SD308
COMMUNITY UNIT
SCHOOL DISTRICT

March 30, 2021

Danielle Merten

VIA EMAIL – kevindaniellemerten@gmail.com

Re: FOIA request dated 3/24/21 & received 3/25/21

Subject: Copies of any and all documents in regards to the Number of Housing Starts and total fees received for the towns of Oswego, Plainfield, Aurora, Montgomery and Joliet that are within the boundaries of SD308 for the following years: 2018, 2019, and 2020. Also, copies of any and all documents and information in regards to the towns of Aurora, Plainfield, Joliet and Montgomery each having different school providing fees with developers. Any and all documents, contracts, or records between SD308 and any/all developers in the towns of Aurora, Plainfield, Joliet and Montgomery referencing financials, property taxes, impact, transition, and land cash fees.

This letter will serve as Oswego Community Unit School District 308's response to your March 25, 2021 request under the Freedom of Information Act (5 ILCS 140/1 et seq.), in which you asked for the above referenced information. The information regarding your request is attached.

To promote district transparency and assist others who may have a similar question, this responsive document will be posted online on the district's website. To access it, go to www.sd308.org and select *Our District > Freedom of Information Act Request > FOIA Request Responses>FOIA Requests Responses -2021>then select FOIA ID #21-21.*

Please let me know if you have additional questions. Thank you.

Carrie Szambelan

Carrie Szambelan
Freedom of Information Officer

Amount Collected

	FY21	FY20	FY19	FY18	FY17	FY16	FY15	FY14	FY13
Land Cash	$ 240,052	$ 450,742	$ 455,911	$ 356,351	$ 150,589	$ 251,344	$ 345,532	$ 466,995	$ 298,221
Impact Fees	$ 480,720	$ 308,481	$ 1,404,095	$ 367,836	$ 358,293	$ 277,117	$ 498,313	$ 700,418	$ 430,788
TOTAL	**$ 720,772**	**$ 759,223**	**$ 1,860,006**	**$ 724,187**	**$ 508,882**	**$ 528,462**	**$ 843,846**	**$ 1,167,413**	**$ 729,008**

	YTD FY21		FY20	FY19	FY18
Aurora Land Cash	$ 39,462		$ 60,396		
Kendall County Land Cash	$ 13,427	*	$ 5,621	$ 9,537	$ 36,120
Montgomery Impact			$ 13,444	$ 12,835	$ 3,553
Montgomery Land Cash			$ 96,214	$ 6,319	$ 7,290
Oswego Impact Fees	$ 320,957		$ 185,369	$ 1,214,165	$ 109,339
Oswego Land Cash	$ 92,323		$ 98,269	$ 227,079	$ 79,222
Plainfield Impact	$ 159,763		$ 172,677	$ 177,095	$ 254,944
Plainfield Land Cash	$ 94,840		$ 120,716	$ 212,976	$ 233,719
Will County Land Cash			$ 6,517		
	$ 720,772		**$ 759,223**	**$ 1,860,006**	**$ 724,188**

* FY21 Kendall County reported as of 11/30/20

	Oswego		Plainfield		Aurora		Montgomery		Joliet		Unincorporated Kendall County*	
	Attached 2-Bedroom Single Family	Detached 4-Bedroom Single Family	Attached 2-Bedroom Single Family	Detached 4-Bedroom Single Family	Attached 2-Bedroom Single Family	Detached 4-Bedroom Single Family	Attached 4-Bedroom Single Family	Detached 4-Bedroom Single Family	Attached 2-Bedroom Single Family	Detached 4-Bedroom Single Family	Attached 2-Bedroom Single Family	Detached 4-Bedroom Single Family
Land-Cash	$ 381.23	$ 2,663.19	$ 457.00	$ 2,615.00	$ 513.49	$ 3,513.66	**	$ 2,430.08	$ 769.00	$ 4,191.00	$ 348.14	$ 2,233.59
School Facility									$ 1,510.00	$ 8,356.00		
Impact	$ 2,436.09	$ 4,429.25	$ 943.00	$ 5,220.00			$ 1,622.96	$ 5,512.37				
Transition			$ 570.00	$ 3,284.00								
	$ 2,817.32	**$ 7,092.44**	**$ 1,970.00**	**$ 11,119.00**	**$ 513.49**	**$ 3,513.66**	**$ 1,622.96**	**$ 7,942.45**	**$ 2,279.00**	**$ 12,547.00**	**$ 348.14**	**$ 2,233.59**
	Fees were reduced for single family homes in 2015 and for multi-family homes in 2017 in an effort to re-start residential growth.		Past agreements with developers have eliminated/reduced these fees.		Impact Fees are on a sliding scale based on the price of the home.		Impact fees based on fair market value of home. A 4-bedroom attached home with a FMV of $175,000 and a 4-bedroom detached home with a FMV of $250,000 is used for illustration purposes. **based on children per unit estimates using $88,000/acre.				County does not allow impact fees - but there is a land cash ordinance.	
Current Land Cash Valuation	$ 79,500						$ 88,000		$ 138,623		$ 72,680	
Last Updated	2015						1991		2021		2014*	
Annual Escalator	None						None		4%*		None	
									* only school site & school facility fees, not impact fees		*reviewed in 2019	

As a condition of approval of a final plat of subdivision or planned unit development, each developer in the City of Aurora is required to dedicate land for school sites to serve the immediate and future needs of the residents of the development or make a cash contribution in lieu of land. The size of the land contribution, or amount of the cash contribution, is determined by a formula that considers the age demographics of the expected population of the development based upon estimated population generation tables. Specifically, the City of Aurora requires developers to contribute land in the following ratios: 11 acres per 600 elementary students, 29 acres per 900 junior high students, and 53 acres per 2,300 high school students. Those same ratios are used to calculate a cash in lieu of land contribution. For 2019, the City of Aurora determined the value of improved land is $127,256.35 per acre.

Prior to the real estate crash, KB Homes had approval for 454 townhomes east of Bednarcik Junior High School. The balance of the property, down to 111th Street, was to be developed for industrial uses. However, the City of Aurora sees no market for that use. D.R. Horton is proposing a development of the entire property. The development is a mix of traditional and active adult single family attached and detached homes, as well as some apartments and commercial uses. D.R. Horton anticipates building to occur in five phases, with the entire buildout projected to occur over the next ten to twenty years.

D.R. Horton's Summerfield Phase 1, as proposed, would replace the K.B. Homes plan. It contains a mix of two- and three-bedroom single family attached homes, and three- and four-bedroom single family detached homes. The current composition of the development is expected to generate approximately 83 kindergarten through fifth grade students; approximately 38 sixth through eighth grade students; and 42 high school students, for a total of 163 students. K.B. Homes was expected to generate 76 elementary students, 24 sixth through eighth grade students; and 22 high school students, for a total of 123 students. The D.R. Horton composition would result in a land contribution of approximately 3.7 acres, or a cash in lieu of land contribution of approximately $471,000, while the existing K.B. Homes plan would result in a cash in lieu of land contribution of approximately $344,000. While the City of Aurora imposes land-cash obligations upon the developers, it does not have any meaningful capital facilities development impact fees.

D.R. Horton anticipates Phase 1 will be complete in three to four years. There are also four subsequent phases to the D.R. Horton plan, as proposed. Phase 2 would likely occur between 2022 and 2025. It includes both attached and detached active adult, single family homes, as well as an active adult clubhouse. Phase 3 would likely occur between 2024 and 2027. It includes traditional attached and detached single family homes, a community clubhouse, and some commercial development. The timeline for Phases 4 and 5 is not set. Phases 4 and 5 include both traditional and active adulting housing. For the active adult/age-restricted portions, the School District can negotiate restrictions that would impose significant financial obligations if any school-aged children are generated from those portions, as we have in the past.

Ultimately, the City of Aurora can move forward without the input or consent of the Board of Education. However, if the Board has concerns with the change proposed by D.R. Horton, we can express those to the City.

Current developments are 'grandfathered' into agreements that already in place.
Once a devlopment is annexed - the fees are bound to that agreement. However, Plainfield is coming t

As existing developments become completely built out - the price of land should be driven up.

What is the basis for any annual increase? CPI? A flat percentage?

One purpose of impact fees is to raise the quality of homes.

Land cash fee is correlated to the value of the home.

Impact fees

Oswego - high demand for multi-family

Aurora - high demand for single family within Oswego's boundaries

Where have fees been waived:

Oswego: Hudson Crossing / proposed senior housing

Aurora: Current request for Lincoln Prairie Crossing for the senior housing

Plainfield: Grande Park

Oswego / Aurora - developers want to build in our boundaries because of District 308

Land Cash - what are the current valuations? What are the annual adjustments?
Impact Fees - more complicated as many factors considered in the formula

Follow-up

Current valuation of land
Last time it was updated
What are the annual adjustments
How much will it cost to update the NIU study
Have entitites check my table

Naperville Ordinance - upheld by the Supreme Court in 1976

January 19, 2021

Hon. President Doyle and Board of Education
Community Unit School District 308
4175 Route 71
Oswego, IL 60543

Re: **Lincoln Prairie – Del Webb Active Adult Community – Land/Cash Waive**

President Doyle,

First and foremost, thank you for providing for the in-depth discussion regarding our proposed project at your recent Board of Education meeting. We appreciate the Boards thoughtful deliberation. Following up on that conversation, we felt it would be helpful to reiterate our specific request and also highlight the many positive impacts of this proposed community.

We respectfully request that the Board of Education recommend to the City of Aurora that Land/Cash fees be waived for our proposed Del Webb Active Adult Community.

As you know, Aurora calculates their Land/Cash Fees are based on the number of bedrooms. Based one our estimated mix of two-bedroom units (90%) and three-bedroom units (10%), the total Land/Cash Fees equate to $946.85 per unit ($520,767.46 Total). We base our request on the following criterium:

1. As you are aware, the state allows Land/Cash Fees, to be charged to new residential construction to specifically help the School District offset the cost of providing service to the new residents.
2. That same taxing authority is not granted for non-residential construction, as there is no new student impact to the School District.
3. Although the Del Webb is new residential construction, it should be considered in the same vein as new non-residential construction for having no impact to the School District for the following reasons:
    a. Del Webb will be an Age-Restricted community. This means that in order to be permitted to live in this community, one member of your household is required to be age 55 or over.
    b. Additionally, no person under the age of 19 is permitted to live in Del Webb for longer than 90 days.
    c. While it is conceivable that a temporary visitor could register for school. This small possibility of a temporary student represents a fractional budgetary impact to the School District that is greatly offset by the new property taxes generated by the Del Webb. By way of example, the Huntley School District represented recently that with over 5,000 homes, their Del Webb Community contributes no more than a few temporary students per year.
    d. These restrictions are governed and required by Pulte's national policy for Del Webb Communities and also must comply with Federal Law. These requirements are memorialized in

the HOA Declarations and City of Aurora Zoning Approval ensuring that they are never lifted or modified in the future.

I should note that we are not requesting waiver of the City Impact Fees. The City bases these fees on the sales price of the home and based on the anticipated sales price of the homes ($407,000) , no Impact Fees would be due for the Del Webb Community.

Aside from the Land/Cash waiver discussion, there are many positive impacts that the proposed Del Webb Community will have on the School District and the greater area.

1. **Property Taxes:** The School District currently receives roughly $20,000 per year in property taxes from the proposed Del Webb property. That figure will be increased to $4.4 Million annually based on the average sales price of $407,000 per home.
2. **Additional Development in this corridor:** This area of Oswego/Aurora is plagued by the inability to develop due to no feasible wastewater solution. As part of this development, Pulte will fund the installation of the first phase of a wastewater lift station that allows this 534 acres (and hundreds of acres on the Oswego side of Route 30) to develop. This will not only broaden the tax base for all taxing bodies, it will improve the livability and desirability of the area.
3. **Trusted Builder:** Pulte (owner of the Del Webb Brand) is currently the nation's 3rd largest home builder and has been building quality homes in Chicagoland since the early 1970's. This community will build on the quality of Laurelton Place currently under construction in the district.
4. **Del Webb Brand:** This project will bring Del Webb's reputation to our community. Del Webb is the leading builder of Active Adult communities for those 55 and older in the Nation.

I should note that the full Lincoln Prairie project will include much more than the Del Webb Community, including Commercial and Traditional Two-Story Single-Family homes. However, I have not included these uses in this conversation above as we will pay any and all fees and taxes required for said portions and make no requested waivers with respect to those uses.

Again, thank you for your time and consideration.

Sincerely,

Rob Getz
Vice President of Land
Pulte Homes – Illinois Division
Robert.Getz@PulteGroup.com

SD308
COMMUNITY UNIT SCHOOL DISTRICT
World-Class Schools Serving Caring Communities

To: Board of Education and Dr. Sparlin

Date: January 11, 2021

Re: Lincoln Prairie Subdivision-Pulte Home Company UPDATED w/additional information

On December 15, 2020, I participated in a zoom meeting with Alex Alexandrou, Trevor Dick and David Dibo from the Economic Development Division for the city of Aurora. Below is some information about this meeting and my recommendation.

Location of Lincoln Prairie Subdivision: 534 acres south of Wolf's Crossing, east of Route 30, west of the EJ & E Railroad and north of 111th Street in Aurora

Concept Plan:

- Traditional Homes – 161 detached homes that would generate an estimated 80 elementary, 44 junior high, and 52 high school students. The fair market value (>$385,000) would not warrant any impact fees to be paid to the school district. However, the land cash payment would equal approximately $527,000 paid on a per-unit basis at the time of building permit.
- 55+ Age Restricted Community – 550 unit Del Webb Community that would not generate any school-age children. Again, the fair market value would not warrant any impact fees to be paid to the school district. However, the land cash payment would equal approximately $520,000.
- Future Flex Development Parcels – Areas for future development that include plans for expansion of the age-restricted community and for commercial purposes. If any portion of these parcels are developed with traditional residential homes, Pulte will pay land cash in the amount of $127,264 per acre. The plans for commercial/residential development include a parcel sized for large retail (i.e. grocery store).

Developer's Request: To waive the land cash fees for the age restricted community as there will be no student impact to the school district.

Rationale: Estimates indicate that when the initial age restricted community is fully built (projected to be in 10 years), an additional $4.4M (compounded annually by CPI) in property tax revenue would be generated each year. In addition, the commercial/retail parcels would generate additional property tax revenue. Currently, this entire parcel(s) generates $17,262 in property taxes paid to the school district.

Recommendation: Developer fees for this area are set by the City of Aurora and therefore, the City can waive the land cash fees without the school district's approval. Due to the productive and positive relationship between the City and the District, they have come to us as partners in this project. My recommendation is to invite a representative from the City of Aurora and Pulte Homes to the January Finance & Facility Committee Meeting to present the project and proposal to this group. This will provide information and feedback to both parties so that an informed decision can be made on how to proceed with the developer's request.

Christi S. Tyler
Chief Financial Officer/ CSBO

DISTRICT ADMINISTRATION CENTER • 71 STONEHILL RD. • OSWEGO, IL 60543
P: (630) 636-3180 • F: (630) 636-3198 • ctyler@sd308.org • WWW.SD308.ORG

ADDITIONAL INFORMATION:

I've researched past agreements that have been made in regards to developer fees. There are different avenues the Board could consider in any discussions with Pulte Homes.

- **Reserve at Hudson Crossing** – Apartments in the downtown Oswego TIF district marketed for young professionals and empty nesters. In lieu of development fees, the District will receive an estimated payment of $6,014.12 per student, per enrollment year during the duration of the TIF (adjusted each year until 2039).
- **Monarch Landing** – An age-restricted community in Naperville. Land Cash fees were waived however, if a student attempted to enroll in Indian Prairie School District 204 all parties (school district, park district, homeowner's association, etc.) would attempt to block the enrollment. If the student does enroll in an IPSD school for less than one year, the parent/guardian and the homeowners' association would be responsible for tuition. If the student is enrolled for more than a year, then the parent and homeowners' association would be responsible for the previously waived fees for the entire development. As a side note, Whitt Law negotiated this language with Russell Whitaker, who is the attorney representing Pulte Homes on the Lincoln Prairie project.
- **Steeplechase at Churchill** – An age-restricted community in Oswego in which land cash and capital facilities development impact fees were waived. In return, Town & Country Homes agreed to the following: a cash donation of $152,000 to be used for the building and trades program, delivery of a mass graded site complete with building pads for the construction of a new elementary and middle school, as well as a substantial donation to the Wolves & Panthers on Parade event.

On Thursday, January 7th I spoke with Mr. Jim Pilmer, Executive Director of Fox Valley Park District. Mr. Pilmer shared with me that the FVPD does not support waiving land cash fees but would support an agreement in which Pulte Homes would build a walking bridge across Wolf's Crossing to connect the bike/walking trail.

Christi S. Tyler
Chief Financial Officer/ CSBO

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Expect a response - give an indication → but not a firm commitment

Rosanova & Whitaker, Ltd.
Attorneys At Law
127 Aurora Avenue
Naperville, Illinois 60540
630-355-4600 office
630-352-3610 fax
www.rw-attorneys.com

Thank you - we do not have authority

December 4, 2020

Dr. John W. Sparling
Superintendent of Schools
Oswego Community Unit School District 308
4175 Route 71
Oswego, Illinois 60543

End of December - Pulte

Re: Pulte Home Company
Lincoln Prairie Subdivision, Aurora, Illinois

Dear Mr. Sparling,

Pulte Home Company ("**Pulte**") is the contract purchaser of the approximately 534 acre property commonly known as "Lincoln Prairie." Lincoln Prairie is generally located south of Wolf's Crossing Road, east of Route 30, west of the EJ&E Railroad and north of 111th Street in the City of Aurora.

Lincoln Prairie represents development of a scale that has not occurred in the region since before the Great Recession. While the project represents great opportunity, it also represents a decade-long development horizon that entails a substantial planning effort and extraordinary business risks. It is critical that we clearly establish rights and obligations associated with the project, but that we maintain sufficient flexibility to respond to market changes over the course of the project.

A copy of our "Preliminary Concept Plan" is attached hereto as Exhibit A. The Preliminary Concept Plan is comprised of three key components:

Traditional Pulte residential community.

Phase I

Phase 1 of Lincoln Prairie will consist of the northernmost 61-acres. Located proximate to Wolf's Crossing Elementary School and Bednarcik Junior High School, this portion of Lincoln Prairie will consist of a traditional Pulte residential housing community. While this portion of the property was previously platted for 446 townhomes, Pulte anticipates the development of 161 single-family detached homes. Pulte anticipates submittal of a preliminary development plan for Phase 1 to the City of Aurora in January 2021 with development activity commencing in the fall of 2021 and the first residential closings occurring in the fall of 2022.

20% - 3 bdrm
80% - 4 bdrm

Del Webb 55+ age-restricted community.

Begin 2022 / Occupancy 2023

The centerpiece of Lincoln Prairie is a 550 unit Del Webb community. Del Webb is commonly regarded as a national leader in the development, construction and operation of age-restricted active adult communities. Del Webb communities are unique due to their scale, with the acreage and total number of units facilitating construction of unparalleled amenities targeted specifically to the senior population. These amenities are targeted

Internal private recreation

#425,000/starting ranch home price

specifically to the senior population that will reside in the community and are intended to create a resort type lifestyle.

The Del Webb community will be age-restricted under the Housing for Older Persons Act ("**HOPA**") (42 U.S.C. §3601 *et sec.*). At least eighty percent of the occupied units must be occupied by at least one person who is 55 years of age or older. Four Del Webb communities have been previously developed in metropolitan Chicago (Huntley, Mundelein, Shorewood and Elgin). These Del Webb communities have created extraordinary value for governmental jurisdiction due to their unique population and very low impact on governmental services. This is especially true with respect to School Districts. The school district will receive traditional property tax revenue from homeowners but will have no corresponding cost to educate children because of the unique age-restricted population.

Pulte anticipates submittal of a preliminary development plan for Del Webb Phase 1 to the City of Aurora in January 2021, with development activity commencing in Q1 2022 and the first residential closings occurring in Q1 2023. The Del Webb community will be developed in three phases.

Future Flex Development Parcels.

Located along the Route 30 frontage are two future development parcels. The northern parcel comprises approximately 102 acres, of which approximately 30 acres are contemplated for future commercial development. The southern parcel comprises approximately 94 acres, of which approximately 9 acres are contemplated for future commercial development. While these parcels contain a significant residential component, Pulte seeks to maintain flexibility to improve these parcels consistent with the character of either the traditional single-family community developed as part of Phase 1 or as an expansion of the Del Webb community.

Pulte will seek an amended and restated annexation agreement for Lincoln Prairie in tandem with approval of the Conceptual Development Plan. The amended and restated annexation agreement will comprehensively address construction obligations and the fee structure for Lincoln Prairie. To this end, Pulte proposes the following:

1. Traditional Pulte residential community. Pulte will pay all customary fees under City of Aurora ordinances, including:
    a. Section 23-11. Pulte will pay a fee-in-lieu of land dedication based on the City of Aurora population tables as of the date of the annexation agreement. The fee will be calculated based on a land value of $127,264 and will be payable on a per unit basis at the time of building permit. A copy of the City's "land cash calculator" for the traditional Pulte residential community is attached as Exhibit B.
    b. Section 23-17. Pulte will pay, to the extent applicable based on the sales price of homes, the School Development Impact Fee. The School Development Impact Fee will be locked at the values set forth in Exhibit C.

2. Del Webb Community. In consideration of the age-restricted nature of the community, Pulte respectfully requests that all customary fees are waived. Under state law, impact fees are appropriate where the burden on government is "specifically and uniquely attributable" to a proposed development. Here, the Del Webb community will place

no burden on the school district. Due to the age-restriction and the nature of the community we expect zero students to be generated from the community. As a result, the impact fee should be waived as a matter of law. Despite the waiver of the impact fee, it should be noted that the Del Webb community will pay traditional property taxes and is anticipated to generate approximately $4.4 Million in annual property tax revenue to District 308 (based on an average estimated sales price of $407,000 and current tax rate of 6.4633%).

3. Future Flex Development Parcels.
    a. If the flex development parcels are developed with traditional Pulte residential product, Pulte shall pay:
        i. Section 23-11. a fee-in-lieu of land dedication based on the City of Aurora population tables as of the date of the approval of the final plat. The fee will be calculated based on a land value of $127,264 and will be payable on a per unit basis at the time of building permit.
        ii. Section 23-17. Pulte will pay, to the extent applicable based on the sales price of homes, the School Development Impact Fee. The School Development Impact Fee will be locked at the values set forth in Exhibit C.
    b. If the flex development parcels are developed as an expansion of the Del Webb community, Pulte shall pay:
        i. All school fees shall be waived.

We appreciate your consideration and should you have any questions or concerns we would be happy to sit down and discuss the project in additional detail. Otherwise, we would respectfully request a letter confirming your agreement with the requested waiver of impact fees.

Sincerely,

Russell G. Whitaker, III

Russell G. Whitaker, III

Attorney for Pulte Home Corporation

EXHIBIT A

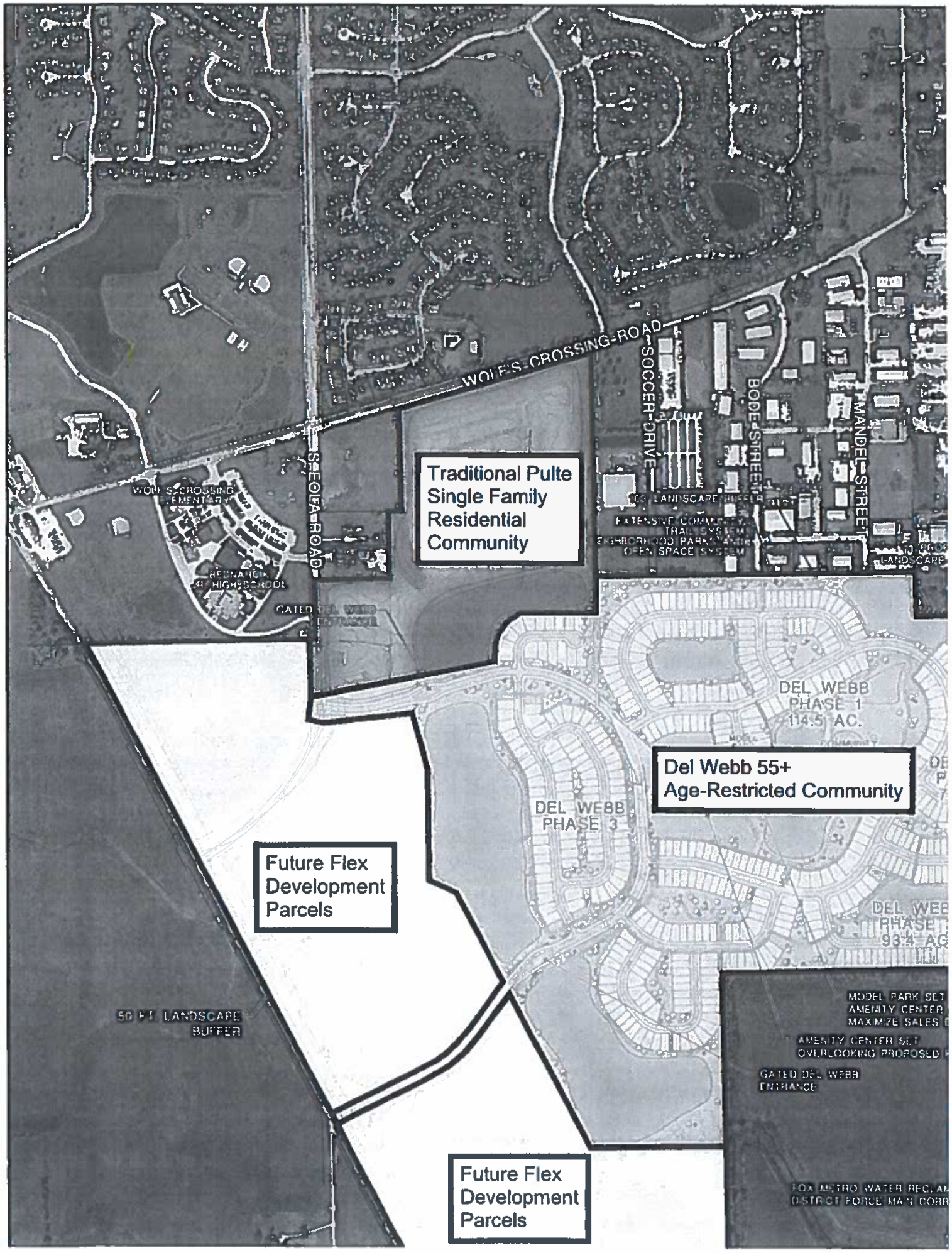

WOLF'S CROSSING ROAD
SOCCER DRIVE
BODE STREET
MANDEL STREET
SEOLA ROAD
WOLF'S CROSSING ELEMENTARY
Traditional Pulte Single Family Residential Community
DEL WEBB PHASE 1 114.5 AC.
Del Webb 55+ Age-Restricted Community
DEL WEBB PHASE 3
Future Flex Development Parcels
50 FT. LANDSCAPE BUFFER
Future Flex Development Parcels
GATED DEL WEBB ENTRANCE

EXHIBIT B

AURORA ILLINOIS CITY OF LIGHTS

Planning and Zoning Division 1 S. Broadway, 2nd Floor, Aurora, IL
phone (630) 256-3080 fax (630) 256-3081 email COAPlanning@aurora-il.org

1-7

Land Cash Calculator

Project Number: 0
Land Cash Agreement Number: 0
Petitioner: Pulte - Traditional Single Family
Subdivision Name: 0 **Unit/Phase:**
School District: 308 **Park District:** FVPD

Population Estimates

Estimated Population for the Development:	578.32
Estimated Elementary Population:	80.18
Estimated Junior High Population:	43.98
Estimated High School Population:	52.33

School and Park Land Requirements

	School Acres per Person	School Land Donation Required	Improved Land Cash Equivilant	Amount of School Land To Be Donated	Net School Land Due	Percent of Land Donated
Elementary (k-5)	0.01833	1.47				
Junior High (6-8)	0.03222	1.42				
High School (9-12)	0.02304	1.21				
	Total	4.092	520767.462	0.00	4.092	0%

Park Acres per Person	Park Land Donation Required	Improved Land Cash Equivilant	Amount of Park Land To Be Donated	Net Park Land Due	Percent of Land Donated
0.0100	5.783	735953.997	0.00	5.783	0%

Bedrooom Mix

	Number of Units	Efficency	1BDR	2BDR	3BDR	4BDR
Single Family Detached Units	161		0% 0	0% 0	20% 32	80% 129
	School Ac Req:	4.09		Park Ac Req:	5.78	
Single Family Attached Units	0		0% 0	90% 0	10% 0	0% 0
	School Ac Req:	0.00		Park Ac Req:	0.00	
Multi-Family Units (Condo/Apartments)	0	0% 0	40% 0	50% 0	10% 0	
	School Ac Req:	0.00		Park Ac Req:	0.00	
Total Units:	**161**	**School:**	**4.092**	**Park:**	**5.783**	

Cash Equivilants

Raw Land Value per Acre	$ 84,837.56	Improved Land Value (1.5 times)	$ 127,256.35

Net School Land Cash Improved Land Equivilant Owed	$ 520,767.46	
School Lum Sum Payment Credit	$ -	*0.00%*
Percent Owed at Building Permit	100.00%	

Net Park Land Cash Improved Land Equivilant Owed	$ 735,954.00	
Park Lum Sum Payment Credit	$ -	*0.00%*
Percent Owed at Building Permit	100.00%	

This Calculator is for informational purposes only and all numbers are subject to verification by the Review Planner.

Verified By:

OSWEGO COMMUNITY UNIT SCHOOL DISTRICT 308
Aurora Impact Fee Table
Fall 2001 Study

Type	BR	FMV	2001 Study at 100%	Aurora: 75%	Capped at: $3,500
Detached	2	100,000	0.00	0.00	0.00
Detached	2	102,500	0.00	0.00	0.00
Detached	2	105,000	0.00	0.00	0.00
Detached	2	107,500	0.00	0.00	0.00
Detached	2	110,000	0.00	0.00	0.00
Detached	2	112,500	0.00	0.00	0.00
Detached	2	115,000	0.00	0.00	0.00
Detached	2	117,500	0.00	0.00	0.00
Detached	2	120,000	0.00	0.00	0.00
Detached	2	122,500	0.00	0.00	0.00
Detached	2	125,000	0.00	0.00	0.00
Detached	3	100,000	5,713.98	4,285.49	3,500.00
Detached	3	102,500	5,610.86	4,208.15	3,500.00
Detached	3	105,000	5,507.75	4,130.81	3,500.00
Detached	3	107,500	5,404.63	4,053.47	3,500.00
Detached	3	110,000	5,301.51	3,976.13	3,500.00
Detached	3	112,500	5,198.40	3,898.80	3,500.00
Detached	3	115,000	5,095.28	3,821.46	3,500.00
Detached	3	117,500	4,992.17	3,744.13	3,500.00
Detached	3	120,000	4,889.05	3,666.79	3,500.00
Detached	3	122,500	4,785.94	3,589.46	3,500.00
Detached	3	125,000	4,682.82	3,512.12	3,500.00
Detached	3	127,500	4,579.71	3,434.78	3,434.78
Detached	3	130,000	4,476.59	3,357.44	3,357.44
Detached	3	132,500	4,373.47	3,280.10	3,280.10
Detached	3	135,000	4,270.36	3,202.77	3,202.77
Detached	3	137,500	4,167.24	3,125.43	3,125.43
Detached	3	140,000	4,064.13	3,048.10	3,048.10
Detached	3	142,500	3,961.01	2,970.76	2,970.76
Detached	3	145,000	3,857.90	2,893.43	2,893.43
Detached	3	147,500	3,754.78	2,816.09	2,816.09
Detached	3	150,000	3,651.67	2,738.75	2,738.75
Detached	3	152,500	3,548.55	2,661.41	2,661.41
Detached	3	155,000	3,445.44	2,584.08	2,584.08
Detached	3	157,500	3,342.32	2,506.74	2,506.74
Detached	3	160,000	3,239.20	2,429.40	2,429.40
Detached	3	162,500	3,136.09	2,352.07	2,352.07
Detached	3	165,000	3,032.97	2,274.73	2,274.73
Detached	3	167,500	2,929.86	2,197.40	2,197.40
Detached	3	170,000	2,826.74	2,120.06	2,120.06
Detached	3	172,500	2,723.63	2,042.72	2,042.72
Detached	3	175,000	2,620.51	1,965.38	1,965.38
Detached	3	177,500	2,517.40	1,888.05	1,888.05

Detached	3	180,000	2,414.28	1,810.71	1,810.71
Detached	3	182,500	2,311.17	1,733.38	1,733.38
Detached	3	185,000	2,208.05	1,656.04	1,656.04
Detached	3	187,500	2,104.93	1,578.70	1,578.70
Detached	3	190,000	2,001.82	1,501.37	1,501.37
Detached	3	192,500	1,898.70	1,424.03	1,424.03
Detached	3	195,000	1,795.59	1,346.69	1,346.69
Detached	3	197,500	1,692.47	1,269.35	1,269.35
Detached	3	200,000	1,589.36	1,192.02	1,192.02
Detached	3	202,500	1,486.24	1,114.68	1,114.68
Detached	3	205,000	1,383.13	1,037.35	1,037.35
Detached	3	207,500	1,280.01	960.01	960.01
Detached	3	210,000	1,176.90	882.68	882.68
Detached	3	212,500	1,073.78	805.34	805.34
Detached	3	215,000	970.66	728.00	728.00
Detached	3	217,500	867.55	650.66	650.66
Detached	3	220,000	764.43	573.32	573.32
Detached	3	222,500	661.32	495.99	495.99
Detached	3	225,000	558.20	418.65	418.65
Detached	3	227,500	455.09	341.32	341.32
Detached	3	230,000	351.97	263.98	263.98
Detached	3	232,500	248.86	186.65	186.65
Detached	3	235,000	145.74	109.31	109.31
Detached	3	237,500	42.63	31.97	31.97
Detached	3	240,000	0.00	0.00	0.00
Detached	4	100,000	11,699.30	8,774.48	3,500.00
Detached	4	102,500	11,596.19	8,697.14	3,500.00
Detached	4	105,000	11,493.07	8,619.80	3,500.00
Detached	4	107,500	11,389.95	8,542.46	3,500.00
Detached	4	110,000	11,286.84	8,465.13	3,500.00
Detached	4	112,500	11,183.72	8,387.79	3,500.00
Detached	4	115,000	11,080.61	8,310.46	3,500.00
Detached	4	117,500	10,977.49	8,233.12	3,500.00
Detached	4	120,000	10,874.38	8,155.79	3,500.00
Detached	4	122,500	10,771.26	8,078.45	3,500.00
Detached	4	125,000	10,668.15	8,001.11	3,500.00
Detached	4	127,500	10,565.03	7,923.77	3,500.00
Detached	4	130,000	10,461.92	7,846.44	3,500.00
Detached	4	132,500	10,358.80	7,769.10	3,500.00
Detached	4	135,000	10,255.68	7,691.76	3,500.00
Detached	4	137,500	10,152.57	7,614.43	3,500.00
Detached	4	140,000	10,049.45	7,537.09	3,500.00
Detached	4	142,500	9,946.34	7,459.76	3,500.00
Detached	4	145,000	9,843.22	7,382.42	3,500.00
Detached	4	147,500	9,740.11	7,305.08	3,500.00
Detached	4	150,000	9,636.99	7,227.74	3,500.00
Detached	4	152,500	9,533.88	7,150.41	3,500.00
Detached	4	155,000	9,430.76	7,073.07	3,500.00
Detached	4	157,500	9,327.64	6,995.73	3,500.00
Detached	4	160,000	9,224.53	6,918.40	3,500.00

Detached	4	162,500	9,121.41	6,841.06	3,500.00
Detached	4	165,000	9,018.30	6,763.73	3,500.00
Detached	4	167,500	8,915.18	6,686.39	3,500.00
Detached	4	170,000	8,812.07	6,609.05	3,500.00
Detached	4	172,500	8,708.95	6,531.71	3,500.00
Detached	4	175,000	8,605.84	6,454.38	3,500.00
Detached	4	177,500	8,502.72	6,377.04	3,500.00
Detached	4	180,000	8,399.61	6,299.71	3,500.00
Detached	4	182,500	8,296.49	6,222.37	3,500.00
Detached	4	185,000	8,193.37	6,145.03	3,500.00
Detached	4	187,500	8,090.26	6,067.70	3,500.00
Detached	4	190,000	7,987.14	5,990.36	3,500.00
Detached	4	192,500	7,884.03	5,913.02	3,500.00
Detached	4	195,000	7,780.91	5,835.68	3,500.00
Detached	4	197,500	7,677.80	5,758.35	3,500.00
Detached	4	200,000	7,574.68	5,681.01	3,500.00
Detached	4	202,500	7,471.57	5,603.68	3,500.00
Detached	4	205,000	7,368.45	5,526.34	3,500.00
Detached	4	207,500	7,265.34	5,449.01	3,500.00
Detached	4	210,000	7,162.22	5,371.67	3,500.00
Detached	4	212,500	7,059.10	5,294.33	3,500.00
Detached	4	215,000	6,955.99	5,216.99	3,500.00
Detached	4	217,500	6,852.87	5,139.65	3,500.00
Detached	4	220,000	6,749.76	5,062.32	3,500.00
Detached	4	222,500	6,646.64	4,984.98	3,500.00
Detached	4	225,000	6,543.53	4,907.65	3,500.00
Detached	4	227,500	6,440.41	4,830.31	3,500.00
Detached	4	230,000	6,337.30	4,752.98	3,500.00
Detached	4	232,500	6,234.18	4,675.64	3,500.00
Detached	4	235,000	6,131.07	4,598.30	3,500.00
Detached	4	237,500	6,027.95	4,520.96	3,500.00
Detached	4	240,000	5,924.83	4,443.62	3,500.00
Detached	4	242,500	5,821.72	4,366.29	3,500.00
Detached	4	245,000	5,718.60	4,288.95	3,500.00
Detached	4	247,500	5,615.49	4,211.62	3,500.00
Detached	4	250,000	5,512.37	4,134.28	3,500.00
Detached	4	252,500	5,409.26	4,056.95	3,500.00
Detached	4	255,000	5,306.14	3,979.61	3,500.00
Detached	4	257,500	5,203.03	3,902.27	3,500.00
Detached	4	260,000	5,099.91	3,824.93	3,500.00
Detached	4	262,500	4,996.79	3,747.59	3,500.00
Detached	4	265,000	4,893.68	3,670.26	3,500.00
Detached	4	267,500	4,790.56	3,592.92	3,500.00
Detached	4	270,000	4,687.45	3,515.59	3,500.00
Detached	4	272,500	4,584.33	3,438.25	3,438.25
Detached	4	275,000	4,481.22	3,360.92	3,360.92
Detached	4	277,500	4,378.10	3,283.58	3,283.58
Detached	4	280,000	4,274.99	3,206.24	3,206.24
Detached	4	282,500	4,171.87	3,128.90	3,128.90
Detached	4	285,000	4,068.76	3,051.57	3,051.57

Detached	4	287,500	3,965.64	2,974.23	2,974.23
Detached	4	290,000	3,862.52	2,896.89	2,896.89
Detached	4	292,500	3,759.41	2,819.56	2,819.56
Detached	4	295,000	3,656.29	2,742.22	2,742.22
Detached	4	297,500	3,553.18	2,664.89	2,664.89
Detached	4	300,000	3,450.06	2,587.55	2,587.55
Detached	4	302,500	3,346.95	2,510.21	2,510.21
Detached	4	205,000	3,243.83	2,432.87	2,432.87
Detached	4	307,500	3,140.72	2,355.54	2,355.54
Detached	4	310,000	3,037.60	2,278.20	2,278.20
Detached	4	312,500	2,934.49	2,200.87	2,200.87
Detached	4	315,000	2,831.37	2,123.53	2,123.53
Detached	4	317,500	2,728.25	2,046.19	2,046.19
Detached	4	320,000	2,625.14	1,968.86	1,968.86
Detached	4	322,500	2,522.02	1,891.52	1,891.52
Detached	4	325,000	2,418.91	1,814.18	1,814.18
Detached	4	327,500	2,315.79	1,736.84	1,736.84
Detached	4	330,000	2,212.68	1,659.51	1,659.51
Detached	4	332,500	2,109.56	1,582.17	1,582.17
Detached	4	335,000	2,006.45	1,504.84	1,504.84
Detached	4	337,500	1,903.33	1,427.50	1,427.50
Detached	4	340,000	1,800.22	1,350.17	1,350.17
Detached	4	342,500	1,697.10	1,272.83	1,272.83
Detached	4	345,000	1,593.98	1,195.49	1,195.49
Detached	4	347,500	1,490.87	1,118.15	1,118.15
Detached	4	350,000	1,387.75	1,040.81	1,040.81
Detached	4	352,500	1,284.64	963.48	963.48
Detached	4	355,000	1,181.52	886.14	886.14
Detached	4	357,500	1,078.41	808.81	808.81
Detached	4	360,000	975.29	731.47	731.47
Detached	4	362,500	872.18	654.14	654.14
Detached	4	365,000	769.06	576.80	576.80
Detached	4	367,500	665.94	499.46	499.46
Detached	4	370,000	562.83	422.12	422.12
Detached	4	372,500	459.71	344.78	344.78
Detached	4	375,000	356.60	267.45	267.45
Detached	4	377,500	253.48	190.11	190.11
Detached	4	380,000	150.37	112.78	112.78
Detached	4	382,500	47.25	35.44	35.44
Detached	4	385,000	0.00	0.00	0.00
Detached	5	100,000	7,877.50	5,908.13	3,500.00
Detached	5	102,500	7,774.39	5,830.79	3,500.00
Detached	5	105,000	7,671.27	5,753.45	3,500.00
Detached	5	107,500	7,568.16	5,676.12	3,500.00
Detached	5	110,000	7,465.04	5,598.78	3,500.00
Detached	5	112,500	7,361.93	5,521.45	3,500.00
Detached	5	115,000	7,258.81	5,444.11	3,500.00
Detached	5	117,500	7,155.69	5,366.77	3,500.00
Detached	5	120,000	7,052.58	5,289.44	3,500.00
Detached	5	122,500	6,949.46	5,212.10	3,500.00

Detached	5	125,000	6,846.35	5,134.76	3,500.00
Detached	5	127,500	6,743.23	5,057.42	3,500.00
Detached	5	130,000	6,640.12	4,980.09	3,500.00
Detached	5	132,500	6,537.00	4,902.75	3,500.00
Detached	5	135,000	6,433.89	4,825.42	3,500.00
Detached	5	137,500	6,330.77	4,748.08	3,500.00
Detached	5	140,000	6,227.66	4,670.75	3,500.00
Detached	5	142,500	6,124.54	4,593.41	3,500.00
Detached	5	145,000	6,021.42	4,516.07	3,500.00
Detached	5	147,500	5,918.31	4,438.73	3,500.00
Detached	5	150,000	5,815.19	4,361.39	3,500.00
Detached	5	152,500	5,712.08	4,284.06	3,500.00
Detached	5	155,000	5,608.96	4,206.72	3,500.00
Detached	5	157,500	5,505.85	4,129.39	3,500.00
Detached	5	160,000	5,402.73	4,052.05	3,500.00
Detached	5	162,500	5,299.62	3,974.72	3,500.00
Detached	5	165,000	5,196.50	3,897.38	3,500.00
Detached	5	167,500	5,093.38	3,820.04	3,500.00
Detached	5	170,000	4,990.27	3,742.70	3,500.00
Detached	5	172,500	4,887.15	3,665.36	3,500.00
Detached	5	175,000	4,784.04	3,588.03	3,500.00
Detached	5	177,500	4,680.92	3,510.69	3,500.00
Detached	5	180,000	4,577.81	3,433.36	3,433.36
Detached	5	182,500	4,474.69	3,356.02	3,356.02
Detached	5	185,000	4,371.58	3,278.69	3,278.69
Detached	5	187,500	4,268.46	3,201.35	3,201.35
Detached	5	190,000	4,165.35	3,124.01	3,124.01
Detached	5	192,500	4,062.23	3,046.67	3,046.67
Detached	5	195,000	3,959.11	2,969.33	2,969.33
Detached	5	197,500	3,856.00	2,892.00	2,892.00
Detached	5	200,000	3,752.88	2,814.66	2,814.66
Detached	5	202,500	3,649.77	2,737.33	2,737.33
Detached	5	205,000	3,546.65	2,659.99	2,659.99
Detached	5	207,500	3,443.54	2,582.66	2,582.66
Detached	5	210,000	3,340.42	2,505.32	2,505.32
Detached	5	212,500	3,237.31	2,427.98	2,427.98
Detached	5	215,000	3,134.19	2,350.64	2,350.64
Detached	5	217,500	3,031.08	2,273.31	2,273.31
Detached	5	220,000	2,927.96	2,195.97	2,195.97
Detached	5	222,500	2,824.84	2,118.63	2,118.63
Detached	5	225,000	2,721.73	2,041.30	2,041.30
Detached	5	227,500	2,618.61	1,963.96	1,963.96
Detached	5	230,000	2,515.50	1,886.63	1,886.63
Detached	5	232,500	2,412.38	1,809.29	1,809.29
Detached	5	235,000	2,309.27	1,731.95	1,731.95
Detached	5	237,500	2,206.15	1,654.61	1,654.61
Detached	5	240,000	2,103.04	1,577.28	1,577.28
Detached	5	242,500	1,999.92	1,499.94	1,499.94
Detached	5	245,000	1,896.81	1,422.61	1,422.61
Detached	5	247,500	1,793.69	1,345.27	1,345.27

Detached	5	250,000	1,690.57	1,267.93	1,267.93
Detached	5	252,500	1,587.46	1,190.60	1,190.60
Detached	5	255,000	1,484.34	1,113.26	1,113.26
Detached	5	257,500	1,381.23	1,035.92	1,035.92
Detached	5	260,000	1,278.11	958.58	958.58
Detached	5	262,500	1,175.00	881.25	881.25
Detached	5	265,000	1,071.88	803.91	803.91
Detached	5	267,500	968.77	726.58	726.58
Detached	5	270,000	865.65	649.24	649.24
Detached	5	272,500	762.53	571.90	571.90
Detached	5	275,000	659.42	494.57	494.57
Detached	5	277,500	556.30	417.23	417.23
Detached	5	280,000	453.19	339.89	339.89
Detached	5	282,500	350.07	262.55	262.55
Detached	5	285,000	246.96	185.22	185.22
Detached	5	287,500	143.84	107.88	107.88
Detached	5	290,000	40.73	30.55	30.55
Detached	5	292,500	0.00	0.00	0.00
Detached	5	295,000	0.00	0.00	0.00
Attached	1	100,000	0.00	0.00	0.00
Attached	1	102,500	0.00	0.00	0.00
Attached	1	105,000	0.00	0.00	0.00
Attached	1	107,500	0.00	0.00	0.00
Attached	1	110,000	0.00	0.00	0.00
Attached	1	112,500	0.00	0.00	0.00
Attached	1	115,000	0.00	0.00	0.00
Attached	1	117,500	0.00	0.00	0.00
Attached	1	120,000	0.00	0.00	0.00
Attached	1	122,500	0.00	0.00	0.00
Attached	1	125,000	0.00	0.00	0.00
Attached	2	100,000	0.00	0.00	0.00
Attached	2	102,500	0.00	0.00	0.00
Attached	2	105,000	0.00	0.00	0.00
Attached	2	107,500	0.00	0.00	0.00
Attached	2	110,000	0.00	0.00	0.00
Attached	2	112,500	0.00	0.00	0.00
Attached	2	115,000	0.00	0.00	0.00
Attached	2	117,500	0.00	0.00	0.00
Attached	2	120,000	0.00	0.00	0.00
Attached	2	122,500	0.00	0.00	0.00
Attached	2	125,000	0.00	0.00	0.00
Attached	3	100,000	855.76	641.82	641.82
Attached	3	102,500	752.64	564.48	564.48
Attached	3	105,000	649.53	487.15	487.15
Attached	3	107,500	546.41	409.81	409.81
Attached	3	110,000	443.30	332.48	332.48
Attached	3	112,500	340.18	255.14	255.14
Attached	3	115,000	237.07	177.80	177.80
Attached	3	117,500	133.95	100.46	100.46
Attached	3	120,000	30.83	23.12	23.12

ES - 80 students
JH 44 students
HS 52 students

Village of Oswego

2015 COMPREHENSIVE PLAN



Discover Oswego's Potential



Oswego Bold, Balanced and Bountiful.

Balancing Healthy Economic Growth with Stewardship of Nature



Oswego Bold, Balanced and Bountiful.

Today, Oswego is at a crossroads of two possible paths for its future.

One path leads to staying as is, not growing distinctly in size or population, and keeping vacant land untouched or reserved for large homes.

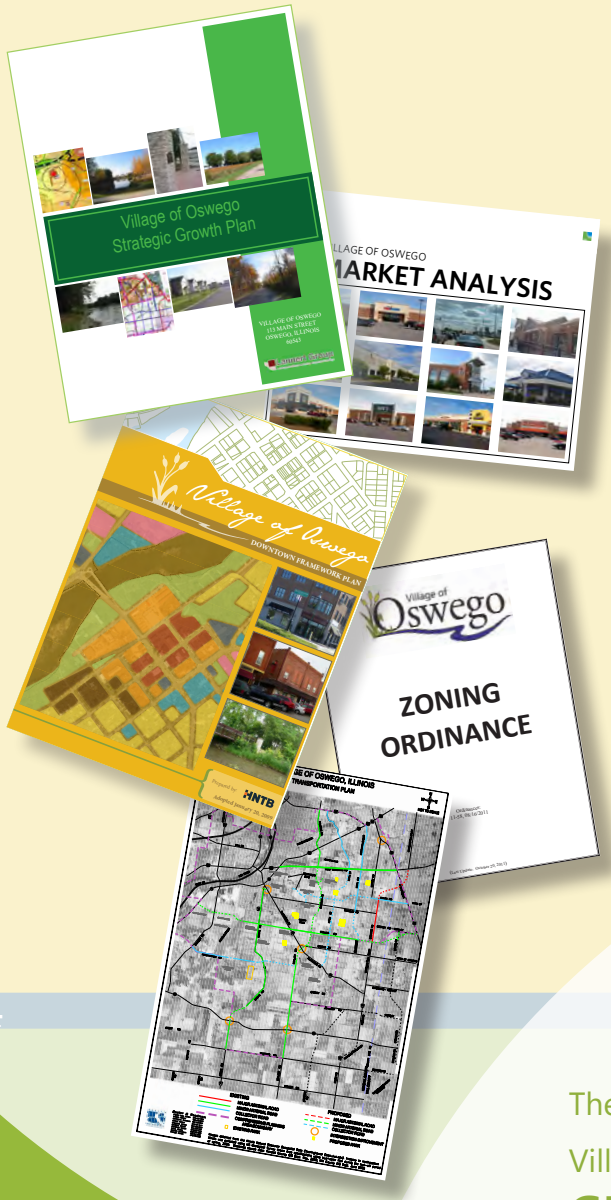
The other path leads to full buildout, as offered by the previous Comprehensive Plan, maximizing Oswego's Growth potential to the full Planning Boundary.

The 2015 Comprehensive Plan Update provides a path in the middle that combines the best of both options to **Create a Legacy of**

Balanced Growth

This plan balances Healthy Economic Growth with Stewardship of Nature, and reflects a bold and clear vision for Oswego:

"Oswego will be known as the 21st Century Model for Balanced Growth in the Chicagoland Region. Thousands of acres of farmland will remain untouched, preserving the sense of openness that attracts people to come and live here. New economic growth will be welcomed in areas near downtown and established hubs of activity. This charming riverfront community will have a distinct identity as a Compact Suburb that has it all. A walkable and vibrant downtown. A uniquely natural and accessible riverfront. Quality housing choices for all age groups. A great system of natural areas and parks. An extensive Trail System connecting the Fox River, Downtown and other destinations with neighborhoods. And much more."



The **Oswego Comprehensive Plan** 2015 Update brings forward **New Ideas** that build on Previous Plans.

A significant number of Planning efforts have already been undertaken and completed by the Village in recent years. This 2015 Comprehensive Plan document **builds on,** and does not replicate, the contents of these previous plans, which include the following:

- 2006 Strategic Growth Plan
- 2009 Downtown Framework Plan
- 2009 TIF No. 1 Redevelopment Plan Proposal
- 2013-2014 Village of Oswego Market Analysis, CMAP
- 2014 Historical Survey
- 2012-2017 Strategic Growth Implementation Plan
- Oswego Zoning Ordinance

All Documents are available at www.oswegoil.org

The 2015 Comprehensive Plan Update for the Village of Oswego is A **CONCISE, HIGHLY GRAPHIC and USER FRIENDLY PAMPHLET** that is **bold in vision and easy to implement.**

This document reflects the Village's desire to create a plan that is **different** from the typical Comprehensive Plan document.

- A Graphic Plan that is communicated primarily with maps and illustrations, with concise text used to supplement images
- A User-Friendly Plan that is easy to use both by Village and developers
- A Buildable Plan that gives a Clear Path for moving forward to implementation
- A Colorful Marketing tool that can be used to attract new development to the Village

Most importantly, this is a Bold Plan that **captures community vision and hopes to inspire action.**

This document is laid out as facing pages intended for double sided printing.

Village of Oswego





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Prepared with the
Oswego Community by

Ginkgo Planning & Design, Inc.
Prime Consultant, with

SB Friedman & Co.
Economic Analysis

KLOA, Inc.
Transportation, &

Hitchcock Design Group
Landscape Architecture

2011 Best Places to Live

CNNMoney.com





Discover Oswego Today

Located on the Fox River just minutes from I-88, Oswego offers so many things to see and do.....

Historic Downtown Oswego
Little White School Museum
Fox Bend Golf Course
Fox Valley Winery
Emerson Creek Pottery
Oswego Country Market
Arranmore Center for the Arts
and much more.



Special Events take place all year long in Oswego, including:
Lunafest, Wine on the Fox, Oswego Beats + Eats, Market on Main Street, PrairieFest, Fine Art Fair, Movies in the Park, Drag Strip Reunion and Car Show and Christmas Walk.

Largest

community in Kendall County

At the border of three"collar counties": Will, Kane & DuPage. This Four County Area is recognized as one of the fastest growing regions in Illinois and the Midwest.

50 miles southwest of **Chicago Loop**

Today, Oswego has a municipal area of over

14 sq-miles

with a population over

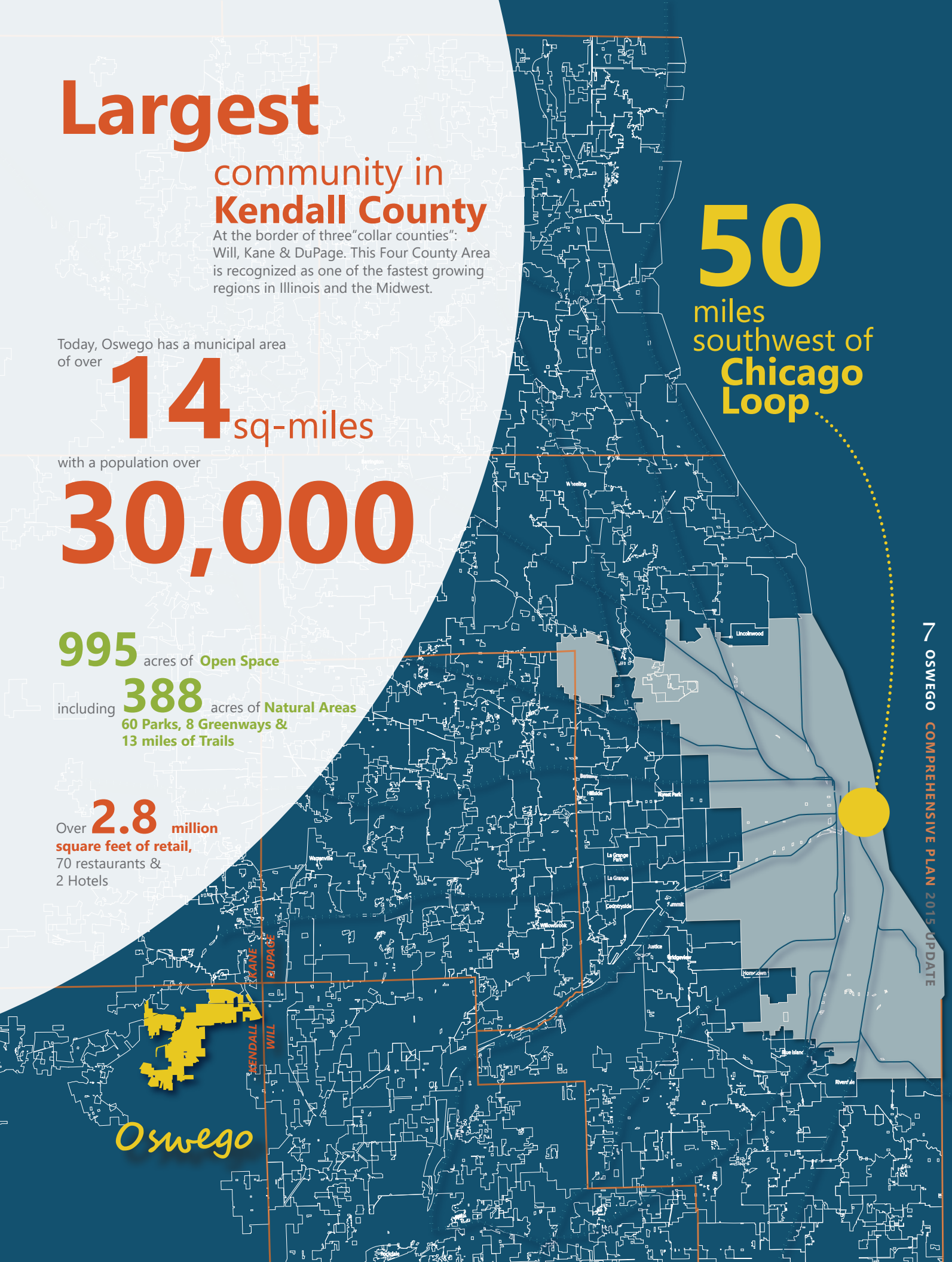
30,000

995 acres of **Open Space**

including **388** acres of **Natural Areas**

60 Parks, 8 Greenways & 13 miles of Trails

Over **2.8** **million square feet of retail,** 70 restaurants & 2 Hotels





1859



1870



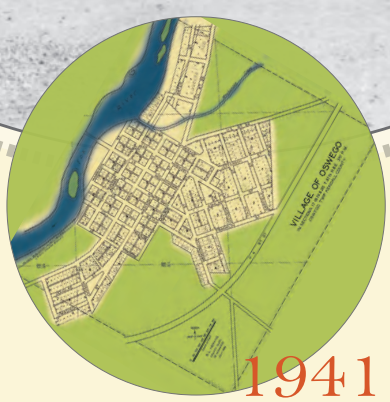
1903

Discover Oswego's History

From the mid-ninetheenth century, Oswego grew as a **compact charming town** along the banks of the Fox River.



1922



1941



1954



At the confluence of Fox River and Waubonsie Creek, 50 miles west of Chicago, Oswego was settled, at least in part, for its transportation potential. A limestone shelf created a natural, smooth-bottomed, ford across the river just above the mouth of the creek, making it a favored crossing first for Native Americans and then for the American settlers who began arriving in the 1830s.

William Smith Wilson and his wife, Rebecca, were the first settlers on the site of what is now Oswego. Wilson and his brother-in-law, Daniel Pearce, scouted the area in 1832, permanently moving their families to their claims in 1833. The area began growing that year, and in 1834 two newly arrived businessmen, Lewis Brinsmaid Judson and Levi F. Arnold, platted a new village they called Hudson.



One of the early roads to Galena crossed the Fox River ford at the new town, and in 1836 the Temple, later Frink & Walker, stagecoach line began regular service on the "High Prairie Trail" branch of the Chicago to Ottawa Road through the village.

Although Judson and Arnold had called their new village Hudson, the U.S. Post Office decided to call the post office established in 1837 *Lodi*. The evolving confusion led to an informal referendum in 1837 during which neither Hudson nor Lodi was picked as the town's name. Instead, they decided on Oswego, named after the city in New York near which several early settlers lived.

The ford across the Fox River was an economic draw from the very beginning. Decoalia Towle and his wife Elizabeth established an inn and tavern at Oswego on the road to the ford, joining Arnold's general store and, after 1837, the post office, in Oswego's growing business district.

By 1838, Oswego consisted of about 30 wooden buildings. Hotels, including the stately National Hotel on Main Street, the Kendall House, the Smith House and others were soon built to handle the stagecoach passengers and other travelers.

By 1845, Oswego Township had enough population to win a referendum to move the county seat to Oswego from Yorkville.

The county seat remained in Oswego until it was moved back to the more centrally located Yorkville in 1864. Although Oswego lost the county seat, the extension of the Fox River Branch of the Chicago Burlington & Quincy Railroad through the village in 1870 proved another economic boost.

In 1910, the Aurora Elgin & Yorkville Railway, an interurban trolley line, made another connection to Oswego from Aurora to the north and Yorkville to the south. With the advent of inexpensive automobiles in the early years of this century, and the paved roads they required, **Oswego once again found itself to be a transportation hub** where three state highways, Ill. Route 25, Ill. Route 71, and Ill. Route 31, originated and through which two U.S. highways, U.S. Route 34 and U.S. Route 30 pass.

From the removal of the county seat until the mid-1950s, Oswego was the mercantile hub of a large surrounding agricultural area. In the mid-1950s, Caterpillar, Inc. and Western Electric built facilities within Oswego Township close to the village. The proximity of the two large industrial plants led to the development of the sprawling Boulder Hill Subdivision just north in unincorporated Oswego Township. For the next 40 years, Boulder Hill was the largest community in Kendall County.



In the mid 1980s, the homebuilding boom in Naperville and Aurora spread west, and housing developments began to spring up around Oswego. In order to control development in its immediate area, Oswego began to encourage annexations, extending its boundaries west of the Fox River for the first time in its history, and growing east and north to U.S. Route 30.

In the 1990 U.S. Census, Oswego's population stood at 3,875. Just seven years later, a special census showed its population had risen above 9,000, finally surpassing Boulder Hill and making it the largest community in Kendall County.

Narrative and images courtesy of Little White School Museum, Oswego



Oswego's population is projected to grow from 11,000 to 15,500 by 2025, and up to 35,000 by 2040.

Discover Oswego's Growth Potential

Oswego is located in Kendall County, one of the fastest growing counties in the nation. From 1980 to 2010, Kendall County grew at a compound annual growth rate (CAGR) of approximately 4% and is anticipated to grow at a CAGR of approximately 2.0% in the future. Growth in population, in addition to broader economic trends, will continue to drive new residential development in Oswego in the future.

According to census data, Oswego's population as of 2014 is approximately 33,429. According to the most recent projections provided by CMAP, Oswego is projected to add over 35,000 new residents by 2040, nearly doubling in size.

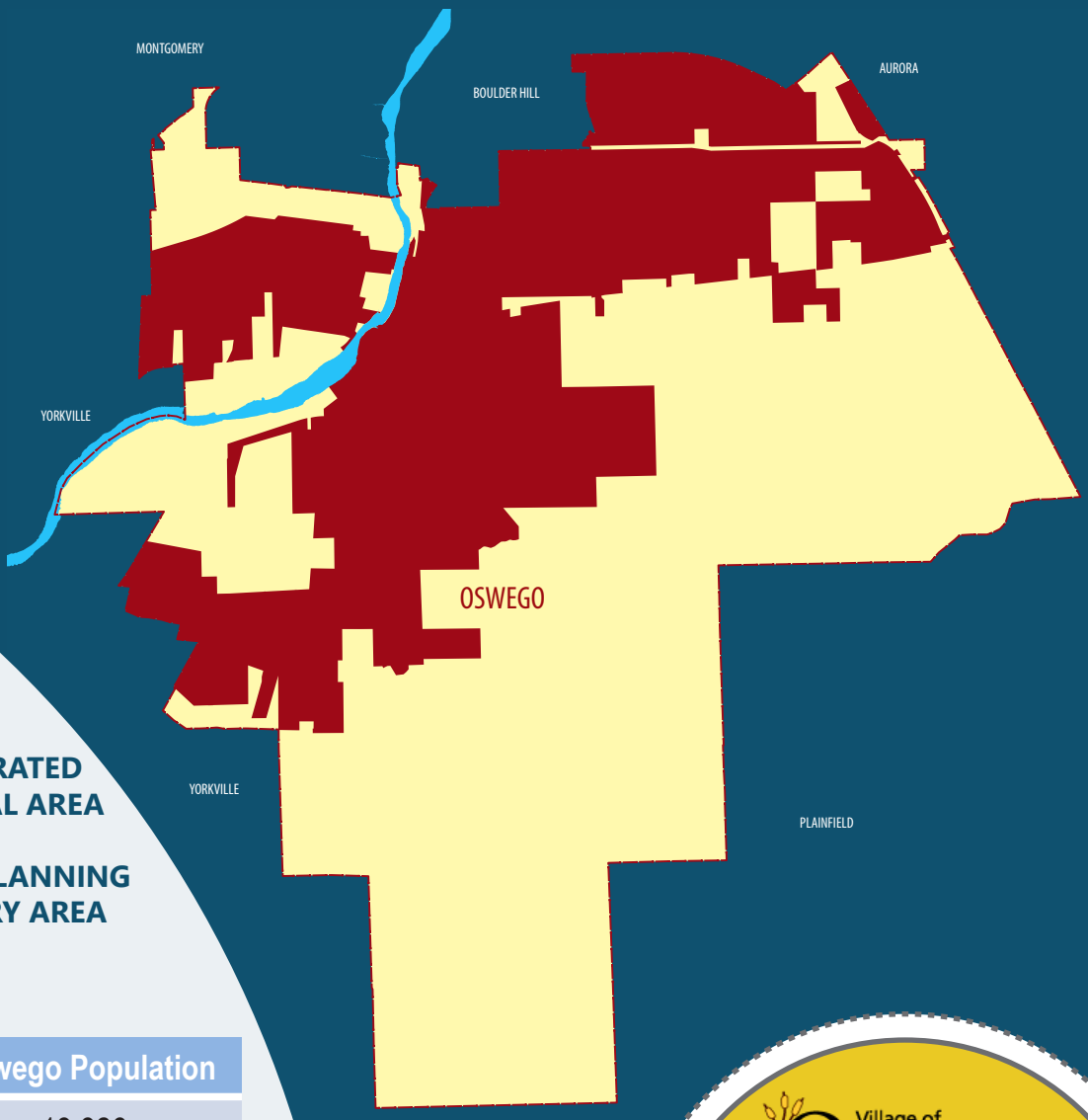
Oswego is estimated to add between 11,082 and 15,483 people between 2014 and 2025. The population is forecasted to grow at a compound annual growth rate (CAGR) of 2.7% to 3.6% from 2014 to 2025 compared to 7.02% from 2000 to 2014.

Forecasted population growth takes into account a number of growth assumptions including historical population growth, housing starts, household size and vacancy. The household size is anticipated to decrease slightly while vacancy is projected to remain constant.

Housing starts are conservatively anticipated to increase from approximately 200 annual starts to approximately 400 to 550 units per year. It is not anticipated that housing starts will reach the frequency achieved during the housing boom, approximately 900 starts annually.

Today, Oswego's 2015 Municipal Area is over 14 sq miles with a population over 30,000.

By 2040, Oswego has the capacity to grow to 40 sq miles with over 60,000 people.



2015 INCORPORATED MUNICIPAL AREA

FUTURE PLANNING BOUNDARY AREA

Year	Oswego Population
2000	13,326
2010	30,355
2014	33,429
2018 [1]	36,507 - 37,900
2025 [2]	43,944 – 48,346
2040 [3]	69,155

- *Source: US Census, ESRI, CMAP*
- *[1] ESRI Estimate*
- *[2] SB Friedman Forecast, CAGR ranges from 2.8 – 3.8%*
- *[3] CMAP Estimate*

Village of Oswego

Future Planning Boundary



4
Bold Goals
to create a Legacy
of Balanced Growth

1 Keep Oswego **Compact**,
concentrating future growth near Downtown
and already built up areas

2 Reinvest in **Downtown & The Riverfront**

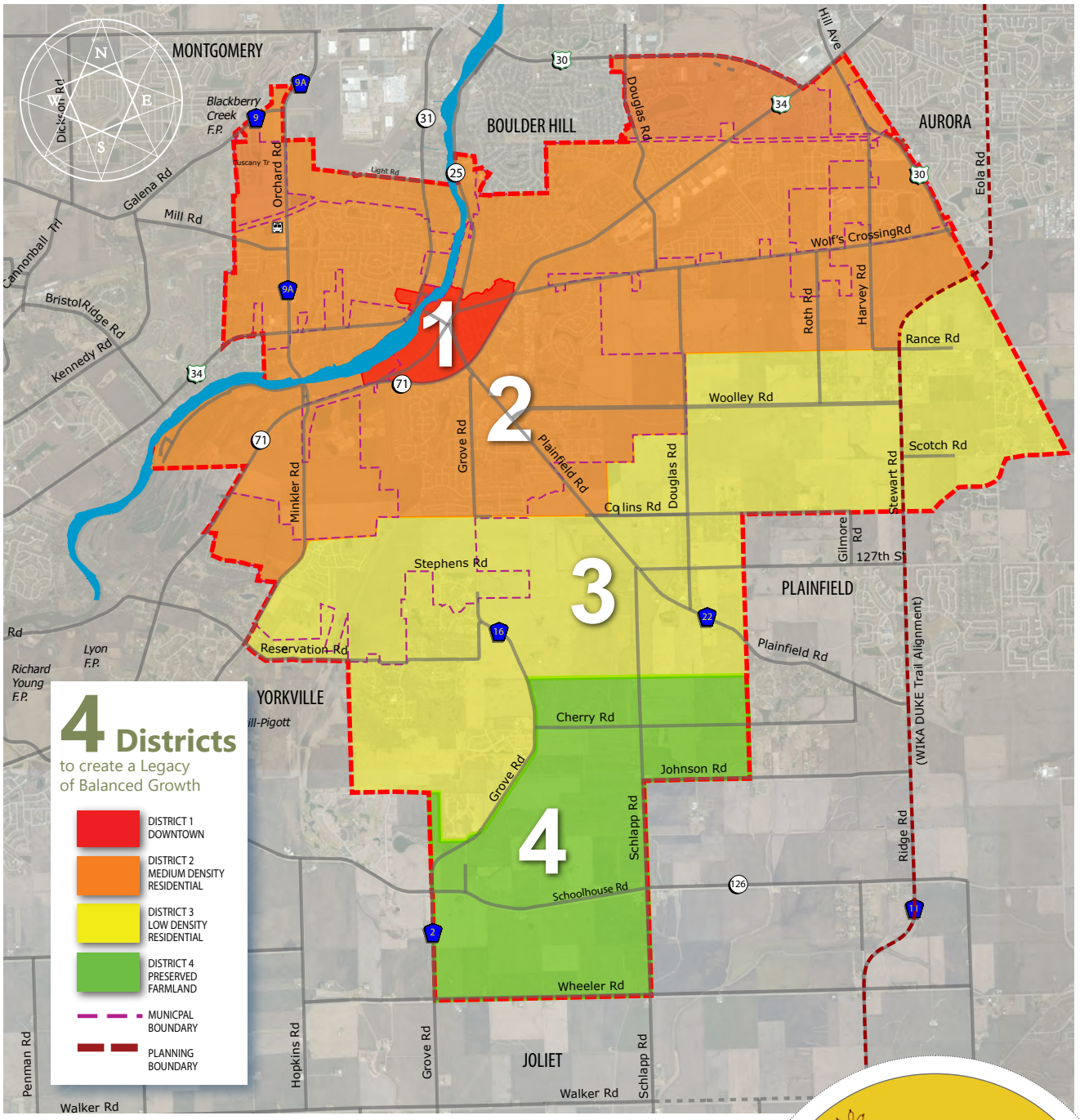
3 Maintain a strong **Economic Base**

4 Preserve **Farmland**

Comprehensive Plan

Goals

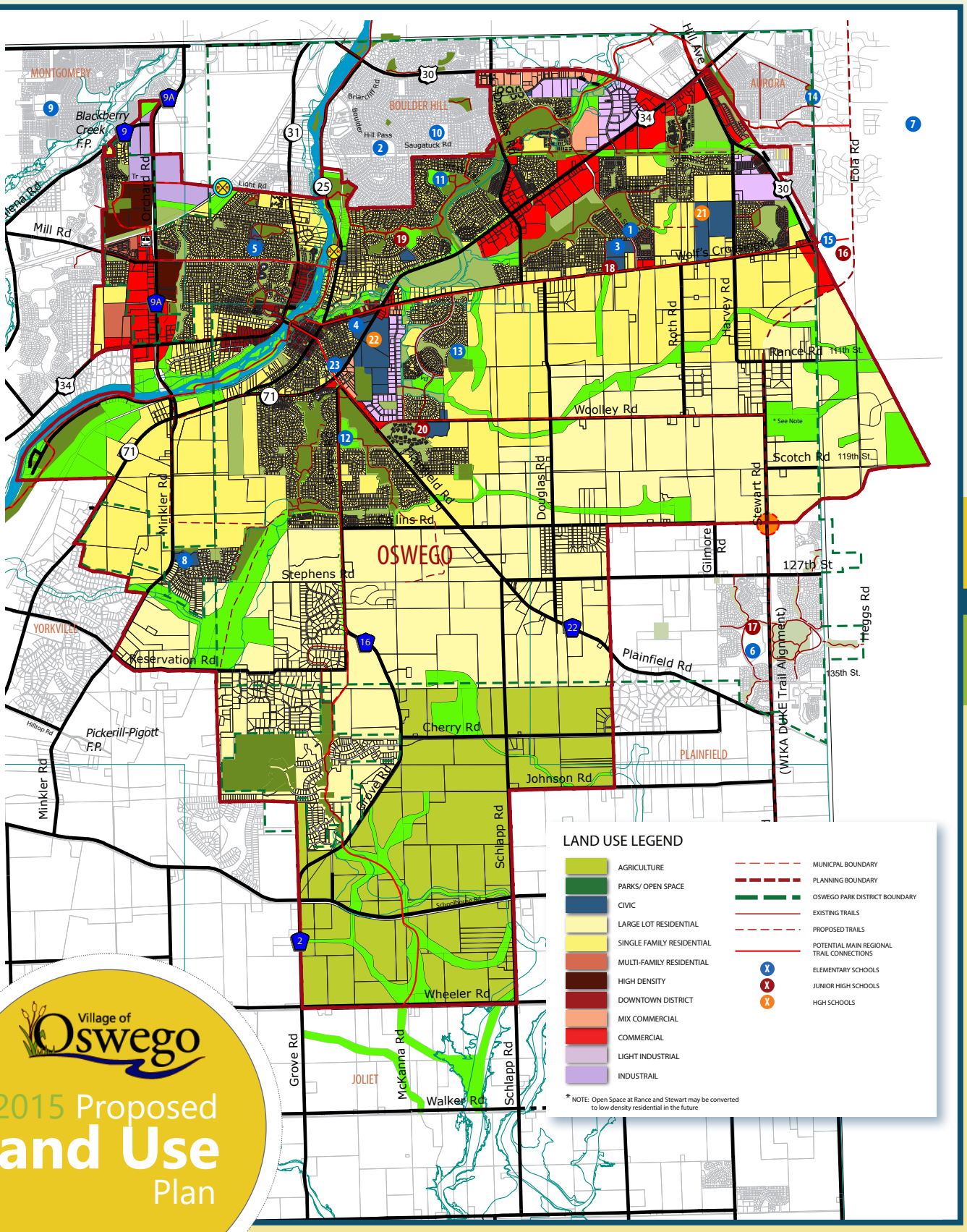




	CHARACTER	DENSITY	LOT SIZE	RETAIL
DISTRICT 1	DOWNTOWN	NOT APPLICABLE	NO MINIMUM	DOWNTOWN PEDESTRIAN ORIENTED RETAIL
DISTRICT 2	MEDIUM DENSITY WITH MANY HOUSING CHOICES	2 -3 DU/ ACRE	MINIMUM 8,000 SF FOR SINGLE LOTS	MAJOR LARGE FOOTPRINT RETAIL
DISTRICT 3	LOW DENSITY SINGLE FAMILY	2 DU/ACRE	MINIMUM 10,000 SF	SMALL NEIGHBORHOOD RETAIL
DISTRICT 4	PRESERVED FARMLAND		MINIMUM 5 ACRES	NO RETAIL

Village of Oswego

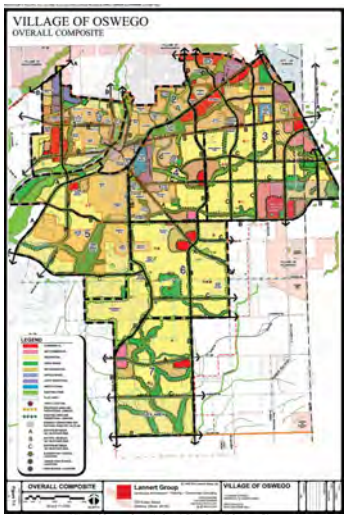
2015 Proposed 4 Districts

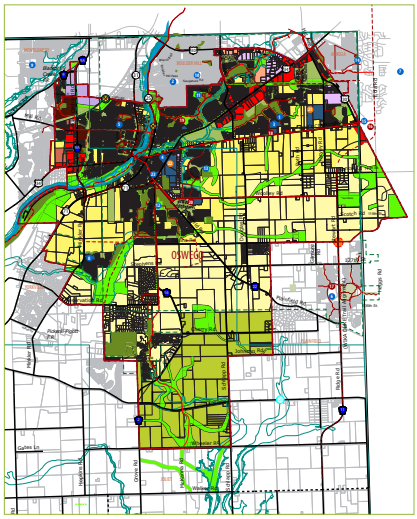


Village of Oswego

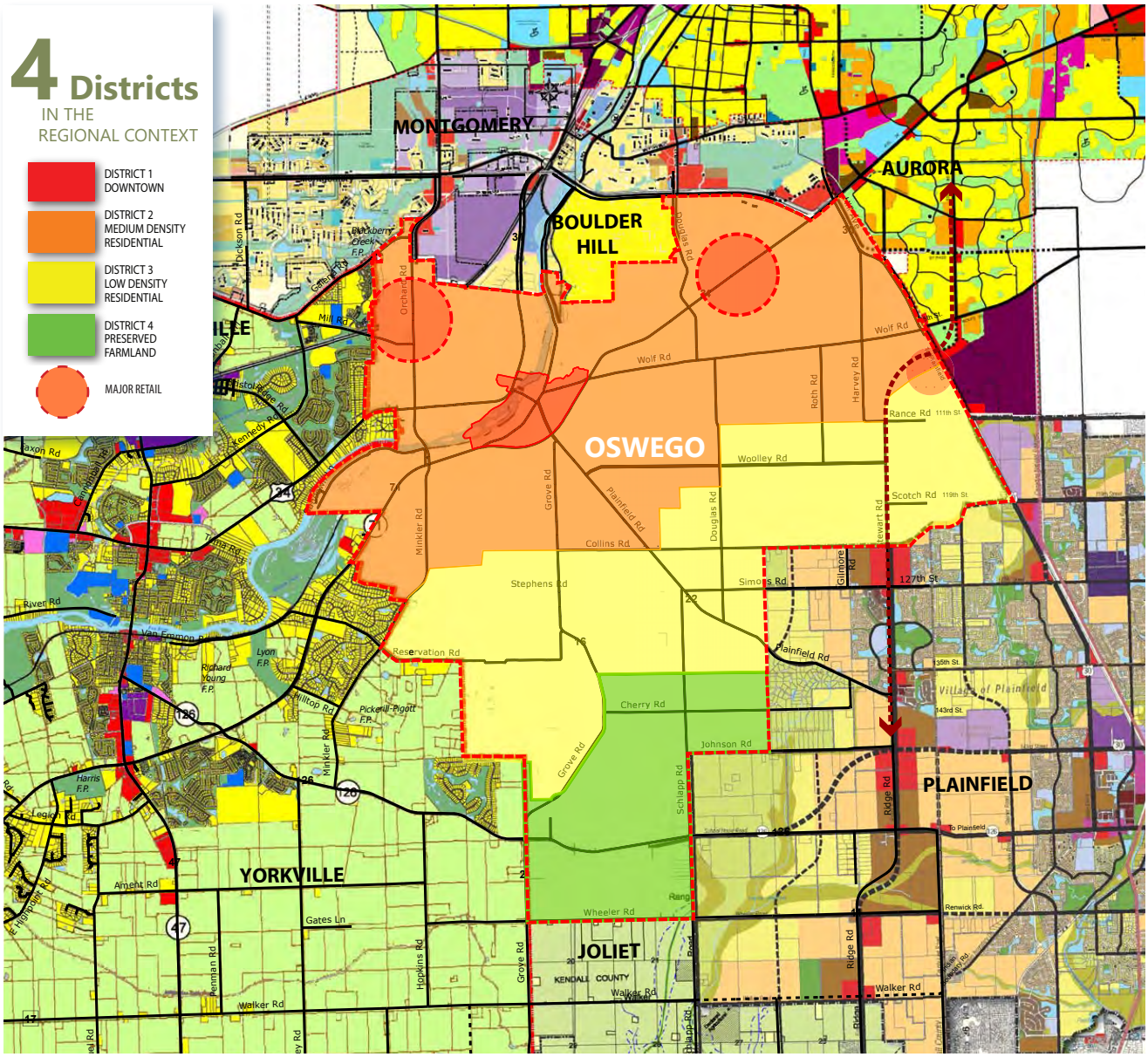
2015 Proposed Land Use Plan

How is the 2015 Comprehensive Plan different from the 2009 Plan?





