



## AGENDA ITEM EXECUTIVE SUMMARY

Title: **Regency Estates (Town & Country Homes)**

Presenter: Matthew O'Rourke

*Please check appropriate box:*

	Government Operations		Government Services
X	Planning & Development – 3/14/11		City Council
	Public Hearing		

Estimated Cost:	NA	Budgeted:	YES		NO	
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If NO, please explain how item will be funded:

**Executive Summary:**

In 2006, the City Council approved the Pine Ridge/ Regency Estates Planned Unit Development. The Regency Estates portion of that PUD, located at the northwest corner of the property, was approved for 61 townhome units. The PUD stipulated that only townhomes and two-family dwelling units would be permitted within this development. Since that approval one townhome building with 5 units was constructed. However, none of these units have sold and the entire property has been turned over to PNC Bank.

Town & Country Homes has submitted Applications to amend the Regency Estates PUD to allow for the construction of 44 single-family homes, as opposed to the remaining approved 56-townhome units. The salient features of this proposal are:

- Town & Country is proposing to utilize the existing infrastructure and resubdivide the property into 44 single-family lots
- These lots will be incorporated into the existing roadway layout
- The existing 5-unit townhome building will remain and will not be changed

The Plan Commission recommended **DENIAL** of the applications on 2-22-11. The vote was unanimous 5-AYE to 0-NAY.

**Attachments:** *(please list)*

Staff Report and Attachments, Plan Commission Resolution, Plan Commission Meeting Minutes, Applications

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

Staff recommends approval of the Application for a Special Use - Planned Unit Development Amendment, the Application for a PUD Preliminary Plan, the Application for a PUD Final Plan, and the Application for a Final Plat, contingent upon resolution of all Staff comments prior to final Council action.

*For office use only:*

*Agenda Item Number:*

Community Development  
 Planning Division

Phone: (630) 377-4443

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**Staff Report**

**TO:** Chairman, Daniel P. Stellato and Members of the Planning & Development Committee

**FROM:** Matthew O'Rourke, AICP  
 Planner

**RE:** Amendment to the Regency Estates Planned Unit Development (Town & Country Homes)

**DATE:** March 4, 2011

**I. APPLICATION INFORMATION:**

**Project Name:** Regency Estates (Town & Country Homes)

**Applicant:** Town & Country Homes

**Purpose:** Amendment to the Regency Estates PUD to Allow Single-Family Homes.

General Information:		
<b>Site Information</b>		
<b>Location</b>	Intersection of Woodward Dr. and Regency Ct.; North of Rt.64 and East of Oak St.	
<b>Acres</b>	13.17	
<b>Applications</b>	1) <b>Special Use – Amendment to Planned Unit Development</b> 2) <b>PUD Preliminary Plan</b> 3) <b>PUD Final Plan</b> 4) <b>Final Plat of Subdivision</b>	
<b>Applicable Zoning Code Sections</b>	17.04.430 – Changes in Planned Unit Developments Table 17.12-2 Residential Bulk Requirements ORD 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)	
<b>Existing Conditions</b>		
<b>Land Use</b>	Residential - Townhomes	
<b>Zoning</b>	RM-1 Mixed Medium Density Residential District PUD	
<b>Zoning Summary</b>		
<b>North</b>	PL- Public Land	<b>Current Land Uses</b> Park
<b>East</b>	BC- Community Business (PUD)	Vacant (Pine Ridge)
<b>South</b>	BC- Community Business (PUD)	Vacant (Pine Ridge)
<b>West</b>	OR- Office Research (PUD)	Corporate Reserves
<b>Comprehensive Plan Designation</b>		
Business Enterprise		



## II. PROPOSAL:

Town & Country Homes have submitted Applications to amend the existing Regency Estates portion of the approved PUD to allow for the construction of 44 single-family homes as opposed to the remaining 56-townhome units. The salient features of this proposal are as follows:

- Town & Country is proposing to utilize the existing infrastructure and resubdivide the property into 44 single-family lots.
  - The lots range in size from 5,000 SQ Ft to 8,191 SQ FT.
  - All the proposed lots are designed to be incorporated into the existing roadway.
  - The proposed homes range from a 2,093 SQ FT to 3,006 SQ FT.
- Amend the existing PUD to allow single-family dwelling units as a permitted use.
- The existing 5-unit townhome building will remain and will not be changed.
- The existing opens space in the center of the development will not be modified.
- The 40' landscape buffer along Woodward Drive and existing landscaping will remain.
- The subdivision's access will not be affected.
- All lots will be accessed off of Regency Court.
  - Lots 13-15, 24-26, and 38-39 will be directly accessed off of private drives that stem off of Regency Court.
- A Concept Plan was presented to the Plan Commission and Planning & Development Committee in October of 2010 for feedback.

### *Significant Modifications from the Concept Plan*

The applicant presented a Concept Plan of the proposal to the Planning & Development Committee in October of 2010. Based on the feedback received at that meeting the Applicant has modified the Plans in the following manner. (A copy of the 10-11-10 Planning & Development Committee meeting minutes are attached to this report)

- The applicant is no longer proposing to utilize the existing manifold system to provide water service to the single-family homes. They will instead be providing the services in a manner consistent with best engineering practices.
- The number of proposed homes has been reduced from 49 to 44 units.
- The minimum lot width has been increased from 42' to 48'.
- The minimum lot size has been increased from 3,992 SQ FT to 5,000 SQ FT.
- The applicant is no longer proposing a variance to the per acre fee-in-lieu amount of cash required for the School and Park Districts.

## III. ZONING:

In 2006, the City Council approved the Pine Ridge/ Regency Estates Planned Unit Development. The PUD included the following:

- The total site is 60.17 acres.
- A 27.43-acre, 18 lot commercial development (Pine Ridge).
  - This portion of the site was zoned as B-3 Service Business District.
- 12.78 acres of open space/stormwater retention.
- 7.98 acres of public right-of-way.
- A 13.17-acre, 61-unit townhome development (Regency Estates).

- The specific approvals for Regency Estates also included:
  - The approved PUD limited the residential portion of this site exclusively to townhome and two-family dwelling unit types.
  - This site was zoned as R-4A Attached Single-Family Residence District.
  - There were landscape plans incorporated into the approved Preliminary PUD Plans which included:
    - 3.39 acres of open space throughout the site.
    - Significant landscaping in the 40' Woodward Drive landscape buffer.
    - A terraced landscape treatment along the western property line.

### 1. ZONING ENTITLEMENTS

The Council approved the following ordinances/resolutions in relation to this PUD development:

- **Ordinance 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)”.
- **Resolution 2006-3** “A Resolution Approving the Final Plat for the Regency Estates PUD”.

Both properties were rezoned in 2006 as part of the City’s Zoning Ordinance update. The Pine Ridge development was rezoned to the BC Community Business District and Regency Estates was rezoned to the RM-1 Mixed Medium Density Residential District.

### 2. COMPREHENSIVE PLAN

The Comprehensive Plan land use designation for the entire PUD is a mix of Retail Service and Business Enterprise. The retail service designation encapsulates most businesses such as stores, restaurants, and professional offices. The Business Enterprise designation is geared towards a mix of light manufacturing, distribution, offices, hospitality, and business services. Neither of these designations calls for residential use.

The Staff Report dated 4-8-05, composed at the time of the original project and PUD approval, and indicated that the Plan Commission and City Council considered the residential component appropriate during the concept plan review. It was further stated that, given the site’s unique development challenges, that residential units would act as a catalyst and fuel retail and business enterprise development.

### 3. DEVELOPMENT HISTORY

Since the PUD was approved, there has been limited development activity in both the commercial and residential sections. An ALDI was constructed on lots 10 & 11 in Pine Ridge, and one townhome building, containing 5 units, was constructed in Regency Estates. At this time none of those units has been purchased.

Staff has been notified that the original developer does not own this development. PNC bank became the owner of all the properties and assets in 2009.

**IV. ANALYSIS:**

1. SITE PLAN / ZONING

The underlying zoning district for this property is RM-1 Mixed Medium Density Residential District. This district does list single-family residential units as a permitted use.

Staff has reviewed the submitted site plan for conformance with the standards of the RM-1 Zoning District and the approved Regency Estates PUD (ORD 2006-Z-4).

**Table 1**

ZONING CATEGORY	STANDARDS ESTABLISHED PER ORD 2006-Z-4 (REGENCY ESTATES PUD)	STANDARDS PER THE RM-1 DISTRICT	PROPOSED PLAN
<b>Minimum Lot Area</b>	None	6,600 SQ FT	5,000 SQ FT
<b>Minimum Lot Width</b>	None	50'	48'
<b>Minimum Building lot Coverage</b>	None	30%	36%
<b>Building Setbacks:</b>			
<i>Front</i>	20' from the garage door to the curb	20'	15.5' to property line 20' from the garage door to the curb
<i>Interior Side</i>	20' separation between townhome buildings	Min. 5' but no less than 14' combined	6' no less than 12' combined
<i>Exterior Side</i>	N/A	20'	20'
<i>Rear</i>	N/A	25'	20'
<b>Setback from Woodward Drive</b>	40'	None	40'
<b>Setback from Perimeter of Property</b>	25'	None	25' Minimum
<b>Greenspace</b>	Required to maintain 25% of property as greenspace	None	25.7%
<b>Building Height</b>	35'	35'	35'

**Proposed Variances**

The applicant is requesting several deviations from the standards of the underlying RM-1 Zoning District, as follows:

- Reduction of the minimum lot area from 6,600 SQ FT to 5,000 SQ FT. This variance will apply to the following lots:
  - Lots 2-7, 10, 14-25, 27-29, 32, 34-41, and 43-45.
- An increase in the maximum building lot coverage from 30% to 36%.
- Reduction of the minimum lot width from 50' to 48'. This variance will apply to the following lots:
  - Lots 2-7, 10, and 14-26.
- Reduction from the front yard setback from 20' to 15.5' from the property line.

- There is a proposed side yard setback of 6' from the property to the potential building pad. This equates to 12' between the buildings. The standards in the RM-1 District are that both side yards equal 14'. This equals a reduction request of 2' from a combined setback of 14' to 12'.
- Reduction of rear yard setback from 25' to 20'.

## 2. LANDSCAPING/OPEN SPACE

The applicant has submitted a modified landscape plan for the Regency Estates development. Since the Regency Estates PUD was approved, the Corporate Reserves development was approved on the former Cardinal industrial property to the west. As part of this development, a 6' tall landscape buffer has been installed on the Corporate Reserves property/ western boundary of Regency Estates.

Instead of duplicating this buffer, the applicant is proposing to relocate the approved landscaping from the western property line and distribute an equivalent or increased amount of vegetation throughout the development. This new landscaping will be distributed as follows:

- The front yard of each lot will be planted with a mixture of perennials and shrubs.
- The rear yard of each lot will be planted with one ornamental tree.
- Evergreen trees have been strategically placed to buffer areas/yards of the identified key lots.
- 12 shade trees have been proposed along the western boundary of the development.
- Shade trees will be planted along the street frontage of Regency Court East and West.

## 3. BUILDING FORM & ARCHITECTURE

The applicant has submitted a variety of architectural elevations for the proposed single-family homes to indicate how the proposed single-family homes would compare to the approved townhome buildings.

The applicant has also identified “key lots” shown on sheet 4 of the Landscape Plans dated 2-2-11. These lots are considered to be highly visible and will be required to have additional architectural elements on these highly visible elevations. The additional elements will include shutters and a mixture of siding materials/patterns to add visual interest. This key lot plan will be memorialized within the PUD Ordinance.

### **Staff Comments**

In order to reduce the appearance of the proposed garage doors, Staff suggests that all of the garage doors be required to contain windows. This is a similar feature as installed on the garage doors of the existing townhome building. The applicant has stated in their response to comments letter dated 2-3-2011 (attached to this memo), that they will have windows on all the elevations.

## 4. SCHOOL AND PARK DISTRICT

### **Park District**

Per the email dated Thursday, November 11, 2010, from Dennis Ryan to Ray Blankenship the Park district has agreed to accept the 0.6-acre park site already located within the Regency Estates development to fulfill this requirement.

## **School District**

Based on the attached letter addressed to Rita Tungare, Director of Community Development from Brad Cauffman, Assistant Superintendent for Business Service/CFO School District 303, dated November 12, 2010; the applicant has agreed to pay the required fee-in-lieu amount of \$240,500 per acre.

### ***Proposed Variance***

The applicant has requested a variance to Section 16.32.090.B entitled “Payment of park contribution” of **Title 16 Subdivisions and Land Improvement**, which states the following:

*“Payment of park contribution. For subdivisions platted in multiple phases, the per dwelling unit cash contribution in lieu of, or in addition to, park land, as may be applicable, shall be paid for the entire phase to be developed, prior to issuance of the first building permit for the applicable phase. For subdivisions platted in a single phase, the per dwelling unit cash contribution in lieu of, or in addition to, park land, as may be applicable, shall be paid for the entire subdivision prior to issuance of the first building permit. The applicable per dwelling unit cash contribution shall be paid directly to the Park District and held in trust. All such payments made to the Park District under this Section are to be spent solely in accordance with paragraph C below. The City shall not issue a building permit until it receives an original receipt of payment executed by the treasurer of the Park District.”*

The proposed variance is to allow for the payment of the fee-in-lieu at the time of Certificate of Occupancy for each individual unit. Brad Cauffman has indicated in the November 12, 2010 letter that School District 303 is agreeable to this proposal.

## **V. PLAN COMMISSION COMMENTS**

The Plan Commission held a public hearing on 2-8-11. At that meeting the Plan Commission provided the following comments and asked Staff for further clarification in regards to these comments:

**Plan Commission Comment: Would the Fire Department have any issues providing emergency medical services to the homes located on the private access-drives?**

*Staff Response: Staff stated at the Public Hearing that the Fire Department had reviewed the plans and did not state any issues. To further clarify their review the Fire Department provided a memo dated 2-14-11, which is attached to this report*

**Plan Commission Comment: Could the developer install small cul-de-sacs or “eyebrows” at the corners of Regency Estates Court instead of the private access drive?**

*Staff Response: Staff has reviewed this comment. Typically, the Public Works Department is not in favor of this type of street configuration being part of the public street network. These “eyebrows” create logistical problems when it comes to snow plowing. A detailed explanation of this opinion is included in the attached email from Public Works Engineer James Bernahl dated 2-11-11.*

**Plan Commission Comment: Are there any other locations in town where there are similarly situated homes such as lots 13-15 and 24-26. Specifically, where the front of the homes faces the side/rear-yard of homes across the street.**

*Staff Response: Staff has conducted a visual survey of the different residential neighborhoods in the City utilizing the aerial photography available with the City's GIS system. Staff did find several locations in which homes are situated in a similar fashion. Staff has attached examples of those situations to this report.*

**Plan commission Comment: Would the applicant be able to provide a second access point to the development?**

Staff Response: The roads and access point have already been constructed. The revised plans show a reduced number of residential units; therefore, fewer cars are expected to ingress/egress the site on a daily basis. The development will effectively function in the same manner as the single-point entrance was originally designed, and approved by the City Council. Additionally, creating a second access point near the southeast corner of the site would require a significant undertaking to address the topographic challenges that constructing this road would present.

## VI. PROPOSED FINDINGS OF FACT

### AMENDMENT TO SPECIAL USE FOR A PUD ORDINANCE 2006-Z-4 (An Ordinance Granting a Special Use as a Planned Unit Development for Pine-Ridge Park and regency Estates PUD (A Portion of the West gateway PUD))

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

Purpose # 5 states the following, “to promote the economical development and efficient use of land, utilities, street improvements, drainage facilities, structures and other facilities.” Currently, there is no economic activity occurring within the Regency Estates development and the only constructed townhome building has not sold any units. No new development activity has occurred on the site since 2008. The proposed amendment will add a new product type that utilizes the existing infrastructure to reinvigorate physical and economic development of this project.

**ii. The proposed PUD and PUD Preliminary Plans conform to the requirements of the underlying zoning district or districts in which the PUD is located and to the applicable Design Review Standards contained in Chapter 17.06, except where:**

- a) **Conforming to the requirements would inhibit creative design that serves community goals, or**
- b) **Conforming to the requirements would be impractical and the proposed PUD will provide benefits that outweigh those that would have been realized by conforming to the applicable requirements.**  
**Factors listed in Section 17.04.400.B shall be used to justify the relief from requirements.**

The underlying zoning of this property is RM-1 Mixed Medium Density Residential, which does list single-family homes as a permitted use. The approved PUD, in this case, limited the uses to townhomes and two-family dwelling types. The applicant is proposing to utilize

the existing infrastructure to retrofit single-family homes into the existing layout of the development. In order to preserve a majority of the already created open spaces and natural environmental areas, the applicant has requested new variances from the bulk standards of the underlying zoning district. The applicant has requested the following deviations:

- Reduction of the minimum lot area from 6,600 SQ FT to 5,000 SQ FT.
- An increase in the maximum building lot coverage from 30% to 36%.
- Reduction of the minimum lot width from 50' to 48'.
- Reduction from the front yard setback from 20' to 15.5' from the property line.
- A reduction of 2' from a combined setback of 14' to 12'.
- Reduction of rear yard setback from 25' to 20'.

These deviations will allow the developer to not only develop a new product type within the existing development framework, but also allows for a retrofit of the site that preserves the already created open-spaces and environmental areas.

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

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

A Special Use for the PUD is already approved on this site. Incorporated into the approved PUD plan was a private park space that was to be utilized only by the townhome residents. However, the applicant will be donating the existing small park site to the St. Charles Park District. This will create a small public park for the convenience of all the Regency Estates residents and nearby residential neighborhoods.

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

The utilities and infrastructure already exist on this site.

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

The amendment to the existing Special Use for the PUD will permit the development of single-family homes as opposed to townhomes. These single-family homes will be located in a similar fashion to the proposed townhomes. The reduction in the total number of residential units will reduce the impact of development to the property within the immediate vicinity.

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

The surrounding properties are already developed or located within PUDs that contain specific development standards and entitlements. This amendment to the Special Use for a PUD will not effect the orderly development of those properties as they are already developed or entitled to develop.

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

The fundamental permitted use, which is residential, will not be changed by the proposed amendment to the Special Use for a PUD and the total number of units will be reduced from 61 to 49. Therefore, this amendment to allow the development of single-family homes as opposed to townhomes will not be detrimental to the general welfare of the City.

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

This Special Use for a PUD amendment will conform to all applicable regulations with the exception of the variances requested as part of this amendment.

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

The PUD is already approved in this location. Unfortunately, the development of the approved townhomes has stalled and the property has remained inactive for three years. The change to permit single-family units as opposed to townhome units will result in the continued physical development of the site. This continued development will ultimately add to the tax base and economic well being of the City, as opposed to an idle development.

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

The Comprehensive Plan land use designation for this property is Business Enterprise. This designation is geared towards a mix of light manufacturing, distribution, offices, hospitality, and business services and does not include residential uses. However, based on the Staff Report dated 4-8-05, composed at the time of the original project and PUD approval, the Plan Commission and City Council considered the previous townhome residential component appropriate. It was further stated that, given the site's unique development challenges, that residential units would act as a catalyst and fuel retail and business enterprise development. Therefore, this amendment will continue to act as a catalyst by permitting construction of new residential units in a timely manner.

## **VII. REQUESTED ACTION/STAFF RECOMMENDATION:**

Staff has provided recommended Findings of Fact for the Committee to consider.

Staff recommends approval of the Amendment to the Application for a Special Use - Planned Unit Development Amendment, the Application for a PUD Preliminary Plan, the Application for a PUD Final Plan, and the Application for a Final Plat, contingent upon resolution of all Staff comments prior to final Council action.

## **VIII. PLAN COMMISSION RECOMMENDATION:**

The Plan Commission held a public hearing and made a recommendation regarding the Application for a Special Use - Planned Unit Development Amendment, the Application for a

PUD Preliminary Plan, the Application for a PUD Final Plan, and the Application for a Final Plat on 2-22-11.

The Plan Commission recommended **DENIAL** of the applications on 2-22-11. The vote was unanimous 5-AYE to 0-NAY.

