

 ST. CHARLES <small>SINCE 1834</small>	PLAN COMMISSION AGENDA ITEM EXECUTIVE SUMMARY			
	Project Title/ Address:	220-300 N. Randall Road – Special Use for a Transportation Operations Facility (Randall Road Partners)		
	City Staff:	Russell Colby		
Please check appropriate box (x)				
	PUBLIC HEARING 7/19/11	X	MEETING 7/19/11	X
APPLICATIONS UNDER CONSIDERATION:				
Special Use				
ATTACHMENTS AND SUPPORTING DOCUMENTS				
Staff Memo		Intergovernmental Agreement with Kane County		
Application and Attachments				
Draft of a Traffic Technical Memorandum				
EXECUTIVE SUMMARY:				
<p>Gerard Keating of North Randall Road Partners, the property owner, has submitted an Application for a Special Use to establish a “Transportation Operations Facility” in the BC Community Business District and M-1 Special Manufacturing District on the property located at 220 N. Randall Road (former Mercedes Dealership) and 300 N. Randall Road (former Stock Lumberyard facility).</p> <p>Illinois Central Bus Company, a private school bus transportation provider, proposes to operate a dispatch/light repair facility and bus storage yard at the subject property. Illinois Central plans to initially locate 100 buses at this location and may increase the total to 150 at some point in the future.</p> <p>The applicant has submitted a site plan showing the improvements planned to occur at the 300 N. Randall Road property. The latest version of the site plan is attached. The plan was submitted on 7/15/11 and staff has not had a chance to review the document. Staff has requested a site plan of the proposed interim condition showing how the site will function before the improvements are completed.</p> <p>The City has engaged Hampton, Lenzini and Renwick (HLR) to conduct a traffic analysis of the impact of the proposed use on the public street network adjacent to the site. A draft is attached. Staff has not had a chance to review or comment on the traffic study.</p>				
RECOMMENDATION / SUGGESTED ACTION <i>(briefly explain):</i>				
Conduct the public hearing.				
<i>For office use only:</i>		<i>Agenda Item Number:</i>		

Community Development
 Planning Division

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



Staff Memo

TO: Chairman Todd Wallace
 and Plan Commission Members

FROM: Russell Colby
 Planning Division Manager

RE: Application for a Special Use for a Transportation Operations Facility

DATE: July 15, 2011

I. APPLICATION INFORMATION:

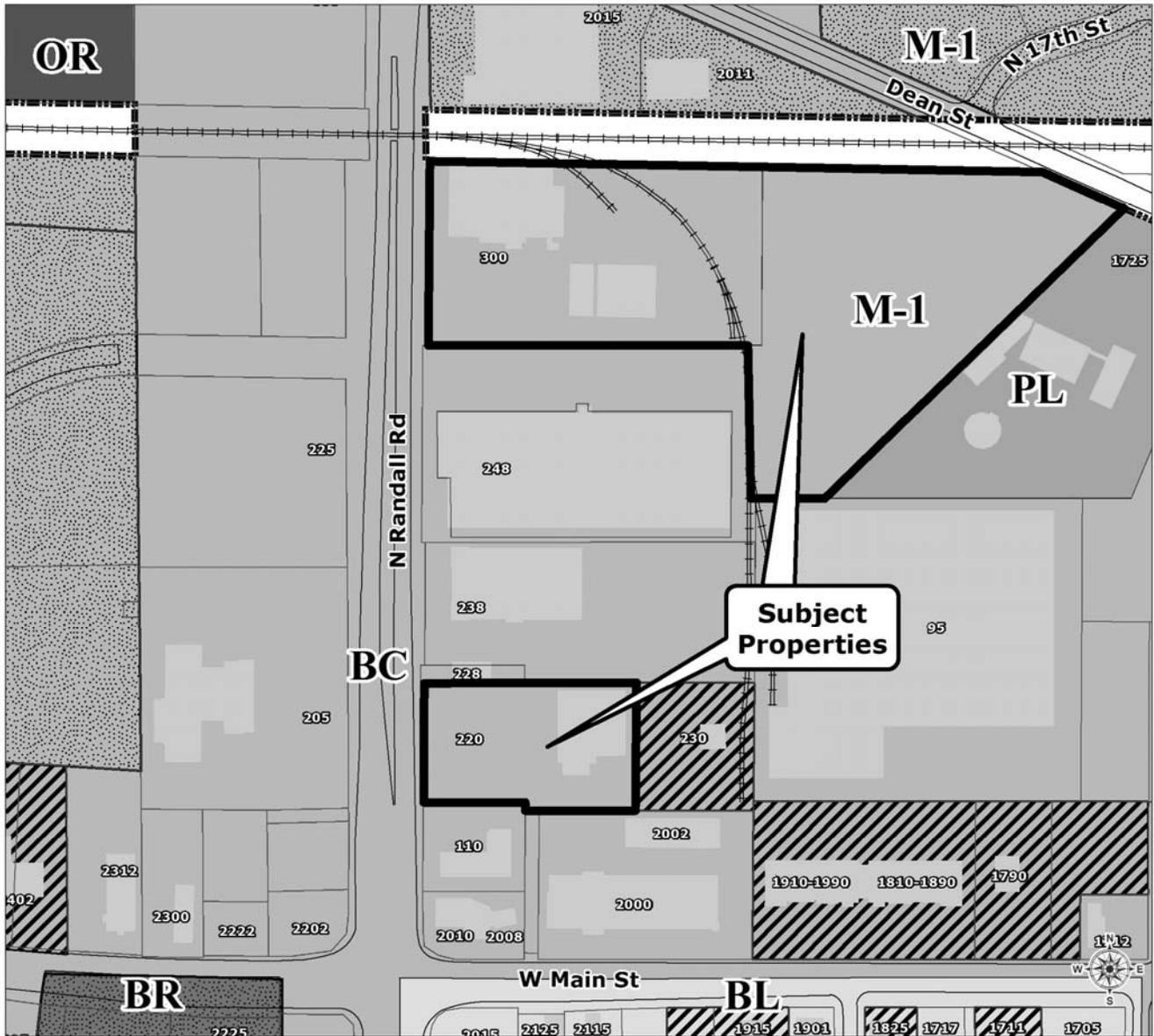
Project Name: 220-300 N. Randall Road

Applicant: Gerard Keating, North Randall Road Partners

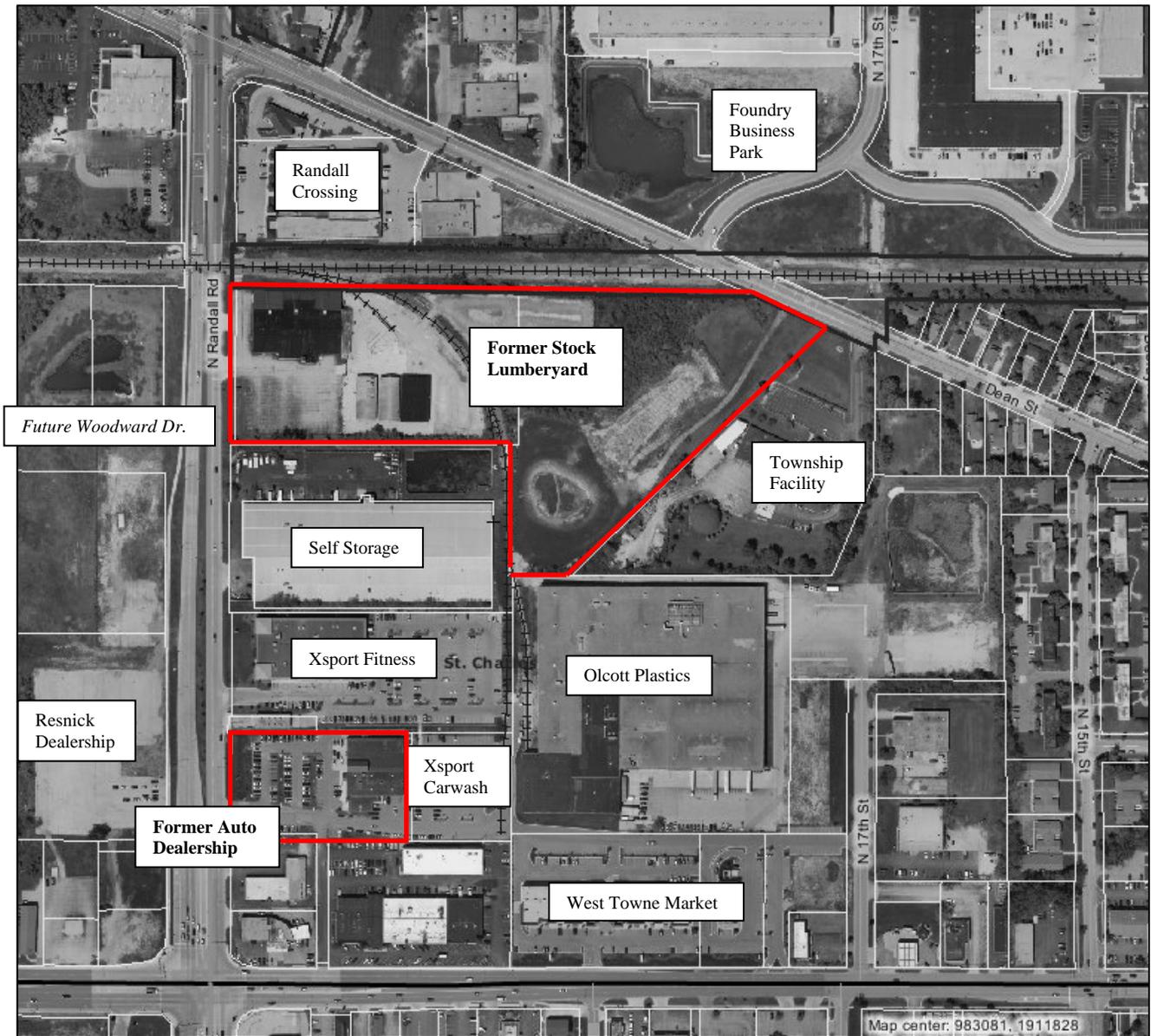
Purpose: Utilize and improve existing properties to establish a Transportation Operations Facility for a School Bus Company

General Information:		
Site Information		
Location	220 N. Randall Road (former Resnick dealership) 300 N. Randall Road (former Stock Lumber facility)	
Acres	2.5 acres and 10.7 acres	
Applications:	Special Use for Transportation Operations Facility	
Applicable Zoning Code Sections	17.04.330 – Special Uses and Amendments to Special Uses 17.06.020 – Design Review Standards and Guidelines for all Zoning Districts 17.14 Business and Mixed Use Districts 17.16 Office Research, Manufacturing & Public Land Districts 17.26 Landscaping and Screening 17.24 Off Street Parking, Loading, & Access	
Existing Conditions		
Land Use	Vacant former Auto Dealership and Vacant former Lumberyard	
Zoning	BC Community Business (220 N. Randall and west half of 300 N. Randall Rd) M1 Special Manufacturing District (East half of 300 N. Randall Rd)	
Zoning Summary		
North	M1 Limited Manufacturing	Randall Crossing & Foundry Bus. Park
East	PL Public Land & M1 Limited Manuf.	St. Charles Township Facility, Olcott Plastics
South	BC Community Business	Commercial uses on Rt. 64 and Randall Rd.
West	BC Community Business	Mercedes Dealership and Vacant land
Comprehensive Plan Designation		
Special Manufacturing		

Zoning Map



Aerial Photo



II. ANALYSIS:

USE

Gerard Keating of North Randall Road Partners, the property owner, has submitted an Application for a Special Use to establish a “Transportation Operations Facility” in the BC Community Business District and M-1 Special Manufacturing District. Transportation Operations Facility is a Special Use in both the BC and M-1 Zoning Districts.

