad.



#### Baked Oysters

ベイクド・オイスター

\$7.95

Covered in tempura crumbs and baked until golden.



## Sautéed Dishes

### Sautéed Squid

いかの丸焼き

\$6.95



### Sautéed Vegetables

野菜のソテー

\$5.95



## Tempura

Deep fried and served with a savory tempura sauce.

Combination Shrimp (2 pieces) & Vegetable (3 pieces) 海老と野菜..\$6.50

Vegetables 野菜.....\$4.95

Avocado アボカド.....\$4.95

Jalapeño ハラペーニョ.....\$4.95

White Tuna 白鮪.....\$5.95

Calamari いか.....\$5.95

Chicken 鶏肉.....\$5.95

Red Snapper 鯛.....\$5.95

Salmon 鮭.....\$5.95

Scallops 帆立.....\$5.95

Shrimp 海老.....\$5.95

Soft Shell Crab ソフト・シェル・クラブ

.....\$8.95



Avocado Tempura



Jalapeño Tempura



Calamari Tempura



Scallop Tempura

## Hibachi or Teriyaki

\*Hibachi: Soy sauce flavor

\*Teriyaki: Sweet soy sauce flavor

Calamari いか.....\$6.95

Chicken 鶏肉.....\$6.95

Scallops 帆立.....\$6.95

Shrimp 海老.....\$6.95

Red Snapper 鯛.....\$7.95

Salmon 鮭.....\$7.95

Beef 牛肉.....\$10.95

Fillet Mignon ファイル・ミニオン

.....\$14.95



Scallops



Calamari

## Lunch Menu

(Served with salad, choice of miso or mushroom soup, steamed rice or vegetable fried rice)

### Tempura

Deep fried and served with a savory tempura sauce.

Vegetable (10 pieces) 野菜の天ぷら.....\$9.95

Shrimp (7 pieces) 海老の天ぷら.....\$12.95

Tempura Combination ~Vegetable (5 pieces) & Shrimp (4 pieces) ~野菜と海老の天ぷらコンボ..\$14.95



Vegetable Tempura



Tempura Combination  
Vegetable & Shrimp

### Teriyaki or Hibachi

-Served in a bento box style

\*Hibachi: Soy sauce flavor \*Teriyaki: Sweet soy sauce flavor

Fillet Mignon ファイル・ミニョン.....\$19.95

Beef 牛肉.....\$14.95

Scallops 帆立.....\$12.95

Calamari いか.....\$12.95

Red Snapper 鯛.....\$12.95

Salmon 鮭.....\$12.95

Shrimp 海老.....\$12.95

Chicken 鶏肉.....\$10.95

Teriyaki Chicken



### Panko Encrusted Dishes\*1

-Served in a bento box style

Deep fried in panko and served with special tonkatsu sauce.

Beef Cutlet ビーフかつ.....\$14.95

Fried Shrimp (5 pieces) 海老フライ.....\$13.95

Chicken Cutlet チキンかつ.....\$12.95



Chicken Cutlet



Fried Shrimp

\*1 What is "Panko"?

"Panko (パン粉)" is simply Japanese bread crumbs used for fried food. Compared with bread crumbs commonly sold in the United States, panko is crispier when it is fried. "Pan" means "bread" in Portuguese because bread was brought by Portuguese missionaries to Japan. "ko" means "flour", "crumb" or "powder".

## Japanese Fusion

-Served in a bento box style

### Beef & Broccoli

ビーフとブロッコリの炒め物....\$14.95

### Shrimp & Broccoli

海老とブロッコリの炒め物.....\$12.95

### Chicken & Broccoli

チキンとブロッコリの炒め物....\$10.95



Beef & Broccoli

## Sushi / Sashimi Lunch

(Served with salad, choice of miso or mushroom soup)

### Sushi Lunch Plate 寿司ランチ \$14.95

Sushi (1 Piece Each):

Tuna, Yellowtail, White Tuna, Salmon, Shrimp, Egg Cake, and White Fish

Roll:

1 California Roll (4 Pieces) and 1 Spicy Tuna (4 Pieces)



### Sashimi Lunch Plate 刺身ランチ \$16.95

Sashimi

3 Tuna, 2 Salmon, 2 White Tuna, 2 Yellowtail, and 2 White Fish.

Comes with choice of steamed white rice or fried rice.



### Sushi & Sashimi Lunch Plate Special

寿司・刺身ランチスペシャル

\$21.95

Sushi (1 Piece Each)

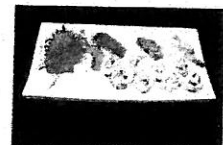
Tuna, White Tuna, Yellowtail, Shrimp, and Salmon.

Roll:

1 California roll (4 pieces), and 1 Spicy Tuna (4 pieces)

Sashimi:

Tuna, White Tuna, Yellowtail, and Salmon.



Fresh slices of tuna, salmon or assorted raw seafood served over a bed of sushi rice.

Chirashi ちらし寿司.....\$21.95

Tekka-Don 鉄火丼.....\$21.95

Salmon-Don 鮭丼.....\$21.95



Chirashi



Tekka-Don



Salmon-Don



## Noodle Lunch

### Tempura Udon/Soba

Udon: Thick Japanese wheat noodle.  
Soba: Japanese buckwheat noodle.

Shrimp and vegetable tempura  
served with your choice of udon  
or soba.

Tempura Udon 天婦羅うどん

Full Size (フルサイズ).....\$8.95

Half Size (ハーフサイズ)....\$5.95

Tempura Soba 天婦羅そば.....\$8.95



### Nabeyaki Udon

Udon: Thick Japanese wheat noodle.

Nabeyaki Udon 鍋焼きうどん  
.....\$9.95

Shrimp and crab stick tempura,  
chicken, and egg served in a pot  
over hot soup and thick udon  
noodles.



### Niku Udon

Udon: Thick Japanese wheat noodle.

Niku Udon 肉うどん

Full Size (フルサイズ).....\$9.95

Half Size (ハーフサイズ)..\$5.95

Beef and green onion served with  
udon noodles in a soy sauce broth.



### Yakisoba

Japanese style egg noodles stir-fried  
with vegetables in a light sauce.  
Comes with miso or mushroom soup.