The Findings of Fact for a recommendation of denial from the Plan Commission (Resolution No. 2-2011) are attached to this report. Staff has also included the meeting minutes from the 2-22-11 Plan Commission meeting.

## **IX. ATTACHMENTS**

PUD Final/Preliminary Plan of Regency Estates Resubdivision Planned Unit Development; V-3 Companies; Dated 2-16-2011  
Preliminary/Final Landscape Plan; V-3 Companies; dated 2-16-11  
Preliminary/Final Engineering Plans; V-3 Companies; dated 2-16-11  
Final Plat of Subdivision; V-3 Companies; dated 2-16-10  
Proposed Home Elevations; Town & Country Homes  
Examples of Homes Facing Rear/Side Yards Across Streets  
Memo from Brian Byrne, Fire Department, dated 2-14-11  
Email from James Bernahl, Public Works, dated 2-11-11  
Plan Commission Resolution 2-2011  
Plan Commission Meeting Minutes dated 2-22-11

Cc: Rita Tungare, Director of Community Development  
Ray Blankenship, Town & Country Homes

**RESOLUTION NO. 2-2011**

**RECOMMENDING DENIAL OF AMENDMENT TO SPECIAL USE;  
PUD PRELIMINARY PLANS; FINAL PLAT  
(REGENCY ESTATES - TOWN & COUNTRY HOMES)**

**Passed by Plan Commission February 22, 2011**

**WHEREAS**, it is the responsibility of the St. Charles Plan Commission to hold public hearings and review requests for amendments to Special Use; and

**WHEREAS**, the Plan Commission held a public hearing and has reviewed the petition for an Amendment to Special Use, PUD Preliminary Plans and Final Plat of Resubdivision; and

**WHEREAS**, the Plan Commission finds denial of said amendment to be in the best interest of the City of St. Charles;

**NOW, THEREFORE**, be it resolved by the St. Charles Plan Commission to recommend to City Council denial of the proposed amendment to the Special Use Ordinance 2006-Z-4 for Regency Estates to allow single family homes and setback variances, PUD Preliminary Plans revised 2/16/11 and received 2/16/11, PUD Final Engineering Plans revised 2/16/11 and revised 2/17/11, Landscape Plan revised 2/16/11 and received 2/16/11, Final Plat of Resubdivision dated 2/16/11 and received 2/17/11 because the proposed amendment does not meet the Finding of Fact Section 17.04.330 C-2 for Special Uses,

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

Without changing the existing utilities and infrastructure, the plan will not layout properly.

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

**Resolution 2-2007**

Because the plan will not layout properly, it will have a negative effect on development and improvement of surrounding property.

Roll Call:

Ayes: Schuetz, Pretz, Henningson, Kessler, Wallace

Nays: None

Absent: Doyle, Amatangelo,

Motion Carried.

**PASSED**, this 22nd day of February 2011.

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Chairman, St. Charles Plan Commission

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Secretary, St. Charles Plan Commission

**MINUTES  
CITY OF ST. CHARLES, IL  
ST. CHARLES PLAN COMMISSION  
TUESDAY, FEBRUARY 22, 2011**

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Members Present:            Todd Wallace, Chairman  
                                      Tim Kessler, Vice Chairman/Secretary  
                                      Curt Henningson  
                                      Thomas Pretz  
                                      Tom Schuetz

Members Absent:            Brian Doyle, Sue Amatangelo

Also Present:                Russell Colby, Planner  
                                      Matthew O'Rourke, Planner  
                                      Colleen Johnson, Recording Secretary  
                                      Sonntag Court Reporter

1.        Call to order

A meeting of the St. Charles Plan Commission was called to order at 7:00 p.m. by Chairman Wallace.

2.        Roll Call

3.        Presentation of Minutes

A motion was made, seconded and unanimously passed by voice vote to accept the minutes of the February 8, 2011 meeting.

**CONTINUED PUBLIC HEARING**

4.        **Regency Estates (Town & Country Homes)(K. Hovnanian T&C at Illinois LLC)**

Application for an Amendment to Special Use Ordinance 2006-Z-4 to allow single family homes and setback variances

Chairman Wallace entered the following exhibits into the record:

- Plan Commission Exhibit J, e-mail from James Bernahl (Public Works) dated 2/11/11
- Plan Commission Exhibit K, memo from Brian Byrne (Fire Department) dated 2/14/11

The transcript received March 1, 2011 and prepared by Sonntag Reporting Service, Ltd., is by reference hereby made a part of these minutes.

**Mr. Kessler made a motion to close the public hearing.** Mr. Schuetz seconded the motion.

Voice Vote:

Ayes: Schuetz, Pretz, Henningson, Kessler, Wallace

Nays: None

Abstained: None

Absent: Amatangelo, Doyle

Motion Carried.

### **MEETING**

#### **5. Regency Estates (Town & Country Homes)(K. Hovnanian T&C at Illinois LLC)**

Application for an Amendment to Special Use Ordinance 2006-Z-4 to allow single family homes and setback variances.

Application for PUD Preliminary Plan

- PUD Preliminary Plans revised 2/16/11 and received 2/16/11
- PUD Final Engineering Plans revised 2/16/11 and received 2/17/11
- Landscape Plan revised 2/16/11 and received 2/16/11

Application for Final Plat

- Final Plat of Resubdivision dated 2/16/11 and received 2/17/11

Mr. O'Rourke reviewed the staff report dated February 11, 2011 referring to the Findings of Fact and stated staff recommends approval. He reminded the Commission that they could recommend approval with conditions if they felt necessary.

Mr. Kessler asked the members if a recommendation for approval were considered, would they have suggestions to place conditions on the motion. He discussed his concern with the three flag streets that are proposed, only one access entry point, and that the existing utilities do not allow modifications to the plan for improvement of the layout. Mr. Kessler referred to the staff report statement that the Commission has an option to make a recommendation for approval with conditions. Mr. O'Rourke advised that it is understood that the option is always available to the Commission to make a recommendation for approval with conditions.

Chairman Wallace commented that this plan proposes too many home sites into the existing framework, specifically pointing out concern with lots 13, 14, and 15. His opinion is that all the homes should be accessible from the street. He noted the subdivision that was referenced during the public hearing that had a similar layout was an older section of town that backed up to a new development. He believes that if that entire area had been developed at the same time it would not have been designed with that layout. He understands the difficulty for the applicant to construct a design that is

economically feasible, however stated that concept is not the role of the Commission. He said the Commission needs to consider the orderly development of the property and he does not believe this proposal meets the Findings of Fact with regards to the effect on development of surrounding property. His concern is approval of a plan that may discourage surrounding development.

Mr. Henningson said generally mixed use with commercial development introduces a residential component of multi-family homes with a zero lot line. He commented that a plan similar to Oak Crest with restrictive covenants might fit well in this area.

Mr. Schuetz said the flag streets are his concern with regards to emergency response, however acknowledged that staff indicated this was not an issue. He does not like the multi-family building mixed into the single-family home subdivision. Mr. Schuetz stated the Commission should look at what is good for the community in the long term. He said there has been indication that due to the present economy, homeowners are avoiding large-size lots and therefore the multi-family development may be a better option.

Mr. Kessler complimented Town & County on the past developments they have done in the City. He said the concerns being discussed are not about how it will be developed, but rather how it is planned. He said he cannot support the layout as there is too much proposed in a small area. He understands the difficulty involved because of the existing infrastructure. Mr. Kessler agreed a less-expensive townhome development might fit this site. Chairman Wallace added the number of units is not the concern for this site; it is the type of plan proposed.

Chairman Wallace asked the members if they would support a plan with inter-mixed new lower priced townhomes and duplex units that would complement the existing structure. The members were favorable.

Mr. Pretz said this proposal has too much planned, he does not like private roads, and he would be supportive of a different plan. His preference would be to include a second entrance but understands the constraints with reconstruction. Chairman Wallace said he does not think a second access is necessary. The Commission noted developments without a second access and discussed problems that relate to width of street and security.

**Mr. Kessler made a motion to recommend denial of the Amendment to Special Use Ordinance 2006-Z-4 for Regency Estates to allow single-family homes and setback variances, PUD Preliminary Plans revised 2/16/11 and received 2/16/11, PUD Final Engineering Plans revised 2/16/11 and revised 2/17/11, Landscape Plan revised 2/16/11 and received 2/16/11, Final Plat of Resubdivision dated 2/16/11 and received 2/17/11 because the proposed amendment does not meet the Finding of Fact Section 17.04.330 C-2 for Special Uses:**

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

Without changing the existing utilities and infrastructure, the plan will not layout properly.

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

Because the plan will not layout properly, it will have a negative effect on development and improvement of surrounding property.

Mr. Pretz seconded the motion.

Voice Vote:

Ayes: Schuetz, Pretz, Henningson, Kessler, Wallace

Nays: None

Abstained: None

Absent: Amatangelo, Doyle

Motion Carried.

**6. Application for General Amendment (City of St. Charles)**

Application for General Amendment to Chapter 17.12, “Residential Districts” pertaining to Exterior Sideyard setback regulations.

Mr. Colby reviewed the staff report dated February 17, 2011 and stated staff recommends approval.

**Mr. Kessler made a motion to recommend approval of the General Amendment to Chapter 17.12 “Residential Districts” pertaining to exterior sideyard setback regulations.** Mr. Schutez seconded the motion.

Voice Vote

Ayes: Schuetz, Pretz, Henningson, Kessler, Wallace

Nays: None

Absent: Amatangelo, Doyle

**7. Plan Commission Training Schedule**

Mr. Colby said a Plan Commission training session is scheduled for the next meeting. He will review the agenda with Chairman Wallace. Staff expects to conduct three sessions with the Commission starting with basic review.

**8. Meeting Announcements**

**Plan Commission** Tuesday, March 8, 2011 at 7:00pm in the Council Chambers

**Plan Commission** Tuesday, March 22, 2011 at 7:00pm in the Council Chambers

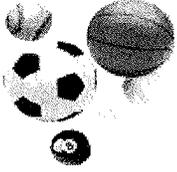
**Plan Commission** Tuesday, April 19, 2011 at 7:00pm in the Council Chambers

**9. Additional Business from Plan Commission Members, Staff, or Citizens**

Mr. Colby advised the members that there are additional books regarding the role of the Plan Commission in the Planning office for them to use.

Mr. Lemke referred to the Regency development discussed this evening and commented that mixing townhomes within the plan might allow the developer an option to rework and come back with a revised plan. He also complimented the Town & County Home developments within the City.

The meeting adjourned at 7:53p.m.



James Bernahl/EN/PW/COSC

02/11/2011 04:28 PM

To Matthew O'Rourke/CD/COSC@COSC

cc Chris Tiedt/EN/PW/COSC@COSC

bcc

Subject Regency Estates question

Matt:

Per your request the following is some thoughts pertaining to the proposed "eye-brow" roadway additions to the proposed Regency Estates Subdivision per Chris Tiedt and myself.

The type of geometric roadway revision proposed is not typically something that the City would consider for a public road. The reasoning for this is based on some of the difficulties in which plowing of these areas bring. In most cases additional care, similar to a cul-de-sac plowing approach. As with other existing cul-de-sacs in town these areas would be plowed last because of the requirement for small plowing equipment. This would mean that multiple site visits during snow events would be required for these small areas. However if the driveway area that includes these eye-brow areas are considered private for the subdivision the City would not be opposed to their installation. If this was the case then the City would envision a depressed curb through this area to help delineate between public and private roadways.

I hope this helps in your discussion, however I think based on the information received that this might be a better conversation to be held between the developer and the plan commission as far as a requirement. In either case I believe that the City would not typically want these areas to be public.

James J. Bernahl, P.E., CFM  
Public Works Engineering Division Manager  
City of St Charles  
200 Devereaux Way  
St. Charles, IL 60174  
Ph: 1-630-443-3709  
Fax: 1-630-762-6922



# Memo

Date: 2/14/11

To: Matt O'Rourke

From: Brian Byrne

Lieutenant

Project: 2010PR005 –Regency Estates-Pine Ridge

Application: 2011AP004

Re: Site Access

---

This project was reviewed for site access using the adopted codes and past experience with residential projects. Based on the code we allow access roads to be placed so they are within 150' of all portions of the building. This is to ensure that when the fire vehicle is positioned on the access drive, we can reach the most remote portion of the house with our 200' pre-connected lines.

The access drives, for this development, are of sufficient length to allow the fire department apparatus to be positioned to meet to above given requirement. This is true in all three cases. Given the overall length of the longest drive, 160 feet, we felt that the additional 10 feet in length was an acceptable without necessitating a turnaround. The remaining two access drives are approximately 90 feet and 150 feet in length and the same width. The access drives/fire lanes shall be posted no parking "fire lane".





City of St. Charles, Illinois

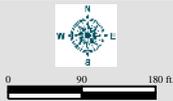
Two East Main Street, St. Charles, IL 60154-1494  
Phone: 630-377-4100 Fax: 630-377-4107 Website: cityofstcharles.org

Precision GIS

DONALD P. DEWITTE Mayor  
BRIAN TOWNSEND City Administrator



Data Source:  
City of St. Charles, IL GIS  
Aerial GIS, Illinois  
Esri, County, Illinois  
Perkins, The West of Pittsfield  
Coord. Info System: Ill. State Plane, Zone 16  
North American Datum '83  
Printed on February 16, 2011 12:30:09 PM CST  
By: Chantelle



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City of St. Charles, Illinois

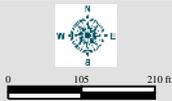
Two East Main Street, St. Charles, IL 60154-1494  
Phone: 630-377-4100 Fax: 630-377-4107 Website: cityofstcharles.org

Precision GIS

DONALD P. DEWITTE Mayor  
BRIAN TOWNSEND City Administrator



Data Source:  
City of St. Charles, IL Public  
Land Use GIS  
Esri/ArcGIS Online  
Projection: NAD 83  
Coordinate System: Illinois State Plane - Central  
Units: Feet  
Scale: 1:10000  
By: Chameleon



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LOCATION MAP  
NO SCALE

**DEVELOPER/COUNTRYSIDE**  
Town & Country Homes  
1806 S Highland Avenue, Suite 100  
Lombard, Illinois 60148  
630 963 2222 voice



**ENGINEER/SURVEYOR**  
VJ Companies of Illinois  
7320 Janes Avenue  
Woodridge, Illinois 60077  
630 724 9200 voice

**Regency Estates St. Charles, IL Legal Description**  
Lots 1-10, Indiana, Lot 12, Parcels 1, 2 and 4, in Regency Estates Planned Unit Development, being a subdivision of the Southeast Quarter of Section 29, Township 40 North, Range 8 East of the Third Principal Meridian, according to the first thereof recorded January 31, 2004 in document number 20040411886, in Kane County, Illinois.

GRANTED EASEMENT TABLE			
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# PUD PRELIMINARY/FINAL PLAN FOR REGENCY ESTATES

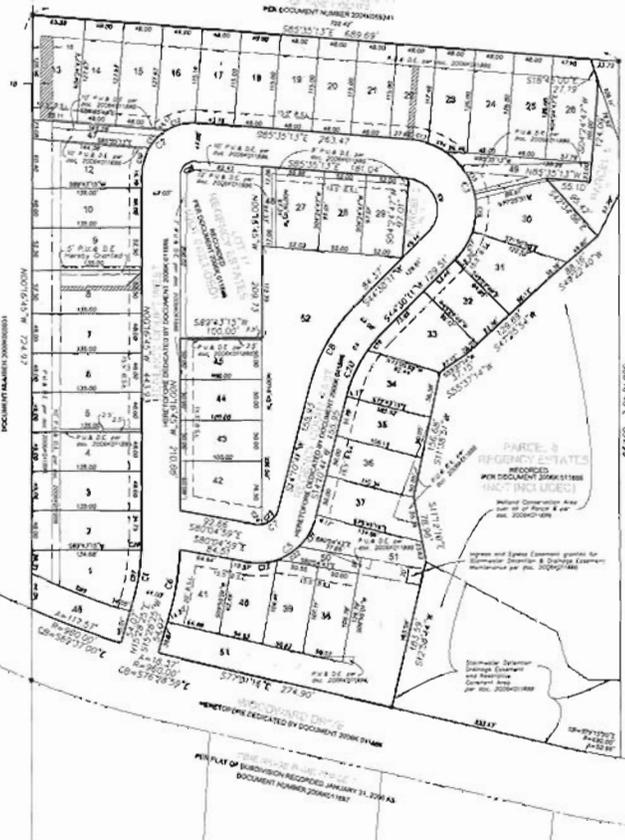
ST. CHARLES, ILLINOIS  
BEING A PART OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 40 NORTH,  
RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KANE COUNTY, ILLINOIS

RECEIVED  
St. Charles, IL  
Feb 17 2011  
CDD  
Planning Division

TYPICAL 'LOT DETAIL'



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100	0.00	0.00



- LEGEND**
- 1/4" SECTION CORNER
  - SECTION LINE
  - EXISTING RIGHT-OF-WAY OF
  - PROPOSED RIGHT-OF-WAY OF
  - EXISTING LOT LINE
  - PROPOSED LOT LINE
  - EXISTING EASEMENT LINE
  - PROPOSED EASEMENT LINE
  - EXISTING P.U.D. EASEMENT
  - PROPOSED P.U.D. EASEMENT
  - EXISTING P.U.D. EASEMENT
  - PROPOSED P.U.D. EASEMENT
- ABBREVIATIONS**
- 1/4" SECTION CORNER
  - SECTION LINE
  - EXISTING RIGHT-OF-WAY OF
  - PROPOSED RIGHT-OF-WAY OF
  - EXISTING LOT LINE
  - PROPOSED LOT LINE
  - EXISTING EASEMENT LINE
  - PROPOSED EASEMENT LINE
  - EXISTING P.U.D. EASEMENT
  - PROPOSED P.U.D. EASEMENT
  - EXISTING P.U.D. EASEMENT
  - PROPOSED P.U.D. EASEMENT



VJ Companies of Illinois  
7320 Janes Avenue  
Woodridge, IL 60077  
630 724 9200 voice  
www.vjco.com

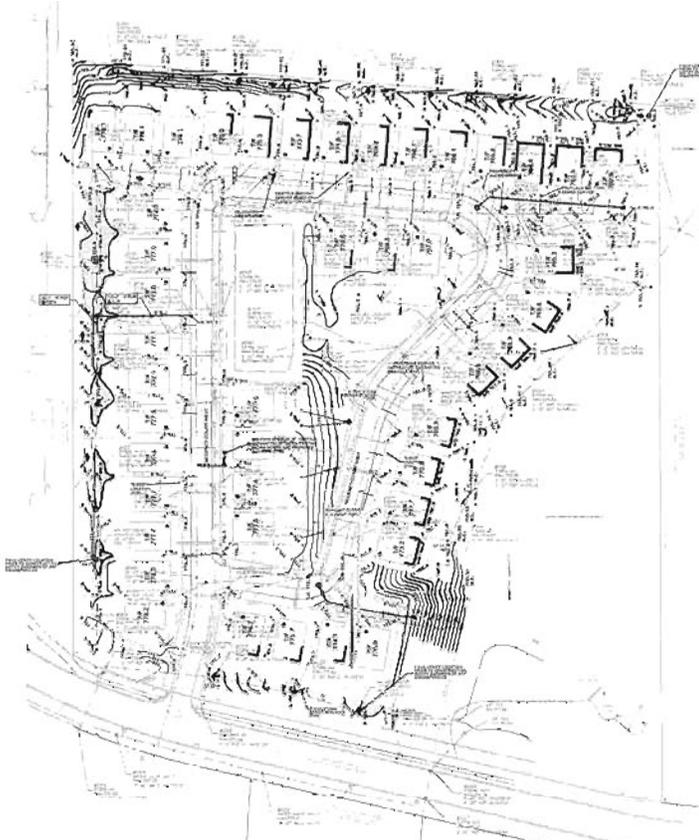
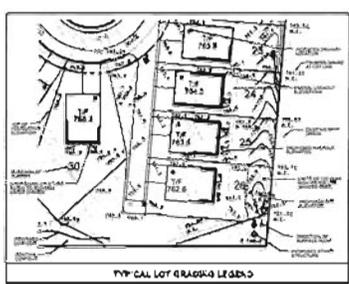
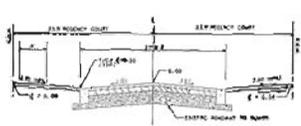
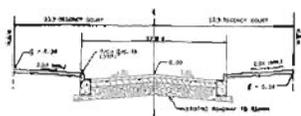
REVISIONS			
NO.	DATE	DESCRIPTION	BY
1	01/18/11	REVISED PER CITY REVIEW	HEV
2	01/18/11	REVISED PER CITY REVIEW	HEV

PROJECT NO: 10190  
SUBMITTED BY: HEV  
DATE: 01/18/11  
SCALE: 1" = 60'

REGENCY ESTATES  
PUD PRELIMINARY/FINAL PLAN  
ILLINOIS  
ST. CHARLES



- NOTES:**
1. ALL ELEVATIONS SHOWN ARE FINISHED ELEVATIONS UNLESS OTHERWISE NOTED.
  2. ALL ELEVATIONS SHOWN DEPART FROM ELEVATIONS UNLESS OTHERWISE NOTED.
  3. FINISHED ELEVATIONS (FIN) AND EXISTING ELEVATIONS (EX) ARE SHOWN.
  4. FINISHED GRADE AND/OR FINISHED SURFACE.