17.30.020 “Use Definitions”

Transportation Operations Facility. A facility which may include outdoor facilities and buildings, where buses, trains, taxicabs or other livery vehicles are stored and/or dispatched, where loading and unloading of passengers and freight may be carried on regularly. This use is distinct from a Public Service Facility, as defined herein.

USER

Illinois Central Bus Company, a private school bus transportation provider, will operate a dispatch/light repair facility and bus storage yard at the subject property. Illinois Central has recently been awarded contracts to provide bus service for school districts in Batavia, West Chicago and Geneva Special Education. Illinois Central will not serve St. Charles School District #303. Currently, District #303 provides bus transportation service out of a facility located on Peck Road, south of Route 38.

Illinois Central plans to initially locate 100 buses at this location and may increase the total to 150 at some point in the future. The buses will be a mixture of full-length school buses and short buses.

Illinois Central is under contract to provide bus service this upcoming school year, starting in late August.

LOCATION

The proposal is to utilize two currently vacant properties located on North Randall Road:

- 220 N. Randall Road, the former Resnick Mercedes Dealership
 - Use of this property will be temporary, pending improvements to the 300 N. Randall Road site
 - As a temporary/interim use, this site will function as a dispatch center and light repair facility for the bus company and the employee parking area.
 - No significant changes to the site or building are necessary for this use.
- 300 N. Randall Road, the former Seigles/Stock Lumberyard
 - This site will be the permanent location for the dispatch center/light repair facility (in the existing building), employee parking area and the bus storage area.
 - In the interim, the front parking lot and paved lumberyard area on the site will be utilized for bus storage.
 - Later this year, the building will be improved to function as the dispatch and repair facility and the back portion of the site will be improved with a bus storage area and fueling station.

SITE ACCESS

Existing Conditions

- Properties in the area north and east of the Randall Road/IL Route 64 intersection are connected by a series of cross-access drives that connect to Randall Road, IL Route 64 and North 17th Street.
 - A plan showing the cross-access easements is included in the packet.
 - The access drives do not connect to the 300 N. Randall Road property.
- A barrier median prevents access to or from the southbound lanes of Randall Road. Traffic must utilize the IL Route 64 intersection.

Proposed Condition for this project

- As a part of the planned improvements for this facility, the access drives will be extended to connect to the 300 N. Randall Road property.
 - This connection will enable site traffic from the 300 N. Randall Road property to reach N. 17th Street

Intergovernmental Agreement with Kane County

- The City has entered into an Intergovernmental Agreement (IGA) with Kane County regarding access to Randall Road within this area. A copy is included in the packet.
- The IGA calls for Woodward Drive to be extended eastward across Randall Road to Dean Street as a public or private roadway (Section 4.B.iii). This roadway extension would intersect the proposed extension of the north-south access drive.
 - The IGA states that the City shall require the dedication or provision of access upon “redevelopment” of property on the east side of Randall Road. “Redevelopment” is defined in Exhibit “C” of the Agreement, under “Development.”
 - The intersection of Woodward and Randall would be a full, signalized intersection. A number of driveways on the east side of Randall Road would be closed and/or consolidated.
- The Site Plan submitted for the Special Use shows this extension as a “Future Road”

TRAFFIC CIRCULATION

Illinois Central has submitted information regarding the times and routing of buses entering and leaving the site.

- In the morning, buses will generally leave the site between 6:30 and 7:15 am, returning between 8:15 and 9:00 am.
- In the afternoon, buses will generally leave the site between 1:30 and 2:15 pm, returning between 3:45 and 4:30 pm.
- The majority of the buses will need to travel south on Randall Road, with many then travelling east on IL Route 38.

Interim Condition

- Buses will enter and exit the 300 N. Randall Rd. site from the right in/out from Randall Road.

Proposed Condition

- Buses will exit the site from N. 17th Street on to IL Route 64

- Buses will enter the site from one of the right/in out locations from Randall Road, either at the 220 N. Randall or 300 N. Randall sites.

Traffic Analysis

The City has engaged Hampton, Lenzini and Renwick (HLR) to conduct a traffic analysis of the impact of the proposed use on the public street network adjacent to the site. A draft copy of the report is included in the packet. Staff has not had an opportunity to review or comment on the draft.

In addition to the information already provided by Illinois Central, staff has requested the following additional information be provided to HLR, if available:

- Exit routing plan for buses leaving the site in the interim condition (where will buses be routed to reach southbound Randall Road?)
- Estimated percentage or number of buses expected to turn eastbound at the 17th Street / IL Route 64 intersection
- Information on the legal requirements for school buses to stop at rail crossing on inactive rail lines
 - The spur line running north of the 300 N. Randall property is inactive and is in the process of being abandoned.
 - During the interim condition, each bus may have to stop at the crossing located on Randall Road.

SITE PLAN

- The applicant has submitted a site plan showing the proposed improvements at the 300 N. Randall site. This version of the site plan was received on Friday, July 15 and is under review.
- Staff is awaiting a site plan submittal showing the interim condition.

PARKING

- The Zoning Ordinance does not specify a general parking requirement for this use. Table 17.24-3 “Required Off-Street Parking” states that for uses not specifically listed in the table, the parking requirement shall be “As determined by the City Council upon the recommendation of the Plan Commission.”
 - Staff’s expectation is that off-street parking spaces will be provided at a rate of 1 space per bus/driver, plus additional spaces for each employee at the dispatch center.
- The bus storage lot will be considered vehicle storage, not off-street parking.
 - The bus parking area will not be required to comply with the landscape requirements applicable to parking lots.
 - The bus parking area is required to be paved, per Zoning Ordinance Section 17.24.070(G) “Surfacing”.

SITE ENGINEERING

- Detailed site engineering for the new parking lot and access drive will be reviewed at the time of building permit.

- Paving or site work will require a stormwater permit. Stormwater detention will be required for any newly paved or reconstructed pavement areas. A new stormwater basin is shown in the northeastern corner of the site.
- Wetlands are located on the site and this will need to be investigated prior to any construction taking place.
- Other site engineering issues may be identified after review of the site plan is completed.

TIMING FOR THE PROPOSED IMPROVEMENTS

- The applicant has requested Special Use approval to begin utilizing the properties in the interim condition and has offered that the proposed improvements will be completed this year.
- Staff would recommend that conditions be placed on the Special Use approval requiring that the proposed improvements be completed prior to the end of 2011.

III. REQUESTED ACTION:

Conduct the public hearing.

Cc: Rita Tungare, Director of Community Development
Ryan Corcoran/Gerard Keating, Randall Road Partners

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

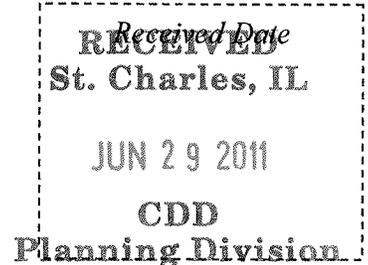


COMMUNITY DEVELOPMENT/PLANNING DIVISION

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

SPECIAL USE APPLICATION

CITYVIEW	
Project Name:	<u>220 & 300 N. Randall Rd.</u>
Project Number:	<u>2011</u> -PR- <u>010</u>
Application Number:	<u>2011</u> -AP- <u>018</u>



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

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

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

1. Property Information:	Parcel Number (s): 0928351001, 0928351021, and 0928351049	
	Street Address (or common location if no address is assigned): 300 N Randall Rd. St. Charles, IL 60174 220 N Randall Rd. St. Charles, IL 60174	
2. Applicant Information:	Name Gerard Keating	Phone 630-232-4246
	Address 719 Shady Ave. Geneva, IL 60134	Fax (630) 248-9969
		Email gerard@keatingresources.com
3. Record Owner Information:	Name North Randall Road Partners LLC	Phone 630-587-5595
	Address 719 Shady Ave. Geneva, IL 60134	Fax (630) 248-9969
		Email gerard@keatingresources.com
4. Billing: <i>To whom should costs for this application be billed?</i>	Name Dave Keilman	Phone 630-587-5595
	Address 409 Illinois Ave. Suite 1C St. Charles, IL 60174	Fax 630-587-0700
		Email dave@pcwinvest.com

Information Regarding Proposed Special Use:

Comprehensive Plan designation of the property: Special Manufacturing (Per Land Use - Comprehensive Plan)

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

What is the property's current zoning? BC and M-1

What is the property currently used for? Building Supply and Lumber; Auto Sales and Maintenance

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

Transportation Operations Facility

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

Demolish Outbuildings; grade and construct internal connecting roadway

For Special Use Amendments only:

What Special Use ordinance do you want to amend? Ordinance No. _____

Why is the proposed change necessary?

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

Note for existing buildings:

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

Attachment Checklist

- APPLICATION:** Completed application form signed by the applicant
- APPLICATION FEE:** Application fee in accordance with Appendix B of the Zoning Ordinance.
- REIMBURSEMENT OF FEES AGREEMENT:** An original, executed Reimbursement of Fees Agreement and deposit of funds in escrow with the City, as provided by Appendix B of the Zoning Ordinance.
- PROOF OF OWNERSHIP and DISCLOSURE:**
 - a) A current title policy report; or
 - b) A deed and a current title search.

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

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

❑ **PLAT OF SURVEY:**

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

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

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

❑ **ENDANGERED SPECIES REPORT:**

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

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

❑ **PLANS:**

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

Copies of Plans:

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

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

A plan or plans showing the following information:

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

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

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



Record Owner

Date

 Applicant or Authorized Agent

Date

FINDINGS OF FACT SHEET – SPECIAL USE

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

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



220 & 300 North Randall Rd. St. Charles IL 60174
Project Name or Address

6/28/11
Date

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

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

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

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

The special use will provide and attract employment to the St. Charles area. (150 plus employees) The added employment to the area will bring with it additional consumer spending to the surrounding businesses. Randall Road and Main Street will provide the use with the appropriate road infrastructure to reach its destinations quickly and efficiently. We believe that the school bus schedule will not negatively impact the surrounding community given the internal roadway allowing direct, ease of access to the main arterial roads. The buses should leave promptly at 6-6.30AM and return around 2.30-3PM. These are ideal non heavy traffic times and we expect no inconvenience.

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

The existing facility has all the utilities necessary, drainage and retention also in place. As per the site plan, the only major change that would take place on the site would be to take down the outbuildings that were used for storage of Lumber previously. Ownership shall construct a roadway on the existing easement to allow for access to both parcels and their respective outlets.

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 transportation facility shall not be harmful in any way to the surrounding properties. The parcels at 300 N Randall will be used for parking only. The 220 N Randall building will be used to maintain the school buses (similar use to what existed with the Mercedes) and office operations. In an effort to relieve any congestion issues, ownership shall create an internal roadway that will allow the school buses to exit the property with minimum impact upon neighboring properties at North 17th Street. This exit follows a similar use to the manufacturing facility to the east. They will have very limited time of ingress / egress once in the morning and once in the afternoon. Having a viable business that creates a large amount of jobs in the area will help support and retain property value.

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.

At this point in the state of our retail economy, ownership has found through extensive marketing efforts that retail does not desire this site. Automotive dealerships have expressed that the site is not "visible" enough, too deep, and the costs to build are too great. With the great amount of vacancy in the area, bigger retailers do not need; nor can they justify the costs of building new. Industrial uses have been the only solid prospects for this property. Ownership shall leave the 32,000 square foot building and its associated parking lot available for future retail development along Randall Road. We believe that both retail and the special use can coexist and help with the normal and orderly development and improvement of the surrounding property for their intended uses. With the roadway extension, ownership furthers the city's goal of developing the internal extension that will connect to Dean Street.

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 operation of the transportation facility will not be detrimental to the public health, safety, comfort, or general welfare. The use will mainly consist of school bus parking on the 300 N Randall site and small maintenance / office facility at the 220 N Randall site. The 220 site was previously used as a vehicle maintenance facility. We do not believe that the proximity of surrounding properties will classify the buses starting, stopping, etc as noisy. Historically the trucks that have used the lumber site did not bother the surrounding properties.