Vegetable 野菜.....\$8.95

Chicken 鶏肉.....\$9.95

Shrimp 海老.....\$10.95

Beef 牛肉.....\$11.95



Shrimp Yakisoba

### Tempura Zaru Soba

Soba: Japanese buckwheat noodle.

Tempura and cold soba  
noodles with a dipping broth  
on the side.

Tempura Zaru Soba

天ざるそば.....\$9.95



### Ramen

Ramen ラーメン .....\$7.95

A Japanese favorite. Egg noodles  
and vegetables in a light soy  
sauce broth.



## Fried Rice Lunch

(Served with soup and salad)

1)Vegetable Fried Rice 野菜焼飯.....\$7.95

2)Chicken Fried Rice 鶏肉焼飯.....\$9.95

3)Shrimp Fried Rice 海老焼飯.....\$9.95

4)Beef Fried Rice 牛肉焼飯.....\$12.95

5)Fried Rice Combo コンボ焼飯.....\$14.95

Vegetables, chicken, shrimp, and beef.



Vegetable Fried Rice

## Don Lunch\*<sup>1</sup>

(Served with soup and salad)

Ten-Don 天丼 .....\$8.95

Deep fried shrimp and vegetable tempura  
coated with a sweet tempura sauce and served  
over warm rice.

Oyako-Don 親子丼 .....\$8.95

Chicken, egg, and vegetables lightly fried and  
flavored with soy sauce. Served over warm rice.

Chicken Teriyaki-Don チキン照焼丼 .....\$8.95

Pieces of teriyaki chicken and green onion  
served over a bowl of rice.

Chicken Katsu-Don チキンカツ丼 .....\$9.95

Panko encrusted chicken mixed with egg and  
served over warm rice.

Beef Katsu-Don ビーフカツ丼 .....\$12.95

Panko encrusted beef mixed with egg and  
served over warm rice.

Unagi-Don うなぎ丼 .....\$14.95

Broiled freshwater eel mixed with a  
Japanese-style barbeque sauce and served over  
warm rice.



Ten-Don



Oyako-Don



Chicken Teriyaki-Don



Unagi-Don

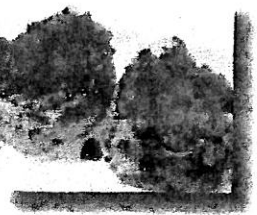
\*1)Don (丼) is the abbreviation of "donburi" meaning "bowl".  
As you can tell from the name, Don is a dish where every-  
thing is served in one bowl.



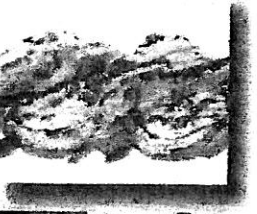
**Burrito** - Shrimp tempura, cream cheese, crab stick, and jalapeno wrapped in a tortilla, deep fried and topped with special sauce.



**Godzilla** - Shrimp tempura, cream cheese, and crab stick, deep fried and topped with special sauce.



**Rock n' Roll** - Shrimp tempura, cream cheese, crab stick, and smelt roe, deep fried and topped with special sauce.



**Shana's Roll** - Shrimp tempura, crab stick, cream cheese, and eel, deep fried and topped with special sauce.



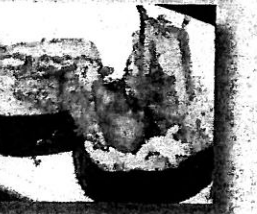
**Dynamite** - Green leaf lettuce, shrimp tempura, jalapeno, and crab stick wrapped with seaweed and topped with extra spicy sauce.



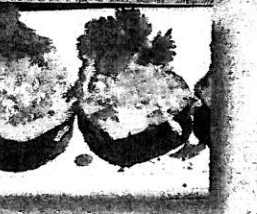
**Summer Roll** - Yellowtail topped with tuna, white tuna, cilantro, and special sauce.



**Sunset Roll** - Spicy crab stick mixed with smelt roe and topped with salmon, smelt roe, and special sauce.



**Van's Roll** - Salmon skin, avocado, cucumber, egg cake, smelt roe, and special sauce.



**Andro & Gerry** - Fried oyster, smelt roe, and jalapeno topped with crab stick, cilantro, and special sauce.



**Net's Roll** - Avocado, spicy tuna, crab stick, and shrimp tempura topped with spicy scallop and special sauce.



**Susan's Roll** - Shrimp tempura, jalapeno, and spicy tuna topped with spicy crab and special sauce.



**Dragon Roll** - Eel and cucumber topped with avocado, shrimp, and special sauce.



**Green Dragon** - Tempura shrimp and cream cheese topped with avocado, tempura crumbs, and special sauce.



**Red Dragon** - Spicy tuna topped with tuna, avocado, tempura crumbs, and special sauce.



**White Dragon** - Spicy white tuna topped with white tuna, avocado, tempura crumbs, and special sauce.



**Orange Dragon** - Spicy salmon topped with salmon, avocado, tempura crumbs, and special sauce.



**Rainbow Dragon** - Spicy tuna topped with tuna, salmon, white salmon, avocado, tempura crumbs, and special sauce.



**Black Dragon** - Eel, cucumber, and cream cheese wrapped with eel and topped with smelt roe and special sauce.





**Sara's Roll** - California roll topped with crab stick, tempura crumbs, and special sauce.



**Rainbow Roll** - California roll topped with tuna, white tuna, salmon, and yellowtail.



**Snake Roll** - Eel roll topped with eel tempura, tempura crumbs, and barbeque sauce.



**Cancun Roll** - Shrimp tempura and jalapeno slices topped with avocado, cilantro, and special sauce.



**Sean's Roll** - Shrimp tempura, cucumber, crab stick, spicy tuna, and special sauce.



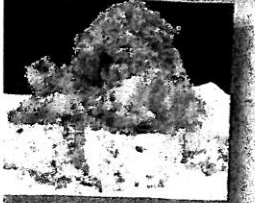
**Kayla's Roll** - Deep fried spicy tuna roll topped with a mix of avocado, cucumber, mango, and tuna.



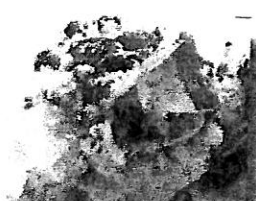
**Courtney's Roll** - Shrimp tempura, spicy tuna, cucumber, crab stick tempura, and avocado wrapped in seaweed and deep fried.