**LEGEND**

[Symbol]	EXISTING ROAD	[Symbol]	PROPOSED ROAD
[Symbol]	EXISTING DRIVE	[Symbol]	PROPOSED DRIVE
[Symbol]	EXISTING SIDEWALK	[Symbol]	PROPOSED SIDEWALK
[Symbol]	EXISTING CURB	[Symbol]	PROPOSED CURB
[Symbol]	EXISTING GUTTER	[Symbol]	PROPOSED GUTTER
[Symbol]	EXISTING UTILITY	[Symbol]	PROPOSED UTILITY
[Symbol]	EXISTING TREE	[Symbol]	PROPOSED TREE
[Symbol]	EXISTING FENCE	[Symbol]	PROPOSED FENCE
[Symbol]	EXISTING WALL	[Symbol]	PROPOSED WALL
[Symbol]	EXISTING POLE	[Symbol]	PROPOSED POLE
[Symbol]	EXISTING SIGN	[Symbol]	PROPOSED SIGN
[Symbol]	EXISTING LIGHT	[Symbol]	PROPOSED LIGHT
[Symbol]	EXISTING MANHOLE	[Symbol]	PROPOSED MANHOLE
[Symbol]	EXISTING VALVE	[Symbol]	PROPOSED VALVE
[Symbol]	EXISTING CHECK	[Symbol]	PROPOSED CHECK
[Symbol]	EXISTING BURN	[Symbol]	PROPOSED BURN
[Symbol]	EXISTING BRIDGE	[Symbol]	PROPOSED BRIDGE
[Symbol]	EXISTING TUNNEL	[Symbol]	PROPOSED TUNNEL
[Symbol]	EXISTING ELEVATION	[Symbol]	PROPOSED ELEVATION
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[Symbol]	EXISTING SURFACE	[Symbol]	PROPOSED SURFACE
[Symbol]	EXISTING GRADE	[Symbol]	PROPOSED GRADE
[Symbol]	EXISTING FINISH	[Symbol]	PROPOSED FINISH
[Symbol]	EXISTING SURFACE	[Symbol]	PROPOSED SURFACE
[Symbol]	EXISTING GRADE	[Symbol]	PROPOSED GRADE

ST	EXISTING ELEV.	PROPOSED ELEV.
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46	717.59	717.5
47	717.59	717.5
48	717.59	717.5
49	717.59	717.5
50	717.59	717.5

- NOTES:**
1. THIS PLAN IS A PRELIMINARY PLAN. IT IS SUBJECT TO CHANGE WITHOUT NOTICE.
  2. THE ENGINEER HAS CONDUCTED A VISUAL INSPECTION OF THE SITE AND HAS FOUND IT TO BE SUITABLE FOR THE PROPOSED DEVELOPMENT.
  3. THE ENGINEER HAS CONDUCTED A VISUAL INSPECTION OF THE SITE AND HAS FOUND IT TO BE SUITABLE FOR THE PROPOSED DEVELOPMENT.
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  9. THE ENGINEER HAS CONDUCTED A VISUAL INSPECTION OF THE SITE AND HAS FOUND IT TO BE SUITABLE FOR THE PROPOSED DEVELOPMENT.
  10. THE ENGINEER HAS CONDUCTED A VISUAL INSPECTION OF THE SITE AND HAS FOUND IT TO BE SUITABLE FOR THE PROPOSED DEVELOPMENT.



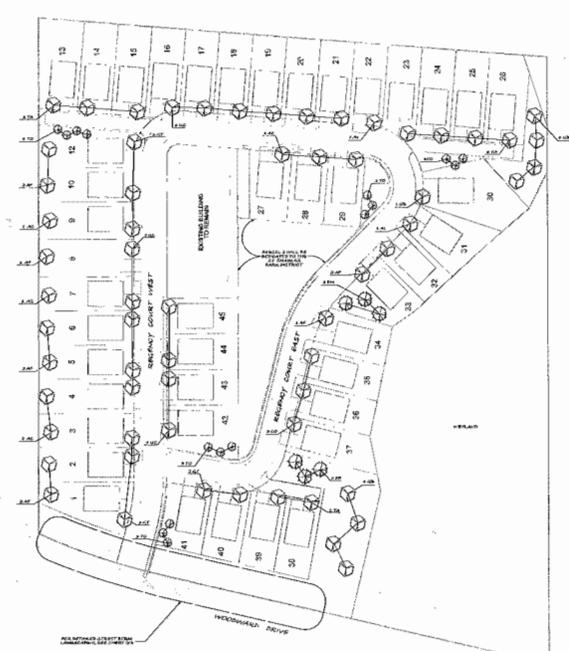
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NO.	DATE	DESCRIPTION
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2	01-15-11	REVISIONS
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4	01-15-11	REVISIONS
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6	01-15-11	REVISIONS
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47	01-15-11	REVISIONS
48	01-15-11	REVISIONS
49	01-15-11	REVISIONS
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PROJECT NO. 10190  
 PUD FINAL  
 ORIGINAL SCALE: 1" = 60'  
 DATE: 01-15-11

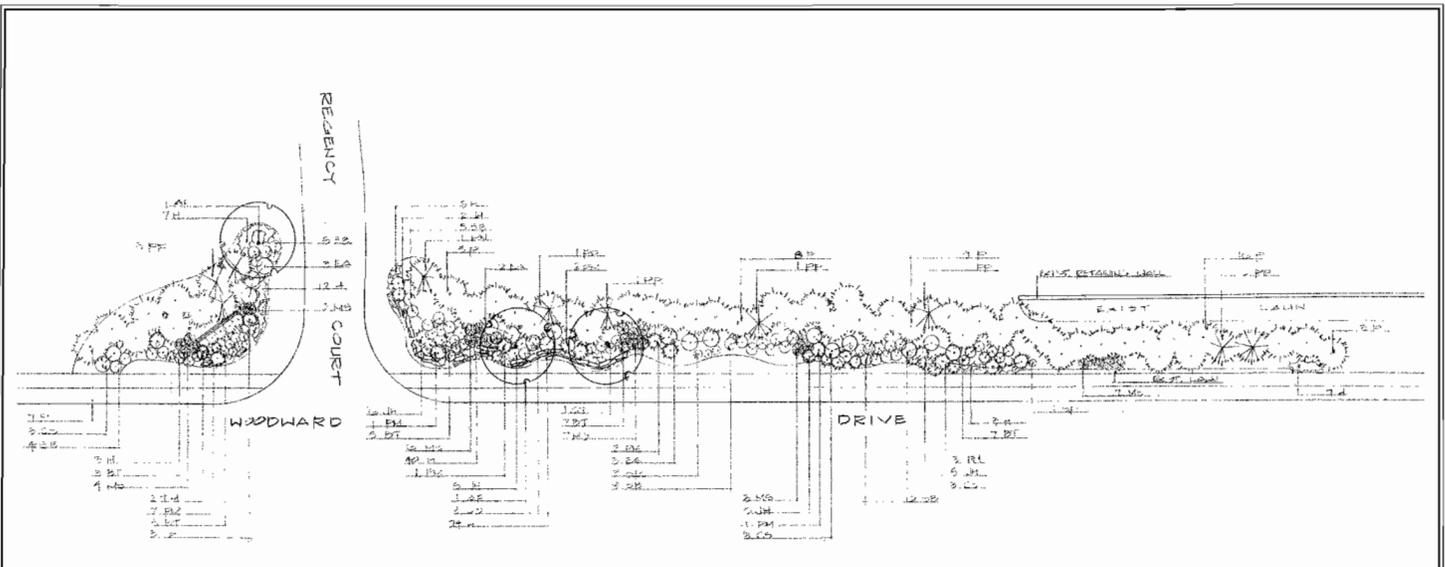
DESIGNED BY: HEV  
 DRAWN BY: PWS  
 CHECKED BY: HEV  
 IN CHARGE: MSV  
**REGENCY ESTATES**  
 ST. CHARLES  
 ILLINOIS

**PUD PRELIMINARY/FINAL PLAN**



PLANT LIST			
DECIDUOUS TREES			
SYMBOL	SCIENTIFIC NAME	COMMON NAME	SIZE
1	QUERCUS ALBA	WHITE OAK	12"
2	QUERCUS PRINCEPI	PRINCIPAL OAK	12"
3	QUERCUS ROBUR	ROBUR OAK	12"
4	QUERCUS FALLENBERGII	FALLENBERG OAK	12"
5	QUERCUS BICOLOR	BICOLOR OAK	12"
6	QUERCUS LAEVIS	LAEVIS OAK	12"
7	QUERCUS CUMICATA	CUMICATA OAK	12"
8	QUERCUS LAEVOGLOBOSA	LAEVOGLOBOSA OAK	12"
9	QUERCUS LAEVOLOBATA	LAEVOLOBATA OAK	12"
10	QUERCUS LAEVOLOBATA	LAEVOLOBATA OAK	12"
11	QUERCUS LAEVOLOBATA	LAEVOLOBATA OAK	12"
12	QUERCUS LAEVOLOBATA	LAEVOLOBATA OAK	12"
13	QUERCUS LAEVOLOBATA	LAEVOLOBATA OAK	12"
14	QUERCUS LAEVOLOBATA	LAEVOLOBATA OAK	12"
15	QUERCUS LAEVOLOBATA	LAEVOLOBATA OAK	12"
16	QUERCUS LAEVOLOBATA	LAEVOLOBATA OAK	12"
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22	QUERCUS LAEVOLOBATA	LAEVOLOBATA OAK	12"
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29	QUERCUS LAEVOLOBATA	LAEVOLOBATA OAK	12"
30	QUERCUS LAEVOLOBATA	LAEVOLOBATA OAK	12"
31	QUERCUS LAEVOLOBATA	LAEVOLOBATA OAK	12"
32	QUERCUS LAEVOLOBATA	LAEVOLOBATA OAK	12"
EVERGREEN TREES			
SYMBOL	SCIENTIFIC NAME	COMMON NAME	SIZE
1	QUERCUS LAEVOLOBATA	LAEVOLOBATA OAK	12"
2	QUERCUS LAEVOLOBATA	LAEVOLOBATA OAK	12"
3	QUERCUS LAEVOLOBATA	LAEVOLOBATA OAK	12"
4	QUERCUS LAEVOLOBATA	LAEVOLOBATA OAK	12"
5	QUERCUS LAEVOLOBATA	LAEVOLOBATA OAK	12"
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31	QUERCUS LAEVOLOBATA	LAEVOLOBATA OAK	12"
32	QUERCUS LAEVOLOBATA	LAEVOLOBATA OAK	12"

<p>V3 Companies 2270 JONES AVENUE WARRICK, IN 46093 630.734.9200 phone 630.734.9202 fax www.v3co.com</p>	<p><b>REVISIONS</b></p> <table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> <th>BY</th> <th>CHKD</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>02/10/11</td> <td>REVISION FOR REVIEW</td> <td></td> <td></td> </tr> <tr> <td>2</td> <td>02/10/11</td> <td>REVISION FOR 31</td> <td></td> <td></td> </tr> </tbody> </table>	NO.	DATE	DESCRIPTION	BY	CHKD	1	02/10/11	REVISION FOR REVIEW			2	02/10/11	REVISION FOR 31			<p>PROJECT NO: 10150 DATE: 01-10-11 SCALE: 1" = 60'</p>	<p>DESIGNED BY: HEV DRAWN BY: PHG CHECKED BY: HEV PROJECT MANAGER: HEV</p>	<p><b>REGENCY ESTATES</b></p>	<p><b>PRELIMINARY/FINAL LANDSCAPE PLANS</b></p>	<p>1/4</p>
	NO.	DATE	DESCRIPTION	BY	CHKD																
1	02/10/11	REVISION FOR REVIEW																			
2	02/10/11	REVISION FOR 31																			
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**PLANT LIST**

KEY	QTY	BOTANICAL NAME	COMMON NAME
<b>EVERGREEN TREES</b>			
P	4	PIXA	SPRUCE
PA	1	PIXA PARVIFLORA	AUSTRIAN FIR
PP	2	PIXA PARVIFLORA	DOLARADO SPRUCE
<b>DECIDUOUS TREES</b>			
AF	2	ACER FRIFORME NEWBOLDII	AUTUMN GLAZE MAPLE
CF	1	CELEBRIS FRAXINOLIFOLIA	CELEBRIS FRAXINOLIFOLIA
<b>EVERGREEN SHRUBS</b>			
JH	2	JUNIPERUS HORIZONTALIS	MINIATURE JUNIPER
PH	1	PALEARCTIC HEDERA	PALEARCTIC HEDERA
TA	2	TAXUS CANADENSIS	REDWOOD
<b>DECIDUOUS SHRUBS</b>			
BE	2	BESSEYIA SPINOSA	SPINOSA
CC	2	CORNUS STOLONIFERA	CORNUS STOLONIFERA
CA	2	CORNUS ALBA	CORNUS ALBA
ES	2	ERIGONIA SPINOSA	ERIGONIA SPINOSA
<b>PERENNIALS</b>			
ST	2	STELLA DE ORO	STELLA DE ORO
AG	2	AGASTHE FULGENS	AGASTHE FULGENS
SP	4	SPERDIPYRUM	SPERDIPYRUM

**V3 Companies**  
 1200 JAMES AVENUE  
 WOODRIDGE, IL 60517  
 830.724.9200 PHONE  
 830.724.9202 FAX  
 WWW.V3CO.COM

REVISIONS			
NO.	DATE	REVISION	BY

PROJECT NO: 10189  
 CLIENT: NEV  
 DESIGNER: PHG  
 DATE: 01-10-11  
 SCALE: 1" = 10'  
 PROJECT: REGENCY ESTATES  
 LOCATION: ST. CHARLES, ILLINOIS

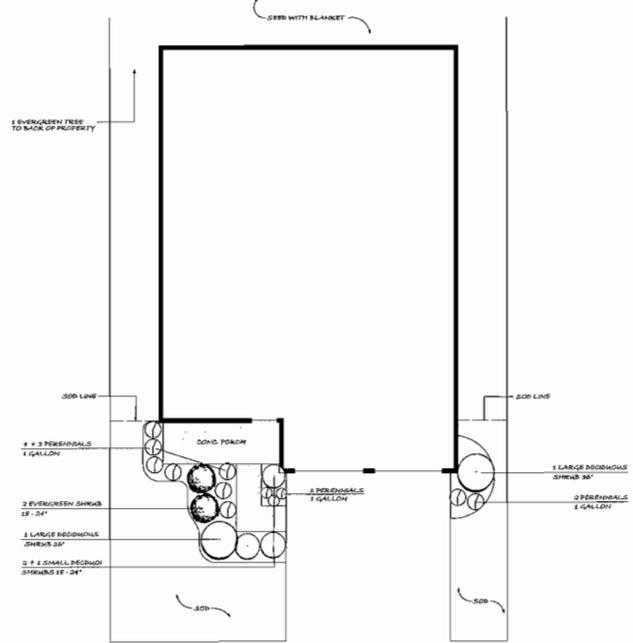
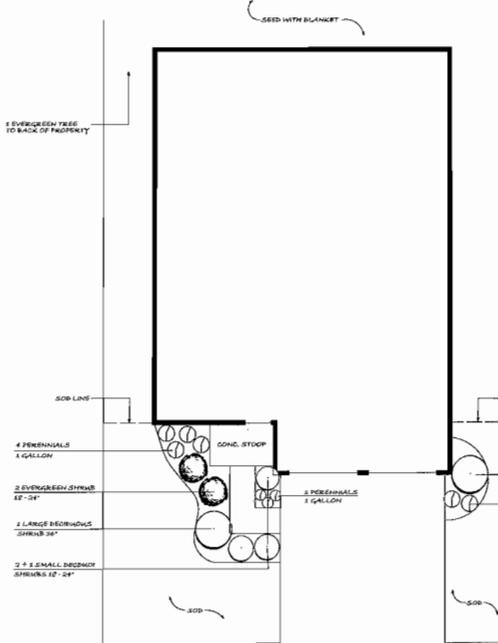
**PRELIMINARY/FINAL  
 LANDSCAPING PLANS**

**2/4**

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PLANT LIST	
1	EVERGREEN TREE 6' - 7'
MULTIPLY THIS QUANTITY BY THE NUMBER OF SIMILAR PLANTING AREAS	
2	EVERGREEN SHRUB 18' - 24"
MULTIPLY THIS QUANTITY BY THE NUMBER OF SIMILAR PLANTING AREAS	
2	LARGE DECIDUOUS SHRUB 36"
MULTIPLY THIS QUANTITY BY THE NUMBER OF SIMILAR PLANTING AREAS	
3	SMALL DECIDUOUS SHRUB 18' - 24"
MULTIPLY THIS QUANTITY BY THE NUMBER OF SIMILAR PLANTING AREAS	
3	PERENNIALS 1' - GALLON
MULTIPLY THIS QUANTITY BY THE NUMBER OF SIMILAR PLANTING AREAS	

PLANT LIST	
1	EVERGREEN TREE 6' - 7'
MULTIPLY THIS QUANTITY BY THE NUMBER OF SIMILAR PLANTING AREAS	
2	EVERGREEN SHRUB 18' - 24"
MULTIPLY THIS QUANTITY BY THE NUMBER OF SIMILAR PLANTING AREAS	
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MULTIPLY THIS QUANTITY BY THE NUMBER OF SIMILAR PLANTING AREAS	
3	SMALL DECIDUOUS SHRUB 18' - 24"
MULTIPLY THIS QUANTITY BY THE NUMBER OF SIMILAR PLANTING AREAS	
12	PERENNIALS 1' - GALLON
MULTIPLY THIS QUANTITY BY THE NUMBER OF SIMILAR PLANTING AREAS	



**V**  
 V2 CONSULTING  
 7375 James Avenue  
 Houston, TX 77057  
 832.724.9200 phone  
 832.724.9262 fax  
 www.v2co.com

REVISIONS			
NO.	DATE	DESCRIPTION	BY

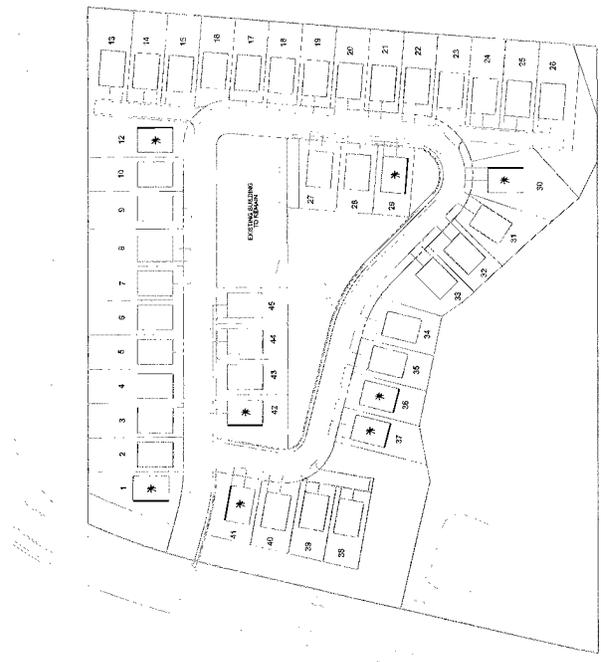
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DATE	01-18-11	CHECKED BY	PHG
SCALE	1" = 32'	PROJECT MANAGER	HEV
			ST. CHARLES

**REGENCY ESTATES**

**PRELIMINARY/FINAL  
 LANDSCAPING PLANS**

3/4

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LEGEND	
*	KEY LOTS
—	AREA THAT INDICATES SHUTTERS AND CABLE SIGNAL MATERIALS


**V&C Companies**  
 2200 JAMES MONROE  
 WOODRIDGE, IL 60517  
 (815) 724-9200 PHONE  
 (815) 724-9202 FAX  
 www.vac.com

REVISIONS			
NO.	DATE	BY	DESCRIPTION
1	09-18-11	PHG	PRELIMINARY REVIEW
2	09-18-11	PHG	REVISIONS FOR CITY REVIEW
3	09-18-11	PHG	REVISIONS FOR CITY REVIEW

PROJECT NO. 10190  
 CONTRACTOR  
 LANDSCAPING  
 DRAWING DATE 09-18-11  
 SCALE 1" = 60'  
 PROJECT ADDRESS ST. CHARLES  
 ILLINOIS

**REGENCY ESTATES**  
 PRELIMINARY/FINAL  
 LANDSCAPE PLANS

DRAWING NO. **4/4**

V&C Companies, Inc. and its subsidiaries and its employees shall be held responsible for this specific project without the written consent of V&C Companies, Inc.