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

The special use will conform to all existing Federal, State, and Local codes.



Bonnie Echelbarger
2161 McGirr Rd.
Ashton, IL. 61006

www.illinois-central.com
b.echelbarger@illinois-central.com

Phone: 815-994-8463
Fax: 815-352-0220

St. Charles City Officials,

The total number of employees that Illinois Central School Bus hopes to employ at the St. Charles facility is approximately 150 people. The majority of these employees will be part time School Bus Drivers and Bus Monitors. We will also have several full time positions, Contract Manager, Bus Router, Safety Coordinator, Clerk, and Dispatchers. At this time wages are still to be determined for our employees, as wages will be based on experience. We are an EOE employer.

We hope to house approximately 100 buses at 300 N. Randall Rd.

The times the buses will be leaving the lot, both in the morning and in the afternoon will be varied, due to school bell times and the length of the routes.

In the morning the majority of the buses will leave the lot between 6:30 – 7:15 am, and return to the lot between 8:15 – 9:00 am.

In the afternoon the majority of the buses will leave the lot between 1:30 – 2:15 pm and return to the lot between 3:45 – 4:30 pm.

ICSB routing has determined that the majority of our school buses need to head south on Randall Road and/or East on Route 38 (servicing Batavia, Geneva and West Chicago). We would like to coordinate the routes to minimize any backup or congestion upon egress from the site. Upon completion of the internal roadway that property ownership has proposed, the school buses will exit at N 17th Street. This seems to be the best exit for us as well as have minimum impact on congestion since this roadway is used mainly to provide internal access to the few surrounding properties. Ingress back into the site will be a simpler to coordinate, given the right-in ingress off Randall Road.

Thank you for your consideration in this matter,

Bonnie Echelbarger

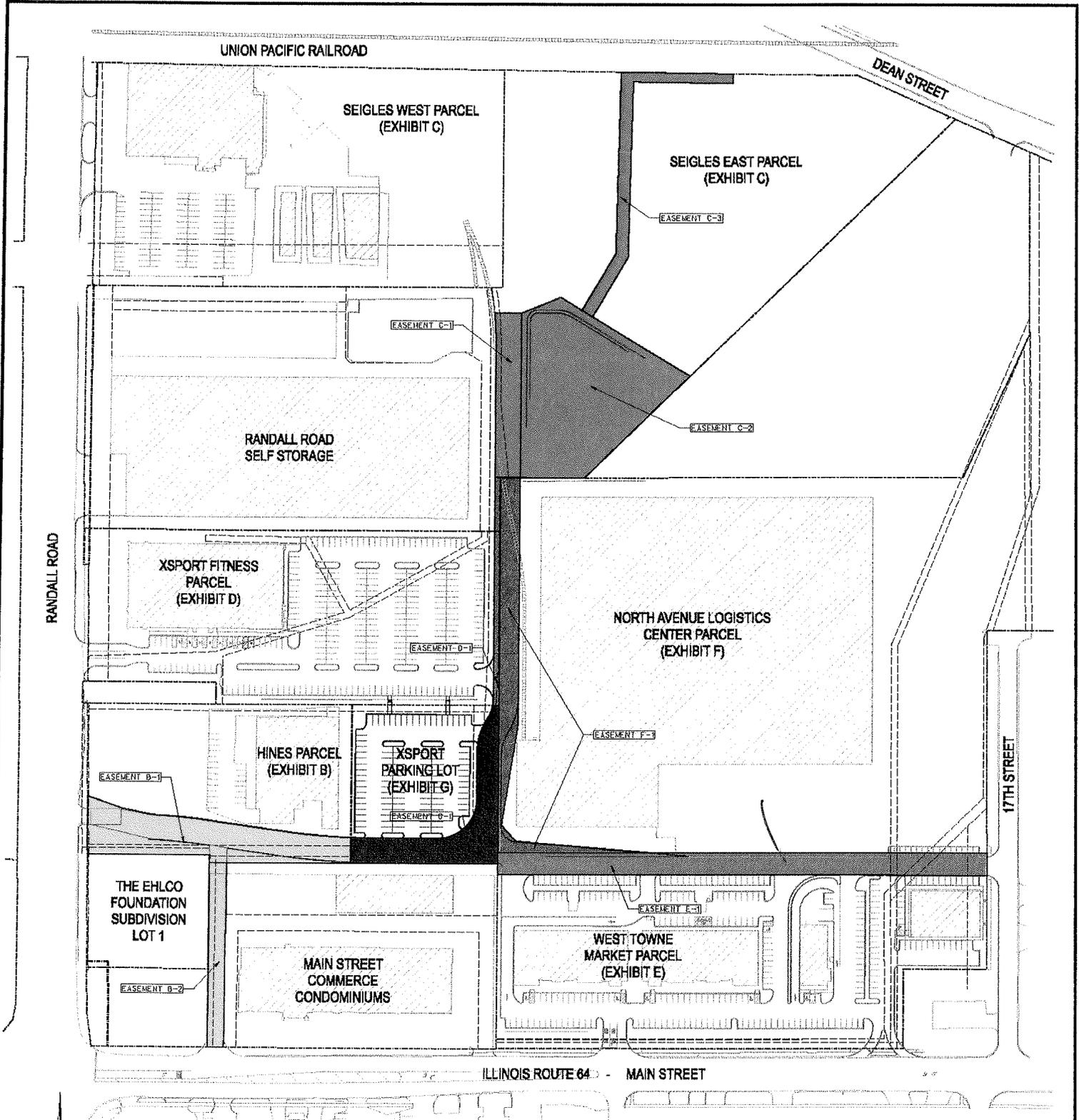
RECEIVED
St. Charles, IL

JUL - 5 2011

CDD
Planning Division

EXHIBIT A

SITE PLAN



- | | | | |
|---|--------------------------------------|--|--|
|  | HINES PARCEL
(EXHIBIT B) |  | WEST TOWNE MARKET PARCEL
(EXHIBIT E) |
|  | SEIGLES PARCEL
(EXHIBIT C) |  | NORTH AVENUE LOGISTICS
CENTER PARCEL
(EXHIBIT F) |
|  | XSPORT FITNESS PARCEL
(EXHIBIT D) |  | XSPORT PARKING LOT
(EXHIBIT G) |



TECHNICAL MEMORANDUM

TO: City of St. Charles
Christopher Tiedt, PE

FROM: Hampton, Lenzini, and Renwick, Inc. (HLR)
Alexander S. Garbe, PE, PTOE
P. Brien Funk, EI

SUBJECT: Illinois Central School Bus Operations Facility
Preliminary Traffic Impact Study Findings

DATE: July 15, 2011

Illinois Central School Bus (ICSB) has proposed a new transportation operations facility near the corner of Randall Road & IL Route 64 in St. Charles. This proposed facility will utilize the site previously occupied by Siegle's Hardware and temporarily utilize the site previously occupied by Mercedes-Benz. This facility will serve as a storage, service, and dispatch center for school busses travelling to/from Batavia, Geneva, and West Chicago. The City of St. Charles has asked HLR to perform on-site and off-site circulation analysis and to provide any recommendations to facilitate circulation of the site. The findings of this analysis are presented in this technical memorandum.

Planned Site Development & Circulation

This project is expected to be completed in two stages. During the interim stage, the bus storage facility will be located on the Siegle's property, while the dispatch and service building will use the existing building located on the Mercedes-Benz property. There will be no cross access between these two properties. Busses traveling between the two facilities will be forced to use Randall Road. The primary access for entering and leaving the parking facility will be the existing access driveway for the Siegle's property on Randall Road. The primary access for the dispatch and service facility will be the existing shared access for the old Mercedes-Benz dealership. Both of these accesses are restricted to right-in/right-out movements. All busses entering the site will turn from northbound Randall Road and all busses leaving the site will turn right on to northbound Randall Road. See **Exhibit 1** for an interim site circulation map.

The busses using this facility serve the school districts of Batavia, Geneva, and West Chicago. Therefore, nearly all busses will travel south on Randall Road with some travelling east on IL Route 64. During the interim stage, all busses will be required to exit the site and travel north on Randall Road. It is expected that the majority of the busses will turn east on Dean Street and turn south on 15th Street. The intersection of 15th Street & IL Route 64 is a signalized intersection, where most busses will turn west on to IL Route 64 and then south on Randall Road.

The completion of the site is expected by 2012. Upon completion of the site, the on- and off-site circulation will change. The new dispatch and service building will be located on the Siegle's property, joining the bus storage facility. Busses entering the site will still use the existing Siegle's access on Randall Road. A new connection from

the Siegle's property to the existing cross access will be constructed. This shared access road will then serve as the exit from the facility. The busses will leave the site using the shared access road to 17th Street which will take them to IL Route 64. See **Exhibit 2** for the ultimate site circulation map. The majority of busses are then expected to travel west on IL Route 64 and south on Randall Road. Some busses will turn east on to IL Route 64.

Analysis

HLR conducted a site visit on July 13, 2011 to take photos of the site and observe and record existing conditions. During the visit sight distances were checked at all access driveways that are planned for use. The site was driven using the anticipated circulation route to check for any potential traffic issues.

Turning movement count data was collected at two locations (IL Route 64 & 17th St, Randall Road & the shared access for the old Mercedes-Benz Dealership) during times of interest. The morning times of interest are 6:30 – 7:30 am and 8:00 – 9:00 am. The earlier period is when it is expected that the busses will be leaving the facility to begin the pick-up of students. The later period is when the busses are expected to return after dropping students off at school. The afternoon times of interest are 1:30 – 2:30 pm and 3:30 – 4:30 pm. These times again represent when the busses will be leaving to collect students and returning from their routes respectively. The time periods of interest were provided to HLR by ICSB. The counts were then used to complete capacity analyses for the two site access points. The analyses were done using Highway Capacity Software, which follows the current Highway Capacity Manual methodology.

Preliminary Findings

During the on- and off-site circulation analysis, HLR noted some potential areas for concern. The first area is Randall Road at the entrance driveway to the Siegle's property. Busses turning into the site from northbound Randall Road may impact the flow of traffic on Randall Road near the driveway, especially if a group of busses arrives at the same time. Northbound Randall Road is two lanes near the main access point. When the busses slow to enter the facility, only one lane will remain unaffected. This may cause brief delays to vehicles traveling on Randall Road. Once the project is complete, if busses were to enter using the shared access and then use the newly built cross access this concern would be reduced. Northbound Randall Road is three lanes wide near the shared access so there would still be two unaffected lanes on Randall Road when busses slow to enter the facility.

Another area of concern is the railroad crossing north of the site. It is a federal law that all school busses must come to a complete stop and open their doors prior to crossing railroad tracks. During the interim stage, busses turning northbound on to Randall Road will have to come to a complete stop at the railroad tracks that cross Randall Road between the site and Dean Street. During the peak exiting period, this will likely increase delay along northbound Randall Road, as 100 busses will be required to stop on Randall Road to adhere to this law in a short period of time. This will leave only one unaffected lane on Randall Road which will likely increase delay. Busses that turn right on to Dean Street will be required to stop again at the railroad tracks that cross Dean Street east of Randall Road. Dean Street is two lanes wide in

this area (one in each direction) which means when busses are forced to stop at the railroad tracks, all traffic traveling eastbound on Dean Street will be forced to stop. Upon completion of the project, this concern will no longer be valid. Busses exiting on to IL Route 64 will no longer be required to cross any railroad tracks near the site.

The last off-site area of concern is the intersection of Randall Road & IL Route 64. For both stages of this project the majority of the busses will utilize the westbound to southbound left-turn at this intersection. This additional volume of busses may significantly impact the westbound approach at this intersection, though it would not occur at the heaviest peak traffic period for the intersection. A further in depth study would be required to determine the extent of the impact on the intersection.