	2009 Plan	2015 Plan
Growth in the surrounding region	The Plan responded to the significant residential growth anticipated in surrounding communities, especially in Joliet to the south	The 2015 Plan responds to the significant slowdown in residential growth in the surrounding communities. The anticipated rapid growth in Joliet is not likely to occur in the near future, leaving unincorporated areas primarily as farmland to the south of Oswego's Planning Boundary.
New Residential Development	Allowed to full extent of Planning Boundary	Allowed only in Districts 1, 2 & 3
Farmland	Preserved Greenways but not Farmland	Preserves 4,936 acres of Farmland
Community Services	Allowed significant new development in areas not served by Oswego Park District (OPD), schools, and utilities	Keeps new development within the existing areas served by OPD, schools and utilities
Retail	Many new retail nodes / centers	Directs major new retail growth to existing Retail Hubs
Planning Boundary	Included "Flex Area", down to Walker to the south	Excludes "Flex Area", and extends down to Wheeler to the south



The 4 Districts in the Regional Context

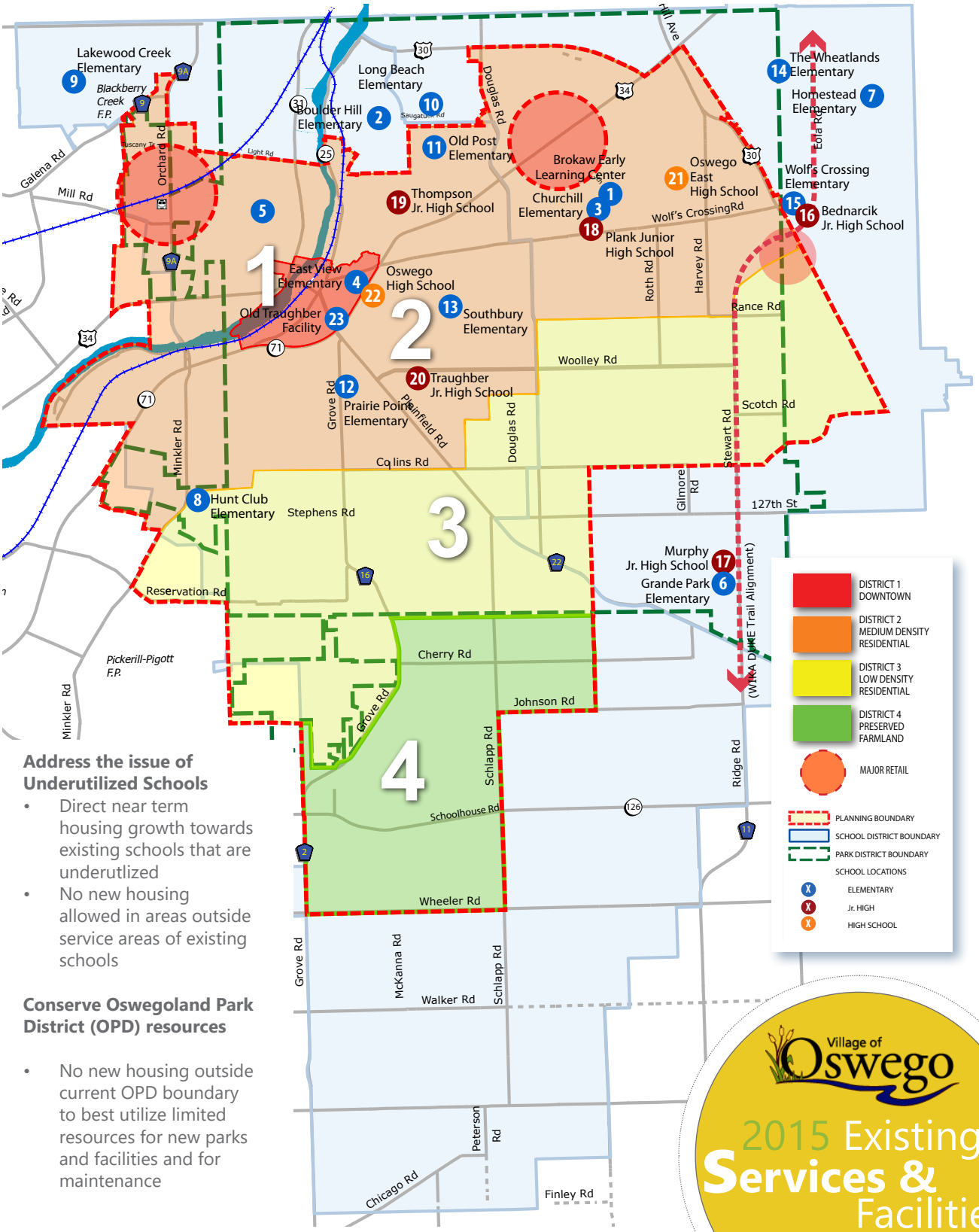
The Land Use recommendations were developed to be consistent with trends in major neighboring communities.

JOLIET: While the last plan for the area to the south of Oswego was planned for significant residential growth, the City currently does not anticipate this growth to occur in the near term. District 4 preserves farmland to be consistent with the existing agricultural uses to the south.

PLAINFIELD: Plainfield's current land use plan shows primarily large residential lots for the area to the east of Oswego. District 3 (low density large lots) and District 4 (agricultural) are consistent with this land use.

AURORA: District 2 (medium density development) continues the established direction of residential growth coming from the north-east border with Aurora

YORKVILLE: District 4 (agricultural) is consistent with Yorkville's current plan, showing significant agricultural and open space and Districts 2 and 3 continue the residential growth pattern towards the west.



Address the issue of Underutilized Schools

- Direct near term housing growth towards existing schools that are underutlized
- No new housing allowed in areas outside service areas of existing schools

Conserve Oswegoland Park District (OPD) resources

- No new housing outside current OPD boundary to best utilize limited resources for new parks and facilities and for maintenance

Village of Oswego

2015 Existing Services & Facilities





Oswego is forecasted to add between **11,082 to 15,483 people between 2014 - 2025** & to grow at a compound annual growth rate (CAGR) of **2.7% to 3.6%** from 2014 to 2025 compared to 7.02% from 2000 to 2014.

This translates to **400 to 550 units per year**, compared to 900 starts annually during the housing boom.

The 2015 Comprehensive Plan analysis provides the following Housing Projections (see pages # to # for full analysis):

Projected Demand
4,500 to 5,900 New Residential Units by 2025

Projected Demand for New Housing by Housing Type

Single-family	**62%-65%**
Townhome	**19%**
Multi-family	**17%-19%**

Projected Demand for New Multifamily Housing

TOWN HOMES	**905 – 1,189 approx.**
APT/CONDO	**891 – 1,048 approx.**
TOTAL	**1,796 – 2,237 approx.**

Offering more Housing Choices for all

Planned Capacity to meet Demand

Single Family Homes

There is significant capacity in District 2 and 3 to accommodate over **8,000 to 16,000 new single family homes** to meet near term and long term growth. (see Table on next page).

Multifamily Homes

New Multifamily should be directed to the following areas:

- New Multifamily units in developments already planned or underway
- Downtown Oswego & Village Hall Area
- Orchard Road, within 10 minute walk of the future Train Station
- Existing activity centers, including Route 34 Retail, schools, civic centers etc.

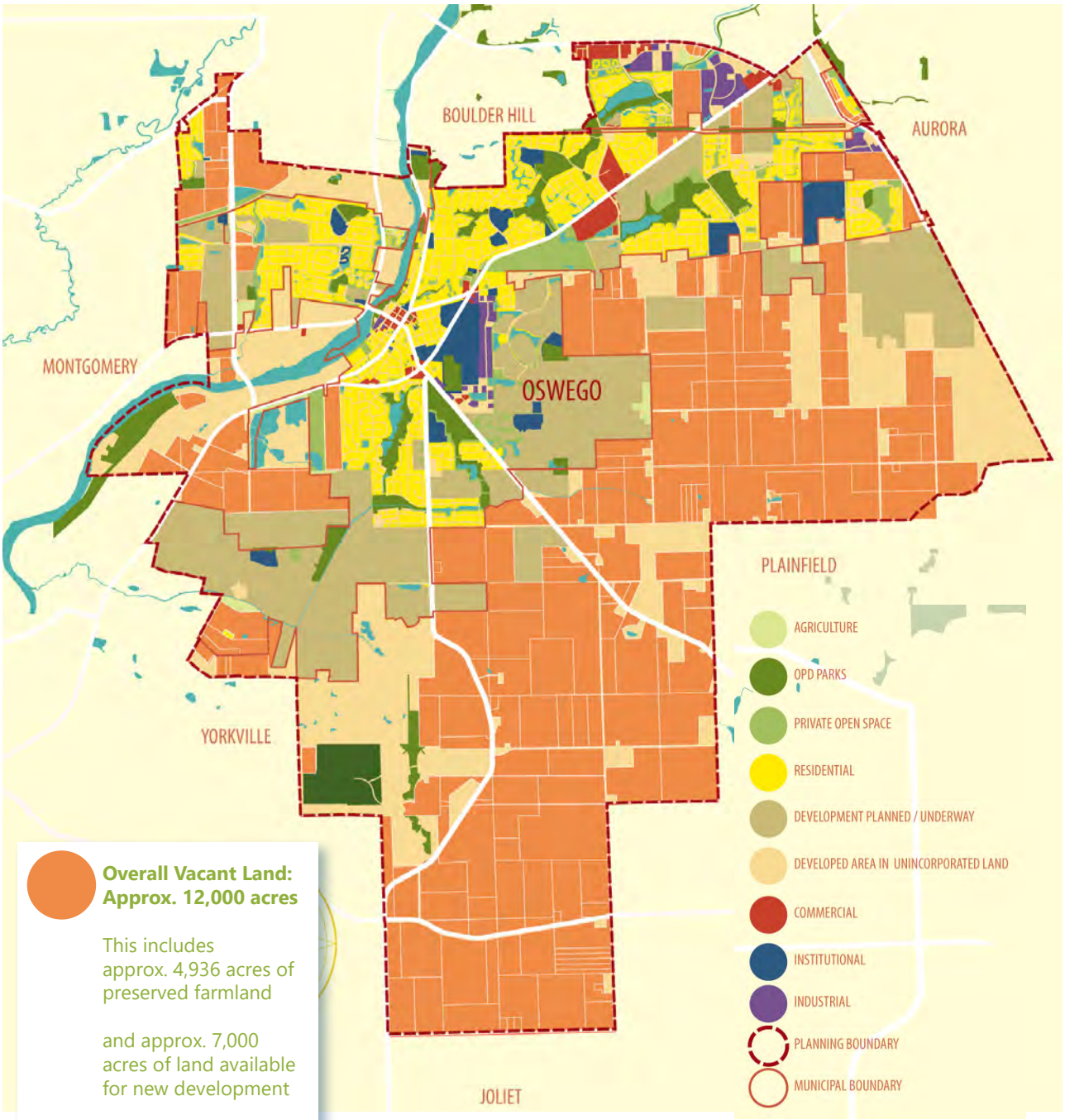
MULTIFAMILY UNITS (APPROX.) IN DEVELOPMENTS PLANNED OR UNDERWAY

Ashcroft Walk	210 townhomes
Hummel Trails	230 apartment/condos
Parksmith Run	88 townhomes
Pine Ridge Club	117 condos
Keck Farm	163 townhomes
Seasons at Southbury	162 townhomes
Southbury Townes	105 townhomes
Tuscany Station	346 apartments
Hudson Pointe	150 townhomes and 312 apartments (could be flex to single family)
TOTAL	**1,421 to 1,883 Units approx.**

MULTIFAMILY UNITS ESTIMATED IN POTENTIAL NEW DEVELOPMENTS

ESTIMATE OF MULTI-FAMILY UNITS IN DISTRICT 1 & 2				
LOCATION	NUMBER OF MULTI-FAMILY DWELLING UNITS			
	TOWNHOMES	CONDOS	APARTMENTS	TOTAL
Hudson Pointe	150		312	462
Tuscany Station			146	146
Alexander L.Y. Site	16	96		112
Harrison Street South	21	60		81
Village Hall Area	50	90		140
Total M.F. Dwelling Units	237	246	458	941

TOTAL CAPACITY FOR MULTIFAMILY UNITS (PLANNED, UNDERWAY AND POTENTIAL: APPROX. 2,300 TO 2,700 UNITS



Overall Vacant Land: Approx. 12,000 acres

This includes approx. 4,936 acres of preserved farmland

and approx. 7,000 acres of land available for new development

DISTRICT	GROSS AREA (ACRES)	DENSITY D.U./AC MIN	DENSITY D.U./AC MAX	GROSS DEVELOPABLE AREA	NO. OF UNITS BASED ON GROSS ACREAGE MIN	NO. OF UNITS BASED ON GROSS ACREAGE MAX	NET BUILDABLE ACREAGE (70% OF GROSS)*	NO. OF UNITS BASED ON NET ACREAGE MIN	NO. OF UNITS BASED ON NET ACREAGE MAX	POPULATION FROM SINGLE FAMILY HOMES** MIN	POPULATION FROM SINGLE FAMILY HOMES** MAX
DISTRICT 1	529										
DISTRICT 2	13,170	2	3	2,466	4,932	7,399	1,726	3,453	5,179	10,945	16,418
DISTRICT 3	8,887	2	2	4,587	6,880	9,174	3,211	4,816	6,422	15,267	20,356
DISTRICT 4	4,936	0	1	0	0	0	0	0	0		
TOTAL	27,523			7,053	11,813	16,572	4,937	8,269	11,601	**26,212**	**36,774**



The Oswegoland Park District was organized in 1950 and currently serves the residents of Oswego Township, a 38 square mile area with a population of 55,000. The district includes residents of Oswego, Boulder Hill, parts of Aurora, Montgomery and Plainfield. The park district is a separate taxing body with a 5 member elected Board of Commissioners.

The 2015 Comprehensive Plan was developed with great participation and support from OPD, and reflects the following goals:

- Create a continuous system of Riverfront Parks at Downtown Oswego
- Build New Parks near schools, stormwater management areas, natural resources and trails
- No new parks for areas outside the current OPD boundary and in District 4.
- Create a Stromwater Management and Maintenance Plan and Guidelines for Oswego

One Major River.
Three Major Creeks.
Three Watersheds.
Natural Islands.
Wildlife Habitat.
Saw Wee Kee Park.

995 acres of Open Space, including 388 acres of Natural Areas
and 60 Parks.

Oswego's Existing Parks & Open Space System

30 Neighborhood Parks

3 Community Parks
Civic Center Park, Hudson Crossing Park, Violet Patch Park

5 Community Parks and Sportsfields
Community Park at Grande Park, Old Post Park, Prairie Point Community Park, PrairieFest Park, Wormley Heritage Park

13 Natural Area Parks (402 acres)
Bartlett Lake and Prairie/Wetland, Bluegrass Prairie Park West, Eagle Ridge Park, Farmington Lakes, Marina Woods Park, Millstone Park, Morgan Creek Prairie/Wetland, Saw Wee Kee Park, Stonegate Park, Troy Park, Waa Kee Sha Park, Waubonsie Park, Waubonsie Wetland

9 Greenways and Linear Parks
Amber Fields Greenway
Fox River Trail River Frontage
Grove Estates Greenway
Grove Road Trail
Matena Greenway
Northampton Greenway
Oswego Prairie Trail
Prairie Point Greenway
Waubonsie Greenway

6 Parks facility buildings
Civic Center, Prairie Point, South Point, Boulder Point , Stewart FarmLittle White School Museum

Park Facilities
32 playgrounds
2 pools, 1 splash pad
18 hole disc golf course
9 sand volleyball courts (Bluegrass Park, Grande Park, Old Post, Wormley, Prairie Point)
25 half court basketball
4 full court basketball courts
3 roller hockey courts (Old Post, Wormley, Grande Park)
11 tennis courts (Briarcliff, Pearce's Ford, Grande Park, Civic Center)
3 pickleball courts (Briarcliff, Grande Park)
2 skate parks,
Soccer, baseball, football fields
6 sledding hills

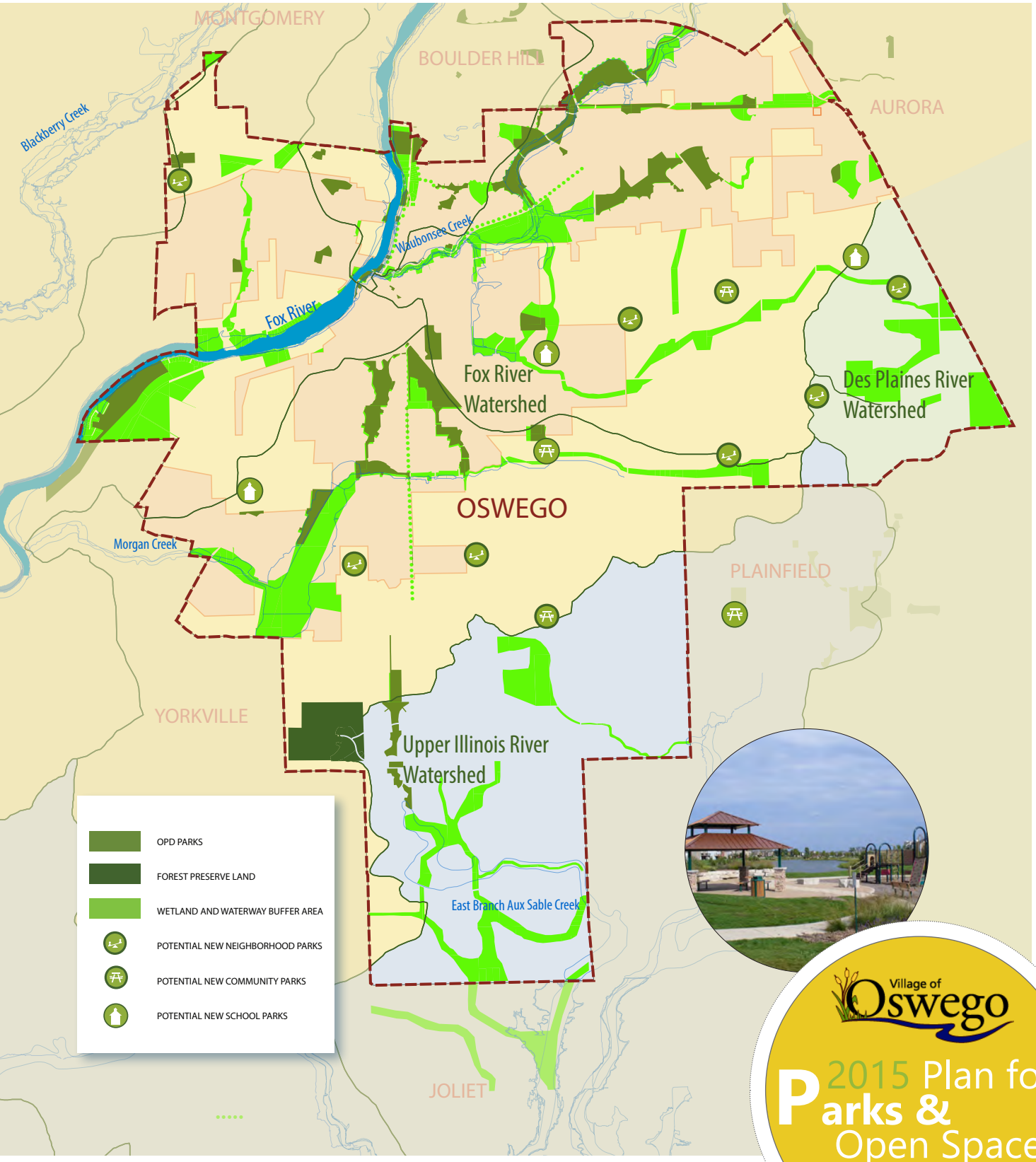
7 Lakes
Augusta Lake, Bartlett Lake, Briarcliff Lake, Chesterfield Lake, Douglas Lake, Whispering Woods Lake, Winrock Lake

Fox River Canoe Access
Violet Patch Park, Hudson Crossing Park and Saw Wee Kee Park

5 Elementary School/Park sites
Old Post , Fox Chase, Wheatlands, Prairie Point, Southbury and Hunt Club

Fox Bend Golf Course
18 holes, 160 acres





Village of Oswego

2015 Plan for Parks & Open Spaces





Oswego residents already enjoy over 13 miles of trails and 8 greenways owned and maintained by the Oswegoland Park District. Downtown Oswego is the southern terminus today of the 43 mile long Fox River Trail, one of the regions most spectacular and scenic trails going all the way north to Algonquin.

Downtown Oswego is now poised to be a MAJOR REGIONAL HUB where local and regional trails meet, and not just a place where great trails end. Community feedback for the Plan shows very strong support for creating an outstanding trail system that Oswego can be known for in the

Creating an outstanding Trail System for Oswego

Existing 5 Trails

Waubonsie Trail	3.75 miles
Fox River Trail	3.25 miles
Grove Road Trail	3.23 miles
Oswego Prairie Trail	0.5 mile
Prairie Point Trail	2.0 miles
Total	**12.73 miles**

Recommendations for New Trails and improvements

(see Map # on page # for location of projects)

1. Under Bridge connection under Washington Street to link north and south parks and extend the Fox River Trail

2. Extend the Fox River Trail to Saw Wee Kee Park along the west side of the railroad r.o.w.

3. A potential pedestrian and bike bridge over the Fox River at Mill Rd. was considered, but deemed not a near term priority at this point.

4. Potential trail underpass at Orchard Road to the future train station

5. Complete trail segments for a continuous trail along Light Road from Mill and Orchard to the Fox River and Waubonsie Creek trails

6. Extend the Waubonsie Creek Trail to the Downtown Waterfront

7. Complete trail segments of the Waubonsie Creek Trail to the Future Wikaduke Trail

8. Install safe pedestrian and bike crossing at Route 34

9. Install dedicated trail along Wolf's Crossing to connect the following: Future Wikaduke Trail, Main Street via Chicago St, Washington St, the Waterfront and the Bike Bridge to Village Hall.

10. Install safe crossing at Wolf's Crossing and Route 30

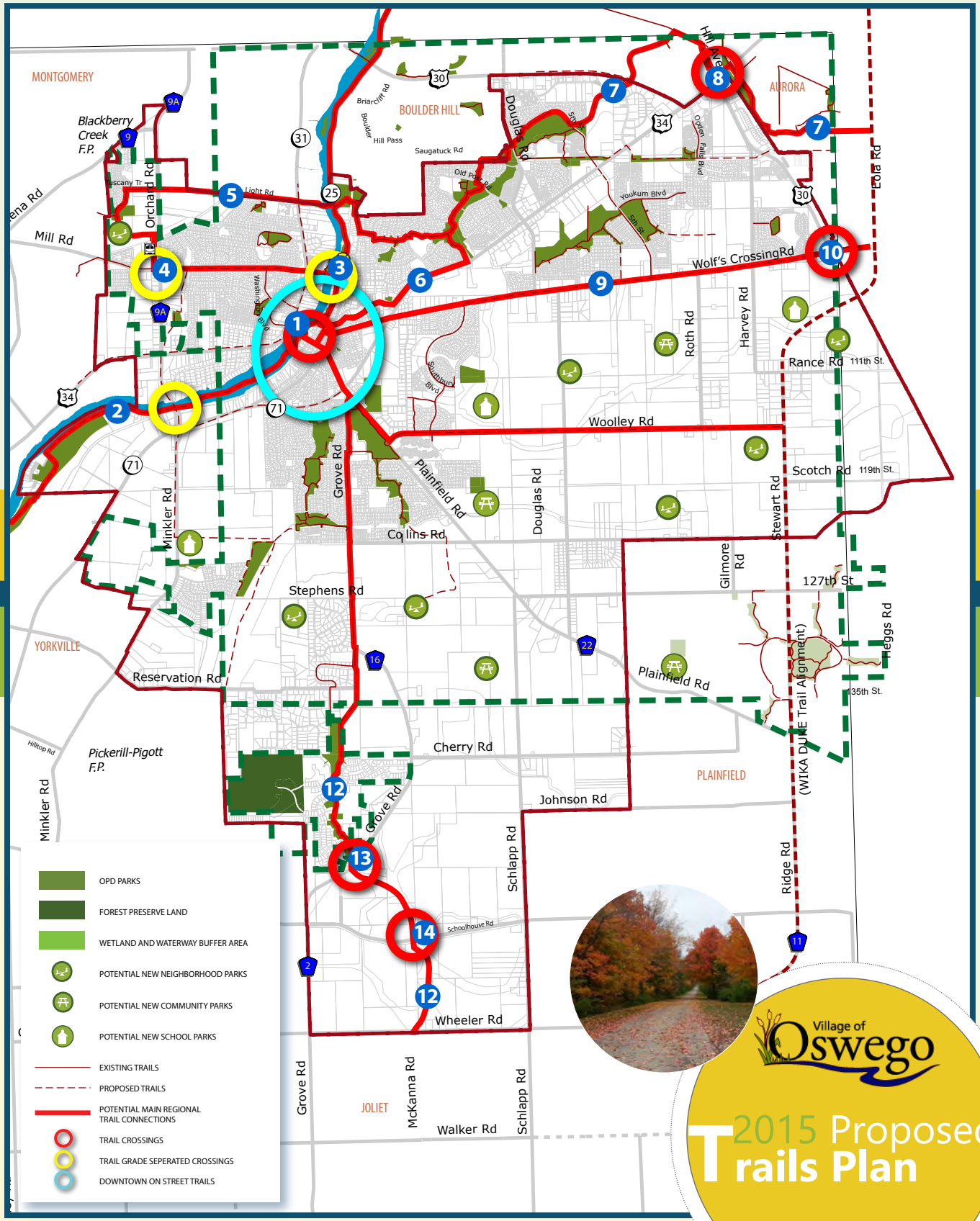
11. Install a dedicated trail along Woolley Rd from Future Wikaduke Trail to Downtown via Plainfield Rd and Washington St

12. Complete missing trail segments of Grove Rd Trail south to Wheeler Rd, creating a major north south trail

13. Install a safe crossing at Grove Rd

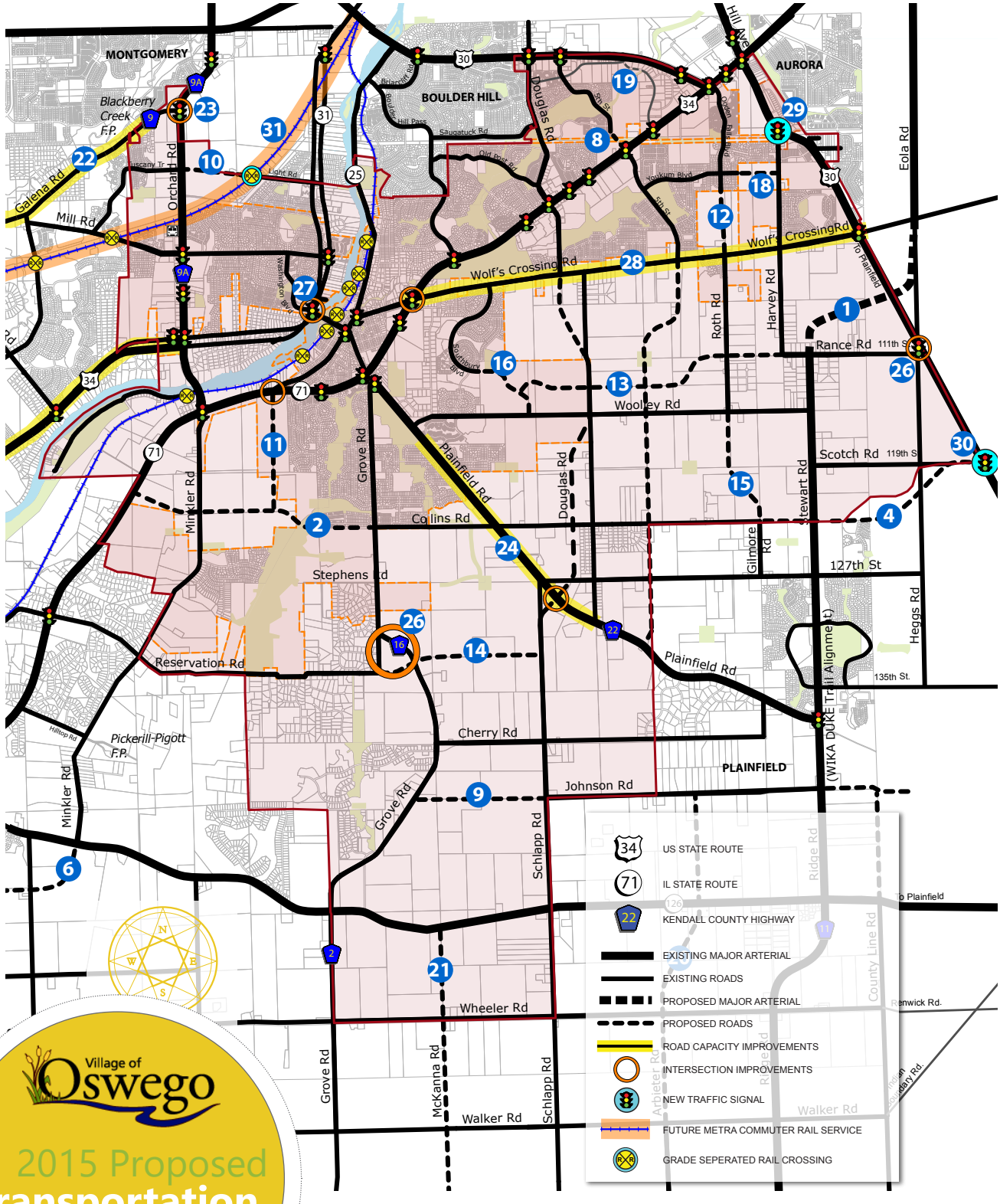
14. Install a safe crossing at Schoolhouse Rd.





Village of Oswego

2015 Proposed Trails Plan



Village of Oswego

2015 Proposed Transportation Plan

2015 TRANSPORTATION PLAN RECOMMENDATIONS

Future Roadway Extensions

Major Arterial Roads

1. WIKADUKE Trail (Kendall Co 5-Year STP)

Minor Arterial Roads

2. Collins Road, west to Orchard Road/Minkler Road (Kendall Co 5-Year STP)
3. Collins Road, continued west from Orchard/Minkler to IL 71 (Oswego Transp. Plan)
4. Collins Road, east to WIKADUKE Trail & 119th Street (Kendall Co 5-Year STP)
5. Douglas Road (Realignment), Wolf's Crossing Road-IL 126 (Oswego Transp. Plan)
6. Minkler Road, IL 126-Windett Ridge Road (Kendall Co 5-Year STP)
7. Schlapp Road, realignment at Plainfield Road (Oswego Transp. Plan)

Collector Roads

8. Fifth Street, US 34-Farmington Lakes Drive (KLOA)
9. Johnson Road, Schlapp Road-Grove Road (KLOA)
10. Light Road, BNSF Railroad-Orchard Road (KLOA)
11. Main Street, IL 71-Collins Road extension (KLOA)
12. Ogden Falls Boulevard, Raintree Drive-Wolf's Crossing Road (Oswego Comp Plan)
13. Rance Road, Harvey Road-Southbury Boulevard (Oswego Transp. Plan)
14. Reservation Road, Plainfield Road-Schlapp Road (Kendall Co 5-Year STP)
15. Roth Road, Woolley Road-Collins Road (Kendall Co 5-Year STP)
16. Southbury Boulevard, Colchester Drive-Woolley Road (Oswego Transp. Plan)
17. Wheeler Road, Hopkins Road-Lisbon Road (Kendall Co 5-Year STP)
18. Youkam Boulevard, Raintree Drive-Harvey Road (KLOA)

Local Roads

19. Kendall Point Drive, extension across Waubonsie Creek to Wiesbrook Drive (KLOA)
20. Arbeiter Road, Walker Road-Johnson Road (Kendall Co 5-Year STP)
21. McKanna Road, IL 126-Chicago Road (Kendall Co 5-Year STP)

Future Roadway Capacity Improvements

22. Galena Road, Orchard Road-IL 47 (Kendall Co 5-Year STP)
23. Orchard Road/Galena Road intersection (Kendall Co 5-Year STP)
24. Plainfield Road, Linden Drive-Douglas Road (Kendall Co 5-Year STP)
25. Reservation Road/Grove Road intersection (Kendall Co 5-Year STP)
26. US 30/Heggs Road intersection (IDOT FY 2015-2020 Multi-Modal TIP)
27. US 34, Orchard Rd-IL 47 (IDOT FY 2015-2020 Multi-Modal TIP)
28. Wolf's Crossing Road, US 34/IL 71-US 30 (KLOA)

Future Traffic Signal Installations

29. US 30/Harvey Road (IDOT FY 2015-2020 Multi-Modal TIP)
30. US 30/119th Street (IDOT FY 2015-2020 Multi-Modal TIP)
31. METRA Commuter Rail Extension

ADDITIONAL PROJECTS

New Fox River Crossing Alternatives: (KLOA)

- Extension of Mill Road across Fox River to IL 25
- Pedestrian/bicycle bridge over Fox River connecting Fox River Trail (via Adams Street) on east side with Mill Road bike path on west side.
- Extension of Light Road across Fox River to IL 25

Additional/Enhanced Truck Route Signage: (KLOA)

install Class II Truck Route signage (R5-I102) with auxiliary directional arrow (M6-3) on westbound US 34 in advance of IL 71 to guide trucks onto IL 71 instead of following US 34 through the downtown. Signs can be added to existing state route signage and/or installed in additional locations.

Harrison Street-Benton Street Connector (KLOA)

Extend Harrison Street south and east to align with Benton Street at Adams Street. Widen Benton Street and the existing railroad grade crossing.

Washington Street/ Harrison Street Traffic Signal (Downtown Framework Plan)

Pedestrian underpass of the Washington Street bridge via a realignment and extension of the Fox River Trail (Downtown Framework Plan)

Adams Street Vacation,

Washington Street-Van Buren Street (Downtown Framework Plan) or conversion to a multi-use path

Washington Street Complete Street Enhancements, Madison

Street-Fox River Bridge and at the Washington Street/IL 31 intersection

Washington Street Traffic Calming Enhancements,

Madison Street-IL 71, including traffic circle at Washington/Ashland/Van Buren

US 34/IL 71/Wolf's Crossing Road Intersection Improvements



Downtown is a historic and iconic symbol of Oswego. This is where Oswego was born, at the confluence of the Fox River and Waubonsie Creek. The historic scale and charm of Old Oswego is still well preserved in old Main Street buildings and local shops at the street level. Hudson Crossing Park is a lovely natural riverfront park serving Downtown and the overall Village as a great community open space.

The 2015 Plan identifies a bold community vision and major catalytic projects to realize the vision.

A Catalytic Plan for Downtown Oswego





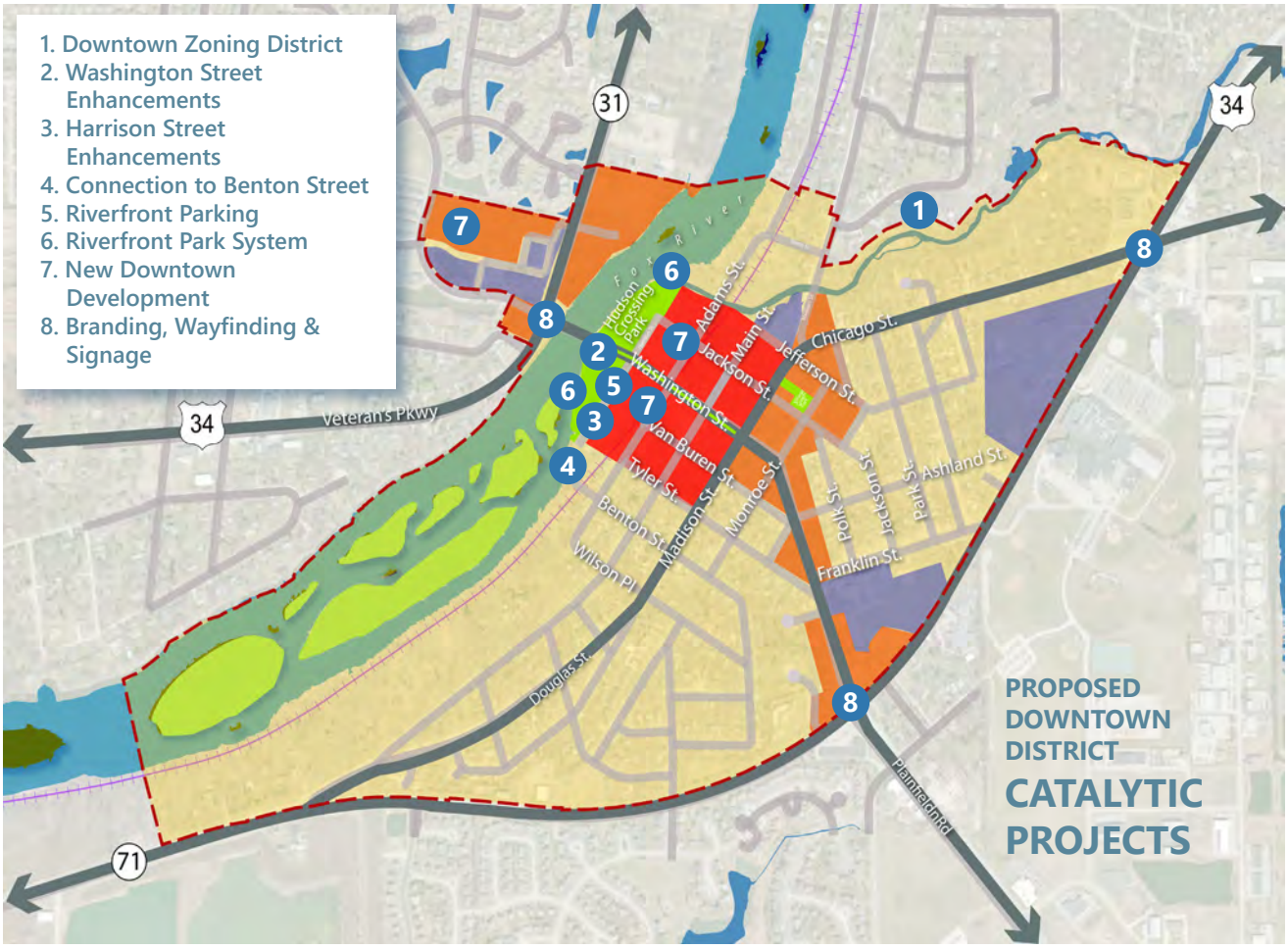
A Vision for Downtown Oswego

Downtown Oswego will be known in the Chicago region as a delightful Riverfront Downtown that combines the best of the old and the new, drawing visitors from Oswego as well as neighboring communities. The charming historic Main Street character will be strengthened with new development that brings more shops and residents to the heart of Downtown. A unique system of connected Riverfront parks and islands will showcase Oswego's commitment to great public open spaces and the preservation of natural areas.

The walkable scale of small blocks and pedestrian friendly streets will be greatly reinforced by the transformation of Washington Street and Harrison Street. Downtown Oswego will be well established as a great hub in the Fox Regional Trail system. With new underbridge and other critical trail connections completed, Downtown will be the place to stop for both residents and visitors enjoying the wonderful trail system.

The Downtown Core will expand along Harrison Street to create a full riverfront frontage of new and old buildings, that can offer restaurants, cafes and outdoor seating at the street level with homes above facing the river. The Fox River will be at the center of the expanded Downtown, tying the Village Hall and new development to the west to the historic Downtown Core to the east. Attractive gateways and wayfinding signage will make it easy to reach Downtown and the Riverfront from the major routes into Oswego.

1. Downtown Zoning District
2. Washington Street Enhancements
3. Harrison Street Enhancements
4. Connection to Benton Street
5. Riverfront Parking
6. Riverfront Park System
7. New Downtown Development
8. Branding, Wayfinding & Signage



Create a Downtown Zoning District

Create a well defined and expanded Downtown District

Previous plans for Downtown focused primarily on the blocks at the heart of Downtown. The 2015 Plan expands the Downtown District Boundary to meet two simple goals:

- Make the Fox River the "Central Feature" of Downtown, not just an edge, by including the Village Hall area to the west.
- Extend to Route 34 to the east and IL 71 to include and protect historic pattern of small blocks and older homes

Amend current Zoning to be consistent with following recommendations:

- Create a "Downtown Zoning District" that is an overlay district or an actual zoning district with the same boundaries as shown in Map below.
- The current Zoning Ordinance has many designations within one block or street, including B1. B2, B3, M1, R1, R2 and R3. This is confusing and inhibits creating a consistent mix of uses where appropriate.

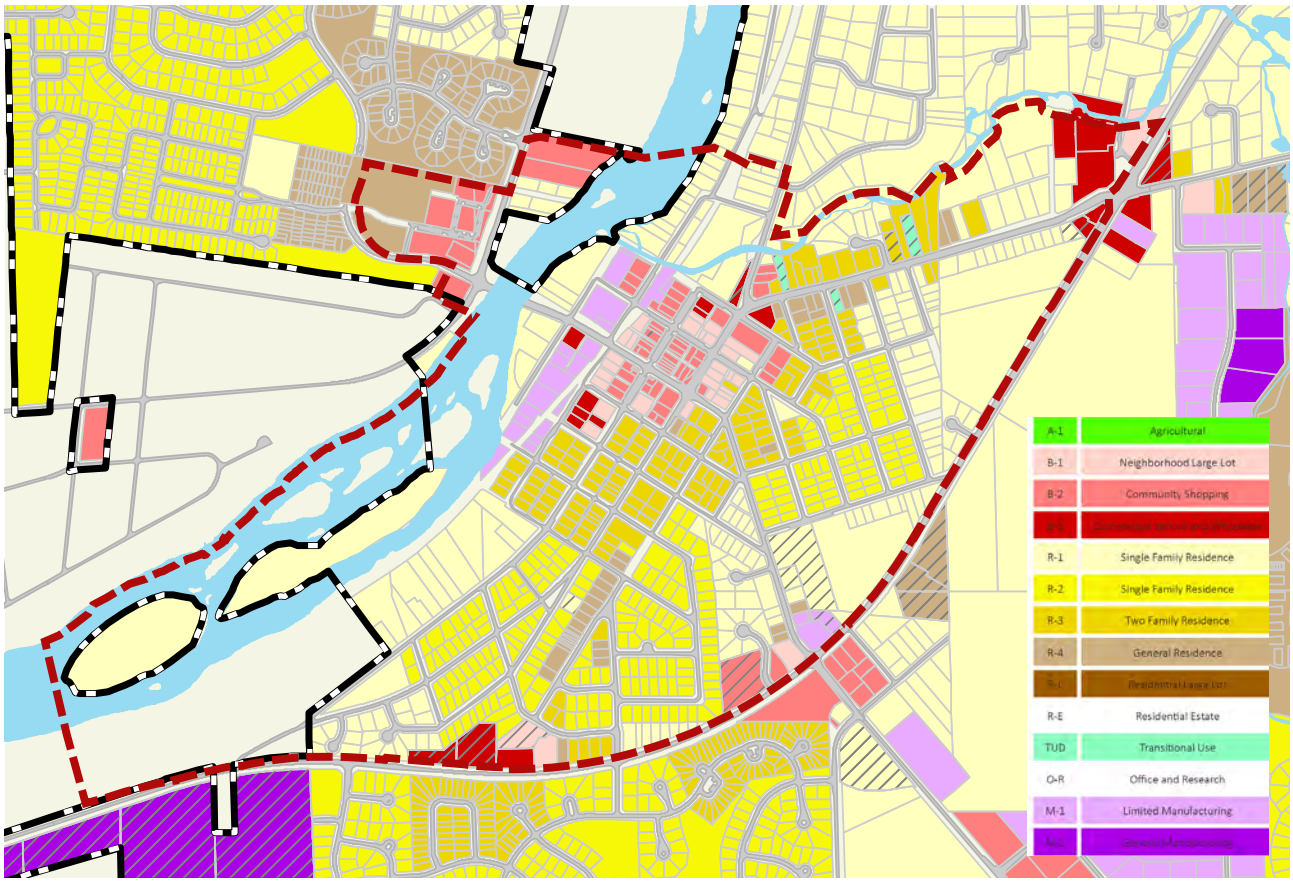
Simplify Permitted Land Uses to the following:

- **Downtown Core: D1**
- **Secondary Core / Transitional Area: D2**
- **Residential Blocks: DR**

Create a DOWNTOWN TIF to help fund recommended infrastructure improvements in the Downtown District

Extend the FACADE IMPROVEMENT program boundary to cover the extents of the new Downtown District.

PROPOSED DOWNTOWN DISTRICT BOUNDARY ON EXISTING ZONING



Village of Oswego

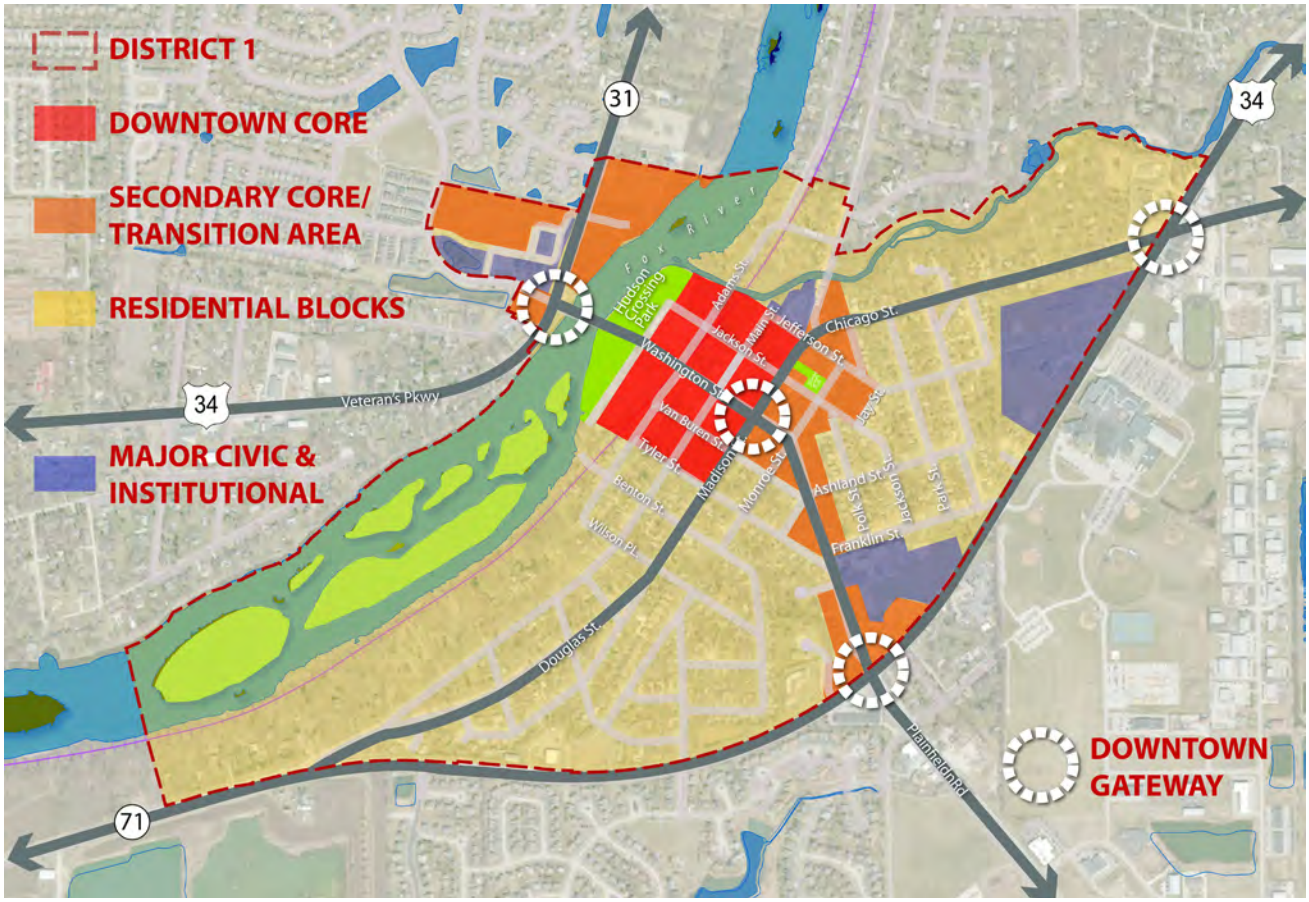
Catalytic Downtown Project No. 1

Create a Downtown Zoning District

RECOMMENDED ZONING DESIGNATION		PERMITTED USES	HEIGHT LIMIT
DOWNTOWN CORE	D1	COMMERCIAL, RESIDENTIAL AND MIXED USE	4 stories. 5 stories allowed facing the river and Washington Street.
SECONDARY CORE / TRANSITION AREA	D2	RESIDENTIAL, SMALL OFFICE AND RETAIL	3
RESIDENTIAL BLOCKS	DR	RESIDENTIAL ONLY	3

- Any preexisting Nonconforming uses should be grandfathered.
- Remove FAR and Density requirements for the Downtown District. Traditional density and FAR calculations fail to reflect the uniqueness of Downtown sites that are typically small and constrained, and work against the goal of attracting more residents, shops and offices to Downtown.
- Control size of development with Height Limits and Desired Setbacks instead of FAR and Density.
- Remove on-site parking requirements for sites within the Downtown District. Instead, implement the Downtown Parking recommendations and provide more public parking options to serve all Downtown sites.

PROPOSED DOWNTOWN DISTRICT & RECOMMENDED LAND USES

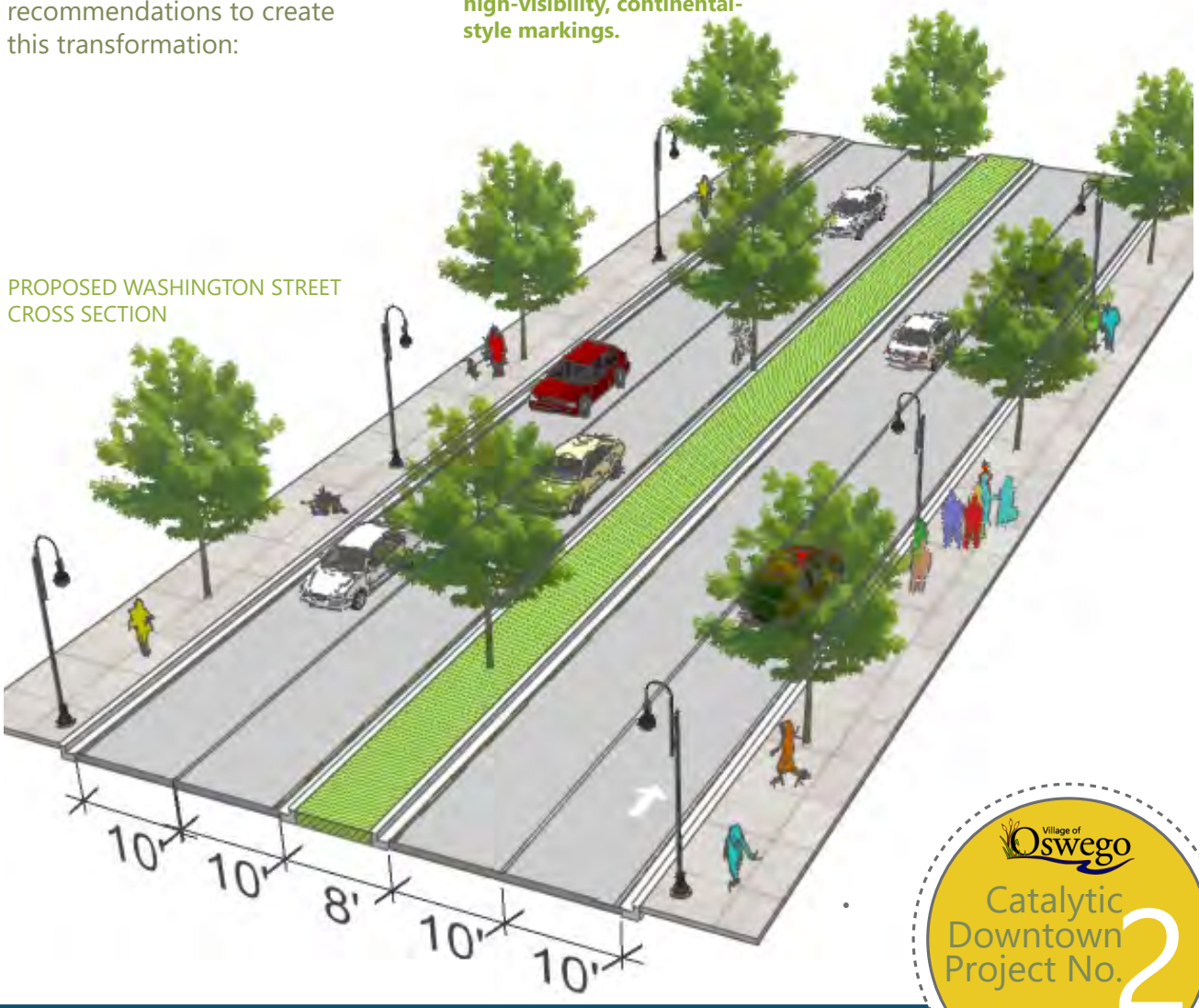


Enhance Washington Street

Washington Street is the major thoroughfare running through the heart of Downtown Oswego. Enhancing this car oriented street to create an attractive landscaped street that is safe for pedestrians and bicyclists is a critical first step in realizing Downtown's full potential. Following are key recommendations to create this transformation:

- **Narrow the travel lanes on Washington Street, from the east end of the bridge to Madison Street, to 10 feet and install an 8-foot median/ pedestrian refuge island.**
- **Carry the median through the crosswalks at Main Street, Harrison Street and Adams Street.**
- **Replace the worn crosswalks along Washington Street with high-visibility, continental-style markings.**
- Install a new crosswalk on the west leg of Washington Street at Adams Street (north leg only), supported with pedestrian crossing signs.
- Attach countdown timers to the existing pedestrian signals at IL 31 and Madison Street, and the future traffic/pedestrian signals at Harrison Street.

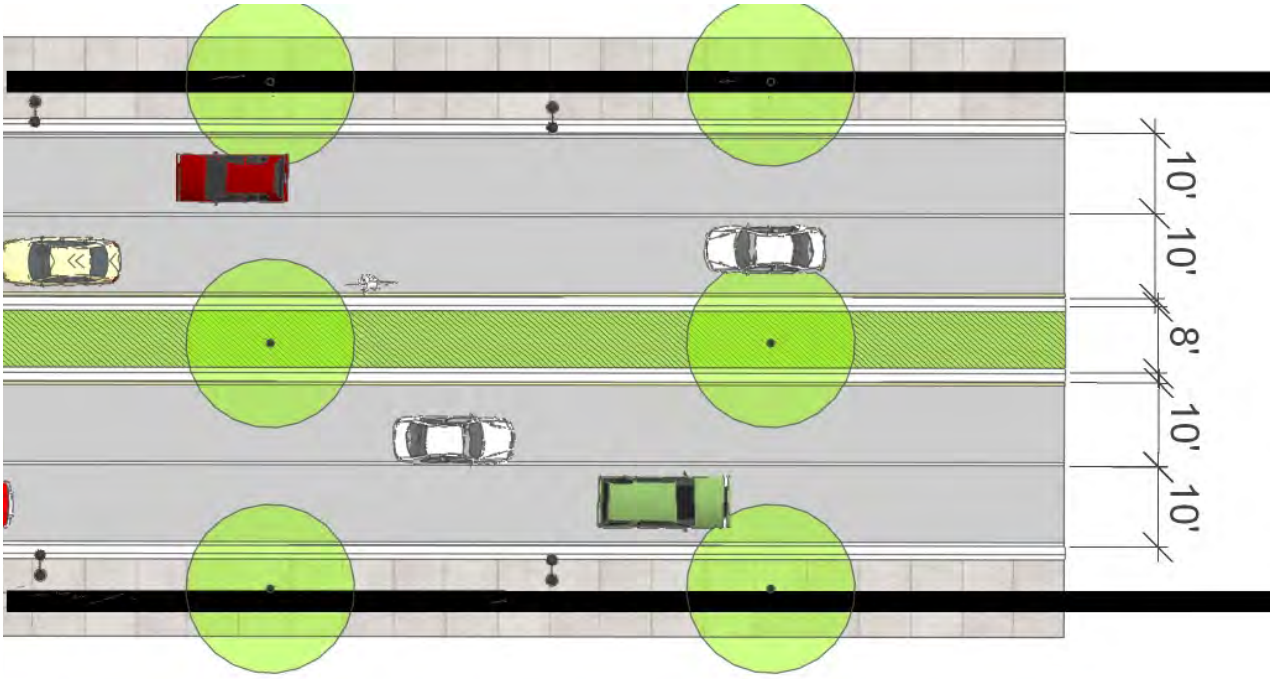
PROPOSED WASHINGTON STREET CROSS SECTION



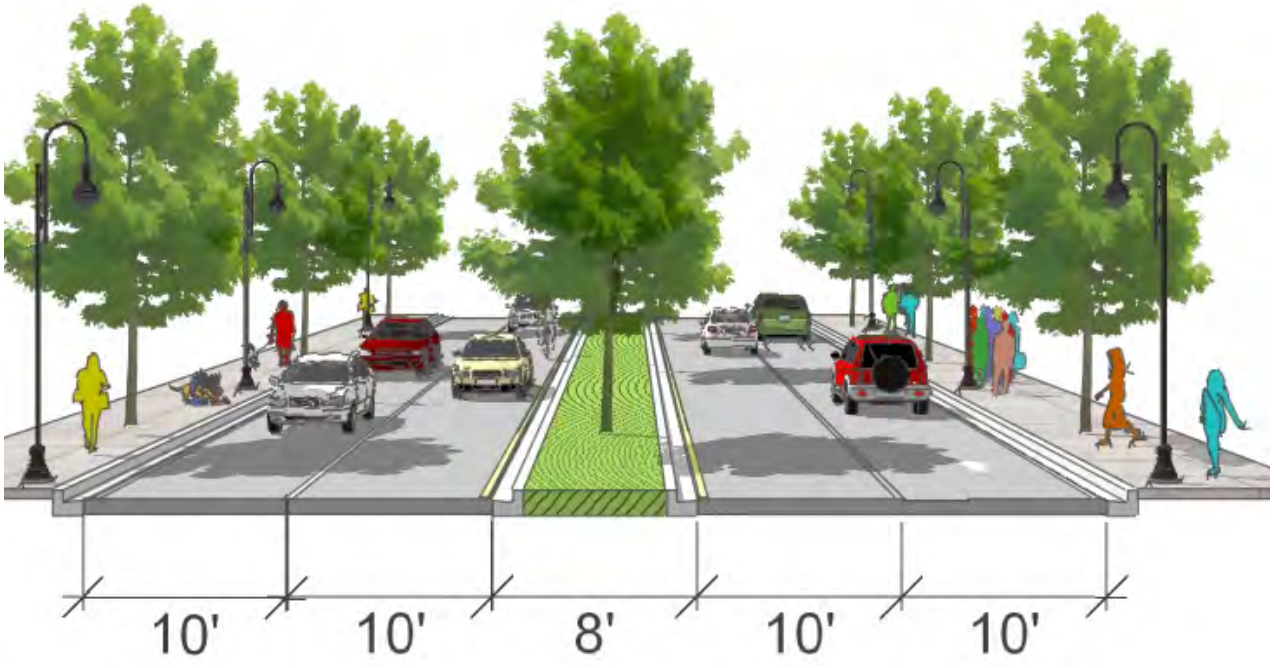
Village of Oswego
Catalytic Downtown Project No. 2

Enhance Washington Street

Creating a pedestrian friendly street with a landscaped median and safe crosswalks. Narrowing traffic lanes does not create any loss in traffic capacity. It slows down traffic and greatly deters truck through traffic.



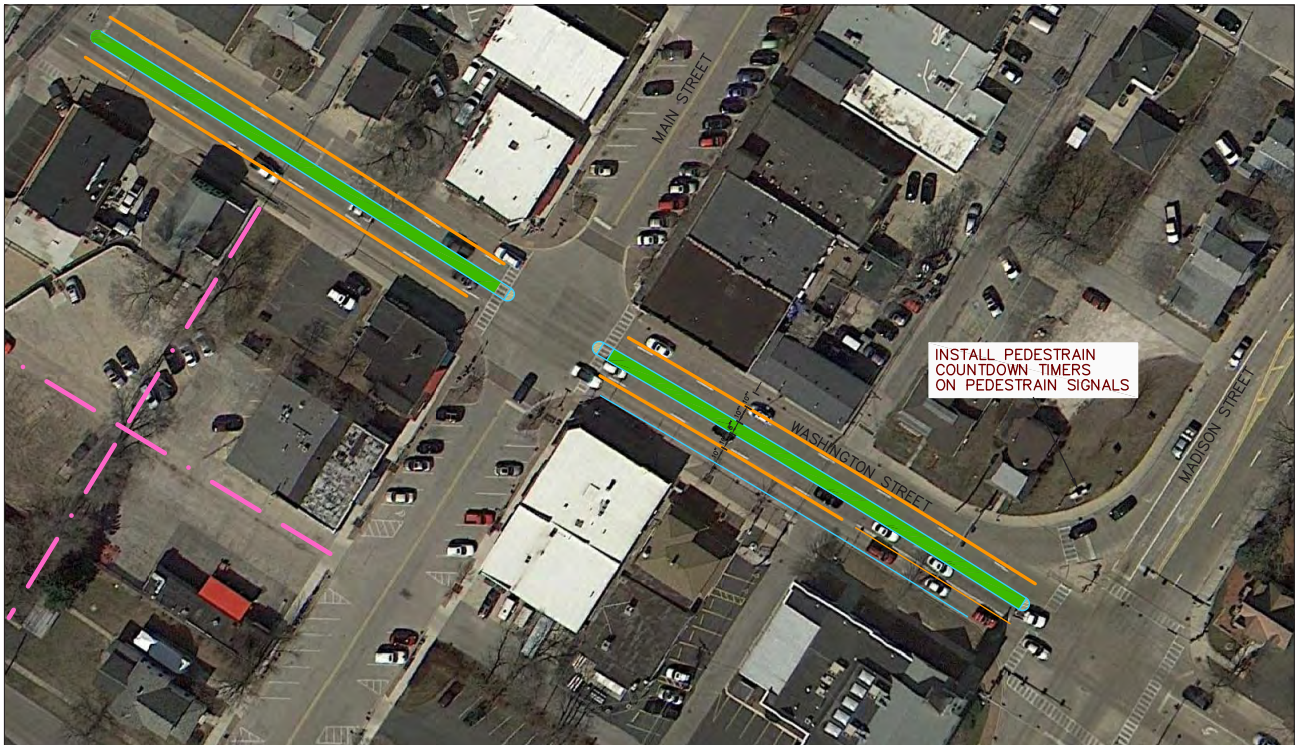
PROPOSED WASHINGTON STREET PLAN AND CROSS SECTION



Enhance Washington Street

PROPOSED WASHINGTON STREET IMPROVEMENTS





Enhance Washington Street

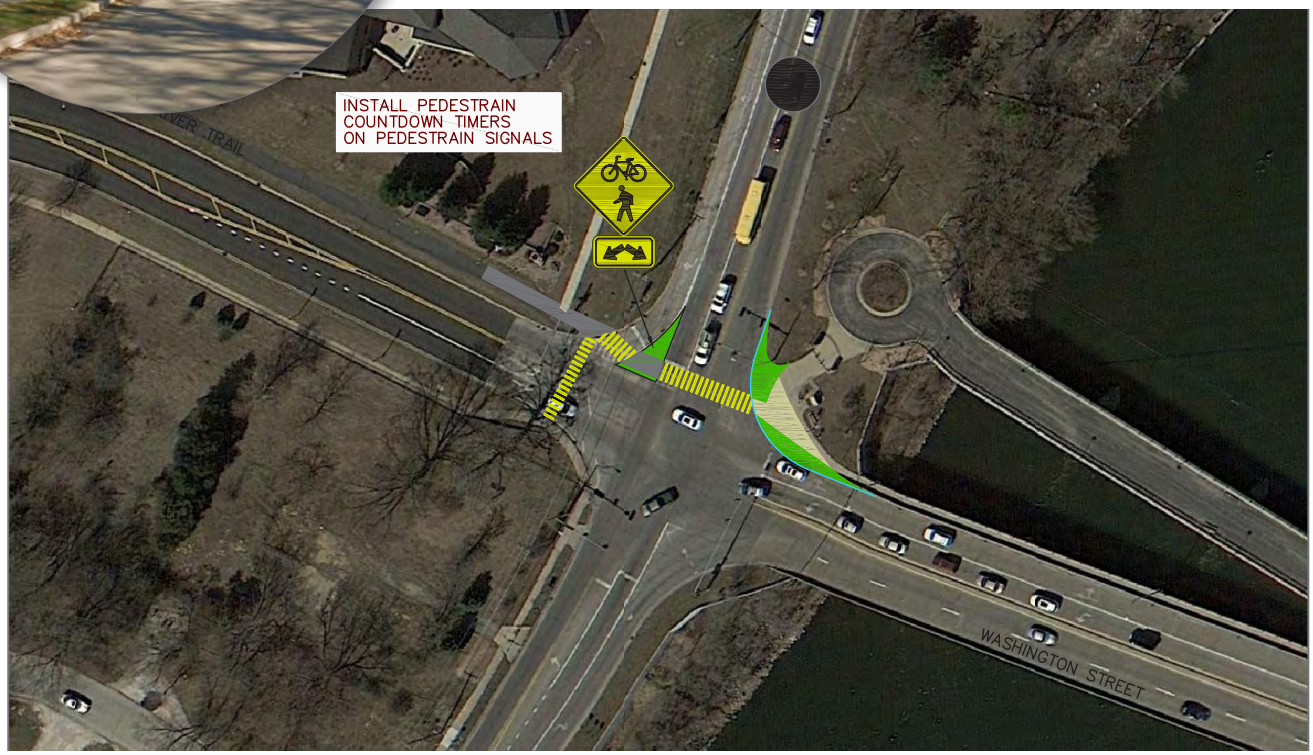




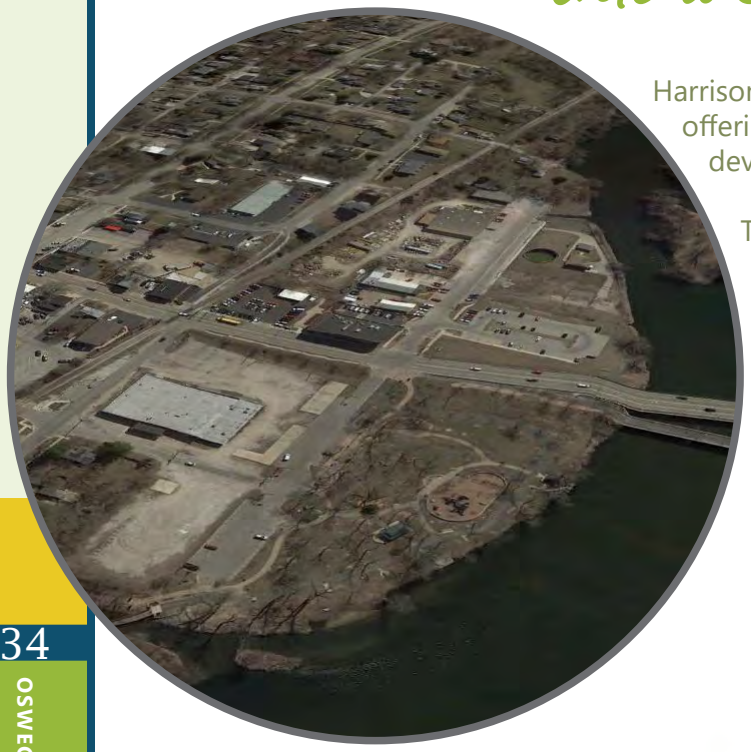
This intersection is a critical pedestrian and bike trail connection between Downtown and the Village Hall area across the Fox River. There is an opportunity to increase safety for people and bicyclists, especially with the heavy car and truck traffic. Recommended improvements should be a near term priority project for the Village.

- Reduce the corner radius on northeast corner of Washington Street/IL 31 to 50 feet and re-align the multi-use path and sidewalk with the crosswalk.
- Install a corner island at the northwest corner of Washington Street/IL 31 and realign the crosswalks.
- Install pedestrian/bicycle crossing signs on both sides of crosswalk on the north leg of IL 31 (at Washington Street) to increase the visibility of this at-grade crossing of the Fox River Trail.

PROPOSED WASHINGTON STREET / IL 31 INTERSECTION IMPROVEMENTS



Transform Harrison Street into a Great Riverfront Street



Harrison Street is Downtown Oswego's Riverfront Street, offering tremendous potential to attract new development along the Fox River frontage.

The 2015 Comprehensive Plan identifies the enhancement of Harrison Street as a critical infrastructure investment for creating a successful Downtown Riverfront.

- Recommended enhancements are within existing R.O.W. No additional R.O.W. is needed.
- Install angled parking on both sides to provide approx. 104 public parking spaces to serve all of Downtown.
- Consolidate curbs where possible to create continuous sidewalks, streets trees and signage on both sides of the street.