PRELIMINARY / FINAL ENGINEERING PLANS  
FOR  
**REGENCY ESTATES**  
ST. CHARLES, ILLINOIS

**PROJECT TEAM**

**DEVELOPER**

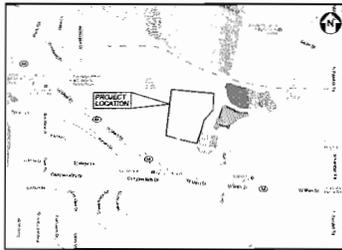
Town & Country Homes  
1806 S Highland Avenue, Suite 100  
Lombard, Illinois 60148  
630 953 2222 voice  
amouw@khov.com  
Contact: Andrew Mouw

**ENGINEER**

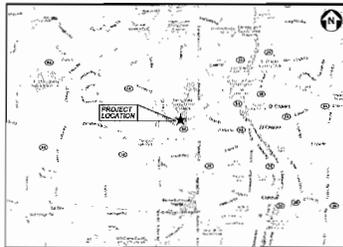
V3 Companies of Illinois  
7325 Janes Avenue  
Woodridge, Illinois 60517  
630 724 9200 voice  
hvotrol@v3co.com  
Project Manager: Heidi E. Votrol, P.E., LEED AP  
Project Engineer: Nat Groff, P.E., LEED AP

**SURVEYOR**

V3 Companies of Illinois  
7325 Janes Avenue  
Woodridge, Illinois 60517  
630 724 9200 voice  
cbartosz@v3co.com  
Project Manager: Charles Bartosz, P.L.S.



LOCATION MAP  
NO SCALE



VICINITY MAP  
NO SCALE

**INDEX OF DRAWINGS**

- TITLE SHEET
- C1.0 GENERAL NOTES, LEGEND AND ABBREVIATIONS
- C1.1 SUMMARY OF QUANTITIES
- C2.0 DEMOLITION PLAN
- C3.0 LAYOUT AND PAVING PLAN
- C4.0 GRADING PLAN
- C4.1 EROSION CONTROL PLAN
- C4.2 EROSION CONTROL DETAILS
- C5.0 UTILITY PLAN
- C6.0 CONSTRUCTION DETAILS
- C6.1 CONSTRUCTION DETAILS



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Woodridge, IL 60517  
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Call 48 hours before you dig  
(Subject to local laws)

Joint  
Utility  
Locating  
Information  
for  
Excavators

REVISIONS			
NO.	DATE	DESCRIPTION	BY

ORIGINAL ISSUE DATE: 12-06-2010

**BENCHMARKS**

BW #1 STATION 57C 14 ELEVATION = 741.28 M NAVD 83  
STATION 57C 14 IS LOCATED ON VOLCANO LANE 40 WEST OF PECK LANE  
IN THE CITY OF ST CHARLES, IN SECTION 24, T4N, R1E.  
BW #2 STATION 57C 23 ELEVATION = 728.55 M NAVD 83  
STATION 57C 14 IS LOCATED IN THE NORTHWEST QUARTER OF THE  
INTERSECTION OF DEAN STREET AND 17th STREET IN THE CITY OF ST  
CHARLES, IN SECTION 24, T4N, R1E.

**PROFESSIONAL ENGINEER'S CERTIFICATION**

I, HEIDI E. VOTROL, A LICENSED PROFESSIONAL ENGINEER OF ILLINOIS, HEREBY CERTIFY  
THAT THIS SUBMISSION WAS PREPARED ON BEHALF OF TOWN & COUNTRY HOMES BY  
V3 COMPANIES UNDER MY PERSONAL SUPERVISION. THIS TECHNICAL SUBMISSION IS  
SUBMITTED TO BE USED AS AN INTEGRAL PART OF AND IN CONJUNCTION WITH THE PROJECT  
SPECIFICATIONS AND CONTRACT DOCUMENTS.  
DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2011.  
*Heidi E. Votrol*  
ILLINOIS LICENSED PROFESSIONAL ENGINEER 062-057225  
MY LICENSE EXPIRES ON NOVEMBER 30, 2011  
ILLINOIS LICENSED DESIGN FIRM NO. 188-000090



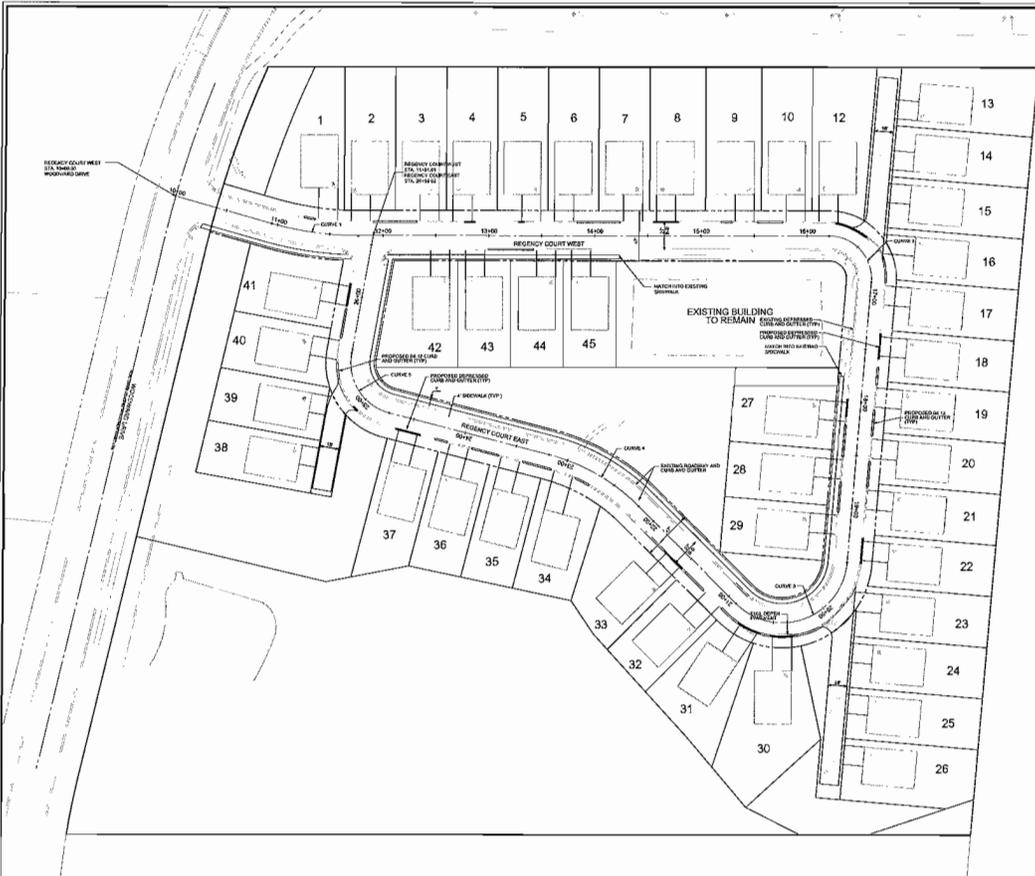
### SUMMARY OF QUANTITIES

ITEM	DESCRIPTION	QUANTITY	UNIT
<b>1.0 SOIL EROSION AND SEDIMENT CONTROL</b>			
1.01	SILT FENCE	2,737	LF
1.02	STRAW BALE SEDIMENT TRAP	27	EACH
1.03	INLET BASKET FILTER	16	EACH
1.04	SOIL EROSION CONTROL MAINTENANCE	1	LS
<b>2.0 EARTHWORK IMPROVEMENTS</b>			
2.01	TOPSOIL RESPREAD, 4"	2,200	CY
<b>3.0 SANITARY SERVICE IMPROVEMENTS</b>			
3.01	6" SANITARY SERVICE, SHORT	7	EACH
3.02	6" SANITARY SERVICE, LONG	1	EACH
3.03	CLEAN OUT	2	EACH
3.04	TRENCH BACKFILL	90	CY
<b>4.0 STORM SEWER IMPROVEMENTS</b>			
4.01	MANHOLE, TYPE A, 4' DIA	4	EACH
4.02	15" RCP STORM SEWER	135	LF
4.03	4" PVC SUMP CONNECTION STUB	43	EACH
4.04	CONNECTION TO EXISTING MANHOLE	4	EACH
4.05	REPLACE FRAME	2	EACH
4.06	REPLACE LID	3	EACH
4.07	STRUCTURE ADJUSTMENT	16	EACH
4.08	STORM SEWER REMOVAL	141	LF
4.09	STORM STRUCTURE REMOVAL	1	EACH
4.10	TRENCH BACKFILL	10	CY
<b>5.0 WATERMAIN IMPROVEMENTS</b>			
5.01	1" or 1.5" INDIVIDUAL SERVICE	39	EACH
5.02	6" DUCTILE IRON WATERMAIN	331	LF
5.03	FIRE HYDRANT & AUX. VALVE	3	EACH
5.04	PRESSURE CONNECTION IN VAULT	2	EACH
5.05	TRENCH BACKFILL	300	CY
<b>6.0 PAVING</b>			
6.01	REMOVE CURB AND GUTTER	640	LF
6.02	B6.12 CURB AND GUTTER (INCLUDES AGGREGATE BASE)	440	LF
6.03	DEPRESSED CURB AND GUTTER (INCLUDES AGGREGATE BASE)	195	LF
6.04	HMA DRIVEWAY PAVEMENT (INCLUDES AGGREGATE BASE)	610	SY
6.05	CONCRETE SIDEWALK (INCLUDES AGGREGATE BASE)	4,850	SF
6.06	FULL DEPTH PAVEMENT FOR REGENCY COURT	2	SY

 <p><b>V3 COMPANY</b>          1100 JAMES STREET          WOODRIDGE, IL 60517          800.724.9700 PHONE          800.724.9702 FAX          WWW.V3CO.COM</p>	<b>REVISIONS</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> <th>BY</th> <th>CHECKED</th> </tr> <tr> <td>1</td> <td></td> <td>ISSUED FOR PERMITS</td> <td></td> <td></td> </tr> <tr> <td>2</td> <td></td> <td>REVISIONS FOR CITY REVIEW</td> <td></td> <td></td> </tr> <tr> <td>3</td> <td></td> <td>REVISIONS FOR CITY COMMENTS</td> <td></td> <td></td> </tr> </table>	NO.	DATE	DESCRIPTION	BY	CHECKED	1		ISSUED FOR PERMITS			2		REVISIONS FOR CITY REVIEW			3		REVISIONS FOR CITY COMMENTS			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>PROJECT NO.</td> <td>10190</td> <td>PERMITS</td> <td>MFC</td> </tr> <tr> <td>REV. NO.</td> <td></td> <td>DESIGNED BY</td> <td>VRS</td> </tr> <tr> <td></td> <td></td> <td>DRAWN BY</td> <td>HEV</td> </tr> <tr> <td></td> <td></td> <td>CHECKED BY</td> <td>HEV</td> </tr> <tr> <td></td> <td></td> <td>DATE</td> <td>12-05-2010</td> </tr> <tr> <td>SOURCE</td> <td>N. T. S.</td> <td>PROJECT ADDRESS</td> <td>ST. CHARLES</td> </tr> </table>	PROJECT NO.	10190	PERMITS	MFC	REV. NO.		DESIGNED BY	VRS			DRAWN BY	HEV			CHECKED BY	HEV			DATE	12-05-2010	SOURCE	N. T. S.	PROJECT ADDRESS	ST. CHARLES	<p><b>REGENCY ESTATES</b></p> <p><b>SUMMARY OF QUANTITIES</b></p>	<p>Sheet No.</p> <p><b>C1.1</b></p>
NO.	DATE	DESCRIPTION	BY	CHECKED																																												
1		ISSUED FOR PERMITS																																														
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SOURCE	N. T. S.	PROJECT ADDRESS	ST. CHARLES																																													

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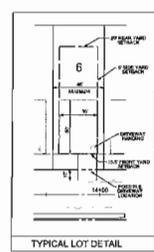




**NOTES:**  
 1. ALL PROPOSED CURBS AND GUTTER SHALL BE 16" UNLESS OTHERWISE NOTED.

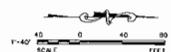
**EXISTING ROADWAY CENTERLINE CURVE DATA**

CURVE NO.	1	2	3	4	5
DEG. TA.	18°43'18.72"	84°43'33.00"	134°09'24.00"	207°18'30.00"	88°44'53.82"
RADIUS	350.00	450.00	650.00	850.00	450.00
LENGTH	82.69	48.11	130.84	88.71	72.88
TANGENT	41.35	45.00	135.18	85.50	45.00
P.C. STATION	89+24.35	86+26.77	18+50.31	27+15.50	247+74.11
P.T. STATION	90+07.04	91+21.78	197+80.15	285+93.50	320+47.00
P.I. STATION	89+65.70	88+74.28	192+15.73	281+54.50	284+105.56
CHORD BEARING	167°30'36.17"E	74°04'01.29"E	320°32'00.71"E	63°10'25.80"W	88°40'50.85"W



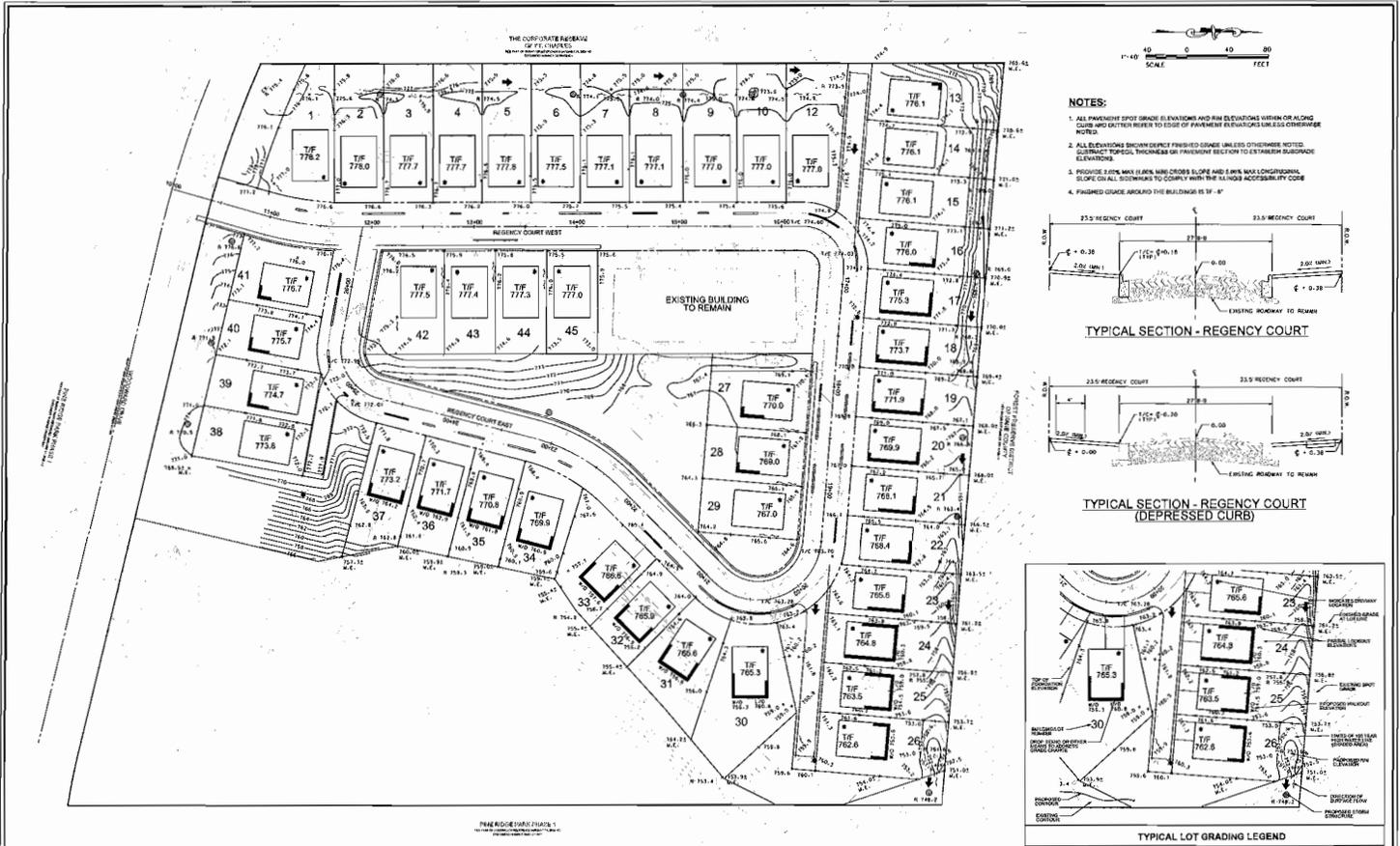
**PAVEMENT DRIVEWAY SECTION**

- 1 10" (MIN) HOT ROL ASPHALT SURFACE COURSE PLACED ON SECOND DAY, OR AS DIRECTED BY ENGINEER (SEPARATELY)
- 8" (MIN) HOT ROL ASPHALT
- 4" (MIN) STURGEON CONCRETE MATERIAL TYPE B
- COMPACTED SUBGRADE

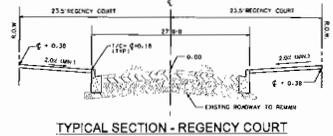


<p>V3 Companies          7315 James Avenue          Woodridge, IL 60517          815.724.9200 phone          815.724.9202 fax          www.v3co.com</p>	<p><b>REVISIONS</b></p> <table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> <th>BY</th> <th>CHECKED</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>12-08-11</td> <td>REVISED PER CITY REVIEW</td> <td></td> <td></td> </tr> <tr> <td>2</td> <td>12-08-11</td> <td>ADDED CURB AND GUTTER TO REGENCY COURT WEST</td> <td></td> <td></td> </tr> </tbody> </table>		NO.	DATE	DESCRIPTION	BY	CHECKED	1	12-08-11	REVISED PER CITY REVIEW			2	12-08-11	ADDED CURB AND GUTTER TO REGENCY COURT WEST			<p>PROJECT NO: 10190          DRAWN BY: C.B.G. (Lay/10190)          CHECKED BY: MEV          DATE: 12-08-2010          SCALE: 1" = 40'</p>	<p>DESIGNED BY: MFC          CHECKED BY: VRS          DATE: 12-08-2010          PROJECT LOCATION: MEV ST. CHARLES</p>	<p><b>REGENCY ESTATES</b></p>	<p><b>LAYOUT AND PAVING PLAN</b></p>	<p>DRAWING NO: <b>C3.0</b></p>
	NO.	DATE	DESCRIPTION	BY	CHECKED																	
1	12-08-11	REVISED PER CITY REVIEW																				
2	12-08-11	ADDED CURB AND GUTTER TO REGENCY COURT WEST																				
<p>© 2010 V3 COMPANIES. ALL RIGHTS RESERVED. THIS PLAN IS THE PROPERTY OF V3 COMPANIES AND IS NOT BE LOANED, REPRODUCED, COPIED, OR USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN CONSENT OF V3 COMPANIES.</p>																						

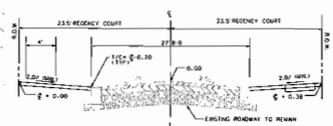
10/09 - LAYOUT AND PAVING PLAN



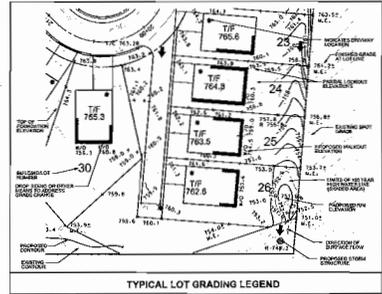
- NOTES:**
1. ALL PAVEMENT SPOT GRADE ELEVATIONS AND FIN ELEVATIONS WITHIN OR ALONG CURB AND GUTTER REFER TO EDGE OF PAVEMENT ELEVATIONS UNLESS OTHERWISE NOTED.
  2. ALL ELEVATIONS SHOWN DEPict FINISHED GRADES UNLESS OTHERWISE NOTED. EXTRACT TOPSOIL THICKNESS OR PAVEMENT SECTION TO ESTABLISH SUBGRADE ELEVATIONS.
  3. PROVIDE 2% MAX. MAX. SIDE SLOPE AND 1% MAX. LONGITUDINAL SLOPE (ALL SLOPES TO COMPLY WITH THE ILLINOIS ACCESSIBILITY CODE).
  4. FINISHED GRADE AROUND THE BUILDINGS IS 3'-0" R/W.