The only area of concern in regards to site circulation is maintenance of landscaping throughout the site. If not properly maintained, some bushes may impact sight distance along the circulating route.

17th Street will ultimately be used as the exit from the site for all busses. A capacity analysis of the intersection of IL Route 64 & 17th Street shows that this project will not significantly impact this intersection. The 17th Street approach will observe increased delays but will operate acceptably. There are no impacts anticipated for IL Route 64.

Conclusions & Recommendations

Overall, the results of this analysis show that there are no capacity issues anticipated with this proposed project. During the interim stages of the project, some increased delays will be observed along northbound Randall Road and eastbound Dean Street. However, these increased delays avoid the heaviest peak periods of the surrounding roadway network. The interim stage is only anticipated to last for a few months and the increased delays should be moderate.

Upon completion of the project, the only potential area of concern is the westbound approach at the intersection of Randall Road & IL Route 64. The additional volume of busses making a westbound left-turn may significantly impact the approach. A further in depth study would be required to determine the extent of the impact on the intersection and needed improvements, if any.

All access points to this new facility are currently existing. Sight distances for these access points were verified and no issues were found. On-site landscaping should be trimmed to maintain proper sight distance within the site.

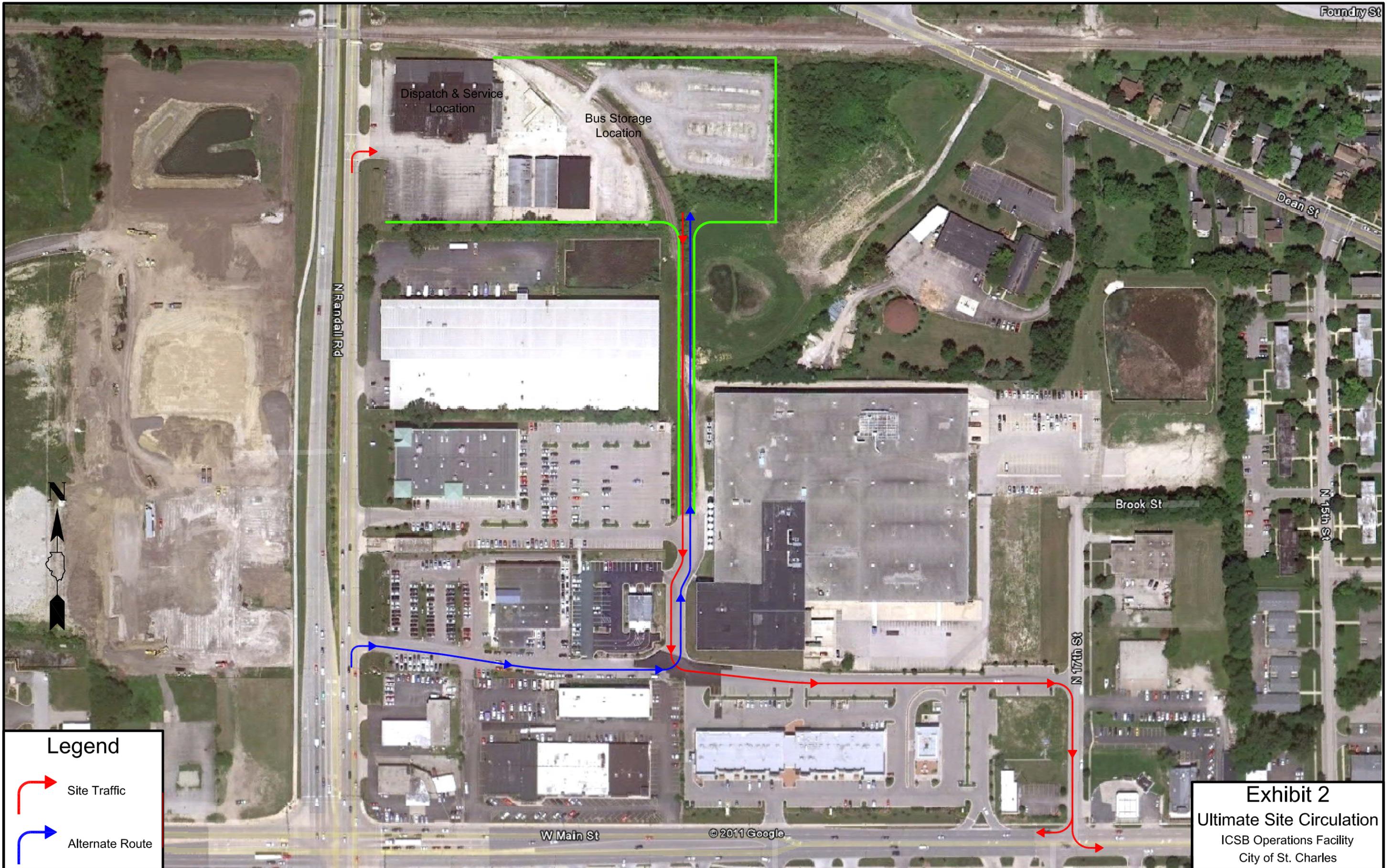
If you have any questions or concerns, please contact Alex Garbe at our Elgin office.



Legend

 Site Traffic

Exhibit 1
Interim Site Circulation
ICSB Operations Facility
City of St. Charles



Legend

- Site Traffic
- Alternate Route

Exhibit 2
Ultimate Site Circulation
ICSB Operations Facility
City of St. Charles

**INTERGOVERNMENTAL AGREEMENT BETWEEN
THE CITY OF ST. CHARLES AND THE COUNTY OF KANE
REGARDING ACCESS AND IMPROVEMENTS TO RANDALL ROAD
FROM IL64 TO DEAN STREET**

This Agreement (hereinafter, the "Agreement") entered into this 14th day of November 2006, by and between the County of Kane, a body corporate and politic of the State of Illinois (hereinafter, the "COUNTY") and the City of St. Charles, a municipal corporation of the State of Illinois (hereinafter, the "CITY"). The COUNTY and the CITY are sometimes hereinafter collectively referred to as the "Parties" and individually as a "Party".

WITNESSETH

Whereas, the CITY and the COUNTY are authorized to agree and cooperate among themselves pursuant of the provisions of the Illinois Constitution of 1970 and the Intergovernmental Cooperation Act of the Illinois Compiled Statutes; and,

Whereas, the COUNTY has exclusive jurisdiction over Kane County Highway No. 34, also known as Randall Road: and,

Whereas, Illinois Compiled Statutes 605 ILCS 5/8-101 et. seq. authorize the COUNTY to designate certain highways within its jurisdiction as "freeways" and, when so designated, authorize the COUNTY to, among other things, control access with respect to such designated highways; and

Whereas, the COUNTY represents that it has designated, in conformance with law, Randall Road as a freeway on August 8, 1972, and has further represents that it has adopted, in conformance to law the Kane County Division of Transportation - Transportation Permit Regulations and Access Control Regulations (hereinafter, the "KDOT-TPR"); and

Whereas, the COUNTY has undertaken, commencing in 2006, the construction, widening and improvement of Randall Road from immediately north of Dean Street to immediately south of Oak Street, within the municipal limits of the CITY by constructing improvements including but not limited to additional lanes of through traffic, additional left and right-turn lanes at certain

existing and planned intersections, barrier medians and storm water management facilities, (hereinafter, the "Randall Road Project"); and,

Whereas, the properties located along the east and west sides of the section of Randall Road between Illinois State Route 64 on the South and Dean Street on the North, are within the corporate limits of the CITY (hereinafter, the "Subject Corridor") and is depicted in Exhibits "B1" and "B2" and, further, that some of these properties are being redeveloped, and the CITY desires the COUNTY to permit an access point that will be a Signalized Full Intersection approximately 1,200 feet north of Illinois Route 64 and to permit and retain certain other access points to Randall Road for the benefit of existing and future commercial and residential development in the Subject Corridor that is anticipated by the CITY; and,

Whereas, the COUNTY wishes to secure the support and cooperation of the CITY in the enforcement of the KDOT-TPR related to the control of access to that segment of Randall Road identified in the immediately preceding recital so as to facilitate and assure the safety of the motoring public and to facilitate the free flow of traffic now and in the future, and to otherwise permit the orderly development of property adjacent to the identified segment of Randall Road; and,

Whereas, the Parties have determined that, subject to the controls hereinafter set forth, the control of access to Randall Road as set forth in this Agreement is necessary for the safety of the motoring public, responsible transportation planning and proper land use planning; and,

Whereas, the Parties acknowledge and agree that, subject to the controls hereinafter set forth, the planning and improvements as described herein are and will be a benefit to the residents of the COUNTY and the CITY.

NOW THEREFORE, in consideration of the foregoing recitals and of other good and valuable consideration, the adequacy and sufficiency of which is hereby stipulated, the Parties hereto covenant and agree as follows:

1. The Parties acknowledge and agree that the recitals set forth above are hereby incorporated herein as substantive provisions of this Agreement. The Parties further acknowledge and agree that the "Definitions" that are attached hereto as Exhibit "C" are incorporated and shall define the terms of this Agreement.

2. The Parties agree that each shall, in the exercise of its respective planning jurisdiction, provide that all new development in the Subject Corridor shall provide for ingress to and egress from Randall Road in a manner consistent with the provisions of this Agreement and at the locations as generally depicted on Exhibit "A-3" which is attached hereto and made a part hereof.

3. The Parties agree that the location and nature of all access points to and from Randall Road within the Subject Corridor shall be as set forth herein and as generally illustrated on the conceptual plan attached hereto and incorporated herein as Exhibits "A1" and "A3". In the exercise of its authority over development, the CITY shall, to the extent permitted by law which shall not include the exercise of eminent domain or acting in a manner that may constitute an unlawful regulatory taking, (hereinafter "to the extent permitted by law") use its best efforts to secure the closure of access points other than those set forth herein and the elimination of those access points designated herein for elimination along the Subject Corridor and shall also, to the extent permitted by law, secure conveyance to the COUNTY in fee simple of additional right of way to facilitate planned future Randall Road improvements as contained in the COUNTY adopted Kane County 2030 Transportation Plan and the KDOT-TPR and the design and construction of any intersections at Access Points as hereinafter described. The COUNTY shall approve the Access Points and intersections described below and illustrated on Exhibits A1 through A3, provided, however, the design and construction of the intersections at said Access Points, including the design and construction of any additional appurtenances therefor shall be pursuant to permit issued by the COUNTY and in conformance with the KDOT-TPR except as may otherwise be modified by this Agreement. The exact location and final design of said access points shall be subject to the approval of the COUNTY in accordance with the KDOT-TPR, which approval shall not be unreasonably delayed or denied.

The following lettered subsections of this Section 3 correspond to the letters contained on Exhibits "A1-A3" attached hereto and incorporated herein:

- A. DEAN STREET (ACCESS POINT A)—A Full Signalized Intersection with Randall Road.