**Shima's Roll #2** - Shrimp tempura and cream cheese topped with with avocado, mango, and special sauce.



**Shima's Roll #4** - California roll topped with garlic shrimp and tempura crumbs.



**Mom's Roll** - Deep fried California roll with crab stick, cream cheese, tempura crumbs, and special sauce.



**Caterpillar Roll** - Eel roll topped with avocado and barbeque sauce.



**Big Roll** - Egg, cucumber, crab stick, pickled radish, squash, and smelt roe.



**Sandy's Roll** - Shrimp tempura, cream cheese, crab stick, avocado, and special sauce.



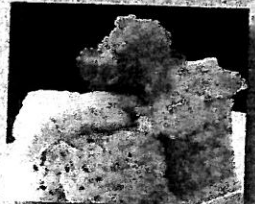
**Crazy Roll** - Tuna, white tuna, salmon, cilantro, jalapeno, cream cheese, crab stick, and special sauce.



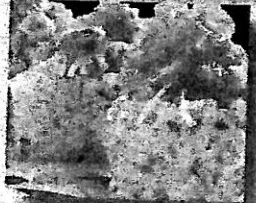
**Volcano** - Spicy tuna topped with spicy scallop, tempura crumbs, and special sauce.



**Shima's Roll #1** - Tempura calamari and cream cheese deep fried and topped with tempura crumbs and special sauce.



**Shima's Roll #3** - California roll topped with golden shrimp and smelt roe.



**Shima's Roll #5** - Spicy scallop roll topped with crab stick, smelt roe, tempura crumbs, and special sauce.



**Felicity's Roll** - Shrimp tempura, spicy tuna, green leaf lettuce, jalapeno, crab stick, and cream cheese with special sauce and tempura crumbs.



**Brett's Roll** - Shrimp tempura and cucumber topped with tuna, avocado, and red spicy sauce.



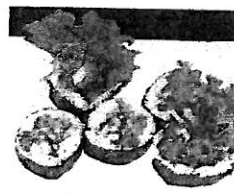
**Crystal's Roll** - Spicy tuna and jalapeno topped with tuna, white tuna, jalapeno and a spicy sauce.



**Maddie's Roll** - Calamari tempura, cucumber, crab stick, spicy tuna, and special sauce. Can be Hand Roll (pictured) or Regular Roll (Maki).



**Spider** - Deep fried soft shell crab and cucumber.



**Alex's Roll** - Avocado, cucumber, carrot, asparagus, sweet potato, and green leaf lettuce.



**Claudio's Roll** - Shrimp tempura and avocado topped with tuna, salmon, and red spicy sauce.



**Gina's Roll** - Avocado, crab stick, and cream cheese.



**Shima's Roll #6** - Tuna and jalapeno topped with jalapenos and a spicy sauce.



**Natalie** - Shrimp tempura, cucumber, and cream cheese topped with avocado, crab stick, and tempura crumbs.

## ***A Guide for the Beginner:***



**Sushi** - Traditional sushi looks similar to this. It is a slice of raw fish on top of vinegar-infused rice with a dab of wasabi inbetween.



**Sashimi** - Sashimi is simply slices of raw fish. It is generally eaten with a dash of soy sauce and pickled ginger.



**Maki** - Maki means 'roll' in Japanese. It is seaweed wrapped around sushi rice and a filling of your choice. Does not need to be raw fish.




**Hand Roll** - A hand roll is not the same as maki. It is a larger roll and conical in shape as seen in the picture here. Mark 'HD' on your sushi menu when ordering.



**Crunchy Roll** - A crunchy roll is a maki roll that is covered in crunchy tempura crumbs. Mark 'CR' on your sushi menu when ordering.



**Spicy Roll** - A roll with spicy sauce. Both maki and hand rolls can be made spicy upon request. Mark 'SP' on your sushi menu when ordering.

	<b>AGENDA ITEM EXECUTIVE SUMMARY</b>												
	Title:		Recommendation to Approve a Proposal for a Class B Liquor License for Salsa Verde Restaurant to be located at 1850 Lincoln Highway, St. Charles										
	Presenter:		Mayor Rogina										
<i>Please check appropriate box:</i>													
	Government Operations		X		Government Services 03.23.15								
	Planning & Development				City Council								
	Public Hearing				Liquor Control Commission								
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If NO, please explain how item will be funded:													
<b>Executive Summary:</b>													
<p>This is a request for a new Class B liquor license for Salsa Verde Restaurant to be located at 1850 Lincoln Highway, St. Charles. The owners are not requesting a late night permit. All paper work is in order and background checks are being completed by the Police Department as well as fingerprints have been taken and BASSET certifications are complete.</p> <p>This application is recommended by the Liquor Control Commission meeting held on March 16, 201.</p>													
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Recommendation to approve a Proposal for a Class B Liquor License for Salsa Verde Restaurant to be located at 1850 Lincoln Highway, St. Charles.													
<i>For office use only:</i>		<i>Agenda Item Number:</i> 8.b											

Date: 3/3/15  
☒ New Application  
☐ Renewal Application

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



## City Retail Liquor Dealer License Application (rev. 12/13) Non-Refundable

**Ordinance 5.08.050.A1**

**Application must be completed in full**

**Incomplete applications will be rejected**

**Business Type: Circle one**

### Individual

## Partnership

Corporation

~~Other~~ LLC

Business Name Salsa Verde Mexican Restaurant

Sales Tax #

Business Address 1850 Lincoln Hwy. St. Charles

Business Phone # 630.444.0673

Contact Person Paul Archigien Title owner

Phone #

**If Corporation, Corporate Name**

**Corporation Address**

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

**Have you had a business within the City of St. Charles under any other corporate name: \_\_\_\_\_ Yes**  
If yes, list address of business

Full Name, include Middle Initial Paul Arachiga

Title owner

Birth Date [REDACTED] Birthplace [REDACTED] Driver's License [REDACTED]