TYPICAL SECTION - REGENCY COURT

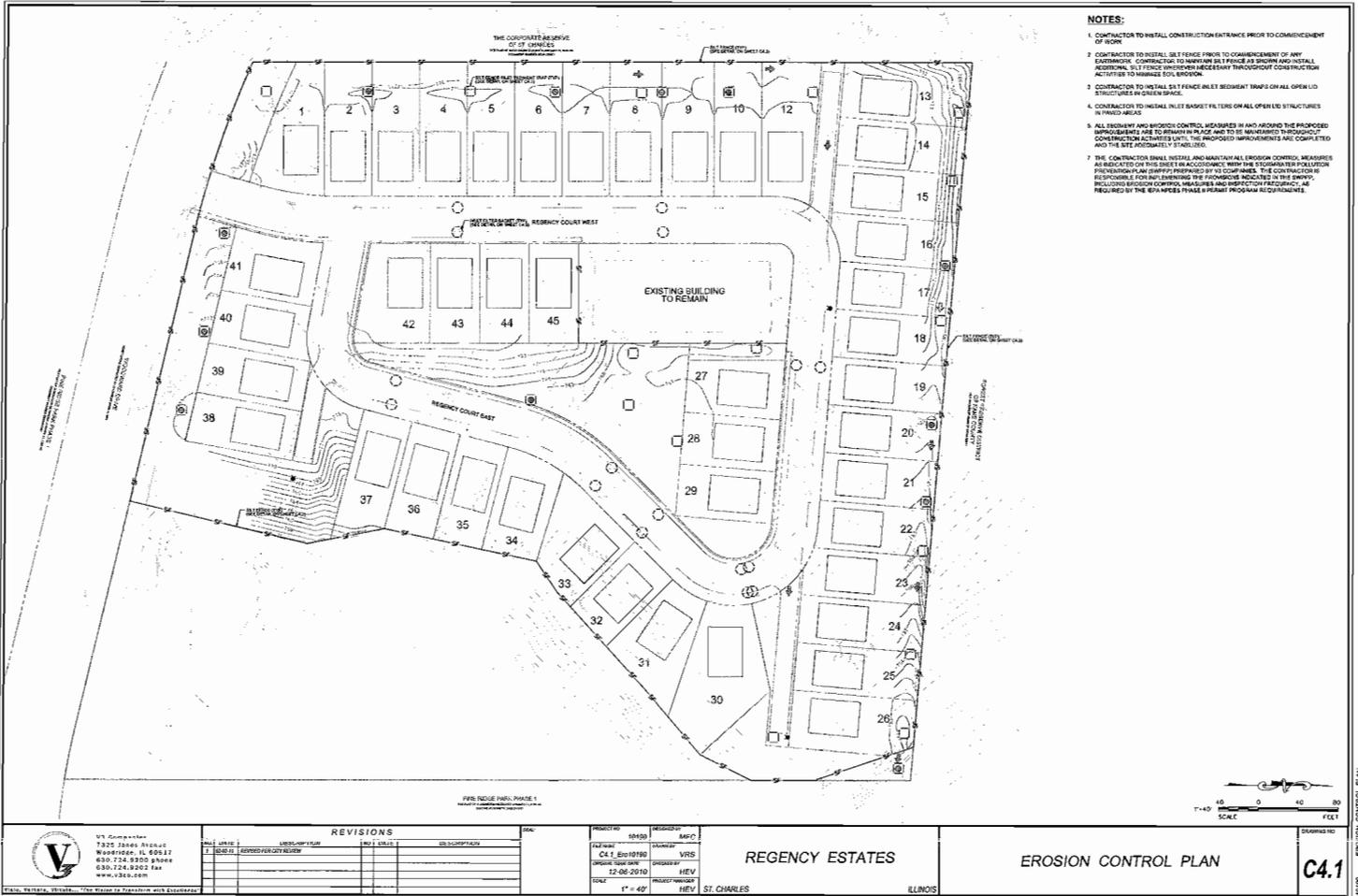


TYPICAL SECTION - REGENCY COURT (DEPRESSED CURB)



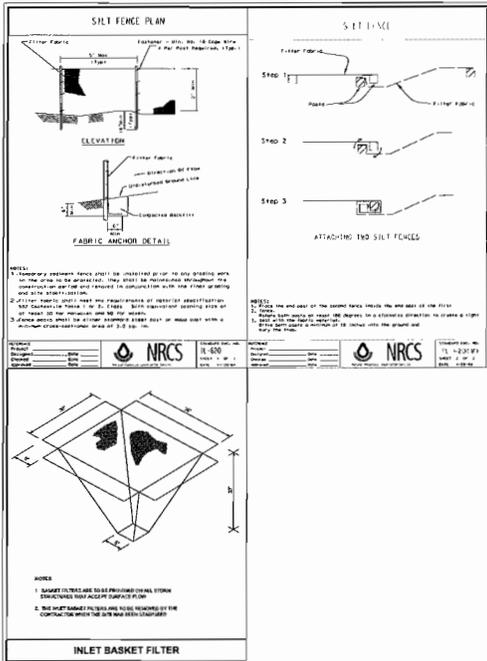
TYPICAL LOT GRADING LEGEND

	<b>REVISIONS</b> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>12-08-2010</td> <td>REVISED PER CITY REVIEW</td> </tr> <tr> <td>2</td> <td>12-08-2010</td> <td>REVISED PER STATE ENGINEERING DEPARTMENT</td> </tr> </tbody> </table>	NO.	DATE	DESCRIPTION	1	12-08-2010	REVISED PER CITY REVIEW	2	12-08-2010	REVISED PER STATE ENGINEERING DEPARTMENT	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td>PROJECT NO.</td> <td>10190</td> </tr> <tr> <td>REVISION</td> <td>C4.0, G4.0/10.0</td> </tr> <tr> <td>DATE</td> <td>12-08-2010</td> </tr> <tr> <td>SCALE</td> <td>1" = 40'</td> </tr> </table>	PROJECT NO.	10190	REVISION	C4.0, G4.0/10.0	DATE	12-08-2010	SCALE	1" = 40'	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td>DESIGNER</td> <td>MPC</td> </tr> <tr> <td>DRAWN</td> <td>VNS</td> </tr> <tr> <td>CHECKED</td> <td>HEV</td> </tr> <tr> <td>APPROVED</td> <td>HEV, ST. CHARLES</td> </tr> </table>	DESIGNER	MPC	DRAWN	VNS	CHECKED	HEV	APPROVED	HEV, ST. CHARLES	<p><b>REGENCY ESTATES</b></p> <p><b>GRADING PLAN</b></p>	<p><b>C4.0</b></p>
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<p>V3 Companies 7220 James Avenue Woodridge, IL 60517 830.724.9200 phone 830.724.9202 fax www.v3co.com</p>																														



- NOTES:**
- CONTRACTOR TO INSTALL CONSTRUCTION ENTRANCE PRIOR TO COMMENCEMENT OF WORK
  - CONTRACTOR TO INSTALL SILT FENCE PRIOR TO COMMENCEMENT OF ANY EXCAVATION. CONTRACTOR TO MAINTAIN SILT FENCE AS SHOWN AND INSTALL ADDITIONAL SILT FENCE WHERE NECESSARY THROUGHOUT CONSTRUCTION ACTIVITIES TO MINIMIZE SOIL EROSION.
  - CONTRACTOR TO INSTALL SILT FENCE INLET SEDIMENT TRAPS ON ALL OPEN LOT STRUCTURES AND OPEN SPACES.
  - CONTRACTOR TO INSTALL INLET BASKET FILTERS ON ALL OPEN LOT STRUCTURES IN PAVED AREAS.
  - ALL EROSION AND SEDIMENT CONTROL MEASURES IN AND AROUND THE PROPOSED IMPROVEMENTS ARE TO REMAIN IN PLACE AND TO BE MAINTAINED THROUGHOUT CONSTRUCTION ACTIVITIES UNTIL THE PROPOSED IMPROVEMENTS ARE COMPLETED AND THE SITE ADEQUATELY STABILIZED.
  - THE CONTRACTOR SHALL DESIGN AND MAINTAIN ALL EROSION CONTROL MEASURES AS INDICATED ON THIS SHEET IN ACCORDANCE WITH THE EROSION CONTROL POLLETER PRACTICES MANUAL DEVELOPED BY IFC COMPANY. THE CONTRACTOR IS RESPONSIBLE FOR IMPLEMENTING THE PROVISIONS INDICATED IN THE EROSION CONTROL MEASURES AND INSPECTION FREQUENCY, AS REQUIRED BY THE EPA NPDES PHASE II PERMIT PROGRAM REQUIREMENTS.

<p>VSI Corporation 7325 James Street Westfield, IL 60091 630.734.9300 phone 630.724.9302 fax www.vsi.com</p>	<p><b>REVISIONS</b></p> <table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> <th>BY</th> <th>CHECKED BY</th> </tr> </thead> <tbody> <tr> <td>1</td> <td></td> <td>ISSUED FOR PERMITS</td> <td></td> <td></td> </tr> </tbody> </table>		NO.	DATE	DESCRIPTION	BY	CHECKED BY	1		ISSUED FOR PERMITS			<p>PROJECT NO: 18150</p> <p>DATE: 08/19/18</p> <p>DATE: 02-08-2018</p> <p>SCALE: 1" = 40'</p>	<p>DESIGNED BY: MFP</p> <p>DRAWN BY: VRS</p> <p>CHECKED BY: HEV</p> <p>PROJECT LOCATION: ST. CHARLES</p>	<p><b>REGENCY ESTATES</b></p>	<p><b>EROSION CONTROL PLAN</b></p>	<p><b>C4.1</b></p>
	NO.	DATE	DESCRIPTION	BY	CHECKED BY												
1		ISSUED FOR PERMITS															
<p>THIS DOCUMENT IS THE PROPERTY OF VSI CORPORATION AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT PERMISSION IN WRITING FROM VSI CORPORATION.</p>																	



**BASELINE WATER POLLUTION PREVENTION PLAN**

The plan has been prepared to comply with the NPDES permit (EPA) issued by the State Environmental Protection Agency (SEPA) for construction activities on the above site.

The permit also requires that all activities on the site be performed in accordance with the following conditions:

- The permittee shall install and maintain a silt fence system to prevent sediment from leaving the site.
- The permittee shall install and maintain a silt fence system to prevent sediment from leaving the site.
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- Site Description**
  - The site area is approximately 100,000 sq. ft. and is located on the east side of the site.
  - The site is currently undeveloped and is used for storage of materials.
  - The site is adjacent to a residential area.
- Erosion and Sediment Control**
  - The permittee shall install and maintain a silt fence system to prevent sediment from leaving the site.
  - The permittee shall install and maintain a silt fence system to prevent sediment from leaving the site.
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- Other Conditions**
  - The permittee shall install and maintain a silt fence system to prevent sediment from leaving the site.
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**Notes:**

1. Silt fence fabric shall be installed on top of the silt fence.
2. The silt fence shall be installed on top of the silt fence.
3. The silt fence shall be installed on top of the silt fence.

- Other Conditions**
  - The permittee shall install and maintain a silt fence system to prevent sediment from leaving the site.
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NO.	DATE	DESCRIPTION	BY	CHKD.
1	12-08-2010	ISSUED FOR PERMIT	HEV	HEV
2	12-08-2010	REVISED PERMIT	HEV	HEV
3	12-08-2010	REVISED PERMIT	HEV	HEV

NO.	DATE	DESCRIPTION	BY	CHKD.
1	12-08-2010	ISSUED FOR PERMIT	HEV	HEV
2	12-08-2010	REVISED PERMIT	HEV	HEV
3	12-08-2010	REVISED PERMIT	HEV	HEV

**REGENCY ESTATES**

12-08-2010

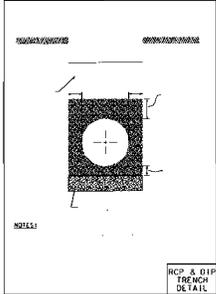
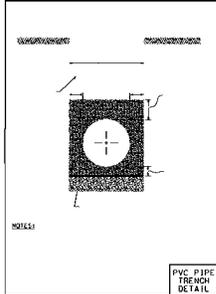
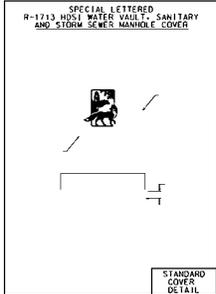
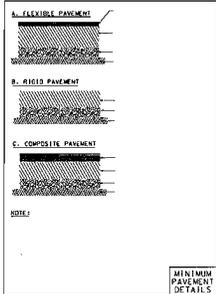
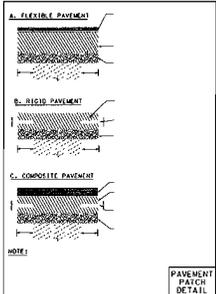
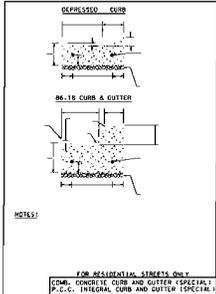
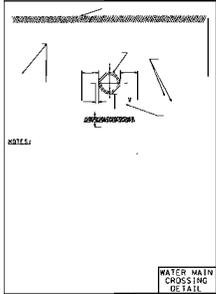
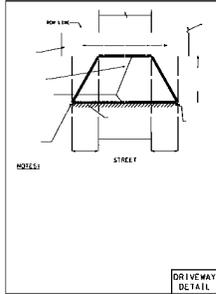
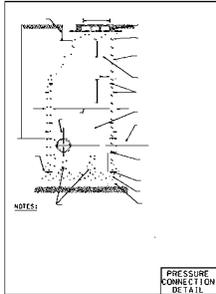
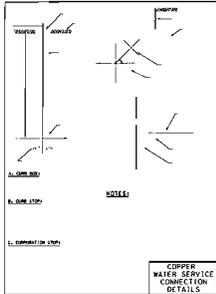
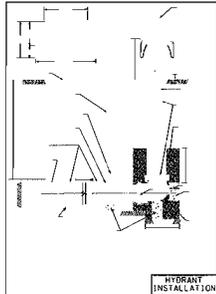
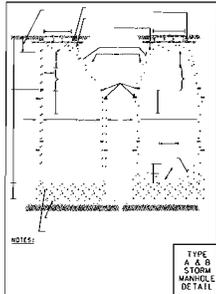
HEV

ST. CHARLES

**EROSION CONTROL DETAILS**

**C4.2**





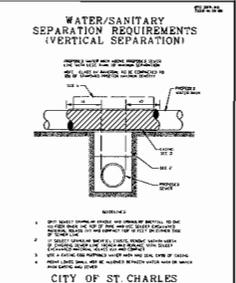
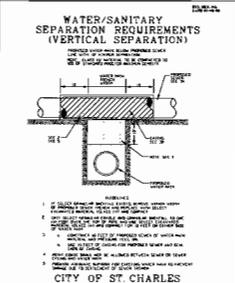
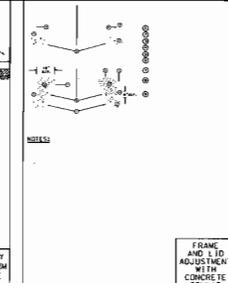
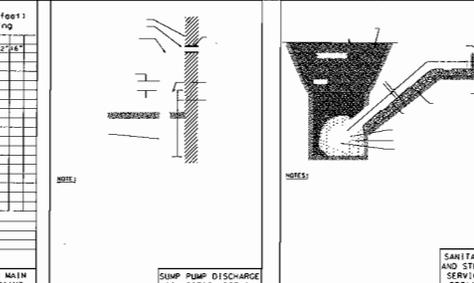
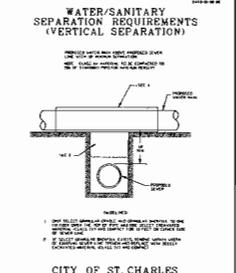
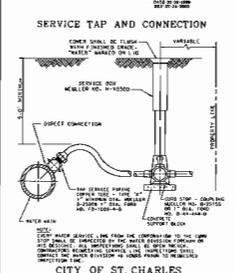
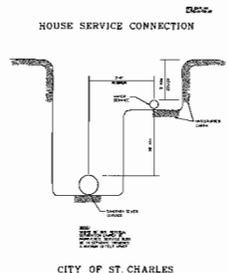
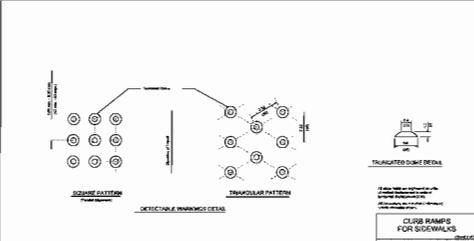
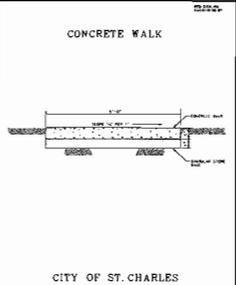
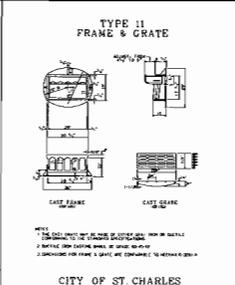
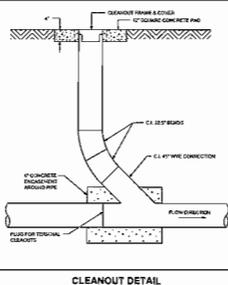
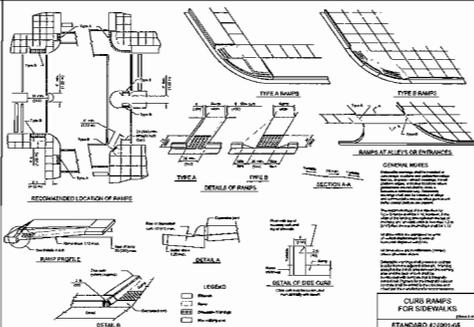
REVISIONS			
NO.	DATE	DESCRIPTION	BY

PROJECT NO:	10195	DRAWING NO:	4402
FILE NO:	CRD-DIST100	ISSUED BY:	VRS
DATE:	12-06-2010	CHECKED BY:	MEV
SCALE:	N.T.S.	PROJECT MANAGER:	MEV