- B. SEIGLES NORTH ENTRANCE (ACCESS POINT B)—A “T” intersection with Randall Road. This intersection shall become a Right-In/Right-Out Only during or upon the completion of the Randall Road Project. This access point and intersection shall be eliminated upon the relocation of Access Point C as herein provided. However, the County Engineer, with the approval of the Kane County Board, may approve retaining a Right-In/Right-Out Only intersection or Right-Out Only intersection at Access Point B if, in the County Engineer’s determination, the intersection does not negatively impact the safety of the motoring public and helps to improve overall traffic circulation in the redevelopment of the site.
- C. SEIGLES SOUTH ENTRANCE (ACCESS POINT C)—A “T” Intersection with Randall Road. This intersection shall become a temporary Right-In/Right-Out Only during or upon the completion of the Randall Road Project. This temporary Right-In/Right-Out Only shall be permitted to be closed and subsequently relocated to a point approximately 1,190 feet north of IL 64 subject to terms of this Agreement relative to access on the east side of Randall Road. When the relocation of Access Point C is complete, a Signalized Full Intersection (a public or private roadway on the east approach) with Randall Road is planned (See Access Point E). At the point in time the Full Intersection is opened to traffic on the east approach the Right-In/Right-Out Only Intersection and Access Point B shall be eliminated unless otherwise determined by the County Engineer and the Kane County Board as stated in paragraph B above.
- D. FORMER EUCLID BEVERAGE ENTRANCE (ACCESS POINT D)—A “T” intersection with Randall Road. This intersection shall become a Right-In/Right-Out Only during or upon the completion of the Randall Road Project. This access point and intersection shall be eliminated upon the construction of Access Point C to the Euclid site. The County Engineer may approve retaining a temporary Right-In/Right-Out Only intersection , Right-In Only intersection or Right-Out Only intersection at Access Point D if, in the County Engineer’s determination, the intersection does not impact the safety of the motoring public and helps to maintain adequate traffic circulation for the existing building on the Euclid site. At such time the Euclid site is redeveloped, ingress and egress shall be from Access Point C.

- E. FORMER PAYLINE WEST ENTRANCE (ACCESS POINT E)—A “T” Intersection with Randall Road. This intersection shall be relocated to approximately 1,190 feet north of IL 64 and shall become a temporary Right-In/Right-Out Only during or upon the completion of the Randall Road Project. The temporary Right-In/Right-Out Only shall be relocated and reconstructed as a Signalized Full Intersection (as shown on Exhibit “A-3”; Woodward Drive on its west approach) with Randall Road.
- F. X-SPORT FITNESS ENTRANCE (ACCESS POINT F)—A “T” Intersection with Randall Road. This intersection shall become a Right-In/Right-Out Only during or upon the completion of the Randall Road Project.
- G. CITY WATER WELL ENTRANCE (ACCESS POINT G)—A “T” Intersection with Randall Road. This intersection shall become a Right-In/Right-Out Only during or upon the completion of the Randall Road Project to permit emergency or periodic uses by the City or their contractors for purposes of City well maintenance.
- H. FORMER BUS YARD ENTRANCE (ACCESS POINT H)—A “T” Intersection with Randall Road. This access point and intersection shall be relocated to approximately 630 feet north of IL 64 and become a Right-In/Right-Out Only during or upon the completion of the Randall Road Project.
- I. FORMER HINES ENTRANCE (ACCESS POINT I)—A “T” Intersection with Randall Road. This intersection shall become a Right-In/Right-Out Only during or upon the completion of the Randall Road Project.
- J. AUTO REPAIR ENTRANCE (ACCESS POINT J)—A “T” Intersection with Randall Road. This intersection shall become a Right-In/Right-Out Only during or upon the completion of the Randall Road Project. At any time in the future, in the event that ingress and egress becomes available from another County approved access point, Access Point J will be eliminated.
- K. FORMER LONG JOHN SILVER ENTRANCE (ACCESS POINT K)—A “T” Intersection with Randall Road. This access point and intersection shall be eliminated with the Randall Road Project.

L. FOX VALLEY TIRE (ACCESS POINT L)—A “T” Intersection with Randall Road. This intersection shall become a Right-In/Right-Out Only during or upon the completion of the Randall Road Project. At any time in the future, in the event that ingress and egress becomes available from another County approved access point, Access Point L will be eliminated.

4. Internal Circulation. The Parties agree that it is necessary and desirable to provide a system of public streets and/or cross access easements in conjunction with the development of property adjacent to Randall Road within the Subject Corridor so as to avoid burdening Randall Road and other arterial streets with the internal traffic movements of said development. The location of the intersections of access roads with Randall Road and the respective throat lengths of those access roads shall be generally as illustrated on the conceptual plans attached hereto as Exhibits “B1” and “B2”. Nonetheless, the throat lengths of those Access Roads shall be adequate in length to minimize negative impacts to Randall Road. The Parties agree to cooperatively review any new development which would impact the Randall Road and Woodward Drive Intersection (Access Point E).

A. The CITY intends to make the future access road and access road extensions and connections as generally depicted in Exhibits “B1” and “B2”. The timing of these extensions and connections and the CITY’s ability to accomplish the same are dependent upon the future development of property adjacent to the proposed road extensions and connections. Other than as provided for herein, the CITY makes no representations or warranties with respect to when the extensions and connections will be constructed. To the extent permitted by law, the CITY agrees to use its best efforts in the exercise of its authority over development entitlements and approvals to require that the owner(s)/developer(s) of property contiguous to and within the Subject Corridor of Randall Road provide the Access Roads, and Access Road extensions and connections and/or cross access easements as depicted and illustrated on the conceptual plans attached as Exhibit “B1” and “B2”.

B. To the extent permitted by, the CITY agrees to use its best efforts in the exercise of its authority over development entitlements and approvals to require owner(s)/developer(s) of property contiguous to and within the Subject Corridor of Randall Road to construct and dedicate the Access Roads as generally illustrated on the conceptual plan attached as Exhibits “B1” and “B2” and detailed as follows:

i) Woodward Drive Extension West of Randall.

As a condition of the development of the property adjoining, and extending approximately 500 feet west of the centerline of Randall Road, the CITY shall require the dedication and construction Woodward Drive for a distance approximately 500 feet west of the centerline of Randall Road tying into Woodward Drive (a subdivision requirement of Pine Ridge Park Subdivision) and intersecting with Illinois State Route 64 via Oak Street, conforming generally with Exhibit "B-1" and with all requirements of the St. Charles Municipal Code for residential collector streets, or similar standards.

ii) Future Woodward Drive Extension.

As a condition of the development of property referred to as the Cardinal Site on Exhibit "B-1" which is generally located more than 2,600 feet west of the centerline of Randall Road, between Pine Ridge Park and Remington Glen Subdivision (hereinafter referred to as the "Cardinal Property"), the CITY shall require the dedication and construction of the "Future Woodward Drive Extension" as a continuous roadway between the Woodward Drive Extension and Peck Road. The Future Woodward Drive Extension shall include an 80 feet wide right of way and shall further consist of all improvements, and shall be designed to conform to all requirements, of the St. Charles Municipal Code for residential collector streets, or similar standards.

iii) Public or Private Roadway Extension to Dean Street & IL 64.

As a condition of the redevelopment of the property adjoining, and extending approximately 1,100 feet east of the centerline of Randall Road the CITY shall require the dedication or provision for cross access easements and construction of Access Roads as generally shown on Exhibit "B-2" which shall include connections to Illinois State Route 64 and Dean Street. The public/private roadway shall be at least 26 feet wide and conform to the St. Charles Municipal Code for residential streets or greater as a function of the proposed use.

- C. The CITY and/or the property owner(s) shall maintain said access road(s), including upkeep of roadway striping, signage, and pavement necessary to keep said access roads open and available for convenient and continuous public use.

D. As a condition to the issuance of a permit, the COUNTY shall require all intersection improvements to be provided for in accordance with the KDOT-TPR at any of the proposed Access Points identified in Paragraph 3 hereof. The COUNTY shall determine the specific location and design of any improvements. These improvements may include, but are not necessarily limited to:

- i. Improvements: Additional or new travel lanes, shoulders, and storm water drainage systems, including right of way necessary therefor.
- ii. Auxiliary lanes: Right-and left-turn lanes, channelization and center medians.
- iii. Traffic Control Devices: Signalization, traffic signal interconnect or coordination systems, signage and pavement marking, including right of way necessary therefor.
- iv. Roadway lighting including intersection lighting.
- v. Barrier Medians.
- vi. Bike Paths, including right of way necessary therefor.
- vii. Storm Water Detention Facilities, including right of way necessary therefor.

To the extent permitted by law, the CITY agrees to use its best efforts in the exercise of its authority over development entitlements and approvals to require owner(s)/developer(s) of property contiguous to and within the Subject Corridor of Randall Road to construct and dedicate the access improvements consistent with the KDOT-TPR.

5. The Randall Road Project includes improvements that benefit both the CITY and COUNTY. The CITY agrees to contribute \$1,470,000 toward that part of the Randall Road Project within the Subject Corridor. The CITY's contribution is in consideration of the expenses incurred by the COUNTY for the planning and constructing the Randall Road Project, including improvements that will facilitate access to existing and future development within the Subject Corridor contiguous to Randall Road. The City shall pay the County; (i) \$490,000.00 within 30 days of the issuance of the permit for the construction of an intersection at Access Point E, (ii) \$490,000.00 within thirty days after the opening to the public of the Intersection at Access Point E and (iii) \$490,000.00 within two (2) years of the opening of the Intersection at Access Point E to the public.

6. The COUNTY agrees to work with the CITY and the property owner(s)/develop(s) within the Subject Corridor contiguous to Randall Road to incorporate, where possible and appropriate, changes to the Randall Road Project to assist with facilitating the relocation of access points C, E, and H and the construction of improvements needed to safely and efficiently accommodate proposed development. Such improvements may include the abandonment and subsequent relocation of access points C and E and H and the construction of traffic signals proposed at the future Woodward Drive intersection. The Parties anticipate that any and all such improvements and related costs will be at the expense of the property owner(s)/developer(s) requesting such improvements.
7. All access points on Randall Road within the Subject Corridor contiguous to Randall Road shall be subject to the review and approval of the COUNTY. Access points will be permitted in accordance with this Agreement and the KDOT-TPR and any other applicable regulations and design standards. If, however, there is a conflict between said KDOT-TPR and this Agreement, the terms of this Agreement shall control. Pursuant to 765 ILCS 205/2 et. seq. and 605 ILCS 5/8-102, the CITY shall obtain written approval or plat approval from the COUNTY, whenever any property within the Subject Corridor is proposed to be developed with any ingress to and egress from Randall Road, Access Road, and Access Road extension or connection, to ensure that the proposed intersection design and Randall Road intersection improvements are acceptable to the COUNTY.
8. The COUNTY shall own, operate and maintain the roadway lighting, future traffic signals and signal interconnect systems, and emergency vehicle preemption system within the right-of-way of Randall Road. The CITY shall pay the cost to energize and maintain such roadway lighting, future traffic signals and signal interconnect systems, and emergency vehicle preemption system within the Subject Corridor of Randall Road. This obligation shall be deemed to include all costs associated with the operation and maintenance of said signals, signal interconnect, and preemption systems and street lighting and approach lighting including, but not limited to, the lamps, brackets, poles, cable, and special equipment for Randall Road, Dean Street, Route 64 and Access Points C and E as part of the Randall Road Project. "Maintenance" is defined as the periodical replacement of the elements listed herein which have failed due to normal use and operation or due to accidental damage. The CITY is not required to replace any part or parts of the lighting system that warrant replacement due to changes in the COUNTY's lighting policy or due to roadway widening or other projects initiated or approved by the COUNTY. The CITY is

not responsible for replacement of part or parts of the system due to damage caused by utility companies, public bodies or other entities using the Randall Road right-of-way for approved purposes. In the event that any reimbursable costs are billed to and paid by the COUNTY, the CITY shall reimburse the COUNTY within forty-five (45) days of the receipt of an invoice for the CITY's share of the actual costs incurred.