Home Phone

Home Address 9308 Juthand Ct Apt D  
Indianapolis IN 46250

Full Name, include Middle Initial

**Title**

**Birth Date**

**Birthplace**

Driver's License #

Home Phone #

**Home Address**

**Full Name, include Middle Initial**

**Title**

**Birth Date**

**Birthplace**

Driver's License #

Home Phone #

Home Address

**Type of Establishment:** ( ) Package (X) Restaurant ( ) Tavern ( ) Hotel/Banquet/  
Arcada/Q-Center ( ) Other

Check as Applicable to Type of Establishment: ☐ Holding Bar [5.08.010-F] ☒ Service Bar [5.08.010-O] ☐ Live Entertainment [5.08.010-H]  
☒ Outside Dining [17.20.020-R]

**Brief Business Plan Description based on type of establishment listed above:**

Family-style Restaurant - with drive-thru & indoor dining - Mexican theme,

Initial: Liq Comm

Police Chief



Police Department



# Memo

Date: 3/13/2015

To: The Honorable Ray Rogina, Mayor-Liquor Commissioner

From: James Keegan, Chief of Police

Re: Background Investigations; Abby's; Salsa Verde & Shima's Sushi (All Class B Requests)

---

The purpose of this memorandum is to document and forward to your attention the results of the background investigations conducted by members of the St. Charles Police Department concerning the above mentioned establishments.

As is customary procedure, a detective was assigned each of these investigations and reviewed both the site location and the corresponding applicants of these proposed liquor license applications.

We found nothing that would preclude either of the site locations and the applicants from moving forward with liquors sales and on-site consumption, subject to Council/Commission approval.

Thank you in advance for your consideration in this matter.

Abby's: 11 N. 3<sup>rd</sup> Street

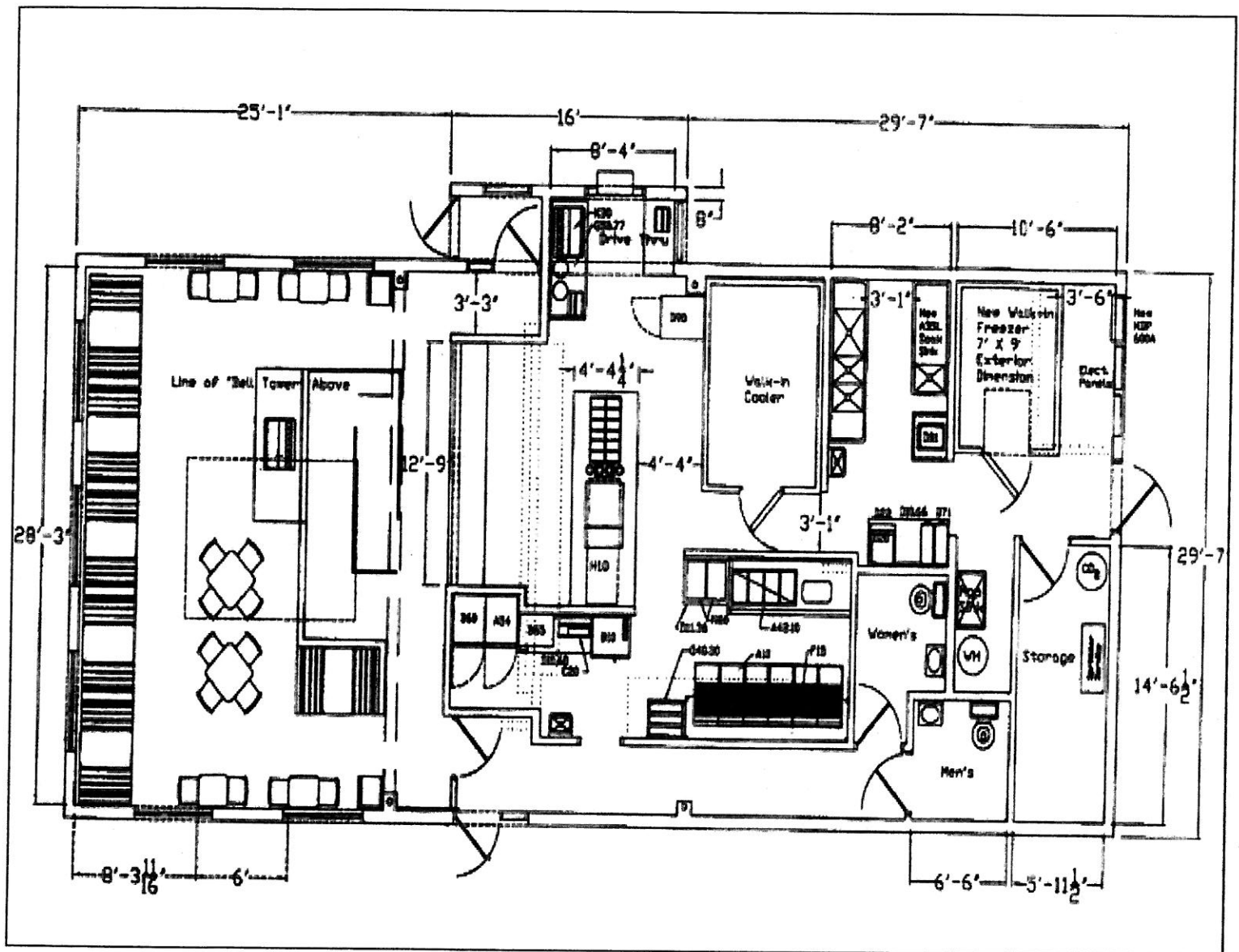
Salsa Verde: 1850 Lincoln Highway

Shima's Sushi: 2400 E. Main Street #107A



# Prime Restaurant Outlot w/ Drive-Thru

2,150 Square Foot Outlot Available  
1850 Lincoln Highway, St. Charles, Illinois



## Shodeen Management

89 N 1st Street  
Geneva, IL 60134

(630) 232-7883 - Phone  
(630) 232-7895 - Fax

<http://www.shodeenmanagement.com>

Salsa Verde Mexican Rest.  
1850 Lincoln Highway  
Saint Charles, IL 60174

March 4, 2015

Liquor Control Commission  
City of St Charles  
2 E. Main Street  
St. Charles, Illinois 60174

### Business Description

The Salsa Verde Mexican restaurant intends to serve a wide variety of entrees that will be of Mexican origin. This original concept, along with the desire to build an inviting, family-friendly restaurant.