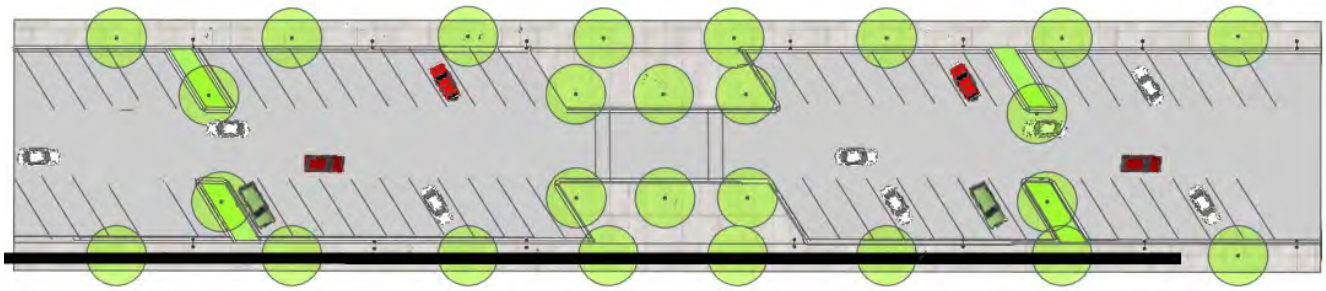


PROPOSED HARRISON STREET SECTION

Village of Oswego

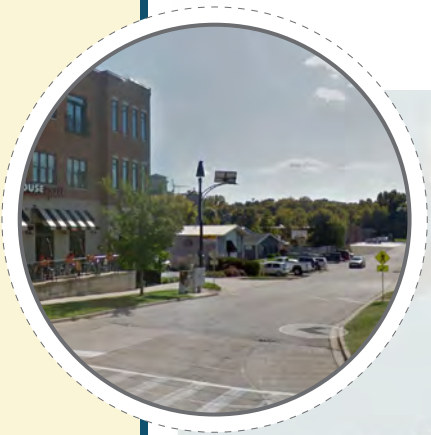
Catalytic Downtown Project No. 3

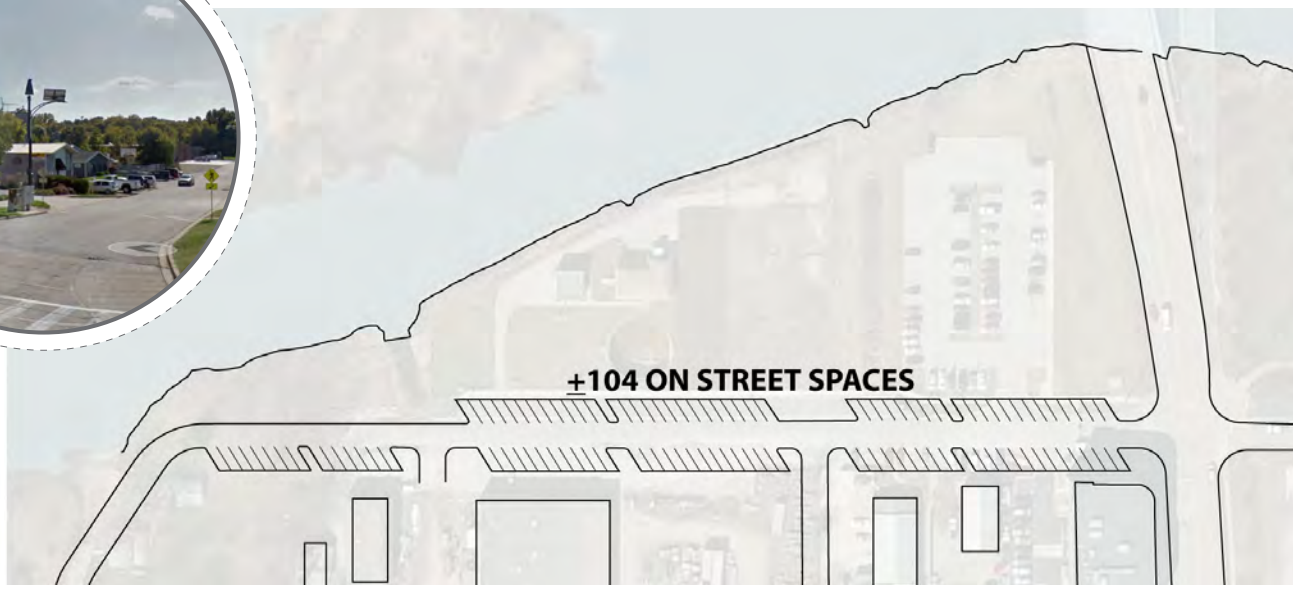
Transform Harrison Street into a Great Riverfront Street





PROPOSED HARRISON STREET PLAN AND CROSS SECTION





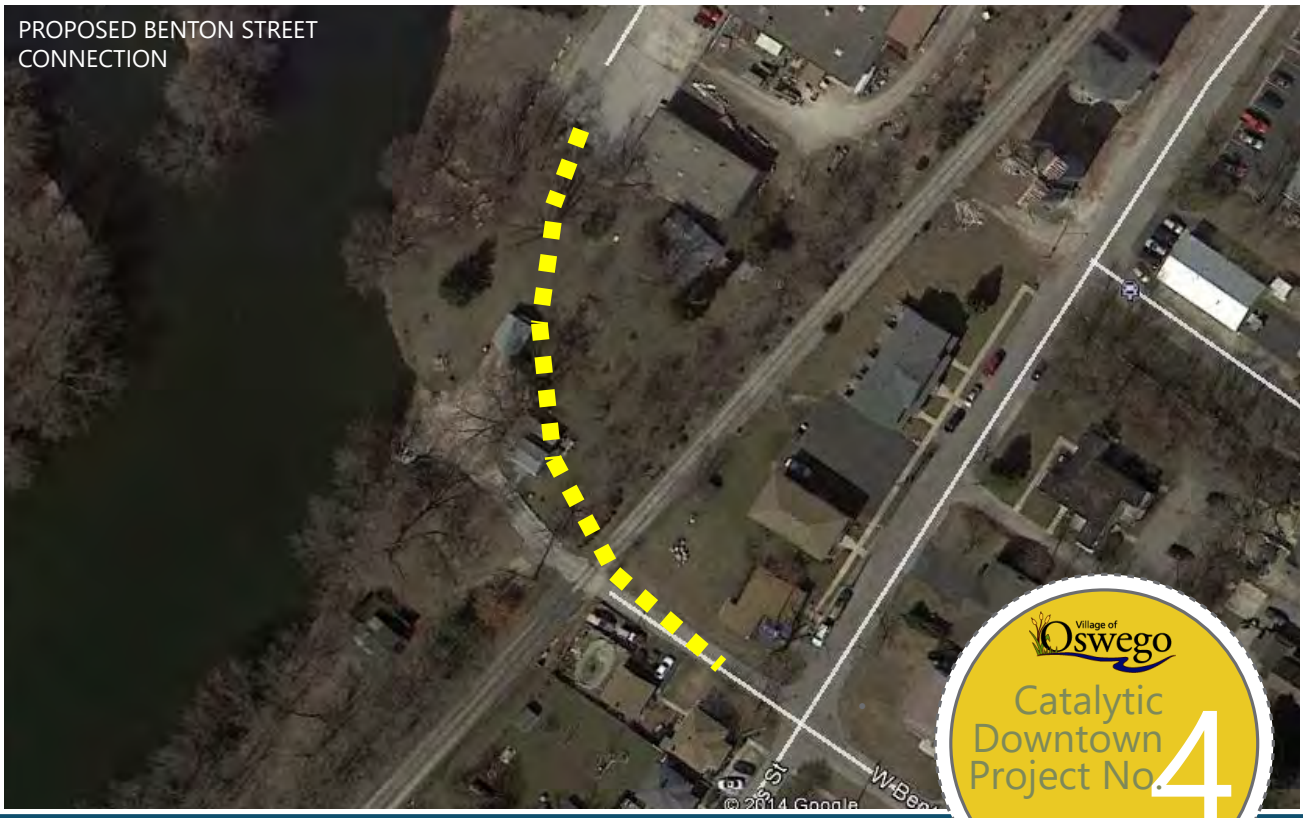


Connect to Benton Street

Harrison Street today is a poorly defined and disconnected street ending in a parking area to the north and in a dead end near the river to the south. There is an opportunity to reconnect the street to the street network with a well defined connection to Jackson Street to the north and a new connection the Benton Street to the south.

- Benton Street today just dead ends after a grade crossing just a short distance from Harrison Street.
- Connecting and improving these two streets avoids dead ends, allows better local traffic dispersion and makes riverfront parcels more accessible.





Village of Oswego
Catalytic Downtown Project No. 4

Create a Long Term Solution to Parking to free up land along the River

There is a large public parking lot today at the southwest corner of Harrison Street and Washington Street, occupying prime riverfront land. By providing a long term alternate solution to parking, this great piece of riverfront land can become a southern extension of Hudson Crossing Park to the north, creating one continuous Riverfront Park System for Downtown.

Long Term Parking Recommendations include:

- On-Street angled parking on Harrison Street: approx. 104 spaces
- New parking lot along tracks behind existing buildings: approx. 68 spaces, with access from Harrison Street. This also allows for a new building on Washington Street.





Village of Oswego
Catalytic Downtown Project No. 5

Creating a continuous system of

Riverfront Parks

Hudson Crossing Park is Downtown Oswego's community gathering place at the banks of the Fox River. This is where the 43 mile Fox River Trail ends, and where local trails connect the River to the rest of Oswego.

By relocating the existing parking lot (see page #), a new riverfront park can be created south of the Washington Street Bridge. The Concept Plan provided by OPD below shows the possibilities this park provides for Downtown Oswego, including an amphitheater, ice skating, fountains, seating and trails.

Safe Crossing across Washington Street

Crossing or accessing this busy four-lane roadway can be challenging today due to the width of the roadway, traffic speeds and sight line constraints. To provide safe pedestrian and bicyclist connections between the two parks across Washington Street, two major elements are recommended:

1. A new underbridge connection at the river's edge under the Washington Street Bridge.

2. An enhanced and safer grade crossing designed for pedestrians and bicyclists at the Washington and Harrison Street intersection. Long term, the intersection can warrant the installation of a traffic signal with the full buildout of the Harrison Street parcels.



Protecting the legacy of Natural Islands

Oswego has a unique asset that other towns along the Fox River do not have: a series of nine natural islands right at the heart of Downtown. These shallow water islands are still natural and have no public access or connection or to the shoreline today.

The 2015 Comprehensive Plan identified the islands as a major untapped resource for Downtown Oswego, and a variety of options were considered to preserve and enhance these unique assets. Most of the islands are owned by the Kendall County Forest Preserve District today.

One bold idea presented at a public forum was to create a One Mile Natural Trail Loop (see below) connecting all the islands with Downtown, a feature that no other riverfront town offers in the region. While these initial ideas received significant community support (see following pages), further plans for the islands were withheld because of reported sightings of bald eagles on the islands.

The Village and the Kendall County Forest Preserve District need to confirm that there are eagle nests on the islands, and determine what habitat conservation rules would apply. The option of a pedestrian bridge connecting just to the northernmost island could still be considered provided there are no eagles nesting on this island. Regardless of the options selected, the Village should ensure that the islands continue to be preserved as great unique assets for Oswego.





Village of Oswego

Initial Ideas shared at the First Public Forum, June, 2014

Trail connection on the west side of the Fox River to connect the new Mill Street path with the Fox River Trail. Either through path installation along Route 31, or land acquisition along the west bank of the river.

Would LOVE a walking/bike trail on the islands.. if you can easily link it to current bike trails what a fabulous idea. treehouses or \obstacle\" courses would used by many. Dock would be beneficial for boaters to break for lunch. And then they could access downtown too?

Nature trails and wild life would be nice however a little boring. **Adding out door activities** like a summer camp would be fun for all. An obstacle course, rock climbing, canoeing, and zip lining would be great.

! think looking to the future, a bike/ pedestrian friendly city would not only bring folks to Oswego for a visit, but would factor in their decision to move and live in our town. I get excited to think about a place where a person could walk/bike to local events, the store and even a future Metra stop for travel to other towns and Chicago.



I love the idea of the **1 mile loop on the unused islands.**

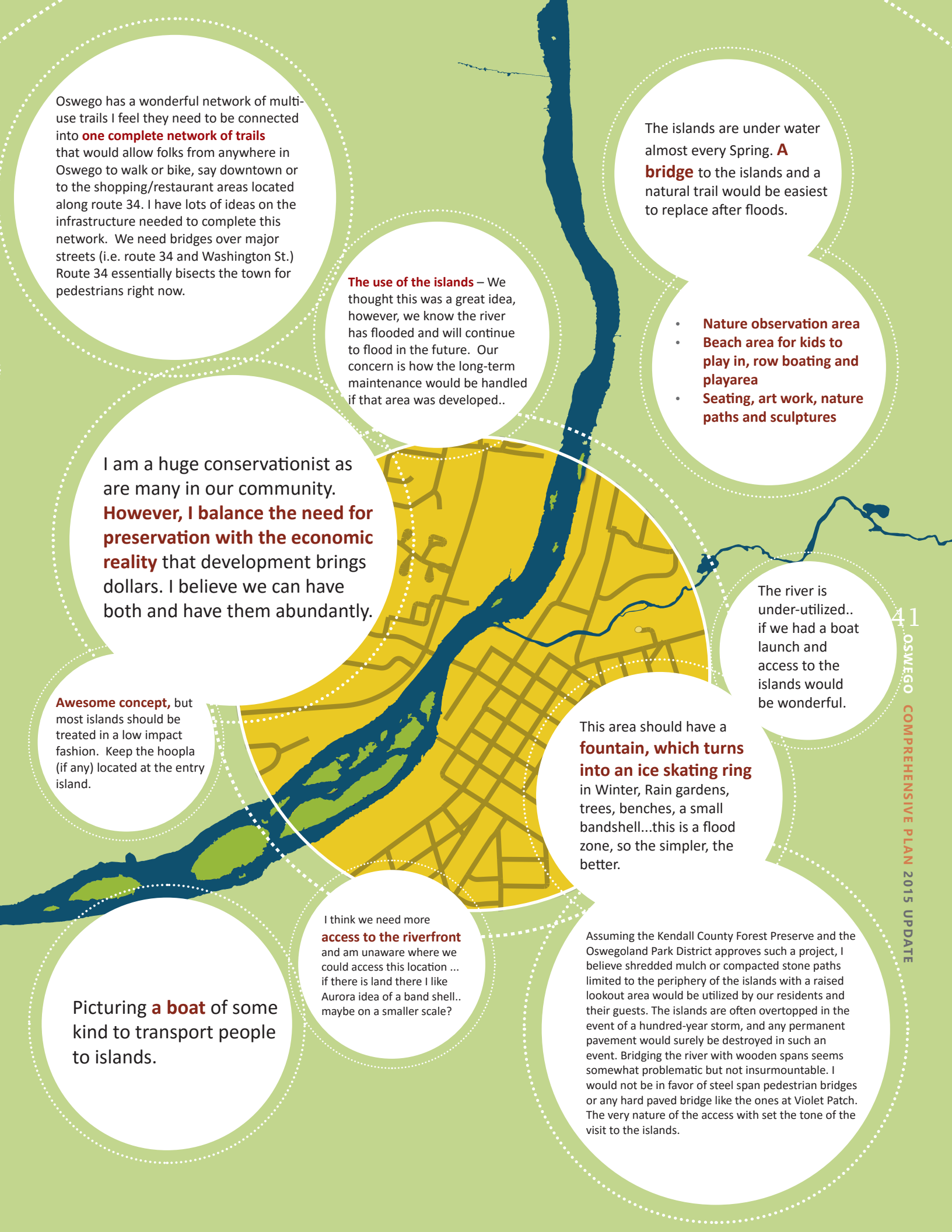
I think the plan for **riverfront park** connections is incredibly important for the residents and visitors of Oswego. Once the work along the Waubonsie Creek is complete, the interconnection to the parkland northeast of Hudson Park and the downtown area will be available. Does the reconstruction of the Waubonsie Walk include rip-rap between the walk and the watercourse?

I would like to see Oswego market itself as the **most bike/pedestrian friendly city** in the surrounding area. Walkable and Bikeable towns/cities are the future. Young people are less and less excited automobiles and driving. I read articles all the time stating people are choosing to not own cars but instead use their feet, a bicycle or public transportation. To take it a step further I feel people should not be forced to drive a car just because the current infrastructure does not allow for safe bike/pedestrian travel (i.e no bike lanes, paths, sidewalks).

I would be in favor of constructing a **riverfront walk** with overhung viewing areas. Has anyone at the Village researched acquiring the property from the railroad and the private owners?

Village of Oswego

Community Feedback on Riverfront, Islands & Trails


Oswego has a wonderful network of multi-use trails I feel they need to be connected into **one complete network of trails** that would allow folks from anywhere in Oswego to walk or bike, say downtown or to the shopping/restaurant areas located along route 34. I have lots of ideas on the infrastructure needed to complete this network. We need bridges over major streets (i.e. route 34 and Washington St.) Route 34 essentially bisects the town for pedestrians right now.
The use of the islands – We thought this was a great idea, however, we know the river has flooded and will continue to flood in the future. Our concern is how the long-term maintenance would be handled if that area was developed..
The islands are under water almost every Spring. **A bridge** to the islands and a natural trail would be easiest to replace after floods.
- **Nature observation area**
- **Beach area for kids to play in, row boating and playarea**
- **Seating, art work, nature paths and sculptures**
I am a huge conservationist as are many in our community. **However, I balance the need for preservation with the economic reality** that development brings dollars. I believe we can have both and have them abundantly.
The river is under-utilized.. if we had a boat launch and access to the islands would be wonderful.
Awesome concept, but most islands should be treated in a low impact fashion. Keep the hoopla (if any) located at the entry island.
This area should have a **fountain, which turns into an ice skating ring** in Winter, Rain gardens, trees, benches, a small bandshell...this is a flood zone, so the simpler, the better.
I think we need more **access to the riverfront** and am unaware where we could access this location ... if there is land there I like Aurora idea of a band shell.. maybe on a smaller scale?
Assuming the Kendall County Forest Preserve and the Oswegoland Park District approves such a project, I believe shredded mulch or compacted stone paths limited to the periphery of the islands with a raised lookout area would be utilized by our residents and their guests. The islands are often overtopped in the event of a hundred-year storm, and any permanent pavement would surely be destroyed in such an event. Bridging the river with wooden spans seems somewhat problematic but not insurmountable. I would not be in favor of steel span pedestrian bridges or any hard paved bridge like the ones at Violet Patch. The very nature of the access with set the tone of the visit to the islands.
Picturing **a boat** of some kind to transport people to islands.

Long Term Possibilities for Full Buildout of

Downtown Riverfront

The Downtown District offers may opportunities for new and infill development, and redevelopment of underutlized sites. The 2015 Comprehensive Plan focuses on three such areas that are large enough to have a significant catalytic impact on the Downtown Riverfront. Long Term development potential for these are illustrated in detail in the following pages.

TOTAL POTENTIAL LONG TERM DEVELOPMENT (AREAS A, B & C)

RETAIL

AREAS A+B	38,500 SF APPROX.
AREA C	15,500 SF APPROX.
TOTAL RETAIL	**54,000 SF APPROX.**

RESIDENTIAL

CONDOMINIUM UNITS

AREAS A+B	156 DU APPROX.
AREA C	90 DU APPROX.
TOTAL	**246 DU APPROX.**

ROW HOUSES

AREAS A+B	37 DU APPROX.
AREA C	50 DU APPROX.
TOTAL	**87 DU APPROX.**

TOTAL RESIDENTIAL 333 DU APPROX.



Village of Oswego

Catalytic Downtown Project No. 7

Long Term Development Potential

Area A



AREA A: Area northeast of Washington and Harrison Streets, including former Lumber Yard site (currently vacant), and existing single family homes. Development possibilities include:

Parcel A-1

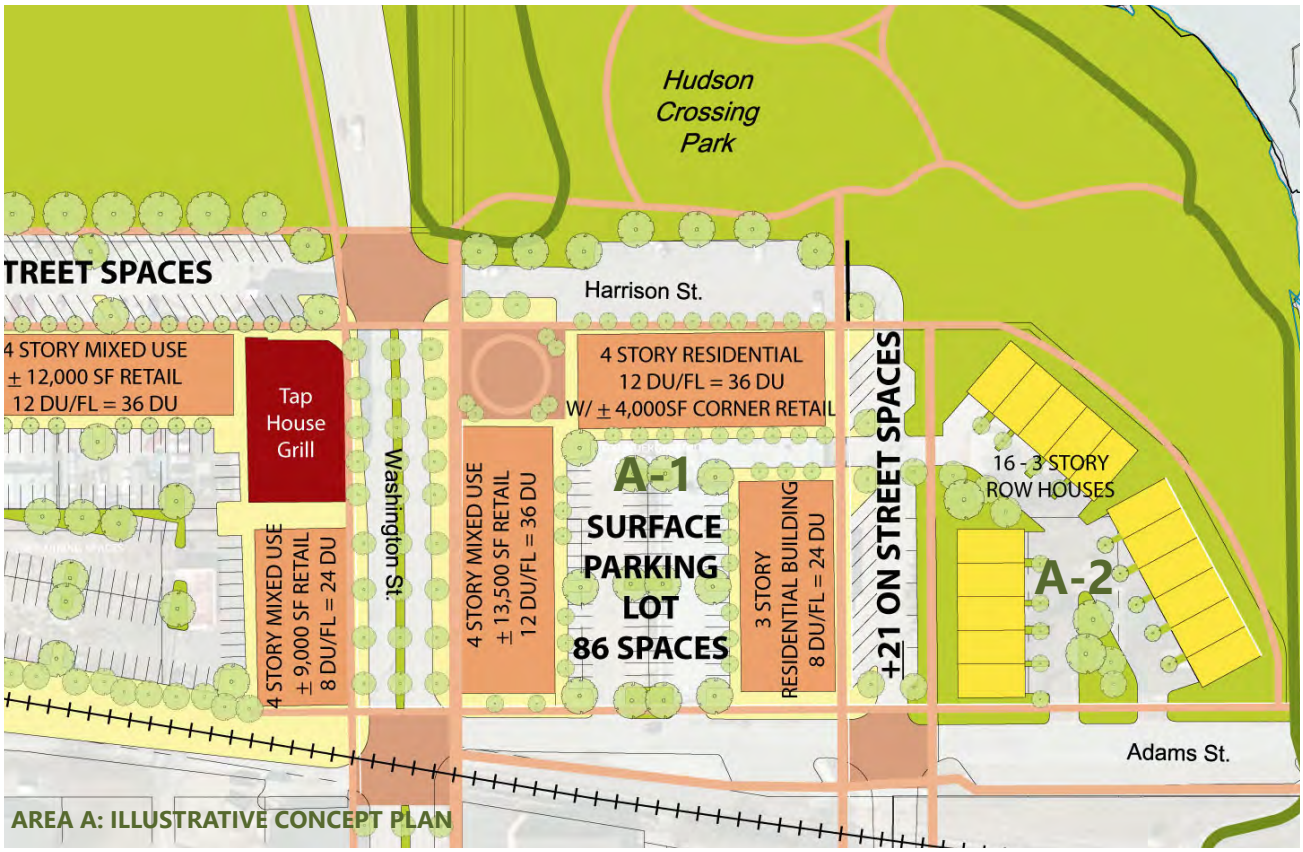
- Mixed use development with retail at the street level and residential above along Washington Street and facing the River.
- 4 stories maximum, with 5 stories allowed facing the River and Washington Street.
- Parking can be provided in one level below grade and street level with access from Adams Street.
- Buildings facing Jackson Street can be residential only, including apartments, condominiums and rowhouses.
- A small plaza at the corner of Washington and Harrison is encouraged.

Parcel A-2

- Row Houses or Townhomes with parking to the rear on parcel A-2 and return the portion in the floodway to Hudson Crossing Park

Jackson Street

- Preserve Jackson Street as a pedestrian friendly street with Hudson Crossing park as a view terminus.



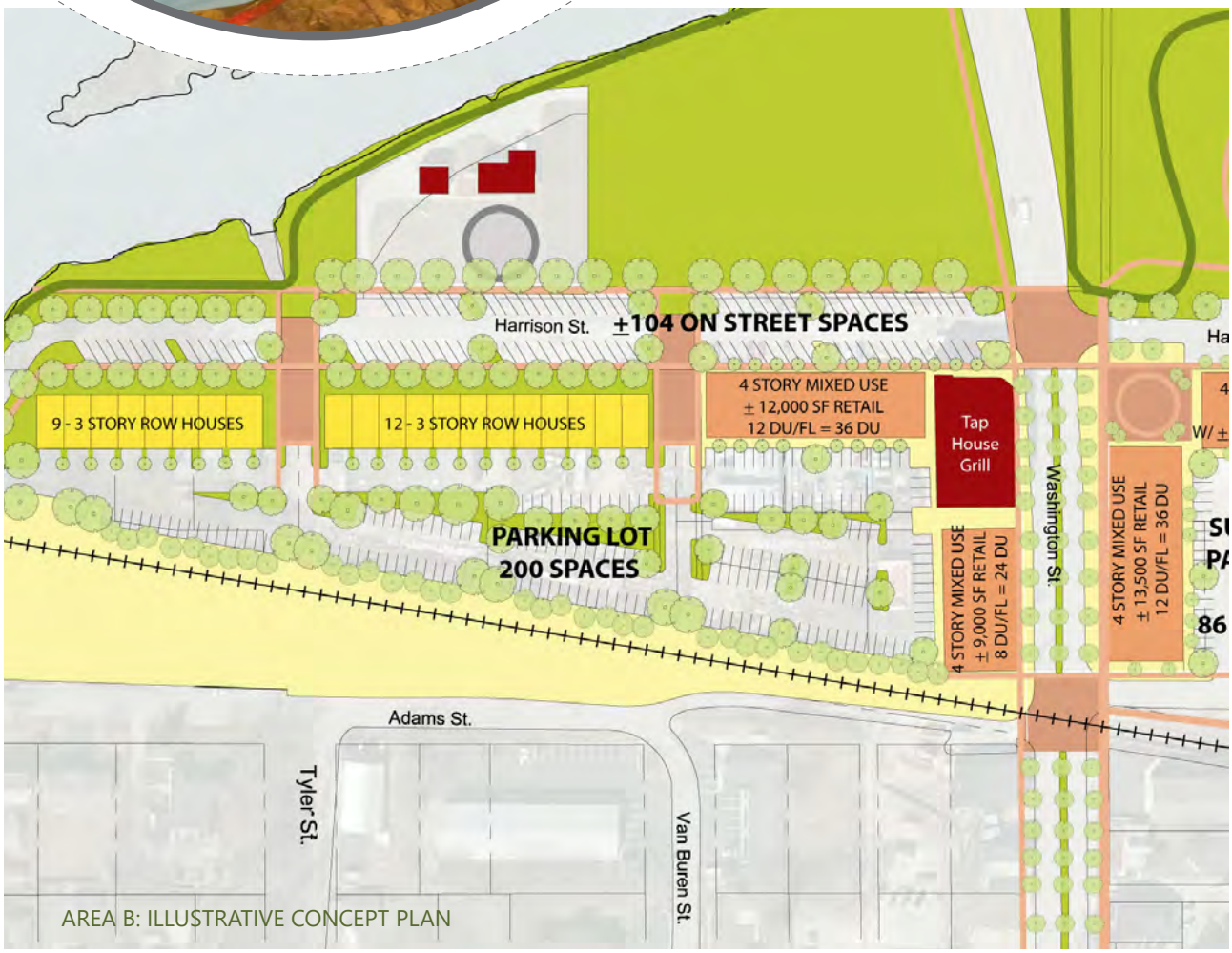
AREA A: ILLUSTRATIVE CONCEPT PLAN



Long Term Development Potential

Area B

AREA B: Area southeast of Washington and Harrison Streets. This area has several existing auto service oriented businesses (auto sales, collision and auto body services). A major anchor is the new three story mixed use building at the corner, with Tap House Grill and other retail below, and office space above.



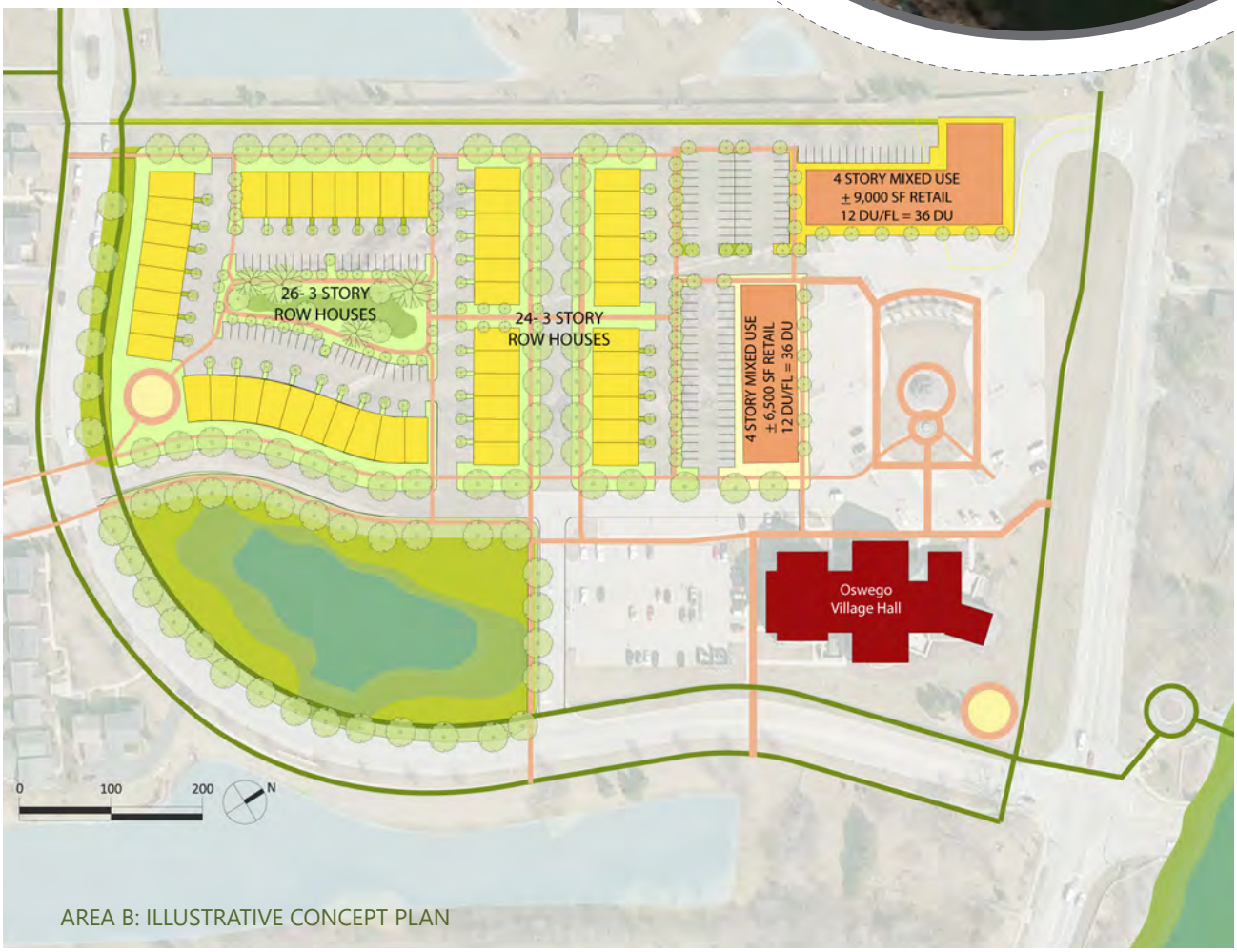
AREA B: ILLUSTRATIVE CONCEPT PLAN

Long Term Development Potential

Area C

AREA C: Area northwest of existing Village Hall. This is approx. 8.0 acres of vacant land that is planned to add new mixed use and residential development closer to the new Village Hall and extend Downtown across the Fox River.





AREA B: ILLUSTRATIVE CONCEPT PLAN

The need for clear

Branding & Signage

Oswego is poised to craft a unique 21st Century identity that is distinct from other suburbs in the Chicagoland region. The 2015 Comprehensive Plan was an opportunity for the community to create the following bold vision that can help shape this identity:

"Oswego will be known as the 21st Century Model for Balanced Growth in the Chicagoland Region. Thousands of acres of farmland will remain untouched, preserving the sense of openness that attracts people to come and live here. New economic growth will be welcomed in areas near downtown and established hubs of activity. This charming riverfront community will have a distinct identity as a Compact Suburb that has it all. A walkable and vibrant downtown. A uniquely natural and accessible riverfront. Quality housing choices for all age groups. A great system of natural areas and parks. An extensive Trail System connecting the Fox River, Downtown and other destinations with neighborhoods. And much more."

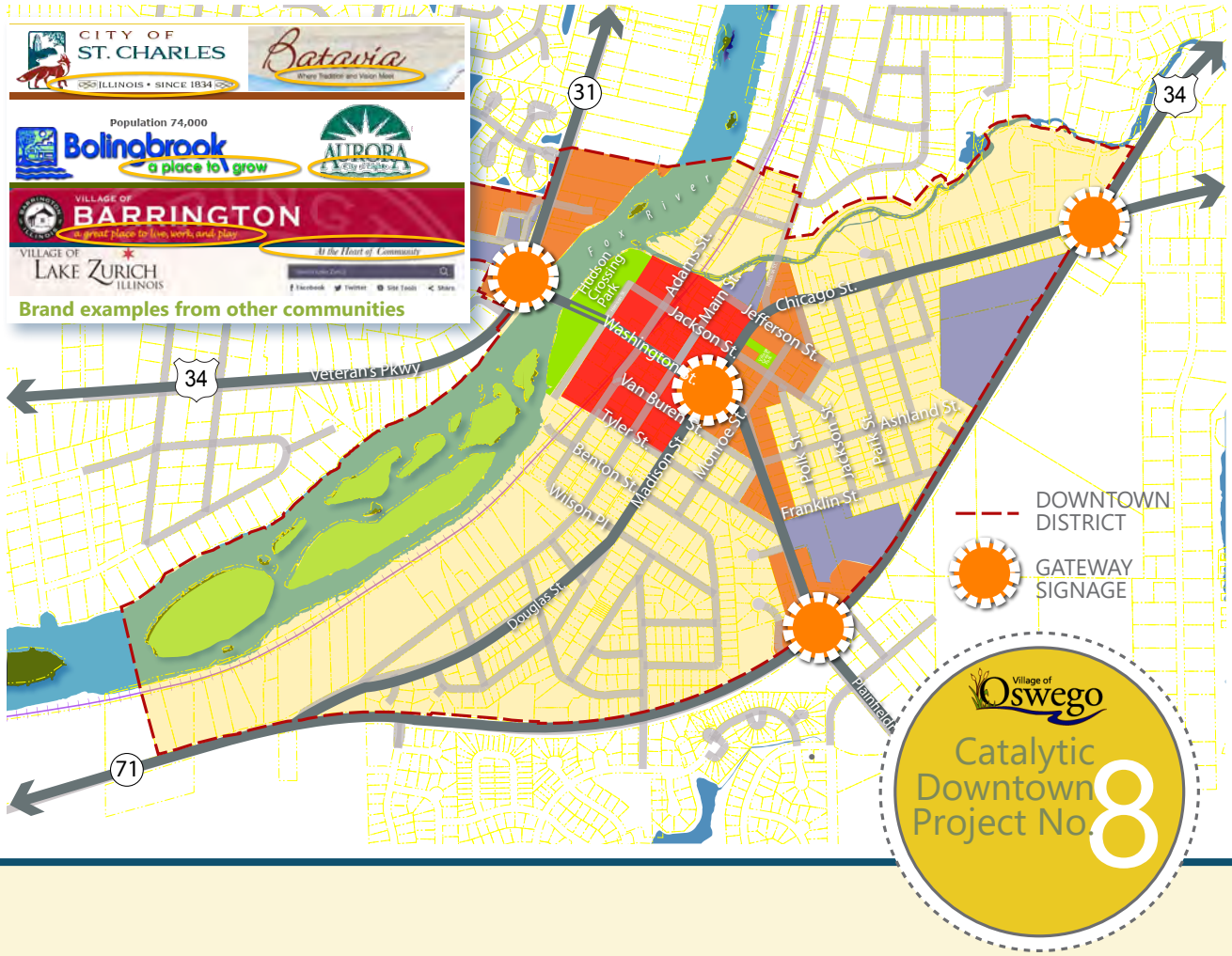
Based on this vision, the following message / brand is suggested:

"Oswego: Bold, Balanced & Bountiful."

Branding Recommendations

- Develop a branding and signage plan with graphics and design elements that can promote the brand with a consistent palette of colors, fonts and graphics that are used in all marketing materials, banners and signage.
- Place wayfinding signage directing to Downtown, the Riverfront, and other local destinations at locations shown below.

Brand examples from other communities



Oswego Bold, Balanced & Bountiful.

Balancing Healthy Economic Growth with Stewardship of Nature

Village of Oswego

A Clear Identity that is Distinct from other suburbs:

"Oswego will be known as the 21st Century Model for Balanced Growth in the Chicagoland Region."

Save the Historic Homes

Being homeowners of an older home close to downtown that we are trying our best to restore, we would hope that any existing buildings and/or homes in or around the downtown area affected by the development ideas would be considered for restoration and use instead of simply being torn down for new.

On behalf of the **Historic Preservation Commission** we wanted to voice our support to include language in the Comprehensive Plan that encourages the preservation of our historic structures in the downtown district and throughout the Village. We are excited at the goals the Comprehensive Plan strives to achieve. These goals closely follow our Historic Preservation Strategic Plan goals that include establishing historic districts and promoting civic pride in the beauty and accomplishments of the past. We appreciate the acknowledgement in the Comprehensive Plan of the important part our historic downtown will play in future growth. We are all invested in the community and would like to ensure the Village and all commissions and committees are working with a cohesive vision.

Our Assets

- Historic Village
- Only sanctioned drag strip in America 1955
- Fox River
- Eagle watching
- Antique shops
- Quaint town for shopping - featuring different stores



Village of Oswego

Community Feedback on Downtown & Identity

A bright future for the **Downtown Oswego** area.

We have long been without a vision for Oswego--something that has caused huge divides for years. People are clear on what they do NOT want to be; however, articulating who we are or who we want to be has been absent. **This plan is bringing new light, ideas and hope for a clearly articulated vision.**

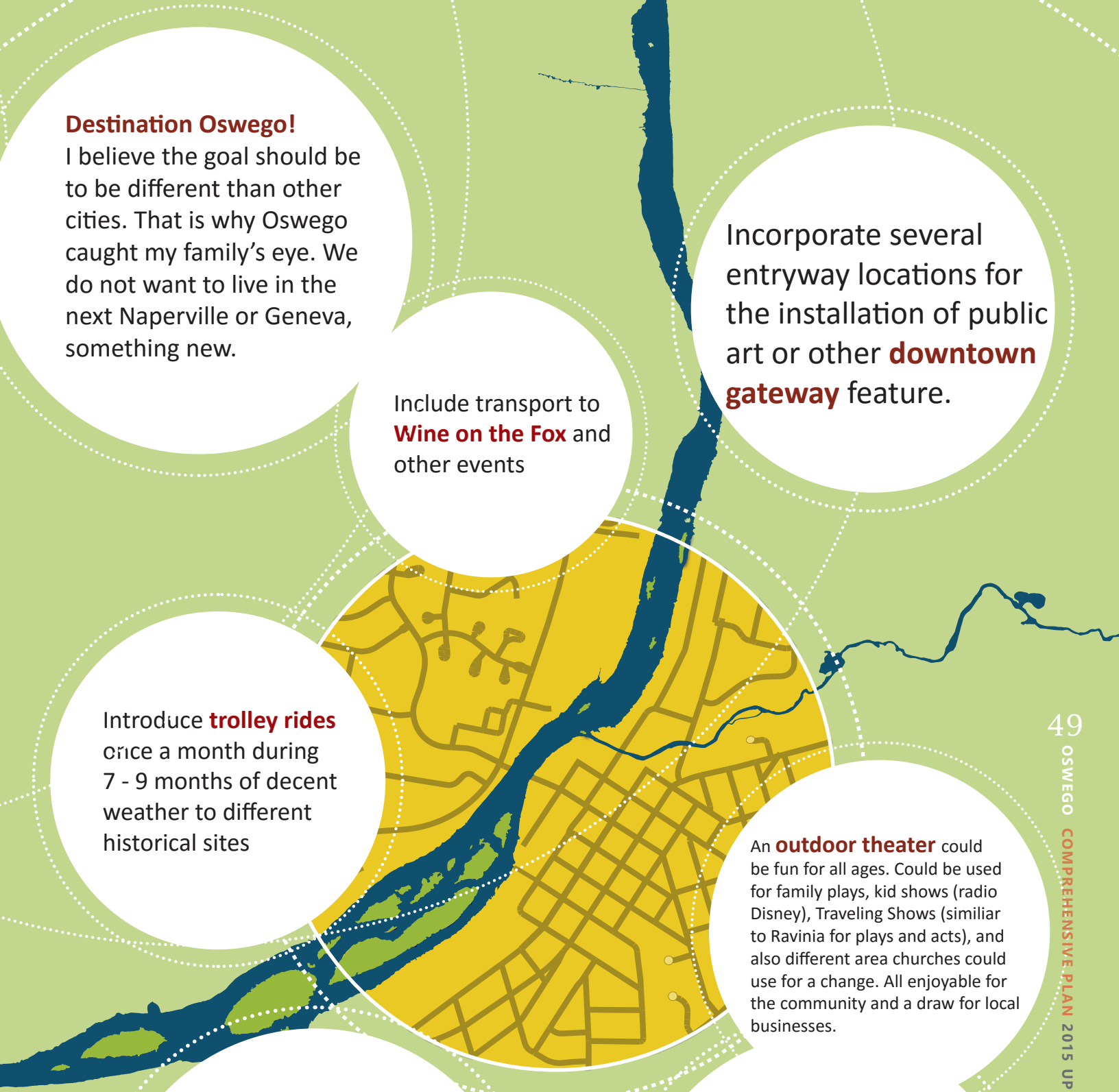
DOWNTOWN TIF

Let's get this done right and implement the TIF as we should have done years ago.

Destination Oswego!
I believe the goal should be to be different than other cities. That is why Oswego caught my family's eye. We do not want to live in the next Naperville or Geneva, something new.

Include transport to **Wine on the Fox** and other events

Incorporate several entryway locations for the installation of public art or other **downtown gateway** feature.



Introduce **trolley rides** once a month during 7 - 9 months of decent weather to different historical sites

An **outdoor theater** could be fun for all ages. Could be used for family plays, kid shows (radio Disney), Traveling Shows (similiar to Ravinia for plays and acts), and also different area churches could use for a change. All enjoyable for the community and a draw for local businesses.

I too see the riverfront and downtown as crucial to define our community. Connectivity throughout the downtown, adaptable mulit-use gathering spaces, and optimally placed retail, housing, and office space together should create an identity we can be proud of.

As an **entryway feature**, the Fox River Bridge would appear to offer an opportunity for decorative lighting or other form of attractive feature as a welcome to downtown: type of statement.









With new housing allowed only in Districts 1, 2 and 3, and over 4,000 acres reserved for farmland to the south, does the 2015 Comprehensive Plan ensure that Oswego can meet the housing demands of the future?





The answer: YES!

Summary of Housing Analysis

This Plan ensures that there is **AMPLE LAND CAPACITY** designated for residential use to meet future housing needs

It advocates a healthy and more diverse mix of housing types for all ages

& directs new multifamily to existing activity centers.



Oswego is estimated to add **11,000 to 15,500** people between **2014 and 2025.**

The 2015 Comprehensive Plan focused on real estate market research into residential and retail markets within Oswego. The Plan provides estimates for market-based forecasts of land demand for residential and retail land uses through 2025. The forecasts are intended to serve as a guide for reasonable allocation of future land uses. The market, demographic and economic data presented provide insight into recent development trends and an initial idea of future residential and retail market potential within Oswego.

Year	Oswego Population
2000	13,326
2010	30,355
2014	33,429
2018 [1]	36,507 - 37,900
2025 [2]	43,944 – 48,346
2040 [3]	69,155

- *Source: US Census, ESRI, CMAP*
- *[1] ESRI Estimate*
- *[2] SB Friedman Forecast, CAGR ranges from 2.8 – 3.8%*
- *[3] CMAP Estimate*

Oswego's Residential Market

Housing Profile

Oswego is located in Kendall County, one of the fastest growing counties in the nation.

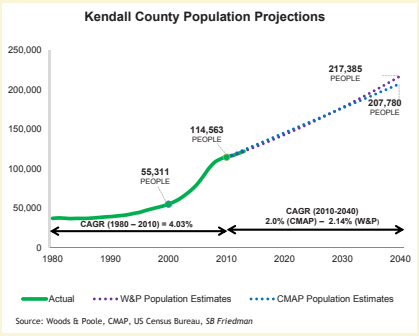
From 1980 to 2010, Kendall County grew at a compound annual growth rate (CAGR) of approximately 4% and is anticipated to grow at a CAGR of approximately 2.0% in the future. Growth in population, in addition to broader economic trends, will continue to drive new residential development in Oswego in the future.

According to census data, Oswego's population as of 2014 is approximately 33,429. According to the most recent projections provided by CMAP, Oswego is projected to add over 35,000 new residents by 2040, nearly doubling in size.

Through analysis of historical housing start activity, interviews with Village staff, and a synthesis of population projections from CMAP, Woods and Poole and ESRI, SB Friedman prepared interim 2025 forecasts for the Village.

According to these forecasts, Oswego is estimated to add between 11,082 and 15,483 people between 2014 and 2025. The population is forecasted to grow at a compound annual growth rate (CAGR) of 2.7% to 3.6% from 2014 to 2025 compared to 7.02% from 2000 to 2014.

Forecasted population growth takes into account a number of growth assumptions including historical population growth, housing starts, household size and vacancy. The household size is anticipated to decrease slightly while vacancy is projected to remain constant. Housing starts are conservatively anticipated to increase from approximately 200 annual starts to approximately 400 to 550 units per year. It is not anticipated that housing starts will reach the frequency achieved during the housing boom, approximately 900 starts annually.



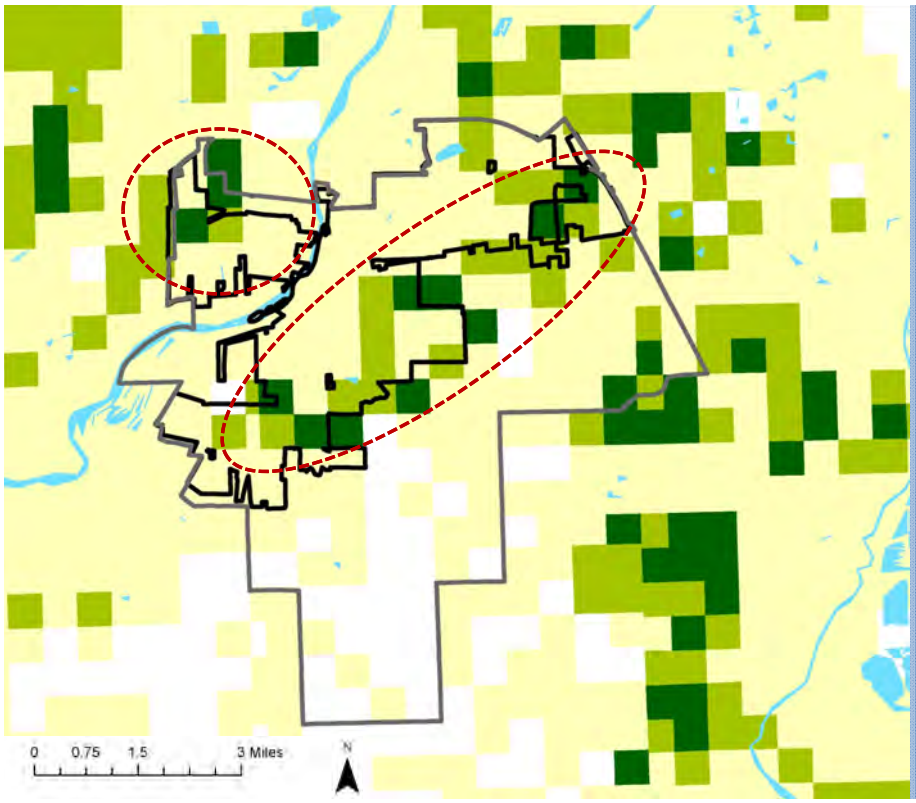
Based on forecasted population distribution data by subzone, produced by CMAP, much of the growth between 2010 and 2040 in Oswego is projected to occur along Oswego's southeastern boundary and near the proposed Metra Station area. This pattern of development reflects CMAP's GoTo 2040 policy goals which prioritizes more compact and infill development over more sparse land intensive development patterns.

Custom cross-tabulations of five-year (2008-2012) American Community Survey (ACS) and Public Use Microdata Sample (PUMS) files were conducted by SB Friedman to obtain Kendall and western Kane County data on housing product (single family, townhome and multi-family) preferences by age and income. Housing preferences and net change in adult population by age were then reviewed to determine how changing demographics may impact housing type preferences. Historically between 2000 and 2014, the most significant growth was among people (predominantly the baby boomer generation) in their family years (35 to 54 years) which drove growth in single family homes (86% of this demographic chooses to live in single family homes). In the future, key demographic shifts will drive the make-up of various life stages and their associated housing choices:

The Millennials (born 1983-2001) are still not yet in the peak home buying age and at least over the next five years a significant percent of this generation will likely continue to rent.

Generation X (born 1965-1982) which is currently in their family years (the peak single family home buying age) is a smaller generation in terms of size (than the preceding the boomer generation) as compared to Baby Boomers and therefore will likely lead to less single family home demand.

Baby boomers (born 1946-1964) will continue to age and while most may choose to age in place there will be need for multi-family senior housing product including Independent Living, Assisted Living and Continuing Care.



Much of the growth in Oswego is projected to occur along Oswego's southeastern boundary and near the proposed Metra Station area

Source: CMAP, *SB Friedman*

Oswego Growth Assumptions

		Population		Housing Starts		Household Size	Vacancy
		Low	High	Low	High		
Forecasted	2014	32,863	32,863	190	190	3.08	3%
	2015	33,429	33,429	250	300	3.05	3%
	2016	34,169	34,317	300	400	3.03	3%
	2017	35,049	35,491	350	500	3.00	3%
	2018	36,068	36,946	400	600	2.98	3%
	2019	37,222	38,677	400	600	2.95	3%
	2020	38,367	40,394	400	600	2.93	3%
	2021	39,502	42,096	400	600	2.90	3%
	2022	40,627	43,784	400	550	2.88	3%
	2023	41,742	45,318	400	550	2.85	3%
	2024	42,848	46,838	400	550	2.83	3%
	2025	43,944	48,346	400	550	2.80	3%
	Net Change	**11,082**	**15,483**				

Oswego is forecasted to add between 11,082 to 15,483 people between 2014 - 2025

Forecasted to grow at a compound annual growth rate (CAGR) of 2.7% to 3.6% from 2014 to 2025 compared to 7.02% from 2000 to 2014.

This translates to 400 to 550 units per year (compared to 900 starts annually during the housing boom)

Projected Housing Growth

Based on the forecasted population growth it is estimated that Oswego will add approximately **4,500 to 5,900** new residential units by 2025.

This forecast is based on 2012 to 2025 change in households assumptions based on SB Friedman growth estimates. SB Friedman utilized the CMAP Envision Tomorrow Balanced Housing Model based on national trends and adjusted it add a localized (Kendall, Western Kane and SW Will) housing preference component by age and income.

Based on the adjusted model, it is anticipated that new development will account for changing demographics and consist of a greater proportion of townhome and multi-family housing options. Demographic shifts and associated housing preferences in the future indicate a demand for a greater diversity of housing products.

Approximately 19% of new development between 2012 and 2025 is anticipated to be townhome development and 17% to 19% of new development is projected to be multi-family development. Single family homes will still be the largest product type, accounting for approximately 62% to 65% of new residential development.

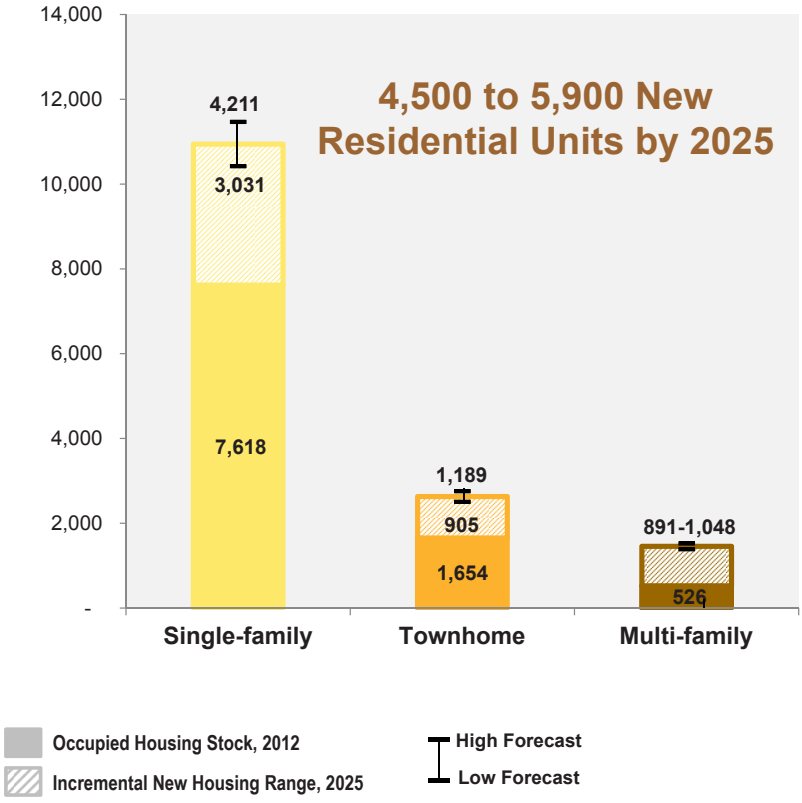
HISTORICALLY…

- *Most significant growth was among family years, driving growth in single family homes*

IN THE FUTURE…..

- *Demographic shifts and associated housing preferences indicate a demand for a greater diversity of housing products:*
- *High-growth senior population*
- *Greater demand for senior housing products: Independent Living, Assisted Living and Continuing Care*
- *Decreasing family years demographic*
- *Likely to lead to less demand for single family homes*

Oswego Housing Market Forecast (2012-2025)



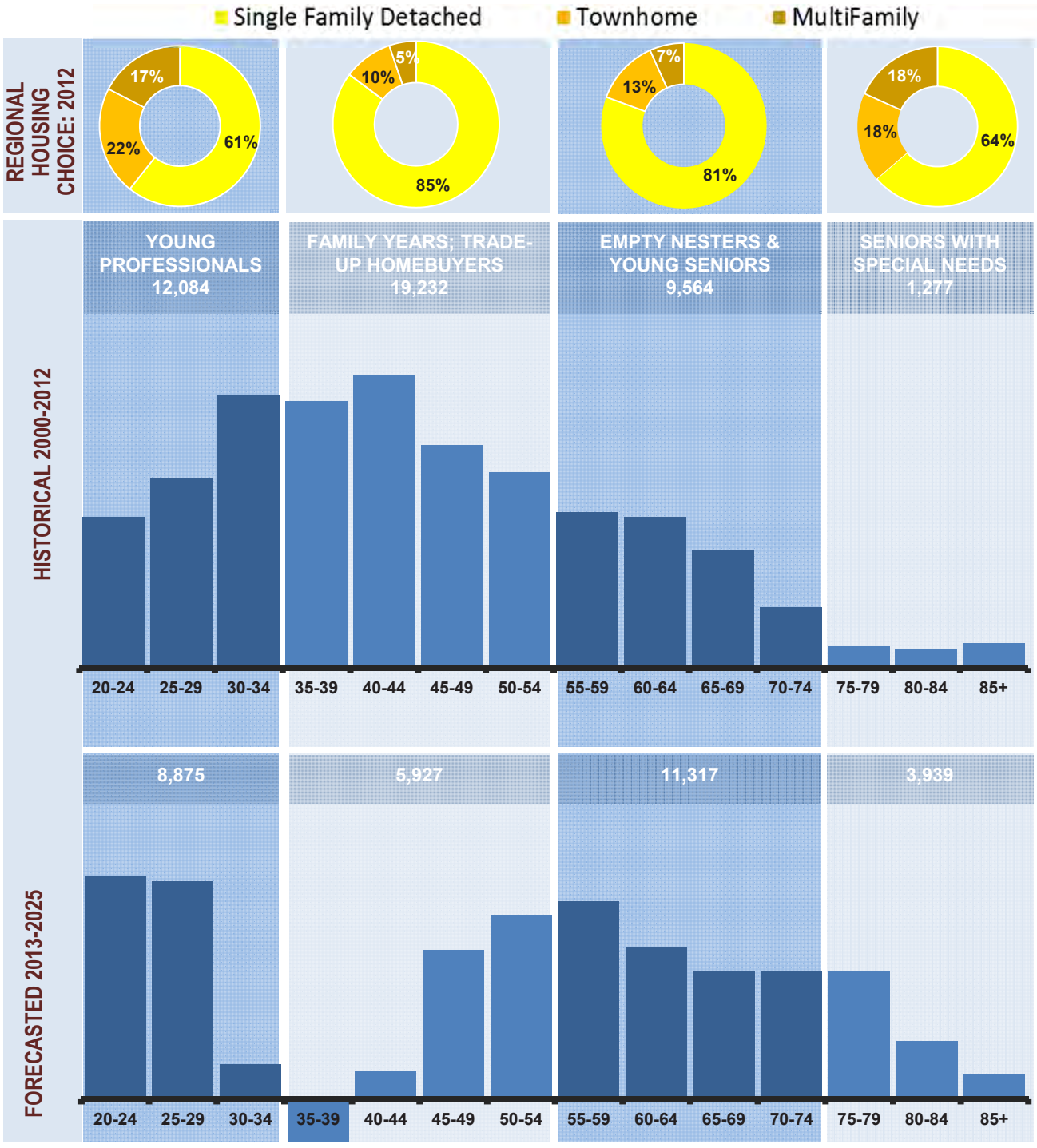
Projected Demand by Type of Unit

	2012 Housing Mix	New Development Mix (2012 – 2025)		Future Housing Mix (2025)
		Low	High	
Single-family	78%	62%	65%	73%
Townhome	17%	19%	19%	18%
Multi-family	5%	19%	17%	10%

Forecasts Assumptions:

- 2012 – 2025 change in households based on SBF estimate
- Housing type forecast range based on:
  - CMAP Envision Tomorrow Balanced Housing Model
  - SB Friedman model based on regional householders' preferences for housing type by age and income

Kendall County Housing Preferences & Net Change in Adult Population by Age



Source: Woods & Poole, CMAP, US Census Bureau Public Use Microdata Sample, SB Friedman





Oswego is forecasted to add between **11,082 to 15,483 people between 2014 - 2025** & to grow at a compound annual growth rate (CAGR) of **2.7% to 3.6%** from 2014 to 2025 compared to 7.02% from 2000 to 2014.

This translates to **400 to 550 units per year**, compared to 900 starts annually during the housing boom.

The 2015 Comprehensive Plan analysis provides the following Housing Projections (see pages # to # for full analysis):

Projected Demand
4,500 to 5,900 New Residential Units by 2025

Projected Demand for New Housing by Housing Type

Single-family	**62%-65%**
Townhome	**19%**
Multi-family	**17%-19%**

Projected Demand for New Multifamily Housing

TOWN HOMES	**905 – 1,189 approx.**
APT/CONDO	**891 – 1,048 approx.**
TOTAL	**1,796 – 2,237 approx.**

Offering more Housing Choices for all

Planned Capacity to meet Demand

Single Family Homes

There is significant capacity in District 2 and 3 to accommodate over **8,000 to 16,000 new single family homes** to meet near term and long term growth.

Multifamily Homes

New Multifamily should be directed to the following areas:

- New Multifamily units in developments already planned or underway
- Downtown Oswego & Village Hall Area
- Orchard Road, within 10 minute walk of the future Train Station
- Existing activity centers, including Route 34 Retail, schools, civic centers etc.

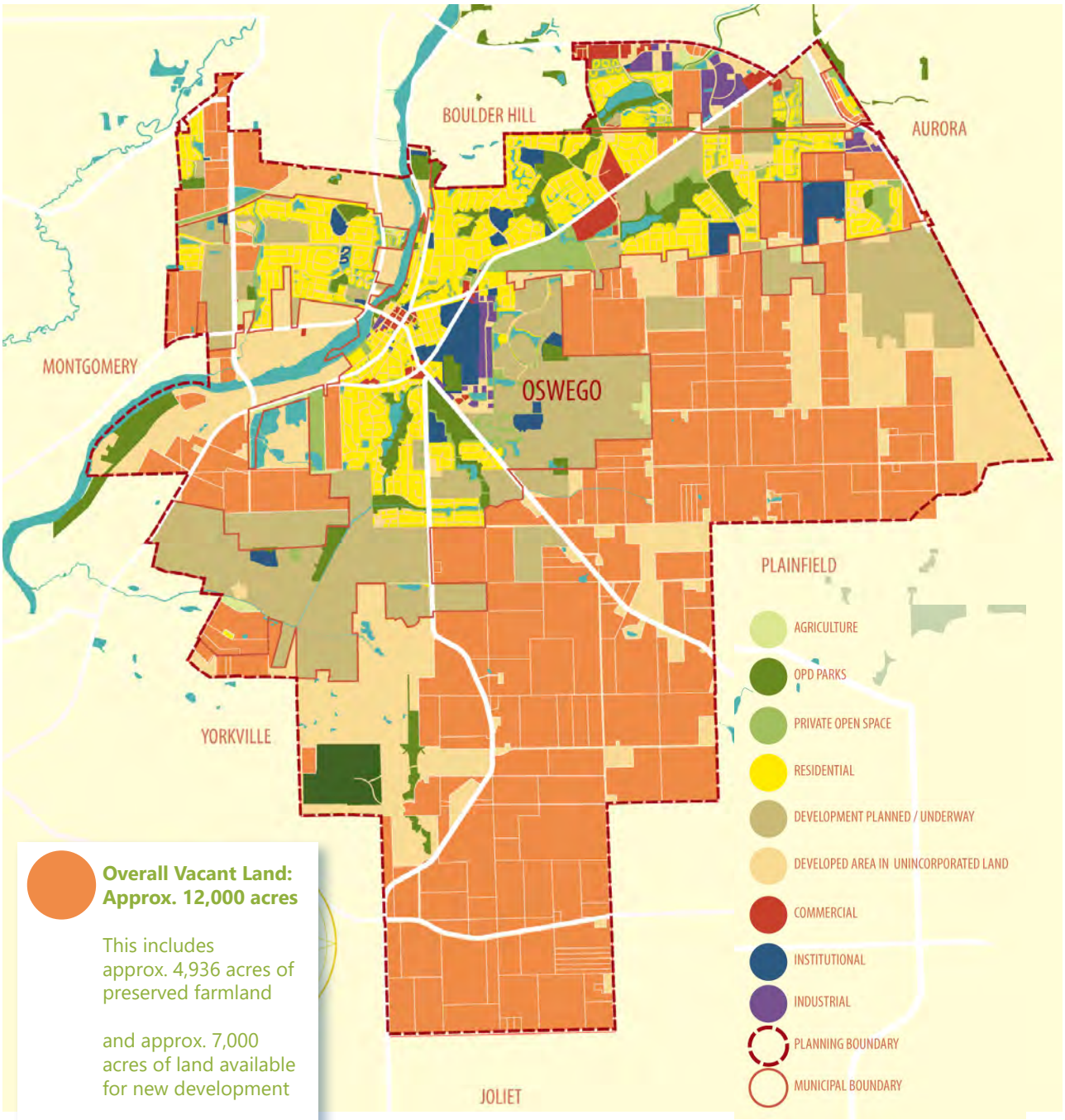
MULTIFAMILY UNITS (APPROX.) IN DEVELOPMENTS PLANNED OR UNDERWAY

Ashcroft Walk	210 townhomes
Hummel Trails	230 apartment/condos
Parksmith Run	88 townhomes
Pine Ridge Club	117 condos
Keck Farm	163 townhomes
Seasons at Southbury	162 townhomes
Southbury Townes	105 townhomes
Tuscany Station	346 apartments
Hudson Pointe	150 townhomes and 312 apartments (could be flex to single family)
TOTAL	**1,421 to 1,883 Units approx.**

MULTIFAMILY UNITS ESTIMATED IN POTENTIAL NEW DEVELOPMENTS

ESTIMATE OF MULTI-FAMILY UNITS IN DISTRICT 1 & 2				
LOCATION	NUMBER OF MULTI-FAMILY DWELLING UNITS			
	TOWNHOMES	CONDOS	APARTMENTS	TOTAL
Hudson Pointe	150		312	462
Tuscany Station			146	146
Alexander L.Y. Site	16	96		112
Harrison Street South	21	60		81
Village Hall Area	50	90		140
Total M.F. Dwelling Units	237	246	458	941

TOTAL CAPACITY FOR MULTIFAMILY UNITS (PLANNED, UNDERWAY AND POTENTIAL: APPROX. 2,300 TO 2,700 UNITS



Overall Vacant Land: Approx. 12,000 acres

This includes approx. 4,936 acres of preserved farmland

and approx. 7,000 acres of land available for new development

DISTRICT	GROSS AREA (ACRES)	DENSITY D.U./AC MIN	DENSITY D.U./AC MAX	GROSS DEVELOPABLE AREA	NO. OF UNITS BASED ON GROSS ACREAGE MIN	NO. OF UNITS BASED ON GROSS ACREAGE MAX	NET BUILDABLE ACREAGE (70% OF GROSS)*	NO. OF UNITS BASED ON NET ACREAGE MIN	NO. OF UNITS BASED ON NET ACREAGE MAX	POPULATION FROM SINGLE FAMILY HOMES** MIN	POPULATION FROM SINGLE FAMILY HOMES** MAX
DISTRICT 1	529										
DISTRICT 2	13,170	2	3	2,466	4,932	7,399	1,726	3,453	5,179	10,945	16,418
DISTRICT 3	8,887	2	2	4,587	6,880	9,174	3,211	4,816	6,422	15,267	20,356
DISTRICT 4	4,936	0	1	0	0	0	0	0	0		
TOTAL	27,523			7,053	11,813	16,572	4,937	8,269	11,601	**26,212**	**36,774**









With major new retail development allowed only in District 1 (Downtown) and District 2, leaving District 3 for single family homes and District 4 for farmland, does the 2015 Comprehensive Plan ensure that Oswego can meet the Retail demands of the future?

The answer: YES!

This Plan ensures that there is **AMPLE LAND CAPACITY** designated for new retail development to meet the projected demand for the future.

This plan advocates directing major new car oriented retail to already established centers where there is still significant vacant land, and pedestrian oriented retail to Downtown Oswego.

Summary of Retail Analysis





The 2015 Comprehensive Plan Retail Market Analysis focused on the following elements:

1. Understanding the spatial distribution of competitive retail and establishing realistic trade areas that extend beyond community boundaries.

2. Reconciling current demand and supply with the trade area.

3. Using population forecasts to estimate net new demand for retail and the supportable square of retail within the community by 2025.

4. Converting supportable square feet of retail into reasonable estimates of market based land demand needed to accommodate the demand.



Oswego's Retail Market

Community Analysis

Existing Supply

Oswego is a major retail destination. Oswego currently has over 2.8 million square feet of retail. Approximately 1.8 million square feet of retail has been added since 2000, representing approximately 62% of the total retail stock. There are a number of retail typologies present within Oswego including Power Centers, Community Centers and other retail including Downtown, Neighborhood Center, Strip Center and Freestanding. The primary typologies within Oswego are Power Centers (1.5 million sf) and Other Retail (1.2 million sf). Mall and lifestyle centers are missing retail typologies in Oswego.

Oswego has three primary retail clusters. These clusters are outlined below:

1. US Route 34

This is Oswego's primary shopping destination consisting of power centers and larger community centers. There is approximately 1.8 million square feet of retail, with 13% vacancy. Major tenants include Wal-Mart Supercenter, Kohls, Home Depot, Target, Party City, Office Max, Dick's Sporting Goods, Best Buy, Meijer, Michael's, Bed Bath and Beyond, and Old Navy

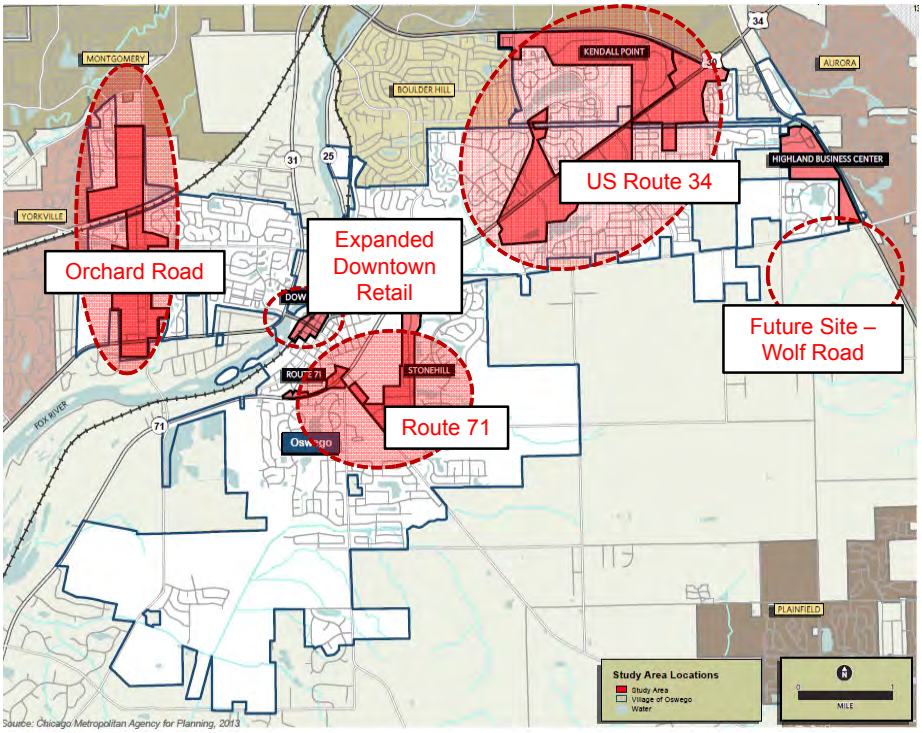
2. Orchard Road

Orchard Road provides neighborhood retail options. This node has approximately 250,000 square feet of retail space and 6.5% vacancy. Major tenants include Jewel-Osco, several smaller-scale neighborhood centers that include a bank, insurance agency, hair salon, pizzeria, and medical practices.

3. Route 71

This node provides approximately 55,000 square feet of convenience retail with approximately 13.3% vacancy. Tenants include Holmes Automotive Repair and First Place Rental.

It is anticipated that there will be future retail nodes at Route 30 and Wolf Road, in addition to a growing retail presence in Downtown. For Downtown Retail opportunities, see Downtown Oswego, pages #-#.



Source: CoStar, CMAP, *SB Friedman*

US Route 34 – Power Center

RBA –1,800,000 sf
Vacancy – 9.7%
Tenants – Wal-Mart Supercenter, Kohls, Home Depot, Target, Party City, Office Max, Dick's Sporting Goods, Best Buy, Meijer, Michael's, Bed Bath and Beyond, and Old Navy

Orchard Road – Community and Neighborhood

RBA – 258,000 sf
Vacancy – 6.5%
Tenants – Jewel-Osco, several smaller-scale neighborhood centers that include a bank, insurance agency, hair salon, pizzeria, and medical practices.

Route 71 - Convenience

RBA – 55,000 sf
Vacancy – 13.3%
Tenants – Holmes Automotive Repair and First Place Rental.

Future Retail Nodes at:

- **Route 30 and Wolf Road**
- **Downtown**

Mall & Lifestyle Centers

Regional or Super-Regional Mall

- Typically enclosed
- Anchored by 2+ full-line department stores

400,000-1,000,000+ sf



Lifestyle Center

- Upscale national-chain specialty stores
- Dining & entertainment
- Outdoor setting

250,000-500,000 sf



Regional Retail Clusters

Power Center

- 3+ category-dominant freestanding anchors of at least 20,000 sf

250,000- 600,000 sf



Community Center

- General merchandise and convenience-oriented
- Includes apparel/soft goods

125,000-400,000 sf



Other Retail

Downtown

- First-floor or standalone

< 20,000 sf



Neighborhood Center

- Convenience-oriented center
- Grocery anchor

30,000-125,000 sf



Strip Center

- Small convenience center with goods and services
- Limited trade area

< 30,000 sf



Freestanding

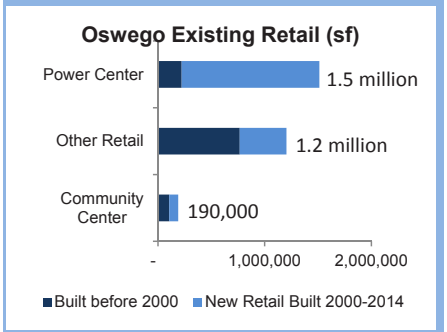
- Standalone stores
- Often owner-occupied

5,000-150,000+ sf

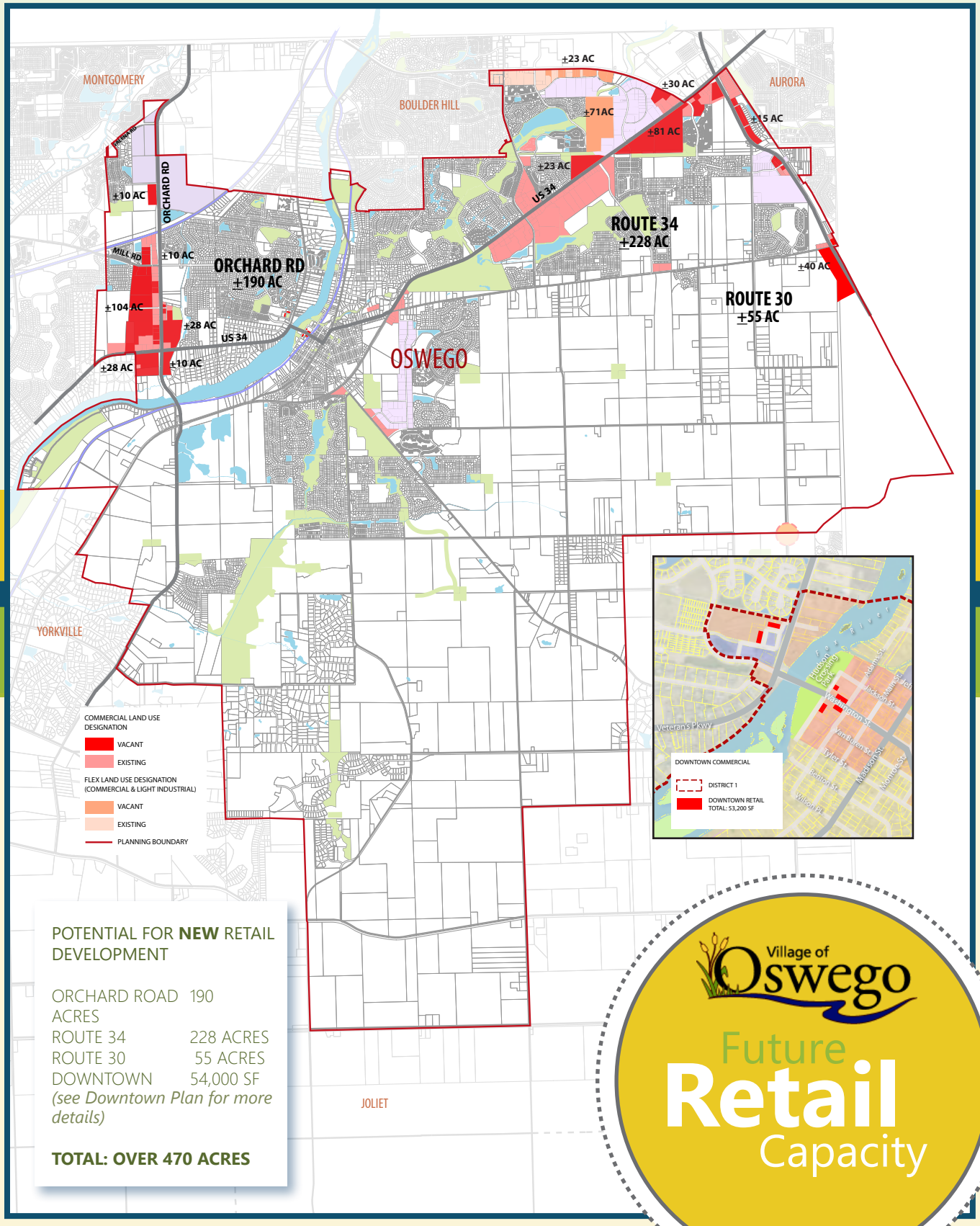


Based on International Council of Shopping Centers retail classifications

- Oswego has over **2.8 million sf** of retail
- **1.8 million sf** built since 2000 (62% of total)
- Mall and lifestyle centers are missing typologies in Oswego



Source: International Council of Shopping Centers, CoStar, SB Friedman



POTENTIAL FOR **NEW** RETAIL DEVELOPMENT

ORCHARD ROAD	190 ACRES
ROUTE 34	228 ACRES
ROUTE 30	55 ACRES
DOWNTOWN	54,000 SF

(see Downtown Plan for more details)

TOTAL: OVER 470 ACRES

Village of Oswego

Future Retail Capacity

Competition Assessment

Oswego has a major retail Presence in a highly competitive environment. Retail in the region is concentrated around major clusters including:

North Aurora Cluster

Major tenants include Home Depot, Office Depot, Target, JC Penney and a number of auto dealers including Riverfront Chrysler, Dodge Jeep, and Fox Valley Ford.