9. Upon (i) receipt of all necessary right of way, storm water detention, a complete permit application and, (ii) the review and subsequent approval thereof by the County Engineer, the COUNTY agrees to grant a permit for widening Randall Road, traffic signals and other related improvements for the intersection of Randall Road and Woodward Drive (Access Points "C" & "E"). The permit will allow for a signal to be installed in conjunction with the construction of the westerly leg of future Woodward Drive at Randall Road. The CITY or the property owner(s)/developer(s) shall be responsible for the cost of design, constructing and installing said intersection improvements. The goal of the Parties is to construct the entire Signalized Full Intersection at Woodward Drive and Randall Road as one project. However, the Parties contemplate that the construction of the Full Signalized Intersection of Woodward Drive may be phased over time and shall be initially accomplished by the permitting and construction of the west leg of the intersection of Woodward Drive and Randall Road (that portion of the intersection west of the centerline of Randall Road) first. In the event that the phased approach to the intersection construction for Woodward Drive and Randall Road is utilized, then the right of way and storm water detention requirements necessary for only that phase of the intersection to be constructed will be required by the COUNTY.

10. At the completion of the Randall Road Project, a storm water management facility shall have been constructed by the COUNTY along the west side of Randall Road immediately south of the Union Pacific Railroad tracks as illustrated on the conceptual plan attached as Exhibits "A2" and "A3". This facility currently has the storm water capacity of 11 acre feet (ac-ft) and services the needs of the Randall Road Project as defined by the COUNTY's Storm Water Ordinance. The CITY and COUNTY agree that the storm water detention facility has the ability to be expanded to a capacity of 16.6 ac-ft. The COUNTY will permit the CITY or their agents, subject to the conditions of the existing easement therefor, to construct the incremental additional capacity up to 5.6 ac-ft in the future. This construction of incremental additional capacity shall take place if adjacent development desires to manage storm water with a facility at the location of the afore described storm

water management facility. The COUNTY agrees to permit adjacent development to utilize up to but not to exceed 4 ac-ft of the incremental additional capacity. The COUNTY and CITY agree that 1.6 ac-ft is required and reserved exclusively to the COUNTY for the future expansion of Randall Road as contained in the COUNTY adopted Kane County 2030 Transportation Plan in accordance with the current County of Kane Storm Water Ordinance. Specific conditions related to the 5.6 ac-ft incremental additional capacity are as follows:

- i. The CITY or their agents will agree to build the 1.6 ac-ft of additional capacity for the future expansion of Randall Road as referenced herein above with the first event of construction activity to enlarge the aforesaid storm water management facility. The costs for enlarging the storm water management facility including design and construction engineering, construction and landscaping will be a CITY expense.
 - ii. The COUNTY shall review and approve the design for the storm water facility. The COUNTY's approval shall not unreasonably be withheld.
 - iii. The CITY agrees to maintain the storm water detention facility at its sole cost and expense.
11. The Parties agree to cooperate during the development review process for development of property within the Subject Corridor. The CITY shall solicit the COUNTY's review and comment prior to any development approval including but not limited to annexation, subdivision, zoning, or land use changes. The CITY agrees to solicit the COUNTY's advice on transportation, right of way, storm water, detention, and traffic issues for any annexation agreement covering property within the Subject Corridor which is contiguous to Randall Road. To the extent permitted by law, the CITY agrees to use its best efforts in the exercise of its authority over development entitlements and approvals to cause to be provided in the name of the County of Kane additional right of way and storm water detention to accommodate current and future projected Randall Road widening as set forth in the Kane County 2030 Transportation Plan and the KDOT-TPR at no cost to the Parties.. In the event that the CITY fails to provide the additional right of way and/or storm water detention, for the intersection(s) at Access Point C and/or at Access Point E, the COUNTY shall not approve or otherwise permit an intersection at either of the aforesaid access

point(s) for which right of way and storm water detention has not been provided by the CITY unless otherwise provided for in this Agreement.

12. In the exercise of its authority over development entitlements, the CITY will use its best efforts to provide, or cause to be provided, utility easements located outside the present or planned future right of way of Randall Road unless otherwise agreed to by the County Engineer. All utilities located within the right of way of Randall Road shall require a permit from the COUNTY. The Parties acknowledge and agree that the COUNTY shall have no obligation to place any utilities in its right of way, but will work with the CITY to reasonably accommodate utility placement in COUNTY right-of-way where necessary.
13. Except as otherwise provided herein, the Parties agree that Access Roads intersecting Randall Road should provide a minimum distance (the throat) between Randall Road and any other intersecting Access Roads of five hundred feet (500') or the minimum throat length as provided in the KDOT-TPR or any lesser distance as may be approved by the County Engineer.
14. The Randall Road Project includes a landscape barrier median in certain locations. The Parties agree that the CITY may, in the future, develop a plan to modify the median landscape as included in the Randall Road Project. Any costs for the design, construction and maintenance of the median landscaping shall be the sole responsibility of the CITY.
15. The CITY shall indemnify, defend, and save harmless as herein provided, the COUNTY, its officers, agents, officials, servants, and employees from any and all liability, claims, manner of actions, cause, and causes of action, suits, sums of money, covenants, controversies, agreements, promises, damages, judgments, claims, and demands, whatsoever, in law or in equity, and particularly and without limiting the generality of the forgoing any and all personal injuries, property damage or death, including claims for indemnity or contribution, attorneys' fees, and litigation expenses all and in any case or manner arising out of, caused by, or in consequence of the negligence of the CITY, and/or their employees, officers, agents, or servants, or out of, caused by, or in consequence of and relating in any manner to the CITY's design, construction, and maintenance of any landscaped median within the right-of-way of Randall Road.

16. Nothing in this Agreement shall be construed to require either Party to exercise the power of eminent domain or to take any action which either Party reasonably believes constitutes an unlawful regulatory taking under the law. Nothing in this Agreement shall be construed to authorize the COUNTY to exercise any zoning, subdivision, or other land use or building authority with respect to property located within, or which, pursuant to the terms of any annexation agreement, is proposed for inclusion within, the corporate limits of the CITY. Nothing in this Agreement shall be construed to authorize the CITY to exercise any authority conferred by law upon the COUNTY. Nothing in this Agreement shall be construed to require either Party to mandate any action by a third party that is not permitted by law.
17. The Parties acknowledge and agree that Exhibits B1 and B2 are a conceptual plan intended to demonstrate an intention by the Parties that the property as depicted thereon shall be improved with a system of access roads, and cross access easements which will serve the purpose of dispersing traffic in a manner which will serve to reduce traffic loads on Randall Road. The COUNTY acknowledges that the actual development of the property might require the location of access, roads and cross access easements in places other than those depicted on Exhibits "B1" and "B2". Provided that the CITY's processing and approval of any development proposal covering the property contiguous to Randall Road within the Subject Corridor is coordinated with the COUNTY as required by Paragraph 11 hereof, and provided such development proposal makes reasonable provision for access roads and cross access easements intended to serve the same planning purposes stated herein, such substitute access road, and cross access easements will not be deemed to violate this Agreement.
18. This Agreement shall be in full force and effect for a period of 20 years from and after the date first stated above. Notwithstanding the foregoing, and assuming that the COUNTY has received complete and correct applications for permit approvals for the Access Points C (relocated) and E, as described in Paragraph 3 hereof, and assuming that the County Engineer has approved said complete and correct permit applications, should the COUNTY fail to issue such permits within the first forty eight (48) months of the term of this Agreement, the CITY shall have the unconditional right to terminate this Agreement.
19. In the event that any future development occurs on property contiguous to the Subject Corridor as heretofore identified on Exhibits – and/or with respect to any future

development along any access road within the Subject Corridor which intersects with Randall Road (i.e. Woodward Avenue) that generates vehicular traffic that meets or exceeds warrants for any additional improvement(s) to said intersection(s) or that, in the opinion of the County Engineer, degrade the operation of the intersection(s) and consequently the operation of Randall Road, then the CITY acknowledges that the COUNTY may at its sole option control and restrict to any extent, any intersection within the Subject Corridor until such time that the operational level of the intersection(s) is improved to the satisfaction of the County Engineer.

20. This Agreement shall be binding upon and shall inure to the benefit of the Parties hereto and their respective successors and assigns.

21. This Agreement may not be modified, amended or otherwise altered except upon the execution of a written amendment thereto properly authorized and executed by each of the Parties hereto.

Executed this 1st day of ^{December} November, 2006, at Geneva, Illinois.