Mr. Arechiga's mission is to provide outstanding, authentic Mexican food in a timely manner and at an incomparable price concurrently remaining within the letter of the law regarding the sale of food in the State of Illinois.

#### ❖ **Mangement Team**

The Company was founded by Arechiga-family who has more than 10 years of experience in the food service industry.

#### ❖ **Expansion Plan**

Salsa Verde Restaurant was first opened our in Yorkville in October of 2012, it is the first establishment of its kind around the city of Yorkville and its surrounding area. Then in January of 2014, we opened our St. Charles location. Moreover in the near future, planning to open another location in Oswego IL.

#### ❖ **Registered Name and Corporate Structure**

The Salsa Verde restaurant is registered as a Domestic LLC in the State of Illinois.

#### ❖ **Mexican Cuisine Entrees**

The restaurant will offer a number of authentic Mexican entrees including tortas, tacos, enchiladas, tostadas, tamales, fajitas, chiles rellenos, and a number of other Mexican themed dishes.

#### ❖ **Beverages**

The restaurant also offers its patrons an expansive line of beverages including bottled water, fountain soda.

### ❖ **Customer Profile**

The restaurant's average customer will be a man or woman living in the Company's targeted market. Common traits among clients will include, lives or works no more than 10 miles from the Company's location. • Will spend \$25 to \$35 per visit to the Mexican Restaurant location. The restaurant will be working toward the original concept, and desire to build an inviting, family-friendly restaurant.

### ❖ **Success factors**

Salsa Verde Mexican Restaurant was honoured to have received the 2014 Image Community Award during the 93<sup>rd</sup> Charlemagne Awards.



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## MENU

[Click here to print/download Menu](#)

### Botanas Appetizers

Guacamole & Chips \$4.49  
Cheese Dip & Chips \$4.49

Chorizo & Cheese Dip \$4.49  
*with chips*

Salsa Verde's own Dip with Chips \$4.49  
*Ground Beef, pico de gallo and cheese dip*

Fiesta Fries \$3.99  
*Fries topped with chorizo, cheese and pico de gallo*

Queso Fundido \$6.99  
*Melted Monterey-Jack Cheese with chorizo and pico de gallo. Served with Tortillas*

### Tacos \$1.85 & Tortas \$6.99

Asada Lomo  
*Grilled Steak Smoked Pork*

Pastor Vegetable  
*Marinated Pork*

Chorizo Carnitas  
*Mexican Style Sausage Pork*

Came Molida Milanese  
*Ground Beef Breaded Steak*

### Caldos Soups

Caldo de Res \$8.99  
*Beef and vegetable broth*

Caldo de Camarón \$9.99  
*Shrimp and vegetable soup*

### Órdenes Side Orders

Tortillas / Sour Cream / Shredded Cheese \$0.50  
Red Rice or Refried Beans \$1.99  
French Fries \$1.99  
Guacamole / Cheese Dip \$2.49

Jalapeños Toreados \$0.99  
*Grilled Jalapeños*

Fresh Jalapeños \$0.50

### Mariscos Seafood

Ceviche \$7.99  
*Fresh tilapia cured and marinated in lime juice*

Ostiones \$5.99  
*Fresh oysters*

Coctel de Camarón \$10.49  
*Shrimp cocktail*

Pecado Frite \$10.99

Polla Asado	Pescado
<i>Grilled Chicken</i>	<i>Grilled Fish \$1.95</i>
Carne Deshebrado	Lengua
<i>Shredded Beef</i>	<i>Beef Tongue \$1.95</i>
Pollo Deshebrado	Tripe
<i>Shredded Chicken</i>	<i>\$1.95</i>

\$0.50 Add ons (each serves up to 5 tacos)

*Shredded Cheese / Sour Cream / Black Beans /  
Jalapeños / Grilled Onions*

### Enchiladas

Enchiladas Verdes	\$8.99
<i>Three grilled chicken enchiladas covered in green sauce</i>	
Enchiladas Fiesta del Mar	\$8.99
<i>Two enchiladas filled with shrimp and crab meat and covered in a white, creamy sauce. Serves with rice</i>	
Enchiladas Mexicanas	\$8.49
<i>Four different enchiladas with four different fillings and four different sauces</i>	

### Burritos

Burritos de Picadillo	\$8.49
<i>Shredded beef burritos</i>	
Burrito Chipotle	\$8.49
<i>Grilled chicken or steak tossed in our chipotle sauce and wrapped along with black beans, rice, lettuce and sour cream</i>	
Burrito Fajita	\$8.49
<i>Grilled chicken or steak fajitas wrapped in a large flour tortilla and covered with red and green sauce</i>	
Burrito Fiesta del Mar	\$8.99
<i>Shrimp, crabmeat and veggies wrapped in a flour tortilla</i>	

### Tostadas

Ceviche - fish	\$3.25
Lomo - Smoked Pork Tenderloin	\$3.25
Pulpo y Camarón	\$4.25
<i>Octopus and Shrimp</i>	
Steak, Chicken, Ground Beef or Shredded Beef	\$2.99

### Quesadillas

Quesadilla Fajita	\$8.49
<i>Chicken or steak fajitas wrapped in a large tortilla</i>	
	\$9.49

*Deep-fried, Bone-in Catfish*

Mojarra \$9.99

*Deep-fried, whole Seafish*

Camarones \$10.99

*Grilled Shrimp in garlic sauce or spicy diablo sauce*

Fajitas de Camarón \$10.49

*Shrimp Fajitas served with rice, beans and tortillas*

Tacos de Pescado Chipotle \$8.99

*Three grilled fish tacos on corn tortillas*

### Especialidades Specialities

Carnitas \$9.49

*Seasons Pork Chunks*

Carne Asada \$9.49

*Grilled Skirt Steak*

Carne Asada con Camarón \$12.99

*Grilled Skirt Steak with Grilled Shrimp*

Chile Relleno \$7.49

*Poblano and pepper stuffed with cheese*

Lengua en Salsa Verde \$9.49

*Sliced Beef Tongue covered in green tomatillo sauce*

Carne con Chile \$8.99

*Chunks of Chicken or Steak covered in a spicy red sauce*

Pollo con Mole \$8.49

*Traditional shredded chicken smothered in mole sauce*

Taco Salad Fajitas \$8.99

*Available in grilled chicken or steak*

Fajitas \$9.49

*Available in Chicken, Steak, Pork or Vegetarian*

Fajitas Nachos \$9.49

*Available in Grilled Chicken or Steak*

Carne a la Mexicana \$11.99

*Skirt steak covered in grilled vegetables, red sauce and cheese*

Torta Ahogada \$8.99

Quesadilla de Camarón

Grilled Steak Quesadilla

**Vegetariano** Vegetarian

Substitute Meat on your Salsa Verde Dish

*Our grilled veggie mix includes: Broccoli, zucchini, squash, carrots, bell peppers, onions and tomatoes.***Posteras** Desserts