Chicago Premium Outlets

Luxury brands like Armani, Calvin Klein, Coach, Cole Haan, Elie Tahari, Lacoste, Polo Ralph Lauren, Michael Kors, and more. The Premium Outlets is currently undergoing a $110 million expansion to add an addition 290,000 square feet of retail space.

Fox Valley/IL-59 Naperville Cluster

This cluster consists of the Westfield Fox Valley Mall and the proposed Fountain Pointe Lifestyle Center. Additional major tenants include Costco, Whole Foods, Marshalls, Burlington Coat Factory, Bed Bath & Beyond and Office Depot

Bolingbrook Cluster I

This cluster consists of the Promenade Bolingbrook lifestyle center and other major tenants such as Macy's, Bass Pro Shops, IKEA and Meijer

Bolingbrook Cluster II

Major tenants include Kohl's, Marshalls, Lowes, Meijer, Best Buy, and Home Depot.

Naperville Crossings & IL-59 Cluster

AMC Showplace Cinema and restaurants

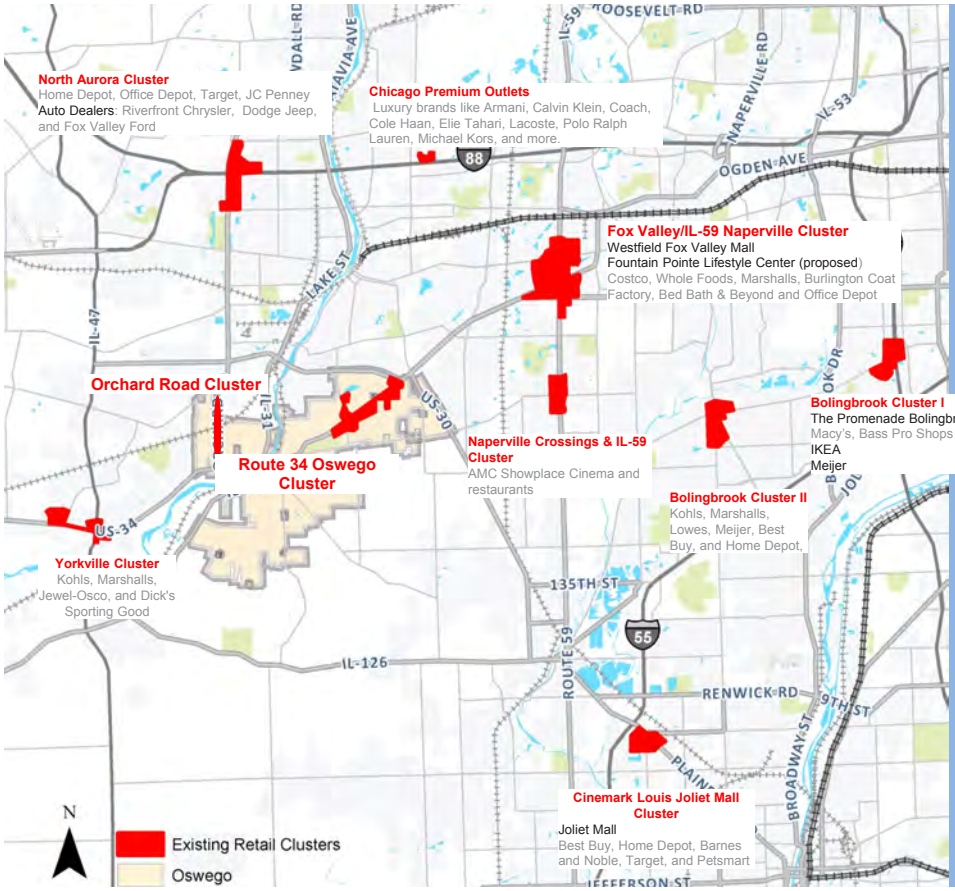
Yorkville Cluster

Major tenants include Kohl's, Marshalls, Jewel-Osco, and Dick's Sporting Good

Cinemark Louis Joliet Mall Cluster

This clusters contains the Joliet Mall and tenants such as Best Buy, Home Depot, Barnes and Noble, Target, and PetSmart

To project the amount of supportable retail square footage in Oswego, SB Friedman estimated the appropriate trade area.



Oswego Has a Major Retail Presence in a **Highly Competitive** Environment

Retail in the region is concentrated around major clusters

Trade Area Methodology Determination

Retail development relies on market areas that are not necessarily defined by political boundaries. The Trade Area boundary is defined such that it encompasses the major retail clusters in Oswego but specifically accounts for the key competitive regional retail clusters identified in the prior section. The Trade Area was defined based on drive times from key Oswego retail nodes (assuming a 5-minute drive time for the Orchard Rd. corridor and downtown Oswego and a 10-minute drive time for the Route 34 corridor), natural barriers and transportation networks, and lines of equidistance between competitive retail nodes (drawn such that a consumer on the line between two retail nodes is equidistant from both nodes). The Trade Area has been adjusted to account for a new retail clusters located at Wolf Road and Route 30 which would redefine trade areas.

Because the Trade Area is defined based on drive times and accounts for competition a consumer just outside the boundary of the Trade Area is likely to find a regional retail cluster outside the trade area that is in closer proximity to the retail clusters within Oswego. Conversely a consumer within the trade area will likely patronize stores within the Trade Area because these store would be most proximal and only venture out of the Trade Area for store types that are missing or under-represented within the trade area. This approach to Trade Area definition therefore allows for identification of specific categories of retail that are missing or under-represented within it.

Trade Area Demographics

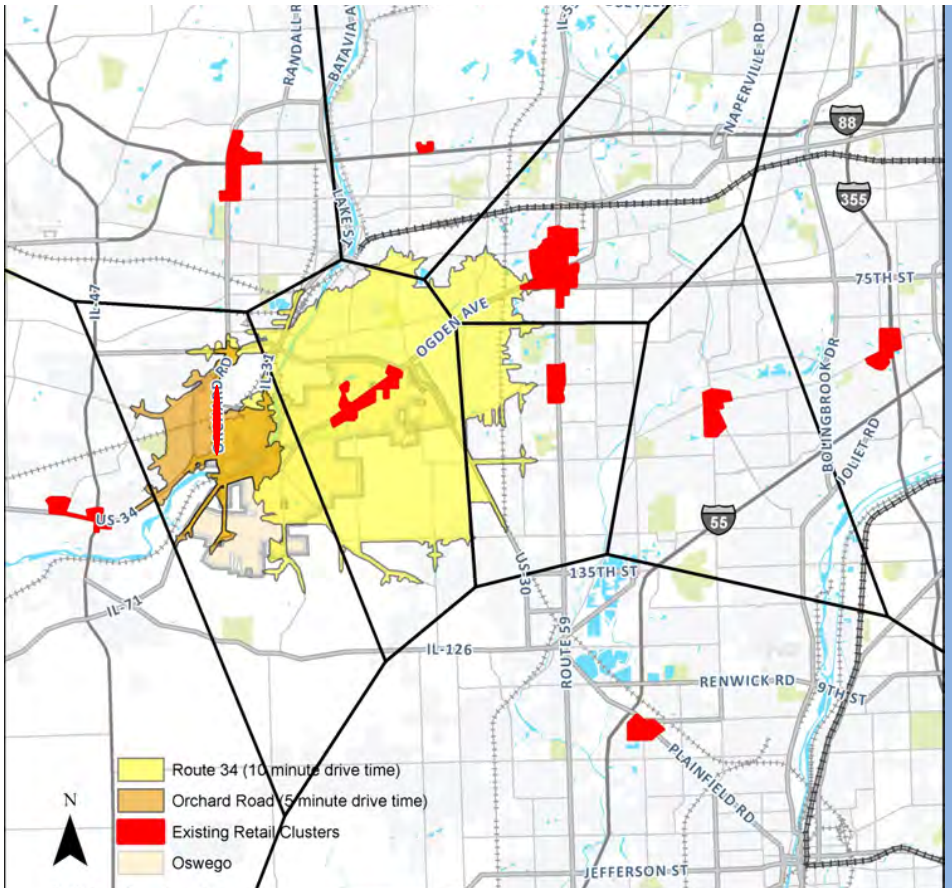
The following market demographics form the foundation for the retail market assessment in subsequent sections. The trade area consists of approximately 72,000 people. It is a fast growing area of the region, with approximately 4.2% CAGR from 2000 to 2014. Since 2000, the trade area has added approximately 57,000 people.

The Trade Area per capita spending is less than Oswego ($12,500 versus $15,000). This accounts for more densely populated regions with lower incomes located to the north of Oswego.

Table 1: Trade Area Demographics and Spending Potential (2014)

Population	72,356
Net Population Change (2000-2014)	56,901
Total Per Capita Retail Spending	$12,462
Percent online sales	8%

Source: ESRI, SB Friedman



Regional Cluster Trade Areas

The key retail clusters have been used to form trade areas.

Trade areas are based on drive times from key Oswego retail nodes and lines of equidistance* between nodes.

*A consumer on a black line between two retail nodes is equidistant from both nodes

Trade Area Supply

The Trade Area has approximately 4.9 million square feet of retail space with 60% of all retail within the Trade Area located within Oswego. Nearly 2.4 million square feet of new retail space has been built since 2000 with 76% of new retail development since 2000 occurring within Oswego.

Trade Area Demand

There are two primary generators of future retail demand in Trade Area: capture of existing retail leakage and projected population growth and associated spending.

1. Capture of existing retail leakage.

SB Friedman utilized data from ESRI Business Analyst to estimate the retail gaps in the Trade Area. These data are broken down by employment sub-sectors using the North American Industrial Classification System.

The trade area's total forecasted retail leakage is $596 million dollars. Trade area retail leakage has been adjusted for mall and outlet sales which tend to be much larger. It is assumed that existing malls will continue to remain as major draws and no new regional mall will be developed in the region. The largest categories of retail leakage include Motor Vehicle and Parts Dealers, Food & Beverage Stores, Gasoline Stations, Food Services and Drinking Place and Health and Personal Care stores.

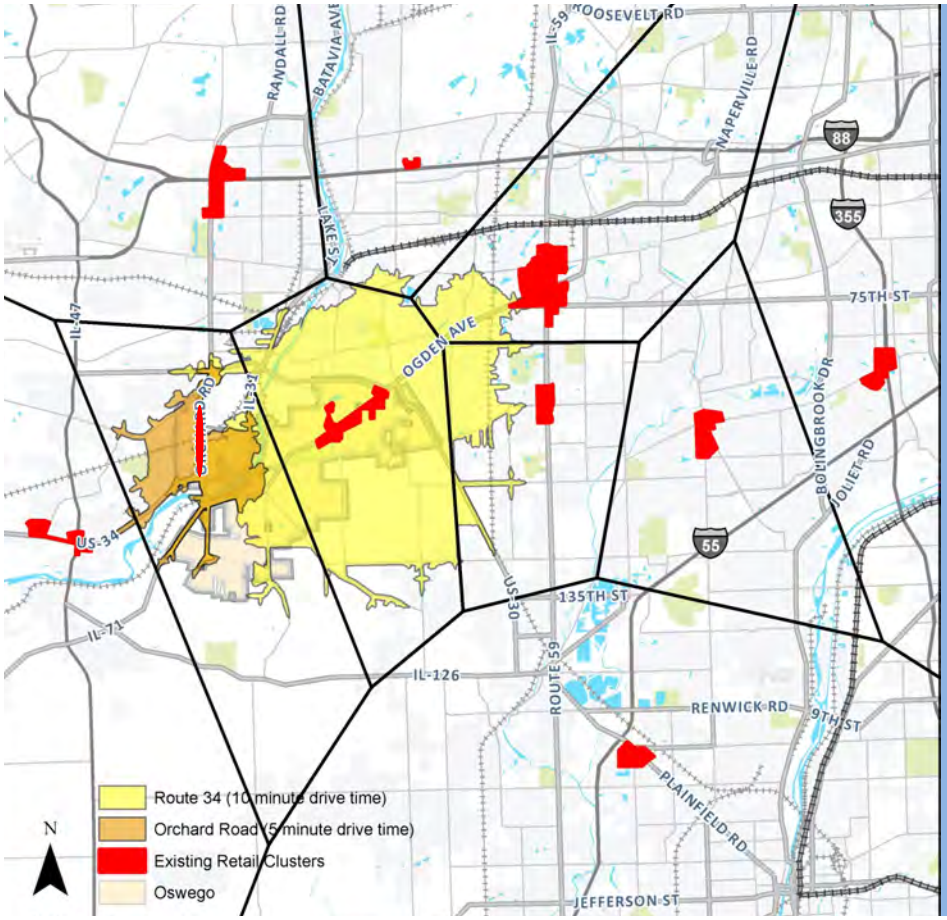
2. Projected population growth and associated spending.

Using data from CoStar and ESRI Business Analyst, SB Freidman estimated that the population growth of 31,000 to 40,000 people is projected to generate $340 to $436 million in retail demand within the Trade Area. This is based on a 2025 per capita retail spending estimate of approximately $10,853, after adjusting for mall and outlet spending and non-store retailers. The total per capita retail sales is expected to increase but retail e-commerce will capture a significant share of growth (16%).

Table X: Projected Per Capita Spending

Total 2014 Per Capita Sales	12,461
Projected 2025 Per Capita Sales	14,175
Deduction for Malls, Lifestyle & Outlet Sales	(1,010)
Deduction for Non-store Retailers (16% of total sales)	(2,311)
Projected 2025 Per Capita Sales Net of Mall Sales and Non-store Retailers	$ 10,853
Trade Area Population Growth through 2025	31,334 – 40,181
Total Estimated Spending Potential from New Population Growth	**$340 - $436 million**

Source: ESRI, *SB Friedman*

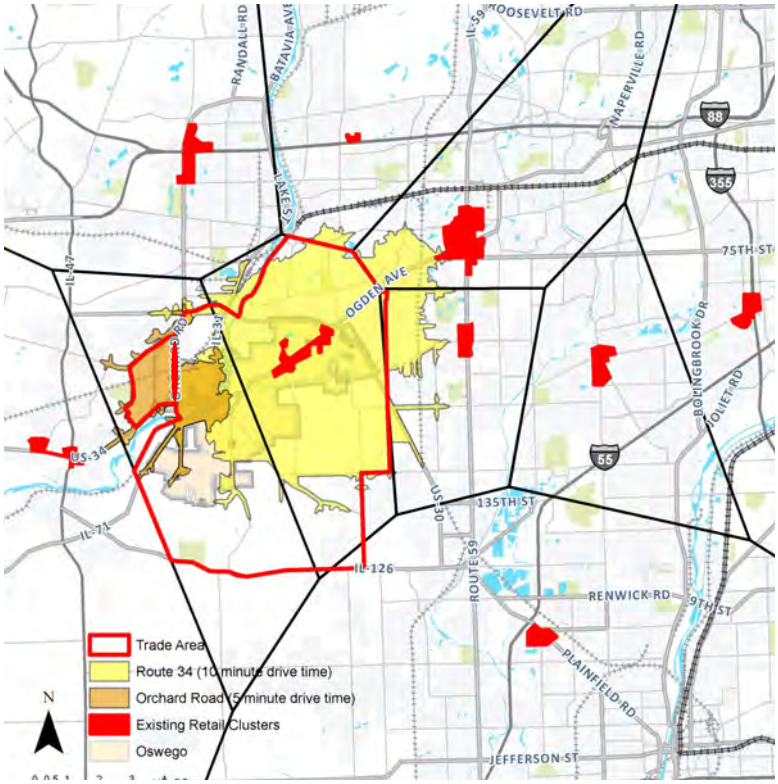


Regional Cluster Trade Areas

The key retail clusters have been used to form trade areas.

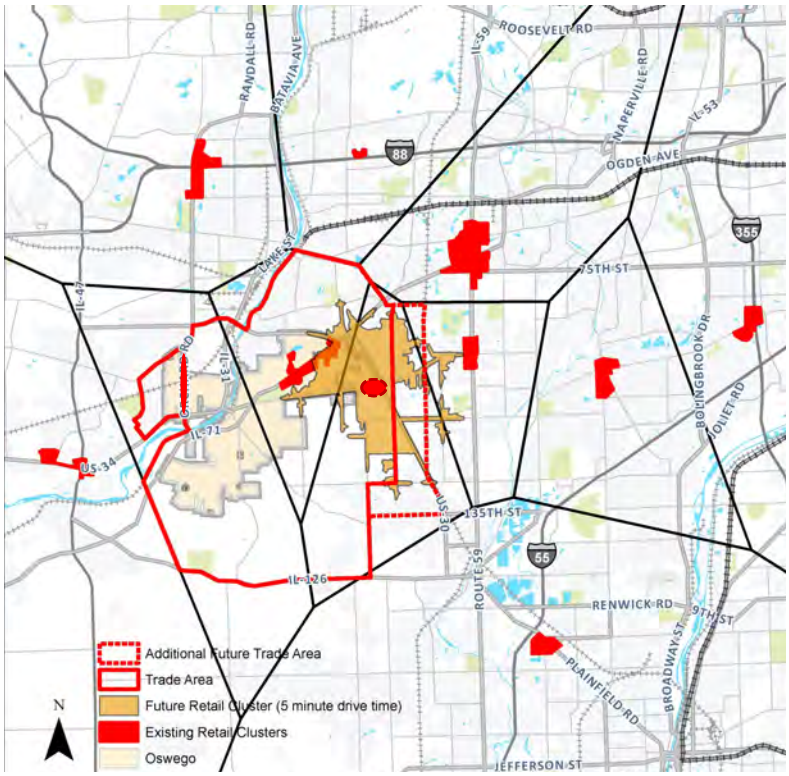
Trade areas are based on drive times from key Oswego retail nodes and lines of equidistance* between nodes.

*A consumer on a black line between two retail nodes is equidistant from both nodes



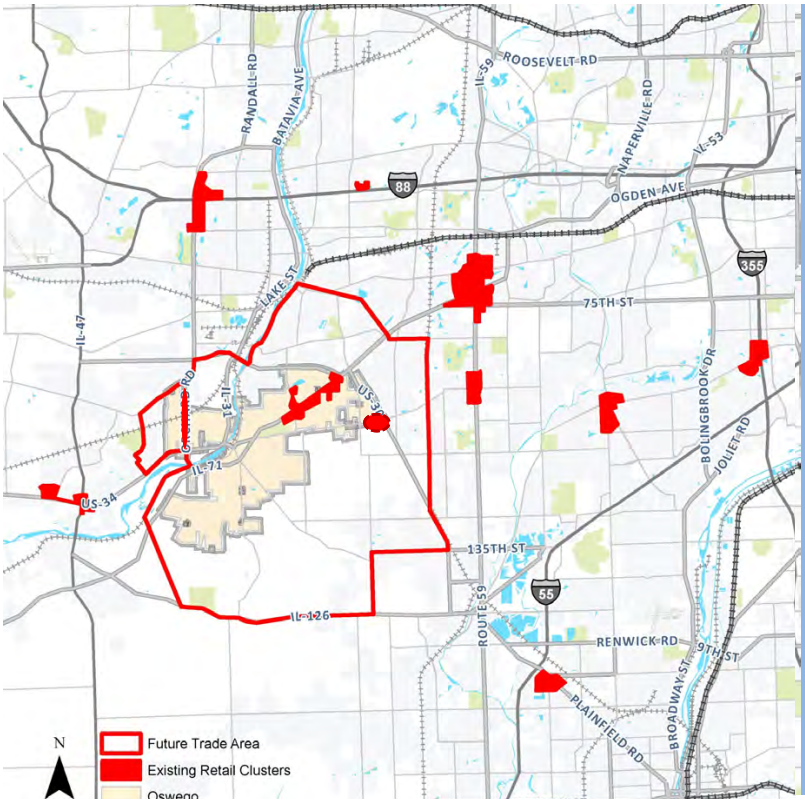
Oswego's Trade Area

Based on drive times, lines of equidistance, natural barriers and transportation network.



Future Retail Cluster and Adjusted Trade Area

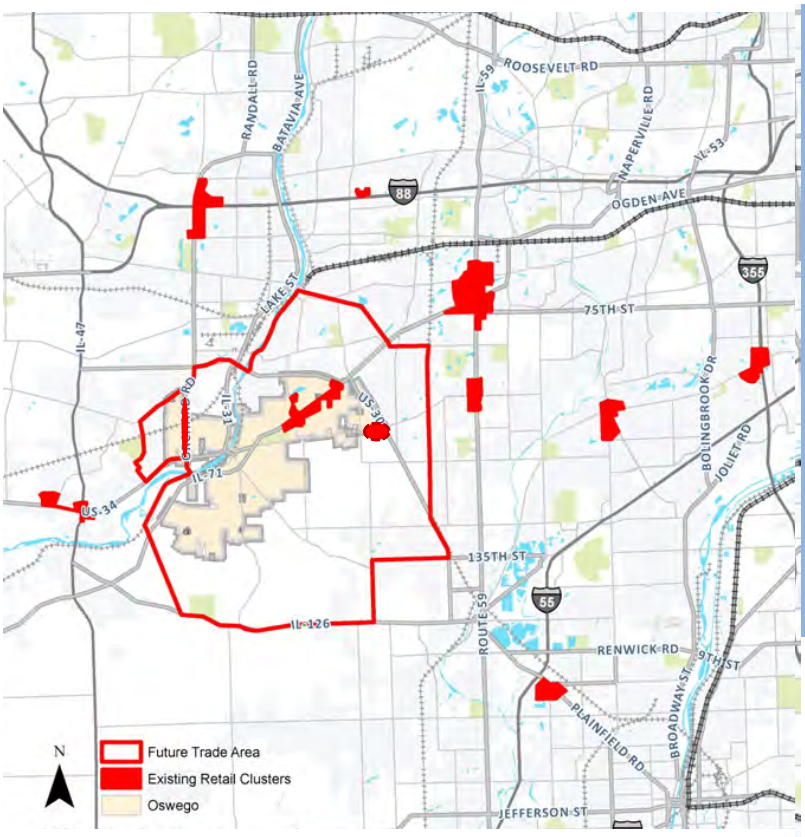
A new retail cluster would redefine trade areas



Trade Area Demographics and Spending Potential

- Fast growing area of the region (4.2% CAGR from 2000 to 2014)
- Trade Area per capita spending is less than Oswego ($12,500 versus $15,000)

Trade Area Demographics and Spending Potential(2014)	
Population	72,356
Net Population Change (2000-2014)	56,901
Total Per Capita Retail Spending	$12,462
Percent online sales	8%



Trade Area Retail Supply

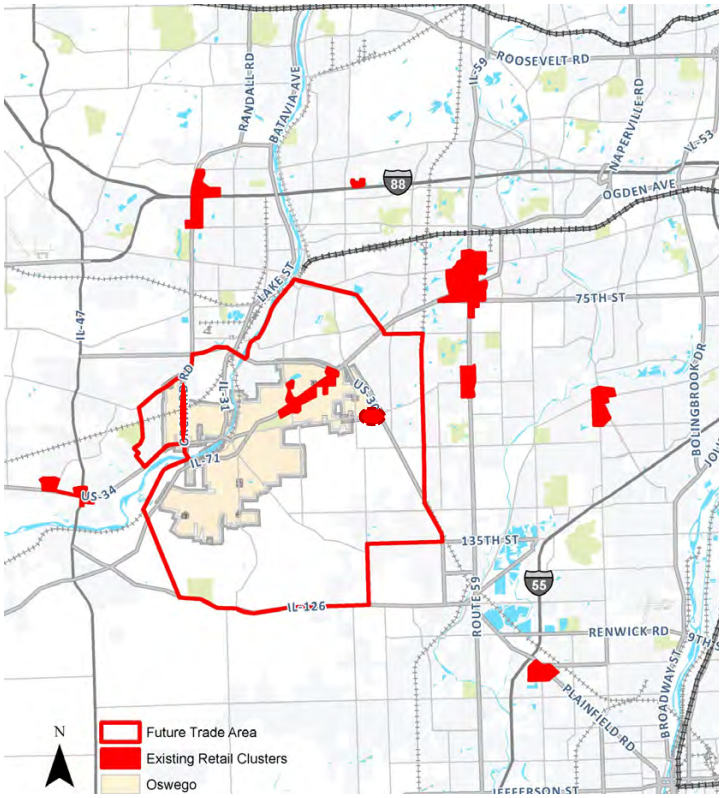
The Trade Area has **4.9 million square feet** of retail space

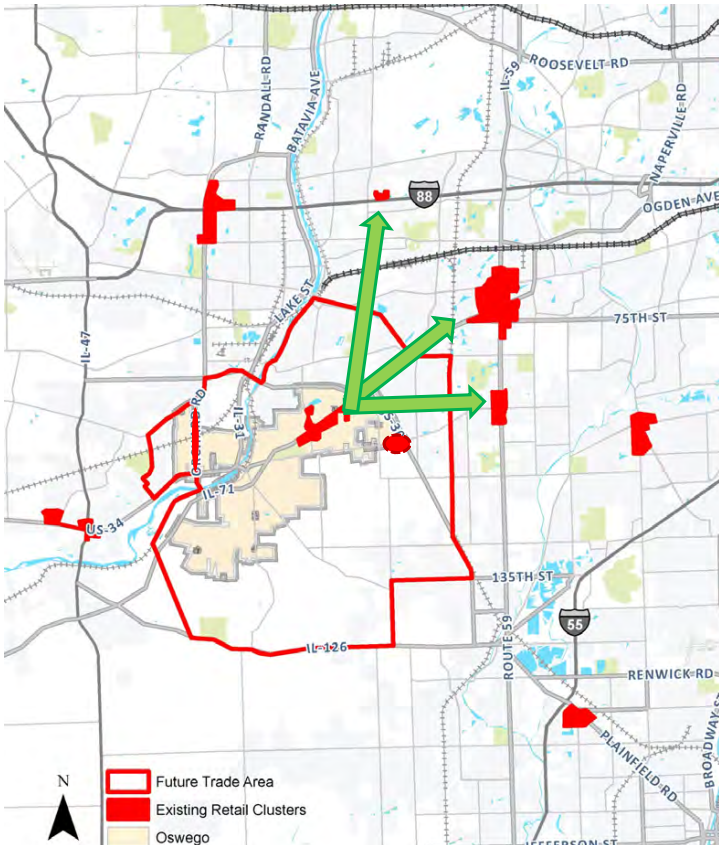
60% of all retail within the Trade Area is within Oswego

Nearly **2.4 million** sf of new retail space has been built since 2000

76% of new retail development since 2000 has occurred within Oswego







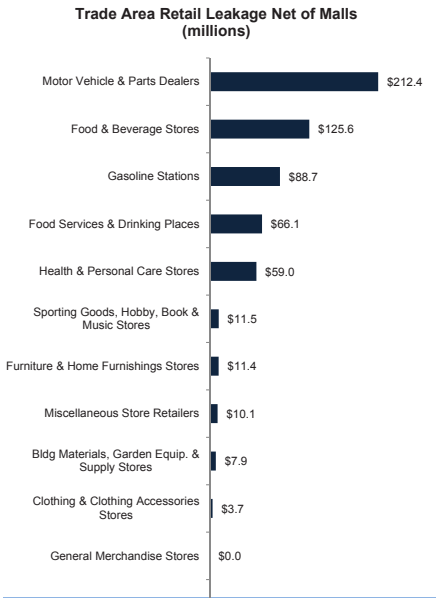
Future Retail Demand in Trade Area

Two primary generators of retail demand in trade area:

1) Capture of existing retail leakage
2) Projected population growth and associated spending

Retail Demand: Capture of existing retail leakage

The trade area's total forecasted retail leakage is **$596 million dollars**

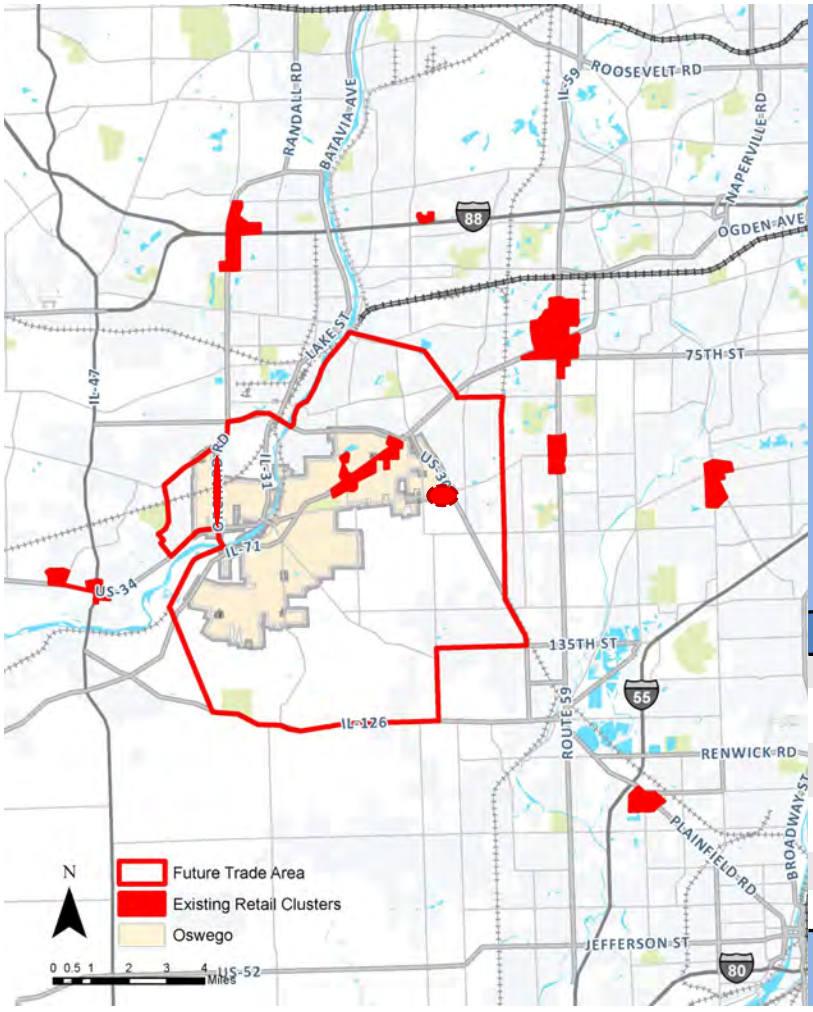


Oswego's Retail Potential

Future Retail Demand & Supportable Square Feet in Trade Area

SB Friedman utilized existing retail leakage and projected population growth and associated spending to estimate the supportable square feet of retail space in Trade Area. The Trade Area is forecasted to capture 50% of retail leakage and Oswego is estimated to capture 60-75% of future development.

There is an opportunity for 1 to 1.5 million square feet of retail in Oswego through 2025. Based on a FAR of 0.25, 95 to 140 acres is anticipated to be needed for new retail development and redevelopment opportunities. Route 34 will remain the primary retail destination. In the near term, Orchard Road is likely to remain neighborhood serving. The northern portion of Orchard Road may transition to residential to support transit oriented development with some land held for flex/retail uses. In the future, we anticipate potential new retail nodes at the eastern edge at Route 30 and Wolf Road as well as a greater retail presence downtown .



Retail Demand: Projected Population Growth and Associated Spending

Estimated population growth of **31,000 to 40,000** people is projected to generate **$340 to 436 million in retail demand** within the Trade Area

Total per capita retail sales is expected to increase but retail e-commerce will capture a significant share of growth (16%)

Estimated Spending Potential (2025)	
2025 Per Capita Retail Spending	$14,175
Less Per Capita Mall and Outlet Spending	$1,010
Less Per Capita Non-store Retailers	$2,312
Total Adjusted Per Capita Retail Spending	$10,853
Population Growth 2014 - 2025	31,334 – 40,181
Total Estimated Spending Potential	$340 - $436 million

Real per capita retail spending is estimated to increase from 12,462 to 14,175, but is adjusted to reflect mall and e-commerce spending

Source: CoStar, Esri, *SB Friedman*

Conclusions

Retail Market

- There is an opportunity for 1 to 1.5 million sf of retail in Oswego through 2025
- 95 to 140 acres are needed for retail development at an FAR of 0.25

Retail Clusters in Oswego

- Route 34 will remain the primary retail destination
- In the near term, Orchard Road is likely to remain neighborhood serving. The northern portion of Orchard Road may transition to residential to support transit oriented development with some land held for flex/retail uses
- Potential new nodes at eastern edge at:
  - Route 30 and Wolf Road
- Downtown

	Total Demand Potential (millions)	Typical Sales per SF	Retail Opportunity in Trade Area (thousands of sf)	Retail Opportunity in Oswego (thousands of sf)
Motor vehicles and parts dealers	182 - 203	1000	182-203	109-152
Food and beverage stores	113 - 127	450	250-281	150-211
Food Services & Drinking Places	73 – 85	300	244-282	147-212
Health and personal care stores	70 – 81	400	174-202	104-152
Gasoline Stations	70 - 77	800	88-97	53-73
General merchandise stores	59 – 75	300	196-251	117-188
Building materials and garden equipment and supplies stores	17 – 21	220	78-95	47-71
Clothing and clothing accessories stores	13 - 16	200	63-78	38-59
Miscellaneous store retailers	12 – 14	175	70-82	42-62
Furniture and home furnishings stores	11 – 13	200	57-65	34-49
Sporting goods, hobby, book, and music stores	11 – 13	175	65-74	39-55
Electronics and appliance stores	8 – 10	500	15-19	9-15
		Total	1,482-1,729	889-1,299
			Adjusted Total	1,000-1,519
			Land Area Needed	95 – 140 acres

■ Demand from Existing Leakage (Net of Mall and Outlet Sales)
■ Average Demand from Growth

Future Retail Demand & Supportable Square Feet in Trade Area

The Trade Area is forecasted to capture 50% of retail leakage

Oswego is estimated to capture 60-75% of future development

There is an opportunity for **1 to 1.5 million sf** of retail in Oswego through 2025

95 to 140 acres needed for retail development at an FAR of 0.25

Source: CoStar, Esri, *SB Friedman*



Summary of Transportation Analysis

The 2015 Comprehensive Plan focuses on the following Transportation Goals:

Create an outstanding trail system for Oswego. Make Downtown Oswego a Bike Hub in the Fox River Trail system.

Make Downtown and other high pedestrian traffic areas safer for people.

Combine all Village, County and IDOT plans into one cohesive Transportation Plan.

Continue to support bringing a Metra Station to Oswego on Orchard Road.

Direct truck traffic away from Downtown





This section provides information on the existing transportation system in the Village of Oswego with a focus on roadways, public transit, and bicycle and pedestrian facilities. The information was obtained from various sources, including the Village of Oswego, Kendall County, Regional Transportation Authority (RTA), Metra, Kendall Area Transit (KAT), Illinois Department of Transportation (IDOT), Illinois Commerce Commission (ICC), visual assessments, and field reviews.

Oswego's Existing Roadway System

Roadways

Jurisdiction

The roadway network serving the Village of Oswego is governed by several jurisdictional entities, including IDOT, the Kendall County Highway Department, Bristol Township, Oswego Township, Na-Au-Say Township, Kendall Township, and the Village of Oswego. Many of the major travel arteries are under IDOT and Kendall County jurisdiction, which limits the ability of the Village to make improvements, control access or unify roadway character. The Village will need to maintain close coordination with these two governmental agencies in order to accomplish the goals and objectives of the Comprehensive Plan that will result in a well-balanced transportation system.

Functional Classification and Thoroughfare Type

Roadways have two basic functions: to provide mobility and to provide land access. For planning and design purposes, roadways are classified in a hierarchical structure by function to define their role in the transportation system and their eligibility for certain types of federal transportation funds. Four general functional classifications are typically used, including freeways, arterials, collectors and local roads. Arterials are commonly subdivided into major (principal) and minor designations based on location, service function and design features (i.e., right-of-way, road capacity, continuity within system, speed limits, parking controls, traffic signal spacing, etc.). Each roadway classification serves as a collecting/distributing facility for the next higher classification in the system. The following summarizes the roadway functional classification system serving the Village of Oswego, as defined by IDOT and Kendall County, and further describes these thoroughfares based on their context and design features.

Freeways

Freeways provide the highest degree of mobility, with access limited to grade-separated interchanges to preserve capacity for high volumes of traffic and high travel speeds. The nearest freeways to the Village of Oswego are Interstate 88 (Ronald Reagan Memorial Tollway) and Interstate 55. Interstate 88 is accessed from Orchard Road, IL 31 and Eola Road (via Ogden Avenue) in Aurora and North Aurora approximately 6.5 to 7 miles north of the Village. Interstate 55 is accessed from Weber

Road (via 127th Street) in Bolingbrook and Romeoville approximately 7 miles southeast of the Village. The Tollway is under the jurisdiction of the Illinois State Toll Highway Authority and Interstate 55 is under IDOT jurisdiction.

Major Arterials

Major arterials provide a high degree of mobility and function as the primary travel routes through urban areas. These roadways are continuous and serve the broader region, connecting the freeway system with the local system of minor arterials and collector roads, as well as the major activity centers within a community. Major arterials are higher capacity facilities that carry high volumes of traffic and require more stringent access controls and traffic signal spacing.

In the Chicago metropolitan area, IDOT has established a 1,500-mile network of the most important major arterials into the Strategic Regional Arterial (SRA) system. This system is a component of the Chicago Metropolitan Agency for Planning's (CMAP) Go To 2040 Comprehensive Regional Plan and is intended to supplement the freeway system by accommodating a significant portion of the long-distance, high volume automobile and commercial vehicle traffic in the region.

In Oswego, US 30, US 34, and Orchard Road are part of the SRA system. Other major arterials within the Village's planning area include IL 71, IL 126, Hill Avenue, Plainfield Road, and Ridge Road. US 30, US 34, IL 71 and IL 126 are under IDOT jurisdiction. Orchard Road (County Highway 9A), Plainfield Road (County Highway 22) and Ridge Road (County Highway 11) are under the jurisdiction of the Kendall County Highway Department. Hill Avenue is under the jurisdiction of the City of Aurora. The major arterials are generally two-lane or four-lane roadways with turn lanes at key intersections. The right-of-way width of these major arterials generally ranges from 120 to 150 feet.

Minor Arterials

Minor arterials augment the principal arterials by accommodating somewhat shorter trips to and from residential neighborhoods, commercial areas, employment centers and recreational activity areas at the community level. As such, operating speeds and road capacity may be less than that of major arterials, with less stringent controls on property access. Minor arterials in Oswego include US 34 through the downtown area, IL 25, IL 31, Collins Road, Douglas Road, Galena Road, Grove Road, Mill Road, Minkler Road, Schlapp Road, Van Emmon Road, Washington Street, and Wolf's Crossing Road. US 34, IL 25 and IL 31 are under IDOT jurisdiction. The other minor arterials are under the jurisdiction of the Village or local townships. Most of the minor arterials are two lane roadways with or without a center median accommodating left-turning movements at key intersections, with the exception of the four-lane sections of US 34 (between IL 71 and IL 31) and Douglas Road (between US 30 and the Oswego Commons shopping center). Minor arterials have right-of-way widths generally ranging from 80 to 120 feet.

Collectors

The collector system is designed to support the arterial network. Collector roads consist of medium-capacity, medium volume roads that have limited continuity and serve to distribute traffic between the higher level arterials and the lower level local roads. Collectors provide some direct land access but to a more limited degree than local roads. In Oswego, the collectors are maintained by the Village or townships and are two-lane roadways, with or without a center median, and a right-of-way width of 80 feet.

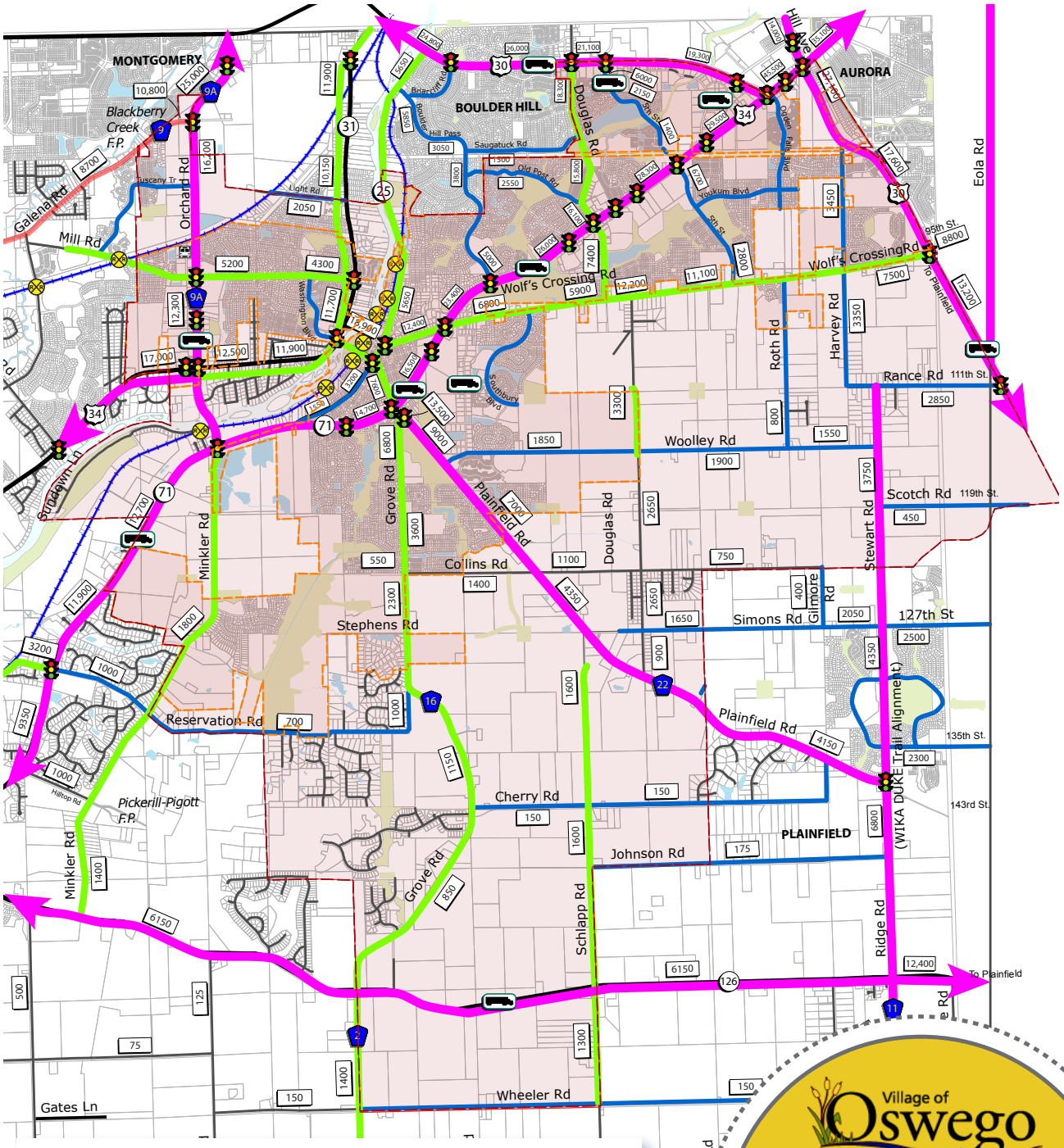
Local Roads

Local roads provide direct access to private property and are accessed from arterial and collector roads. Trip lengths on local roads are typically short and volumes and speeds are typically low. All remaining roadways in Oswego not mentioned above are classified as local roads and are generally two-lane roadways with a right-of-way width of 66 feet. The local roads are also maintained by the Village or townships.

Major Arterials
US 30
US 34 (E of IL 71; W of Orchard Rd)
IL 71
IL 126
Hill Avenue
Orchard Road
Plainfield Road
Ridge Road

Minor Arterials
US 34 (Between IL 71 and Orchard Rd)
IL 25
IL 31
Collins Road (Between Grove Rd and Douglas Rd)
Douglas Road
Galena Road
Grove Road
Mill Road
Minkler Road
Schlapp Road
Van Emmon Road
Washington Street
Wolf's Crossing Road

Collectors
5th Street
Boulder Hill Pass
Briarcliff Road
Cherry Road
Collins Road (E of Douglas Rd; W of Grove Rd)
Gilmore Road
Harvey Road
Johnson Road
Light Road
Main Street/Douglas Street/Madison Street
Ogden Falls Boulevard
Old Post Road
Rance Road (111th Street)
Reservation Road
Roth Road
Sagatuck Road
Scotch Road (119th Street)
Simons Road (127th Street)
Southbury Boulevard
Stewart Road
Tuscany Trail
Washington Boulevard
Wheeler Road
Woolley Road
Youkum Boulevard



Village of Oswego

Existing Roadway System

ANALYSIS SUMMARY

Primary Travel Corridors

The backbone of the Village of Oswego's roadway system is its arterial system. These roadways convey the highest volumes of traffic through the community, connect with the collector and local roads, and provide auto and truck access to the community's commercial and industrial areas.

North-South Arteries

Orchard Road, IL 31 and US 30 (south of US 34) are the primary north-south arteries in Oswego carrying traffic volumes ranging from 10,000 to 27,000 vehicles per day. While Orchard Road and IL 31 are approximately one mile apart, the spacing between IL 31 and US 30 is over four miles. As such, these arterial roadways are supplemented by the north-south minor arterial and collector roads including Minkler Road, IL 25, Grove Road, Douglas Road, Harvey Road, and Stewart Road, which are spaced at approximately 1.5- to two-mile intervals and carry volumes ranging from 850-18,300 vehicles per day.

East-West Arteries

The primary east-west arteries in Oswego are US 34, US 30 (west of US 34), IL 71, and IL 126, which carry volumes ranging from 6,150-45,500 vehicles per day. These roadways are supplemented by the east-west minor arterial and collector roads including Wolf's Crossing Road, Collins Road, Mill Road, Simons Road, Reservation Road, and Woolley Road, which carry volumes ranging from 550-12,200 vehicles per day.

System Continuity Issues

The Oswego roadway system is a comprehensive network of tangential and curvilinear streets that provides good connections between local neighborhoods and the arterial and collector system, given the barrier created by the Fox River, BNSF Railway, and Illinois Railway. With a few exceptions, the road network in the downtown area and the established residential, commercial and industrial areas to the north of Wolf's Crossing Road and west of the Fox River generally provides good continuity through the Village and direct access to the major arterials. The road network in the future growth areas of the Village to the east and south, however, lacks key connections and alignments to complete the road grid. The most notable missing linkages and alignment issues are noted below:

Douglas Road – The north and south segments of Douglas Road are offset from each other by 1,150 feet at Wolf's Crossing Road.

Schlapp Road – Schlapp Road intersects Plainfield Road at a 150-foot offset from Simons Road and a ½-mile offset from Douglas Road.

Collins Road West – The termination of Collins Road at Blue Heron Drive, approximately 1,400 feet west of Grove Road, leaves a 2.5-mile gap in east-west road continuity between IL 71 on the north and Reservation Road on the south.

Collins Road East – The termination of Collins Road at Gilmore Road leaves a ½-mile gap between this minor arterial/collector road and the future WIKADUKE Trail along the Stewart Road alignment.

Fifth Street – The continuity of Fifth Street is severed by a missing linkage of 1,000-feet between Farmington Lakes Drive and US 34.

Reservation Road – There is a ¼-mile long segment of Reservation Road that is misaligned at Chippewa Drive and requires a sharp S-curve maneuver at each end. Reservation Road also lacks a direct east-west connection to Grove Road. The termination of Reservation Road at Grove Road leaves a two-mile gap in east-west road continuity between Collins Road on the north and Cherry Road on the south.

Ogden Falls Boulevard – The termination of Ogden Falls Boulevard at Raintree Drive, approximately 3,000 feet north of Wolf's Crossing Road, limits north-south continuity in the area between Fifth Street and Harvey Road/US 30.

Youkam Boulevard – The termination of Youkam Boulevard at Raintree Drive limits access to this collector road to/from the east (via Harvey Road).

Roth Road – The termination of Roth Road at Woolley Road leaves a one-mile gap in north-south road continuity between Woolley Road and Collins Road.

Rance Road – The termination of Rance Road at Harvey Road leaves a 1.25- to 1.5-mile gap in east-west road continuity between Wolf's Crossing Road on the north and Woolley Road on the south.

Johnson Road - The termination of Johnson Road at Schlapp Road leaves a 1.5-mile gap in east-west road continuity between Cherry Road on the north and IL 126 on the south.

Light Road – The termination of Light Road immediately west of the BNSF Railroad leaves a 1.75-mile gap in east-west road continuity between Mill Road on the south and Caterpillar Drive on the north in Montgomery.

Kendall Point Drive/Wiesbrook Drive – These two local truck routes are disconnected at Waubonsie Creek.

Southbury Boulevard – The termination of Southbury Boulevard just east of Colchester Drive restricts access to/from the Southbury

subdivision from the east (via Douglas Road).

System Capacity Issues

Most of the roadways in the Oswego planning area provide sufficient capacity to accommodate the volume and composition of traffic using the roadways. There are a few arterial roads that are nearing the capacity of the current road design, including:

US 34 – The segment of US 34 between Washington Street and Orchard Road carries approximately 12,000-13,000 vehicles per day, which is nearing the capacity of a two-lane roadway. The segment of US 34 to the west of Orchard Road carries volumes in excess of 17,000 vehicles per day, which exceeds the two-lane capacity for efficient traffic flow.

US 30 – This roadway carries volumes that range from 17,600 to 26,000 vehicles per day, which requires a four-lane cross-section for efficient traffic flow. However, several segments of US 30 remain with a two-lane cross-section, including the segment from just east of Briarcliff Road to just west of Douglas Road, from just east of Douglas Road to just west of Goodwin Drive, and south of US 34.

IL 71 – This roadway carries volumes ranging from 14,700 to 17,700 vehicles per day between US 34 and Orchard Road, which exceeds the capacity of a two-lane roadway. The section of IL 71 between Orchard Road and Reservation Road/Van Emmon Road carries volumes that are approaching the capacity of the current two-lane roadway. IDOT's SRA study for IL 47/IL 71/US 34 calls for the widening of IL 71 to four lanes through Oswego.

Wolf's Crossing Road – The segment between Douglas Road and Harvey Road carries approximately 11,100-12,200 vehicles per day, which is nearing the capacity of a two-lane roadway without turn lanes at intersections.

River Crossings

There are two roadway crossings of the Fox River within the Village of Oswego. The US 34 (Washington Street) crossing serves the downtown area and the central part of the Village. The Orchard Road crossing serves the south and west parts of the Village. The next crossing to the north is just under three miles upriver at US 30 in Montgomery. The next crossing to the west is five miles downriver at IL 47 in Yorkville.

Travel Behavior

Tracking travel behavior of Oswego's working residents provides insights into how the community moves around town and how much Oswego's households spend on transportation. It also provides a benchmark for comparison with the travel patterns of all Kendall County residents and with the greater Chicago region as a whole.

Mode of Travel

Table 4 shows the commuter travel modes by Oswego's working residents in comparison to Kendall County and the Chicago region. The majority of Oswego residents (81.8%) drive alone to work, which is a lower proportion than Kendall County as a whole but higher than the average for the Chicago region. Those that do not drive alone and do not work at home mostly either carpool or use transit, which in Oswego is primarily by Metra commuter rail in Aurora. While Oswego has fewer transit options that other parts of the Chicago region, the service that it does have is still better than many other areas of Kendall County and is reflected by a higher transit share than the County as a whole. Very few Oswego workers walk or bike to work, similar to the Kendall County averages but less than the Chicago region. A slightly lower proportion of Oswego residents work at home compared to county and regional averages.

Travel Time

As shown in Table 5, approximately 75.4 percent of Oswego residents are able to drive to their jobs in less than 45 minutes, which is higher than the drive time average for Kendall County but lower than the average for the Chicago region. The vast majority (more than 90%) of Oswego residents that commute by transit utilize Metra commuter rail service and have travel times in excess of 60 minutes, which is substantially higher than the average transit commute times for the region but similar to the lengthy transit commute times experienced by most other Kendall County residents.

Vehicle Miles & Auto Ownership

The average annual vehicle miles traveled per household in Oswego is less than that of Kendall County but greater than that for the Chicago region, as shown in Table 6, which can be attributed to the longer travel times to work and shopping and to the limited transit options in the Village.

The auto-dominant travel patterns of Oswego residents are also reflected in the number of vehicles available in each household. As shown in Table 7, Approximately 88.2 percent of Oswego households have two or more vehicles available, which is 0.4 percent higher than the average in Kendall County and 18.2 percent higher than the average in the Chicago region.

Spending on Transportation

Affordability of a community can be measured in terms of the average percentage of household income devoted to housing and transportation costs, with a threshold of 45 percent or less being representative of an affordable community. Table 8 shows that a

household in Oswego making the region's median income ($60,289) would spend 61.76 percent of their household income on the combined costs of housing and transportation, making Oswego a comparable location to other communities in Kendall County but a less affordable location than the Chicago region as a whole.

KEY FINDINGS

The following are key conclusions about the state of the existing transportation system in the Village of Oswego. Moving forward in the planning process, these conclusions will shape and inform the transportation goals and objectives of the comprehensive plan and the recommended plan for improvements to the system.

The Oswego community is divided by the Fox River and there are a limited number of bridge crossings serving the Village. Washington Street (US 34) and Orchard Road are the only crossings within the Village, which funnels more vehicular traffic through the downtown area and limits the number of locations where automobiles, pedestrians and bicyclists can move between the east and west sides of the community.

Congestion persists during peak periods on a few of Oswego's major arterial roadways due to road design, capacity constraints and traffic controls. Improvements are needed to US 30, US 34 and IL 71.

Truck traffic contributes to congestion in the downtown area and the challenges in safely crossing Washington Street (US 34). The official IDOT truck route via US 34 and IL 71 could be made more visible to prevent truck traffic from deviating through the downtown and across the Fox River bridge.

There are a limited number of continuous north-south and east-west roadways in Oswego's development growth areas. Opportunities may exist to extend and/or align several of the minor arterial and collector roads to improve the overall roadway grid.

Public transit service in Oswego is limited to KAT's Dial-a-Ride (demand-response) bus program. The Village of Oswego should continue to support Metra's ongoing engineering and environmental studies to extend commuter rail service from Aurora to the Village along the BNSF line. The Village should also support the recommendations from IDOT's Illinois Valley Public Transportation Plan (IVPTP), which preliminarily include the near-term initiation of an express bus service from Sandwich to the Aurora Transportation Center, with interim stops in Plano, Yorkville, and Oswego. Longer term recommendations of the IVPTP include new or expanded fixed-route bus service in Oswego.

While the predominant mode of travel in Oswego is by automobile, 4.2% of Oswego residents utilize transit for their commute to work. The low utilization of the former Oswego Park-n-Rides suggested that many of these transit users were driving directly to Aurora to utilize Metra. An extension of the BNSF service to Oswego would reduce commuting times for these transit users.

There may be a shortage of free and convenient customer parking on weekdays in the downtown business district. There is a need to conduct a comprehensive downtown parking study to establish peak parking demands and determine if additional parking is needed and/or determine if the existing parking supply can be better managed.

Complete Streets features have been initiated along Main Street in the downtown business district to improve pedestrian safety, expand public space, and enhance streetscaping. These street design elements would ideally be expanded onto other downtown streets, including Jackson Street, Jefferson Street, Madison Street, Adams Street and Van Buren Street.

Bicycle and pedestrian crossings of the arterial roadways would be made more comfortable with enhanced safety features including high-visibility crosswalks, pedestrian countdown displays, and signage. Priority is needed for the crossings along Washington Street in the downtown business district.

Bicycle parking opportunities are lacking in the downtown business district. The installation of additional bicycle parking facilities would encourage local travel into the downtown by non-motorized means and would reduce the demand for parking.

The railroad grade crossings in Oswego are in need of enhanced active and passive traffic control devices. Priority is needed for the BNSF crossing at Mill Road and the Illinois Railway crossing at Washington Street (US 34).

Planned or Programmed Transportation Projects

The following transportation projects will have benefits to the Village of Oswego and are being planned or have been programmed by CMAP, IDOT, and Kendall County.

CMAP Go To 2040 Comprehensive Regional Plan Update

Metra BNSF Line Extension – Service extension from current terminus in Aurora to Oswego. Metra is underway with an environmental assessment and preliminary engineering contract. May extend to Yorkville where space is available for a terminus yard.

IDOT FY 2015-2020 Multi-Modal Transportation Improvement Program

- US 34- Widening/reconstruction from IL 47 (Yorkville) to Orchard Road, 3.54 miles, including curb and gutter, new storm sewer, utility adjustment and land acquisition.
- US 34- Resurfacing from Jackson Place to IL 71 (downtown Oswego), 0.52 miles.
- US 30- Traffic signal installation at Harvey Road.

- US 30 – Reconstruction of intersection with Heggs Road.
- US 30- Traffic signal installation at 119th Street, including lane channelization and land acquisition.
- Kendall County 5-Year (2014-2018) Surface Transportation Program
- Orchard Road – Intersection improvement at Galena Road.
- Orchard Road – Preliminary engineering for Orchard Road/Minkler Road/Collins Road connector.
- Kendall County 2013-2033 Long Range Transportation Plan & 2012 Transportation Plan
- Metra Commuter Rail Extension – Along BNSF Railway with new stations at the Oswego Park-n-Ride and in Yorkville, Plano and Sandwich.
- WIKADUKE Trail – Reconstruction to 5-lane section from I-80 (Minooka) to Eola Road/ Heggs Road (Aurora). Alignment of Ridge Road segment between Wheeler Road and IL 126. Construction of new alignment from Stewart Road/Rance Road to Eola Road/Heggs Road at US 30.
- Galena Road – Reconstruction to an urban 3-lane section from IL 47 (Yorkville) to Orchard Road.
- Collins Road – Westerly road extension and capacity improvements from Grove Road to Orchard Road/Minkler Road. Easterly road extension to WIKADUKE Trail and alignment with 119th Street (Plainfield).
- Plainfield Road – Reconstruction to an urban 3-lane section from Linden Drive to Douglas Road, including intersection improvements at Templeton Drive and at Douglas Road.
- Reservation Road – Realignment and intersection improvements at Grove Road. Easterly road extension to Plainfield Road at Schlapp Road.
- Roth Road – Southerly road extension from Woolley Road to Collins Road opposite Gilmore Road.
- Arbeiter Road – Northerly road extension from Walker Road to Johnson Road.
- Wheeler Road – Westerly road extension from Hopkins Road to Lisbon Road via Gates Lane.
- Minkler Road – Southwesterly road extension from IL 126 to Windett Ridge Road (Yorkville).
- McKanna Road – Northerly road extension from Chicago Road to IL 126.

TABLE 4

Workforce and Commuter Travel Mode

Mode of Travel	Oswego	Kendall County	Chicago Region[1]
Working Population	15,478	56,720	3,939,741
Drive Alone	81.8%	84.1%	69.3%
Carpool	8.8%	7.0%	8.9%
Transit	4.2%	2.7%	12.4%
Walk	0.4%	0.5%	3.3%
Bike	0.1%	0.1%	0.6%
Other	0.6%	1.0%	1.1%
Work at Home	4.0%	4.6%	4.4%

Source: 2008-2012 American Community Survey 5-Year Estimates, U.S. Census Bureau.
[1] Reflects compilation of data from CMAP seven-county region.

TABLE 5

Commuter Travel Time to Work

Travel Time	Oswego	Kendall County	Chicago Region[1]
By Car < 45 min.	75.4%	71.2%	78.0%
By Transit < 60 min.	1.8%	3.1%	63.1%

Source: 2008-2012 American Community Survey 5-Year Estimates, U.S. Census Bureau.
[1] Reflects compilation of data from CMAP seven-county region.

TABLE 6

Average Annual Vehicle Miles Traveled per Household

Oswego	Kendall County	Chicago Region[1]
22,133	23,890	18,272

Source: Center for Neighborhood Technology H+T Affordability Index.
[1] Reflects compilation of data from CMAP seven-county region.

TABLE 7

Average Household Automobile Ownership

Number of Vehicles Available	Oswego	Kendall County	Chicago Region[1]
0	1.4%	0.7%	5.5%
1	10.4%	11.4%	24.5%
2	52.1%	51.4%	43.2%
3+	36.1%	36.4%	26.8%

Source: 2008-2012 American Community Survey 5-Year Estimates, U.S. Census Bureau.
[1] Reflects compilation of data from CMAP seven-county region.

TABLE 8

Housing & Transportation Costs as a Percentage of Household Income

Travel Time	Oswego	Kendall County	Chicago Region[1]
Housing Costs	36.65%	35.53%	28.15%
Transportation Costs	25.11%	26.36%	21.82%
Housing & Transportation Costs	61.76%	61.89%	49.97%

Source: CNT "H+T Affordability Index". Primary dataset from the 2005-2009 American Community Survey, U.S. Census Bureau.
[1] Reflects the Chicago Metropolitan Statistical Area (MSA)

Freight

There are two freight-moving railroads that pass through the Village of Oswego. The Burlington Northern Sante Fe (BNSF) Railway carries approximately 20-34 freight trains per day along a double-track railroad that extends from the City of Chicago to Galesburg and points further west. There are two grade crossings of the BNSF Railway in the Village (Mill Road, Light Road) and one grade-separated crossing (Orchard Road). The Illinois Railway carries an average of two freight trains per day along a single-track that extends from Montgomery to Streator. There are seven grade crossings of the Illinois Railway within the Village (2nd, Water, North, Jackson, Washington (US 34), & Benton Streets and Old Minkler Road) and two grade-separated crossings (IL 25, Orchard Road).

The grade crossings of the BNSF Railway are both outfitted with active (flashing lights, gates) and passive (crossbucks, advance warning signs) traffic control devices. There are no bells at either crossing. The grade crossings of the Illinois Railway are mostly outfitted with various forms of passive traffic control devices (Yield signs, advance warning signs, crossbucks, railroad crossing symbol on pavement). The only active control devices are flashing lights with no gates or bells, which are located at the Washington Street and Old Minkler Road crossings only.

The Official IDOT Truck Route : IDOT's official Class II truck route system extends along US 34 from east of US 30 to IL 71, then continues southwest along IL 71 to IL 126 and IL 47. **This has been the official truck route through Oswego for at least 20 years.**

Route actually used by Trucks: The preferred route for significant truck traffic today appears to be US 34 / Washington Street through Downtown Oswego, across the Washington Street bridge over the Fox River, and then connecting to US 30/ US 34 to the east. The Caterpillar Plant in Montgomery to the north appears to be a prime generator of truck traffic going through Downtown.

Local Truck Routes: There are also six locally-maintained truck routes in Oswego, all of which are accessible from the IDOT Class II routes, including one maintained by Kendall County (Orchard Rd) and five maintained by the Village (Stone Hill Rd, 5th St, Wiesbrook Rd, Kendall Point Dr, Kirkland Cl).

Lack of Clear Signage: The official IDOT truck route is not clearly posted so as to prevent truck traffic through the downtown and across the bridge.

Minimizing Truck traffic through Downtown.

Recommendations

Install Clear Signage to Redirect Truck Traffic away from Downtown

1. Install Class II Truck Route signage (R5-I102) with auxiliary directional arrow (M6-3) on westbound US 34 in advance of IL 71 to guide trucks onto IL 71 instead of following US 34 through the downtown. Signs can be added to existing state route signage and/or installed in additional locations.

2. The Village should coordinate with IDOT and the City of Yorkville to install similar Class II truck route signage (with appropriate directional arrows) on northbound IL 47 in advance of IL 71 and US 34, southbound IL 47 in advance of US 34 and IL 126, and westbound IL 126 in advance of IL 71.

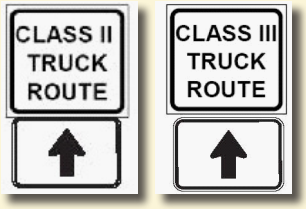
3. The Village should also coordinate with Kendall County to install additional Class III truck route signage (R5-I102a) on southbound Orchard Road in advance of US 34 to guide truck traffic south to IL 71.

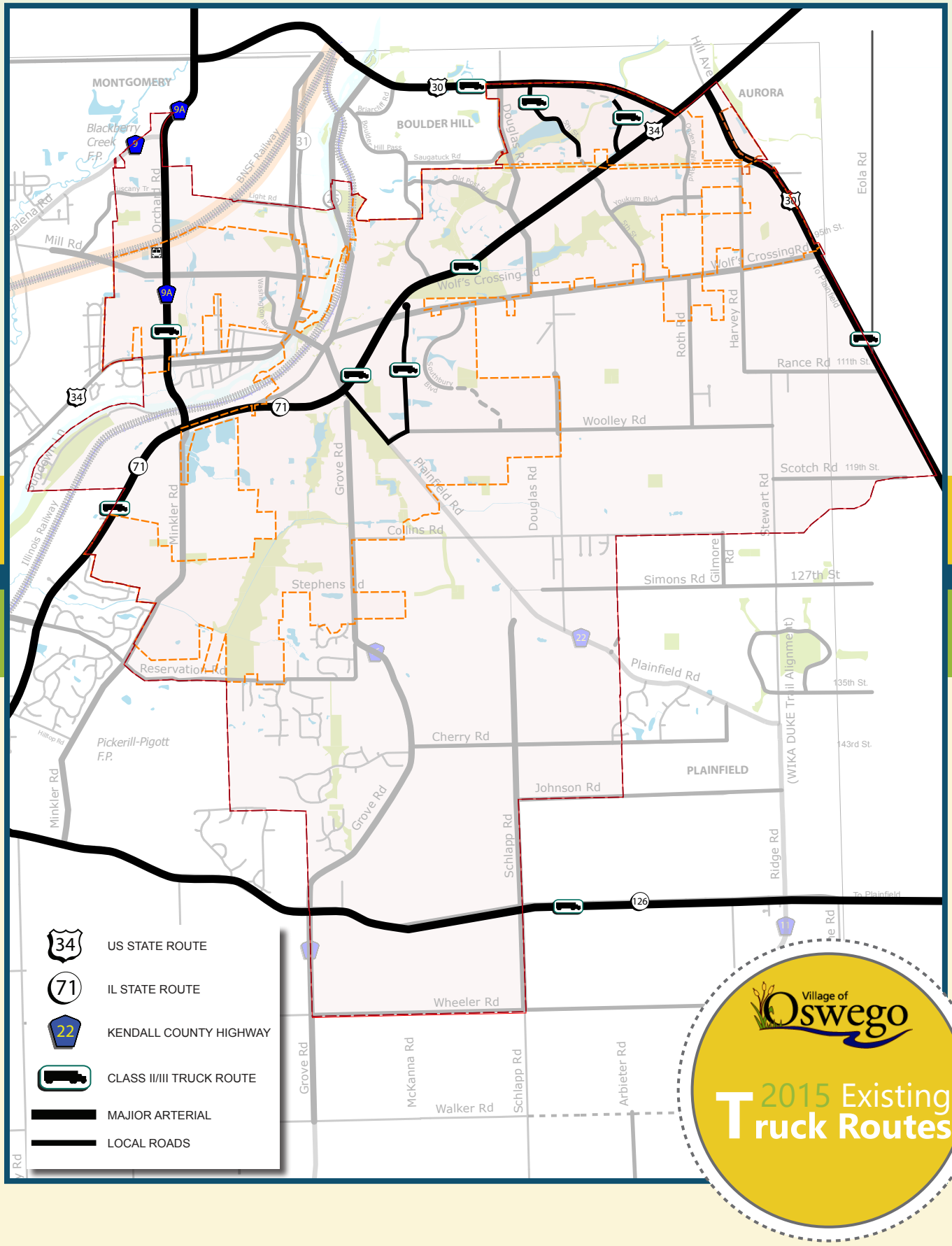
Transform Washington Street into a Pedestrian Friendly Street to deter Truck Traffic

4. Washington Street Enhancement Recommendations, as described on page XX, recommends landscaped medians, crosswalks, narrow lanes and intersection improvements that can remove or deter truck traffic through Downtown.

Install Class II Truck Route signage (R5-I102) with auxiliary directional arrow (M6-3) on westbound US 34 in advance of IL 71 to guide trucks onto IL 71 instead of following US 34 through the downtown.

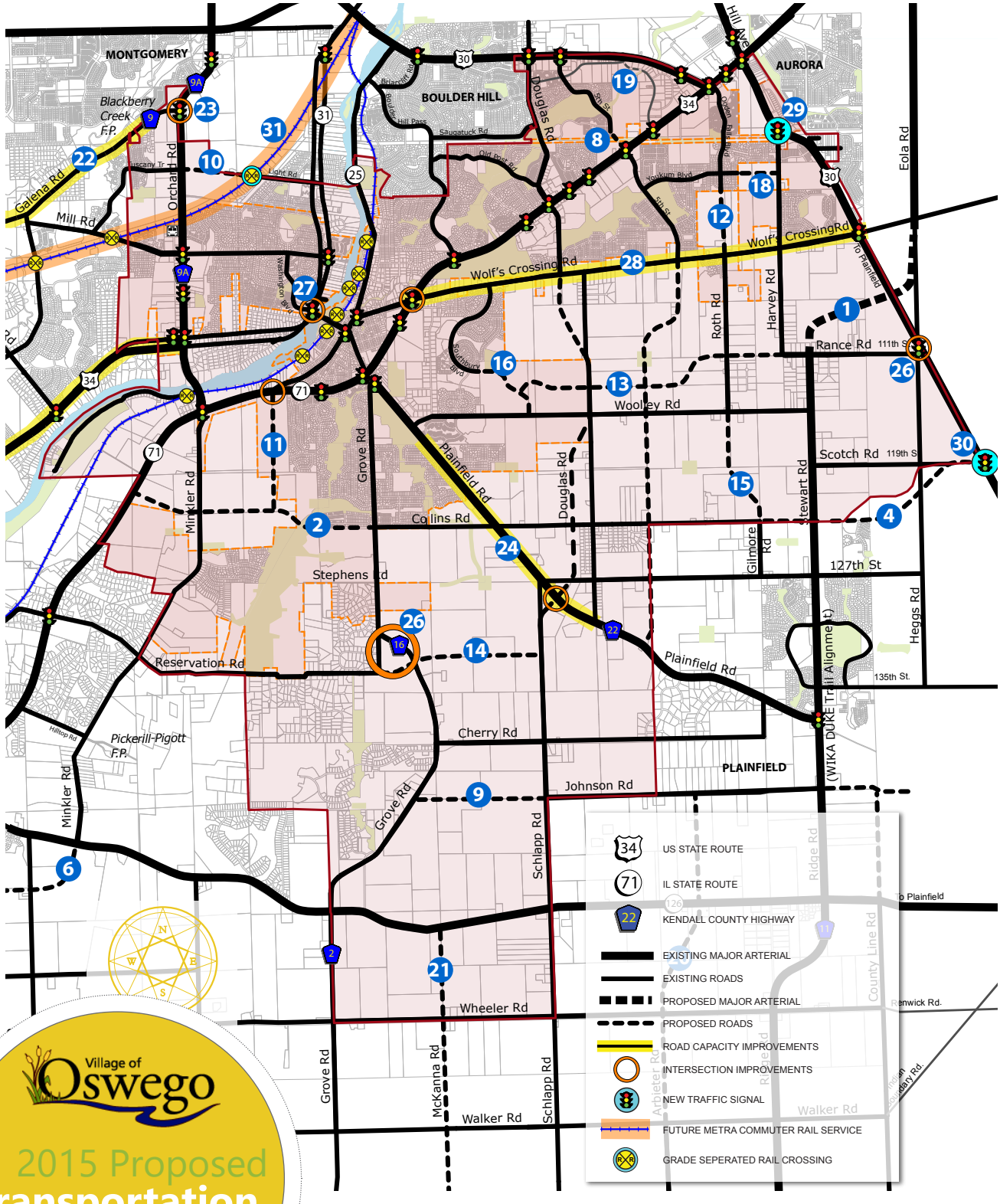
Signs can be added to existing state route signage and/or installed in additional locations.





Village of Oswego

2015 Existing Truck Routes



Village of Oswego

2015 Proposed Transportation Plan

2015 TRANSPORTATION PLAN RECOMMENDATIONS

Future Roadway Extensions

Major Arterial Roads

1. WIKADUKE Trail (Kendall Co 5-Year STP)

Minor Arterial Roads

2. Collins Road, west to Orchard Road/Minkler Road (Kendall Co 5-Year STP)
3. Collins Road, continued west from Orchard/Minkler to IL 71 (Oswego Transp. Plan)
4. Collins Road, east to WIKADUKE Trail & 119th Street (Kendall Co 5-Year STP)
5. Douglas Road (Realignment), Wolf's Crossing Road-IL 126 (Oswego Transp. Plan)
6. Minkler Road, IL 126-Windett Ridge Road (Kendall Co 5-Year STP)
7. Schlapp Road, realignment at Plainfield Road (Oswego Transp. Plan)

Collector Roads

8. Fifth Street, US 34-Farmington Lakes Drive (KLOA)
9. Johnson Road, Schlapp Road-Grove Road (KLOA)
10. Light Road, BNSF Railroad-Orchard Road (KLOA)
11. Main Street, IL 71-Collins Road extension (KLOA)
12. Ogden Falls Boulevard, Raintree Drive-Wolf's Crossing Road (Oswego Comp Plan)
13. Rance Road, Harvey Road-Southbury Boulevard (Oswego Transp. Plan)
14. Reservation Road, Plainfield Road-Schlapp Road (Kendall Co 5-Year STP)
15. Roth Road, Woolley Road-Collins Road (Kendall Co 5-Year STP)
16. Southbury Boulevard, Colchester Drive-Woolley Road (Oswego Transp. Plan)
17. Wheeler Road, Hopkins Road-Lisbon Road (Kendall Co 5-Year STP)
18. Youkam Boulevard, Raintree Drive-Harvey Road (KLOA)

Local Roads

19. Kendall Point Drive, extension across Waubonsie Creek to Wiesbrook Drive (KLOA)
20. Arbeiter Road, Walker Road-Johnson Road (Kendall Co 5-Year STP)
21. McKanna Road, IL 126-Chicago Road (Kendall Co 5-Year STP)

Future Roadway Capacity Improvements

22. Galena Road, Orchard Road-IL 47 (Kendall Co 5-Year STP)
23. Orchard Road/Galena Road intersection (Kendall Co 5-Year STP)
24. Plainfield Road, Linden Drive-Douglas Road (Kendall Co 5-Year STP)
25. Reservation Road/Grove Road intersection (Kendall Co 5-Year STP)
26. US 30/Heggs Road intersection (IDOT FY 2015-2020 Multi-Modal TIP)
27. US 34, Orchard Rd-IL 47 (IDOT FY 2015-2020 Multi-Modal TIP)
28. Wolf's Crossing Road, US 34/IL 71-US 30 (KLOA)

Future Traffic Signal Installations

29. US 30/Harvey Road (IDOT FY 2015-2020 Multi-Modal TIP)
30. US 30/119th Street (IDOT FY 2015-2020 Multi-Modal TIP)
31. METRA Commuter Rail Extension

ADDITIONAL PROJECTS

New Fox River Crossing Alternatives: (KLOA)

- Extension of Mill Road across Fox River to IL 25
- Pedestrian/bicycle bridge over Fox River connecting Fox River Trail (via Adams Street) on east side with Mill Road bike path on west side.
- Extension of Light Road across Fox River to IL 25

Additional/Enhanced Truck Route Signage: (KLOA)

install Class II Truck Route signage (R5-I102) with auxiliary directional arrow (M6-3) on westbound US 34 in advance of IL 71 to guide trucks onto IL 71 instead of following US 34 through the downtown. Signs can be added to existing state route signage and/or installed in additional locations.