REGENCY ESTATES  
ILLINOIS

CONSTRUCTION DETAILS

DRAWING NO.  
**C6.0**



Minimum Restraint Lengths (in feet) back from both sides of fitting

Fitting Type/Nominal Size	4"	6"	8"	10"	12"	14"
1/2" x 1/2" Tee	1.0	1.0	1.0	1.0	1.0	1.0
1/2" x 1/2" Elbow	1.0	1.0	1.0	1.0	1.0	1.0
1/2" x 1/2" Cross	1.0	1.0	1.0	1.0	1.0	1.0
1/2" x 1/2" Tee	1.0	1.0	1.0	1.0	1.0	1.0
1/2" x 1/2" Elbow	1.0	1.0	1.0	1.0	1.0	1.0
1/2" x 1/2" Cross	1.0	1.0	1.0	1.0	1.0	1.0
1/2" x 1/2" Tee	1.0	1.0	1.0	1.0	1.0	1.0
1/2" x 1/2" Elbow	1.0	1.0	1.0	1.0	1.0	1.0
1/2" x 1/2" Cross	1.0	1.0	1.0	1.0	1.0	1.0

**WATER MAIN RESTRAINT**

1. ALL WATER MAINS SHALL BE RESTRAINED TO THE CURB OR SIDEWALK.

2. RESTRAINT SHALL BE 1/2" DIA. PIPE.

3. RESTRAINT SHALL BE 1/2" DIA. CONNECTION.

4. RESTRAINT SHALL BE 1/2" DIA. CONNECTION.

5. RESTRAINT SHALL BE 1/2" DIA. CONNECTION.

**SUMP PUMP DISCHARGE CONNECTION DETAIL**

1. SUMP PUMP DISCHARGE SHALL BE 1/2" DIA. PIPE.

2. SUMP PUMP DISCHARGE SHALL BE 1/2" DIA. CONNECTION.

3. SUMP PUMP DISCHARGE SHALL BE 1/2" DIA. CONNECTION.

4. SUMP PUMP DISCHARGE SHALL BE 1/2" DIA. CONNECTION.

5. SUMP PUMP DISCHARGE SHALL BE 1/2" DIA. CONNECTION.

**FRAMING AND LID ADJUSTMENT WITH CONCRETE COLLAR**

1. FRAMING SHALL BE 1/2" DIA. PIPE.

2. FRAMING SHALL BE 1/2" DIA. CONNECTION.

3. FRAMING SHALL BE 1/2" DIA. CONNECTION.

4. FRAMING SHALL BE 1/2" DIA. CONNECTION.

5. FRAMING SHALL BE 1/2" DIA. CONNECTION.

**WATER/SANITARY SEPARATION REQUIREMENTS (VERTICAL SEPARATION)**

1. WATER/SANITARY SEPARATION SHALL BE 1/2" DIA. PIPE.

2. WATER/SANITARY SEPARATION SHALL BE 1/2" DIA. CONNECTION.

3. WATER/SANITARY SEPARATION SHALL BE 1/2" DIA. CONNECTION.

4. WATER/SANITARY SEPARATION SHALL BE 1/2" DIA. CONNECTION.

5. WATER/SANITARY SEPARATION SHALL BE 1/2" DIA. CONNECTION.

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1. WATER/SANITARY SEPARATION SHALL BE 1/2" DIA. PIPE.

2. WATER/SANITARY SEPARATION SHALL BE 1/2" DIA. CONNECTION.

3. WATER/SANITARY SEPARATION SHALL BE 1/2" DIA. CONNECTION.

4. WATER/SANITARY SEPARATION SHALL BE 1/2" DIA. CONNECTION.

5. WATER/SANITARY SEPARATION SHALL BE 1/2" DIA. CONNECTION.

**REVISIONS**

NO.	DATE	DESCRIPTION

**PROJECT NO. 0960**

**DATE: 12-08-2010**

**BY: M.T.S.**

**CHECKED: HEV**

**SCALE: AS SHOWN**

**REGENCY ESTATES**

**ST. CHARLES**

**CONSTRUCTION DETAILS**

**C6.1**

**Proposed Elevations for Regency Estates**



**Elevation DS**  
**2,093 Square Feet**

**Regency Estates, St. Charles, IL**



**Engineered Smart, Built RIGHT™**

**Proposed Elevations for Regency Estates**



**Elevation GB with Optional Brick  
3,006 Square Feet**

**Regency Estates, St. Charles, IL**



**Engineered Smart, Built RIGHT™**

**Proposed Elevations for Regency Estates**



**Elevation HS**  
**2,703 Square Feet**

**Regency Estates, St. Charles, IL**



**Engineered Smart, Built RIGHT™**

**Proposed Elevations for Regency Estates**



2411

**Elevation FT with Optional Stone  
2,411 Square Feet**

**Regency Estates, St. Charles, IL**



**Engineered Smart, Built RIGHT™**

**City of St. Charles, Illinois**

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

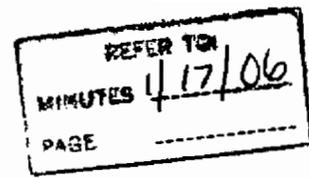
**An Ordinance Rezoning Property and Granting a  
Special Use as a Planned Unit Development for Pine-  
Ridge Park and Regency Estates PUD (A Portion of the  
West Gateway PUD)**

**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 "IV-A", "IV-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 "IV-A" as to Pine Ridge Park and Exhibit "IV-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**

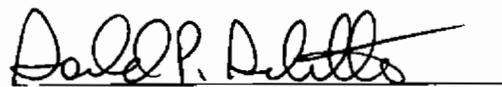
In the event a claim is made against the CITY, its officers, other officials, agents and employees or any of them, or if the CITY is made a party-defendant in any proceeding arising out of or in connection with the approval and issuance of a Special Use Permit for a Planned Unit Development for the Subject 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.

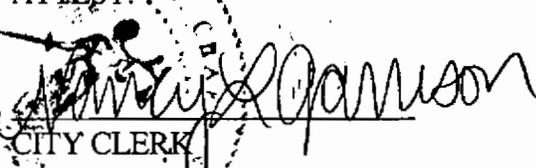
**SECTION 4.** That this Ordinance shall become effective from and after its passage and approval in accordance with law.

**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: 1

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  $85^{\circ}18'28''$  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  $94^{\circ}38'18''$  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 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 outlet, 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 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

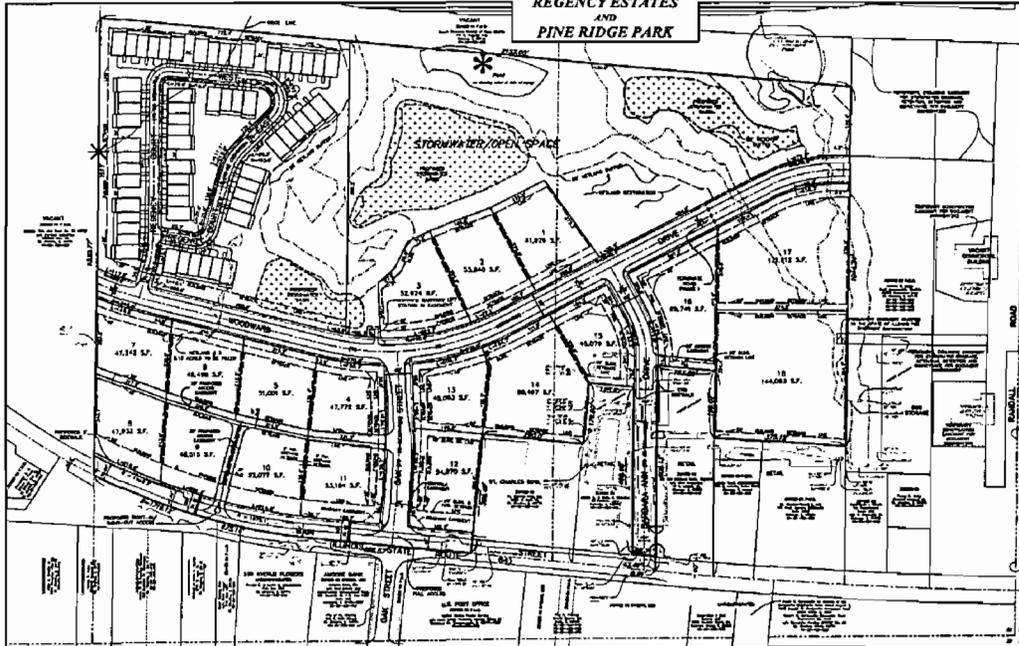
Exhibit VI-D: A six-page landscape plan entitled "Pine Ridge Park Entry Rte 64 & Oak St.", "Pine Ridge Park Frontage Route 64 & Oak Street", "Regency Estates Overall Planting Plan Woodward Drive", "Regency Estates Entrance Woodward Drive", "Regency Estates Common Area Regency Court", and "Regency Estates 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

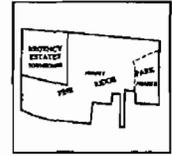
Exhibit VI-F: A two-page signage plan entitled "Pine Ridge Park" prepared by Aurora Sign Company, dated March 22, 2005

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

**"EXHIBIT VI-A"**  
**P.U.D. CONCEPT PLAN**  
**REGENCY ESTATES**  
 AND  
**PINE RIDGE PARK**



N  
 SCALE: 1" = 100'



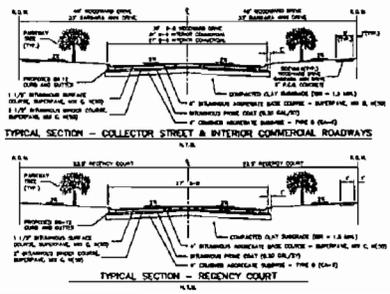
**EXISTING LEGEND**

- 1. Existing utility pole
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- 3. Existing utility pole
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- 49. Existing utility pole
- 50. Existing utility pole

PREPARED FOR:  
**REGENCY ESTATES, L.L.C.**  
 895 N. 20TH AVENUE  
 ST. CHARLES, MISSOURI 63105  
 (314) 733-1234

PREPARED FOR:  
**REGENCY ESTATES, L.L.C.**  
 895 N. 20TH AVENUE  
 ST. CHARLES, MISSOURI 63105  
 (314) 733-1234

PREPARED BY:  
**TRANSCALAND, L.P.**  
 111 E. 13TH STREET  
 ST. CHARLES, MISSOURI 63105  
 (314) 733-1198 (314) 733-1199 FAX  
 COPYRIGHT © 2001 BY TRANSCALAND, L.P.

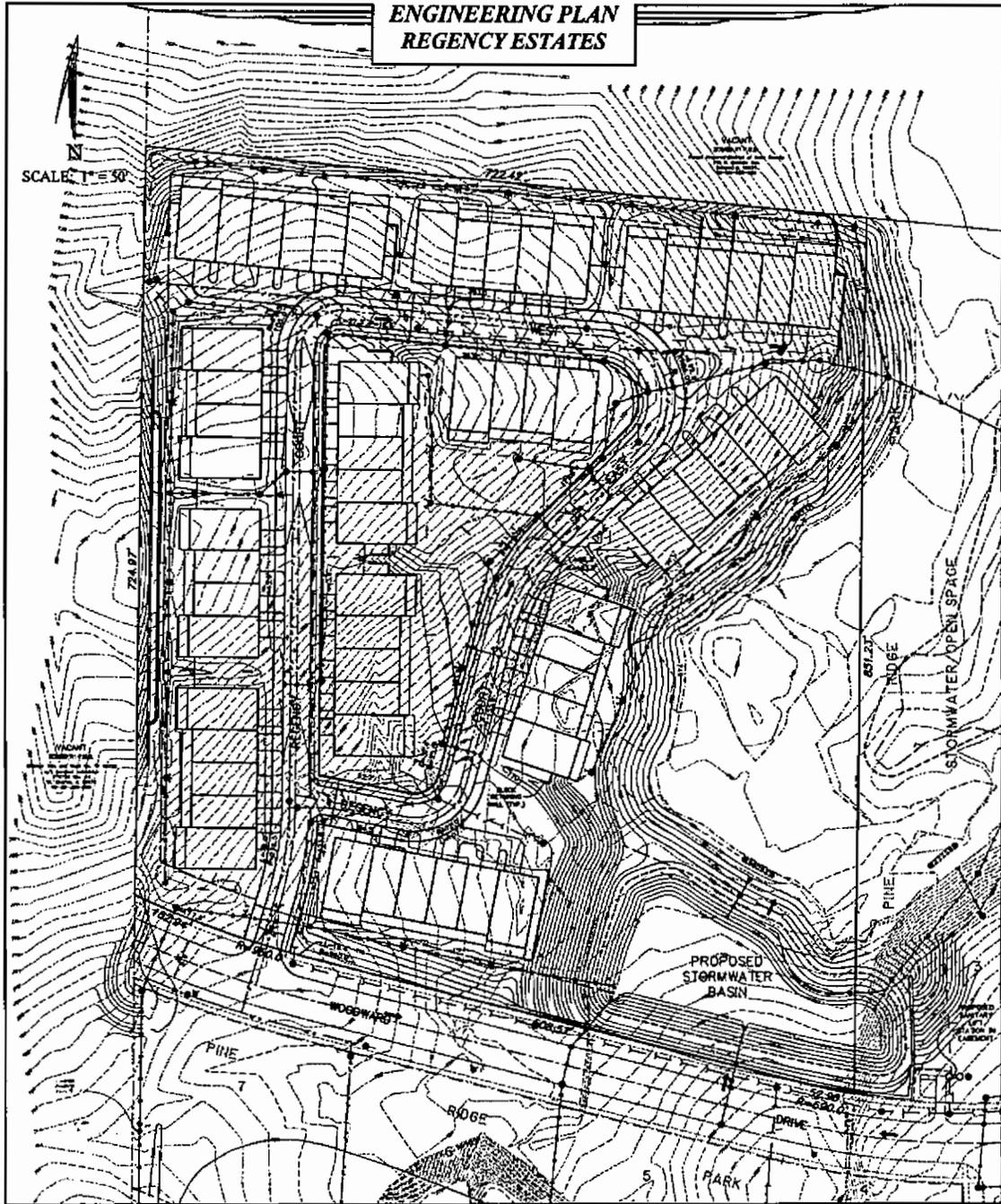


SITE DATA TABLE	
EXISTING ZONING OF ENTIRE SITE	R-1 P.U.D.
PROPOSED ZONING COMMERCIAL AREA	C-2 P.U.D.
SITE AREA (EXCLUDING EXISTING STL. ON RIGHT OF WAY)	80.17 AC.
COMMERCIAL AREA (EXCL. R.O.W.)	25.83 AC.
EXISTING AREA OF STL. ON RIGHT OF WAY	1.28 AC.
NUMBER OF COMMERCIAL LOTS	11
ADDITIONAL STL. ON RIGHT OF WAY	0.65 AC.
PROPOSED TOWNHOMES AREA EXCLUDING R.O.W.	84.4 P.U.D.
AREA OF PROPOSED BACKY OF WAY	8.88 AC.
TOWNHOMES AREA (EXCL. R.O.W.)	11.43 AC.
NUMBER OF TOWNHOMES UNITS	41 Units
OVER SPACED/STORMWATER AREA	14.39 AC.
TOWNHOMES AREA DENSITY	4.43 UNITS/AC.

BOUNDARY AND TOPOGRAPHIC SURVEY DATA PROVIDED BY WESTERN ENGINEERING, P.C.

REVISIONS:  
 1. 11/15/01  
 2. 11/15/01

**"EXHIBIT VI-B"**  
**P.U.D. PRELIMINARY**  
**ENGINEERING PLAN**  
**REGENCY ESTATES**

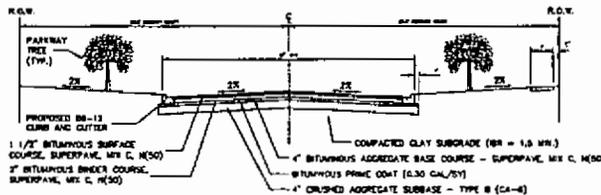


**PROPOSED LEGEND**

- ☒ Fire hydrant
- Water shut off valve
- Water valve vault
- Storm manhole
- Flared and section
- Catch basin
- Curb inlet
- Underground water line (also see individual)
- Secondary sewer line
- Storm sewer line
- Concrete curb
- Direction of surface drainage
- Overland Flood Flows

**EXISTING LEGEND**

- Utility pole
- Phone pedestal
- ☒ Fire hydrant
- Water shut off valve
- Water valve vault
- Telephone manhole
- Sanitary sewer manhole
- Storm water basin
- Flared and section
- Underground gas line
- Underground water line
- Center line of base (where appropriate to show direction)
- Overland water
- Secondary sewer line
- Storm sewer line
- Concrete curb



**TYPICAL SECTION - REGENCY COURT**

N.13

PREPARED FOR:  
 CUSTOM TOWNING AREA:  
**REGENCY ESTATES, L.L.C.**  
 975 N. 12ND AVENUE  
 ST. CHARLES, ILLINOIS 60134  
 (630) 513-1264

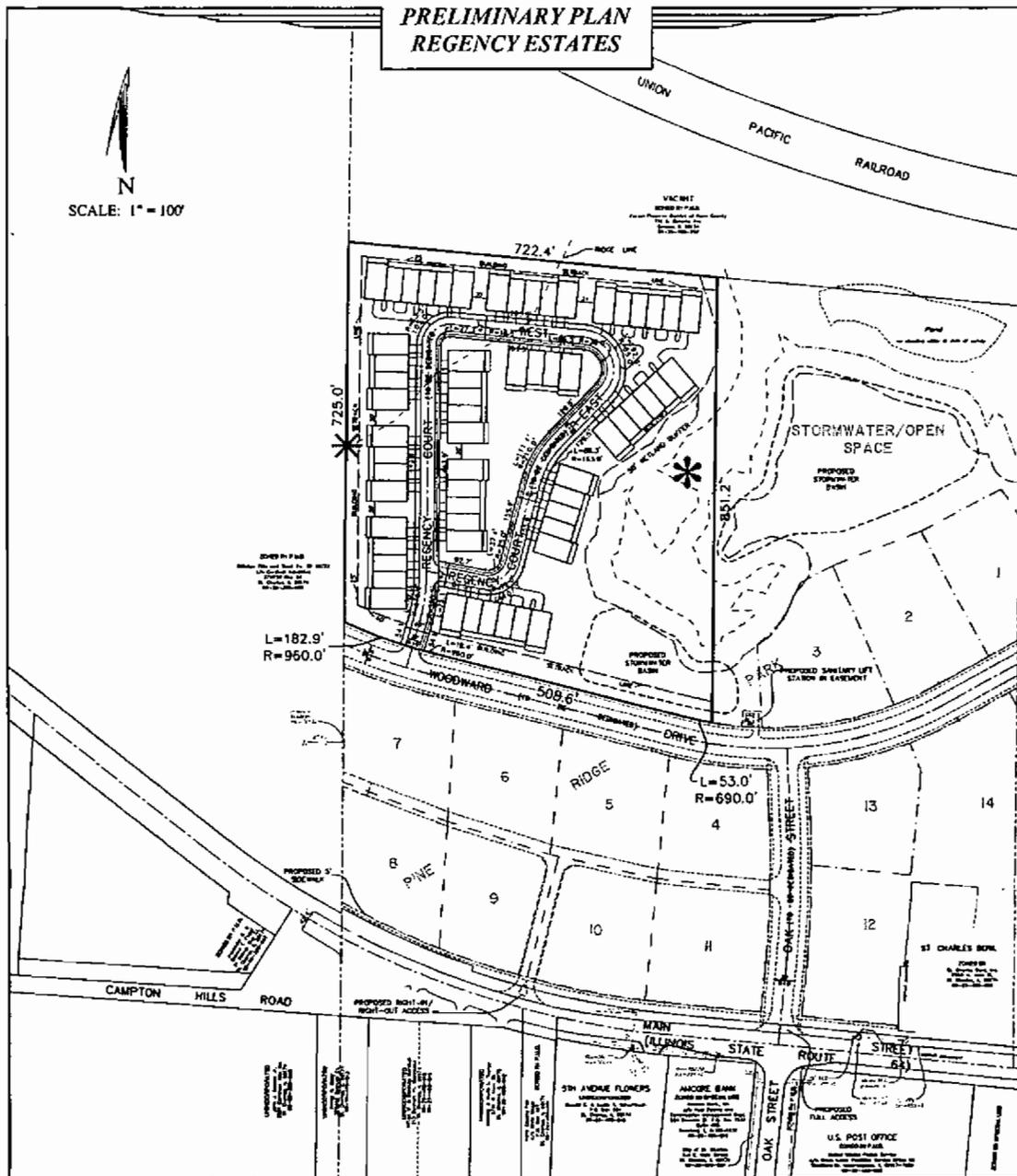
PREPARED BY:  
**WESTERN SURVEYING & ENGINEERING, P.C.**  
 331 STANTON STREET  
 SUITE A  
 GENEVA, ILLINOIS 60134  
 (630) 845-0600 (630) 845-0601 FAX  
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BOUNDARY AND TOPOGRAPHIC SURVEY  
 DATA PROVIDED BY WESTERN  
 SURVEYING & ENGINEERING, P.C.