Flan  
Mexican style caramel custard \$2.49

Churros  
Fried dough sticks tossed in cinnamon sugar \$1.99

Buñuelos  
Crispy flour tortilla with cinnamon, sugar and honey \$1.99

Banana Chimichanga  
Deep-fried banana rolled in a flour tortilla with cinnamon sugar \$3.49

Fried Ice Cream \$3.49

**Los Favoritos** Lunch Specials

## Combo #1

## Burrito Supremo

*Our giant signature burrito, stuffed with your choice of meat, rice and beans. Perfect for those on-the-go!*

## Combo #2

## Quesadilla

*Choose from ground beef, shredded chicken or shredded beef along with melted cheese inside a toasty flour tortilla.*

## Combo #3

## Enchiladas Rojiverdes

*Two enchiladas, one covered in green tomatillo sauce and one in our red tomato sauce. Your choice of filling.*

## Combo #4

## Enchiladas con Mole

*2 enchiladas covered in our original mole sauce. Choose from ground beef, shredded chicken or shredded beef.*

## Combo #5

## Nachos Supremos

*Crunchy tortilla chips smothered in melted cheese, ground beef or chicken, beans, lettuce, diced tomato and sour cream.*

## Combo #6

## Enchiladas con Crema

*Two flour enchiladas covered in a light and creamy white sauce. Choose from ground beef, chicken or shredded beef.*

Carnitas torta covered in spicy red sauce

**Kids Meal**

Choice of Rice &amp; Beans or Fries

Quesadilla \$4.49  
Burrito \$4.49  
Taco \$4.49  
Chicken Fingers \$4.49  
Pizza \$4.49

**Bebidas** Drinks

Refrescos \$1.89  
Fountain Drinks

Jarritos \$1.99  
Mexican Bottled Soda

Horchata \$1.99  
Rice Water

Aqua Frescas \$1.99  
Fresh fruit flavored waters

AVAILABLE DAILY! - \$7.49 EACH -  
SOFT DRINK INCLUDED ON WEEKDAYS UNTIL 3:00 P.M.

## Combo #7

## Flautas

*Three corn tortillas rolled up around shredded chicken, ground beef or shredded beef and fried until crisp.*

## Combo #8

## Chimichanga

*Ground beef, shredded chicken or shredded beef inside a flour tortilla, deep fried and covered with our cheese sauce.*

## Combo #9

## Pollo Asado con Arroz

*Chunks of grilled chicken covered in our signature cheese dip and placed on top of a bed of steamy red rice.*

## Combo #10

## Tamales

*Two authentic home made tamales filled with chunks of our very own seasoned pork and wrapped in corn husk.*

## Combo #11


## Tacos

*Three corn shell tacos with your choice of ground beef, shredded beef and/or shredded chicken and ready for you to garnish them!*

## Combo #12

## Taco Salad

*Your choice of meat sitting on fresh lettuce along with refried beans, cheese, tomato and sour cream inside a crispy shell.*

	<b>AGENDA ITEM EXECUTIVE SUMMARY</b>												
	Title:	Recommendation to Approve a Proposal for a Class B Liquor License for Ram Restaurant Group Inc d/b/a Abby's to be located at 11 N 3 <sup>rd</sup> Street, St. Charles (Former Thai Zie Restaurant)											
	Presenter:	Mayor Rogina											
<i>Please check appropriate box:</i>													
	Government Operations		X	Government Services 03.23.15									
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For office use only:		Agenda Item Number: 8.c											



Date: 3/5/15  
☒ New Application  
☐ Renewal Application

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



City Retail Liquor Dealer License Application (rev. 12/13) Non-Refundable

Ordinance 5.08.050.A1

Application must be completed in full

Incomplete applications will be rejected

Business Type: Circle one Individual Partnership Corporation Other \_\_\_\_\_

Business Name Ram Restaurant Group Inc. Sales Tax # \_\_\_\_\_

Business Address 11 N. 3rd St. #2 STC Business Phone # \_\_\_\_\_

Contact Person Rob Mondai Title Pres. Phone # \_\_\_\_\_

If Corporation, Corporate Name Ram Restaurant Group Inc.

Corporation Address 2410 Danbury Ct., Geneva IL 60134

Corporate Officers, plus Manager of Establishment, Officers must include President, Vice President, Secretary and Treasurer  
Or Sole Proprietor D/B/A ABBY'S BREAKFAST & LUNCH

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

Full Name, include Middle Initial Robert C. Mondai Title President

Birth Date \_\_\_\_\_ Birthplace \_\_\_\_\_ Driver's License # \_\_\_\_\_ Home Phone # \_\_\_\_\_

Home Address 2410 Danbury Ct.; Geneva, IL 60134

Full Name, include Middle Initial James M. McCoy Title Vice Pres.