Harrison Street-Benton Street Connector (KLOA)

Extend Harrison Street south and east to align with Benton Street at Adams Street. Widen Benton Street and the existing railroad grade crossing.

Washington Street/ Harrison Street Traffic Signal (Downtown Framework Plan)

Pedestrian underpass of the Washington Street bridge via a realignment and extension of the Fox River Trail (Downtown Framework Plan)

Adams Street Vacation,

Washington Street-Van Buren Street (Downtown Framework Plan) or conversion to a multi-use path

Washington Street Complete Street Enhancements, Madison

Street-Fox River Bridge and at the Washington Street/IL 31 intersection

Washington Street Traffic Calming Enhancements,

Madison Street-IL 71, including traffic circle at Washington/Ashland/Van Buren

US 34/IL 71/Wolf's Crossing Road Intersection Improvements





Oswego residents already enjoy over 13 miles of trails and 8 greenways owned and maintained by the Oswegoland Park District. Downtown Oswego is the southern terminus today of the 43 mile long Fox River Trail, one of the regions most spectacular and scenic trails going all the way north to Algonquin.

Downtown Oswego is now poised to be a MAJOR REGIONAL HUB where local and regional trails meet, and not just a place where great trails end. Community feedback for the Plan shows very strong support for creating an outsanding trail system that Oswego can be known for in the region.

Creating an outstanding Trail System for Oswego

Existing 5 Trails

Waubonsie Trail	3.75 miles
Fox River Trail	3.25 miles
Grove Road Trail	3.23 miles
Oswego Prairie Trail	0.5 mile
Prairie Point Trail	2.0 miles
Total	**12.73 miles**

Recommendations for New Trails and improvements

1. Under Bridge connection under Washington Street to link north and south parks and extend the Fox River Trail

2. Extend the Fox River Trail to Saw Wee Kee Park along the west side of the railroad R.O.W.

3. A potential pedestrian and bike bridge over the Fox River was considered, but deemed not a near term priority at this point.

4. Potential trail underpass at Orchard Road to the future train station

5. Complete trail segments for a continuous trail along Light Road from Mill and Orchard to the Fox River and Waubonsie Creek trails

6. Extend the Waubonsie Creek Trail to the Downtown Waterfront

7. Complete trail segments of the Waubonsie Creek Trail to the Future Wikaduke Trail

8. Install safe pedestrian and bike crossing at Route 34

9. Install dedicated trail along Wolf's Crossing to connect the following: Future Wikaduke Trail, Main Street via Chicago St., Washington St., the Waterfront and the Bike Bridge to Village Hall.

10. Install safe crossing at Wolf's Crossing and Route 30

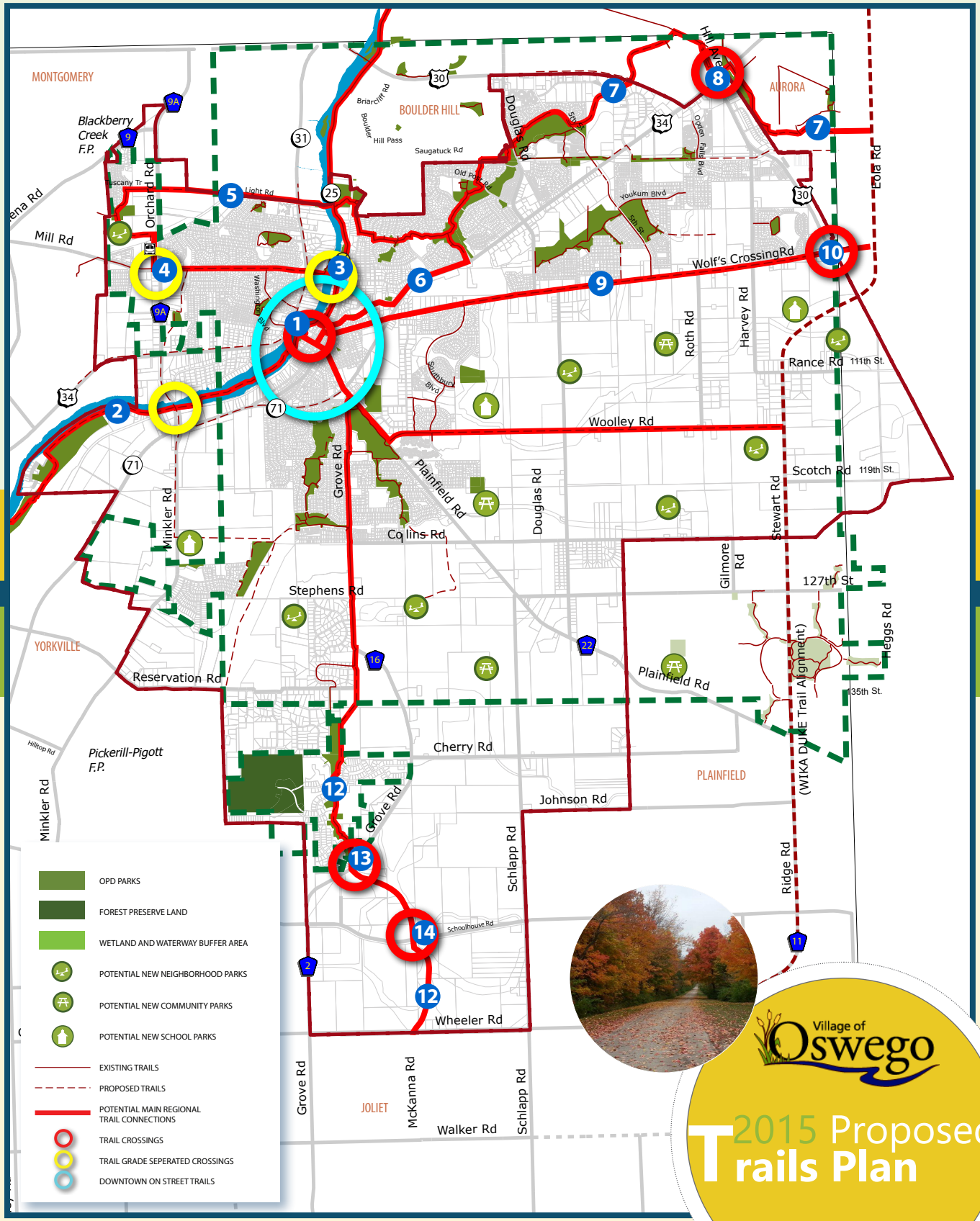
11. Install a dedicated trail along Woolley Rd. from Future Wikaduke Trail to Downtown via Plainfield Rd. and Washington St.

12. Complete missing trail segments of Grove Rd. Trail south to Wheeler Rd., creating a major north south trail

13. Install a safe crossing at Grove Rd.

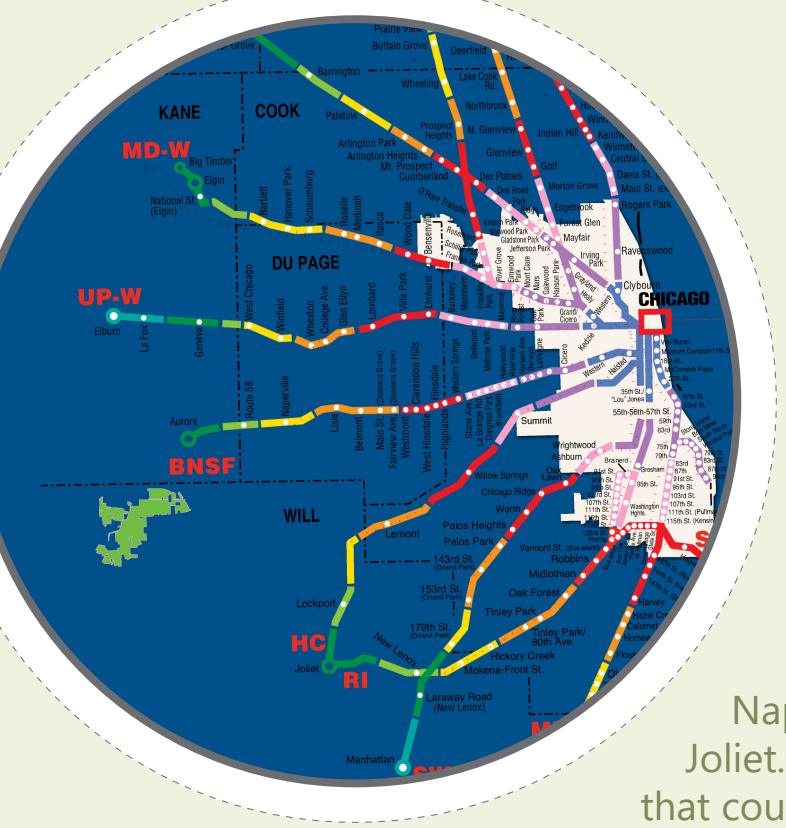
14. Install a safe crossing at Schoolhouse Rd..





Village of Oswego

2015 Proposed Trails Plan



There is presently no commuter rail service or inter-city passenger rail service in Oswego. The nearest Metra commuter rail service connecting Oswego to the greater Chicago area is located a little more than three miles to the north in Aurora (BNSF Railway Line). The nearest Amtrak inter-city passenger rail service is available nine miles to the west in Plano, nine miles to the northeast in Naperville, or 16 miles to the southeast in Joliet. However, two initiatives are underway that could one day bring commuter rail service to the Village of Oswego.

The need for Oswego's own Commuter Station

Transit

Public transportation service in the Village of Oswego is currently provided by Kendall Area Transit (KAT) and consists of Dial-a-Ride service. At the time of the comprehensive planning study, KAT also operated a Park-n-Ride service in the Village that connected with Metra's BNSF commuter rail line in Aurora. Long range plans include the extension of Metra commuter rail service to the Village of Oswego.

KAT Dial-a-Ride

Local public transit service in Oswego is available to the general public but is limited to Dial-a-Ride service. Dial-a-Ride is a "demand-response service" (aka. paratransit) in which passengers must reserve a ride at least two business days in advance. Passengers are picked-up and dropped-off at the curb. Door-to-door service is also available for mobility-impaired passengers. Unlike fixed-route service, in which buses travel the same route in a regular pattern and pick up any waiting passengers, Dial-a-Ride vehicles make only pre-arranged trips within a service area that includes all of Kendall County and designated locations outside of the County. The Dial-a-Ride service is available to Kendall County residents from Monday through Friday between 7:00 A.M. and 6:00 P.M.

Oswego Park-n-Ride

At the time that the Comprehensive Plan was completed, a Park-n-Ride service was available in Oswego for Metra-BNSF line commuters. Ridership at the Oswego Park-n-Rides varied since the service was initiated, peaking at around 130 riders per day in 2008. Over time, however, use of the service waned as many of the Metra riders from Oswego found it more convenient to simply drive directly to Aurora rather than making an interim stop at the Park-n-Ride. In the Spring of 2015, the Village terminated the shuttle service contract with KAT and closed the two Park-n-Ride facilities.

Future Commuter Rail Service

Metra BNSF Line Extension

Metra is underway with an environmental assessment and preliminary engineering contract that is exploring the feasibility of extending commuter rail service on the BNSF line from its current terminus in Aurora to Oswego and points further to the west such as Yorkville where space is available for a terminus yard. The study is expected to be completed in 2016. The Kendall County 2013-2033 Long Range Transportation Plan & 2012 Transportation Plan envisions this future BNSF service

extending further west to Plano and Sandwich. The most likely location for a future Metra station in Oswego is on the site of the west Park-n-Ride lot where parking has already been built adjacent to the BNSF line. The Comprehensive Plan incorporates high density residential uses near the future station site and recommends construction of a pedestrian tunnel under the tracks to connect to future development north of the tracks.

Illinois Valley Corridor Service

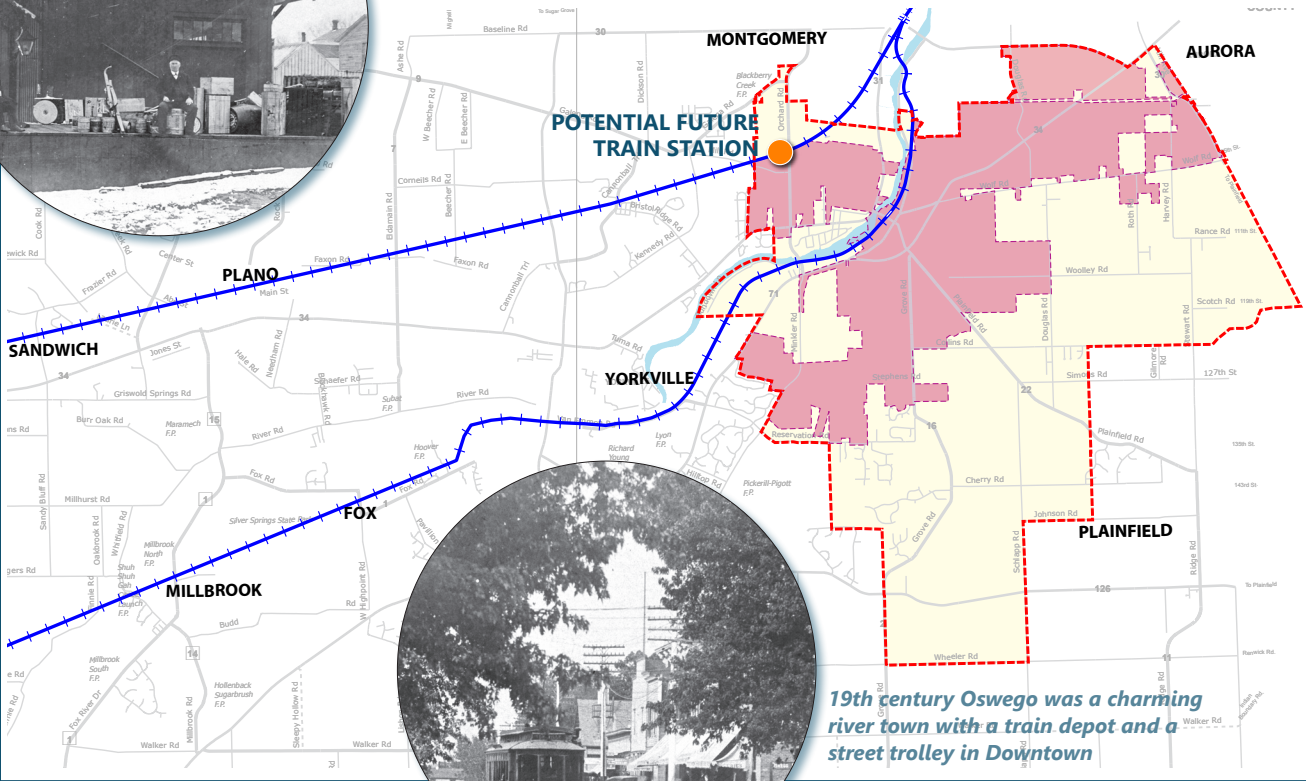
This initiative is exploring the feasibility of extending commuter rail service or another form of regional transportation service through the Illinois Valley Region, which generally extends along the CSX rail line from Joliet west to LaSalle/Peru and along the Illinois Railway line from Aurora southwest to Ottawa.

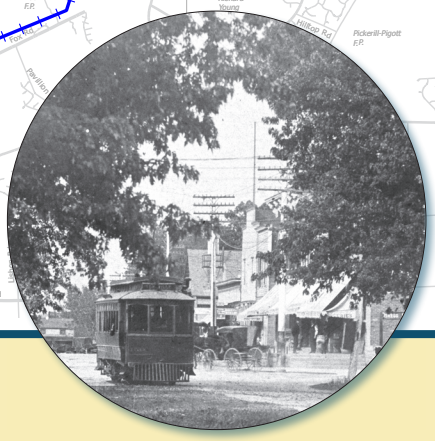
An initial study (Illinois Valley Commuter Rail Feasibility Study) completed in 2002 was focused on the CSX rail line from Joliet west to LaSalle/Peru and concluded that commuter rail service on the line was physically, operationally, and financially feasible although further study was needed to address engineering, environmental factors, and funding.

A follow-up study (Illinois Valley Public Transportation Plan) is currently underway and is being jointly lead by IDOT and the Illinois Valley Public Transportation Plan Committee, which includes representatives from many of the municipalities, counties, and local Chambers of Commerce within the Illinois Valley Region. The study area for the plan was expanded to also include the Illinois Railway between Aurora and Ottawa, and the work scope more comprehensively evaluated other potential transportation service options as well. Preliminary near-term recommendations from the plan include the initiation of new express bus service from Sandwich to the Aurora Transportation Center, including a stop in Oswego, and from LaSalle/Peru to Joliet Union Station. Preliminary long-term recommendations include new or expanded fixed-route bus service in Oswego, Yorkville and Morris, and the initiation of commuter rail service on the CSX line from LaSalle/Peru to Joliet Union Station. Commuter rail service on the Illinois Railway was not recommended as a priority since it would overlap with the travel market of the proposed Metra-BNSF line extension, which will be a more cost-effective service for northern Kendall County.

The Village of Oswego should continue to support the efforts of Metra and IDOT to bring these new forms of public transportation services to the Village.







19th century Oswego was a charming river town with a train depot and a street trolley in Downtown

Oswego Bold, Balanced & Bountiful.

Balancing Healthy Economic Growth with Stewardship of Nature

Village of Oswego

Prepared with the
Oswego Community by

Ginkgo Planning & Design, Inc.
Prime Consultant, with

SB Friedman & Co., Economic Analysis
KLOA, Inc., Transportation, &
Hitchcock Design Group, Landscape Architecture

Adopted August, 2015

Planning for the Future

2020/21 Enrollment Analysis

November 16, 2020

Discussion Points

1 Introduction

Enrollment and Demographics (Part One)

- Key Considerations
- Maps: Planning Areas and Attendance Areas
- Sophisticated Forecast Model (SFM)
- Demographics
- Past Enrollment and Change
- Baseline Maps and Data

Development (Part Two)

- Population, Development, and Enrollment Trends
- Yield Rate of Students
- Maps and Data

Enrollment Projections (Part Three)

- Past, Current, Future Enrollment
- Building Projections

Moving Forward

- Next Steps

Who Is RSP

- Founded in 2003
- Professional educational planning firm
- Expertise in multiple disciplines
- Over 20 Years of planning experience
- Over 80 years of education experience
- Over 20 years of GIS experience
- Projection accuracy of 97% or greater



Over **130** clients in Arkansas, Iowa, Illinois, Kansas, Minnesota, Missouri, Nebraska, North Dakota, Oklahoma, and Wisconsin

Expectations

Below are some key points to think about as you examine how the analysis looked at creating a planning tool for making decisions:

- Project timeline a result of ensuring student data could represent as close as possible the Official Count with attributes that would allow RSP to forecast enrollment at a parcel level geography
- The findings were not focused on supporting or contradicting any past internal or outsourced studies – the analysis is based on data, data, and more data
- The study factored in many different data sets to provide data driven analysis that is the foundation to the RSP Statistical Forecast Model (SFM)
- Enrollment change in the community is influenced by but not limited to the birth rate, demographics, types of development and/or housing affordability
- Other items such as choices people make with the impact of COVID-19 must be monitored to ensure those choices result in good school planning decisions
- The study does not provide specific information about which site would be best suited for a new facility or for that matter should the district build any new facility – this analysis is one portion of how to make that decision
- This analysis is based on the same grade configuration and educational programming expectations the patrons have for each student
- Projecting enrollment is not a science – like life in general some assumptions happen that may lead to greater enrollment while others toward a smaller enrollment
- The goal of this study is to help the board, administration, and public understand how to make the best decision for the students at the classroom level

Making it Happen

School District

- SD #308

County, City & Others

- Kendall & Will counties
- Cities of Aurora & Joliet
- Wheatland, Oswego, Bristol, & NaAuSay Townships
- Villages of Plainfield, Oswego and Montgomery
- United States Geological Survey
- Census Bureau/ Esri



Thank you!

**Accurate projections are a result of the local entities providing quality data.*

**The data utilized in the analysis is the best available information each of the entities could provide at the time of the study.*

Part One

Enrollment & Demographics

100,000 Foot Perspective



- Overall enrollment decrease forecasted where enrollment will decrease to about to about 16,400 students by 2025/26
- Kindergarten enrollment will range from 1,150 to 1,250 students
- District decreases by just nearly 200 students (-1.1%) (Annual Range: -1.0% to +1.8% a year)
- Elementary increases by about 650 students (+9.4%) (Annual Range: +0.5% to +3.8% a year)
- Junior High School decreases by about 500 students (-11.8%) (Annual Range: -4.8% to -0.5% a year)
- High School decreases by nearly 350 students (-6.2%) (Annual Range: -2.6% to +0.9% a year)



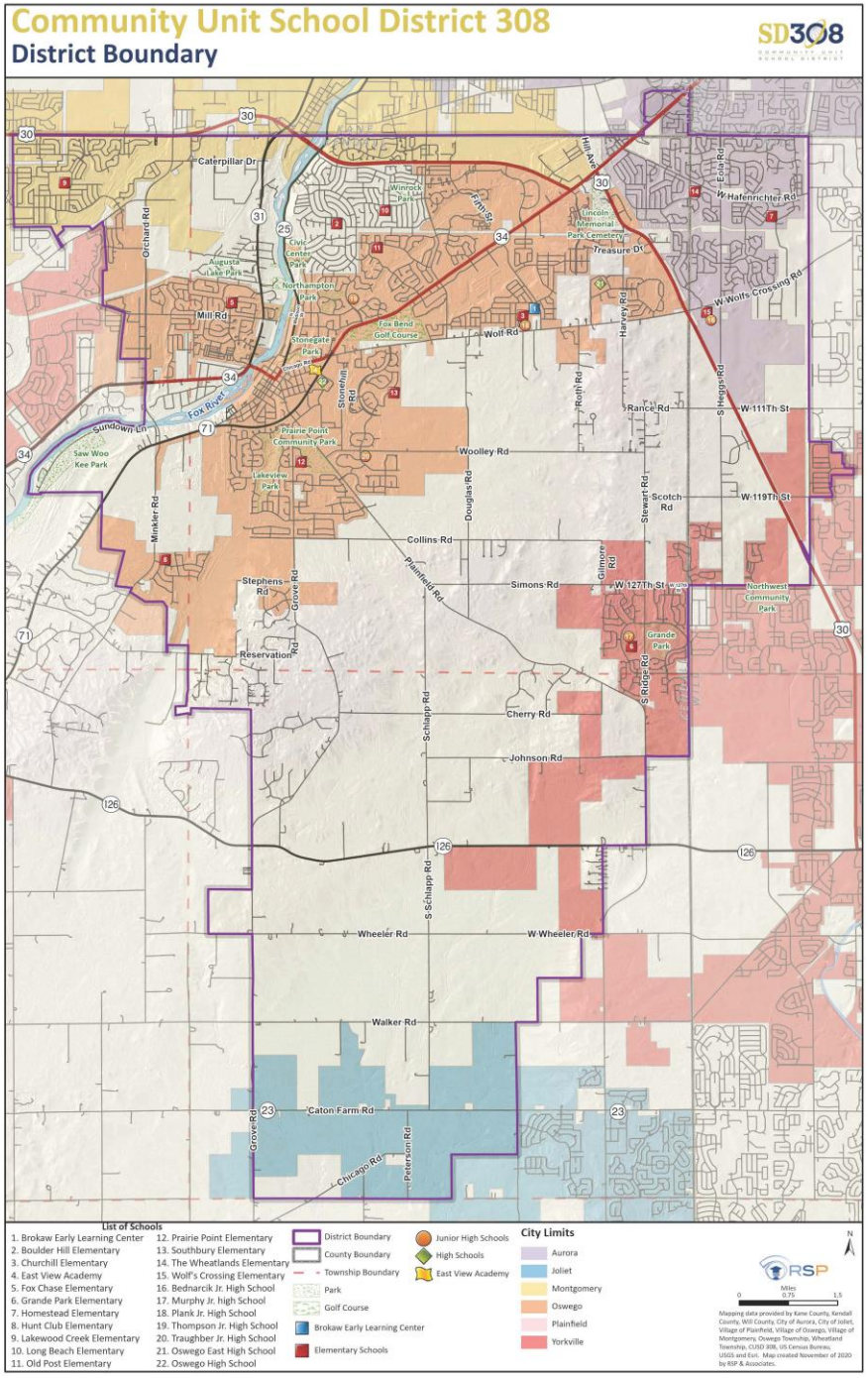
- Elementary School: Adequate district-wide but there are capacity challenges at specific buildings:
  - Fox Chase ES: Reside (2021/22 to 2025/26) Attend (2023/24 to 2025/26)
  - Grande Park ES: Reside (Current to 2025/26) Attend (2021/22 to 2025/26)
  - Lakewood Creek ES: Reside (Current to 2025/26)
  - Long Beach ES: Reside (Current to 2025/26)
  - Southbury ES: Reside (2025/26) Attend (2024/25 to 2025/26)
  - The Wheatlands ES: Reside (2022/23 to 2025/26)
- Junior High School: Adequate district-wide but not at specific buildings:
  - Traughber Junior High: Reside (Current to 2023/24)
- High School: Adequate district-wide and building capacity
- Capacity calculations may change to address what has been learned from COVID-19



- The impact COVID-19 may have on the economy and housing starts must be monitored
- Majority of residential development will happen south of Wolf Rd
- If developments are affordable and economic conditions are favorable, additional residential development opportunities exist influencing enrollment growth – some breaking loose in 2021
- Consider diversity of new housing products

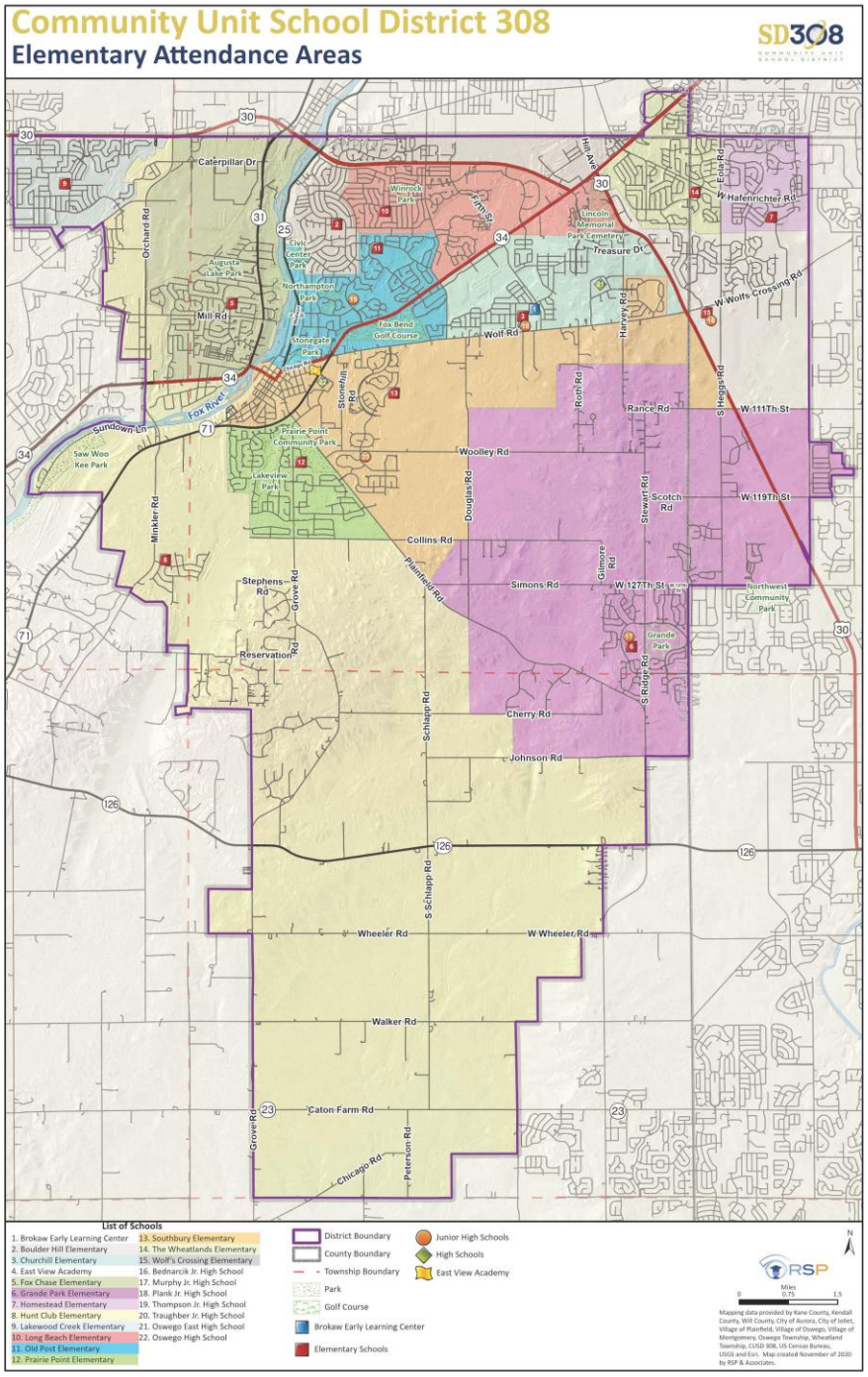
District Boundary

- District Boundary **(Purple Line)**
- Major Streets
- Major water features & cultural features
- Municipality Limits
  - Aurora (purple)
  - Joliet (blue)
  - Montgomery (yellow)
  - Oswego (orange)
  - Plainfield (pink)
  - Yorkville (red)



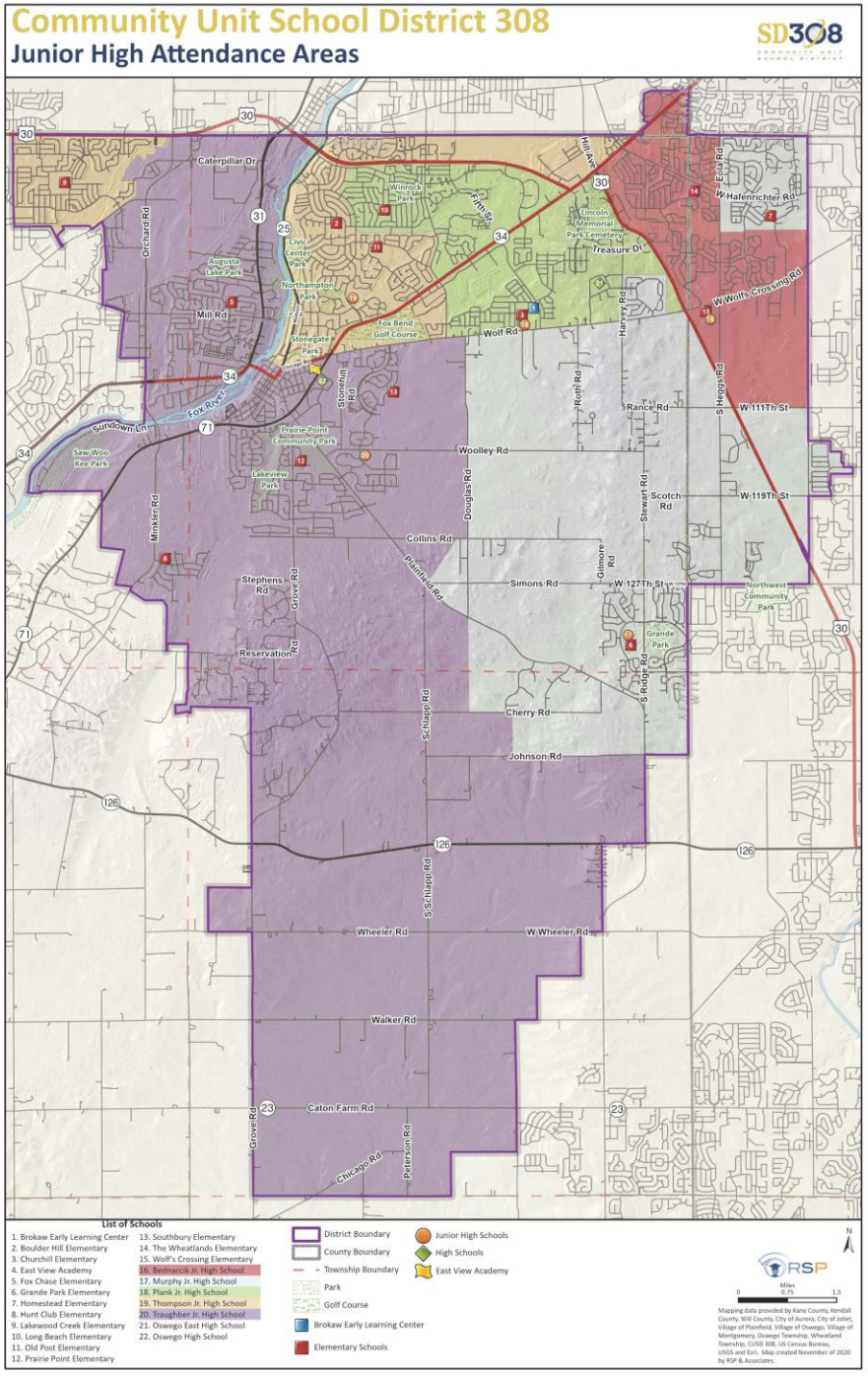
Elementary Attendance Areas

- District Boundary **(Purple Line)**
- Major Streets
- Major water features & cultural features
- ES Attendance Areas
  - Brokaw Early Learning Center (white)
  - Boulder Hill (beige)
  - Churchill (aqua)
  - East View **(white)**
  - Fox Chase (light green)
  - Grande Park (purple)
  - Homestead (light purple)
  - Hunt Club (yellow)
  - Lakewood (light blue)
  - Long Beach (pink)
  - Old Post (blue)
  - Prairie Pointe (green)
  - Southbury (orange)
  - The Wheatlands (lime)
  - Wolf's Crossing (gray)



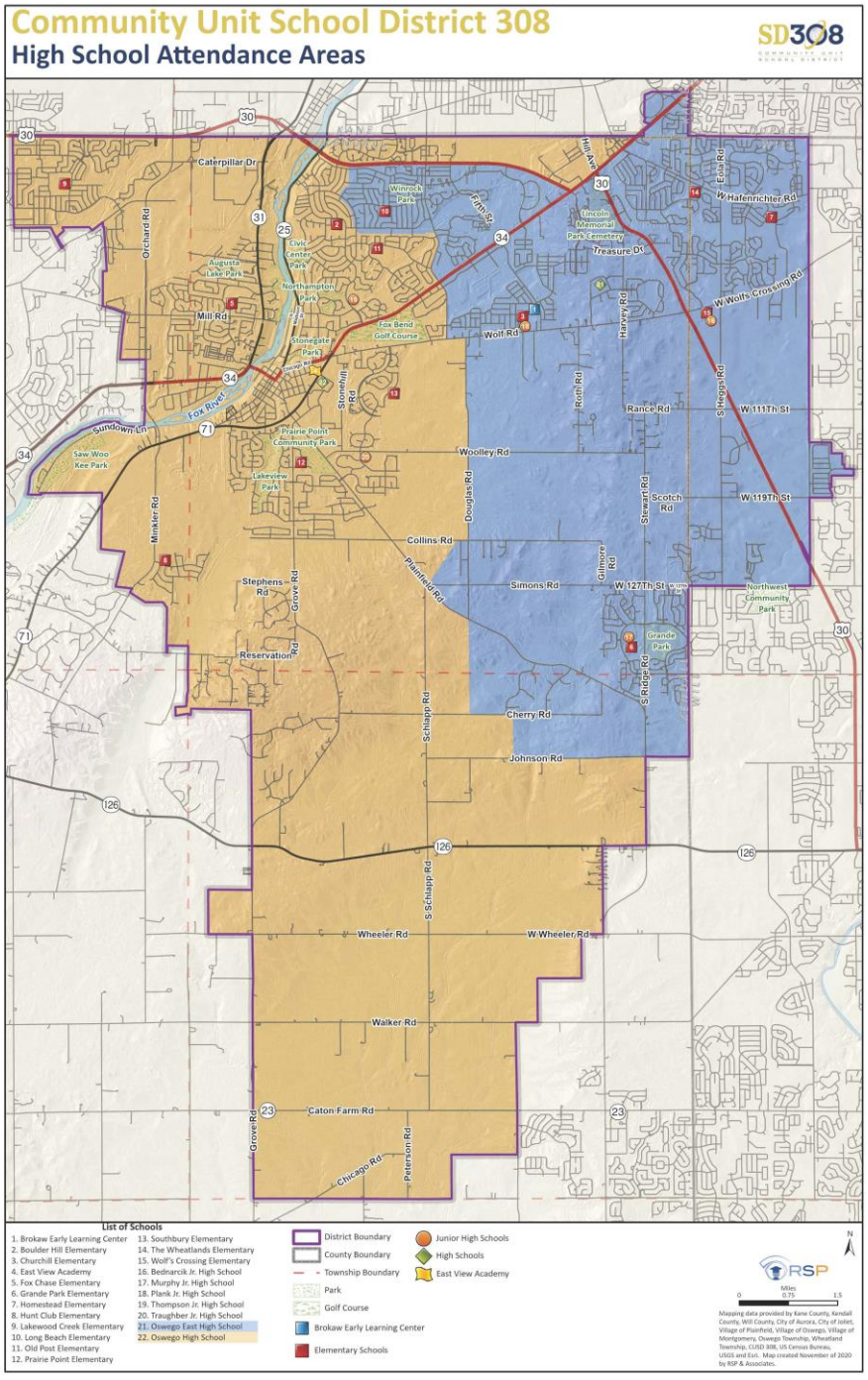
Junior High Attendance Areas

- District Boundary **(Purple Line)**
- Major Streets
- Major water features & cultural features
- JH Attendance Areas
  - Bednarik **(Red)**
  - Murphy **(Light Blue)**
  - Plank **(Green)**
  - Thompson **(Tan)**
  - Traughber **(Purple)**



High School Attendance Areas

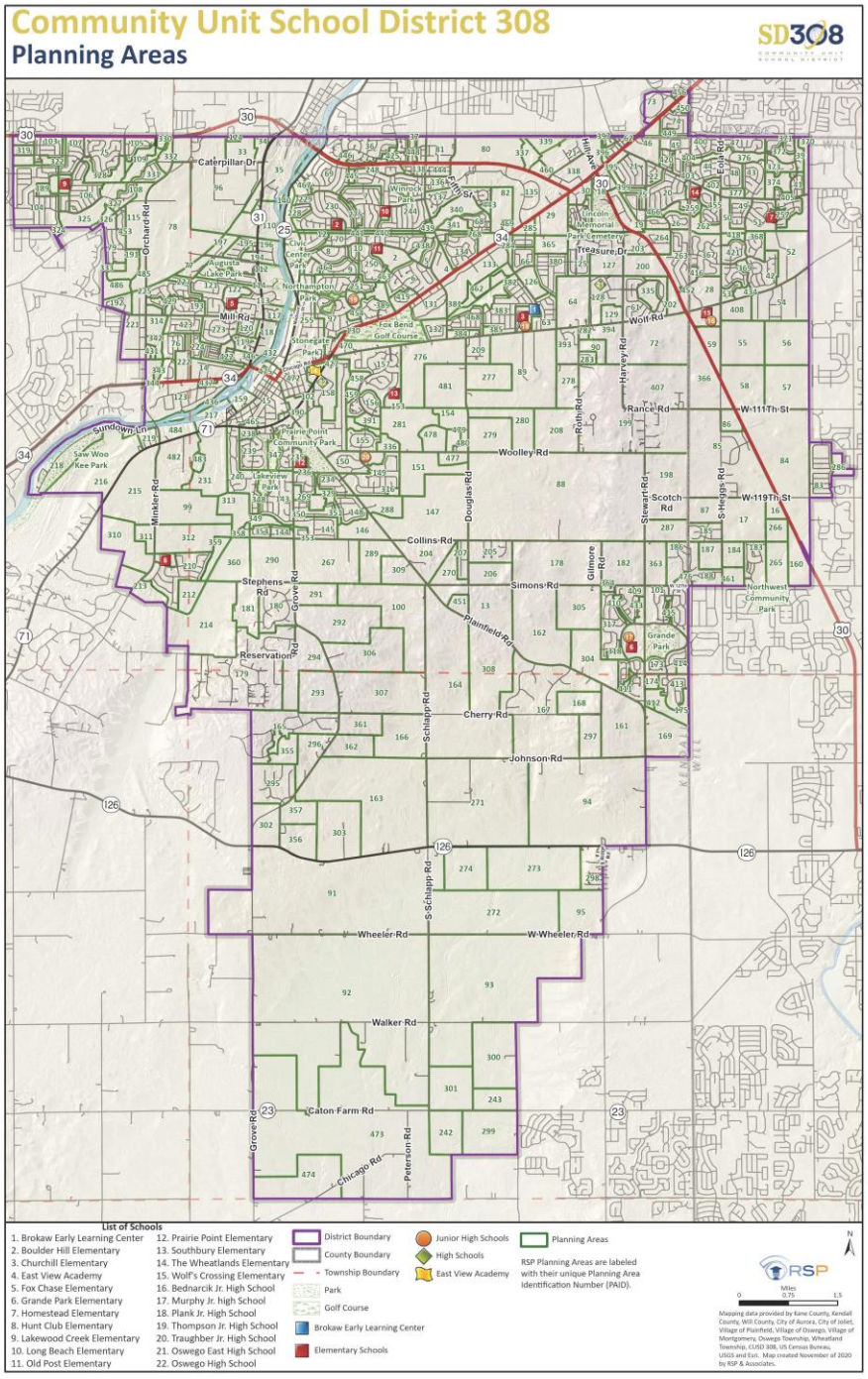
- District Boundary **(Purple Line)**
- Major Streets
- Major water features & cultural features
- Attendance Areas
  - Oswego East HS (Blue)
  - Oswego HS (Gold)



Planning Areas

- There are over **500** planning areas RSP monitors for demographic, development, and enrollment data sets
  - Statistically analyzing data with this number of geographic based polygons will provide a deeper context to how change is happening resulting in a reliable tool to make credible planning decisions
  - Each planning area has a different outlook based on indicators such as value of housing, square footage of housing unit, when the housing product was constructed, as well as access to amenities such as shopping, parks, trails, and roads

- **Planning Areas are created from:**
  - Land Use (Residential, Commercial, Industrial)
  - Residential Density (Single-Family, Mobile Home, Duplex, Apartment)
  - Natural Features (Rivers and Forests)
  - Manmade Features (Railroad and Streets)
  - Attendance Area



Sophisticated Forecast Model

Built-Out

$$S_{c, t, x} = S_{c - 1, t - 1, x} * GC$$

Let:

S	=	The number of students, either an actual count or a projected count
x	=	A subscript denoting an attendance area in the School District
c	=	Grade level
t	=	Time (Years)
GC	=	Growth component either modeling enrollment increase or decrease based on historical information, expressed as a real number

Developing

$$S_{c, t, x} = S_{c - 1, t - 1, x} + (BP_{t, x} * R_{c, x})$$

Where:

$$BP_{t, x} = \left(\frac{(CP_x)\,(BT_x)\,(A_x)}{\sum x\,(CP_x)\,(BT_x)\,(A_x)} \right) * CT$$

Let:

S	=	The number of students, either an actual count or a projected count
x	=	A subscript denoting an attendance area in the School District
c	=	Grade level
t	=	Time (Years)
BP	=	Building permit forecast as given by the Building Permit Allocation Model (BPAM) model
Rc, x	=	Student enrollment ratio of cohort c in planning area x
CP	=	Capacity of a planning area as expressed by available housing units
BT	=	Building history trend of a planning area
A	=	An index which models the likelihood of development
CT	=	Building permit control total forecast

Over **500** Planning Areas are statistically analyzed in the district

This is the central focus of everything RSP does. The model is based on what is happening in a school district. The best data is statistically analyzed to provide an accurate enrollment forecast. The District will be able to use RSP's report and maps to better understand demographic trends, school utilization, and the timing of construction projects.

RSP SFM Details

- The important factor concerning the RSP SFM is that it is a Social Science not an exact science; it identifies behavior trends to determine the propensity of them to be recreated:
- The value of the RSP SFM is how our team creates and analyzes the geography at a planning area level for any commonality which will help produce an accurate forecast
- Some of the variables examined for each planning area (but not limited to):
  - Natural Cohort (District data)
  - Planning Area Subdivision Lifecycle (RSP variable)
  - Value of Homes (County assessor data)
  - Type of Residential unit (SF, MF, DUP, TH, Resort, etc.) (County assessor data)
  - Year units were built (County assessor data)
  - Estimated female population (Census data)
  - Estimated 0-4 population (Census data)
  - Existing Land Use (County and City data)
  - Future Land Use (County and City data)
  - Capital Improvement Plan (CIP) (County and City data)
  - Future Developments (County and City data)
  - In-Migration of students (District data)
  - Out-Migration of students (District data)

Kendall County Birth Information

Kendall County Live Births and SD 308 Kindergarten 5-Years Later

Calendar Year	# Live Births	Birth Change	% Birth Change	School Year	# Kdg	%Kdg of Live Births
2005	1,470			2015/16	924	51.6%
2006	1,744	274	18.6%	2016/17	919	52.6%
2007	1,928	184	10.6%	2017/18	894	52.5%
2008	1,962	34	1.8%	2018/19	912	54.4%
2009	1,822	-140	-7.1%	2019/20	930	56.7%
2010	1,789	-33	-1.8%	2020/21	866	53.3%
2011	1,746	-43	-2.4%			
2012	1,702	-44	-2.5%			
2013	1,675	-27	-1.6%			
2014	1,639	-36	-2.1%			
2015	1,626	-13	-0.8%			
2016	1,594	-32	-2.0%			
2017	1,486	-108	-6.8%			
2018	1,515	29	2.0%			
3-Year Average	1,531.7	-37.00				
3-Year Weighted Average	1,518.5	-26.83				

Source: Illinois Department of Public Health (IDPH) and SD 308

Live Birth Observations

- Tracks the number of live births and the corresponding number of kindergarten students in Kendall County five years later
- The number of live births in Kendall County is 3.1% greater in 2018 than it was in 2005
- SD 308 has a range of 51.6% to 56.7% of County live births five years later
- With fewer number of live births, it is likely there will be fewer kindergarten students five years later
- The % of kindergarteners 5 years later has been fluctuating over the last 6 years

Will County Birth Information

Will County Live Births and SD 308 Kindergarten 5-Years Later

Calendar Year	# Live Births	Birth Change	% Birth Change	School Year	# Kdg	%Kdg of Live Births
2005	9,822			2015/16	212	2.5%
2006	9,948	126	1.3%	2016/17	204	2.5%
2007	9,911	-37	-0.4%	2017/18	183	2.3%
2008	9,601	-310	-3.1%	2018/19	211	2.8%
2009	9,058	-543	-5.7%	2019/20	195	2.5%
2010	8,572	-486	-5.4%	2020/21	190	2.4%
2011	8,102	-470	-5.5%			
2012	7,988	-114	-1.4%			
2013	7,650	-338	-4.2%			
2014	7,955	305	4.0%			
2015	7,802	-153	-1.9%			
2016	7,803	1	0.0%			
2017	7,426	-377	-4.8%			
2018	7,321	-105	-1.4%			
3-Year Average	7,516.7	-160.33				
3-Year Weighted Average	7,436.3	-178.00				

Source: Illinois Department of Public Health (IDPH) and SD 308

Live Birth Observations

- Tracks the number of live births and the corresponding number of kindergarten students in Will County five years later
- The number of live births in Will County is 25.5% less in 2018 than it was in 2005
- SD 308 has a range of 2.3% to 2.8% of County live births five years later
- With fewer number of live births, it is likely there will be fewer kindergarten students five years later
- The % of kindergarteners 5 years later has stayed at about 2.5% over the past 6 years

Enrollment by Grade

Enrollment By Grade

Year	K	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	12th	Total
2000/01	589	598	528	540	536	523	540	562	508	483	455	431	304	6,597
2001/02	690	707	655	592	596	595	597	597	603	541	502	455	326	7,456
2002/03	770	778	801	746	659	674	661	626	624	623	541	506	367	8,376
2003/04	836	875	852	870	818	711	766	725	693	670	659	561	552	9,588
2004/05	1,064	986	984	925	959	878	791	824	781	828	731	619	536	10,906
2005/06	1,154	1,182	1,058	1,053	992	1,067	948	864	900	897	860	688	638	12,301
2006/07	1,299	1,240	1,230	1,106	1,115	1,057	1,134	1,006	914	1,030	886	800	675	13,492
2007/08	1,260	1,359	1,252	1,267	1,145	1,160	1,096	1,168	1,048	1,010	1,012	818	725	14,320
2008/09	1,387	1,326	1,374	1,291	1,250	1,161	1,167	1,126	1,180	1,118	974	906	750	15,010
2009/10	1,434	1,439	1,345	1,372	1,285	1,262	1,200	1,181	1,142	1,253	1,090	905	869	15,777
2010/11	1,406	1,470	1,438	1,357	1,388	1,295	1,273	1,207	1,176	1,229	1,192	1,013	745	16,189
2011/12	1,323	1,454	1,478	1,443	1,361	1,391	1,290	1,277	1,181	1,156	1,119	1,190	943	16,606
2012/13	1,389	1,367	1,468	1,468	1,445	1,357	1,384	1,329	1,278	1,181	1,163	1,092	1,117	17,038
2013/14	1,267	1,373	1,372	1,459	1,440	1,440	1,360	1,348	1,324	1,286	1,187	1,152	1,078	17,086
2014/15	1,242	1,292	1,375	1,380	1,448	1,456	1,437	1,362	1,377	1,330	1,280	1,180	1,137	17,296
2015/16	1,161	1,283	1,333	1,376	1,405	1,449	1,482	1,444	1,368	1,373	1,339	1,279	1,153	17,445
2016/17	1,132	1,213	1,294	1,353	1,391	1,419	1,453	1,473	1,413	1,357	1,374	1,335	1,249	17,456
2017/18	1,095	1,191	1,272	1,319	1,370	1,380	1,432	1,465	1,462	1,427	1,335	1,356	1,270	17,374
2018/19	1,150	1,130	1,219	1,275	1,339	1,391	1,385	1,447	1,471	1,477	1,410	1,313	1,298	17,305
2019/20	1,143	1,183	1,169	1,247	1,297	1,366	1,395	1,425	1,455	1,467	1,472	1,397	1,282	17,298
2020/21	1,074	1,074	1,137	1,124	1,178	1,262	1,323	1,374	1,395	1,428	1,441	1,431	1,319	16,560

Source: School District 308

Table Explanation:

- Largest K-12 class in 2020/21 – **10th** grade **(1,441)**
- Smallest K-12 class in 2020/21 – **Kindergarten and 1st grade (1,074)**
- Graduating senior is class larger than the incoming Kindergarten class which will influence enrollment to be smaller
  - This became a normal action in 16/17 meaning that enrollment growth would have to be influenced by cohort change

**All past student data is exported from the district student database allowing the ability to do robust statistical analysis by student geography. The student database export will not always align perfectly with the Official Counts (Statistically 99% greater match by grade).*

Cohort Student Observation

Change By Grade from the Previous Year

From	To	K	K 1st	1st 2nd	2nd 3rd	3rd 4th	4th 5th	5th 6th	6th 7th	7th 8th	8th 9th	9th 10th	10th 11th	11th 12th	District Change
2000/01	2001/02	101	118	57	64	56	59	74	57	41	33	19	0	-105	859
2001/02	2002/03	80	88	94	91	67	78	66	29	27	20	0	4	-88	920
2002/03	2003/04	66	105	74	69	72	52	92	64	67	46	36	20	46	1,212
2003/04	2004/05	228	150	109	73	89	60	80	58	56	135	61	-40	-25	1,318
2004/05	2005/06	90	118	72	69	67	108	70	73	76	116	32	-43	19	1,395
2005/06	2006/07	145	86	48	48	62	65	67	58	50	130	-11	-60	-13	1,191
2006/07	2007/08	-39	60	12	37	39	45	39	34	42	96	-18	-68	-75	828
2007/08	2008/09	127	66	15	39	-17	16	7	30	12	70	-36	-106	-68	690
2008/09	2009/10	47	52	19	-2	-6	12	39	14	16	73	-28	-69	-37	767
2009/10	2010/11	-28	36	-1	12	16	10	11	7	-5	87	-61	-77	-160	412
2010/11	2011/12	-83	48	8	5	4	3	-5	4	-26	-20	-110	-2	-70	417
2011/12	2012/13	66	44	14	-10	2	-4	-7	39	1	0	7	-27	-73	432
2012/13	2013/14	-122	-16	5	-9	-28	-5	3	-36	-5	8	6	-11	-14	48
2013/14	2014/15	-25	25	2	8	-11	16	-3	2	29	6	-6	-7	-15	210
2014/15	2015/16	-81	41	41	1	25	1	26	7	6	-4	9	-1	-27	149
2015/16	2016/17	-29	52	11	20	15	14	4	-9	-31	-11	1	-4	-30	11
2016/17	2017/18	-37	59	59	25	17	-11	13	12	-11	14	-22	-18	-65	-82
2017/18	2018/19	55	35	28	3	20	21	5	15	6	15	-17	-22	-58	-69
2018/19	2019/20	-7	33	39	28	22	27	4	40	8	-4	-5	-13	-31	-7
2019/20	2020/21	-69	-69	-46	-45	-69	-35	-43	-21	-30	-27	-26	-41	-78	-738
3-Yr Avg		-7.0	-0.3	7.0	-4.7	-9.0	4.3	-11.3	11.3	-5.3	-5.3	-16.0	-25.3	-55.7	-271.3
3-Yr Wavg		-27.7	-17.7	-5.3	-12.7	-23.8	-5.0	-19.3	5.3	-11.3	-12.3	-17.5	-28.5	-59.0	-382.8

Source: School District 308

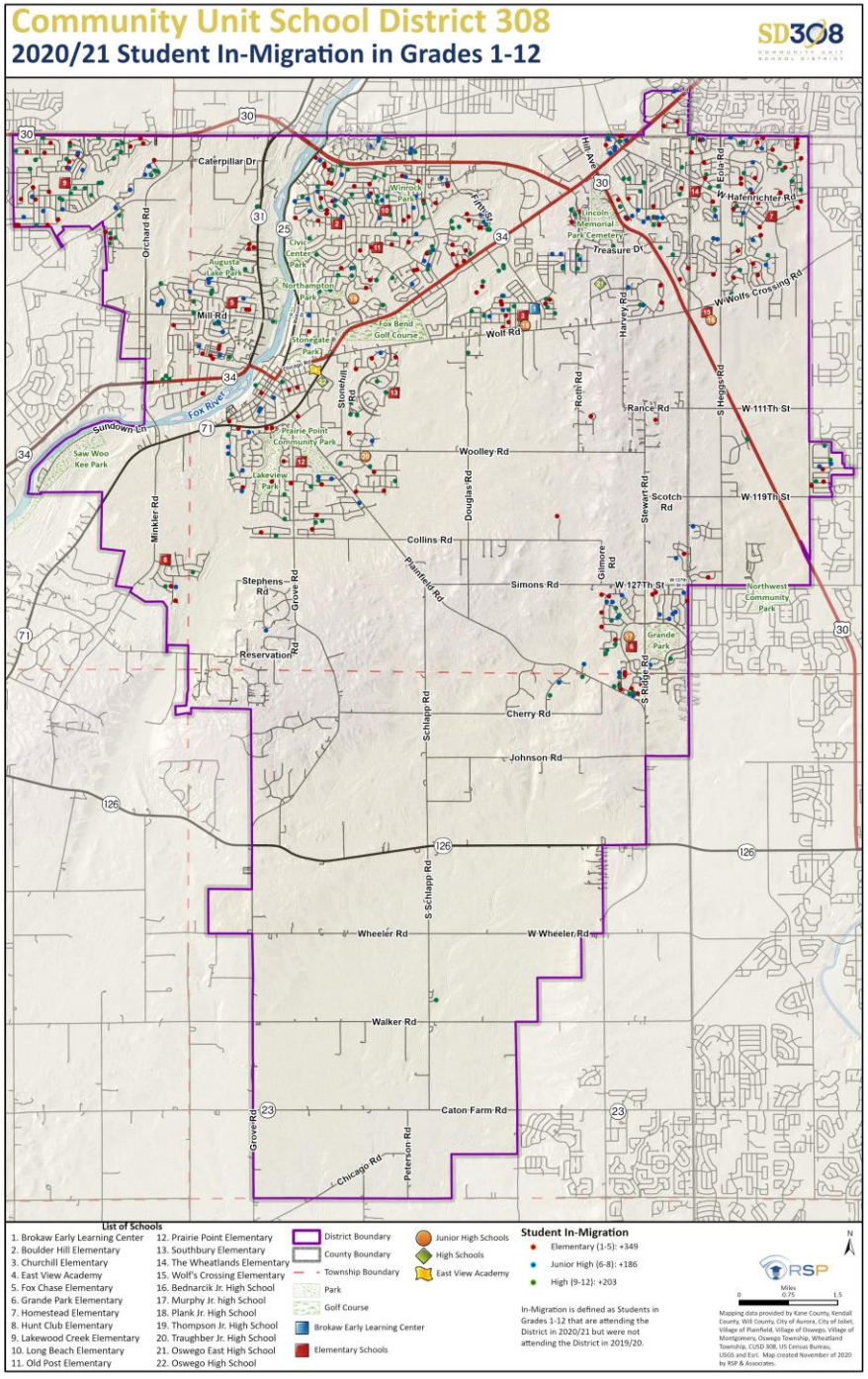
Table Explanation:

- **District decrease by 738 students. Largest decrease since student data in 2000/01**
- Largest 3-year average K-12 class cohort increase – 6th to 7th grade **(+11)**
- Largest 3-year average K-12 class cohort decrease –11th to 12th grade **(-56)**
- COVID has resulted in enrollment cohort decline not seen in the enrollment presented in the table
- Instructional Modality will have to be monitored to determine if the students who are not attending the district still reside in the district and if or how many return to receive services in the future years

**All past student data is exported from the district student database allowing the ability to do robust statistical analysis by student geography. The student database export will not always align perfectly with the Official Counts (Statistically 99% greater match by grade).*

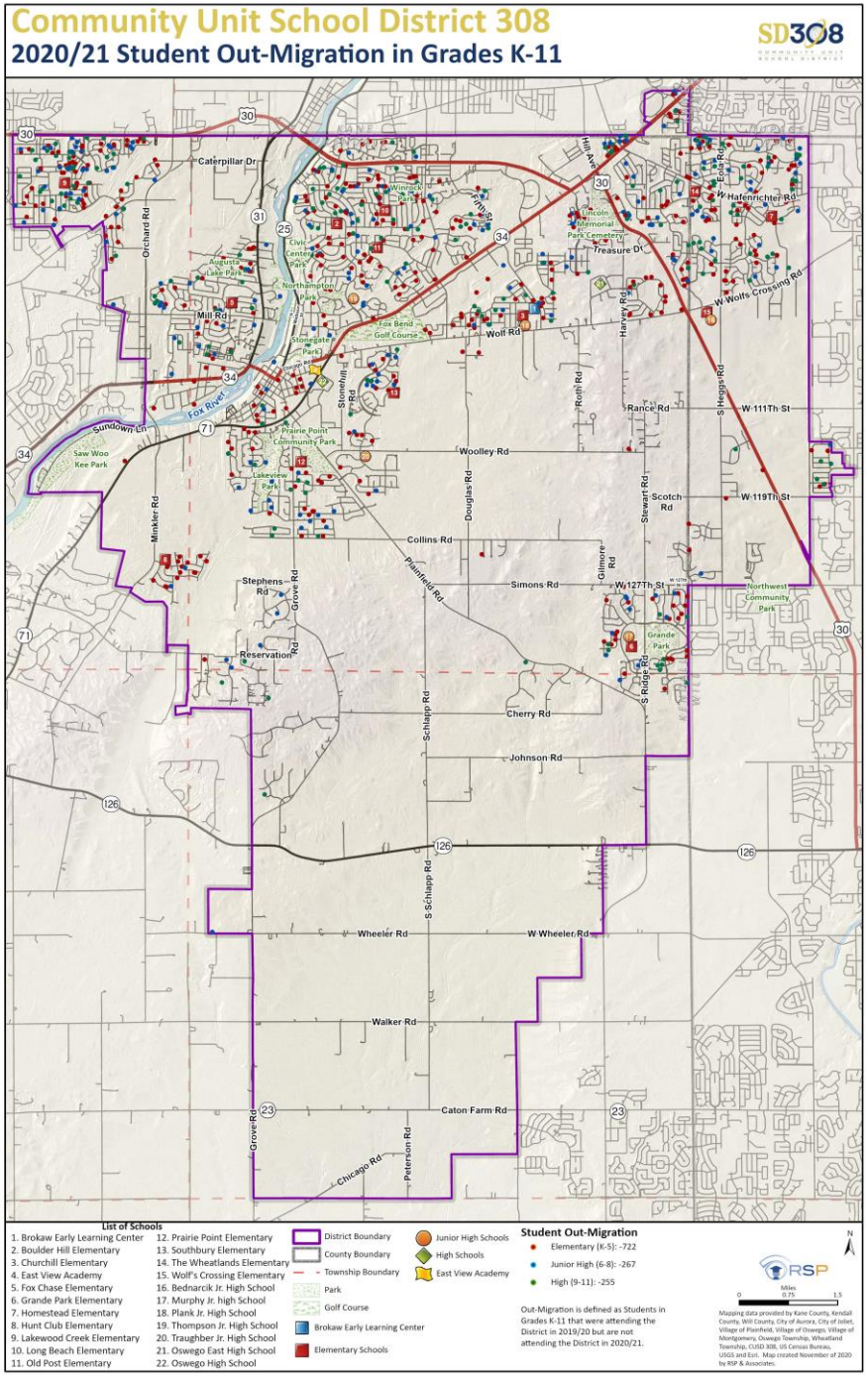
Student In-Migrations

- 2020/21 students who are in 1st through 12th grade that were not attending the District in 2019/20 as Kindergarten through 11th grade.
  - 1,216 new students in **2017/18**
  - 1,138 new students in **2018/19**
  - 1,266 new students in **2019/20**
  - 738 new students in **2020/21**
- **Significantly fewer new students came to the district in 2020/21**



Student Out-Migrations

- 2019/20 students who were in Kindergarten through 11th grades that are not attending the District in 2020/21 as 1st through 12th grade.
  - 1,047 students left the district in **2017/18**, **Total Migration +69**
  - 1,084 students left the district in **2018/19**, **Total Migration +54**
  - 1,126 students left the district in **2019/20**, **Total Migration +140**
  - 1,244 students left the district in **2020/21**, **Total Migration -506**
- **The number of students leaving the district has been increasing over the past few years.**



20/21 Student Withdrawals

Withdrawal Reason	PK	K	1	2	3	4	5	6	7	8	9	10	11	12	Total	Percentage of Withdrawals
Aged out														3	3	0.28%
Death (DAC USE ONLY)		1													1	0.09%
Dropped Out (aged 17 and older)														4	4	0.37%
Erroneous enrollment	1														1	0.09%
Graduated													25	4	29	2.68%
Moved out of US	2	1	2	1	3	1	1	1	2	1	2	1	2		20	1.85%
Moved, not known to be continuing					2		1		1					1	5	0.46%
Transfer in state	25	42	31	29	34	28	34	23	13	27	21	27	6	2	342	31.58%
Transfer out of state	9	22	15	24	21	14	16	21	18	20	12	18	15		225	20.78%
Transfer to GED program												2	3		5	0.46%
Transfer to Home Schooled	17	40	38	24	31	27	28	14	13	14	12	7	9		274	25.30%
Transfer to Private School	14	17	27	15	16	15	15	10	8	25	8	3	1		174	16.07%
Total	68	123	113	93	107	85	95	69	55	87	55	58	61	14	1,083	

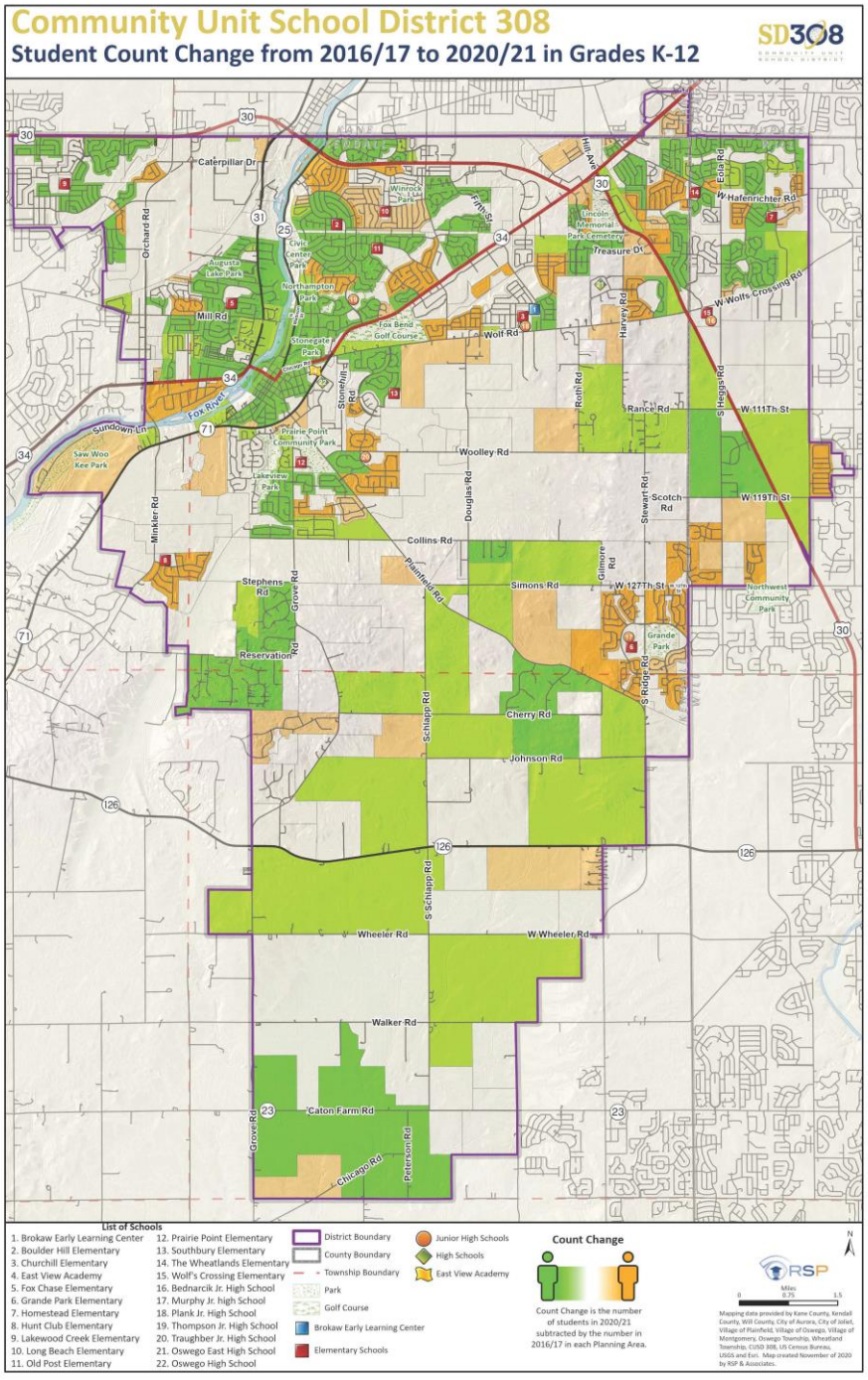
Source: School District 308

Withdrawal Information

- This are students who were in the district in 19/20 (show by grade) but decided to not attend the district in 20/21 due to various reasons
- Top four reasons are students left the district in the 2020/21 school year:
    1. Transfer in State (31.58%)
    2. Home School (25.30%)
    3. Transfer out of State (20.78%)
    4. Private School (16.07%)

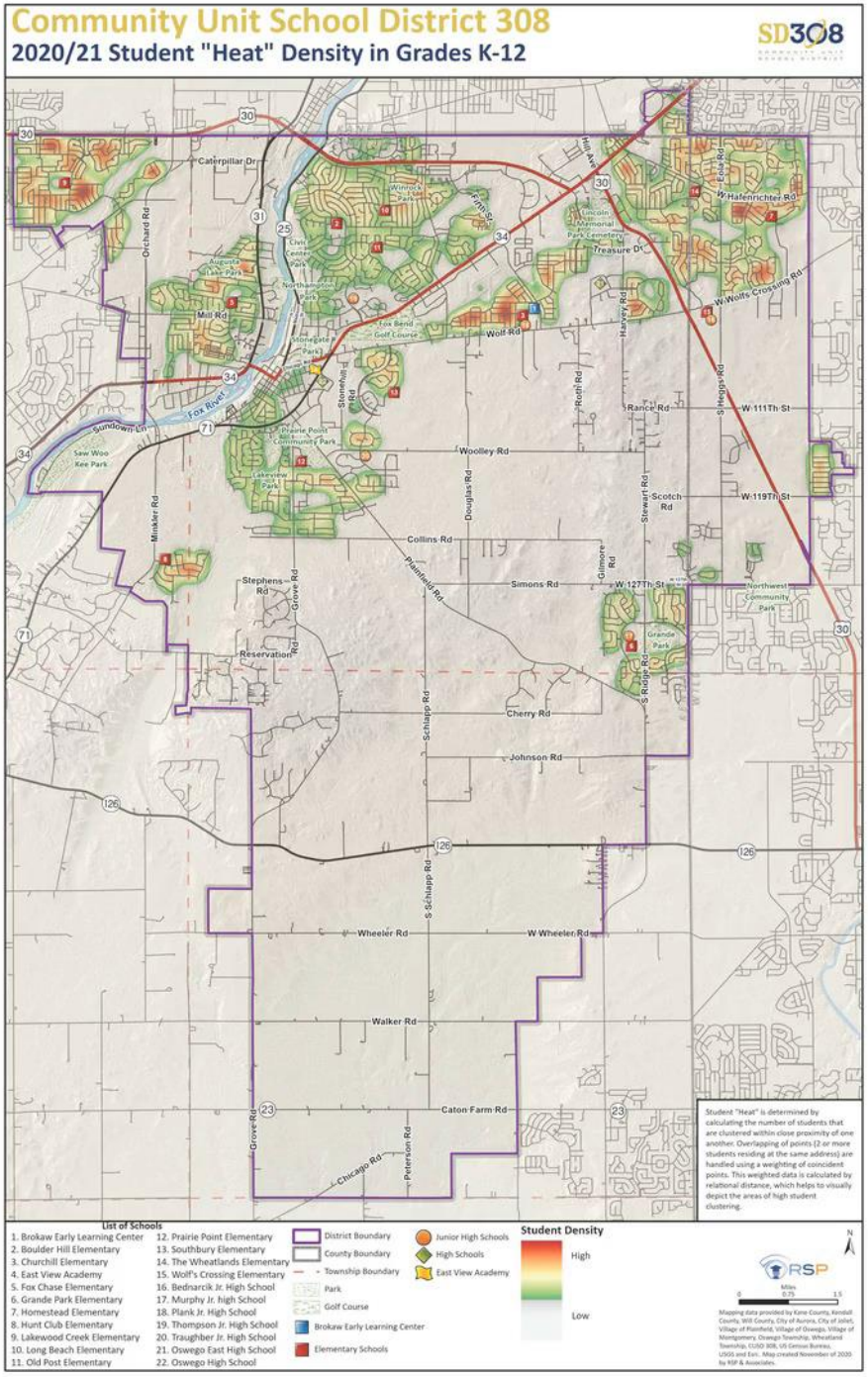
Student Count Change

- Depicts student movement at each Planning Area from **2016/17** to **2020/21**
- **Orange** areas experienced an increase year to year**,** **Green** areas experienced a decrease, **White** areas had no net change of students between **year to year**
- New developments have a greater propensity to have more students in future years
- Current colors do not indicate area will continue to increase or decrease



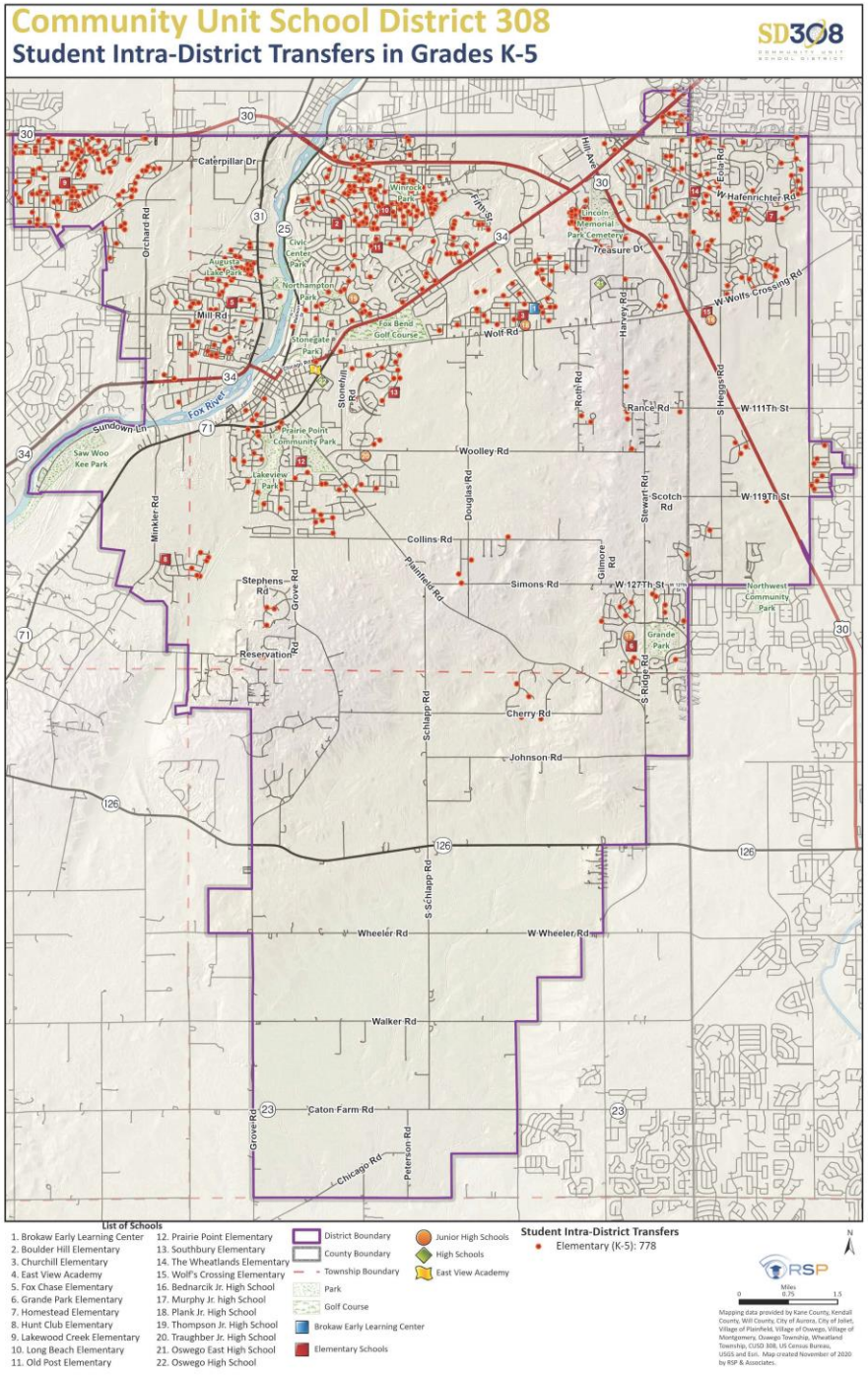
Student "Heat" Density

- **Red** areas depict highest density of students, Gray as lowest student density
- Overlapping points (2 or more students) are handled using a weighting of coincident points
- This analysis helps with understanding student population and geographic proximity to schools
- Some new areas do not necessarily lead to similar yield rates of like developments
- Greatest student density is around Lakewood Creek ES and Churchill ES