DISSECTORY CLAIMED  
 FILED UNDER EXHIBIT VI-C  
 FOR THE TOWNSHIP  
 DEPT. 14-10

**"EXHIBIT VI-C"**  
**P.U.D.**  
**PRELIMINARY PLAN**  
**REGENCY ESTATES**

N  
 SCALE: 1" = 100'



**VICINITY MAP**  
 NOT TO SCALE

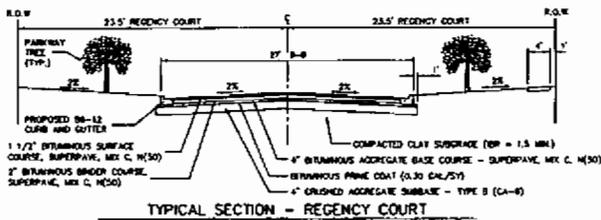
SITE DATA TABLE	
EXISTING ZONING	R1 P.U.D.
PROPOSED ZONING	RAA P.U.D.
GROSS SITE AREA	13.16 AC.
AREA IN PROPOSED RIGHT-OF-WAY	1.72 AC.
OPEN SPACE AREA	3.39 AC.
NUMBER OF TOWNHOME UNITS	61
TOWNHOME AREA GROSS DENSITY	4.63 DU/AC

**EXISTING LEGEND**

- Indicates utility pole
- Indicates phone pedestal
- ⊕ Indicates fire hydrant
- ⊗ Indicates meter shut off valve
- ⊙ Indicates water valve vault
- ⊕ Indicates telephone manhole
- ⊙ Indicates sanitary sewer manhole
- ⊕ Indicates storm catch basin
- ⊙ Indicates barrel and section
- Indicates underground gas line
- Indicates underground water line
- Indicates center line of fence (if not accompanied by show direction)
- Indicates overhead wires
- Indicates sanitary sewer line
- Indicates storm sewer line
- Indicates concrete curb

- \* Indicates high point
- \* Indicates low point

BOUNDARY AND TOPOGRAPHIC SURVEY DATA PROVIDED BY WESTERN ENGINEERING, P.C.

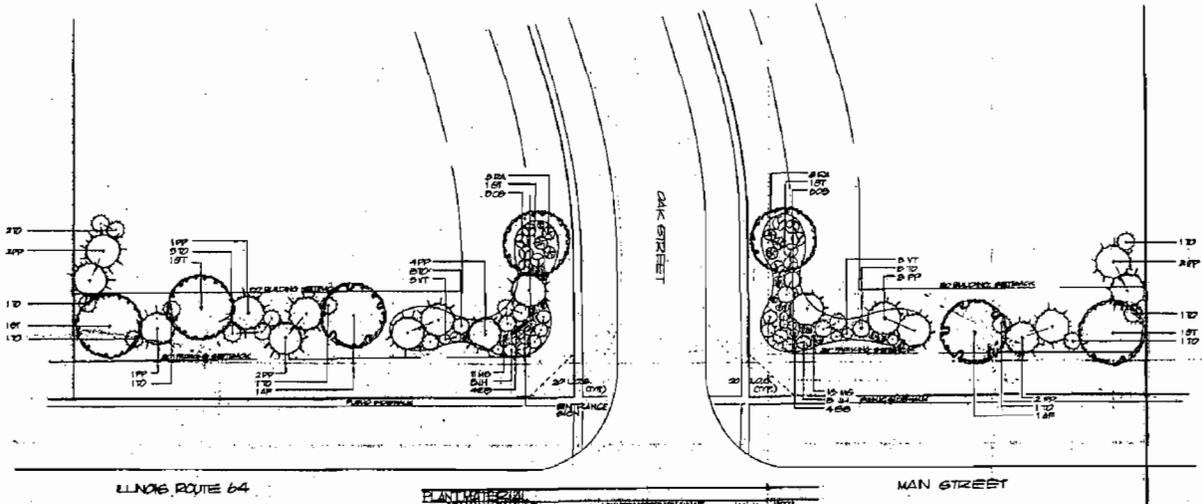


PREPARED FOR:  
 CLYTON TOWNHOME AREA  
**REGENCY ESTATES, L.L.C.**  
 975 N. 2ND AVENUE  
 ST. CHARLES, ILLINOIS 60174  
 (630) 513-1264

PREPARED BY:  
**TRANS-LAND, LTD.**  
 116 S. 13TH STREET  
 ST. CHARLES, ILLINOIS 60174  
 (630) 225-1196 (630) 463-6954 FAX  
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REVISIONS: 01/20/06  
 FILE NAME: EXHIBIT VI-C  
 DRAWING: 01/20/06  
 DATE: 1/20/06

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 CONSENT IS SUBJECT TO LITIGATION.



PLANT LIST		QUANTITIES	
AC 2	ACER FRAXINOSA LEPTOPHYLLA	ATTN GRASS HARPS	251 GAL
BT 2	BETULA TOROSSIANA VIG. HEDWIG	BRONZE HORSESHOES	251 GAL
BT 3	BETULA TOROSSIANA VIG. HEDWIG		
BT 4	BETULA TOROSSIANA VIG. HEDWIG		
BT 5	BETULA TOROSSIANA VIG. HEDWIG		
BT 6	BETULA TOROSSIANA VIG. HEDWIG		
BT 7	BETULA TOROSSIANA VIG. HEDWIG		
BT 8	BETULA TOROSSIANA VIG. HEDWIG		
BT 9	BETULA TOROSSIANA VIG. HEDWIG		
BT 10	BETULA TOROSSIANA VIG. HEDWIG		
BT 11	BETULA TOROSSIANA VIG. HEDWIG		
BT 12	BETULA TOROSSIANA VIG. HEDWIG		
BT 13	BETULA TOROSSIANA VIG. HEDWIG		
BT 14	BETULA TOROSSIANA VIG. HEDWIG		
BT 15	BETULA TOROSSIANA VIG. HEDWIG		
BT 16	BETULA TOROSSIANA VIG. HEDWIG		
BT 17	BETULA TOROSSIANA VIG. HEDWIG		
BT 18	BETULA TOROSSIANA VIG. HEDWIG		
BT 19	BETULA TOROSSIANA VIG. HEDWIG		
BT 20	BETULA TOROSSIANA VIG. HEDWIG		
BT 21	BETULA TOROSSIANA VIG. HEDWIG		
BT 22	BETULA TOROSSIANA VIG. HEDWIG		
BT 23	BETULA TOROSSIANA VIG. HEDWIG		
BT 24	BETULA TOROSSIANA VIG. HEDWIG		
BT 25	BETULA TOROSSIANA VIG. HEDWIG		
BT 26	BETULA TOROSSIANA VIG. HEDWIG		
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BT 30	BETULA TOROSSIANA VIG. HEDWIG		
BT 31	BETULA TOROSSIANA VIG. HEDWIG		
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BT 62	BETULA TOROSSIANA VIG. HEDWIG		
BT 63	BETULA TOROSSIANA VIG. HEDWIG		
BT 64	BETULA TOROSSIANA VIG. HEDWIG		
BT 65	BETULA TOROSSIANA VIG. HEDWIG		
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BT 77	BETULA TOROSSIANA VIG. HEDWIG		
BT 78	BETULA TOROSSIANA VIG. HEDWIG		
BT 79	BETULA TOROSSIANA VIG. HEDWIG		
BT 80	BETULA TOROSSIANA VIG. HEDWIG		
BT 81	BETULA TOROSSIANA VIG. HEDWIG		
BT 82	BETULA TOROSSIANA VIG. HEDWIG		
BT 83	BETULA TOROSSIANA VIG. HEDWIG		
BT 84	BETULA TOROSSIANA VIG. HEDWIG		
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BT 97	BETULA TOROSSIANA VIG. HEDWIG		
BT 98	BETULA TOROSSIANA VIG. HEDWIG		
BT 99	BETULA TOROSSIANA VIG. HEDWIG		
BT 100	BETULA TOROSSIANA VIG. HEDWIG		

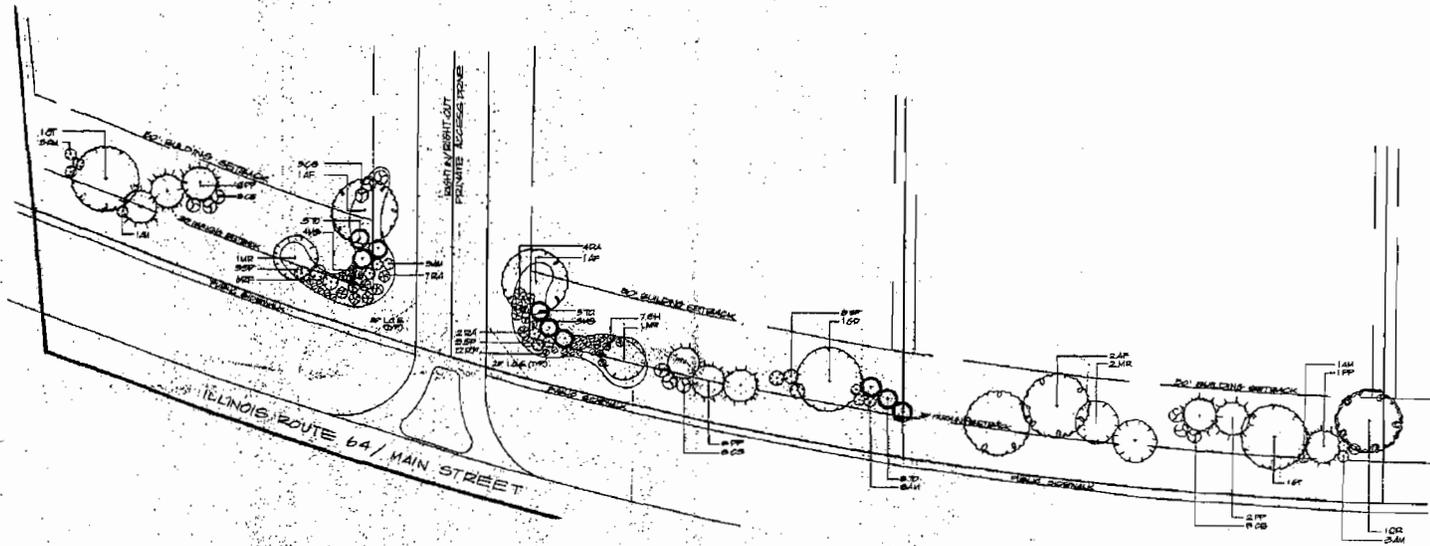
EXHIBIT III-D

PINE RIDGE PARK  
 975 NORTH 2ND AVE.  
 ST. CHARLES, IL. 60174



OWNER: PINE RIDGE PARK  
 DATE: 08/14/2018  
 SCALE: 1" = 20' 0"  
 BY: JENNIFER A. JENSEN

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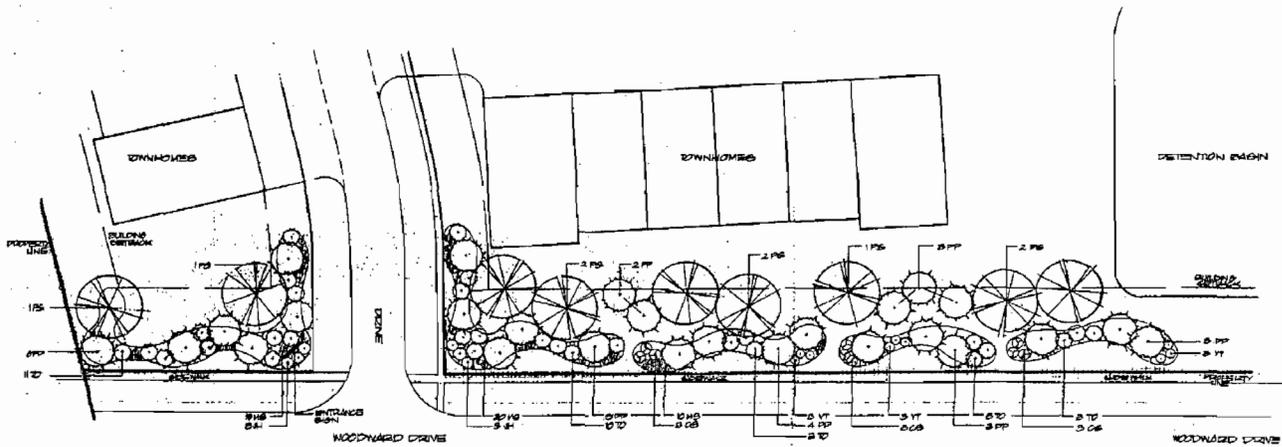
PLANT MATERIAL	QUANTITY	PLANT SPECIES	PLANT SIZE
<b>DECIDUOUS TREES</b>			
NO. 1	1	AMERICAN BEECH	2 1/2" CAL.
NO. 2	1	RED BUD	2 1/2" CAL.
NO. 3	1	SMALL LEAFED DOGWOOD	2 1/2" CAL.
NO. 4	1	SMALL LEAFED DOGWOOD	2 1/2" CAL.
NO. 5	1	SMALL LEAFED DOGWOOD	2 1/2" CAL.
<b>EVERGREEN TREES</b>			
NO. 1	1	SMALL LEAFED DOGWOOD	2 1/2" CAL.
NO. 2	1	SMALL LEAFED DOGWOOD	2 1/2" CAL.
<b>DECIDUOUS SHRUBS</b>			
NO. 1	1	SMALL LEAFED DOGWOOD	2 1/2" CAL.
NO. 2	1	SMALL LEAFED DOGWOOD	2 1/2" CAL.
NO. 3	1	SMALL LEAFED DOGWOOD	2 1/2" CAL.
NO. 4	1	SMALL LEAFED DOGWOOD	2 1/2" CAL.
<b>PERENNIALS</b>			
NO. 1	1	SMALL LEAFED DOGWOOD	2 1/2" CAL.
NO. 2	1	SMALL LEAFED DOGWOOD	2 1/2" CAL.
NO. 3	1	SMALL LEAFED DOGWOOD	2 1/2" CAL.
NO. 4	1	SMALL LEAFED DOGWOOD	2 1/2" CAL.



**PINE RIDGE PARK**  
975 NORTH 2ND AVE.  
ST. CHARLES, IL. 60174

DESIGN NUMBER: J-010  
DATE: MARCH 25, 2008  
SCALE: 1" = 20'-0"  
BY: CHRISTOPHER A. BRADLEY

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PLANT MATERIAL	COMMON NAME	HEIGHT
<b>EVERGREEN TREES</b>		
PP 22	PIPERA PLUMBOSA F. PLACIDA	20 FT.
PP 9	PALEA ACUTICORNIS	20 FT.
TD 10	TAXUS COCCONUTATUS VARIATION	20 FT.
<b>DECIDUOUS SHRUBS</b>		
OS 7	OSYRIS DESPINOZA VARIATION	20 FT.
YT 9	YUCCA FILIFOLIA VARIATION	20 FT.
<b>EVERGREEN SHRUBS</b>		
JA 5	JUNIPERUS HORIZONTALIS VARIATION	20 FT.
<b>PERENNIALS</b>		
MS 30	MORNING GLORY	20 FT.

DESIGNED FOR  
 SOUTHWESTERN  
 DEVELOPMENT  
 1000 N. 10TH ST.  
 DENVER, CO 80202

DATE: MARCH 20, 2005  
 SCALE: 1" = 20'-0"  
 BY: MICHAEL A. FORTNA

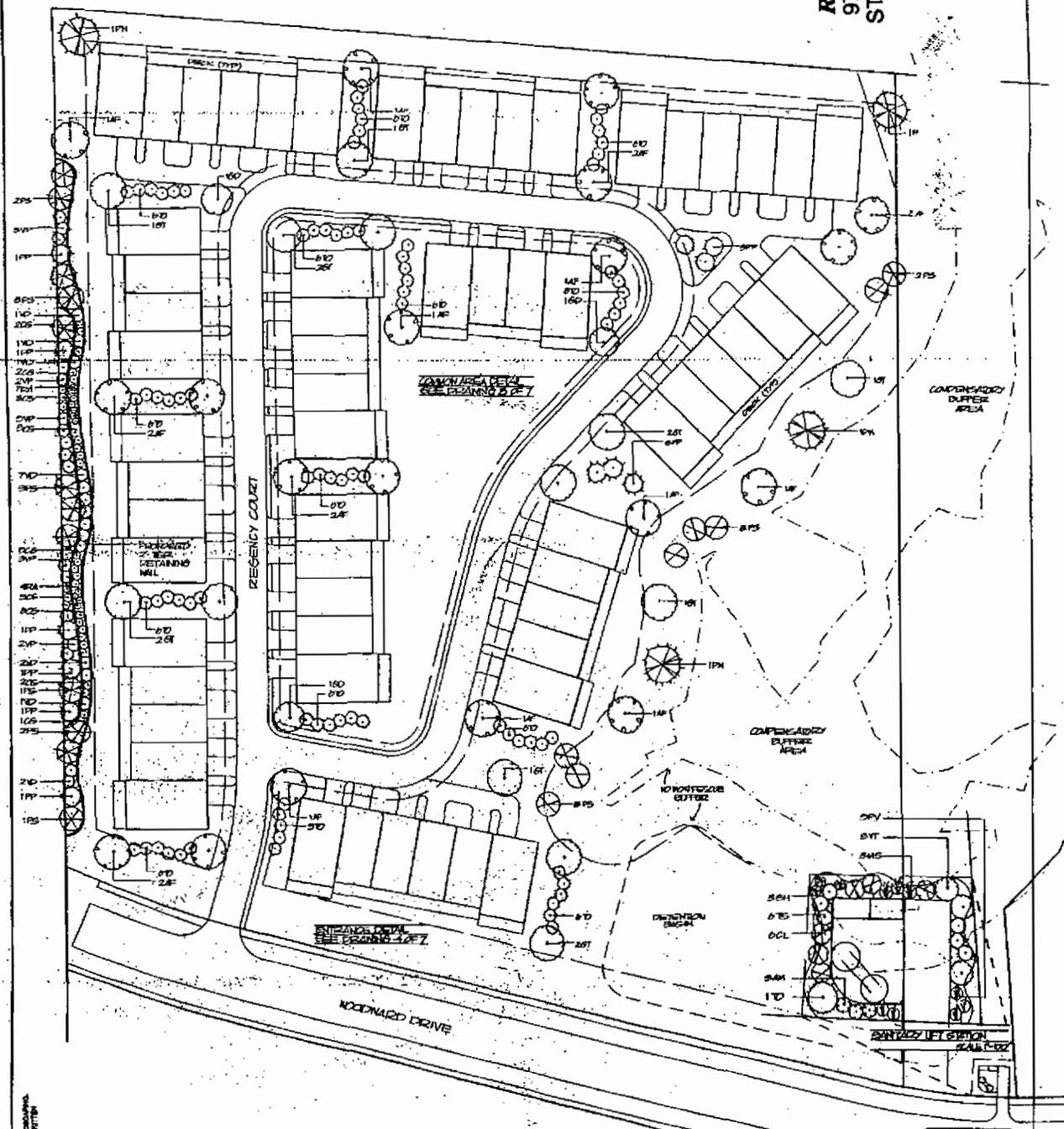
**PINE RIDGE PARK**  
 975 NORTH 2ND AVE.  
 ST. CHARLES, IL. 60174