Birth Date \_\_\_\_\_ Birthplace \_\_\_\_\_ Driver's License # \_\_\_\_\_ Home Phone # \_\_\_\_\_

Home Address 2473 Onida Lane; Naperville IL 60563

Full Name, include Middle Initial \_\_\_\_\_ Title \_\_\_\_\_

Birth Date \_\_\_\_\_ Birthplace \_\_\_\_\_ Driver's License # \_\_\_\_\_ Home Phone # \_\_\_\_\_

Home Address \_\_\_\_\_

Type of Establishment: ( ) Package ( ☒ ) Restaurant ( ) Tavern ( ) Hotel/Banquet/  
Arcada/Q-Center ( ) Other \_\_\_\_\_

Check as Applicable to ( ) Holding Bar [5.08.010-F] ( ) Service Bar [5.08.010-O] ( ) Live Entertainment [5.08.010-H]  
Type of Establishment: ( ) Outside Dining [17.20.020-R]

Brief Business Plan Description based on type of establishment listed above:

Breakfast & Lunch w Homemade items - Hours are  
6:30 - 3:30. We would like to sell Bloody Mary,  
Mimosas, Wine and a few Craft Beers with lunch  
and Breakfast

Initial: Liq Comm \_\_\_\_\_

Police Chief \_\_\_\_\_

Police Department



# Memo

Date: 3/13/2015

To: The Honorable Ray Rogina, Mayor-Liquor Commissioner

From: James Keegan, Chief of Police

Re: Background Investigations; Abby's; Salsa Verde & Shima's Sushi (All Class B Requests)

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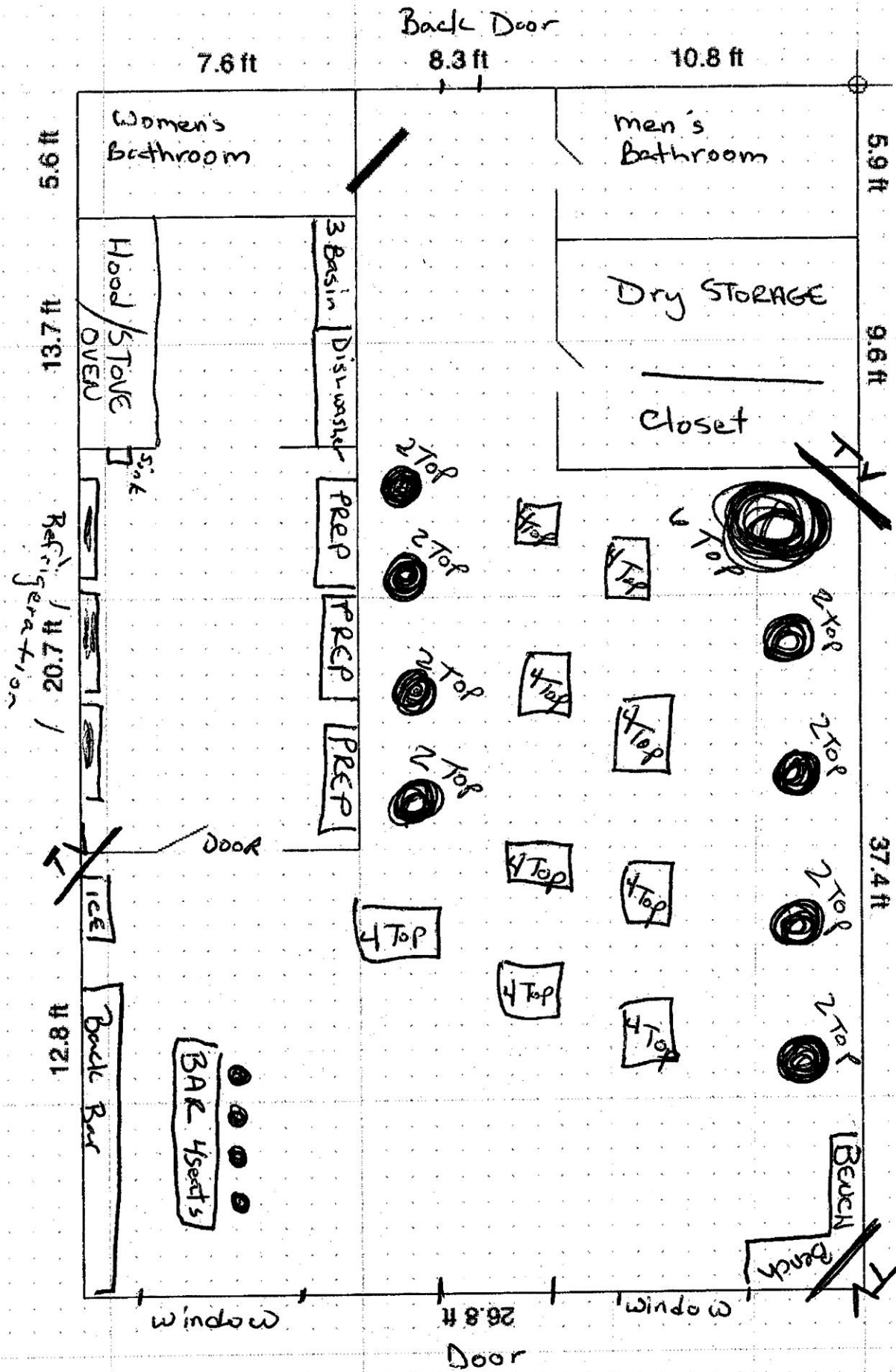
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We found nothing that would preclude either of the site locations and the applicants from moving forward with liquors sales and on-site consumption, subject to Council/Commission approval.

Thank you in advance for your consideration in this matter.

Abby's:	11 N. 3 <sup>rd</sup> Street
Salsa Verde:	1850 Lincoln Highway
Shima's Sushi:	2400 E. Main Street #107A



ABBY'S BREAKFAST & LUNCH

## ***Abby's Breakfast & Lunch***

11 N 3<sup>rd</sup> Street  
St. Charles, IL 60174  
630-377-0797

# **Business Plan**

**Executive Summary:** RAM Restaurant Group is going to open a Breakfast and Lunch Restaurant in downtown St. Charles, Illinois in the former Thai-Zie restaurant located in unit B/2 on 11 N 3<sup>rd</sup> Street.

**Objective:** Abby's primary objective is to serve Breakfast from 7:30-3:30 7 days a week and the lunch menu from 11:30 to close. We will serve a traditional style American breakfast with a few signature dishes.

**Key to Success:** The key to success is to provide excellent service, quality food and a fair price. Abby's will be the only downtown breakfast spot in St. Charles since the Manor closed its doors. There is a demand for this type of restaurant and participating in all the chamber, downtown association and local business groups to get the word out is the key.

**Ownership:** Rob Mondri and J Matt McCoy. Both have extensive restaurant experience as well as business ownership experience

**Menu:** We have several signature dishes including corn beef hash w sweet potato, andouille sausage gravy with waffle biscuits, chicken chorizo breakfast enchiladas as well as all the traditional American breakfast items: eggs, bacon, pancakes, waffles, omelets skillet, etc. see attached menu.