ES Intra-Transfers

- Students who reside within an attendance area who attend school outside of said boundary
- This is the 20/21 School Year
- **Hunt Club**; Highest Net Gain; **Long Beach**; Highest Net Loss
- **11.4%** of all Elementary School students elect to transfer out of their assigned attendance area
- The number of Intra-Transfers impacts how the district can staff each building
- Households may like the option of choosing the building their student can attend which may impact any future district policy



ES Intra-Transfers

Attend	Reside													
	Boulder Hill	Churchill	Fox Chase	Grande Park	Homestead	Hunt Club	Lakewood Creek	Long Beach	Old Post	Prairie Point	Southbury	The Wheatlands	Wolf's Crossing	Attend Total
Boulder Hill	0	14	0	2	11	1	5	107	19	0	0	23	14	196
Churchill	3	0	2	0	0	0	3	13	0	3	2	3	1	30
Fox Chase	1	3	0	4	2	7	10	7	3	2	6	4	2	51
Grande Park	0	0	0	0	0	1	0	0	0	0	0	0	0	1
Homestead	0	3	0	3	0	1	3	2	2	0	1	2	3	20
Hunt Club	9	7	57	31	2	0	80	19	7	25	24	1	2	264
Lakewood Creek	1	0	1	0	0	3	0	0	0	0	0	0	0	5
Long Beach	4	0	0	0	0	1	1	0	0	0	2	0	0	8
Old Post	10	13	11	4	9	1	7	15	0	1	2	9	5	87
Prairie Point	2	2	1	2	0	5	1	0	1	0	1	0	0	15
Southbury	2	4	6	3	1	6	9	4	1	4	0	2	3	45
The Wheatlands	0	3	1	1	2	1	1	2	3	1	0	0	0	15
Wolf's Crossing	2	1	6	4	2	1	5	6	3	2	1	8	0	41
Reside Total	34	50	85	54	29	28	125	175	39	38	39	52	30	778

- Attend (Transferring in by row) and Reside (Transferring out by column)
- Example: Boulder Hill has 107 students attending who reside in Long Beach boundary. This gives Boulder Hill a gain in students and Long Beach a loss in students.
- Hunt Club has the most transferring in (+264)
- Long Beach has the most transferring out (-175)
- Hunt Club has the most net gain (+236)
- Long Beach has the most net loss (-167)
- Students coming in **(blue)**
- Students going out **(green)**

Developments in Progress

The following are the developments that were known at the time of the analysis

Current (Potential Shovel Ready Projects)

PAID	Planning Area Name	Development Type	RSP_ES	Existing Units	Potential Units
71	Marquise Pointe	SF	Boulder Hill Elementary	18	185
148	Deerpath Trails Unit 1, 2, 3	SF	Prairie Point Elementary	60	78
149	Ashcroft Place	SF	Southbury Elementary	182	96
150	Ashcroft Place/ The Townes At Ashcroft Walk	TH	Southbury Elementary	60	67
165	Henneberry Woods Unit 1, 2	SF	Hunt Club Elementary	34	73
183	King's Bridge Estates Unit 1	SF	Grande Park Elementary	121	18
185	Stewart Ridge	SF	Grande Park Elementary	48	46
186	Chatam Square Phase 3, 4	SF	Grande Park Elementary	55	33
188	Chatham Square (Will County)	SF	Grande Park Elementary	60	67
193	Estates Of Fox Chase Unit 2	SF	Fox Chase Elementary	97	16
210	Hunt Club East	SF	Hunt Club Elementary	271	14
295	Grove Estates	SF	Hunt Club Elementary	10	42
317	Grande Park Neighborhood Fourteen (Lakeside)	SF	Grande Park Elementary	165	35
350	Deerpath Trails Unit 4, 5	SF	Prairie Point Elementary	81	33
354	Deerpath Creek Unit 8 Duplexes	TH	Prairie Point Elementary	70	26
392	Seasons At Southbury	TH	Southbury Elementary	73	128
413	Playa Vista Unit 1	SF	Grande Park Elementary	30	127
			Unit Totals	1,435	1,084

Source: RSP & Associates

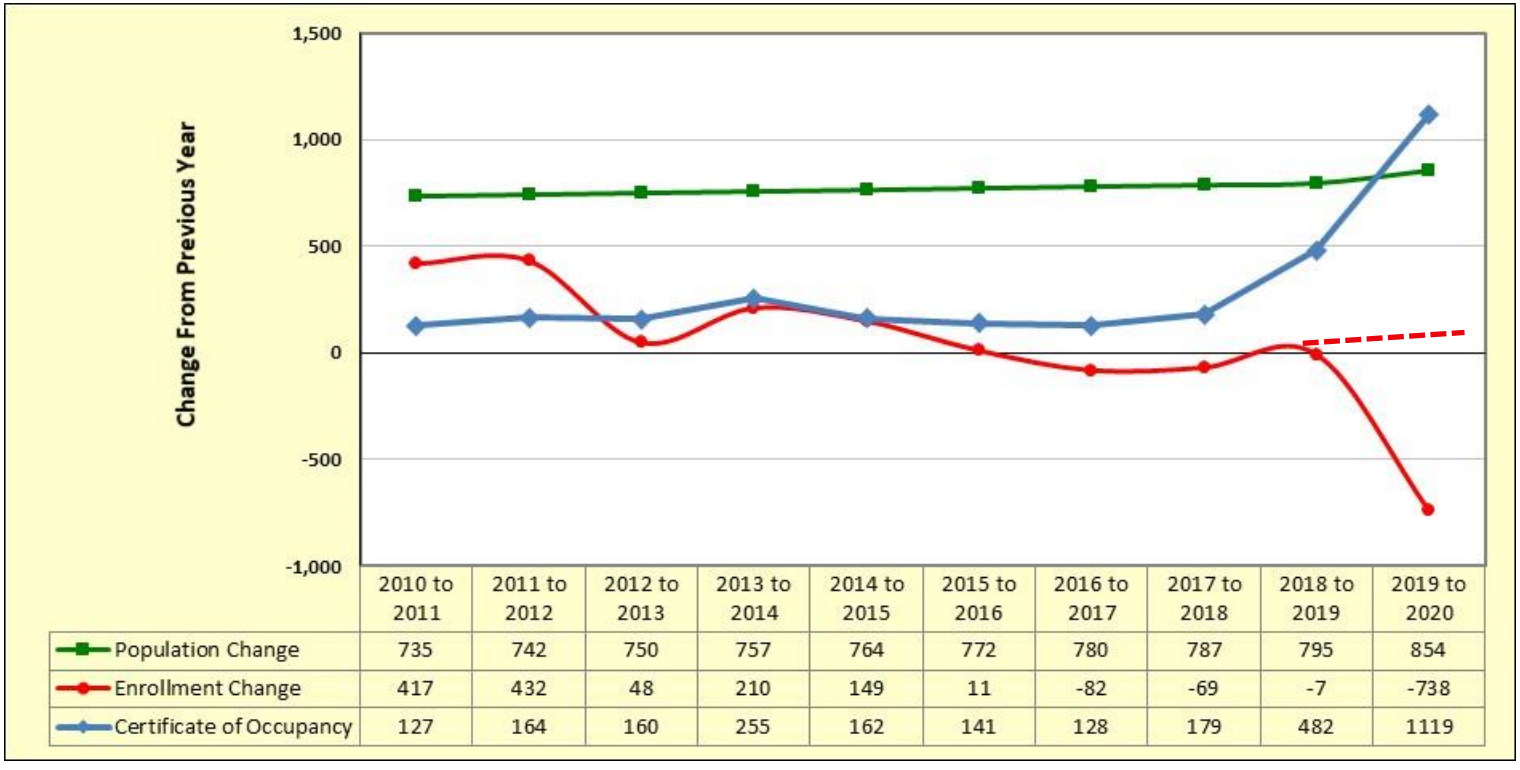
Notes:

- Continue to track annexations and developments to understand the timing and type of developments that could be built
- There are many different type of housing products that are under construction

Part Two

Development

Population, Development, & Enrollment



	2010 to 2011	2011 to 2012	2012 to 2013	2013 to 2014	2014 to 2015	2015 to 2016	2016 to 2017	2017 to 2018	2018 to 2019	2019 to 2020
Population Change	735	742	750	757	764	772	780	787	795	854
Enrollment Change	417	432	48	210	149	11	-82	-69	-7	-738
Certificate of Occupancy	127	164	160	255	162	141	128	179	482	1119

Dotted Red line indicates where if COVID had not happened where enrollment would have tracked – meaning potential to have increased

Source: Census Estimates, School District 308, Kendall and Will County, and RSP SFM & Demographic Models

Graphic Explanation

- Census data indicates an increasing population **(Range: 700 to 900 people, Census estimates annual 1.25% increase)**
- Building trend indicates there has been steady new residential activity **(More activity in last year than pervious 8 years)**
- Student Enrollment growth had been struggling to be positive, but this year has dramatically decreased
- Households moving into the district do not have the typical household demographics resulting in cohort changes that are very dynamic

Student Yield Rate (SF)

Schools	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	Avg
Boulder Hill Elementary	0.22	0.21	0.19	0.19	0.18	0.18	0.2	0.21	0.22	0.23	0.22	0.23	0.22	0.21	0.21
Churchill Elementary	0.44	0.46	0.5	0.51	0.51	0.53	0.5	0.51	0.49	0.46	0.46	0.45	0.42	0.36	0.47
Fox Chase Elementary	0.39	0.38	0.39	0.37	0.35	0.33	0.32	0.3	0.28	0.27	0.25	0.24	0.25	0.24	0.31
Grande Park Elementary	0.3	0.34	0.39	0.41	0.42	0.43	0.43	0.42	0.39	0.37	0.37	0.35	0.36	0.33	0.38
Homestead Elementary	0.4	0.45	0.47	0.48	0.5	0.49	0.49	0.46	0.43	0.42	0.42	0.39	0.38	0.36	0.44
Hunt Club Elementary	0.3	0.3	0.31	0.33	0.32	0.31	0.31	0.29	0.32	0.34	0.36	0.38	0.38	0.34	0.33
Lakewood Creek Elementary	0.4	0.42	0.46	0.48	0.52	0.53	0.54	0.52	0.49	0.47	0.44	0.44	0.41	0.37	0.46
Long Beach Elementary	0.3	0.3	0.3	0.3	0.31	0.31	0.29	0.27	0.27	0.28	0.27	0.25	0.26	0.24	0.28
Old Post Elementary	0.28	0.27	0.27	0.26	0.27	0.25	0.24	0.23	0.21	0.21	0.22	0.22	0.22	0.21	0.24
Prairie Point Elementary	0.49	0.47	0.45	0.45	0.43	0.43	0.4	0.38	0.36	0.33	0.32	0.3	0.29	0.28	0.38
Southbury Elementary	0.31	0.34	0.36	0.37	0.37	0.4	0.39	0.39	0.39	0.38	0.37	0.37	0.36	0.31	0.36
The Wheatlands Elementary	0.41	0.44	0.46	0.46	0.47	0.45	0.44	0.41	0.4	0.38	0.34	0.33	0.31	0.3	0.4
Wolf's Crossing Elementary	0.47	0.52	0.53	0.56	0.55	0.55	0.53	0.5	0.47	0.45	0.42	0.4	0.37	0.33	0.48
District (K-5):	0.36	0.37	0.38	0.39	0.39	0.39	0.38	0.36	0.35	0.34	0.33	0.32	0.32	0.29	0.35

Source: SD 308, Kendall & Will County

Single Family Table Explanation

- Depicts elementary (K-5) enrollment and the corresponding yield rate for 100 housing units
- The yield varies for each elementary attendance area
- Single-Family residential has declined from 36 students every 100 units to 29 students every 100 units
- The District has added **1,951** number of single-family units since 2007
- Adding newer housing inventory typically can increase the yield rate
  - The Heat map video assists in understanding how that has changed over time (Page 29)
  - Residential unit activity provides the basis for timeline and where units likely are built (Page 46)

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Student Yield Rate (MF)

Schools	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	Avg
Boulder Hill Elementary	0.1	0.1	0.1	0.09	0.12	0.12	0.12	0.13	0.13	0.12	0.11	0.13	0.13	0.07	0.11
Churchill Elementary	0.2	0.19	0.21	0.2	0.23	0.18	0.18	0.2	0.23	0.21	0.23	0.2	0.12	0.12	0.19
Fox Chase Elementary	0.09	0.11	0.12	0.12	0.14	0.15	0.14	0.15	0.18	0.2	0.18	0.16	0.16	0.14	0.15
Grande Park Elementary	0.25	0.28	0.26	0.29	0.32	0.29	0.29	0.22	0.21	0.17	0.27	0.29	0.26	0.11	0.25
Homestead Elementary	0.13	0.15	0.17	0.14	0.17	0.2	0.2	0.19	0.19	0.22	0.23	0.23	0.23	0.2	0.19
Hunt Club Elementary	0.08	0.07	0.08	0.09	0.12	0.1	0.11	0.15	0.17	0.2	0.12	0.12	0.12	0.15	0.12
Lakewood Creek Elementary	0.25	0.26	0.3	0.29	0.28	0.27	0.27	0.26	0.27	0.25	0.24	0.25	0.25	0.22	0.26
Long Beach Elementary	0.1	0.1	0.11	0.12	0.13	0.14	0.12	0.14	0.13	0.13	0.11	0.08	0.09	0.09	0.11
Old Post Elementary	0.14	0.14	0.13	0.15	0.12	0.13	0.13	0.12	0.15	0.16	0.16	0.14	0.18	0.18	0.15
Prairie Point Elementary	0.2	0.19	0.17	0.18	0.15	0.12	0.12	0.12	0.12	0.13	0.13	0.15	0.13	0.1	0.14
Southbury Elementary	0.24	0.18	0.18	0.15	0.18	0.15	0.16	0.15	0.13	0.15	0.13	0.14	0.12	0.08	0.15
The Wheatlands Elementary	0.09	0.09	0.1	0.12	0.13	0.16	0.17	0.18	0.18	0.17	0.16	0.16	0.16	0.15	0.14
Wolf's Crossing Elementary	0.1	0.08	0.09	0.11	0.1	0.11	0.14	0.17	0.2	0.2	0.19	0.22	0.18	0.18	0.15
District (K-5):	0.13	0.14	0.15	0.15	0.16	0.16	0.16	0.17	0.18	0.18	0.17	0.17	0.16	0.13	0.16

Source: SD 308, Kendall & Will County

Multi-Family Table Explanation

- Multi-family consists of any residential unit that would be classified as Townhome, Duplex, Apartment, and mobile home – basically everything other than single-family. Note that some years do not have students, this is due to very small amount of units of Multi-Family in your district
- Depicts elementary (K-5) enrollment and the corresponding yield rate for 100 housing units
- Single-Family 2020 residential average (.29) has a higher student yield rate when compared to Multi-Family residential (.13) within the district.
- Multi-Family residential average has slightly increased over the past decade from 13 students for every 100 units to 16 students for every 100 units
- The district has increased by **1,748** multi-family units since 2007
- Adding newer housing inventory typically can increase the yield rate
  - The Heat map assists in understanding how that has changed over time (Page 29)
  - Residential unit activity provides the basis for timeline and where units likely are built (Page 46)

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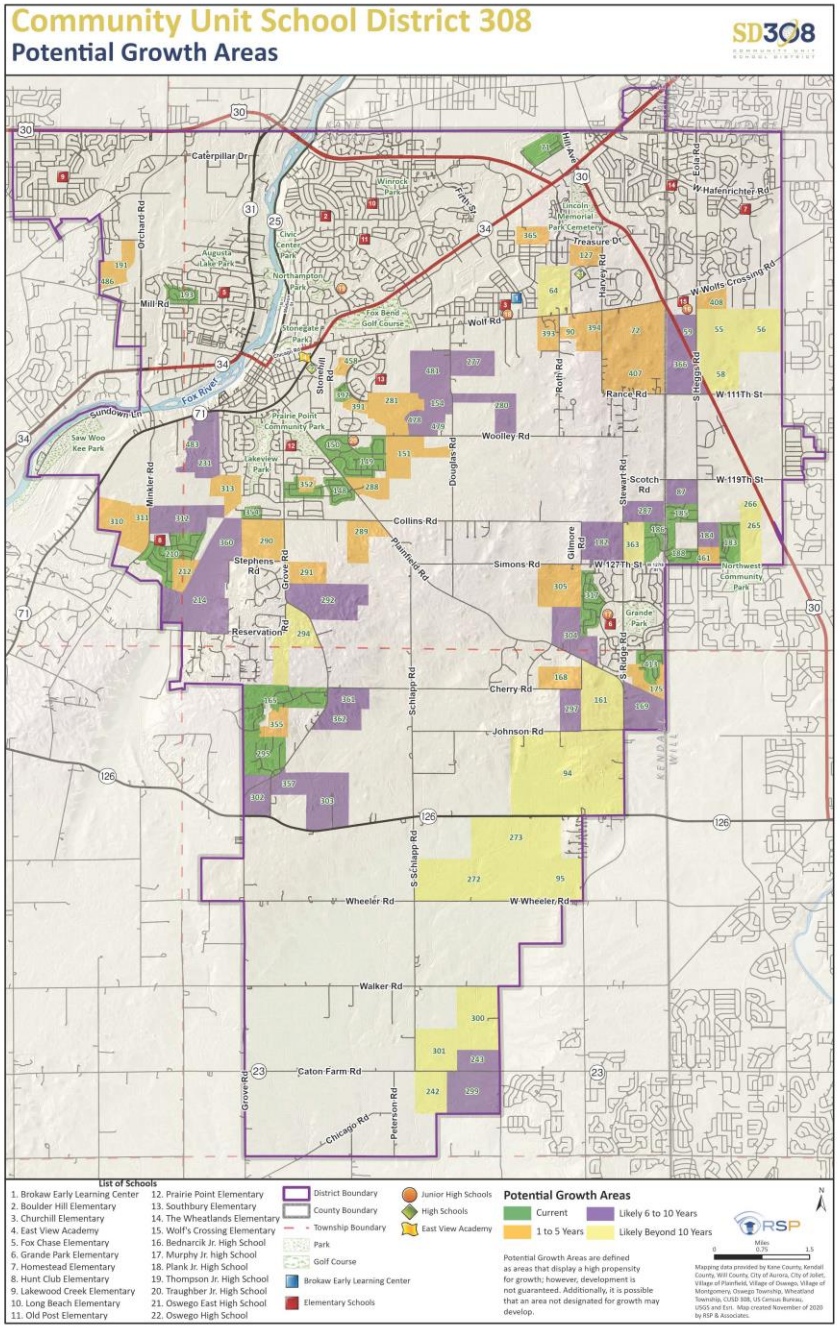
Development Video



- Reveals the clusters of where residential development has occurred and how enrollment changes with the build-out
- Some new areas do not necessarily lead to similar yield rates of like developments in the district which is the basis of how RSP tracks enrollment, demographics, and development at each planning area

Growth Areas

- Identifies where development activity is happening **(Green)**
- Identifies possible areas that could develop
  - **Yellow:** 1-5 years
  - **Purple:** likely 6-10years
  - **Light yellow:** likely beyond 10 years
- The market and property owners desire to build guides the timing of development. Other properties not shown might develop while some shown might not develop
- Majority of residential development will happen south of Wolf Rd



Bednarcik JH Analysis

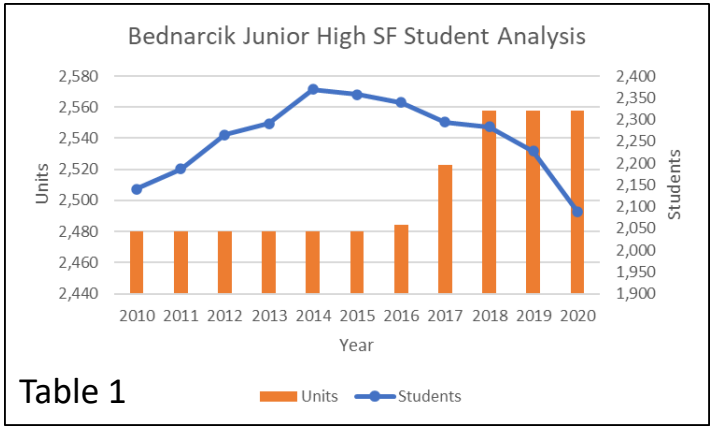


Table 1

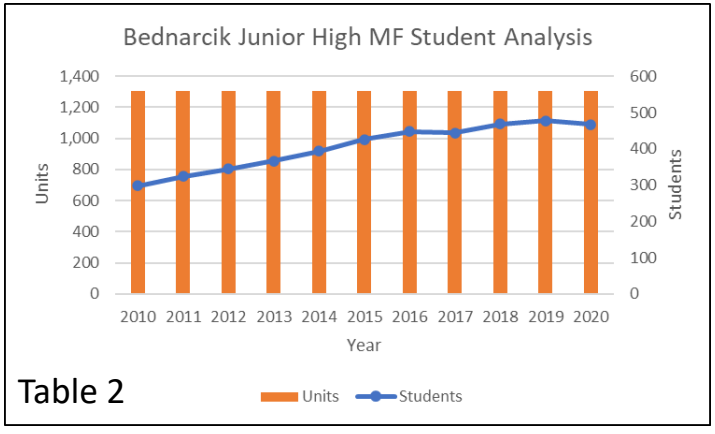


Table 2

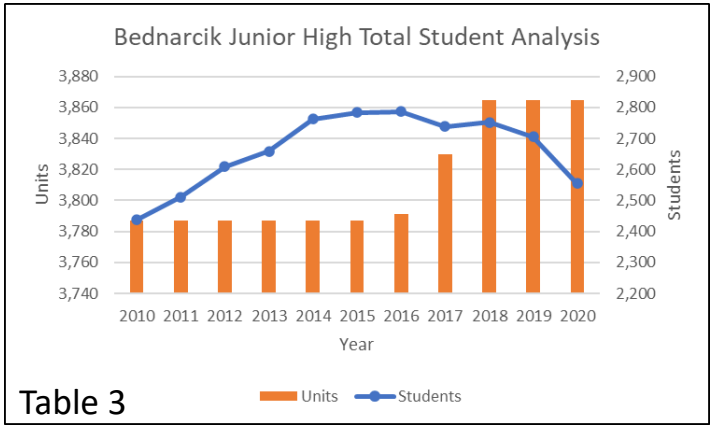


Table 3

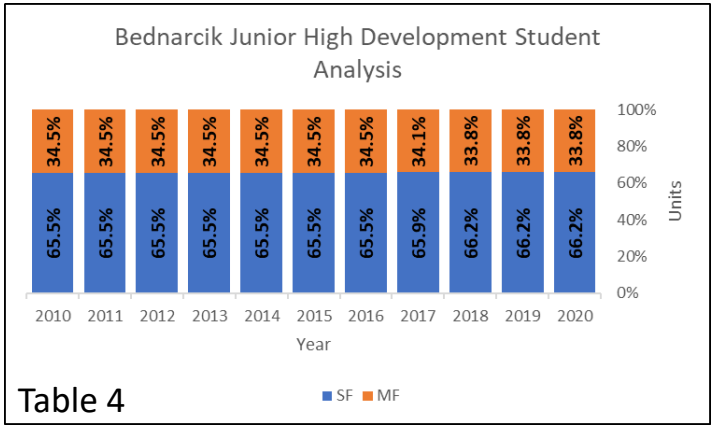


Table 4

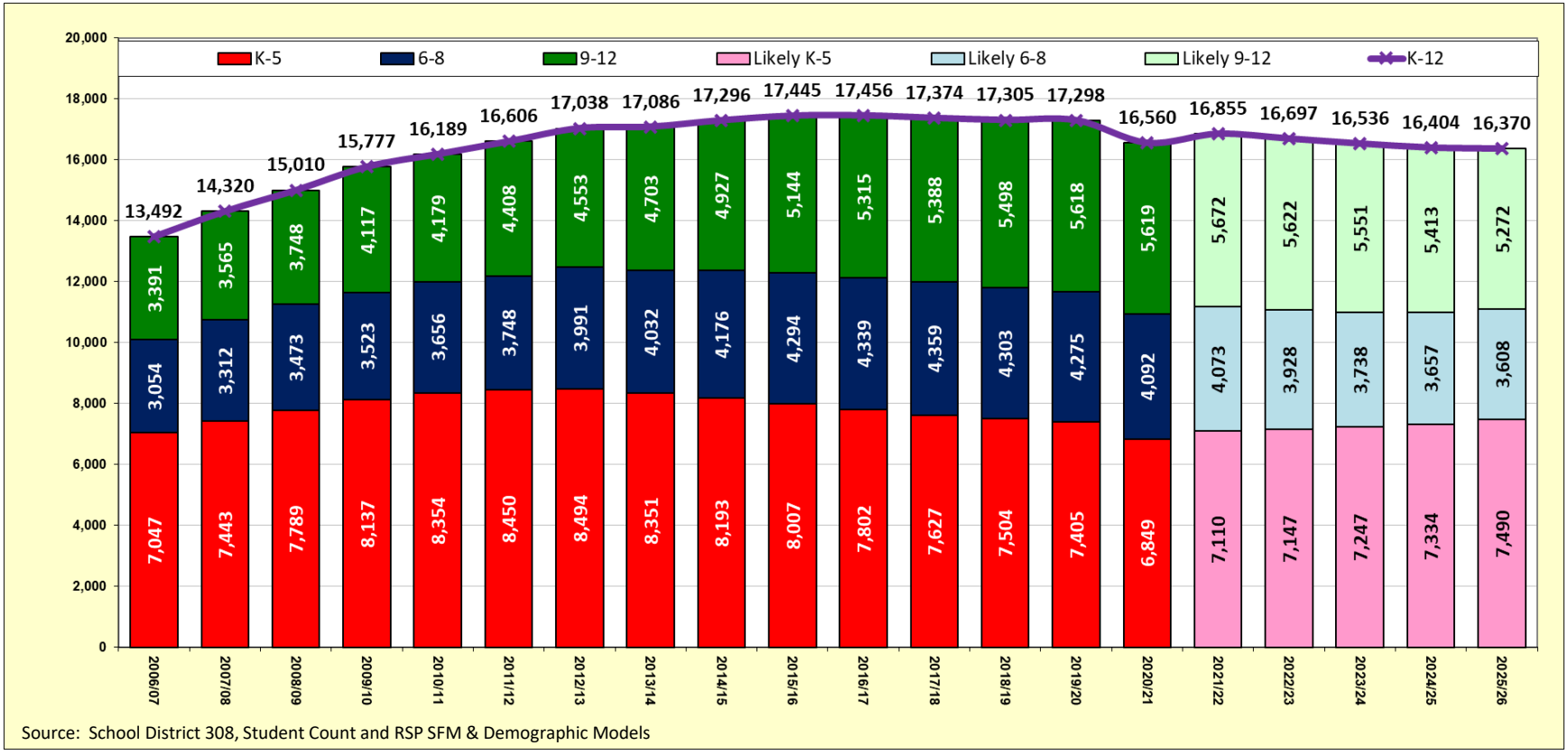
Notes:

- Table 1: The number of Single-Family (SF) units available by year in Bednarcik JH boundary and the number of K-12 students attending
- Table 2: The number of Multi-Family (MF) units available by year in Bednarcik JH boundary and the number of K-12 students attending
- Table 3: : The number of total units available by year in Bednarcik JH boundary and the number of K-12 students attending
- Table 4: The percentage of units by development type (Blue is SF and Orange is MF)

Part Three

Enrollment Projections

Projection View



Source: School District 308, Student Count and RSP SFM & Demographic Models

- Enrollment Change – Overall enrollment increase forecasted to be about 16,400 students by 2025/26
- The impact COVID-19 may have on the economy and housing starts must be monitored
- District decreases by just nearly 200 students (-1.1%) (Annual Range: -1.0% to +1.8% a year)
- Elementary increases by about 650 students (+9.4%) (Annual Range: +0.5% to +3.8% a year)
- Junior High School decreases by about 500 students (-11.8%) (Annual Range: -4.8% to -0.5% a year)
- High School decreases by nearly 350 students (-6.2%) (Annual Range: -2.6% to +0.9% a year)

Projection Notes

Projections Clarification:

- Past Enrollment is shown three different ways:
  1. Reside (Based on where a student Resides in relation to the attendance area – includes Open Enrollment)
  2. Attend (Based on what school the student is attending includes Open Enrollment)
  3. Reside/Attend (Subset of Reside to know how many of the Reside attend the school based on the attendance area they are assigned to)
- **Projections are shown two ways:**
  1. Reside (Based on where a student Resides in relation to the attendance area: Includes Open Enrollment)
  2. Attend (Based on where the student may likely attend – Includes Open Enrollment)
- **Capacity**
  - Provided by district administration and is the Instructional Capacity (IC) to ensure the appropriate space is available for the various student programming need
  - Light orange shading is where the capacity exceeds the Instructional Capacity
  - Should be annually examined to ensure appropriate education space is available
- **Other Items**
  - Enrollment Grade Configuration in Student Forecast Model (K-5, 6-8, 9-12)
  - Open enrollment trends are assumed to follow district policy and will continue like those trends during the projection time frame
  - Integrated potential outcomes as a result of COVID-19 that relate to a slowdown in new housing starts and challenges with the economy as it adapts to the “New Normal”

Elementary Projections

School	Student Location	Past School Enrollment			Enrollment Projections				
		2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26
Boulder Hill Elementary	Res/Att	443	460	420					
Instructional Capacity 770	Reside	507	507	454	486	503	520	512	535
Grades K-5	Attend	607	637	616	672	649	666	658	681
Churchill Elementary	Res/Att	534	508	444					
Instructional Capacity 631	Reside	595	568	494	486	473	468	472	479
Grades K-5	Attend	556	532	474	470	445	440	444	451
Fox Chase Elementary	Res/Att	523	539	503					
Instructional Capacity 678	Reside	602	623	588	626	623	651	657	649
Grades K-5	Attend	576	591	554	578	590	618	624	616
Grande Park Elementary	Res/Att	564	598	564					
Instructional Capacity 721	Reside	619	657	618	659	656	681	688	695
Grades K-5	Attend	570	606	565	617	604	629	636	643
Homestead Elementary	Res/Att	585	560	522					
Instructional Capacity 722	Reside	605	584	551	552	555	562	559	572
Grades K-5	Attend	614	582	542	543	550	557	554	567
Hunt Club Elementary	Res/Att	441	456	423					
Instructional Capacity 846	Reside	477	484	451	451	445	439	435	464
Grades K-5	Attend	709	717	687	666	680	674	670	699
Lakewood Creek Elementary	Res/Att	732	686	621					
Instructional Capacity 859	Reside	860	816	746	742	728	734	741	759
Grades K-5	Attend	749	693	626	621	607	613	620	638
ELEMENTARY TOTAL									
Instructional Capacity 8,905	Reside	7,504	7,405	6,849	7,110	7,147	7,247	7,334	7,490
Grades K-5	Attend	7,504	7,405	6,849	7,110	7,147	7,247	7,334	7,490

Source: RSP & Associates, LLC - November 2020

Exceed Instructional Capacity

Updated Capacity

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Elementary Projections

School	Student Location	Past School Enrollment			Enrollment Projections				
		2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26
Long Beach Elementary	Res/Att	454	455	396					
Instructional Capacity 522	Reside	595	618	571	614	614	607	622	641
Grades K-5	Attend	472	465	404	436	454	447	462	481
Old Post Elementary	Res/Att	367	376	349					
Instructional Capacity 574	Reside	397	408	388	426	440	453	444	447
Grades K-5	Attend	460	475	436	480	498	511	502	505
Prairie Point Elementary	Res/Att	450	439	404					
Instructional Capacity 562	Reside	493	467	442	456	471	475	493	495
Grades K-5	Attend	471	463	419	440	458	462	480	482
Southbury Elementary	Res/Att	553	551	500					
Instructional Capacity 716	Reside	600	589	539	582	592	618	646	669
Grades K-5	Attend	591	589	545	594	595	621	649	672
The Wheatlands Elementary	Res/Att	575	555	531					
Instructional Capacity 745	Reside	634	615	583	610	626	628	643	653
Grades K-5	Attend	603	580	546	574	590	592	607	617
Wolf's Crossing Elementary	Res/Att	484	438	394					
Instructional Capacity 559	Reside	520	469	424	420	421	411	422	432
Grades K-5	Attend	526	475	435	419	430	420	431	441
ELEMENTARY TOTAL									
Instructional Capacity 8,905	Reside	7,504	7,405	6,849	7,110	7,147	7,247	7,334	7,490
Grades K-5	Attend	7,504	7,405	6,849	7,110	7,147	7,247	7,334	7,490

Source: RSP & Associates, LLC - November 2020

Exceed Instructional Capacity

Updated Capacity

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Secondary Projections

School	Student Location	Past School Enrollment			Enrollment Projections				
		2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26
Bednarcik Junior High	Res/Att	674	658	597					
Instructional Capacity 992	Reside	712	706	630	628	563	558	530	529
Grades 6-8	Attend	699	682	624	620	548	543	515	514
Murphy Junior High	Res/Att	741	757	760					
Instructional Capacity 1,070	Reside	775	786	785	784	772	724	727	734
Grades 6-8	Attend	775	810	810	806	797	749	752	759
Plank Junior High	Res/Att	682	678	633					
Instructional Capacity 989	Reside	707	707	662	633	608	584	566	533
Grades 6-8	Attend	839	809	771	708	714	690	672	639
Thompson Junior High	Res/Att	684	849	797					
Instructional Capacity 1,248	Reside	921	937	894	914	861	810	814	792
Grades 6-8	Attend	837	881	820	868	796	745	749	727
Traughber Junior High	Res/Att	996	1,073	1,045					
Instructional Capacity 1,256	Reside	1,188	1,139	1,121	1,114	1,124	1,062	1,020	1,020
Grades 6-8	Attend	1,153	1,093	1,067	1,071	1,074	1,012	970	970
Oswego High	Res/Att	2,647	2,739	2,790					
Instructional Capacity 3,302	Reside	2,694	2,770	2,824	2,780	2,753	2,720	2,690	2,645
Grades 9-12	Attend	2,716	2,794	2,826	2,778	2,766	2,733	2,703	2,658
Oswego East High	Res/Att	2,735	2,793	2,759					
Instructional Capacity 3,358	Reside	2,804	2,848	2,795	2,892	2,869	2,831	2,723	2,627
Grades 9-12	Attend	2,782	2,824	2,793	2,894	2,856	2,818	2,710	2,614
JUNIOR HIGH TOTAL	Res/Att	3,777	4,015	3,832					
Instructional Capacity 5,555	Reside	4,303	4,275	4,092	4,073	3,928	3,738	3,657	3,608
Grades 6-8	Attend	4,303	4,275	4,092	4,073	3,928	3,738	3,657	3,608
HIGH SCHOOL TOTAL	Res/Att	5,382	5,532	5,549					
Instructional Capacity 6,660	Reside	5,498	5,618	5,619	5,672	5,622	5,551	5,413	5,272
Grades 9-12	Attend	5,498	5,618	5,619	5,672	5,622	5,551	5,413	5,272
DISTRICT K -12 TOTALS	Res/Att	15,864	16,168	15,452					
Instructional Capacity 21,120	Reside	17,305	17,298	16,560	16,855	16,697	16,536	16,404	16,370
Grades K-12	Attend	17,305	17,298	16,560	16,855	16,697	16,536	16,404	16,370

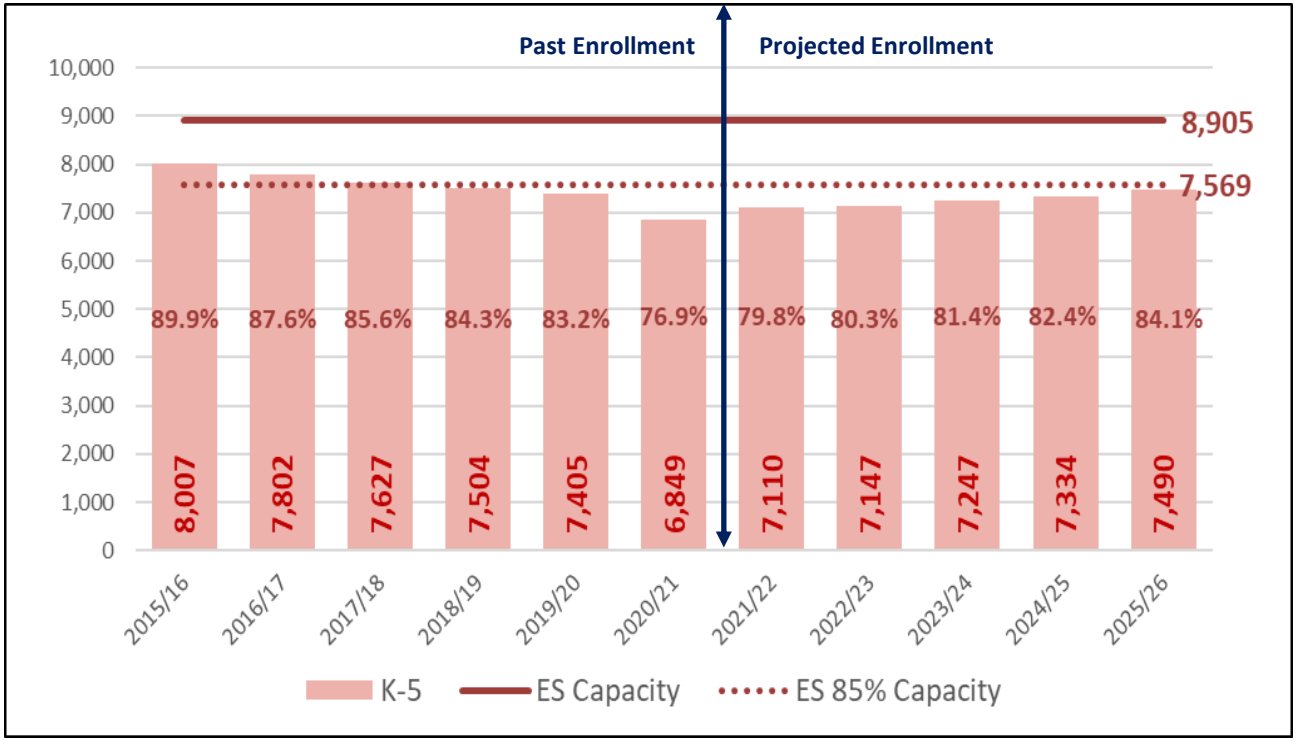
Source: RSP & Associates, LLC - November 2020

Exceed Instructional Capacity

Updated Capacity

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Elementary Capacity Discussion



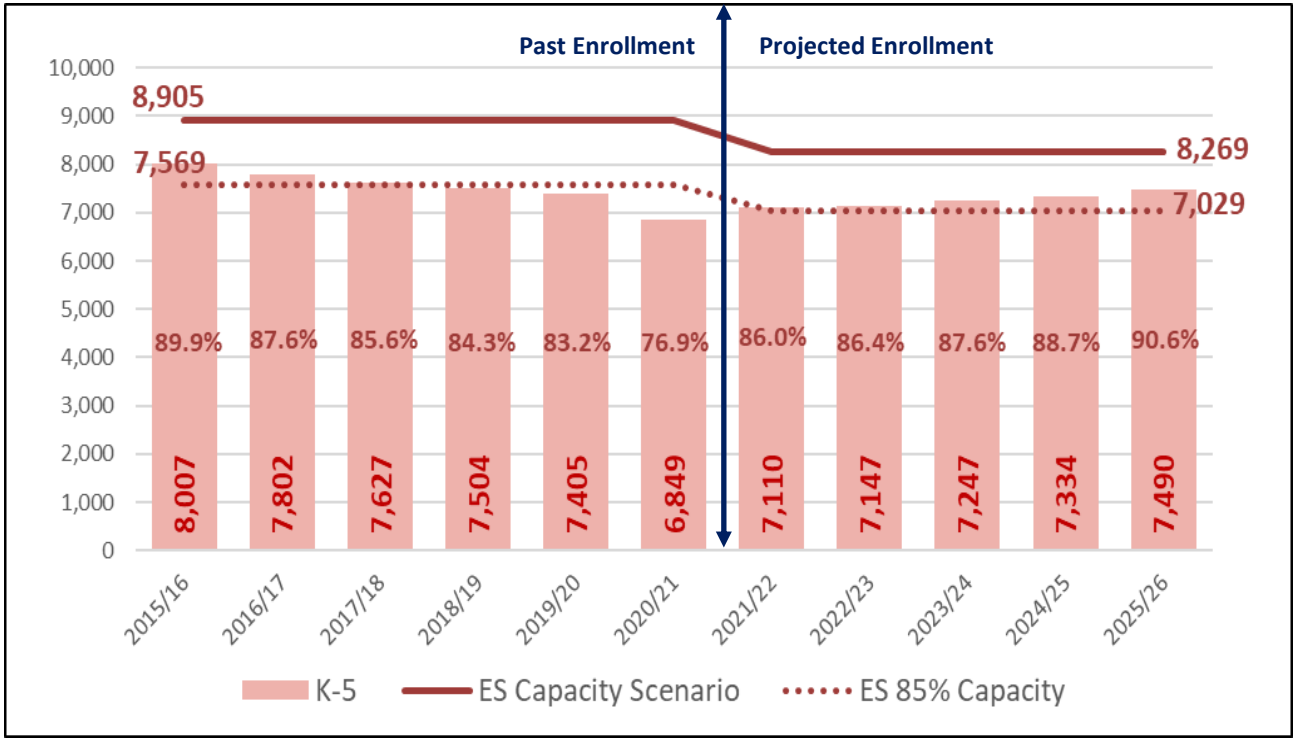
Updated Capacity

Source: School District 308, Student Count and RSP SFM & Demographic Models

- Elementary Instructional Capacity is 8,905
- Efficient Elementary Instructional Capacity should be approximately 85% or 7,569
- The percentage shown in the graphic is the Enrollment divided by the 100% Instructional Capacity
- When the Instructional capacity is lower than the efficiency of 85%, it DOES NOT mean a facility can/should go offline
- Location, age, and condition of the facility are some of the factors that should be considered in a reduction of facilities
- Projections indicate any decrease in the inventory should not be considered during the projection time frame
- Any future building reduction would likely require additional modifications to educational programs

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Elementary Capacity Scenario



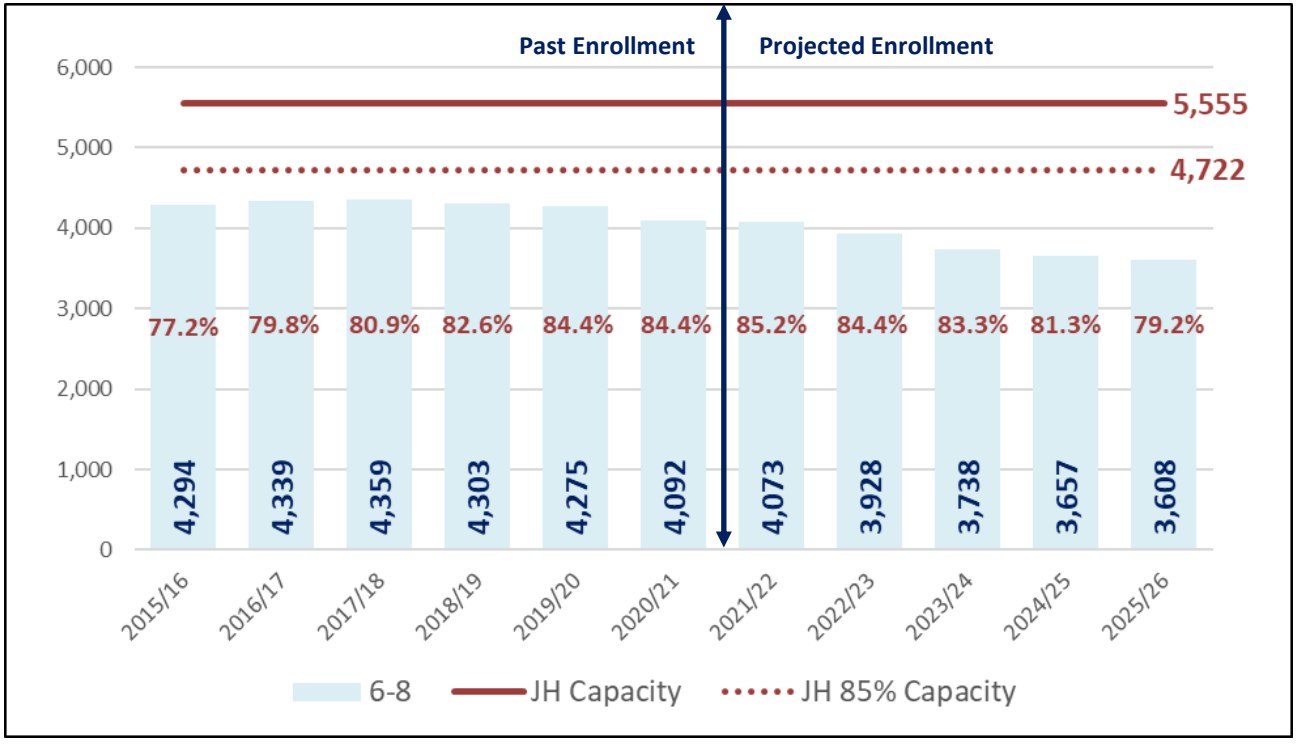
Updated Capacity

Source: School District 308, Student Count and RSP SFM & Demographic Models

- Elementary Instructional Capacity is 8,905 where if one elementary is closed it is reduced to 8,269 (Avg size 636)
- Efficient Elementary Instructional Capacity should be approximately 85% or 7,569 and reduced to 7,029 with one less school
- The percentage shown in the graphic is the Enrollment divided by the 100% Instructional Capacity
- When the Instructional capacity is lower than the efficiency of 85%, it DOES NOT mean a facility can/should go offline
- Location, age, and condition of the facility are some of the factors that should be considered in a reduction of facilities
- Projections indicate any decrease in the inventory should not be considered until about 2021/22 and only for a few years
- Any future building reduction would likely require additional modifications to educational programs

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Junior High Capacity Discussion



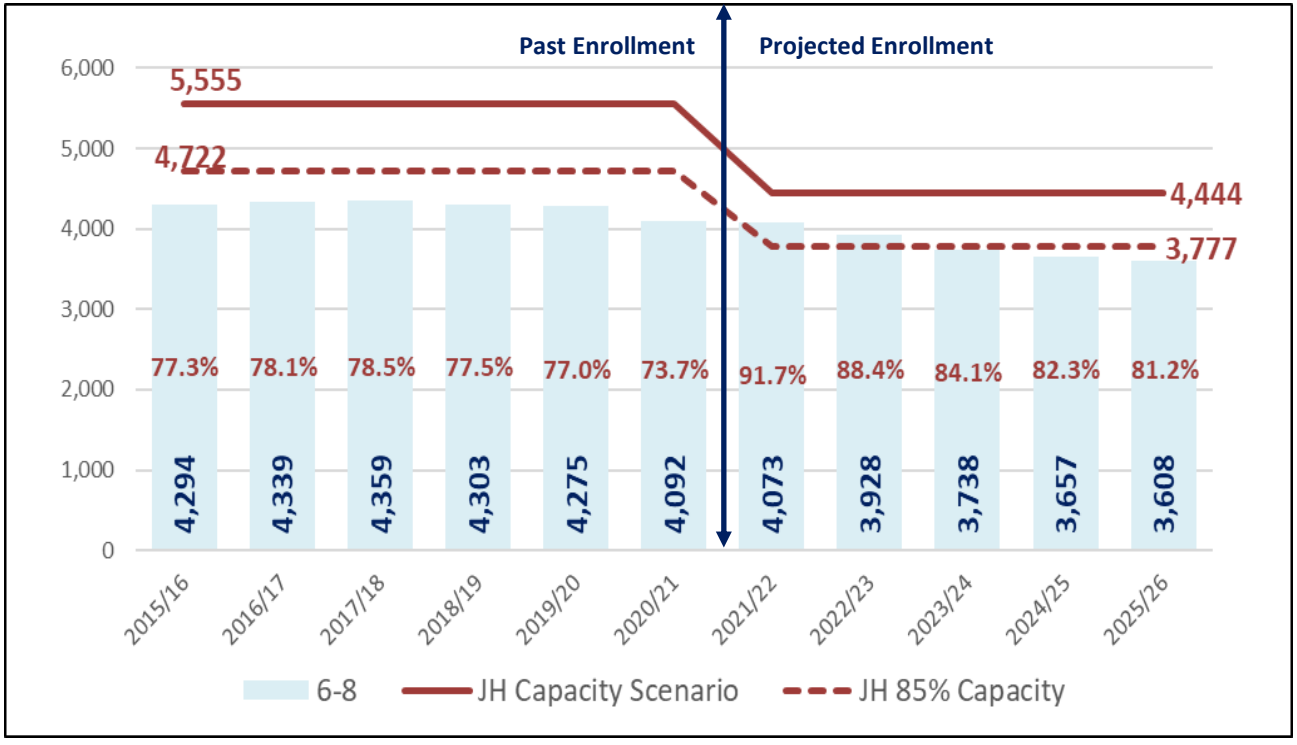
Updated Capacity

Source: School District 308, Student Count and RSP SFM & Demographic Models

- Junior High Instructional Capacity is 5,555
- Efficient Junior High Instructional Capacity should be approximately 85% or 4,722
- The percentage shown in the graphic is the Enrollment divided by the 100% Instructional Capacity
- When the Instructional capacity is lower than the efficiency of 85%, it DOES NOT mean a facility can/should go offline
- Location, age, and condition of the facility are some of the factors that should be considered in a reduction of facilities
- Projections indicate any decrease in the inventory should not be considered until about 2023/24
- Any future building reduction would likely require additional modifications to educational programs

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Junior High Capacity Scenario



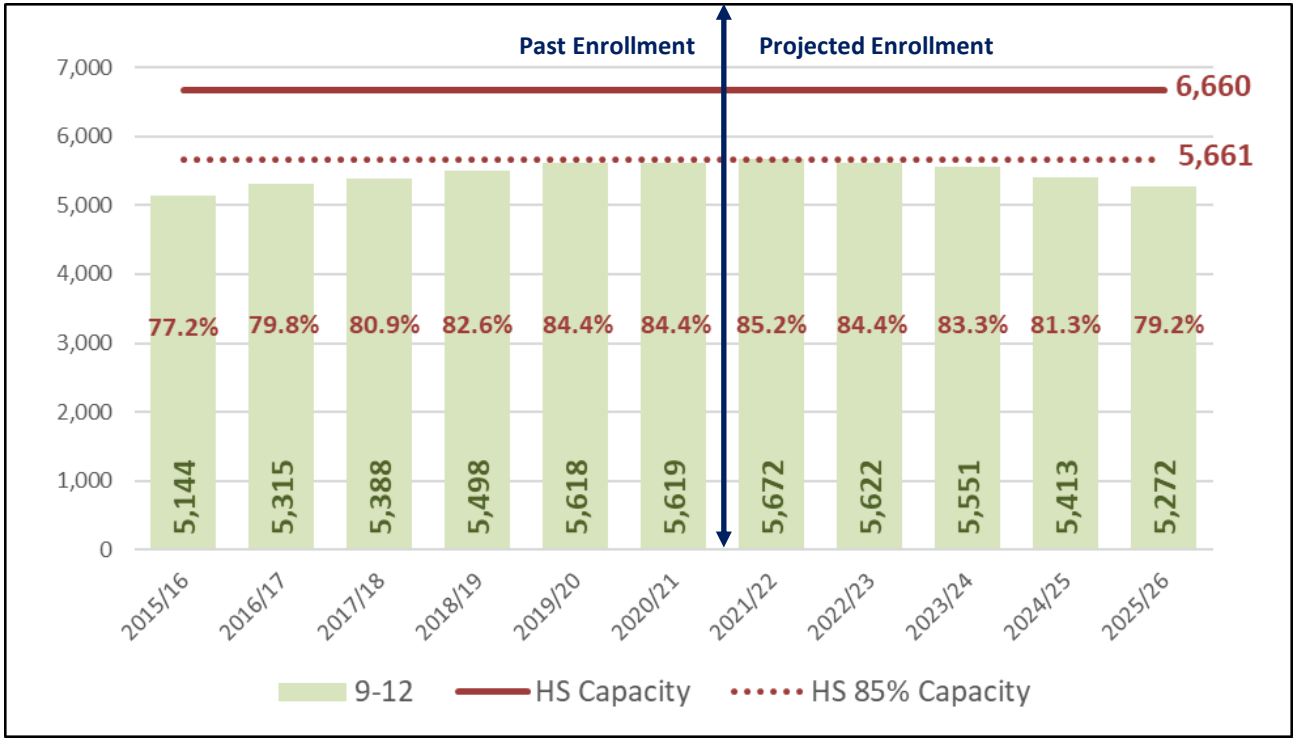
Updated Capacity

Source: School District 308, Student Count and RSP SFM & Demographic Models

- Junior High Instructional Capacity is 5,555 where if one junior high school is closed it is reduced to 4,444 (Avg size 1,111)
- Efficient Junior High Instructional Capacity should be approximately 85% or 4,722 and reduced to 3,777 with one less school
- The percentage shown in the graphic is the Enrollment divided by the 100% Instructional Capacity
- When the Instructional capacity is lower than the efficiency of 85%, it DOES NOT mean a facility can/should go offline
- Location, age, and condition of the facility are some of the factors that should be considered in a reduction of facilities
- Projections indicate any decrease in the inventory should not be considered until about 2023/24 to be at about 85%
- Any future building reduction would likely require additional modifications to educational programs

**All past student data is exported from the district student database allowing the ability to do robust statistical analysis by student geography. The student database export will not always align perfectly with the Official Counts (Statistically 99% greater match by grade).*

High School Capacity Discussion



Updated Capacity

Source: School District 308, Student Count and RSP SFM & Demographic Models

- High School Instructional Capacity is 6,660
- Efficient High School Instructional Capacity should be approximately 85% or 5,661
- The percentage shown in the graphic is the Enrollment divided by the 100% Instructional Capacity
- When the Instructional capacity is lower than the efficiency of 85%, it DOES NOT mean a facility can/should go offline
- Location, age, and condition of the facility are some of the factors that should be considered in a reduction of facilities
- Projections indicate any decrease in the inventory should not be considered
- Any future building reduction would likely require additional modifications to educational programs

**All past student data is exported from the district student database allowing the ability to do robust statistical analysis by student geography. The student database export will not always align perfectly with the Official Counts (Statistically 99% greater match by grade).*

Moving Forward

Next Steps

The following items will assist the district advance its educational goals:

- Annually review enrollment projections, demographics, and development trends
- COVID-19 and learning options had a significant impact on the 2020/21 enrollment
  - Students that chose to not enroll in the district in 2020/21, assumptions have been made that over the next two years a certain percentage of them will enroll back into the district – not all will likely make that choice
  - It is not fully known for students in kindergarten that did not enroll in the district will enroll in the district in 2021/22 and specifically if they would enroll as kindergarten or 1st grade
  - Enrollment needs to be monitored to determine if this will become an overall new enrollment trend
- District administration and the Board of Education further study the enrollment, demographic, and development information presented **(Enrollment projected to be about 16,370 students in 2025/26)**
- Utilize the enrollment model to assist with planning for staffing need at each facility for the following school year which will address how quickly areas are "Regreening" and "Emerging"
- The type of residential development and how affordable it is will determine likely location and number of students **(Tracking annexations and type of development important to know the impact of demographics on enrollment)**
- Annually monitor the impact of future educational programming that will be integrated into each facility to ensure equitable and appropriate space is utilized in the building which will experience enrollment change **(Emerging trends and demographic change)**
- Determine if and how to address capacity issues and timing for future school construction, remodeling, repurposing, or new attendance areas
  - With the forecasted enrollment change, there will likely need to be an elementary boundary realignment to adjust for changing student demographics
  - There are limitations with building reductions/repurposing without a detailed examination of how educational programming will be impacted
- RSP Enrollment forecasting is based on the best-known information at the time. COVID 19 has presented a challenge as it is unknown how this event may impact enrollment, demographics, and development trends in each individual school district. RSP has started with some of the short-term knowns to include social distancing and people working more from home environments, school closures, and no clear timeline for this pandemic to work its way through our communities. As a result, the RSP forecast may indicate some short-term decrease in residential development activity and economic uncertainty for the next year to 18 months. RSP is hopeful a vaccination, change in season, or other solution happens to decrease the potential negative outcomes and as such recommends our school district clients collaborate with RSP prior to the school year to best plan for the changes happening in your district.

Notes

100 Parkers Mill • Oswego, IL 60543 • (630) 554-3618
Website: www.oswegoil.org

NOTICE AND AGENDA

NOTICE IS HEREBY GIVEN
THAT A PLANNING & ZONING COMMISSION MEETING

WILL BE HELD ON

November 07, 2019

7:00 PM
Location: Village Hall, located at 100 Parkers Mill, Oswego Illinois

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A. CALL TO ORDER

B. ROLL CALL

C. MINUTES

C.1. Approval of the October 10, 2019 Planning and Zoning Commission Minutes

PZC minutes 10 10 19.doc

D. PUBLIC HEARINGS

E. OLD BUSINESS

E.1. Text Amendment
Adult Use Cannabis
Applicant: Village of Oswego
Project No.: 1043.19
Project Manager: Rod Zenner

Posted:
Date: _____
Time: _____
Place: _____
Initials: _____

Tina Touchette
Village Clerk

Cannabis Text Amendment.PC.11.7.19.docx

F. NEW BUSINESS

F.1. Hummel Trails Neighborhood #14
Final PUD and Subdivision Plat
Applicant: REO Funding Solutions V, LLC
Project No.: 1045.19
Project manager: Rod Zenner

1045.19 Neighborhood 14 Final Plat.PC.110719.docx
Hummel Trails 14_08-20-19.pdf
location map.pdf

F.2. Final PUD and Subdivision Plat
Hummel Trails Neighborhood #10
Applicant: REO Funding Solutions V, LLC
Project No.: 1046.19
Project Manager: Rod Zenner

1046.19 Neighborhood 10 Final Plat.PC.110719.docx
Hummel Trails 10_09-06-19.pdf
location map.pdf

G. PUBLIC FORUM

H. CHAIRMAN'S REPORT

I. COMMISSIONER'S REPORT

J. HISTORIC PRESERVATION COMMISSION REPORT

K. OSWEGOLAND PARK DISTRICT REPORT

L. COMMUNITY DEVELOPMENT DEPARTMENT REPORT

M. NEXT MEETING

M.1. December 5, 2019

N. ADJOURNMENT

VILLAGE OF OSWEGO
MINUTES OF THE PLANNING & ZONING COMMISSION SPECIAL MEETING
100 PARKERS MILL
OSWEGO, ILLINOIS

October 10, 2019

1. CALL TO ORDER

Chairman Pajor called the Oswego Planning & Zoning Commission Special Meeting to order at 7:04 p.m.

2. ROLL CALL

Present: Dominick Cirone, Tom Guist, Ken Holmstrom, Rick Kuhn (attended at 7:25 p.m.), Karen Novy, and Charlie Pajor
Absent: Rebecca Stine

There was a quorum.

Oswego community representatives in attendance were:
Present: Rod Zenner, Community Development Director; Natalie Zine, Planner; Hameeda Hashim, Recording Secretary; Judy Sollinger, Village Trustee; William Thomas, Village Attorney; Chad Feldotto, Park District

3. MINUTES

Motion: Commissioner Holmstrom, second Commissioner Cirone to accept the minutes of the September 5, 2019 Planning & Zoning Commission Meeting.
Ayes: Commissioners Cirone, Guist, Holmstrom, Novy and Pajor
Nays: None
Absent: Commissioners Stine and Kuhn

Motion carried

4. PUBLIC HEARINGS

Variance Request
American Legion Canopy
Applicant: American Legion Post 675
Project #1044.19
Project Manager: Natalie Zine

Motion: Commissioner Holmstrom, second Commissioner Cirone to open the Public Hearing at 7:06 p.m.
Ayes: Commissioners Cirone, Guist, Holmstrom, Novy and Pajor
Nays: None
Absent: Commissioners Stine and Kuhn
Motion carried

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Ms. Zine stated the applicant is requesting approval of a variance to allow for reduction in the required rear yard setback in the B-2 Community Shopping Zoning District from 30 feet to 12 feet. Ms. Zine stated this will allow for the construction of a 200 square foot canopy attached to the rear of the building at 19 West Washington Street and is intended to be used as a patio cover for customers and is not intended for the use of storage or vehicles. Ms. Zine stated while staff does not believe this request for variation meets the strictest interpretation for the Standards of Variation, staff understands that the alleged hardship was not directly created by the petitioner and does not believe that the proposed variation would be detrimental to the public welfare or surrounding properties as it is buffered by parking lots and alleys. Ms. Zine stated the construction of the new canopy would include the removal of a smaller existing canopy and would be an attractive addition to the property and an improvement for the American Legion organization.

No audience members wished to speak at the public hearing.

Motion: Commissioner Cirone, second Commissioner Holmstrom to close the Public Hearing at 7:18 p.m.
Ayes: Commissioners Cirone, Guist, Holmstrom, Novy and Pajor
Nays: None
Absent: Commissioners Stine and Kuhn
Motion carried

Commissioner Comments:

Chairman Pajor asked if the new canopy would cover the same area that is currently fenced in. Ms. Zine stated it would not cover the entire area, but it will be within the fenced area. There was a discussion about the current setbacks for the property.

Recommendation:

Motion: Commissioner Holmstrom, second Commissioner Novy, to accept the findings of fact and recommends approval of the Variance for 19 West Washington Street.
Ayes: Commissioners Cirone, Guist, Holmstrom, Novy and Pajor
Nays: None
Absent: Commissioners Stine and Kuhn
Motion carried

Text Amendment
Adult-Use Cannabis
Applicant: Village of Oswego
Project #1043.19
Project Manager: Rod Zenner

Motion: Commissioner Holmstrom, second Commissioner Novy to open the Public Hearing at 7:28 p.m.
Ayes: Commissioners Cirone, Guist, Holmstrom, Novy and Pajor

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Nays: None
Absent: Commissioners Stine and Kuhn
Motion carried

Director Zenner stated this year the State of Illinois passed the "Cannabis Regulation and Tax Act" which legalizes recreational use of cannabis under certain regulations effective January 1, 2020. Director Zenner stated the law permits the use of recreational cannabis throughout the State of Illinois and allows local governments to determine if the sale and production of cannabis are permitted in their communities.

Director Zenner stated the Village Board is considering options to allow cannabis-related businesses within the Village and requested that the Planning and Zoning Commission review and provide a Text Amendment regarding uses and zoning.

The Commissioners were provided with definitions of types of uses related to adult use cannabis.

Director Zenner stated the first point for discussion is zoning designation:

- Craft Grower, Cultivation Organization, Processing Organization, Transportation Organization
    - Industrial type production aspect
    - Staff recommends location in the M-1 and M-2 Districts with special use permit. Currently, M-1 and M-2 allows the production and processing of drugs as part of a special use permit
- Dispensing Organization
    - Retail type aspect where customers come to the facility
    - Staff recommends location in B-2 and B-3 Districts with special use permit
- Smoking Lounge
    - Customers can partake of the cannabis product on site
    - Staff and Village Board do not support this type of use be allowed within the Village, so this is not part of the discussion at this meeting
- Special Districts
    - If dispensaries are allowed in B-2 or B-3 Districts, they would be allowed in the Downtown area. The Village could prohibit their location in the Downtown area.
- Signage
    - State Act prohibits advertisement that is within 1,000 feet of a school, playground, hospital, health care facility, recreation centers, child care centers, public parks, libraries, or game arcades that admit patrons under the age of 21
- Hours of Operation
    - Dispensary hours are limited to 6:00am to 10pm, the Village can modify the hours
- Maximum Number of Businesses
    - Village can have a limited number of cannabis businesses similar to liquor establishments

Mr. Rick Niksic was sworn in
Oswego, IL

Mr. Niksic works in the medical cannabis industry and offered himself as a resource for

questions about cannabis.

Mr. Frank Johnson was sworn in
Montgomery, IL

Mr. Johnson asked if this meeting was to discuss if cannabis sales are to be allowed in the Village. Chairman Pajor stated this Planning & Zoning Commission meeting is to discuss zoning regulations for cannabis-related businesses.

Commissioner Comments:

Commissioner Cirone asked about the downtown restrictions currently in place and asked if it is necessary to include downtown restrictions in the proposed Text Amendment. Director Zenner stated including it would assist potential businesses to know what is permitted. Chairman Pajor stated the Village Board can direct the Planning & Zoning Commission to discuss whether a restriction should be changed.

Commissioner Novy asked for the definition of downtown. Director Zenner said the downtown area was defined in the 2015 Comprehensive Plan, but the boundary continues to change and will be redefined within the next couple of years.

Commissioner Kuhn referenced page 21 of the packet: a craft grower may contain up to 5,000 square feet of canopy space, but a cultivation center can contain up to 210,000 square feet of space. Commissioner Kuhn stated this a large disparity and asked for clarity. Director Zenner stated the definitions are defined by the State Act.

Commissioner Guist asked to clarify that a dispensary has no consumptive use. Director Zenner stated that is correct unless a smoking lounge is allowed, but that can be restricted.

The Definition Section of the Proposed Text Amendment was discussed:

- Cultivation Center – Include distance restriction of 1,500 square feet between similar uses.
- Dispensing Organization – The hours of operation were discussed.
- There was a discussion about the language in Sections 8.02/8.04 and 8.03/8.04.
- Sections 8.02 and 8.03 – add language to include 100 feet distance separation from private schools, day care centers and places of worship.

Ms. Zine stated customers are required to show identification to enter a facility and purchase cannabis, and no minors will be able to purchase adult-use cannabis. Ms. Zine stated public consumption is still illegal and cannabis is only legal for private consumption or in smoking lounges.

Commissioner Guist asked if advertising includes the sign on the building. Ms. Zine stated a business cannot advertise for cannabis; the cannabis leaf or word cannot be part of the business name/sign.

Commissioner Guist asked if an interior sign is visible from the exterior of a business, is the sign considered advertising. Ms. Zine stated our current lighting ordinance for businesses, including liquor stores and drug stores, would be comparable to what is required. Ms. Zine

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stated the Commission can request that language from the Special Standards grid, Section L – Public Visibility of Activities, be added into the ordinance to provide additional clarification.

Ms. Zine stated building code requirements split a building into three sections: 1) small space where customer provides identification, 2) purchases, 3) storage or growing. Ms. Zine stated some dispensaries only allow one customer in at a time. Ms. Zine stated the State Act stipulates lighting and video cameras be in use at all times with a generator back-up, and if the video camera or any part of the business breaks down, the business has to close until the equipment is fixed.

Table 1: Zoning and Use Category Matrix was discussed. Commissioners agreed with staff recommendations.

Table 2: Marijuana-Related Uses Proposed Special Standards was discussed.

- Item A – Commissioners agreed with staff recommendation.
- Item B – Commissioners agreed with staff recommendation.
- Item C – The word “all” will be added: ALL cannabis dispensing organizations…”; With that addition, Commissioners agreed with staff recommendation.
- Item D – location in downtown was discussed; Commissioners Guist and Kuhn and Chairman Pajor were in favor of prohibiting Downtown location; Commissioners Cirone and Holmstrom were not in favor of prohibiting Downtown location; Commissioner Novy was in favor of prohibiting but requested a better definition of the Downtown area.
    - The Commissioners reviewed a map of the Downtown Zoning District, with the Downtown Core outlined in red, and the Secondary Core outlined in orange.
    - Commissioners in support of Downtown Core and Secondary Core: Commissioners Cirone, Kuhn, Holmstrom and Chairman Pajor; in support of just Downtown Core: Commissioner Novy; in support of Downtown Core and some of Secondary Core: Commissioner Guist, in support of Downtown Core and Secondary Core excluding Route 71 and Washington Street south of Franklin Street.
    - At the next Planning and Zoning Commission meeting, staff will provide a recommendation on the definition of the Downtown Core. A definitive vote by the Commissioners was deferred until then.
- Item E – Cultivation Centers to be included. With that addition, Commissioners agreed with staff recommendation.
- Item F – State Act maximums for Craft Growers to be added. With that addition, Commissioners agreed with staff recommendation.
- Item G – Village Board’s decision.
- Item H – Commissioners agreed with staff recommendation.
- Item I – Commissioners agreed with staff recommendation.
- Item J – Commissioners agreed with staff recommendation.
- Item K – Commissioners recommended Sundays should be restricted to same hours of operation as liquor sales.
- Item L – State Act advertisement restriction to be added. With that addition, Commissioners agreed with staff recommendation.
- Item M – Commissioners agreed with staff recommendation.
- Item N – Commissioners agreed with staff recommendation.
- Item O – Craft grower co-location restrictions to be added. With that addition, Commissioners agreed with staff recommendation.

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No additional audience members wished to speak at the public hearing.

Motion: Commissioner Cirone, second Commissioner Holmstrom to close the Public Hearing at 8:30 p.m.
Ayes: Commissioners Cirone, Guist, Holmstrom, Kuhn, Novy, and Pajor
Nays: None
Absent: Commissioner Stine
Motion carried

Commissioner Pajor stated that staff will present a revised Adult-Use Cannabis Text Amendment, including maps, at the next Planning and Zoning Commission meeting on November 7, 2019.

5. OLD BUSINESS

None.

6. NEW BUSINESS

None.

7. PUBLIC FORUM

No audience members wished to speak at the Public Forum.

8. CHAIRMAN'S REPORT

No report.

9. COMMISSIONERS REPORT

Commissioner Kuhn stated there are more utility poles to be removed on Main Street. Director Zenner will follow up with the utility company.

10. HISTORIC PRESERVATION COMMISSIONER REPORT

No report.

11. COMMUNITY DEVELOPMENT DEPARTMENT REPORT

No report.

12. OSWEGOLAND PARK DISTRICT REPORT

No report.

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13. NEXT MEETING - November 7, 2019

14. ADJOURNMENT

Motion: Commissioner Cirone, second Commissioner Holmstrom to adjourn the Planning and Zoning Commission Meeting at 8:33 p.m.
Ayes: Commissioners Cirone, Guist, Holmstrom, Kuhn, Novy and Pajor
Nays: None
Absent: Commissioner Stine

Motion carried

Chairman Pajor adjourned the Planning & Zoning Commission Meeting at 8:33 p.m.

_____

Hameeda Hashim, Recording Secretary

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COMMUNITY DEVELOPMENT DEPARTMENT

100 Parkers Mill • Oswego, IL 60543
(630) 554-3622 • Fax: (630) 551-3975
www.oswegoil.org

STAFF REPORT

DATE: **November 7, 2019**

TO: **Chairman and Planning and Zoning Commission**

FROM: **Rod Zenner, Community Development Director**
Natalie Zine, Planner

SUBJECT: **Staff Report for the November 7, 2019 Planning and Zoning Commission Meeting**
Text Amendment (revised)
Adult Use Cannabis
Project #1043.19

Purpose

To provide the Planning and Zoning Commission with background and proposals regarding regulations for the uses associated with Adult Use Cannabis

Background

The State of Illinois approved the "Cannabis Regulation and Tax Act" which allows for the recreational use of cannabis within the State of Illinois beginning in January 1, 2020. Though this act allows for cannabis use and specific cannabis related businesses, it does allow communities to regulate and/or prohibit the cannabis businesses within their individual jurisdiction. It does not allow a community to prohibit the possession or consumption of cannabis as long at it is consistent with the guidelines within the State act.

The Village Board is currently weighing the options of allowing cannabis related businesses, restricting certain businesses, or prohibiting the businesses altogether within the Village limits. The Board has requested that the Planning and Zoning Commission review the various businesses associated with cannabis outlined in the act and provide a proposed text amendment regarding those uses assuming that the Village Board determines to allow them within the Village corporate limits.

Staff is providing a copy of the Illinois Municipal League's FAQ regarding the new State regulations for your information.

Discussion

The Act outlines several types of uses related to adult use cannabis. A definition of those types of uses from the Illinois Municipal League's FAQ is as follows:

Craft Grower: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, dry, cure, and package cannabis that is available for sale at a dispensing organization or for use at a processing organization. A craft grower may contain up to 5,000 square feet of canopy space on its premises for plants in the flowering stage. The Department of Agriculture may authorize an increase or decrease of flowering stage cultivation space in increments of 3,000 square feet by rule based on market need, craft grower capacity and the licensee's history of compliance or noncompliance, with a maximum space of 14,000 square feet for cultivating plants in the flowering stage, which must be cultivated in all stages of growth in an enclosed and secure area. Craft crowers can distribute to a cultivation center, a craft grower, an infuser, or dispensing organization. By State law, a craft grower cannot be located in a residentially zoned property or within 1,500 feet of another craft grower or cultivation center.

Cultivation Center: means a facility operated by an organization or business that is licensed by the Department of Agriculture to cultivate, process, transport (unless otherwise limited by the Act) and perform other necessary activities to provide cannabis and cannabis-infused products to cannabis business establishments. Cultivation centers are limited to 210,000 square feet of canopy space for flowering plants. Cultivation centers may sell or distribute to dispensing organizations, craft growers, infusing organizations, and transporters.

Dispensing Organization: means a facility operated by an organization or business that is licensed by the Illinois Department of Financial and Professional Regulation to acquire cannabis from a cultivation center, craft grower, processing organization or another dispensary for the purpose of selling or dispensing cannabis, cannabis-infused products, cannabis seeds, paraphernalia or related supplies under the Act to purchasers or to qualified registered medical cannabis patients and caregivers. As used in the Act, a “dispensing organization” shall include a registered medical cannabis organization as defined in the Compassionate Use of Medical Cannabis Program Act or its successor Act that has obtained an Early Approval Adult Use Dispensing Organization License. Dispensing organizations cannot sell through a drive-thru window, vending machines, or transport to residents or other locations for sale. Per the Act, they are limited to the hours of 6:00am to 10:00 pm and cannot operate unless two people are working at the same time. A dispensary cannot be located within 1,500 feet of another dispensary. They also cannot advertise within 1,000 feet of a school, playground, hospital and health care facilities, recreation centers, child care centers, public parks, libraries, or arcade.

Infuser Organization: or "infuser" means a facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to directly incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis-infused product. They may only sell or distribute through a dispensary. They cannot be located within a residential zone.

Processing Organization: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to either extract constituent chemicals or compounds to produce cannabis concentrate or incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis product, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

Transportation Organization: An organization or business that is licensed by the Illinois Department of Agriculture to transport cannabis on behalf of a cannabis establishment or a community college licensed under the Community College Cannabis Vocational Training Pilot Program, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

Marijuana Smoking Lounge/Marijuana Social Club: A location where you are allowed to consume or purchase and consume cannabis-based products

Proposed Zoning Requirements: Staff has prepared a decision matrix table at the end of this memorandum to assist in the conversation regarding the proposed uses and potential zoning requirements

Zoning Designation
Assuming the Village Board determines that cannabis-based businesses would be allowed within the Village, it will need to determine what zoning designations would be required for the specific uses.

Craft Grower, *Cultivation Organization*, *Processing Organization*, *Transportation Organization* – These uses are specific to the creation and processing of the cannabis product. Based on the Village's Zoning Ordinance, it is staff's opinion that these uses are most appropriate for the M-1 Limited Manufacturing and M-2 General Manufacturing Districts. Currently, the M-1 and M-2 allows the production and processing of drugs as a permitted use.