DATE: MARCH 20, 2005  
 SCALE: 1" = 20'-0"  
 BY: MICHAEL A. FORTNA

PLANT MATERIAL - OVERALL PLAN		
REV. BY	DESCRIPTION	DATE
<b>DECIDUOUS TREES</b>		
01	ACER FRAXINUM	25' CAL
02	QUERCUS ROBUR	25' CAL
03	QUERCUS PRINCEPS	25' CAL
<b>EVERGREEN TREES</b>		
04	PIRENEA PLUMBERGIA	8' HT
05	PRUNUS SPINOSA	8' HT
06	PRUNUS SPINOSA	8' HT
07	PRUNUS SPINOSA	8' HT
<b>DECIDUOUS SHRUBS</b>		
08	SPARGANGLIUM ANGERICUM	60" HT
09	SPARGANGLIUM ANGERICUM	60" HT
10	SPARGANGLIUM ANGERICUM	60" HT
11	SPARGANGLIUM ANGERICUM	60" HT
12	SPARGANGLIUM ANGERICUM	60" HT
13	SPARGANGLIUM ANGERICUM	60" HT
14	SPARGANGLIUM ANGERICUM	60" HT
15	SPARGANGLIUM ANGERICUM	60" HT
16	SPARGANGLIUM ANGERICUM	60" HT
17	SPARGANGLIUM ANGERICUM	60" HT

**REGENCY ESTATES**  
 975 NORTH 2ND AVE.  
 ST. CHARLES, IL. 60174

DATE: MARCH 24, 2020  
 SCALE: 1/4"=1'-0"  
 BY: PROSPECTA & ASSOCIATES



PLANT MATERIAL - CONCRETE DETAINING WALL		
REV. BY	DESCRIPTION	DATE
<b>EVERGREEN TREES</b>		
01	PRUNUS SPINOSA	8' HT
02	PRUNUS SPINOSA	8' HT
<b>DECIDUOUS SHRUBS</b>		
03	SPARGANGLIUM ANGERICUM	60" HT
04	SPARGANGLIUM ANGERICUM	60" HT
05	SPARGANGLIUM ANGERICUM	60" HT
<b>PERENNIALS</b>		
06	SPARGANGLIUM ANGERICUM	60" HT
07	SPARGANGLIUM ANGERICUM	60" HT
08	SPARGANGLIUM ANGERICUM	60" HT

DATE: MARCH 24, 2020  
 SCALE: 1/4"=1'-0"  
 BY: PROSPECTA & ASSOCIATES

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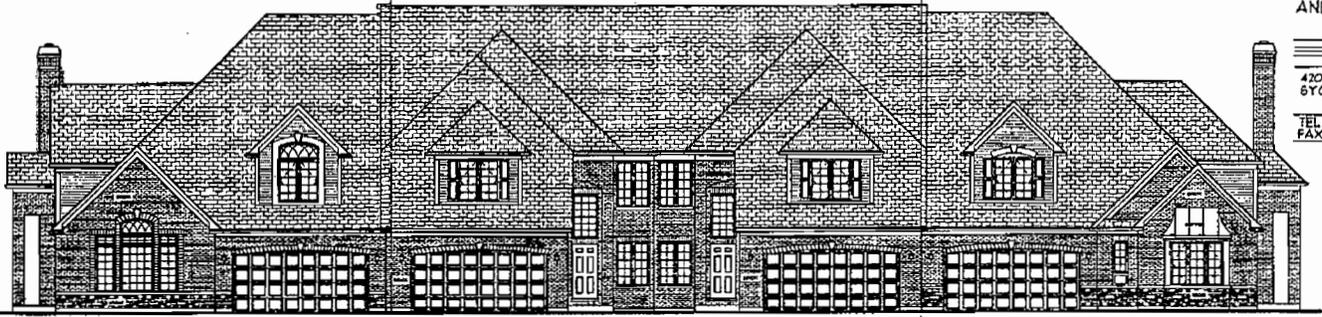
MICHAEL J. GRIMSON  
AND ASSOC.

420 ROMONAUK ROAD  
SYCAMORE ILLINOIS

TEL 815/895-5695  
FAX 815-566-93

PROJECT #

REVISION



FRONT ELEVATION

4 UNITS



RIGHT ELEVATION

REGENCY ESTATES  
ST. CHARLES ILLINOIS

EXHIBIT "D"-E

P. 1 of 2

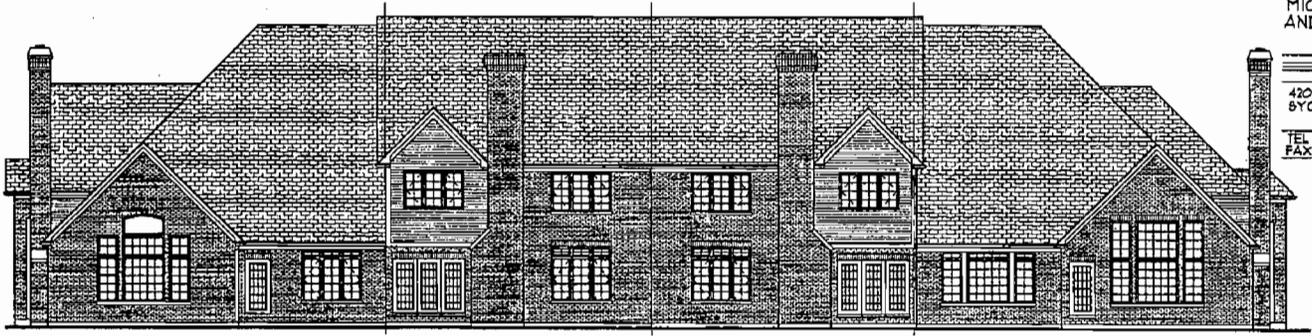
CREATED:  
DATE: 4/8/04

MICHAEL J. GRIMSON  
AND ASSOC.

420 SOMONAUK ROAD  
BYCAMORE ILLINOIS

TEL 815/893-5695  
FAX 815-5695

PROJECT #  
REVISION



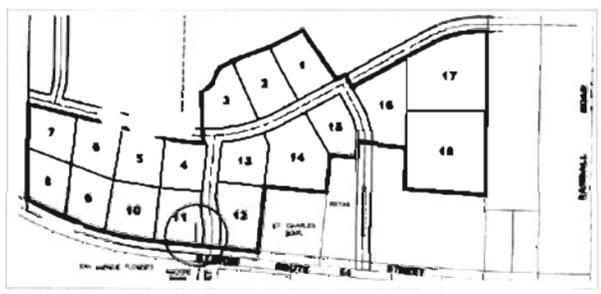
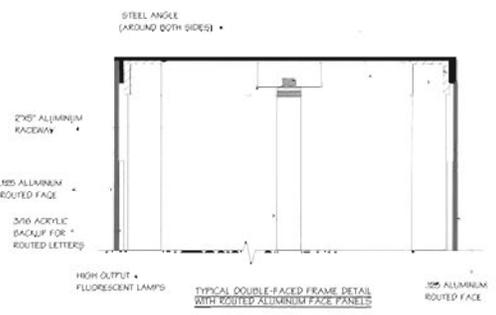
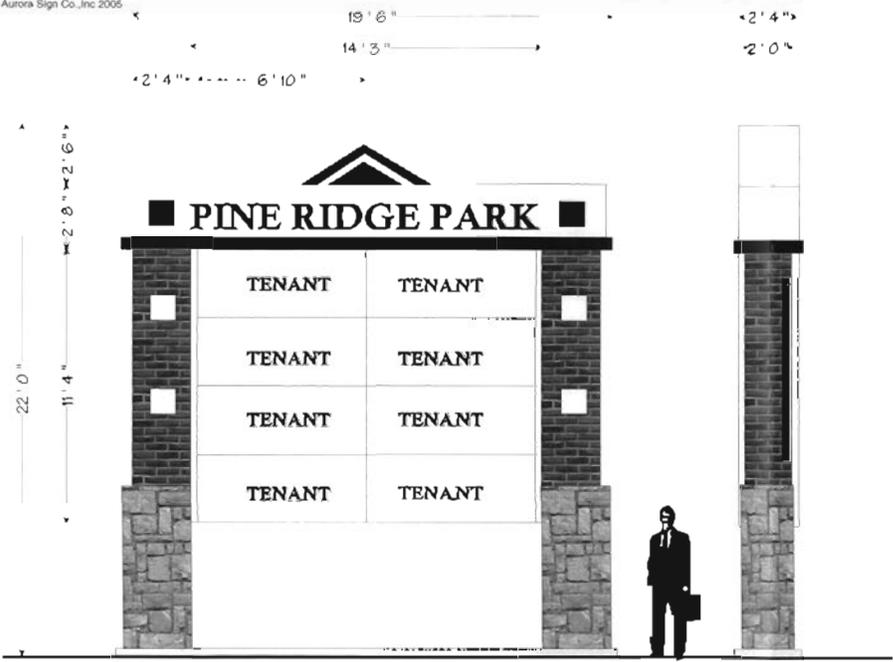
LEFT ELEVATION

REGENCY ESTATES  
ST. CHARLES ILLINOIS

EXHIBIT "VII-E"  
P. 2 of 2

DRAWN: H&G  
DATE: 04/18/04

SHEET



**DOUBLE-FACED ILLUMINATED SIGN**  
 FABRICATE AND INSTALL SIGN OF ALUMINUM AND STEEL ANGLE.  
 FACES TO BE ALUMINUM ROUTED FOR COPY AND BACKED WITH ACRYLIC.  
 TENANT PANELS TO BE ALUMINUM PANS ROUTED FOR COPY.  
 ALL EXPOSED METAL SURFACES TO BE COATED WITH ACRYLIC POLYURETHANE.  
 INTERNAL ILLUMINATION TO BE HIGH OUTPUT FLUORESCENT LAMPS.  
 SCALE - 1/4" = 1'

**INSTALLATION INSTRUCTIONS**  
 SET 2 - 10" X 27" STEEL PIPE IN CONCRETE FOOTING TO DEPTH OF 7'  
 SIGN TO BE PERPENDICULAR TO RT 64.  
 CONNECT TO ELECTRICAL SERVICE  
 TO BE PROVIDED BY OTHERS PRIOR TO INSTALL.  
 MASONRY TO BE PROVIDED BY OTHERS.

**EXHIBIT - VI - F pg.1**

1100 Route 34 Aurora, Illinois 60504 630 898 5900 office 630 898 6091 fax	Prepared For: PINE RIDGE PARK	Address: RT 64 AND RANDALL RD	Drawn: 2/25/02	Sheet: 1	Design Date: 3/22/05	Rev. 3:
	Location Name:	City/State: ST. CHARLES, IL	Rev. 1:			Rev. 4:
			Rev. 2:			Rev. 5:

NOTE: THIS DRAWING IS THE PROPERTY OF AURORA SIGN CO. IT IS NOT TO BE REPRODUCED, COPIED, OR EXHIBITED IN ANY FASHION WITHOUT WRITTEN CONSENT FROM AURORA SIGN CO. CHARGES OF UP TO \$2000.00 WILL BE ASSESSED FOR ANY MIS-USE OF THESE DRAWINGS.

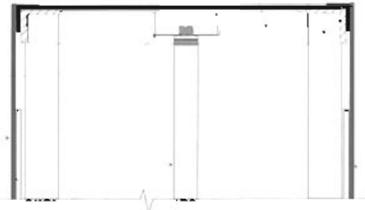
10' 0"  
4' 9"

14' 0"  
8' 0"



STEEL ANGLE  
(AROUND BOTH SIDES)

1/2" ALUMINUM  
RACEWAY  
1/2" ALUMINUM  
ROUTED FACE  
3/16" ACRYLIC  
BACKUP FOR 1"  
ROUTED LETTERS



HIGH OUTPUT  
FLUORESCENT LAMPS  
TYPICAL DOUBLE-FACED FRAME DETAIL  
WITH ROUTED ALUMINUM FACE PANELS  
1/2" ALUMINUM  
ROUTED FACE



**DOUBLE-FACED ILLUMINATED SIGN**

FABRICATE AND INSTALL SIGN OF ALUMINUM AND STEEL ANGLE.  
FACES TO BE ALUMINUM ROUTED FOR COPY AND BACKED WITH ACRYLIC.  
TENANT PANELS TO BE ALUMINUM PANS ROUTED FOR COPY.  
ALL EXPOSED METAL SURFACES TO BE COATED WITH ACRYLIC POLYURETHANE.  
INTERNAL ILLUMINATION TO BE HIGH OUTPUT FLUORESCENT LAMPS.  
SCALE - 3/8" = 1'

**INSTALLATION INSTRUCTIONS**

SET 8" X 21" STEEL PIPE IN CONCRETE FOOTING TO DEPTH OF 7'  
SIGN TO BE PERPENDICULAR TO RT 64.  
CONNECT TO ELECTRICAL SERVICE  
TO BE PROVIDED BY OTHERS  
PRIOR TO INSTALL.

**EXHIBIT VI-F pg 2**

1100 Route 34 Aurora, Illinois 60504 630.898.5900 office 630.898.6091 fax	Prepared For: PINE RIDGE PARK	Address: RT 64 AND RANDALL RD	Draw: 205092	Sheet: 2	Design Date: 3/22/05	Rev 1:	Rev 2:	Rev 3:	Rev 4:	Rev 5:	Rev 6:	Rev 7:	Rev 8:
	Location Name:	City/State: ST. CHARLES, IL											
	NOTE: THIS DRAWING IS THE PROPERTY OF AURORA SIGN CO. IT IS NOT TO BE REPRODUCED, COPIED, OR EXHIBED IN ANY FASHION WITHOUT WRITTEN CONSENT FROM AURORA SIGN CO. CHARGES OF UP TO \$2000.00 WILL BE ASSESSED FOR ANY MIS-USE OF THESE DRAWINGS.												

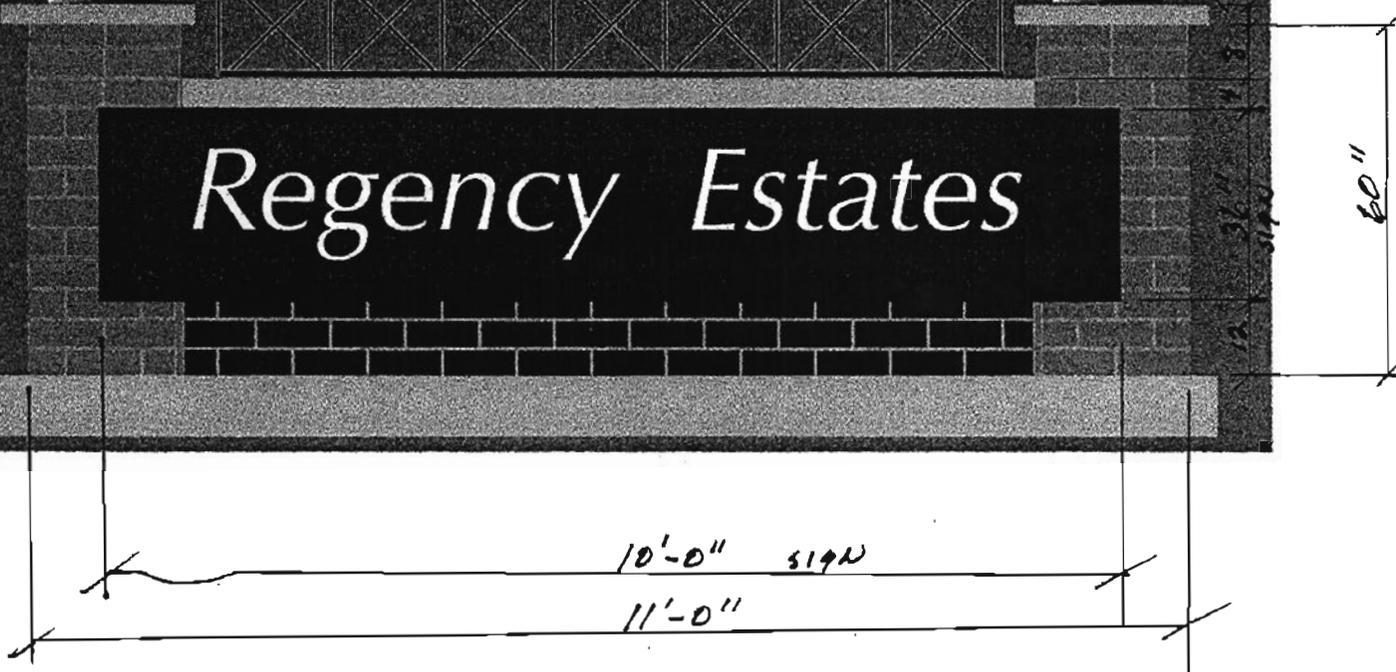
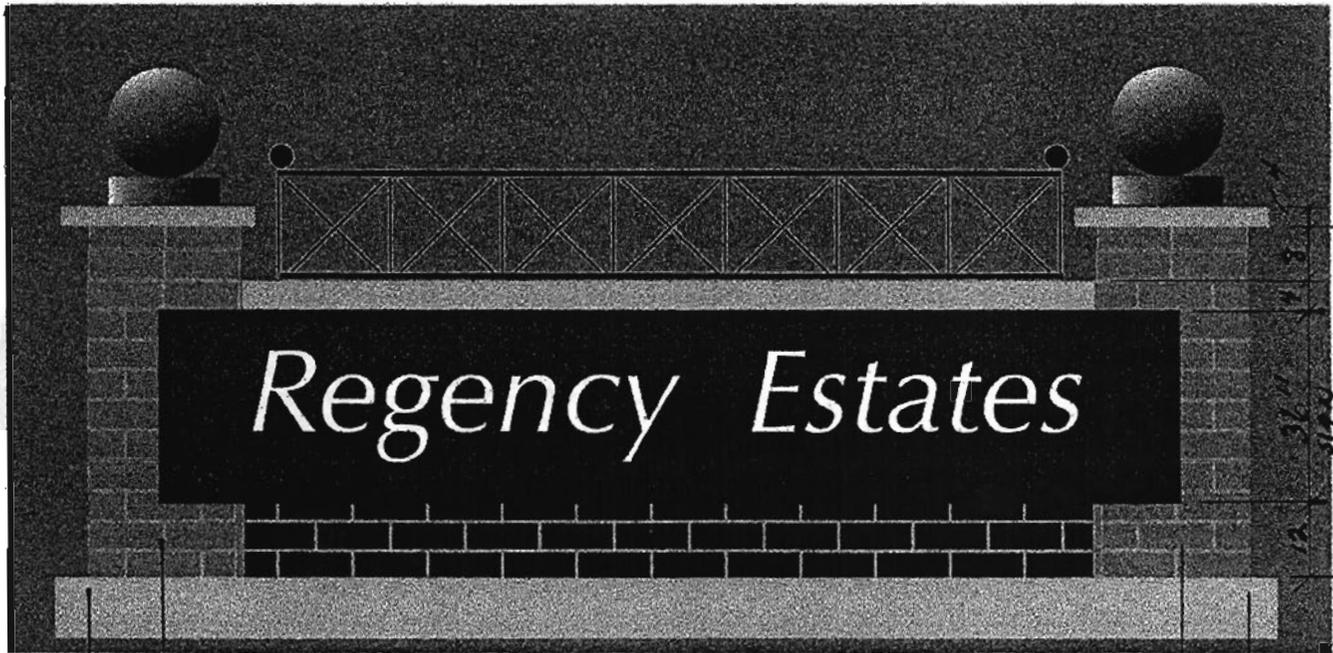
Exhibit "VI-6"

**REGENCY ESTATES**  
975 NORTH 2ND AVE.  
ST. CHARLES, IL. 60174  
630 513 5223

RECEIVED

JUL 7 - 2003

PLANNING OFFICE



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

## Certificate

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

I further certify that on January 17, 2006, the Corporate Authorities of such municipality passed and approved Ordinance No. 2006-Z-4, entitled

"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),"

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

The pamphlet form of Ordinance No. 2006-Z-4, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on January 20, 2006, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

**DATED** at St. Charles, Illinois, this 17 day of January, 2006.

  
Municipal Clerk