**Target Market:** We think our target market for downtown St. Charles is the local businesses and their employees before work. The Church going crowd at St. Patrick's Church as well as the parents with students at their preschool and kindergarten. The retirement home and Baker hotel will also provide patrons for Abby's. In addition we feel the entire St. Charles community will support Abby's because there just isn't a breakfast presence.

**Competitive edge:** We feel we have a competitive edge over other establishments' because we are new and all our items are made fresh. Additionally, with the closing of Gabby's, the manor, the old downtown colonial there really isn't any competition except on the east side of town. There is mother's, Corfu and Ihop and we have differentiated our menu as well as our beverage selection from them.

**Management Team:** Every one of our employees and manager has extensive restaurant experience which is key to the patron's of Abby's dining Experience.

**Conclusion:** To be successful there will always be one of the owners working as well as a senior manager. The preparation of good tasting food in a timely manner at a fair price is key to our success and we are committed to the experience for our guests.

## **ABBY'S**

Eggs Benedict  
Traditional  
Florentine  
Irish  
Mexican  
Southwestern

Omelettes  
Veggie  
Irish  
Mexican  
Southwestern  
Hobo

French toast  
Reg  
Texas toast

Pancakes  
Blueberry  
Plain  
Pecan  
Chocolate chip

Waffles  
Plain  
W fruit topping

Corned beef hash  
W sweet potato  
W reg potato

Skillets  
Irish  
Mexican  
Hobo  
Southwestern  
Veggie  
Meat

Waffle biscuits and gravy

Breakfast tacos or burritos w chicken chorizo sausage and egg



Coffee

Jamaican or kona blend

Juice, soft drink milk tea choc milk

Sides

Cereal

Cottage cheese

Fresh fruit

Sausage link or patty

Bacon

Duck bacon

Oatmeal

Gravy

Egg

Bagel

Muffin

Toast

Corn beef hash

Pancake waffle or French toast slice

english muffin

shredded potatoes

## CRAFT COCKTAILS

1. SANGRIA-RED WINE BASED WITH OUR HOUSE RECIPE
2. MELON PATCH-VODKA BASED
3. ABBY'S COCKTAIL-GIN BASED
4. ICEBREAKER MOJITO-RUM BASED
5. CUCUMBER MARTINI-VODKA BASED
6. NOSE TO COCKTAIL-IRISH WHISKEY BASED
7. HONEY DEW MIMOSA-CHAMPAGNE BASED
8. SPARKLING ORANGE GINGER MIMOSA-CHAMPAGNE BASED
9. WAKE COUNTY COOLER-VODKA BASED



10. SPICEY PINEAPPLE MARGARITA-TEQUILLA BASED

11. WATERMELON ROSEMARY LEMONADE-GIN BASED

12. BLOODY MARY-VODKA BASED WITH OUR HOUSE MADE MIX

#### COFFEE DRINKS

1. IRISH-WHISKEY BASED

2. BAILEYS-BAILEYS BASED

3. MEXICAN-KAHLUA BASED

4. NOSE WARMER-FRANGELICO BASED

#### WINE

1. CHARDONNAY

2. RIESLING


3. PINOT GRIGIO

4. MERLOT

5. CHAMPAGNE

#### CRAFT BEER

-TO BE DETERMINED. 8 DIFFERENT BOTTLES SEASONAL DEPENDANT

	<b>AGENDA ITEM EXECUTIVE SUMMARY</b>						
	Title:	Recommendation to Approve Late Night Permits for Class B and C Licenses of the City of St. Charles for FY 15/16					
	Presenter:	Mayor Rogina					
<i>Please check appropriate box:</i>							
	Government Operations		X	Government Services 03.23.15			
	Planning & Development			City Council			
	Public Hearing			Liquor Control Commission			
Estimated Cost:		Budgeted:	YES		NO		
If NO, please explain how item will be funded:							
<b>Executive Summary:</b>							
<p>In accordance the City Code Chapter 5.08 “Alcoholic Beverages” Section 5.08.095 “License – Late Night Permit,” Item F - Any application and recommendation for a new or renewal of a late night permit, shall be reviewed by the Liquor Control Commission. Based on this review the Local Liquor Commissioner shall make a recommendation on issuance to City Council. An applicant for a late night permit shall have the opportunity to be present and provide input on said application, prior to the Liquor Control Commission making a recommendation. Late night permits and renewals of late night permits shall be issued by the Liquor Commissioner with the advice and consent of the City Council.</p> <p>The attached memo shows the comparison of incidents of late night permit requestors for the last two years. These incidents had a direct nexus to the license.</p> <p>This item was recommended by the Liquor Control Commission on March 16, 2015 with a vote of 5-0 in favor to carry this forward to this committee for recommendation of City Council approval.</p>							
<b>Attachments:</b> <i>(please list)</i>							
Memo – Late Night Permit Liquor License Renewals							
<b>Recommendation / Suggested Action</b> <i>(briefly explain):</i>							
Recommendation to approve Late Night Permits for Class B and C Licenses of the City of St. Charles for FY 15/16.							
<i>For office use only:</i>		<i>Agenda Item Number:</i> 8.d					



# Memo

To: Chief Keegan  
 From: Deputy Chief Huffman  
 Re: Late Night Liquor License Renewals / Reported Incidents

The following businesses have submitted for renewal of their late night permits. The number of incidents requiring police services via written documentation for May 1, 2013 – April 30, 2014 and May 1, 2014 – March 6, 2015 are included.

Business	Number of incidents	Number of Incidents
	May 1, 2013 – April 30, 2014	May 1, 2014 – March 6, 2015
Marks Second Street Tavern	7	3
Alibi Bar and Grill	15	11
Alley 64	12	14
A'Salute	0	0
The Beehive	6	12
Dawns Beach Hut	0	0
Filling Station	14	12
Isacco	0	0
McNally's	0	0
Pizzeria Neo	0	1
Pub 222	5	4
Puebla	0	0
Rays Evergreen	1	3
Riverhouse BBQ & Saloon	0	0
Riverside Pizza & Pub	0	0

*Service, Courage, Professionalism, Dedication*



Rookies	5	4.
St. Charles Bowl	2	1
Spotted Fox	0	1
Tap House	0	0
House Pub	3	2
The Office	1	1
Los Burritos	0	0

SGH/sgh