Other manufacturing is allowed in the B-3 District, breweries for example, but the nature of these type of producers invites customers to observe and partake in the products at that B-3 location. Cannabis users are specifically different as they prohibit interaction with the general public, do not allow the intake of their product on site, and have security measures that are counter to the intended use and intensity of a B-3 District. Therefore, staff is of the opinion that these uses should be limited to the M-1 and M-2 Districts.

Dispensing Organization – This use is limited to the sale of the cannabis product to the general public. It is staff's opinion that the intensity of this type of use is similar to uses found in the B-2 Community Shopping District and B-3 Community Service and Wholesale District. The use is similar to the intensity of a tobacco store, liquor store, or drug store. The tobacco store and liquor store are uses that have a similar restriction of the sale of their product to customers of a certain age. Drug stores are also similar to the dispensing model as they sell prescriptions based on the records of an individual. Dispensaries must register the sale of product with every transaction.

Staff also considered limiting the dispensaries to M-1 and M-2 Districts, but it is staff's opinion that the manufacturing district is not intended for a retail type of use. The roads in industrial park are designed for large trucks vs. many passenger vehicles as experienced in commercial retail areas. The parking lots are established based on industrial uses which have a lower parking requirement than retail organizations. Manufacturing districts are not designed to provide visibility of the units for the general public. Staff would recommend dispensaries be located in

highly visible areas which can provide more security than an industrial location hidden from view from the public road.

Smoking Lounge and Social Clubs/on premises consumption – It is staff's opinion that these uses should not be allowed within the Village. These uses would encourage patrons to visit their location, consume product, and then leave the site in their vehicle. As there is not a reliable way to determine if a user is under the influence, it will be difficult for the police to identify if a driver was impaired. The Village Board has also indicated that they are not in favor of this type of use within the Village.

Special Use

The Village has the ability to allow the proposed uses as permitted by right or to require a Special Use Permit. The Special Use Permit would require a petitioner to come before the Planning and Zoning Commission for a public hearing and recommendation. That would then be forwarded to the Village Board for final decision. Under a Special Use permit, the Village could require specific conditions that would mitigate any impacts of a proposed use. Currently, the Zoning Ordinance requires a Special Use Permit for liquor stores and tobacco stores. Staff would recommend a special use requirement for a dispensary to be consistent with the other similarly intense uses. The Village Board has indicated that they would like cannabis-based businesses to be under a Special Use permit.

Distance Separation

The State Act currently has a distance restriction between similar uses (1,500 feet) and advertising of dispensaries from certain uses (1,000 feet). The Village has the ability to provide additional distance requirements.

The Village Code currently requires a distance of 100 feet between a liquor license use and a school, church or hospital. Staff would recommend a similar distance regulation of 100 feet from these uses to create consistency within the Code. The Village does have the ability to increase that distance and to include other sensitive uses if it desires**. At the October 10, 2019 meeting, the Commission suggested the 100-foot distance between schools, parks, day care centers. That has been included in the draft ordinance.**

Special Districts

If dispensaries are allowed in B-2 or B-3 Districts, they would be allowed in the Downtown area under those districts. The Village could prohibit their location in the Downtown through the Zoning Ordinance. The intent would be to preserve downtown retail spaces for more pedestrian scale retail and service uses instead the proposed intensity of the dispensary use. **If the Commission is of the opinion that dispensaries should be prohibited from the Downtown area, staff has prepared language for the ordinance indicating that the use is not allowed within the area described as future zoning district "Downtown Core" in the 2015 Village Comprehensive Plan on page 28. See Figure 1 of this staff report.**

Signage
Along with the Village's current signage regulations, the State Act prohibits advertisement that is within 1,000 feet of a school, playground, hospital, health care facility, recreation centers, child care centers, public parks, libraries, or game arcades that admit patrons under the age of 21. Signage cannot provide false advertising, promote consumption, display cannabis (including leaves) make any health claims, or show use by anyone under 21 or appeal to minors.

Hours of Operation
The Act currently limits the hours of operation for a dispensary from 6:00am to 10:00pm. The Village has the ability to reduce the hours of operation if it deems it appropriate to do so. At this time, staff has not determined a need to reduce the hours as provided by the Act and recommend the 6:00am to 10:00pm restriction.

At the October meeting, the Commission suggested hours of operation similar to the liquor license requirements in terms of the am hour while retaining the 10:00pm restriction of the act. The Village currently allows the sale of alcohol from 6:00am to 1:00am Monday through Thursday, 6:00am to 2:00am Friday and Saturday and 7:00am to 1:00am on Sunday. Staff has reviewed the Act and determined that the Village may be limited in restricting the hours of operation of dispensaries to those less than allowed by the Act. The Village could propose restricting the hours of operation as part of the conditions of a special use. It is staff's opinion that due to the language in the State Act and the fact that alcohol sales are allowed at 7:00am on Sundays which is not much different than the 6:00am as allowed by the Act, that the hours of operation remain consistent with the State Act.

Maximum Number if Businesses
The Village will consider a license requirement for the Cannabis based businesses. The Village currently has licenses for liquor and video gaming establishments. In this way, the Village can limit the total number of businesses. This process will be independent of the zoning approval process and will be determined by the Village Board through the licensing process.

Recommendation

Staff has provided the Planning and Zoning Commission with a decision matrix spreadsheet to assist in discussing the proposed text amendment. The spreadsheet breaks the issues out into individual discussion items to assist the Commission in reviewing the proposed amendments.

Staff is also providing draft language to the Zoning Ordinance consistent with staff's suggestions and the proposed language that is being considered by neighboring communities.

Staff recommends that if the Village determines to allow cannabis-based businesses to be allowed within the Village, that the Village of Oswego Zoning Ordinance be amended as follows:

- Adding definitions for Craft Grower, Cultivation Center, Dispensing Organization and Infusing Organization, Processing Organization, and Transportation Organization.

- Including Dispensing Organizations as a Special Use in the B-2 and B-3 Zoning Districts with a 100-foot separation between the dispensary and a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home or residential care home.
- All adult-use cannabis related uses shall be prohibited in the area described as future zoning district "Downtown Core" in the 2015 Village Comprehensive Plan (page 28).

- Allowing Craft Grower, Cultivation Organization, Processing Organization, and or Transportation Organization as a Special Use in the M-1 Limited Manufacturing and M-2 General manufacturing Districts

The Planning and Zoning Commission's recommendation will be forwarded to the Village Board for consideration.

Figure 1: Downtown Core Map (2015 Oswego Comprehensive Plan, pg. 28)

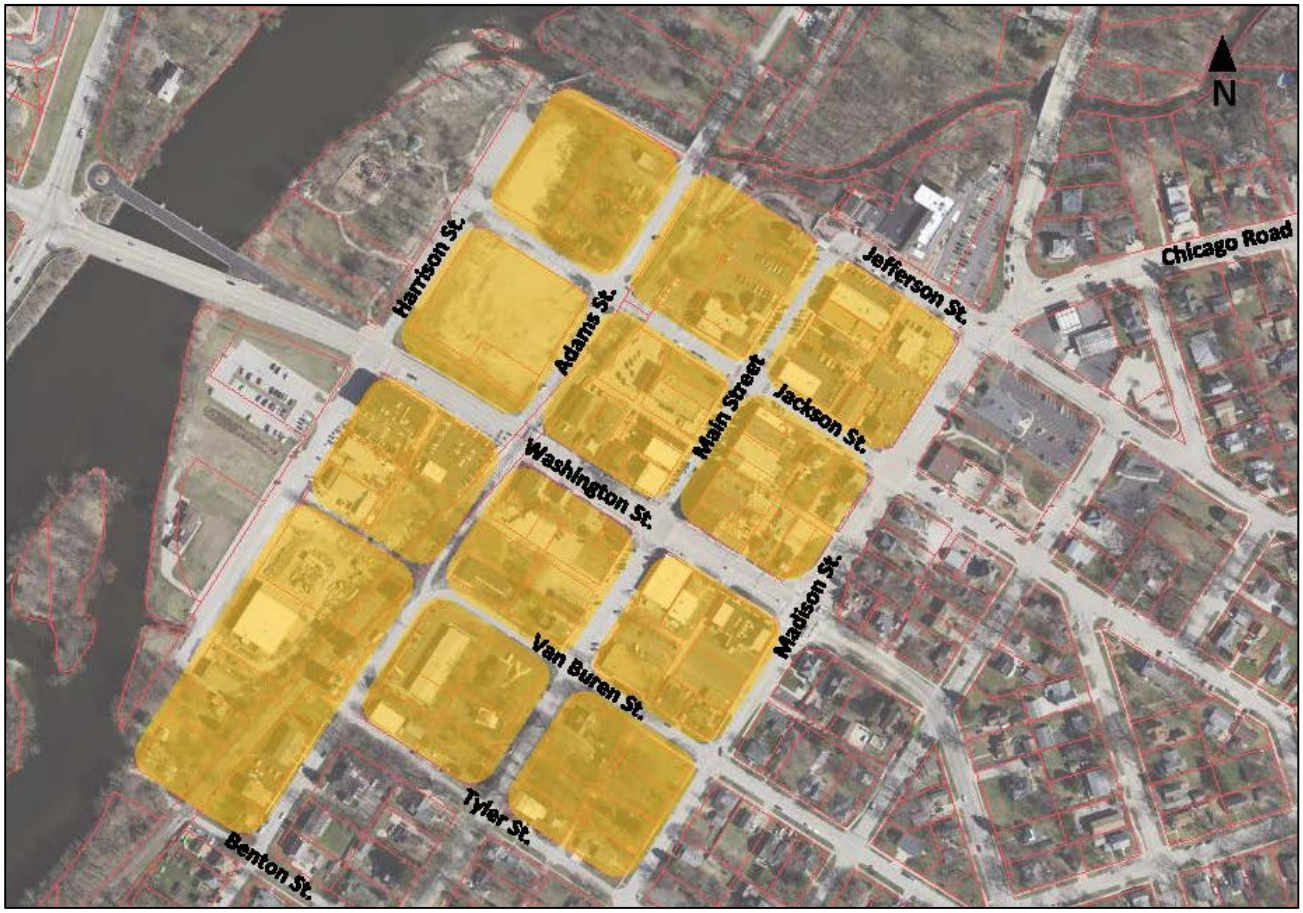


Table 1: Zoning and Use Category Matrix

	Zoning District							
Land Use Category	**A-1**	**B-1**	**B-2**	**B-3**	**O-R**	**T-U**	**M-1**	**M-2**
Craft Grower							S	S
Cultivation Center							S	S
Dispensing Organization			S	S			S*	S*
Infuser Organization or Infuser							S	S
Processing Organization or Processor							S	S
Transporting Organization or Transporter							S	S

S = Special Use Permit *Co-location only Blank = Prohibited

Table 2: Proposed Special Standards – Recommendations Matrix

Item	Subject	Staff Recommendation	P&Z Commission Recommendation
A.	Regulated Use Types	Craft Grower Cultivation Center Dispensing Organization Infuser Organization Processing Organization Transporting Organization	Agreed
B.	Prohibited Uses	Cannabis Smoking Lounge Cannabis Social Club	Agreed
C.	Special Use Permit	Cannabis dispensing organizations shall require a Special Use Permit.	Agreed
D.	Distance from pre-existing public school or park pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home or residential care home	100 feet	Agreed

E.	Distance from other marijuana-related uses	A craft grower shall not be located within 1,500 feet of another craft grower or a cultivation center (State Act). A dispensing organization may not be located within 1,500 feet of the property line of a preexisting dispensing organization (State Act).	Agreed
F.	Downtown district	All adult-use cannabis related uses shall be prohibited in the area described as future zoning district "Downtown Core" in the 2015 Village Comprehensive Plan (page 28).	Agreed
H.	Home Occupation	Marijuana-related uses are prohibited as home occupations. (Craft growers may not be located in an area zoned for residential use per the State Act)	Agreed
I.	Dispensing Methods	Prohibited methods of dispensing include: Drive-through windows, vending machines, and transport of cannabis to residences or other locations where purchasers may be for delivery (State Act)	Agreed
J.	On-site sales vs. electronic	All sales of retail marijuana shall be made in person, directly to the purchaser, within the restricted area of the retail marijuana establishment. No sales shall be made via telephone, internet or other means of remote purchase. Deliveries shall occur only in person to the purchaser at the time of purchase within the restricted area of the retail marijuana establishment.	Agreed
K.	Hours of Operation	6:00am - 10:00pm (State Act)	Agreed, but Sundays should be restricted to same hours of operation as liquor sales.

L.	Public Visibility of Activities	Any and all possession, storage, display, sales, testing, production, or cultivation of marijuana shall occur only within the restricted area of the marijuana establishment and shall not be visible from the exterior of the business. No cannabis business establishment nor any person or entity shall place or maintain or cause to be placed or maintained an advertisement in any form: o Within 1,000 feet of school grounds, playgrounds, hospitals, health care facilities, recreation centers, child care centers; public parks, public libraries; or game arcades that admit persons under the age of 21; o On or in a public transportation vehicle or on a public transportation shelter; or o On or in publicly-owned or publicly-operated property. (State Act)	Agreed
M.	Permanent location	All marijuana-related uses shall be operated from a permanent location. No marijuana-related use shall be permitted to operate from a moveable, mobile or transitory location.	Agreed
N.	Co-located Uses	A craft grower may share premises with a processing organization or a dispensing organization, or both, provided each licensee stores currency and cannabis or cannabis-infused products in a separate secured vault to which the other licensee does not have access or all licensees sharing a vault share more than 50% of the same ownership (State Act). An infuser may share premises with a craft grower or a dispensing organization, or both, provided each licensee stores currency and cannabis or cannabis-infused products in a separate secured vault to which the other licensee does not have access or all licensees sharing a vault share more than 50% of the same ownership (State Act)	Agreed

PROPOSED TEXT AMENDMENT

Section 3.02 Definitions

CRAFT GROWER: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, dry, cure and package cannabis and perform other necessary activities to make cannabis available for sale at a dispensing organization or use at a processing organization, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder. A craft grower may contain up to 5,000 square feet of canopy space on its premises for plants in the flowering stage. The Department of Agriculture may authorize an increase or decrease of flowering stage cultivation space in increments of 3,000 square feet by rule based on market need, craft grower capacity and the licensee's history of compliance or noncompliance, with a maximum space of 14,000 square feet for cultivating plants in the flowering stage, which must be cultivated in all stages of growth in an enclosed and secure area.

CULTIVATION CENTER: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, process, transport and perform necessary activities to provide cannabis and cannabis-infused products to licensed cannabis business establishments, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder. Cultivation centers are limited to 210,000 square feet of canopy space for flowering plants.

DISPENSING ORGANIZATION: A facility operated by an organization or business that is licensed by the Illinois Department of Financial and Professional Regulation to acquire cannabis from licensed cannabis business establishments for the purpose of selling or dispensing cannabis, cannabis-infused products, cannabis seeds, paraphernalia or related supplies to purchasers or to qualified registered medical cannabis patients and caregivers, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

INFUSER ORGANIZATION: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to directly incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis-infused product, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

ADULT-USE CANNABIS PROCESSING ORGANIZATION: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to either extract constituent chemicals or compounds to produce cannabis concentrate or incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis product, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

ADULT-USE CANNABIS TRANSPORTING ORGANIZATION:
An organization or business that is licensed by the Illinois Department of Agriculture to transport cannabis on behalf of a cannabis business establishment or a community college licensed under the Community College Cannabis Vocational Training Pilot Program, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

Section 8.02 B-2 Community Shopping District

B. Special Uses

13. Dispensing Organization where the proposed facility complies with the following:

13.01 Such facilities shall comply with all regulations provided in the Cannabis Regulation and Tax Act (P.A. 101-0027) (Act), as it may be amended from time-to-time, and regulations promulgated thereunder, and the regulations provided below.

13.02 Facility may not be located within 100 feet of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home or residential care home. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this Section.

13.03 Facility may not be located in a dwelling unit

13.04 At least 75% of the floor area of any tenant space occupied by a dispensing organization shall be devoted to the activities of the dispensing organization as authorized by the Act, and no dispensing organization shall also sell food for consumption on the premises

13.05 Facility may not conduct any sales or distribution of cannabis other than as authorized by the Act. Facility may not sell through a drive-thru window, vending machines, or transport to residents or other locations for sale. All sales of retail marijuana shall be made in person, directly to the purchaser, within the restricted area of the retail marijuana establishment. No sales shall be made via telephone, internet or other means of remote purchase. Deliveries shall occur only in person to the purchaser at the time of purchase within the restricted area of the retail marijuana establishment.

13.06 Consumption on site or establishment of lounges shall not be permitted.

13.07 Facility is limited to the hours of 6:00am to 10:00 pm and cannot operate unless two people are working at the same time.

13.08 A dispensary shall not be located within 1,500 feet of another dispensary.

13.09 Any and all possession, storage, display, sales, testing, production, or cultivation of marijuana shall occur only within the restricted area of the marijuana establishment and shall not be visible from the exterior of the business.

13.10 Dispensing Organizations are prohibited from the "Downtown Core" area as designated in the 2015 Village Comprehensive Plan described as the area bounded by Jefferson Street to the north, Madison Street to the east, Harrison Street to the west, and Benton Street to the south.

Section 8.03 B-3 Community Service and Wholesale District

B. Special Uses

14. Dispensing Organization where the proposed facility complies with the following:

14.01 Such facilities shall comply with all regulations provided in the Cannabis Regulation and Tax Act (P.A. 101-0027) (Act), as it may be amended from time-to-time, and regulations promulgated thereunder, and the regulations provided below.

14.02 Facility may not be located within 100 feet of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home or residential care home. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this Section.

14.03 Facility may not be located in a dwelling unit

14.04 At least 75% of the floor area of any tenant space occupied by a dispensing organization shall be devoted to the activities of the dispensing organization as authorized by the Act, and no dispensing organization shall also sell food for consumption on the premises.

14.05 Facility may not conduct any sales or distribution of cannabis other than as authorized by the Act. Facility may not sell through a drive-thru window, vending machines, or transport to residents or other locations for sale. All sales of retail marijuana shall be made in person, directly to the purchaser, within the restricted area of the retail marijuana establishment. No sales shall be made via telephone, internet or other means of remote purchase. Deliveries shall occur only in person to the purchaser at the time of purchase within the restricted area of the retail marijuana establishment.

14.06 Consumption on site or establishment of lounges shall not be permitted.

14.07 Facility is limited to the hours of 6:00am to 10:00 pm and cannot operate unless two people are working at the same time.

14.08 A dispensary cannot be located within 1,500 feet of another dispensary.

14.09 Any and all possession, storage, display, sales, testing, production, or cultivation of marijuana shall occur only within the restricted area of the marijuana establishment and shall not be visible from the exterior of the business.

14.10 Dispensing Organizations are prohibited from the "Downtown Core" area as designated in the 2015 Village Comprehensive Plan described as the area bounded by Jefferson Street to the north, Madison Street to the east, Harrison Street to the west, and Benton Street to the south

Section 9.01 Limited Manufacturing District

C. Special Uses

13. Craft Grower, Cultivation Organization, Infusing Organization, Processing Organization, Transportation Organization

13.01 Such facilities shall comply with all regulations provided in the Cannabis Regulation and Tax Act (P.A. 101-0027) (Act), as it may be amended from time-to-time, and regulations promulgated thereunder, and the regulations provided below.

13.02 Facility may not be located within 100 feet of a pre-existing public school or park pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home or residential care home. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this Section.

13.03 Facility may not conduct any sales or distribution of cannabis other than as authorized by the Act.

13.04 A craft grower shall not be located within 1,500 feet of another craft grower or a cultivation center.

13.05 A craft grower may contain up to 5,000 square feet of canopy space on its premises for plants in the flowering stage. The Department of Agriculture may authorize an increase or decrease of flowering stage cultivation space in increments of 3,000 square feet by rule based on market need, craft grower capacity and the licensee's history of compliance or noncompliance, with a maximum space of 14,000 square feet for cultivating plants in the flowering stage, which must be cultivated in all stages of growth in an enclosed and secure area.

13.06 A craft grower may share premises with a processing organization or a dispensing organization, or both, provided each licensee stores currency and cannabis or cannabis-infused products in a separate secured vault to which the other licensee does not have access or all licensees sharing a vault share more than 50% of the same ownership.

13.07 A cultivation center may not contain more than 210,000 square feet of canopy space for plants in the flowering stage for cultivation of adult-use cannabis as provided in this Act.

13.08 Any and all possession, storage, display, sales, testing, production, or cultivation of marijuana shall occur only within the restricted area of the marijuana establishment and shall not be visible from the exterior of the business.

Note: Per Section 9.02 General Manufacturing District, any use which may be allowed as a Special Use in the M-1 Limited Manufacturing District is also allowed as a Special Use in the M-2 General Manufacturing District.

COMMUNITY DEVELOPMENT DEPARTMENT

100 Parkers Mill • Oswego, IL 60543 • (630) 554-3622 • Fax: (630) 551-3975
Website: http://www.oswegoil.org

STAFF REPORT

DATE: **October 29, 2019**

TO: **Chairman and Plan Commission**

FROM: **Rod Zenner, Community Development Director**

SUBJECT: **Staff Report for the November 7, 2019 Planning and Zoning Commission Meeting**
Hummel Trails Neighborhood #14
Final PUD Plat
Project #1045.19

Applicant

REO Funding Solutions V, LLC

Requested Action

The applicant is requesting approval of Final PUD and Subdivision Plat for Neighborhood 14 of the Hummel Trails development to allow for the development of 169 single-family residential lots.

Location, Existing Zoning and Land Use

The 90.45 acre site is located in the Hummel Trails development on the southern side of Woolley Road, east of Ashcroft Place Unit #3. It is zoned R-2 Single Family Residence District and is vacant pending development.

Surrounding Zoning and Land Uses

NORTH:	B-3 Community Service and Wholesale District – Vacant pending development.
SOUTH:	Unincorporated Kendall County - Agricultural.
EAST:	R-2 Single-Family Residence District – Vacant pending development.
WEST:	R-2 Single-Family Residence District – Ashcroft and Ashcroft Place Developments.

Relationship to Village Comprehensive Plan

The Comprehensive Plan designates the subject area as “Residential”. The proposal is consistent with this designation.

Donation Requirements

School and Park dedications are made by a combination of land and cash dedications.

Staff Analysis

On March 18, 2008, the Village entered into an Annexation Agreement of the subject property by Ordinance #08-25, annexed by Ordinance #08-26, and rezoned by Ordinance #08-27. On March 15, 2016, the Village approved Ordinance #16-17 approving amendment to the Annexation Agreement and concept plan for Hummel Trails.

A concept plan was approved as part of the Hummel Trails Annexation Agreement. In that plan, Neighborhood #14 was identified to have 168 single-family residential lots with a minimum square footage of 10,000 square feet and a minimum lot width of 75 feet. The proposed subdivision identifies 169 single family lots with a minimum lot size of 10,000 square feet and a minimum lot width of 75 feet. The Annexation Agreement allows for a 5% adjustment in the number of lots, so the 169 lots as proposed are in substantial compliance with the approved concept plan.

On April 22, 2019, the Village Board approved Ordinance #19-29 approving a Preliminary PUD and Subdivision Plat for Hummel Trails Neighborhood #14. The proposed Final Plat provides for 169 Single-Family Residential Lots with a minimum lot size of 10,000 square feet, an average of 11,087 square feet and a minimum lot width of 75 feet.

There is a park site identified in the southwest corner of the development adjacent to the Ashcroft park site.

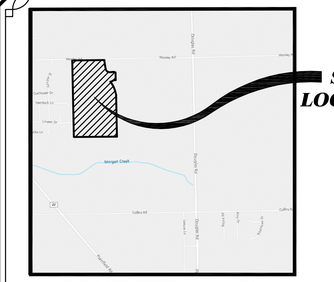
The proposed Final Plat is in substantial conformance with the approved Preliminary Plat.

Recommendation

Staff recommends approval of the Final PUD and Subdivision Plat for Hummel Trails Neighborhood #14.

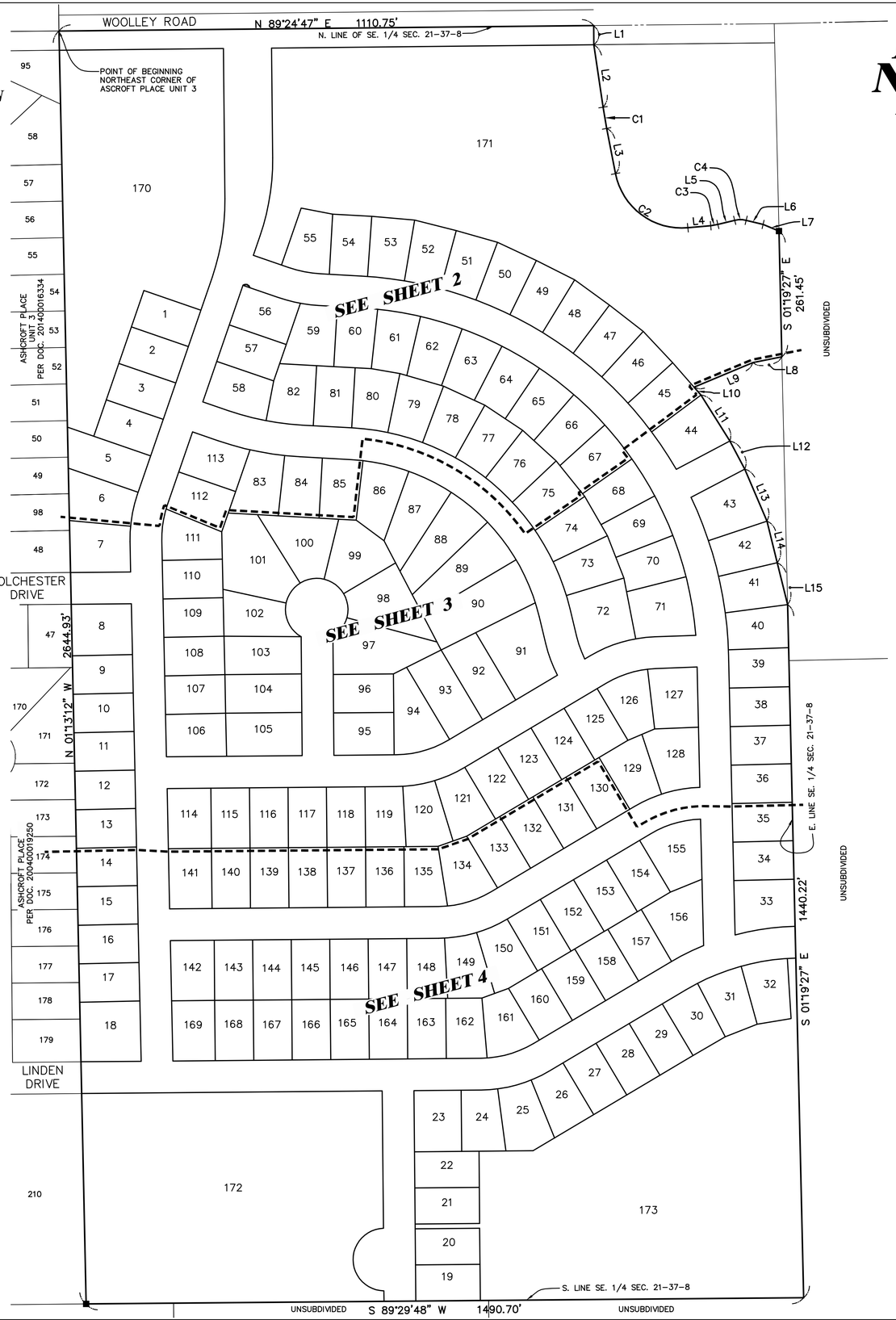
FINAL PLAT OF
HUMMEL TRAILS - NEIGHBORHOOD 14

BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KENDALL COUNTY, ILLINOIS.



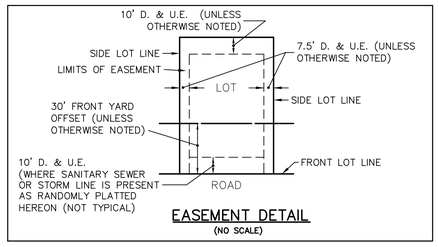
SITE LOCATION

VICINITY MAP



NOTE:
PAGE 1 FOR KEYMAP, BOUNDARY AND PAGE INDEX ONLY.
SEE FOLLOWING SHEETS FOR PARTICULARS.

LOT AREA TABLE			
LOT NO.	SQ. FT.	LOT NO.	SQ. FT.
1	10,000	88	15,409
2	10,000	89	16,114
3	10,000	90	20,092
4	10,000	91	18,568
5	13,462	92	13,266
6	12,314	93	13,729
7	12,711	94	13,056
8	13,294	95	11,000
9	10,000	96	10,000
10	10,000	97	17,884
11	10,000	98	15,948
12	10,000	99	13,833
13	10,000	100	14,398
14	10,000	101	20,547
15	10,000	102	11,306
16	10,000	103	12,564
17	10,000	104	12,687
18	15,548	105	14,108
19	10,051	106	11,097
20	10,050	107	10,000
21	10,050	108	10,000
22	10,050	109	10,000
23	12,463	110	10,000
24	10,718	111	10,254
25	12,008	112	10,600
26	10,682	113	11,087
27	10,000	114	11,290
28	10,000	115	10,000
29	10,000	116	10,000
30	10,179	117	10,000
31	10,641	118	10,000
32	10,641	119	10,194
33	12,868	120	10,782
34	10,000	121	10,764
35	10,000	122	10,000
36	10,000	123	10,000
37	10,000	124	10,000
38	10,000	125	10,000
39	10,059	126	11,018
40	10,572	127	12,157
41	10,572	128	12,910
42	10,457	129	11,072
43	13,484	130	10,000
44	12,946	131	10,000
45	10,453	132	10,000
46	10,453	133	10,000
47	10,453	134	11,171
48	10,453	135	10,000
49	10,453	136	10,000
50	10,454	137	10,000
51	10,454	138	10,000
52	10,454	139	10,000
53	10,454	140	10,000
54	10,064	141	11,097
55	10,693	142	11,290
56	10,933	143	10,000
57	10,000	144	10,000
58	11,531	145	10,000
59	11,903	146	10,000
60	10,131	147	10,000
61	10,346	148	10,174
62	10,438	149	10,795
63	10,429	150	10,928
64	10,415	151	10,064
65	10,413	152	10,000
66	10,422	153	10,000
67	10,440	154	10,000
68	10,427	155	13,213
69	10,414	156	13,728
70	10,426	157	10,031
71	14,073	158	10,000
72	15,588	159	10,000
73	10,499	160	10,000
74	10,499	161	11,128
75	10,499	162	10,000
76	10,499	163	10,000
77	10,499	164	10,000
78	10,499	165	10,000
79	10,499	166	10,000
80	10,597	167	10,000
81	10,000	168	10,000
82	11,115	169	11,097
83	11,499	170	202,271
84	10,215	171	383,175
85	10,121	172	265,311
86	11,512	173	296,709
87	13,727		



EASEMENT DETAIL
(NO SCALE)

THIS PLAT WAS SUBMITTED TO THE COUNTY RECORDER FOR THE PURPOSES OF RECORDING BY:

(PRINT NAME)

(ADDRESS)

(CITY/TOWN) (STATE) (ZIP CODE)

TOTAL AREA OF SUBDIVISION
86.197 ACRES
(MORE OR LESS)

PARCEL INDEX NUMBER
03-21-400-001
OSWEGO, ILLINOIS

N

120 60 0 120
SCALE: 1 INCH = 120 FEET

LEGEND

- SUBDIVISION BOUNDARY LINE (Heavy Solid Line)
- LOT LINE/PROPERTY LINE (Solid Line)
- ADJACENT LOT LINE/PROPERTY LINE (Light Solid Line)
- BUILDING LINE (Long Dashed Lines)
- EASEMENT LINE/LIMITS OF EASEMENT (Short Dashed Lines)
- CENTERLINE (Single Dashed Lines)
- SET CONCRETE MONUMENT

NOTES

3/4 INCH IRON PIPE SET AT ALL LOT CORNERS AND POINTS OF CURVATURE UNLESS OTHERWISE NOTED.

ALL MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

DIMENSIONS SHOWN ALONG CURVES ARE ARC DISTANCES.

ALL EASEMENTS ARE HEREBY GRANTED UNLESS OTHERWISE NOTED.

D. & U.E. - INDICATES DRAINAGE AND UTILITY EASEMENT HEREBY GRANTED. SEE PROVISIONS FOR DETAILS.

LOTS 170-173, INCLUSIVE, TO BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION.

THE MEASURED BEARINGS SHOWN ARE ASSUMED.

F.I.P. = FOUND IRON PIPE (Ø AS SHOWN)

LINE TABLE		
LINE	BEARING	LENGTH
L1	S 00°35'13" E	40.00'
L2	S 08°23'41" E	131.01'
L3	S 11°05'11" E	95.83'
L4	N 84°45'27" E	47.72'
L5	N 76°06'34" E	35.96'
L6	S 76°16'26" E	36.26'
L7	S 67°30'08" E	35.66'
L8	S 78°51'34" W	61.55'
L9	S 67°20'15" W	132.46'
L10	S 41°16'18" E	21.85'
L11	S 32°09'32" E	112.87'
L12	S 27°53'13" E	66.00'
L13	S 23°11'14" E	117.45'
L14	S 13°54'03" E	89.17'
L15	S 13°54'22" E	89.42'

CURVE TABLE			
CURVE	LENGTH	RADIUS	CHORD BEARING
C1	44.63'	950.00'	S 09°44'26" E
C2	205.63'	140.00'	S 53°09'52" E
C3	15.09'	100.00'	N 80°26'01" E
C4	24.10'	50.00'	N 89°55'04" E

PREPARED FOR:
TURNSTONE GROUP
1170 PEACHTREE ST. NE., STE 1150
ATLANTA, GA 30309
(404) 477-6800

PREPARED BY:
CEMCON, Ltd.
Consulting Engineers, Land Surveyors & Planners
2280 White Oak Circle, Suite 100 Aurora, Illinois
60502-9675 PH: 630.862.2100 FAX: 630.862.2199
www.cemcon.com

DISC NO.: 838001 FILE NAME: SUBPLAT 14
DRAWN BY: AJB FLD. BK. / PG. NO.: B33, B47, C16 & D47
COMPLETION DATE: 08-20-19 JOB NO.: 838.001
PROJECT REFERENCE: 265.045, 709.002, 709.003, 709.004, 904.088, 904.169 & 904.184

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PLOT FILE CREATED: 8/20/2019 BY: TONY BLUS DRAWING PATH: P:\838001\DWG\SURVEY\DRAWINGS\PLATS\SUBPLAT 14.DWG

WOOLLEY ROAD
HEREBY DEDICATED TO THE VILLAGE OF OSWEGO FOR PUBLIC STREET PURPOSES
N 89°24'47" E 340.73'
40'

HEREBY DEDICATED TO THE VILLAGE OF OSWEGO FOR PUBLIC STREET PURPOSES
N 89°24'47" E 669.58'
40'

100'

ROAD A
HEREBY DEDICATED TO THE VILLAGE OF OSWEGO FOR PUBLIC STREET PURPOSES
N 00°35'13" W 227.98'
S 00°35'13" E 312.15'

170
STORMWATER MANAGEMENT EASMENT AND BLANKET D. & U.E. OVER LOT 170

171
STORMWATER MANAGEMENT EASMENT AND BLANKET D. & U.E. OVER LOT 171

S 08°23'41" E 131.01'
R=950.00' L=44.63'
N 11°05'11" W 95.83'
R=140.00' L=205.63'
N 84°45'27" E 47.72'
R=100.00' L=15.09'
N 76°06'34" E 35.96'
R=50.00' L=24.10'
S 76°16'26" E 36.26'
S 67°30'08" E 35.66'
261.45' S 01°19'27" E
S 78°51'34" W 61.55'
S 67°20'15" W 32.46'

ASHCROFT PLACE UNIT 3 PER DOC. 2014000163344

95 58 57 56 55 54 53 52 51 50 49 98

783.05' N 01°13'12" W

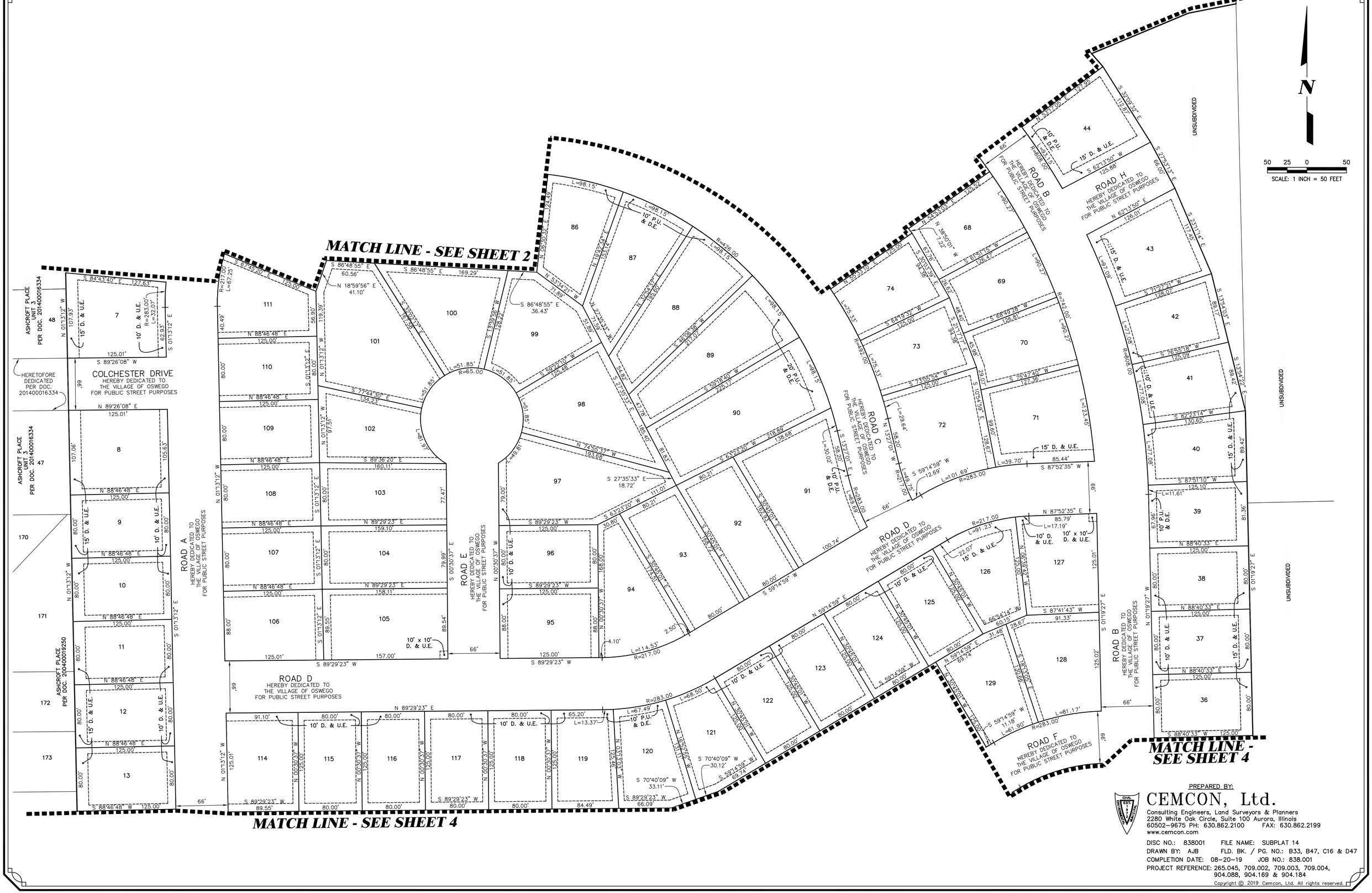
L=165.28' R=483.50

R=483.50 L=165.28'
N 18°39'56" E 42.46'
S 79°08'40" E 66.74'
N 86°48'55" W 81.50'
S 84°59'49" E 89.16'
S 75°53'03" E 89.16'
S 74°03'56" E 89.16'
S 64°57'10" E 89.16'
S 63°08'04" E 89.16'
S 54°01'17" E 89.16'
S 52°12'11" E 89.16'
S 43°08'25" E 89.16'
S 41°16'18" E 67.31'
S 41°16'18" E 21.85'

55 S 18°59'56" W 125.00'
54 S 03°51'05" E 125.00'
53 S 07°05'58" W 125.12'
52 S 09°33'34" W 122.98'
51 S 15°01'37" W 128.12'
50 S 20°29'42" W 127.86'
49 S 25°57'47" W 128.11'
48 S 31°25'51" W 128.06'
47 S 36°53'56" W 128.11'
46 S 42°21'59" W 127.86'
45 S 47°49'08" W 125.81'
S 53°17'08" W 127.86'

61.90' N 71°00'04" W
15.33' 15' D. & U.E. 17.33'
L=69.00' R=250.00
10' D. & U.E. L=12.81' 66.70'
N 86°48'55" W
L=77.08'
10' D. & U.E. L=77.08'
L=77.08'
10' D. & U.E. L=77.08'
L=77.08'
10' D. & U.E. L=77.08'
L=77.08'

66' 72.85' N 71°00'04" W 125.00'
15' 30' S 71°00'04" E 77.23' D. & U.E.
L=47.95' R=316.00 S 86°48'55" E
L=39.26' 37.41' 46.63' L=37.66'
R=742.00' L=90.27'
87.00' 90.63' 132.45'
N 18°59'56" E 80.00'
S 18°59'56" W 80.00'
N 86°48'55" W 112.67'
N 03°51'05" W 125.00'
S 03°51'05" E 125.00'
N 06°05'58" E 124.40'
N 10°33'01" E 125.66'
S 20°22'08" W 126.34'
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PREPARED BY:

CEMCON, Ltd.

Consulting Engineers, Land Surveyors & Planners
2280 White Oak Circle, Suite 100 Aurora, Illinois
60502–9675 PH: 630.862.2100 FAX: 630.862.2199
www.cemcon.com

DISC NO.: 838001 FILE NAME: SUBPLAT 14
DRAWN BY: AJB FLD. BK. / PG. NO.: B33, B47, C16 & D47
COMPLETION DATE: 08–20–19 JOB NO.: 838.001
PROJECT REFERENCE: 265.045, 709.002, 709.003, 709.004, 904.088, 904.169 & 904.184

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PLOT FILE CREATED: 8/20/2019 BY: TONY BLUS DRAWING PATH: P:\838001\ENG\SURVEY\DRAWINGS\PLATS\SUBPLAT 14.DWG

SEE SHEET 3

MATCH LINE - SEE SHEET 3

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SCALE: 1 INCH = 50 FEET

ASHCROFT PLACE
PER DOC. 2004000192S0

ROAD A
HEREBY DEDICATED TO
THE VILLAGE OF OSWEGO
FOR PUBLIC STREET PURPOSES

ROAD F
HEREBY DEDICATED TO
THE VILLAGE OF OSWEGO
FOR PUBLIC STREET PURPOSES

ROAD B
HEREBY DEDICATED TO
THE VILLAGE OF OSWEGO
FOR PUBLIC STREET PURPOSES

LINDEN DRIVE
HEREBY DEDICATED TO
THE VILLAGE OF OSWEGO
FOR PUBLIC STREET PURPOSES

ROAD G
HEREBY DEDICATED TO
THE VILLAGE OF OSWEGO
FOR PUBLIC STREET PURPOSES

172
BLANKET D. & U.E.
OVER LOT 172

173
STORMWATER MANAGEMENT EASMENT
AND BLANKET D. & U.E.
OVER LOT 173

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PLOT FILE CREATED: 8/20/2019 BY: TONY BLUS DRAWING PATH: P:\838001\CIVIL\SURVEY\DRAWINGS\PLATS\SUBPLAT 14.DWG

DRAINAGE OVERLAY CERTIFICATE

STATE OF ILLINOIS)
SS
COUNTY OF KENDALL)

TO THE BEST OF OUR KNOWLEDGE AND BELIEF THE DRAINAGE OF SURFACE WATERS WILL NOT BE CHANGED BY THE CONSTRUCTION OF SUCH SUBDIVISION OF ANY PART THEREOF, OR, THAT IF SUCH SURFACE WATER DRAINAGE WILL BE CHANGED, ADEQUATE PROVISION HAS BEEN MADE FOR COLLECTION AND DIVERSION OF SUCH SURFACE WATERS INTO PUBLIC AREAS OR DRAINS WHICH THE SUBDIVIDER HAS A RIGHT TO USE, AND THAT SUCH SURFACE WATERS WILL NOT BE DEPOSITED ON THE PROPERTY OF ADJOINING LAND OWNERS IN SUCH CONCENTRATIONS AS MAY CAUSE DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF THE CONSTRUCTION OF THE SUBDIVISION.

DATED THIS _____ DAY OF _____, 2019.

_____ _____
ENGINEER OWNER OR ATTORNEY

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
SS
COUNTY OF KENDALL)

THIS IS TO CERTIFY THAT I, PETER A BLAESER, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3072, AT THE REQUEST OF THE OWNER(S) THEREOF, HAVE SURVEYED, SUBDIVIDED AND PLATTED THE FOLLOWING DESCRIBED PROPERTY:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING EAST OF ASHCROFT PLACE SUBDIVISION (RECORDED AS DOCUMENT 200400019250) AND LYING EAST OF ASHCROFT PLACE UNIT 3 (RECORDED AS DOCUMENT 201400016334) DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID ASHCROFT PLACE UNIT 3 SUBDIVISION, SAID POINT BEING ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 21; THENCE NORTH 89 DEGREES 24 MINUTES 47 SECONDS EAST, 1,110.75 FEET ALONG SAID NORTH LINE; THENCE SOUTH 00 DEGREES 35 MINUTES 13 SECONDS EAST, 40.00 FEET; THENCE SOUTH 08 DEGREES 23 MINUTES 41 SECONDS EAST, 131.01 FEET; THENCE SOUTHERLY, 44.63 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 950.00 FEET AND A CHORD BEARING SOUTH 09 DEGREES 44 MINUTES 26 SECONDS EAST; THENCE SOUTH 11 DEGREES 05 MINUTES 11 SECONDS EAST, 95.83 FEET; THENCE SOUTHEASTERLY, 205.63 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 140.00 FEET AND A CHORD BEARING SOUTH 53 DEGREES 09 MINUTES 52 SECONDS EAST; THENCE NORTH 84 DEGREES 45 MINUTES 27 SECONDS EAST, 47.72 FEET; THENCE EASTERLY, 15.09 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 100.00 FEET AND CHORD BEARING NORTH 80 DEGREES 26 MINUTES 01 SECOND EAST; THENCE NORTH 76 DEGREES 06 MINUTES 34 SECONDS EAST, 35.96 FEET; THENCE EASTERLY, 24.10 FEET ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 50.00 FEET AND A CHORD BEARING NORTH 89 DEGREES 55 MINUTES 04 SECONDS EAST; THENCE SOUTH 76 DEGREES 16 MINUTES 26 SECONDS EAST, 36.26 FEET; THENCE SOUTH 67 DEGREES 30 MINUTES 08 SECONDS EAST, 35.66 FEET TO THE EAST LINE OF SAID SOUTHEAST QUARTER; THENCE SOUTH 01 DEGREES 19 MINUTES 27 SECONDS EAST, 261.45 FEET ALONG SAID EAST LINE; THENCE SOUTH 78 DEGREES 51 MINUTES 34 SECONDS WEST, 61.55 FEET; THENCE SOUTH 67 DEGREES 20 MINUTES 15 SECONDS WEST, 132.46 FEET; THENCE SOUTH 41 DEGREES 16 MINUTES 18 SECONDS EAST, 21.85 FEET; THENCE SOUTH 32 DEGREES 09 MINUTES 32 SECONDS EAST, 112.87 FEET; THENCE SOUTH 27 DEGREES 53 MINUTES 13 SECONDS EAST, 66.00 FEET; THENCE SOUTH 23 DEGREES 11 MINUTES 14 SECONDS EAST, 117.45 FEET; THENCE SOUTH 13 DEGREES 54 MINUTES 03 SECONDS EAST, 89.17 FEET; THENCE SOUTH 13 DEGREES 54 MINUTES 22 SECONDS EAST, 89.42 FEET TO SAID EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 21; THENCE SOUTH 01 DEGREES 19 MINUTES 27 SECONDS EAST, 1,440.22 FEET ALONG SAID EAST LINE TO THE SOUTH LINE OF THE SOUTHEAST QUARTER; THENCE SOUTH 89 DEGREES 29 MINUTES 48 SECONDS WEST, 1,490.70 FEET ALONG THE SOUTH LINE TO SAID EAST LINE OF SAID ASHCROFT PLACE SUBDIVISION; THENCE NORTH 01 DEGREES 13 MINUTES 12 SECONDS WEST, 2,644.93 FEET ALONG SAID EAST LINE AND THE EAST LINE OF SAID ASHCROFT PLACE UNIT 3 TO THE POINT OF BEGINNING, IN KENDALL COUNTY, ILLINOIS.

I FURTHER DO HEREBY CERTIFY THAT THE FOREGOING PROPERTY FALLS WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF OSWEGO, WHICH HAS ADOPTED A VILLAGE PLAN AND IS EXERCISING THE SPECIAL POWERS AUTHORIZED BY DIVISION 12 OF ARTICLE 11 OF THE ILLINOIS MUNICIPAL CODE. IN ACCORDANCE WITH S.B. 908–P.A. 85–267, I FURTHER CERTIFY THAT BASED UPON A REVIEW OF THE FLOOD INSURANCE RATE MAP PANEL NO. 17093C0065H WITH AN EFFECTIVE DATE OF JANUARY 8, 2014, IT IS OUR OPINION THAT NO PART OF THE PROPERTY DESCRIBED HEREON FALLS WITHIN A SPECIAL FLOOD HAZARD AREA.

I FURTHER HEREBY CERTIFY THAT ALL SUBDIVISION MONUMENTS WILL BE SET AND I HAVE DESCRIBED THEM ON THIS FINAL PLAT AS REQUIRED BY THE PLAT ACT (765 ILCS 205/). TWO EXTERIOR MONUMENTS HAVE BEEN SET AND THE INTERIOR MONUMENTS WILL BE SET WITHIN 12 MONTHS OF THE RECORDING OF THIS PLAT AS PROVIDED BY STATE STATUTE.

GIVEN UNDER MY HAND AND SEAL THIS ___ DAY OF _____, A.D., 2019.

_____
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3072
MY REGISTRATION EXPIRES ON NOVEMBER 30, 2020
PROFESSIONAL DESIGN FIRM LICENSE NO. 184–002937
EXPIRATION DATE IS APRIL 30, 2021

OWNER'S/SCHOOL CERTIFICATE

STATE OF)
SS
COUNTY OF)

THIS IS TO CERTIFY THAT THE UNDERSIGNED IS THE OWNER OF THE LAND DESCRIBED IN THE ATTACHED PLAT AND HAS CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED, AS INDICATED THEREON, FOR THE USES AND PURPOSES THEREIN SET FORTH, AND DOES HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE THEREON INDICTED.

THE UNDERSIGNED HEREBY DEDICATES FOR PUBLIC USE THE LANDS SHOWN ON THIS PLAT FOR THOROUGHFARES, STREETS, ALLEYS AND PUBLIC SERVICES AND HEREBY ALSO RESERVES AND GRANTS EASEMENTS FOR PUBLIC USE AND FOR THE INSTALLATION OF VARIOUS PUBLIC UTILITIES AS DESIGNATED AND/OR AS STATED IN THE UTILITY EASEMENT PROVISIONS STATED HEREON.

ALL EASEMENTS INDICATED AS PUBLIC UTILITY AND DRAINAGE EASEMENTS ON THIS PLAT ARE RESERVED FOR AND GRANTED TO THE VILLAGE OF OSWEGO AND TO ANY ENTITY OPERATING UNDER FRANCHISE FROM THE VILLAGE INCLUDING, BUT NOT LIMITED TO ILLINOIS BELL TELEPHONE COMPANY, NORTHERN ILLINOIS GAS COMPANY, COMMONWEALTH EDISON COMPANY, COMCAST CABLEVISION AND THEIR SUCCESSORS AND ASSIGNS FOR THE PERPETUAL RIGHT, PRIVILEGE AND AUTHORITY TO CONSTRUCT, RECONSTRUCT, REPAIR, INSPECT, MAINTAIN AND OPERATE VARIOUS TRANSMISSION, DISTRIBUTION AND COLLECTION SYSTEMS, DRAINAGE SWALES AND ALL NECESSARY LINES. THE RIGHT IS ALSO GRANTED TO CUT DOWN, TRIM OR REMOVE ANY TREES, SHRUBS OR OTHER PLANTS ON THE EASEMENT THAT INTERFERE WITH THE OPERATION OF THE SEWERS OR OTHER UTILITIES. NO PERMANENT BUILDINGS OR TREES SHALL BE PLACED ON SAID EASEMENTS, BUT SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE 94 AFORESAID USES OR RIGHTS. LOCATION OF UTILITY INSTALLATIONS WITHIN THE EASEMENT SHALL BE SUBJECT TO THE APPROVAL OF THE VILLAGE OF OSWEGO AS TO DESIGN AND LOCATION. ALL INSTALLATIONS ARE SUBJECT TO THE ORDINANCES OF THE VILLAGE OF OSWEGO.

THE UNDERSIGNED ALSO CERTIFIES THAT, TO THE BEST OF THEIR KNOWLEDGE, THE PROPERTY DESCRIBED HEREON FALLS WITHIN COMMUNITY UNIT SCHOOL DISTRICT 308.

BY: _____

TITLE: _____

_____
ADDRESS

DATED THIS _____ DAY OF _____, 2019.

NOTARY CERTIFICATE

STATE OF)
SS
COUNTY OF)

I,_____, A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT _____, PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE AFORESAID INSTRUMENT AS SUCH OWNERS, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY SIGNED THE PLAT AS THEIR OWN FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH. GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS _____ DAY OF _____, 2019.

_____
NOTARY PUBLIC

VILLAGE TREASURER'S CERTIFICATE

STATE OF ILLINOIS)
SS
COUNTY OF KENDALL)

I, _____, VILLAGE TREASURER OF THE VILLAGE OF OSWEGO, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS OR ANY DEFERRED INSTALLMENTS THEREOF THAT HAVE BEEN APPORTIONED AGAINST THE TRACT OF LAND INCLUDED IN THE PLAT. DATED AT OSWEGO, KENDALL COUNTY, ILLINOIS THIS ___ DAY OF _____, 2019.

_____
VILLAGE TREASURER

PLAN COMMISSION CERTIFICATE

STATE OF ILLINOIS)
SS
COUNTY OF KENDALL)

REVIEWED BY THE PLAN COMMISSION OF THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS, THIS ___ DAY OF _____, 2019.

_____
CHAIRMAN

VILLAGE PRESIDENT'S CERTIFICATE

STATE OF ILLINOIS)
SS
COUNTY OF KENDALL)

APPROVED BY THE VILLAGE PRESIDENT OF THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS, THIS ___ DAY OF _____, 2019.

_____
VILLAGE PRESIDENT

VILLAGE CLERK'S CERTIFICATE

STATE OF ILLINOIS)
SS
COUNTY OF KENDALL)

I, _____, VILLAGE CLERK OF THE VILLAGE OF OSWEGO, ILLINOIS, HEREBY CERTIFY THAT THE ANNEXED PLAT WAS PRESENTED TO AND DULY APPROVED BY THE BOARD OF TRUSTEES OF SAID VILLAGE AT ITS MEETING HELD ON _____, 20___.

IN WITNESS WHEREOF I HAVE HERETO SET MY HAND AND THE SEAL OF THE VILLAGE OF OSWEGO, ILLINOIS, THIS _____ DAY OF _____, 2019.

_____
VILLAGE CLERK

COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS)
SS
COUNTY OF KENDALL)

I, _____, COUNTY CLERK OF KENDALL COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT HERE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID FORFEITED TAXES AND NO REDEEMABLE TAX SALES GAINST ANY OF THE LAND INCLUDED IN THE PLAT HEREON DRAWN. I FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THE PLAT HEREON DRAWN.

GIVEN UNDER MY HAND AND SEAL AT _____, KENDALL COUNTY, ILLINOIS, THIS ___ DAY OF _____, 2019.

_____
COUNTY CLERK

RECORDER'S CERTIFICATE

STATE OF ILLINOIS)
SS
COUNTY OF KENDALL)

THIS INSTRUMENT NO. _____ WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF KENDALL COUNTY AFORESAID ON THE _____ DAY OF _____, A.D., 2019, AT _____O'CLOCK __M., AND RECORDED IN BOOK _____ OF PLATS ON PAGE_____.

_____
KENDALL COUNTY RECORDER

EASEMENT PROVISIONS

A NON–EXCLUSIVE EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO ILLINOIS BELL TELEPHONE COMPANY, NORTHERN ILLINOIS GAS COMPANY, COMMONWEALTH EDISON COMPANY, CABLEVISION, OTHER PUBLIC UTILITIES AND HOLDERS OF EXISTING FRANCHISES GRANTED BY THE VILLAGE OF OSWEGO, ILLINOIS, AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS WITHIN THE AREAS SHOWN ON THE PLAT AS 'DRAINAGE AND UTILITY EASEMENT' TO CONSTRUCT, INSTALL, RECONSTRUCT, REPAIR, REMOVE, REPLACE, INSPECT, MAINTAIN AND OPERATE UNDERGROUND TRANSMISSION AND DISTRIBUTION SYSTEMS AND LINES UNDER THE SURFACE OF THE 'DRAINAGE AND UTILITY EASEMENT'; INCLUDING WITHOUT LIMITATION TELEPHONE CABLES, GAS MAINS, ELECTRIC LINES, AND CABLE TELEVISION LINES AND ALL NECESSARY FACILITIES APPURTENANT THERETO, TOGETHER WITH THE RIGHT OF ACCESS THERETO FOR THE PERSONNEL AND EQUIPMENT NECESSARY AND REQUIRED FOR SUCH USES AND PURPOSES, AND TOGETHER WITH THE RIGHT TO INSTALL REQUIRED SERVICE CONNECTIONS UNDER THE SURFACE OF EACH LOT TO SERVE IMPROVEMENTS THEREON.

A NONEXCLUSIVE EASEMENT IS ALSO HEREBY RESERVED FOR AND GRANTED TO THE VILLAGE OF OSWEGO, ILLINOIS TO CONSTRUCT, INSTALL, RECONSTRUCT, REPAIR, REMOVE, REPLACE AND INSPECT FACILITIES FOR THE TRANSMISSION AND DISTRIBUTION OF WATER, STORM SEWERS AND SANITARY SEWERS, WITHIN THE AREAS SHOWN ON THE PLAT AS 'DRAINAGE AND UTILITY EASEMENT', TOGETHER WITH A RIGHT OF ACCESS THERETO FOR THE PERSONNEL AND EQUIPMENT NECESSARY AND REQUIRED FOR SUCH USES AND PURPOSES.

THE ABOVE NAMES ENTITIES ARE HEREBY GRANTED THE RIGHT TO ENTER UPON THE EASEMENTS HEREIN DESCRIBED FOR THE USES HEREIN SET FORTH AND THE RIGHT TO CUT, TRIM, OR REMOVE ANY TREES, SHRUBS OR OTHER PLANTS WITHIN THE AREAS DESIGNATED AS 'DRAINAGE AND UTILITY EASEMENT', WHICH INTERFERE WITH THE CONSTRUCTION, INSTALLATION, RECONSTRUCTION, REPAIR, REMOVAL, REPLACEMENT, MAINTENANCE AND OPERATION OF THEIR UNDERGROUND TRANSMISSION AND DISTRIBUTION SYSTEMS AND FACILITIES APPURTENANT THERETO. NO PERMANENT BUILDINGS, STRUCTURES, OR OBSTRUCTIONS SHALL BE CONSTRUCTED IN, UPON, OR OVER ANY AREAS DESIGNATED AS 'DRAINAGE AND UTILITY EASEMENT', BUT SUCH AREAS MAY BE USED FOR GARDENS, SHRUBS, TREES, LANDSCAPING, DRIVEWAYS, AND OTHER RELATED PURPOSES THAT DO NOT UNREASONABLY INTERFERE WITH THE USES HEREIN DESCRIBED.

THE OCCUPATION AND USE OF THE NONEXCLUSIVE EASEMENTS HEREIN GRANTED AND RESERVED FOR THE ABOVE NAMED ENTITIES BY EACH OF SUCH ENTITIES SHALL BE DONE IN SUCH A MANNER SO AS NOT TO INTERFERE WITH OR PRECLUDE THE OCCUPATION AND USE THEREOF BY OTHER ENTITIES FOR WHICH SUCH EASEMENTS ARE GRANTED AND RESERVED. THE CROSSING AND RECROSSING OF SAID EASEMENTS BY THE ABOVE NAMED ENTITIES SHALL BE DONE IN SUCH A MANNER SO AS NOT TO INTERFERE WITH, DAMAGE, OR DISTURB ANY TRANSMISSION AND DISTRIBUTION SYSTEMS AND FACILITIES APPURTENANT THERETO EXISTING WITHIN THE EASEMENTS BEING CROSSED OR RECROSSED. NO USE OR OCCUPATION OF SAID EASEMENTS BY THE ABOVE NAMED ENTITIES SHALL CAUSE ANY CHANGE IN GRADE OR IMPAIR OR CHANGE THE SURFACE DRAINAGE PATTERNS.

FOLLOWING ANY WORK TO BE PERFORMED BY THE VILLAGE OF OSWEGO IN THE EXERCISE OF ITS EASEMENT RIGHTS HEREIN GRANTED, SAID VILLAGE SHALL HAVE NO OBLIGATION WITH RESPECT TO SURFACE RESTORATION, INCLUDING BUT NOT LIMITED TO THE RESTORATION, REPAIR OR REPLACEMENT OF PAVEMENT, CURB, GUTTERS, TREES, LAWN OR SHRUBBERY; PROVIDED, HOWEVER, THAT SAID VILLAGE SHALL BE OBLIGATED FOLLOWING SUCH MAINTENANCE WORK TO BACKFILL AND MOUND ALL TRENCHES CREATED SO AS TO RETAIN SUITABLE DRAINAGE, TO COLD PATCH ANY ASPHALT OR CONCRETE SURFACE, TO REMOVE ALL EXCESS DEBRIS AND SPOIL, AND TO LEAVE THE MAINTENANCE AREA IN A GENERALLY CLEAN AND WORKMANLIKE CONDITION.

KENDALL COUNTY RIGHT TO FARM CERTIFICATE:

NOTICE:
KENDALL COUNTY HAS A LONG, RICH TRADITION IN AGRICULTURE AND RESPECTS THE ROLE THAT FARMING CONTINUES TO PLAY IN SHAPING THE ECONOMIC VIABILITY OF THE COUNTRY. PROPERTY THAT SUPPORTS THIS INDUSTRY IS INDICATED BY A ZONING INDICATOR – A–1 OR AG SPECIAL USE. ANYONE CONSTRUCTING A RESIDENCE OR FACILITY NEAR THIS ZONING SHOULD BE AWARE THAT NORMAL AGRICULTURAL PRACTICES MAY RESULT IN OCCASIONAL SMELLS, DUST, SIGHTS, NOISE AND UNIQUE HOURS OF OPERATIONS THAT ARE NOT TYPICAL IN OTHER ZONING AREAS.

STORMWATER MANAGEMENT EASEMENT PROVISIONS

A NON–EXCLUSIVE EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE HOME OWNERS' ASSOCIATION AS MAY BE FURTHER DEFINED IN THE HONE OWNERS' ASSOCIATION BYLAWS AND DECLARATIONS AND THEIR RESPECTIVE SUCCESSORS AND ASSLGNS, WITHIN THE AREAS SO DESIGNATED ON THE PLAT AND MARKED STORMWATER MANAGEMENT EASEMENT (SME) FOR THE COLLECTION CONVEYANCE AND STORAGE OF STORMWATER IN AREAS TO BE MAINTAINED BY THE OWNER OF THE LOT(S) OR OUTLOT(S) ON WHICH THE FACILITIES EXIST IN ACCORDANCE WITH MUNICIPAL ORDINANCES AND THE APPROVED FINAL ENGINEERING IMPROVEMENT PLANS. TOGETHER WITH THE RIGHT OF ACCESS THERETO FOR THE PERSONNEL AND EQUIPMENT NECESSARY AND REQUIRED FOR SUCH USES AND PURPOSES. AND TOGETHER WITH THE RIGHT TO CUT. TRIM, OR REMOVE TREES, BUSHES AND ROOTS AS MAY BE REASONABLY REQUIRED INCIDENTAL TO THE RIGHTS HEREIN GIVEN, AND THE RIGHT TO ENTER UPON THE PROPERTY FOR ALL SUCH PURPOSES. ENCROACHMENT OF ANY KIND INCLUDING LANDSCAPING. FENCES, SHEDS OR ACCESSORY STRUCTURES WITHIN SAID EASEMENT IS PROHIBITED UNLESS THE MUNICIPAL ENGINEER HAS DETERMINED SAID ENCROACHMENT WILL NOT INTERFERE WITH THE PROPER FUNCTION OF SAID FACILITIES. THE VILLAGE SHALL HAVE THE RIGHT BUT NOT THE OBLIGATLON, TO ENTER WITH PERSONNEL AND EQUIPMENT UPON SAID EASEMENT AT ANY TIME FOR THE PURPOSES OF ACCESS TO AND INSPECTION OF THE STORMWATER MANAGEMENT FACILITIES LOCATED WITHIN SAID EASEMENT. IF THE OWNER FAILS TO MAINTAIN SAID FACILITIES AND, AFTER RECEIPT OF NOTICE FROM THE VILLAGE OF SAID FAILURE, THE OWNER FAILS TO MAKE REQUIRED REPAIRS IN A REASONABLE PERIOD OF TIME, THE VILLAGE MAY MAKE THE REQUIRED REPAIRS AND SEEK REIMBURSEMENT FROM THE OWNER FOR THE COSTS INCURRED BY THE VILLAGE TO MAKE THE REPAIR AND/OR FILE A LIEN ON THE PROPERTY.

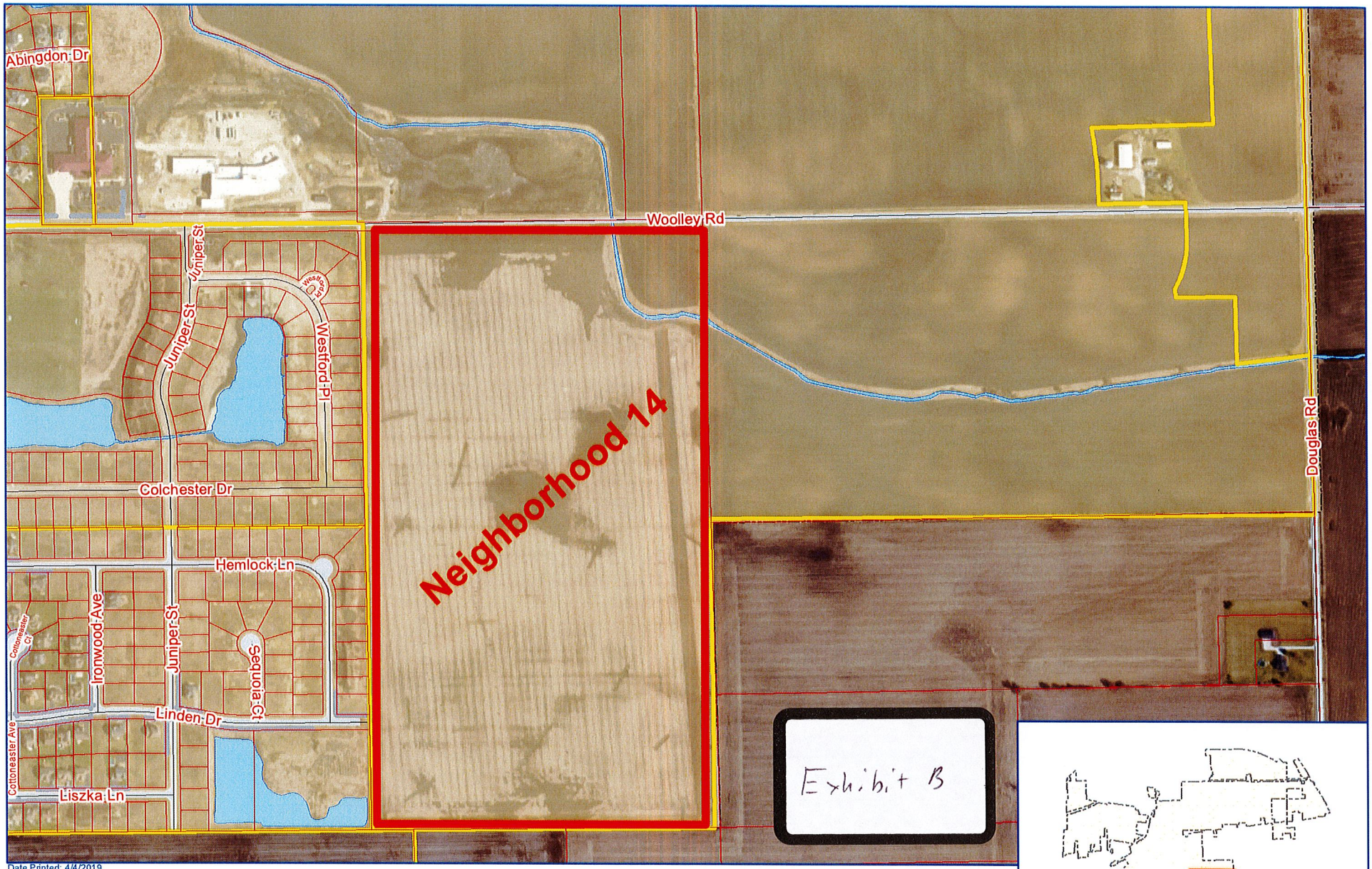
PREPARED BY:
CEMCON, Ltd.
Consulting Engineers, Land Surveyors & Planners
2280 White Oak Circle, Suite 100 Aurora, Illinois
60502–9675 PH: 630.862.2100 FAX: 630.862.2199
www.cemcon.com

DISC NO.: 838001 FILE NAME: SUBPLAT 14
DRAWN BY: AJB FLD. BK. / PG. NO.: B33, B47, C16 & D47
COMPLETION DATE: 08–20–19 JOB NO.: 838.001
PROJECT REFERENCE: 265.045, 709.002, 709.003, 709.004, 904.088, 904.169 & 904.184

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Hummel Trails



Date Printed: 4/4/2019

N W E S

500

Feet

Village of Oswego

The requested map will be created for study purposes only.Please refer to the official recorded plats or deeds for the actual legal descriptions and property dimensions. No liability is assumed for the accuracy of the data delineated herein, either expressed or implied by the Village of Oswego or its employees. This work is protected by the United States Copyright Act of 1976 (17 U.S.C. Sec101 et seq). You are not permitted to use and/or reproduce any part of a copyrighted work of the Village of Oswego in violation of Federal Copyright Law. Doing so may result in prosecution under such law. If you wish to use property in which the Village of Oswego owns a copyright, you must obtain written permission through the Community Development Department in the Village of Oswego, located at 100 Parkers Mill, Oswego, Illinois 60543.

Village of Oswego

COMMUNITY DEVELOPMENT DEPARTMENT

100 Parkers Mill • Oswego, IL 60543 • (630) 554-3622 • Fax: (630) 551-3975
Website: http://www.oswegoil.org

STAFF REPORT

DATE: **October 29, 2019**

TO: **Chairman and Plan Commission**

FROM: **Rod Zenner, Community Development Director**

SUBJECT: **Staff Report for the November 7, 2019 Planning and Zoning Commission Meeting**
Hummel Trails Neighborhood #10
Final PUD Plat
Project #1045.19

Applicant

REO Funding Solutions V, LLC

Requested Action

The applicant is requesting approval of Final PUD and Subdivision Plat for Neighborhood 10 of the Hummel Trails development to allow for the development of 97 single-family residential lots.

Location, Existing Zoning and Land Use

The 52.20-acre site is located in the Hummel Trails development on the northern side of Woolley Road, east of the Southbury development. It is zoned R-2 Single Family Residence District and is vacant pending development.

Surrounding Zoning and Land Uses

NORTH:	R-2 Single-Family Residence District – Vacant pending development.
SOUTH:	R-4 General Residence District – Vacant pending development.
EAST:	R-4 General Residence District – Vacant pending development.
WEST:	R-2 Single-Family Residence District – Vacant pending development.

Relationship to Village Comprehensive Plan

The Comprehensive Plan designates the subject area as “Residential”. The proposal is consistent with this designation.

Donation Requirements

School and Park dedications are made by a combination of land and cash dedications.

Staff Analysis

On March 18, 2008, the Village entered into an Annexation Agreement of the subject property by Ordinance #08-25, annexed by Ordinance #08-26, and rezoned by Ordinance #08-27. On March 15, 2016, the Village approved Ordinance #16-17 approving amendment to the Annexation Agreement and concept plan for Hummel Trails.

A concept plan was approved as part of the Hummel Trails Annexation Agreement. In that plan, Neighborhood #10 was identified to have 93 single-family residential lots with a minimum square footage of 6,600 square feet and a minimum lot width of 50 feet. The Preliminary Plat proposed 98 single family lots with a minimum lot size of 6,600 square feet and a minimum lot width of 55 feet. The Annexation Agreement allows for a 5% adjustment in the number of lots, so the 98 lots as proposed are in substantial compliance with the approved concept plan.

On April 22, 2019, the Village Board approved Ordinance #19-28 approving a Preliminary PUD and Subdivision Plat for Hummel Trails Neighborhood #10. The proposed Final Plat provides for 97 Single-Family Residential Lots with a minimum lot size of 6,600 square feet, an average of 7,218 square feet and a minimum lot width of 55 feet.

The proposed Final Plat is in substantial conformance with the approved Preliminary Plat.

Recommendation

Staff recommends approval of the Final PUD and Subdivision Plat for Hummel Trails Neighborhood #10.

FINAL PLAT OF
HUMMEL TRAILS - NEIGHBORHOOD 10

BEING A PART OF THE NORTHEAST QUARTER OF SECTION 21 AND THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KENDALL COUNTY, ILLINOIS.

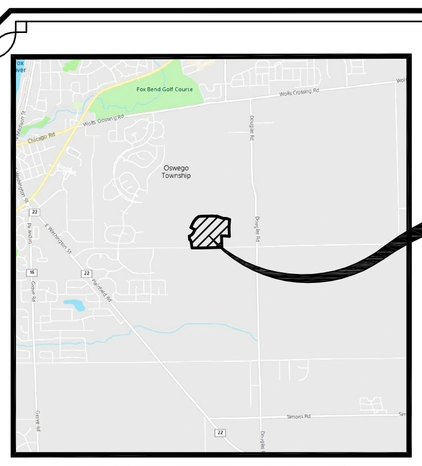
NOTE:
PAGE 1 FOR KEYMAP, BOUNDARY AND PAGE INDEX ONLY.
SEE FOLLOWING SHEETS FOR PARTICULARS.