COUNTY OF KANE

By: Karen McConaughy
County Board Chairman

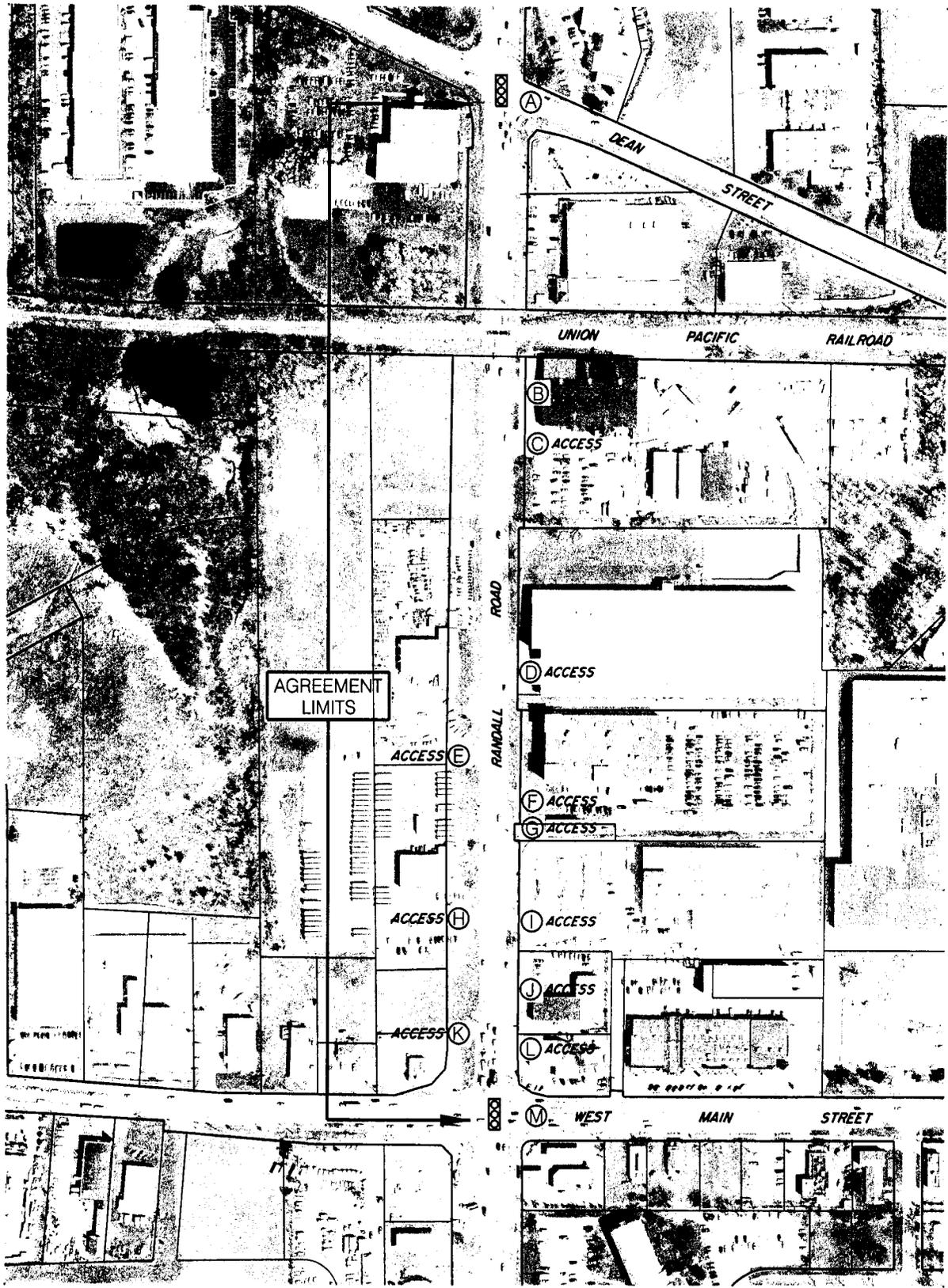
Attest: [Signature]
County Clerk



CITY OF ST. CHARLES

By: [Signature]
Mayor

Attest: [Signature]
City



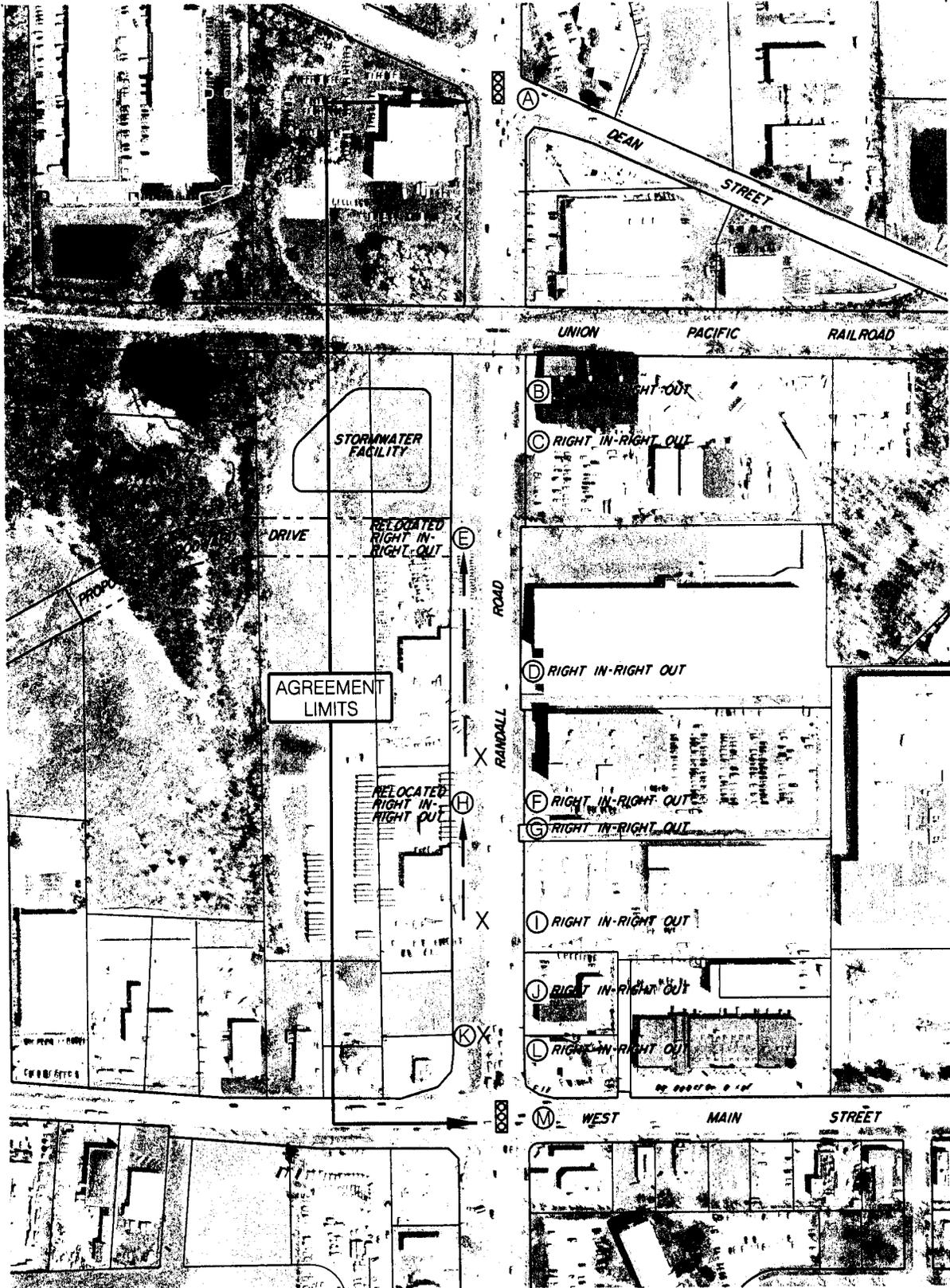
LEGEND

-  EXISTING TRAFFIC SIGNAL
-  PROPOSED TRAFFIC SIGNAL
-  ACCESS POINT
-  REMOVE ACCESS POINT

**RANDALL ROAD IGA
EXISTING CONDITIONS**



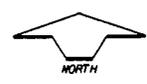
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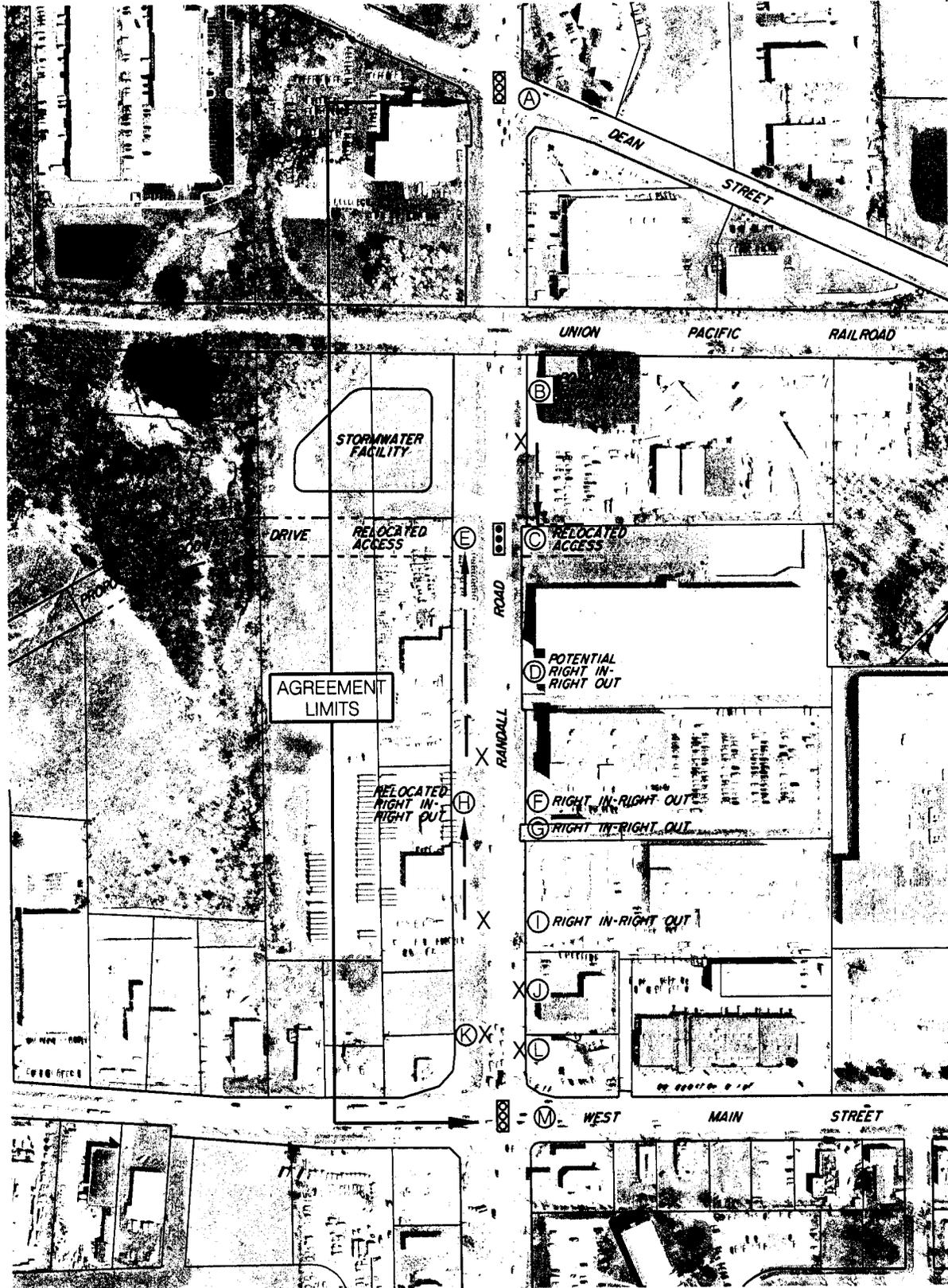
LEGEND

-  EXISTING TRAFFIC SIGNAL
-  PROPOSED TRAFFIC SIGNAL
-  ACCESS POINT
-  REMOVE ACCESS POINT

**RANDALL ROAD IGA
INTERIM CONDITIONS**



Scale: 1"=300'
 Date: September 22, 2006
 Aerial: Spring 2004
 File: Randall-IGA-4.dgn



LEGEND

-  EXISTING TRAFFIC SIGNAL
-  PROPOSED TRAFFIC SIGNAL
-  ACCESS POINT
-  REMOVE ACCESS POINT

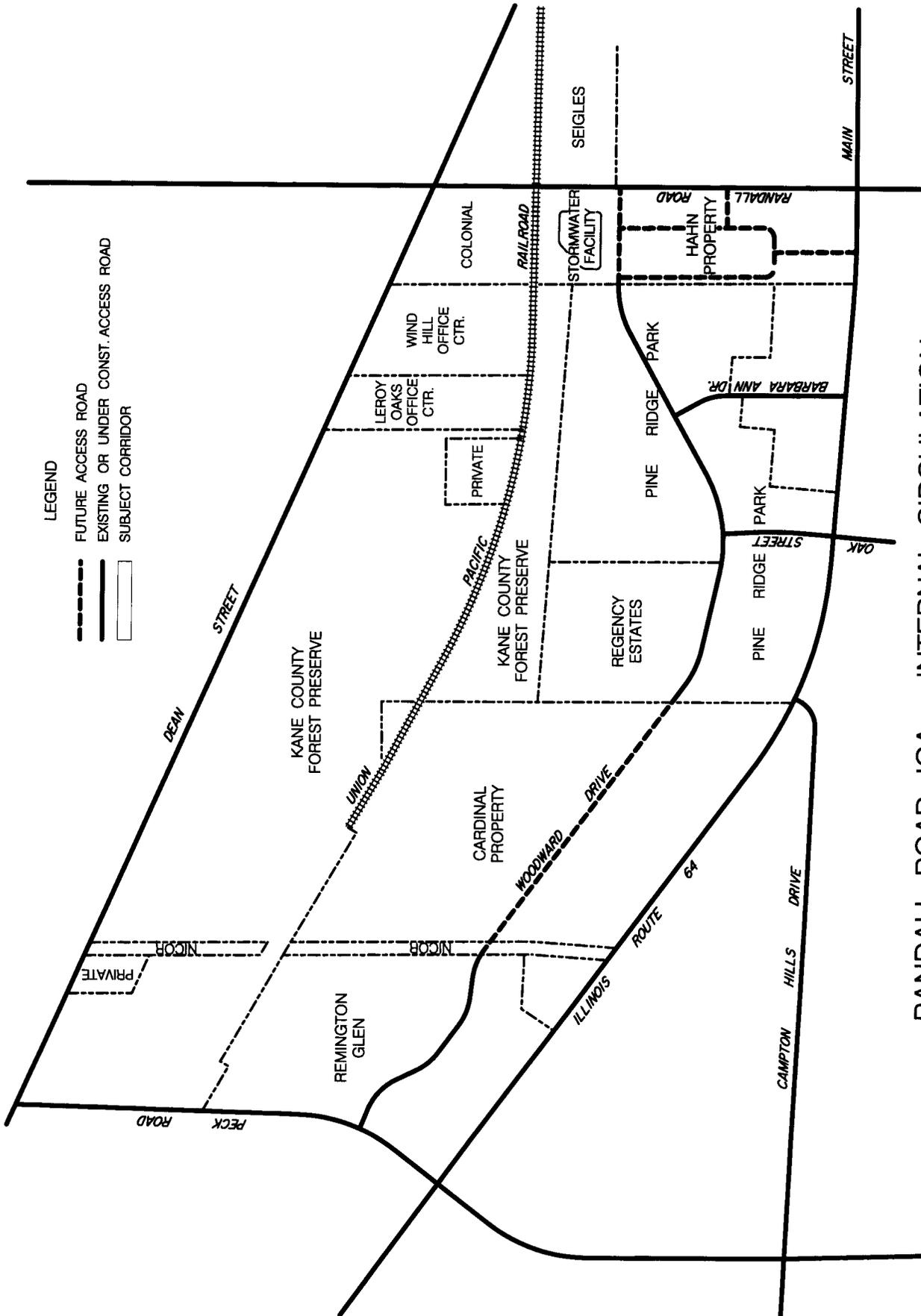
**RANDALL ROAD IGA
FUTURE CONDITIONS**



Scale: 1" = 300'
 Date: September 22, 2006
 Aerial: Spring 2004
 File: Randall-IGA-5.dgn

LEGEND

- FUTURE ACCESS ROAD
- EXISTING OR UNDER CONST. ACCESS ROAD
- SUBJECT CORRIDOR



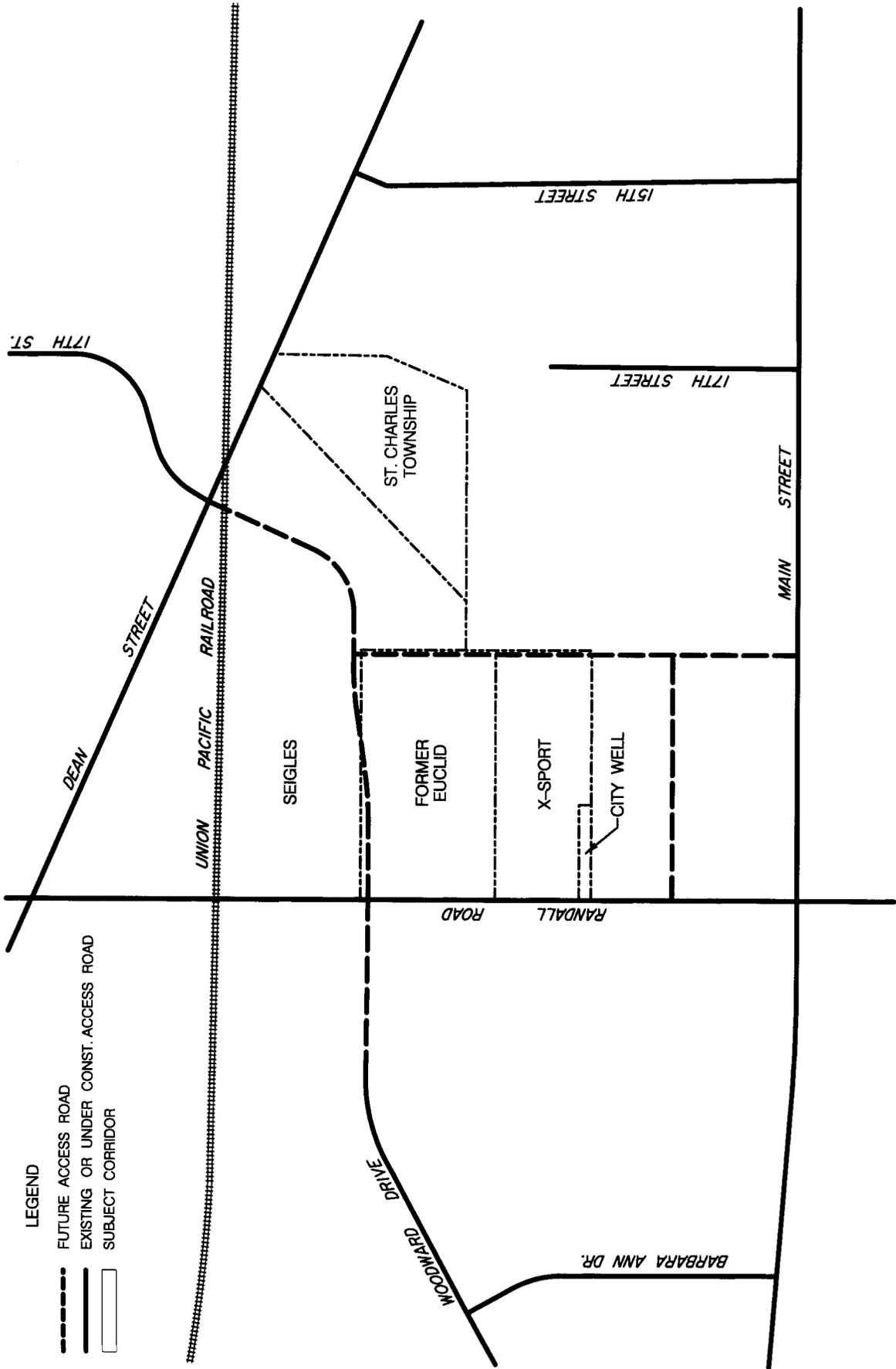
RANDALL ROAD IGA - INTERNAL CIRCULATION
 WEST SIDE
 EXHIBIT "B-1"



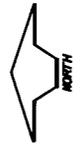
Scale: 1" = 700'
 Date: September 22, 2006
 File: Randall-IGA-7.dgn

LEGEND

- FUTURE ACCESS ROAD
- EXISTING OR UNDER CONST. ACCESS ROAD
- SUBJECT CORRIDOR



RANDALL ROAD IGA - INTERNAL CIRCULATION
EAST SIDE
EXHIBIT "B-2"



Scale: 1"=400'
Date: September 22, 2006
File: Randall-IGA-B.dgn

EXHIBIT "C"

DEFINITIONS

Access, n.: The right of an owner of property immediately adjacent to a highway to ingress to and egress from said property by way of the immediately adjoining highway.

Access Point n.: The permitted location along a highway where ingress to and egress from a property immediately adjoining the highway is allowed. The location of an access point is governed by the Kane County Division of Transportation, Permit Regulations (hereinafter "KDOT-PR") unless otherwise agreed to in writing by the County of Kane.

Access Regulation n.: Various measures utilized by the County of Kane, intended to regulate or control access, including, but not necessarily limited to control, restriction or elimination of an Intersection at an Access Point pursuant to the police power or by other appropriate means of the County of Kane. (See also: KDOT-PR).

Access Road, n.: See also Internal Access Road. A highway or private road that directly connects to an Access Point. That portion of a highway that connects to an Access Point is sometimes referred to as a leg of an Intersection.

Auxiliary Lanes, n.: Lanes, other than through lanes, of the traveled portion of a highway such as dedicated left turn lanes, right hand turn lanes or deceleration lanes.

County Highway, n.: a highway under the exclusive jurisdiction of the County of Kane. "County Highway" may include a highway under the exclusive jurisdiction of the County of Kane for which maintenance or other responsibilities are performed by another unit of government pursuant to an intergovernmental agreement with the County of Kane.

County Engineer, n: the Kane County Engineer.

Cross Access Easement, n.: An easement, granted by the owners of property adjacent to a highway, to the public for highway purposes. Cross access easements are intended to serve as locations for internal access roads or access roads to connect properties adjacent to the highway to an access point.

Detention, n.: A dry bottom earthen depression in the ground utilized for the temporary storage and controlled discharge of storm water.

Development, n.: any change or conversion in any use of real property that causes or otherwise requires, due to any increase in the amount of vehicular traffic either entering and/or leaving the real property, the laying out, provision of construction of any new means or the enlarging or extending any existing means of ingress and egress at a new or existing Access Point to or from a County Highway. Development includes "re-development" and the improvement of vacant land.

Highway, n.: A general term for denoting a public way for purposes of the travel of vehicular traffic including the entire area within the right of way thereof and any associated appurtenance therefor. "Highway" includes a City of St. Charles street or a township road.

Internal Access Road, n.: A highway servient to and which runs generally parallel with a dominant County highway and is sometimes referred to as a "frontage road" or a "local service drive" as defined by the Illinois Highway Code (605 ILCS 5/8-105). An internal access road is intended to collect traffic generated from properties adjacent to the frontage road to convey the traffic to an Access Road and an Access Point on a County or other highway.

Intersection, n.: The area within the right of way of two different highways, access roads, internal access roads, private roads, alleys, driveways within which vehicles traveling on the traveled portion of each highway come into conflict with one another. The junction of a private alley or a private driveway with a highway may for purposes of this Agreement constitute an intersection. Intersection includes:

- A. **Full Intersection, n.:** An Intersection of two highways that has four intersecting legs which allows traffic certain traffic movements to and from each leg of the intersection to any other leg of the intersection.
- B. **Right In/Right Out Only, n. :** A "T" Intersection where the movement of traffic is limited to the following movements only: (i) through movements on the horizontal legs of the "T", (ii) a right hand turning movement only from the left horizontal leg of the "T" to the vertical leg of the "T" and, (iii) a right hand turning movement only from the vertical leg of the "T" to the right hand leg of the "T". No left hand turns are permitted on a right in/right out only intersection.
- C. **Right In Only, n.:** An intersection where the movement of traffic on a County Highway is limited to only a right hand turning movement from the County Highway into property adjacent to a County Highway.
- D. **Right Out Only, n.:**
- E. **Signalized Intersection, n.:** An intersection that utilizes signalization, such as a Signalized Full Intersection or a Signalized "T" Intersection.
- F. **"T" Intersection, n.:** An intersection of two highways or the intersection of a highway and an access road, internal access road, private drive or alley that has only three intersecting legs which allows traffic movements to and from each leg of the intersection to any other leg of the intersection. As its name implies this intersection appears as various forms of the letter "T".

Intersection Lighting, n.: Overhead electric lighting at an Intersection intended to illuminate the pavement surface of the Intersection as may be required by the County Engineer of Kane County or the KDOT-TPR.

KDOT-PR, n.: The Kane County Division of Transportation, Permit Regulations as amended from time to time and duly authorized by the Kane County Board.

MUTCD, n.: The most recent addition of the Manual of Uniform Traffic Control Devices.

Owner(s)/developer(s), n., An owner or any other person or entity having any interest in real estate.

Planning Jurisdiction, n.: The area described in the Illinois Compiled Statutes by 65 ILCS 5/11-12-5 through 65 ILCS 5-11-12-6 of the Municipal Code over which the City of St. Charles has planning authority.

Private Road, n.: A way for the purpose of travel of vehicular traffic including the entire area within the right of way thereof and any associated appurtenance therefor that is not intended for use by the general public, or alternatively, not under the jurisdiction of a unit of government.

Property Adjacent to Randall Road, n.: Real estate that is contiguous to the right of way of Randall Road and/or any other real estate that desires ingress to and egress from Randall Road.

Retention, n.: A wet bottom earthen depression in the ground utilized for the temporary and or permanent storage and controlled discharge of storm water.

Roadway Lighting, n.: Overhead electric lighting adjacent to a highway intended to illuminate the pavement surface and surrounding area as may be required by the County Engineer of Kane County.

Signalization, n.: Electronic traffic control devices also referred to as: traffic lights, traffic control devices, stop and go lights or traffic control signals, intended for the regulation of vehicular and pedestrian traffic at an Intersection where such devices on different legs of the same intersection alternately direct traffic to stop and to proceed. Signalization is designed, constructed operated and maintained to the satisfaction of the County Engineer of Kane County.

Signal Interconnect System, n.: An electronic system designed and intended to electronically connect signalization at various Intersections into a continuous series for the intended purpose of coordinating the movement of traffic through the various signalized intersections. Signal interconnect systems are designed, constructed, operated and maintained to the satisfaction of the County Engineer of Kane County.

Throat, n.: The area of a highway, access road, internal access road, leg of an Intersection, private road, alley or driveway where the Intersection with any of the same is not permitted.