THIS PLAT WAS SUBMITTED TO THE COUNTY RECORDER FOR THE PURPOSES OF RECORDING BY:

(PRINT NAME)

(ADDRESS)

(CITY/TOWN) (STATE) (ZIP CODE)



SITE LOCATION

VICINITY MAP

TOTAL AREA OF SUBDIVISION
52.194 ACRES
(MORE OR LESS)

PARCEL INDEX NUMBERS
03-21-200-003
03-21-200-007
03-22-100-001
OSWEGO, ILLINOIS

N

100 50 0 100
SCALE: 1 INCH = 100 FEET

LOT AREA TABLE			
LOT NO.	SQ. FT.	LOT NO.	SQ. FT.
1	8,048	51	6,600
2	6,616	52	6,600
3	6,917	53	6,600
4	6,600	54	6,600
5	6,704	55	6,600
6	7,403	56	6,607
7	7,400	57	10,214
8	7,400	58	9,100
9	7,413	59	8,115
10	6,825	60	6,600
11	7,572	61	6,716
12	7,572	62	7,118
13	6,669	63	7,207
14	6,600	64	6,600
15	6,600	65	6,600
16	6,653	66	6,600
17	6,673	67	6,600
18	6,983	68	6,600
19	6,983	69	10,914
20	6,764	70	9,413
21	8,565	71	6,600
22	6,798	72	6,600
23	6,600	73	6,600
24	6,600	74	6,600
25	6,600	75	6,600
26	6,600	76	7,216
27	6,600	77	9,729
28	7,013	78	7,980
29	6,600	79	6,600
30	7,145	80	6,637
31	8,863	81	7,878
32	7,408	82	6,600
33	7,231	83	6,600
34	6,650	84	6,600
35	6,600	85	6,678
36	6,600	86	10,097
37	6,600	87	9,825
38	6,600	88	8,828
39	6,814	89	7,159
40	7,864	90	7,360
41	7,511	91	7,000
42	7,287	92	6,743
43	6,707	93	6,640
44	6,600	94	6,600
45	6,600	95	6,600
46	6,600	96	6,600
47	7,300	97	10,562
48	8,808	98	189,624
49	7,858	99	418,701
50	6,600	100	303,166
		101	90,265

LINE TABLE		
LINE	BEARING	LENGTH
L1	N 17°38'39" W	96.42'
L2	N 60°11'24" W	64.66'
L3	N 01°19'44" W	171.58'
L4	N 72°44'39" E	37.36'
L5	N 55°40'25" E	110.19'
L6	N 38°36'15" E	119.00'
L7	N 22°23'47" E	144.49'
L8	N 45°26'40" E	54.92'
L9	S 73°04'29" E	128.75'
L10	N 79°31'10" W	64.41'
L11	S 88°43'09" W	125.45'

CURVE TABLE			
CURVE	LENGTH	RADIUS	CHORD BEARING
C1	207.82'	700.00'	N 61°48'01" W
C2	213.75'	283.00'	N 67°04'54" E
C3	93.65'	217.00'	S 78°55'01" E
C4	89.93'	283.00'	S 82°10'40" E
C5	128.66'	708.00'	N 84°43'32" W
C6	44.54'	217.00'	N 85°24'01" W

LEGEND

- ——— – SUBDIVISION BOUNDARY LINE (Heavy Solid Line)
- ——— – LOT LINE/PROPERTY LINE (Solid Line)
- ——— – ADJACENT LOT LINE/PROPERTY LINE (Light Solid Line)
- — — – BUILDING LINE (Long Dashed Lines)
- - - - - - – EASEMENT LINE/LIMITS OF EASEMENT (Short Dashed Lines)
- —— – —— – CENTERLINE (Single Dashed Lines)
- ■ – SET CONCRETE MONUMENT

NOTES

3/4 INCH IRON PIPE SET AT ALL LOT CORNERS AND POINTS OF CURVATURE UNLESS OTHERWISE NOTED.

ALL MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

DIMENSIONS SHOWN ALONG CURVES ARE ARC DISTANCES.

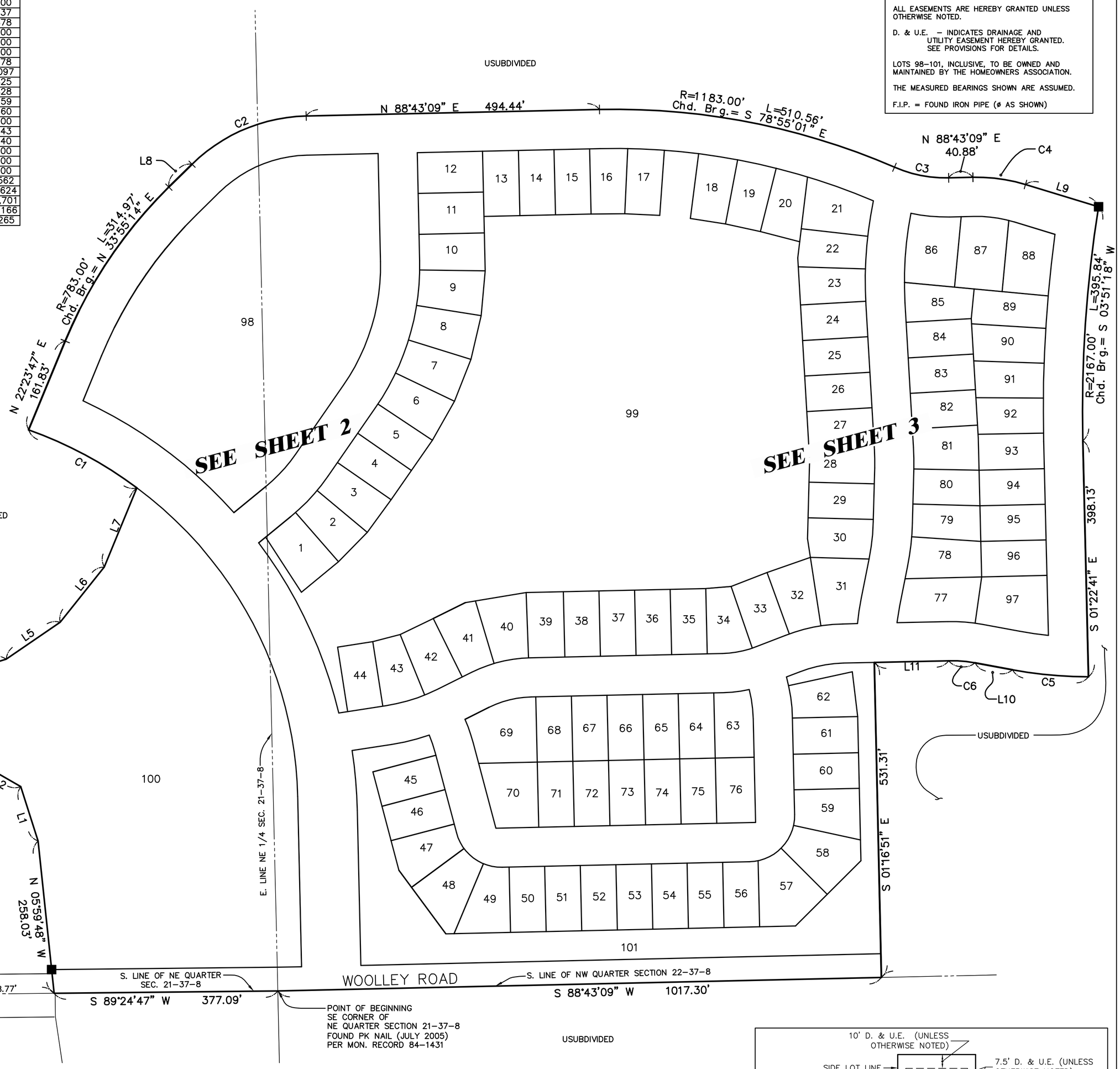
ALL EASEMENTS ARE HEREBY GRANTED UNLESS OTHERWISE NOTED.

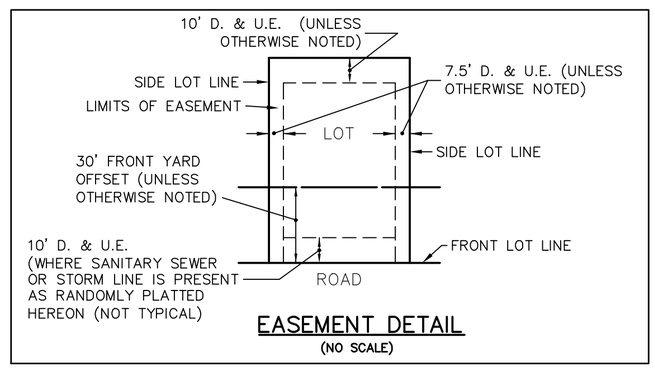
D. & U.E. – INDICATES DRAINAGE AND UTILITY EASEMENT HEREBY GRANTED. SEE PROVISIONS FOR DETAILS.

LOTS 98–101, INCLUSIVE, TO BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION.

THE MEASURED BEARINGS SHOWN ARE ASSUMED.

F.I.P. = FOUND IRON PIPE (ø AS SHOWN)





EASEMENT DETAIL
(NO SCALE)

PREPARED FOR:
TURNSTONE GROUP
1170 PEACHTREE ST. NE., STE 1150
ATLANTA, GA 30309
(404) 477-6800

PREPARED BY:
CEMCON, Ltd.
Consulting Engineers, Land Surveyors & Planners
2280 White Oak Circle, Suite 100 Aurora, Illinois
60502-9675 PH: 630.862.2100 FAX: 630.862.2199
www.cemcon.com

DISC NO.: 838001 FILE NAME: SUBPLAT 10
DRAWN BY: AJB FLD. BK. / PG. NO.: B33, B47, C16 & D47
COMPLETION DATE: 9-6-19 JOB NO.: 838.002
PROJECT REFERENCE: 265.045, 709.002, 709.003, 709.004, 904.088, 904.169 & 904.184

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N

50 25 0 50

SCALE: 1 INCH = 50 FEET

LINE TABLE		
LINE	BEARING	LENGTH
L1	N 88°43'09" E	18.01'
L2	N 88°43'09" E	19.69'
L3	N 88°43'09" E	21.19'
L4	N 68°40'46" E	23.89'
L5	S 88°43'09" W	13.62'

CURVE TABLE			
CURVE	LENGTH	RADIUS	CHORD BEARING
C1	15.39'	418.00'	N 00°13'34" W
C2	29.45'	78.00'	S 25°39'22" E
C3	41.89'	78.00'	S 51°51'33" E
C4	32.72'	78.00'	S 79°15'46" E

ROAD M
HEREBY DEDICATED TO
THE VILLAGE OF OSWEGO
FOR PUBLIC STREET PURPOSES

98
FUTURE CLUBHOUSE SITE

99
STORMWATER MANAGEMENT EASMENT
AND BLANKET D. & U.E.
OVER LOT 99

100
STORMWATER MANAGEMENT EASMENT
AND BLANKET D. & U.E.
OVER LOT 100

101
STORMWATER MANAGEMENT EASMENT
AND BLANKET D. & U.E.
OVER LOT 101

SOUTHBURY BOULEVARD
HEREBY DEDICATED TO
THE VILLAGE OF OSWEGO
FOR PUBLIC STREET PURPOSES

ROAD L
HEREBY DEDICATED TO
THE VILLAGE OF OSWEGO
FOR PUBLIC STREET PURPOSES

ROAD H
HEREBY DEDICATED TO
THE VILLAGE OF OSWEGO
FOR PUBLIC STREET PURPOSES

ROAD I
HEREBY DEDICATED TO
THE VILLAGE OF OSWEGO
FOR PUBLIC STREET PURPOSES

WOOLEY ROAD
HEREBY DEDICATED TO
THE VILLAGE OF OSWEGO
FOR PUBLIC STREET PURPOSES

MATCH LINE - SEE SHEET 3

PREPARED BY:

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PROJECT REFERENCE: 265.045, 709.002, 709.003, 709.004, 904.088, 904.169 & 904.184

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50 25 0 50

SCALE: 1 INCH = 50 FEET

LINE TABLE		
LINE	BEARING	LENGTH
L1	N 88°43'09" E	18.01'
L2	N 88°43'09" E	19.69'
L3	N 88°43'09" E	21.19'
L4	N 68°40'46" E	23.89'
L5	S 68°40'46" W	52.73'
L6	S 88°43'09" W	24.95'
L7	N 03°20'28" W	8.94'

CURVE TABLE			
CURVE	LENGTH	RADIUS	CHORD BEARING
C1	15.13'	283.00'	N 13°56'17" W
C2	43.12'	433.00'	S 08°27'28" W

MATCH LINE - SEE SHEET 2

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PREPARED BY:
CEMCON, Ltd.
Consulting Engineers, Land Surveyors & Planners
2280 White Oak Circle, Suite 100 Aurora, Illinois
60502-9675 PH: 630.862.2100 FAX: 630.862.2199
www.cemcon.com

DISC NO.: 838001 FILE NAME: SUBPLAT 10
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OWNER'S/SCHOOL CERTIFICATE

STATE OF)
SS
COUNTY OF)

THIS IS TO CERTIFY THAT THE UNDERSIGNED IS THE OWNER OF THE LAND DESCRIBED IN THE ATTACHED PLAT AND HAS CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED, AS INDICATED THEREON, FOR THE USES AND PURPOSES THEREIN SET FORTH, AND DOES HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE THEREON INDICTED.

THE UNDERSIGNED HEREBY DEDICATES FOR PUBLIC USE THE LANDS SHOWN ON THIS PLAT FOR THOROUGHFARES, STREETS, ALLEYS AND PUBLIC SERVICES AND HEREBY ALSO RESERVES AND GRANTS EASEMENTS FOR PUBLIC USE AND FOR THE INSTALLATION OF VARIOUS PUBLIC UTILITIES AS DESIGNATED AND/OR AS STATED IN THE UTILITY EASEMENT PROVISIONS STATED HEREON.

ALL EASEMENTS INDICATED AS PUBLIC UTILITY AND DRAINAGE EASEMENTS ON THIS PLAT ARE RESERVED FOR AND GRANTED TO THE VILLAGE OF OSWEGO AND TO ANY ENTITY OPERATING UNDER FRANCHISE FROM THE VILLAGE INCLUDING, BUT NOT LIMITED TO ILLINOIS BELL TELEPHONE COMPANY, NORTHERN ILLINOIS GAS COMPANY, COMMONWEALTH EDISON COMPANY, COMCAST CABLEVISION AND THEIR SUCCESSORS AND ASSIGNS FOR THE PERPETUAL RIGHT, PRIVILEGE AND AUTHORITY TO CONSTRUCT, RECONSTRUCT, REPAIR, INSPECT, MAINTAIN AND OPERATE VARIOUS TRANSMISSION, DISTRIBUTION AND COLLECTION SYSTEMS, DRAINAGE SWALES AND ALL NECESSARY LINES. THE RIGHT IS ALSO GRANTED TO CUT DOWN, TRIM OR REMOVE ANY TREES, SHRUBS OR OTHER PLANTS ON THE EASEMENT THAT INTERFERE WITH THE OPERATION OF THE SEWERS OR OTHER UTILITIES. NO PERMANENT BUILDINGS OR TREES SHALL BE PLACED ON SAID EASEMENTS, BUT SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE 94 AFORESAID USES OR RIGHTS. LOCATION OF UTILITY INSTALLATIONS WITHIN THE EASEMENT SHALL BE SUBJECT TO THE APPROVAL OF THE VILLAGE OF OSWEGO AS TO DESIGN AND LOCATION. ALL INSTALLATIONS ARE SUBJECT TO THE ORDINANCES OF THE VILLAGE OF OSWEGO.

THE UNDERSIGNED ALSO CERTIFIES THAT, TO THE BEST OF THEIR KNOWLEDGE, THE PROPERTY DESCRIBED HEREON FALLS WITHIN COMMUNITY UNIT SCHOOL DISTRICT 308.

BY: _____

TITLE: _____

_____
ADDRESS

DATED THIS _____ DAY OF _____, 2019.

NOTARY CERTIFICATE

STATE OF)
SS
COUNTY OF)

I,_____, A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT _____, PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE AFORESAID INSTRUMENT AS SUCH OWNERS, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY SIGNED THE PLAT AS THEIR OWN FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH. GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS _____ DAY OF _____, 2019.

_____
NOTARY PUBLIC

DRAINAGE OVERLAY CERTIFICATE

STATE OF ILLINOIS)
SS
COUNTY OF KENDALL)

TO THE BEST OF OUR KNOWLEDGE AND BELIEF THE DRAINAGE OF SURFACE WATERS WILL NOT BE CHANGED BY THE CONSTRUCTION OF SUCH SUBDIVISION OF ANY PART THEREOF, OR, THAT IF SUCH SURFACE WATER DRAINAGE WILL BE CHANGED, ADEQUATE PROVISION HAS BEEN MADE FOR COLLECTION AND DIVERSION OF SUCH SURFACE WATERS INTO PUBLIC AREAS OR DRAINS WHICH THE SUBDIVIDER HAS A RIGHT TO USE, AND THAT SUCH SURFACE WATERS WILL NOT BE DEPOSITED ON THE PROPERTY OF ADJOINING LAND OWNERS IN SUCH CONCENTRATIONS AS MAY CAUSE DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF THE CONSTRUCTION OF THE SUBDIVISION.

DATED THIS _____ DAY OF _____, 2019.

_____ _____
ENGINEER OWNER OR ATTORNEY

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
SS
COUNTY OF KENDALL)

THIS IS TO CERTIFY THAT I, PETER A BLAESER, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3072, AT THE REQUEST OF THE OWNER(S) THEREOF, HAVE SURVEYED, SUBDIVIDED AND PLATTED THE FOLLOWING DESCRIBED PROPERTY:

THAT PART OF THE NORTHEAST QUARTER OF SECTION 21 AND PART OF THE NORTHWEST QUARTER OF SECTION 22, BOTH IN TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER AS MEMORIALIZED PER DOCUMENT 84–1431; THENCE SOUTH 89 DEGREES 24 MINUTES 47 SECONDS WEST (BEARING ASSUMED FOR DESCRIPTION PURPOSES), 377.09 FEET ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER TO A POINT AT THE APPROXIMATE CENTERLINE OF A DRAINAGE DITCH, SAID POINT BEING 1108.77 FEET EAST (AS MEASURED ALONG SAID SOUTH LINE) OF THE SOUTHEAST CORNER OF THE HUMMEL TRAIL POLICE DEPARTMENT SUBDIVISION, RECORDED MARCH 8, 2017 AS DOCUMENT 201700003748 (THE FOLLOWING THREE LINE CALLS ARE ALONG THE APPROXIMATE CENTERLINE OF SAID DRAINAGE DITCH); 1) THENCE NORTH 05 DEGREES 59 MINUTES 48 SECONDS WEST, 258.03 FEET; 2) THENCE NORTH 17 DEGREES 38 MINUTES 39 SECONDS WEST, 96.42 FEET; 3) THENCE NORTH 60 DEGREES 11 MINUTES 24 SECONDS WEST, 64.66 FEET; THENCE NORTH 01 DEGREES 19 MINUTES 44 SECONDS WEST, 171.58 FEET; THENCE NORTH 72 DEGREES 44 MINUTES 39 SECONDS EAST, 37.36 FEET; THENCE NORTH 55 DEGREES 40 MINUTES 25 EAST, 110.19 FEET; THENCE NORTH 38 DEGREES 36 MINUTES 15 SECONDS EAST, 119.00 FEET; THENCE NORTH 22 DEGREES 23 MINUTES 47 SECONDS EAST, 144.49 FEET; THENCE NORTHWESTERLY, 207.82 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 700.00 FEET, A CHORD BEARING NORTH 61 DEGREES 48 MINUTES 01 SECONDS WEST; THENCE NORTH 22 DEGREES 23 MINUTES 47 SECONDS EAST, 161.83 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY, 314.97 FEET ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 783.00 FEET, A CHORD BEARING NORTH 33 DEGREES 55 MINUTES 14 SECONDS EAST; THENCE NORTH 45 DEGREES 26 MINUTES 40 SECONDS EAST, 54.92 FEET TANGENT TO THE LAST DESCRIBED COURSE TO A POINT OF CURVATURE; THENCE NORTHEASTERLY, 213.75 FEET ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 283.00 FEET, A CHORD BEARING NORTH 67 DEGREES 04 MINUTES 54 SECONDS EAST; THENCE NORTH 88 DEGREES 43 MINUTES 09 SECONDS EAST, 494.44 FEET TANGENT TO THE LAST DESCRIBED COURSE TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY, 510.56 FEET ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 1,183.00 FEET, A CHORD BEARING SOUTH 78 DEGREES 55 MINUTES 01 SECONDS EAST TO A POINT OF REVERSE CURVATURE; THENCE EASTERLY, 93.65 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 217.00 FEET, A CHORD BEARING SOUTH 78 DEGREES 55 MINUTES 01 SECONDS EAST; THENCE NORTH 88 DEGREES 43 MINUTES 09 SECONDS EAST, 40.88 FEET TANGENT TO THE LAST DESCRIBED COURSE TO A POINT OF CURVATURE; THENCE EASTERLY, 89.93 FEET ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 283.00 FEET, A CHORD BEARING SOUTH 82 DEGREES 10 MINUTES 40 SECONDS EAST; THENCE SOUTH 73 DEGREES 04 MINUTES 29 SECONDS EAST, 128.75 FEET TANGENT TO THE LAST DESCRIBED COURSE; THENCE SOUTHERLY, 395.84 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 2,167.00 FEET, A CHORD BEARING SOUTH 03 DEGREES 51 MINUTES 18 SECONDS WEST; THENCE SOUTH 01 DEGREES 22 MINUTES 41 SECONDS EAST, 398.13 FEET TANGENT TO THE LAST DESCRIBED COURSE; THENCE WESTERLY, 128.66 FEET ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 708.00 FEET, A CHORD BEARING NORTH 84 DEGREES 43 MINUTES 31 SECONDS WEST; THENCE NORTH 79 DEGREES 31 MINUTES 10 SECONDS WEST, 64.41 FEET TANGENT TO THE LAST DESCRIBED COURSE TO A POINT OF CURVATURE; THENCE WESTERLY, 44.54 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 217.00 FEET, A CHORD BEARING NORTH 85 DEGREES 24 MINUTES 01 SECONDS WEST; THENCE SOUTH 88 DEGREES 43 MINUTES 09 SECONDS WEST; 125.45 FEET TANGENT TO THE LAST DESCRIBED COURSE; THENCE SOUTH 01 DEGREES 16 MINUTES 51 SECONDS EAST, 531.31 FEET TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 22; THENCE SOUTH 88 DEGREES 43 MINUTES 09 SECONDS WEST, 1017.30 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING, IN KENDALL COUNTY, ILLINOIS.

I FURTHER DO HEREBY CERTIFY THAT THE FOREGOING PROPERTY FALLS WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF OSWEGO, WHICH HAS ADOPTED A VILLAGE PLAN AND IS EXERCISING THE SPECIAL POWERS AUTHORIZED BY DIVISION 12 OF ARTICLE 11 OF THE ILLINOIS MUNICIPAL CODE. IN ACCORDANCE WITH S.B. 908–P.A. 85–267, I FURTHER CERTIFY THAT BASED UPON A REVIEW OF THE FLOOD INSURANCE RATE MAP PANEL NO. 17093C0065H WITH AN EFFECTIVE DATE OF JANUARY 8, 2014, IT IS OUR OPINION THAT NO PART OF THE PROPERTY DESCRIBED HEREON FALLS WITHIN A SPECIAL FLOOD HAZARD AREA.

I FURTHER HEREBY CERTIFY THAT ALL SUBDIVISION MONUMENTS WILL BE SET AND I HAVE DESCRIBED THEM ON THIS FINAL PLAT AS REQUIRED BY THE PLAT ACT (765 ILCS 205/). TWO EXTERIOR MONUMENTS HAVE BEEN SET AND THE INTERIOR MONUMENTS WILL BE SET WITHIN 12 MONTHS OF THE RECORDING OF THIS PLAT AS PROVIDED BY STATE STATUTE.

GIVEN UNDER MY HAND AND SEAL THIS ___ DAY OF _____, A.D., 2019.

_____
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3072
MY REGISTRATION EXPIRES ON NOVEMBER 30, 2020
PROFESSIONAL DESIGN FIRM LICENSE NO. 184–002937
EXPIRATION DATE IS APRIL 30, 2021

VILLAGE TREASURER'S CERTIFICATE

STATE OF ILLINOIS)
SS
COUNTY OF KENDALL)

I, _____, VILLAGE TREASURER OF THE VILLAGE OF OSWEGO, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS OR ANY DEFERRED INSTALLMENTS THEREOF THAT HAVE BEEN APPORTIONED AGAINST THE TRACT OF LAND INCLUDED IN THE PLAT. DATED AT OSWEGO, KENDALL COUNTY, ILLINOIS THIS ___ DAY OF _____, 2019.

_____
VILLAGE TREASURER

PLAN COMMISSION CERTIFICATE

STATE OF ILLINOIS)
SS
COUNTY OF KENDALL)

REVIEWED BY THE PLAN COMMISSION OF THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS, THIS ___ DAY OF _____, 2019.

_____
CHAIRMAN

VILLAGE PRESIDENT'S CERTIFICATE

STATE OF ILLINOIS)
SS
COUNTY OF KENDALL)

APPROVED BY THE VILLAGE PRESIDENT OF THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS, THIS ___ DAY OF _____, 2019.

_____
VILLAGE PRESIDENT

VILLAGE CLERK'S CERTIFICATE

STATE OF ILLINOIS)
SS
COUNTY OF KENDALL)

I, _____, VILLAGE CLERK OF THE VILLAGE OF OSWEGO, ILLINOIS, HEREBY CERTIFY THAT THE ANNEXED PLAT WAS PRESENTED TO AND DULY APPROVED BY THE BOARD OF TRUSTEES OF SAID VILLAGE AT ITS MEETING HELD ON _____, 20___.

IN WITNESS WHEREOF I HAVE HERETO SET MY HAND AND THE SEAL OF THE VILLAGE OF OSWEGO, ILLINOIS, THIS _____ DAY OF _____, 2019.

_____
VILLAGE CLERK

COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS)
SS
COUNTY OF KENDALL)

I, _____, COUNTY CLERK OF KENDALL COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT HERE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID FORFEITED TAXES AND NO REDEEMABLE TAX SALES GAINST ANY OF THE LAND INCLUDED IN THE PLAT HEREON DRAWN. I FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THE PLAT HEREON DRAWN.

GIVEN UNDER MY HAND AND SEAL AT _____, KENDALL COUNTY, ILLINOIS, THIS ___ DAY OF _____, 2019.

_____
COUNTY CLERK

RECORDER'S CERTIFICATE

STATE OF ILLINOIS)
SS
COUNTY OF KENDALL)

THIS INSTRUMENT NO. _____ WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF KENDALL COUNTY AFORESAID ON THE _____ DAY OF _____, A.D., 2019, AT _____O'CLOCK __.M., AND RECORDED IN BOOK _____ OF PLATS ON PAGE_____.

_____
KENDALL COUNTY RECORDER

EASEMENT PROVISIONS

A NON–EXCLUSIVE EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO ILLINOIS BELL TELEPHONE COMPANY, NORTHERN ILLINOIS GAS COMPANY, COMMONWEALTH EDISON COMPANY, CABLEVISION, OTHER PUBLIC UTILITIES AND HOLDERS OF EXISTING FRANCHISES GRANTED BY THE VILLAGE OF OSWEGO, ILLINOIS, AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS WITHIN THE AREAS SHOWN ON THE PLAT AS "DRAINAGE AND UTILITY EASEMENT" TO CONSTRUCT, INSTALL, RECONSTRUCT, REPAIR, REMOVE, REPLACE, INSPECT, MAINTAIN AND OPERATE UNDERGROUND TRANSMISSION AND DISTRIBUTION SYSTEMS AND LINES UNDER THE SURFACE OF THE "DRAINAGE AND UTILITY EASEMENT", INCLUDING WITHOUT LIMITATION TELEPHONE CABLES, GAS MAINS, ELECTRIC LINES, AND CABLE TELEVISION LINES AND ALL NECESSARY FACILITIES APPURTENANT THERETO, TOGETHER WITH THE RIGHT OF ACCESS THERETO FOR THE PERSONNEL AND EQUIPMENT NECESSARY AND REQUIRED FOR SUCH USES AND PURPOSES, AND TOGETHER WITH THE RIGHT TO INSTALL REQUIRED SERVICE CONNECTIONS UNDER THE SURFACE OF EACH LOT TO SERVE IMPROVEMENTS THEREON.

A NONEXCLUSIVE EASEMENT IS ALSO HEREBY RESERVED FOR AND GRANTED TO THE VILLAGE OF OSWEGO, ILLINOIS TO CONSTRUCT, INSTALL, RECONSTRUCT, REPAIR, REMOVE, REPLACE AND INSPECT FACILITIES FOR THE TRANSMISSION AND DISTRIBUTION OF WATER, STORM SEWERS AND SANITARY SEWERS, WITHIN THE AREAS SHOWN ON THE PLAT AS "DRAINAGE AND UTILITY EASEMENT", TOGETHER WITH A RIGHT OF ACCESS THERETO FOR THE PERSONNEL AND EQUIPMENT NECESSARY AND REQUIRED FOR SUCH USES AND PURPOSES.

THE ABOVE NAMES ENTITIES ARE HEREBY GRANTED THE RIGHT TO ENTER UPON THE EASEMENTS HEREIN DESCRIBED FOR THE USES HEREIN SET FORTH AND THE RIGHT TO CUT, TRIM, OR REMOVE ANY TREES, SHRUBS OR OTHER PLANTS WITHIN THE AREAS DESIGNATED AS "DRAINAGE AND UTILITY EASEMENT", WHICH INTERFERE WITH THE CONSTRUCTION, INSTALLATION, RECONSTRUCTION, REPAIR, REMOVAL, REPLACEMENT, MAINTENANCE AND OPERATION OF THEIR UNDERGROUND TRANSMISSION AND DISTRIBUTION SYSTEMS AND FACILITIES APPURTENANT THERETO. NO PERMANENT BUILDINGS, STRUCTURES, OR OBSTRUCTIONS SHALL BE CONSTRUCTED IN, UPON, OR OVER ANY AREAS DESIGNATED AS "DRAINAGE AND UTILITY EASEMENT", BUT SUCH AREAS MAY BE USED FOR GARDENS, SHRUBS, TREES, LANDSCAPING, DRIVEWAYS, AND OTHER RELATED PURPOSES THAT DO NOT UNREASONABLY INTERFERE WITH THE USES HEREIN DESCRIBED.

THE OCCUPATION AND USE OF THE NONEXCLUSIVE EASEMENTS HEREIN GRANTED AND RESERVED FOR THE ABOVE NAMED ENTITIES BY EACH OF SUCH ENTITIES SHALL BE DONE IN SUCH A MANNER SO AS NOT TO INTERFERE WITH OR PRECLUDE THE OCCUPATION AND USE THEREOF BY OTHER ENTITIES FOR WHICH SUCH EASEMENTS ARE GRANTED AND RESERVED. THE CROSSING AND RECROSSING OF SAID EASEMENTS BY THE ABOVE NAMED ENTITIES SHALL BE DONE IN SUCH A MANNER SO AS NOT TO INTERFERE WITH, DAMAGE, OR DISTURB ANY TRANSMISSION AND DISTRIBUTION SYSTEMS AND FACILITIES APPURTENANT THERETO EXISTING WITHIN THE EASEMENTS BEING CROSSED OR RECROSSED. NO USE OR OCCUPATION OF SAID EASEMENTS BY THE ABOVE NAMED ENTITIES SHALL CAUSE ANY CHANGE IN GRADE OR IMPAIR OR CHANGE THE SURFACE DRAINAGE PATTERNS.

FOLLOWING ANY WORK TO BE PERFORMED BY THE VILLAGE OF OSWEGO IN THE EXERCISE OF ITS EASEMENT RIGHTS HEREIN GRANTED, SAID VILLAGE SHALL HAVE NO OBLIGATION WITH RESPECT TO SURFACE RESTORATION, INCLUDING BUT NOT LIMITED TO THE RESTORATION, REPAIR OR REPLACEMENT OF PAVEMENT, CURB, GUTTERS, TREES, LAWN OR SHRUBBERY; PROVIDED, HOWEVER, THAT SAID VILLAGE SHALL BE OBLIGATED FOLLOWING SUCH MAINTENANCE WORK TO BACKFILL AND MOUND ALL TRENCHES CREATED SO AS TO RETAIN SUITABLE DRAINAGE, TO COLD PATCH ANY ASPHALT OR CONCRETE SURFACE, TO REMOVE ALL EXCESS DEBRIS AND SPOIL, AND TO LEAVE THE MAINTENANCE AREA IN A GENERALLY CLEAN AND WORKMANLIKE CONDITION.

KENDALL COUNTY RIGHT TO FARM CERTIFICATE:

NOTICE:
KENDALL COUNTY HAS A LONG, RICH TRADITION IN AGRICULTURE AND RESPECTS THE ROLE THAT FARMING CONTINUES TO PLAY IN SHAPING THE ECONOMIC VIABILITY OF THE COUNTRY. PROPERTY THAT SUPPORTS THIS INDUSTRY IS INDICATED BY A ZONING INDICATOR – A–1 OR AG SPECIAL USE. ANYONE CONSTRUCTING A RESIDENCE OR FACILITY NEAR THIS ZONING SHOULD BE AWARE THAT NORMAL AGRICULTURAL PRACTICES MAY RESULT IN OCCASIONAL SMELLS, DUST, SIGHTS, NOISE AND UNIQUE HOURS OF OPERATIONS THAT ARE NOT TYPICAL IN OTHER ZONING AREAS.

STORMWATER MANAGEMENT EASEMENT PROVISIONS

A NON–EXCLUSIVE EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE HOME OWNERS' ASSOCIATION AS MAY BE FURTHER DEFINED IN THE HONE OWNERS' ASSOCIATION BYLAWS AND DECLARATIONS AND THEIR RESPECTIVE SUCCESSORS AND ASSLGNS, WITHIN THE AREAS SO DESIGNATED ON THE PLAT AND MARKED STORMWATER MANAGEMENT EASEMENT (SME) FOR THE COLLECTION CONVEYANCE AND STORAGE OF STORMWATER IN AREAS TO BE MAINTAINED BY THE OWNER OF THE LOT(S) OR OUTLOT(S) ON WHICH THE FACILITIES EXIST IN ACCORDANCE WITH MUNICIPAL ORDINANCES AND THE APPROVED FINAL ENGINEERING IMPROVEMENT PLANS. TOGETHER WITH THE RIGHT OF ACCESS THERETO FOR THE PERSONNEL AND EQUIPMENT NECESSARY AND REQUIRED FOR SUCH USES AND PURPOSES. AND TOGETHER WITH THE RIGHT TO CUT. TRIM, OR REMOVE TREES, BUSHES AND ROOTS AS MAY BE REASONABLY REQUIRED INCIDENTAL TO THE RIGHTS HEREIN GIVEN, AND THE RIGHT TO ENTER UPON THE PROPERTY FOR ALL SUCH PURPOSES. ENCROACHMENT OF ANY KIND INCLUDING LANDSCAPING. FENCES, SHEDS OR ACCESSORY STRUCTURES WITHIN SAID EASEMENT IS PROHIBITED UNLESS THE MUNICIPAL ENGINEER HAS DETERMINED SAID ENCROACHMENT WILL NOT INTERFERE WITH THE PROPER FUNCTION OF SAID FACILITIES. THE VILLAGE SHALL HAVE THE RIGHT BUT NOT THE OBLIGATLON, TO ENTER WITH PERSONNEL AND EQUIPMENT UPON SAID EASEMENT AT ANY TIME FOR THE PURPOSES OF ACCESS TO AND INSPECTION OF THE STORMWATER MANAGEMENT FACILITIES LOCATED WITHIN SAID EASEMENT. IF THE OWNER FAILS TO MAINTAIN SAID FACILITIES AND, AFTER RECEIPT OF NOTICE FROM THE VILLAGE OF SAID FAILURE, THE OWNER FAILS TO MAKE REQUIRED REPAIRS IN A REASONABLE PERIOD OF TIME, THE VILLAGE MAY MAKE THE REQUIRED REPAIRS AND SEEK REIMBURSEMENT FROM THE OWNER FOR THE COSTS INCURRED BY THE VILLAGE TO MAKE THE REPAIR AND/OR FILE A LIEN ON THE PROPERTY.

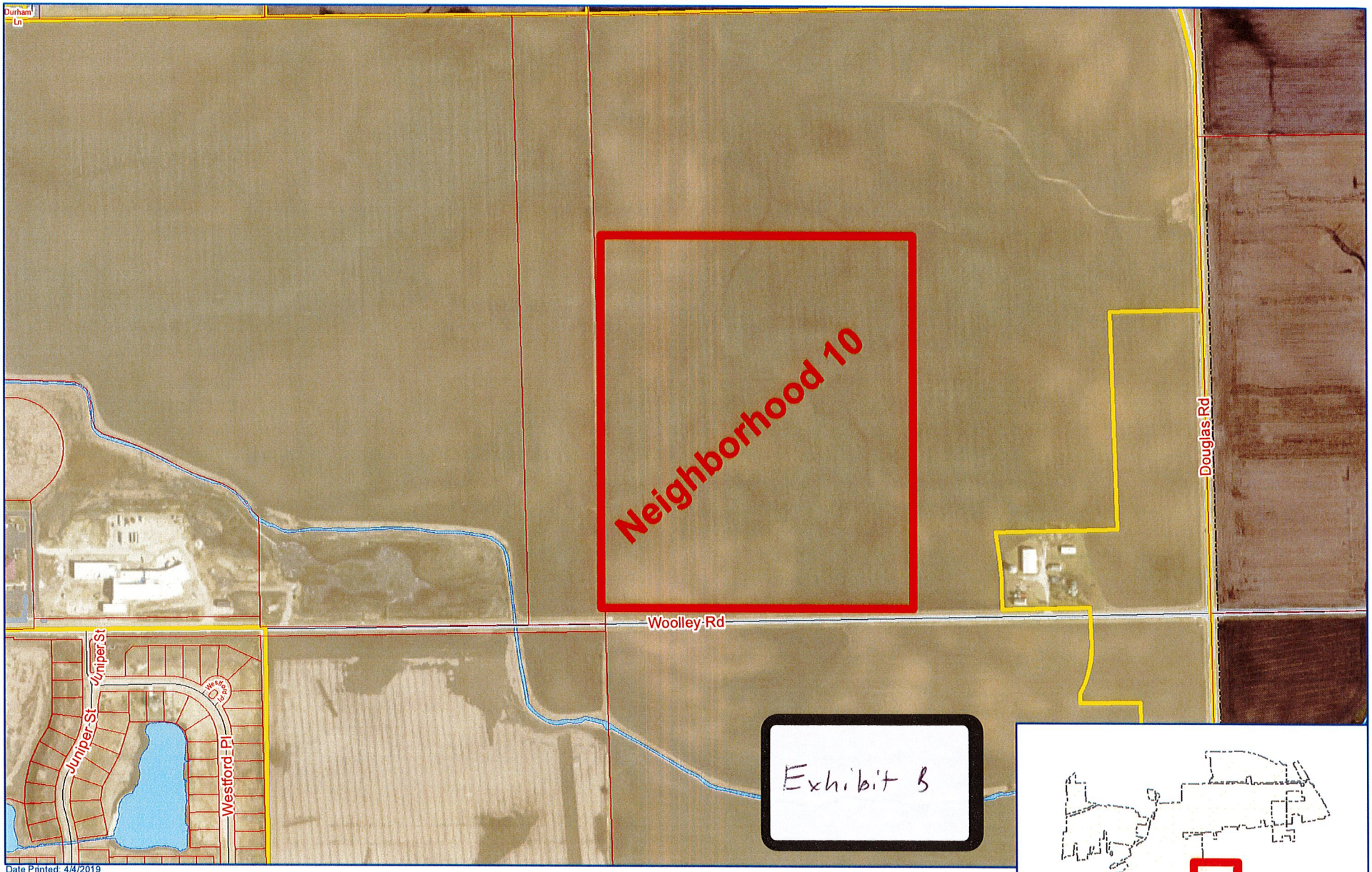
PREPARED BY:
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Hummel Trails



Date Printed: 4/4/2019

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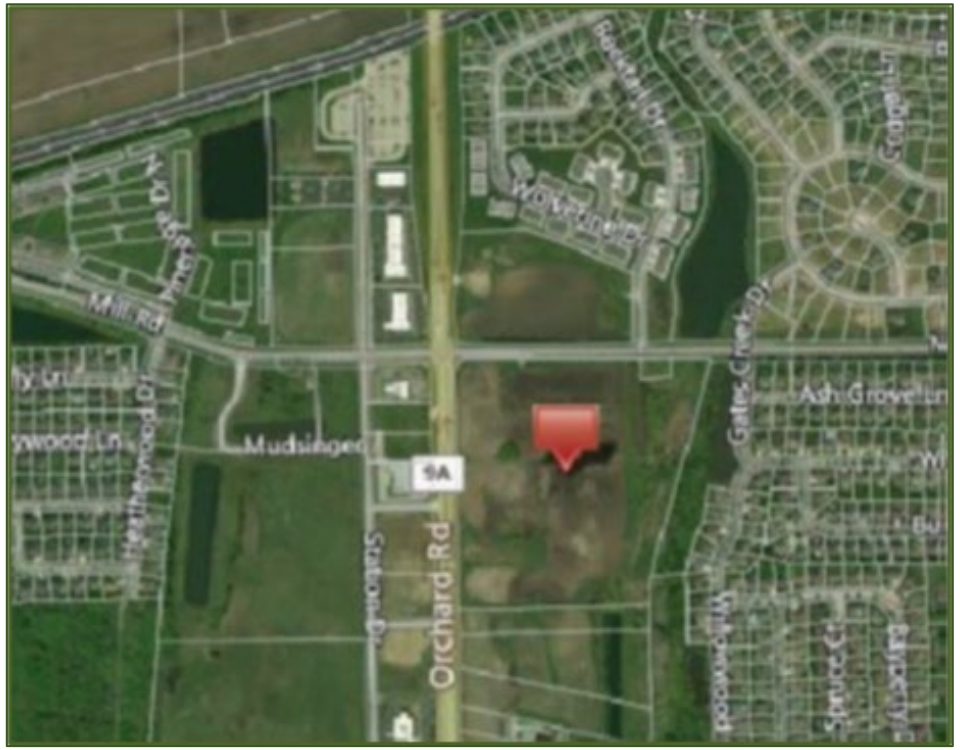
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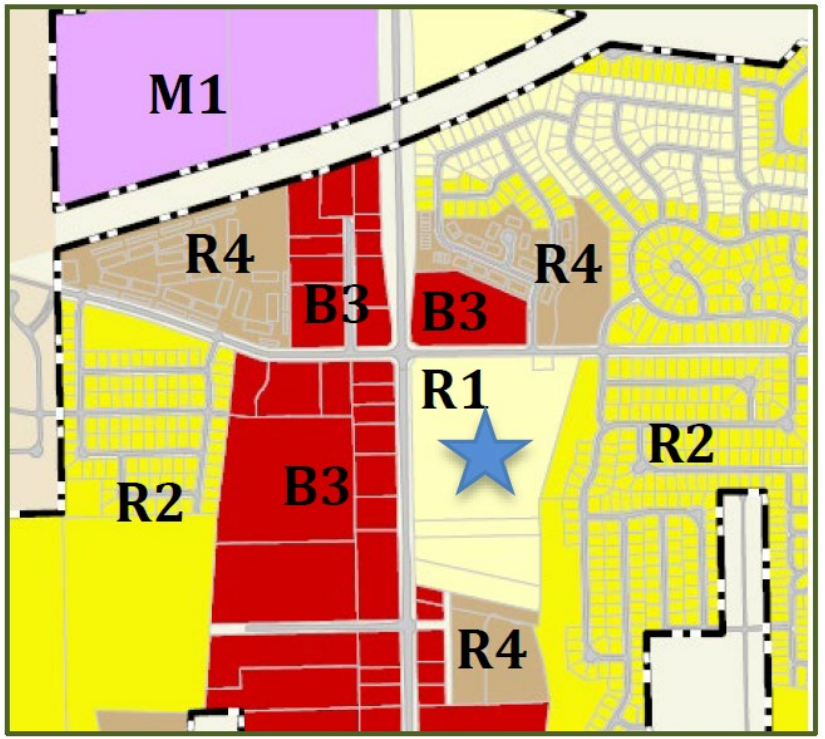
Village of Oswego

The requested map will be created for study purposes only.Please refer to the official recorded plats or deeds for the actual legal descriptions and property dimensions. No liability is assumed for the accuracy of the data delineated herein, either expressed or implied by the Village of Oswego or its employees. This work is protected by the United States Copyright Act of 1976 (17 U.S.C. Sec101 et seq). You are not permitted to use and/or reproduce any part of a copyrighted work of the Village of Oswego in violation of Federal Copyright Law. Doing so may result in prosecution under such law. If you wish to use property in which the Village of Oswego owns a copyright, you must obtain written permission through the Community Development Department in the Village of Oswego, located at 100 Parkers Mill, Oswego, Illinois 60543.


Redwood
APARTMENT NEIGHBORHOODS

Site Location





Redwood
APARTMENT NEIGHBORHOODS™

ABOUT US

Redwood was founded in 1991 by Steve Kimmelman. He envisioned building apartments where residents could experience all the comforts of their own home without the stresses of home ownership.

Instead of focusing on squeezing as many units as possible into the available space, he wanted Redwood to produce high-quality, remarkable, single-story apartment homes, with attached garages and more square feet per unit. So that's exactly what we've done over the years—we've built and managed over 100 neighborhoods, **NEVER SELLING** a neighborhood or apartment home. We grew from our roots in Ohio to seven states across the Midwest and Carolinas, with over 13,000 apartment homes built today and plans to expand into three more states.



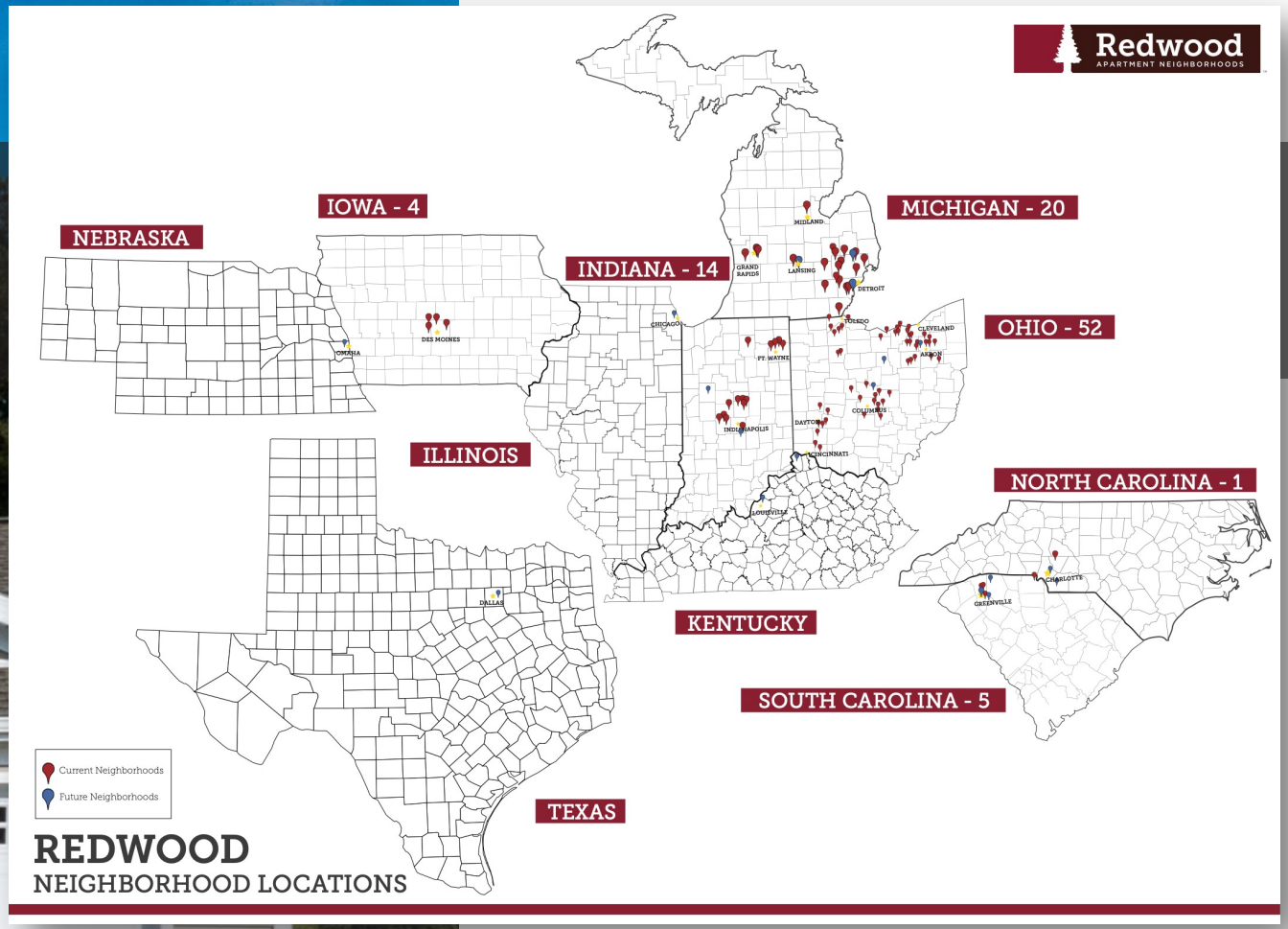
Our Core Values

Our core values are the foundation for all that we do as a company. These values make it possible to provide the comfort and convenience of Redwood Living to all of our residents.

1. Do One Thing Really Well
2. Be Entrepreneurial
3. Serve Those You Lead
4. Deliver More Than Expected
5. Communicate Openly & Honestly
6. Instill Family & Team Spirit
7. Demonstrate Integrity & Authenticity
8. Be Nice & Have Fun

MARKET PRESENCE







REDWOOD RESIDENTS

Redwood is committed to providing an apartment home to any resident looking for an easily accessible, upscale apartment neighborhood accentuating a peaceful, idyllic, comfortable and maintenance-free living experience.



Redwood apartment homes are absolutely beautiful! Wonderful Community with very friendly and courteous neighbors. The staff is very helpful, warm and welcoming. Truly a retreat that we LOVE to call HOME!

- Sherry T.
Redwood North Ridgeville

There is no better place to live! The neighborhood is quiet, clean, beautifully kept, has the best Manager ever. Any maintenance issue is promptly taken care of and I've always felt safe while living here. No other community can compare to Redwood. I highly recommend living in this amazing neighborhood - YOU WILL NEVER WANT TO LEAVE!!!

- Rosemaree
Redwood Sugarcreek Township





I absolutely love my apartment home!!! I am so happy that I picked Redwood as my new family home here in Wooster. My apartment home was just beautiful and had all the amenities that I was looking for.

- Darlene
Redwood Wooster Melrose Drive

Who Lives in a Redwood Neighborhood?

- Empty Nesters
- Young Professionals
- Residents who want a single-story design
- Those who want a "peace and quiet" neighborhood
- Those who want a maintenance-free lifestyle
- Our design and features generate long-term residents







About Redwood Neighbors

50.6 Years = Average Age of a Redwood Resident
70% of Redwood Residents Are Empty Nesters
3-Mile Radius of the Neighborhood = Where Most Residents Relocate From

1.65 = Average Number of Residents per Apartment Home

11 School-Age Children per 100 Apartment Homes
22 School Children in a 200-Home Neighborhood

1.5 = Average # Cars per Apartment Home

Standard Lease Term = 1 year
Average Resident Stay = 2.39 years
12% of Residents Stay More than Five Years

Redwood
APARTMENT NEIGHBORHOODS



EXTERIORS OUR RESIDENTS DESERVE

- Single-Story Apartment Neighborhoods
- Two Car Attached Private Entrance Garage
- Personal Patios or Decks
- Stone and Shake Siding Accents
- Extensive Landscaping















Our single-story apartment floor plans and quality building products provide built in peace and quiet, and the convenience of having a unique street address. Our residents feel like they're living in a single-family home, without any of the stress.








INTERIORS OUR RESIDENTS DESERVE

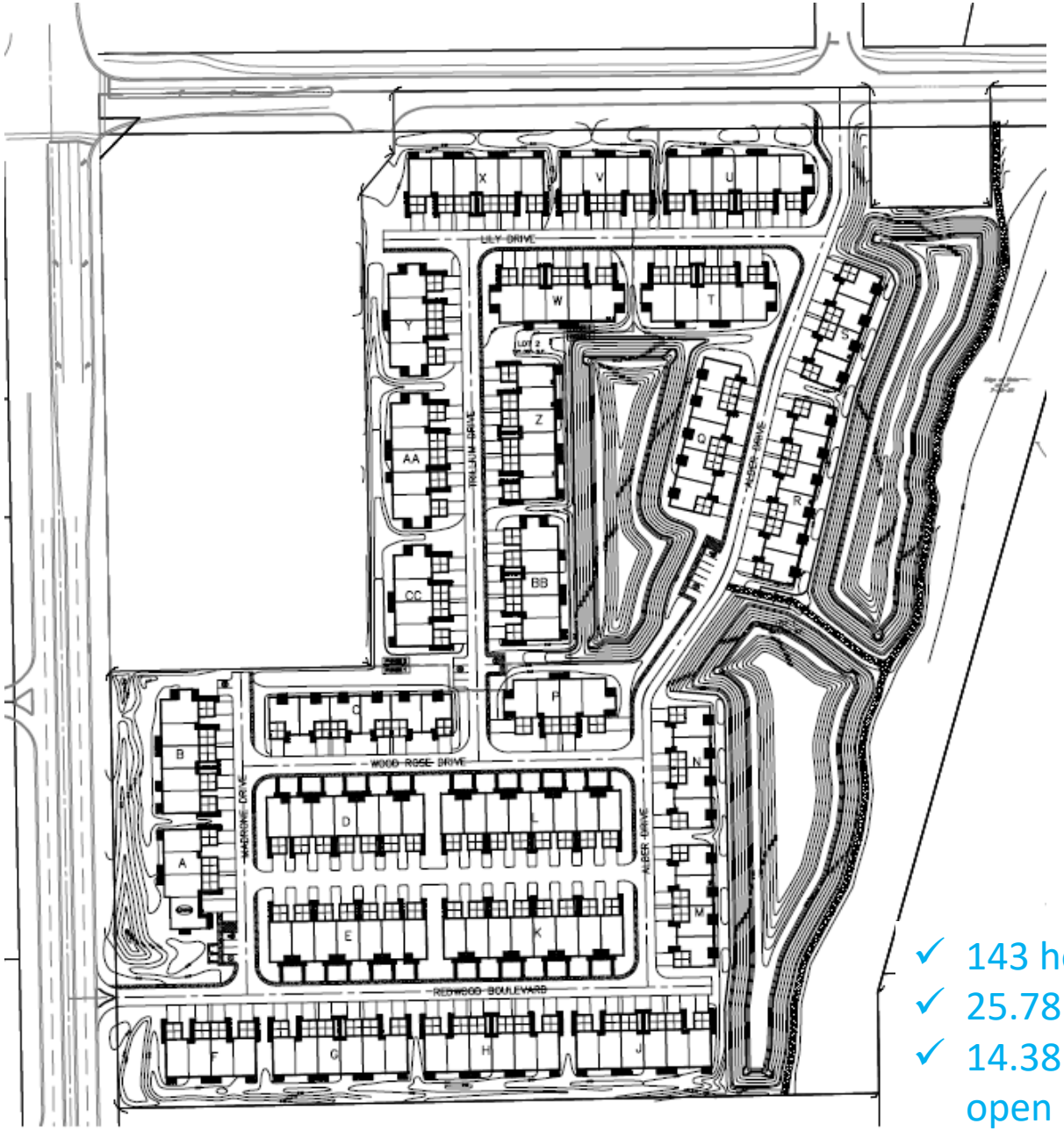
- 1300+ Square Foot Living Spaces
- Open Floor Plans
- Granite Counter Tops
- Private Entryways
- Vaulted Ceilings
- Energy Star Certified Construction



"When a resident walks into a Redwood apartment home, they're going to say, 'Wow! I can't believe this is an apartment!' Redwood gives each resident the ability to live in an apartment without sacrifice the benefits of living in a home."
- Steve Kimmelman, Founder & Chairman of the Board

No one should have to give up living in a nice place just because it's a rental. That's why our Redwood apartment homes all come equipped with upgraded finishes, like granite counter tops, stainless appliances and a pantry big enough to store even the largest kitchen appliances. Our residents can enjoy an open floor plan complete with flexible den space that can be used for a gym, a home office, a pet play palace or anything in-between.

Concept Plan



- ✓ 143 homes
- ✓ 25.78 acres
- ✓ 14.38 acres open space



WHY CHOOSE REDWOOD

The beauty of living at a Redwood Neighborhood is you know what you're going to get — at every location. We go above and beyond to make sure our residents have top-notch service to go along with their new, top-notch, single-story apartment home. And every Redwood Neighborhood offers the same great benefits.

- Peace & Quiet
- Unique Address
- Prime Location
- Private Entrance
- Upgraded Features
- Energy Efficiency
- On-Site Neighborhood Management





> *Redwood in Fairborn was the perfect fit for our needs. We were looking for a place to live that had attached garages and no stairs to climb. We found the perfect home at Redwood. Newly built, modern design that feels more like a home than a traditional apartment.*
>
> *- Brian K.*
> *Redwood Fairborn*



Redwood
APARTMENT NEIGHBORHOODS

216.360.9441 | byRedwood.com

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SD308
COMMUNITY UNIT
SCHOOL DISTRICT
World Class Schools Serving Caring Communities

August 18, 2020

Rosanova & Whitaker, Ltd.
127 Aurora Avenue
Naperville, IL 60540

Re: Proposed Residential Development on Northeast Corner of Heggs Rd. and 127th Street

To Whom it May Concern,

On behalf of Oswego Community School District#308 and the Board of Education, please accept this letter to confirm a cash donation is acceptable listing the property named above.

Thank you very much for the continued partnership in supporting our community. If you need further information, please don't hesitate to reach out to me at ctyler@sd308.org or (630) 636-3180.

Sincerely,

Christi Tyler

Christi S. Tyler
Chief Financial Officer/ CSBO

DISTRICT ADMINISTRATION CENTER • 4175 ROUTE 71 • OSWEGO, IL 60543
P: (630) 636-3090 • F: (630) 636-3670 • ctyler@sd308.org • WWW.SD308.ORG

SD308 COMMUNITY UNIT SCHOOL DISTRICT

Christi Tyler <ctyler@sd308.org>

Fwd: Village of Oswego Planning and Zoning Commission meeting packet Nov 7 2019

1 message

Robert Allison <rallison@sd308.org> Fri, Nov 1, 2019 at 11:00 AM
To: Christi Tyler <ctyler@sd308.org>, Carrie Szambelan <cszambelan@sd308.org>

Hi Christi and Carrie,

Just an fyi that I plan to attend. Any students we get from this development, if any, would be within the boundary lines of Southbury (Capacity = 900, Functional Capacity = 798, enrollment = 581, 217 new student limit). Traughber (Capacity = 1224, Functional Capacity = 1200, enrollment = 1088, 112 new student limit), and OHS (Capacity = 3200, Functional Capacity = 3200, enrollment = 2877, 323 new student limit). Enrollment numbers are from a September 2019 report so may not be current.

Thanks, and best regards,

Rob.

Rob Allison - Director of Operations
School District 308
71 Stonehill Rd.
Oswego, Il. 60543
Office: 630-636-3190
Cell: 630-401-7887

Mission Statement: In partnership with our families and communities, Community Unit School District 308 will educate all students to reach their highest potential.

PRIVACY NOTICE: The content of this communication is CONFIDENTIAL and may include student information that is protected by federal law under the Family Educational Rights and Privacy Act (FERPA). If you are not the intended recipient of this communication, please notify the sender immediately and delete the material without opening any attachments. Unauthorized use, disclosure, copying, or distribution is strictly prohibited and may be unlawful.

---------- Forwarded message ---------
From: **Mary Ellen Bliss** <MBliss@oswegoil.org>
Date: Fri, Nov 1, 2019 at 8:32 AM
Subject: Village of Oswego Planning and Zoning Commission meeting packet Nov 7 2019
To: rallison <rallison@sd308.org>

Good morning, Rob,

Please see the attached packet for the Village of Oswego Planning and Zoning Commission meeting on November 7, 2019.

Thank you.

Mary Ellen Bliss

Building & Zoning/Community Development

Administrative Assistant

Village of Oswego

100 Parkers Mill

Oswego, Il. 60543

BZ Dept: 630.554.2310

CD Dept: 630.554-3622

Email: mbliss@oswegoil.org

Disclaimer

The information contained in this communication from mbliss@oswegoil.org sent at 2019-11-01 09:31:51 may contain confidential information and may be legally privileged and is intended only for rallison@sd308.org. If you are not rallison@sd308.org you are hereby notified to not disseminate, distribute or copy this e-mail. Please notify Mary Ellen Bliss immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. E-mail transmission cannot be guaranteed to be secure or error-free as information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain viruses. Mary Ellen Bliss therefore does not accept liability for any errors or omissions in the contents of this message, which arise as a result of e-mail transmission. If verification is required, please request a hard-copy version. Village of Oswego, 100 Parkers Mill, Oswego IL, 60543, www.oswegoil.org

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PZ packet 11 07 19.pdf
7275K

SD308 COMMUNITY UNIT SCHOOL DISTRICT

Christi Tyler <ctyler@sd308.org>

Hudson Pointe

1 message

Robert Allison <rallison@sd308.org> Wed, Feb 3, 2021 at 12:50 PM
To: Christi Tyler <ctyler@sd308.org>

Hi Christi,

I'm following up on a note to myself about Hudson Pointe, if such a development still exists. It was first discussed by Mike Barr in February of 2018. This time last year I asked Debbie for any information she had and she shared the attached email with me. I haven't found any additional references to the project in my files. The image below shows the location as per the email. You may have more information then I do at this point.



Thanks, and best regards,

Rob.

Rob Allison - Director of Operations
Chair - SD308 District Safety Committee
SD308 Class of 1980
"Once a Panther, Always a Panther!"
71 Stonehill Rd.
Oswego, Il. 60543
Office: 630-636-3190
Cell: 630-401-7887

Mission Statement: In partnership with our families and communities, Community Unit School District 308 will educate all students to reach their highest potential.

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SD308 Mail - Fwd_ Hudson Pointe.pdf

224K

SD308 COMMUNITY UNIT SCHOOL DISTRICT

Christi Tyler <ctyler@sd308.org>

Lincoln Prairie Development

1 message

Christi Tyler <ctyler@sd308.org> Wed, Dec 23, 2020 at 10:08 AM
To: Ruth Kroner <rkroner@sd308.org>, Brent Lightfoot <blightfoot@sd308.org>

Good Morning!

Dr. Sparlin sent the attached memo in a separate email and I wanted to follow-up with some background information and on the recommendation to bring this to our next F&F committee meeting.

The City has reached out to me several times on this project and are ***very eager*** to close this deal with Pulte. I've shared with the City that given our financial picture, we would not be as eager to simply waive $500,000 in land cash fees - even with the prospect of an additional $4.4M in property tax revenue. I've had a conversation with Whitt Law who has experience with negotiating, at the very least, reduced land cash fees with developers or a clause that if one student results from the 55+ community the developer (Pulte Homes in this case) would need to pay the school district the full amount of land cash. So there may be some options for us that wouldn't kill the deal for the City.

The current draft agenda for January includes the auditor's report and a capital projects report. The auditor's report is the shorter of the two topics - but can be postponed to the February meeting. The capital projects report is timely as the operations team will need to begin planning for any projects approved to move forward with any proposed projects during the summer. Therefore, I propose that the January agenda includes the Lincoln Prairie development discussion and the capital projects report. These two topics are related as some capital projects are funded by developer fees. Then on the February agenda we would have a brief audit report to allow for the discussion from the remaining municipalities/entities on developer fees. Please let me know if you agree with this change and/or if you have any questions.

Thank you - wishing you and your family the happiest of holidays and CHEERS TO A NEW YEAR!!!!!

Christi Tyler
Chief Financial Officer/CSBO

71 Stonehill Road
Oswego, IL 60543
Office: 630.636.3180
Cell: 630.383.6592

Lincoln Prairie Sub. Memo.12.23.20 (1) (1).docx
347K

SD308 COMMUNITY UNIT SCHOOL DISTRICT

Christi Tyler <ctyler@sd308.org>

Lincoln Prairie

1 message

Christi Tyler <ctyler@sd308.org> Wed, Dec 16, 2020 at 8:33 AM
To: Stuart Whitt <SWhitt@whittlaw.com>, Brittany Theis <BTheis@whittlaw.com>

Good Morning Whitt Law!!!!

Attached is a letter from an attorney representing Pulte Homes - this is the property that we met with DR Horton about. They are requesting land cash fees be waived for the Del Webb portion of the development. The City of Aurora indicated that there would be no impact fees because the fair market value of the home is higher than the threshold. Anywho - in the memo for DR Horton (also attached) it states that while it's nice that the developer and City ask us, the City sets the fees and could waive them without our approval. Just verifying if this a true statement or now - I've attached a memo that I drafted based off of my conversation yesterday with the City.

Thanks - SANTA comes SOON!!!!!

Christi Tyler
Chief Financial Officer/CSBO

71 Stonehill Road
Oswego, IL 60543
Office: 630.636.3180
Cell: 630.383.6592

3 attachments

DR Horton - Aurora Development Memo.docx
14K

Lincoln Prairie Subdivision - Pulte Homes.pdf
597K

Lincoln Prairie Sub. Memo.12.16.20.docx
347K

SD308 COMMUNITY UNIT SCHOOL DISTRICT

Christi Tyler <ctyler@sd308.org>

Lincoln Prairie-Memo

1 message

Carrie Szambelan <cszambelan@sd308.org> Wed, Jan 6, 2021 at 3:29 PM
To: Ursula Coan <ucoan@sd308.org>
Cc: Christi Tyler <ctyler@sd308.org>

This goes in Executive content please per Christi.

Christi,

Ursula mentioned that Pulte would be sending over a powerpoint for the meeting to go with this discussion as well.

We will send you BOE update in the AM. Thanks!

--
Carrie M. Szambelan
Executive Administrative Assistant to the Chief Financial Officer/CSBO

Oswego Community Unit School District 308
71 Stonehill Rd.
Oswego, IL 60543
cszambelan@sd308.org
Phone (630)636-3181
Fax (630) 636-3198

SD308 COMMUNITY UNIT SCHOOL DISTRICT
World-Class Schools Serving Caring Communities

Lincoln Prairie Sub. Memo 01.11.21.pdf
556K

SD308 COMMUNITY UNIT SCHOOL DISTRICT

Christi Tyler <ctyler@sd308.org>

RE: Oswego Village Planning Meeting Follow-up 1-28-21

1 message

Dan Di Santo <DDiSanto@oswegoil.org> Tue, Feb 2, 2021 at 11:38 AM
To: Robert Schwarz <Rob@rsp-associates.com>, jsparlin <jsparlin@sd308.org>, ctyler <ctyler@sd308.org>
Cc: Stacia Schwarz <Stacia@rsp-associates.com>, Brandon Sylvester <Brandon@rsp-associates.com>

Rob, I appreciate the time from last week's meeting and I'm glad you are able to connect with our staff annually to check on development. I have two follow-up items for you:

1. The Reserve at Hudson Crossing (#4 on the Village map) has 51 studios, 118 1-bed, and 111 2-bed apartments. You had asked for the final count.
2. Village map #5 as you discuss below is targeted at empty-nesters, but I just want to be clear that it is not restricted from having children living at that address. So while the marketing may be at a certain age level, there is no actual restriction about who can live there.

Thanks again to John and Christi for your participation and excellent communication.

Dan

Daniel Di Santo

Village Administrator

Village of Oswego

100 Parkers Mill

Oswego, Il. 60543

Office: 630.551.2360

Email: ddisanto@oswegoil.org

From: Robert Schwarz <Rob@RSP-Associates.com>
Sent: Thursday, January 28, 2021 3:27 PM
To: jsparlin <jsparlin@sd308.org>; ctyler <ctyler@sd308.org>; Dan Di Santo <DDiSanto@oswegoil.org>
Cc: Stacia Schwarz <Stacia@RSP-Associates.com>; Brandon Sylvester <Brandon@RSP-Associates.com>
Subject: Oswego Village Planning Meeting Follow-up 1-28-21

Good Afternoon – enjoyed our ZOOM today. Here are the big rocks from my perspective today:

- For the most part the Village and RSP outlook for developments are very similar from the RSP analysis
  - Village input has been valuable in RSP's forecasting future development opportunities
  - Meeting illustrated how good the data sharing between the Village and RSP has worked for the district to make good planning decisions
  - Like the city perspective until that final plat is affirmed and dirt starts to move many things can happen which could develop or stall that development opportunity – RSP has tried to plan for these type of changes
  - RSP methodology is a gravity model meaning that some areas RSP showed happening sooner, maybe later, or not at all because of many factors beyond just conversation with the Village that influences our overall determination of when something potentially could develop – RSP map is always changing based on property owner decisions to develop and what that type of development is and what the economic situation/absorption of that housing product could potentially be – basically profit margin and supply/demand

- Even with the areas being discussed for development, RSP's outlook for the district does not change statistically our outlook
  - Two SF development coming online sooner will (Village Map #7) with other areas potentially further out (Village Map #20) are examples of things that make developments coming online a bit challenging to specifically state some areas are happening in 1 year over 3 years or 5 years out – very dynamic
  - Large map I showed in the meeting was not the same growth map in the presentation (Map enclosed – see properties to see date made is November 2020) so Village Map #8 accounted for in projection timeframe it is happening and RSP determined no significant students would happen (Village Map #4) because of the type of development likely generates few or no students so not shown
  - Our team had noted (Village Map #14 and #15) but we chose not to put them as it seemed more conversation had to happen between the city and developer being they are infill developments
  - Village Map #5 was not shown on our map because it appeared would likely be for senior living (This important difference in RSP and Village map – if RSP thinks few or no kids not shown)

    https://www.shawlocal.com/2020/11/04/concept-plans-for-apartment-townhome-development-on-oswego-commissions-agenda/aigypr9/

    If this concept for Redwood Apartments has changed RSP will need to account for that in a new forecast

  - The trend data will likely result in the RSP forecasted future – development is always changing which is why annual enrollment analysis is recommended

- Changes in the development fee structure and how to ultimately improve Wolf Road could result in development happening faster
  - Stay tuned over the next 6-months to know if that reality happens and influences developer decisions in the Village
  - RSP still believes that the Train station if/when happens it will be a game changer for the region
  - RSP still believes that when Wolf Road is able to get all its improvements, that will too be a development game changer for expansion south – and just getting around the community

Finally, from my view, it is always good to get additional perspectives and allow RSP to inform how all this information shapes our forecast and school planning recommendations. We will keep this new information for the starting point in our next enrollment analysis.

Thanks again – any questions of follow-up please reach out 😊

Rob

Robert S. Schwarz, CEO, AICP, REFP, CEFP

RSP & Associates

7111 West 151st Street, #12

Overland Park, KS 66223

Web: www.RSP-Associates.com

Office: (913) 681-7651

Cell: (913) 963-5967

Disclaimer

The information contained in this communication from ddisanto@oswegoil.org sent at 2021-02-02 12:38:08 may contain confidential information and may be legally privileged and is intended only for ctyler@sd308.org. If you are not ctyler@sd308.org you are hereby notified to not disseminate, distribute or copy this e-mail. Please notify Dan Di Santo immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. E-mail transmission cannot be guaranteed to be secure or error-free as information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain viruses. Dan Di Santo therefore does not accept liability for any errors or omissions in the contents of this message, which arise as a result of e-mail transmission. If verification is required, please request a hard-copy version. Village of Oswego, 100 Parkers Mill, Oswego IL, 60543, www.oswegoil.org

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CITY OF AURORA
RESOLUTION NO. R03-525
DATE OF PASSAGE: Oct 28, 2003

A RESOLUTION APPROVING INTERGOVERNMENTAL AGREEMENT WITH OSWEGO COMMUNITY UNIT SCHOOL DISTRICT NO. 308 REGARDING IMPACT FEES

WHEREAS, the City of Aurora has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the 1970 Constitution of the State of Illinois; and

WHEREAS, said Section of the Constitution authorizes a home rule unit to exercise any power and perform any function pertaining to its government and affairs for the protection of the public safety, health, welfare and morals; and

WHEREAS, Aurora adopted Ordinance No. 00-181 which required contributions in the form of impact fees to be paid to or on behalf of any school district located in whole or part in Aurora by owners, subdividers and developers of land located within such school district in order to help foster and perpetuate the availability of adequate school sites to future residents of Aurora; and

WHEREAS, said contributions shall take effect only upon the execution of an intergovernmental agreement between the City of Aurora and the school district seeking said contributions; and

WHEREAS, Oswego Community Unit School District No. 308 has submitted an intergovernmental agreement to the City of Aurora in a form that is in substantial compliance with the conditions as set forth in Ordinance No. 00-181.

NOW, THEREFORE, BE IT RESOLVED, that the City of Aurora desires to enter into an intergovernmental agreement with Oswego Community Unit School District No. 308, which intergovernmental agreement is attached hereto as Exhibit A.

PASSED AND APPROVED this 28th day of October, 2003.

ATTEST: AYES 12 NAYS 0

MAYOR DAVID L. STOVER

CITY CLERK

INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA, KANE, DUPAGE AND WILL COUNTIES, ILLINOIS AND OSWEGO COMMUNITY UNIT SCHOOL DISTRICT NO. 308, KANE, KENDALL AND WILL COUNTIES, ILLINOIS

THIS AGREEMENT is made effective as of the 28th day of October, 2003 between the CITY OF AURORA, Kane, DuPage and Will Counties, Illinois ("Aurora") and OSWEGO COMMUNITY UNIT SCHOOL DISTRICT NO. 308, Kane, Kendall and Will Counties, Illinois ("School District").

WHEREAS, Aurora adopted Ordinance No. 00-181 which requires contributions to be paid to or on behalf of the School District by owners, subdividers and developers of land located within such School District in order to help foster and perpetuate the availability of adequate school sites to future residents of Aurora; and

WHEREAS, School District desires at all times to provide adequate school facilities and services to all its residents; and

WHEREAS, both Aurora and School District recognize that the addition of new residents to the School District will impose immediate additional financial and user demands on the School District and its facilities and services; and

WHEREAS, both Aurora and School District, in the spirit of intergovernmental cooperation, and pursuant to Article 7, Section 10 of the 1970 Constitution of the State of Illinois, and pursuant to 5 ILCS 220/1, being the Intergovernmental Cooperation Act, desire to work together to defray at least a part of the cost of meeting those demands.

NOW, THEREFORE, in consideration of the mutual obligations herein contained, Aurora and School District agree as follows:

1. School District acknowledges that, except as otherwise provided in the ordinances of Aurora and/or annexation agreements or intergovernmental cooperation agreements, Aurora is not obligated to cause the payment of money or the transfer of land to the School District. The School District recognizes that Aurora may, at its sole discretion, amend its ordinances or annexation agreements or its practices to discontinue the payment of subdivision contributions to the School District.

2. That since Aurora has adopted Ordinance No. 00-181 providing for contributions to the School District by owners, subdividers and developers of land, School District agrees that in the event a lawsuit is filed against Aurora, the School District and/or others by a developer that is subdividing the property, or by any other person, corporation or entity that challenges the appropriateness, amount, timing or any other aspect of a subdivision contribution that has been paid or is due to the School District pursuant to the terms of Aurora's ordinances or annexation agreements, then School District agrees to pay the costs and litigation expenses (including reasonable attorney"s fees) incurred in defending such a lawsuit. As a result of the indemnification provided under this Agreement, the School District shall name counsel and generally control the litigation. Aurora and School District agree that pursuant to this Agreement, School District is responsible for any liability which may attach to Aurora as a result of Aurora's distribution of land donations or cash in lieu thereof to the School District. In that regard, School District agrees that it shall employ competent and skilled legal counsel to represent the School District and Aurora, and further covenants and agrees that it shall keep Aurora fully advised as to the progress and status of the litigation. More specifically, School District shall provide Aurora copies of all pleadings filed in the

litigation and shall consult regularly (and shall cause its attorneys to consult regularly) with Aurora or its attorneys, as applicable, as to the strategy for defending the lawsuit. In no event may any litigation be compromised or settled by the School District without at least thirty (30) days' prior notice to Aurora.

3. In the event that a final and non-appealable judicial determination is made by a court of competent jurisdiction that contributions of land or money received by School District are, in whole or in part, excessive, School District shall promptly repay said amount to the person who procures such judgment together with all other amounts judged by the court to be owing from the School District.

4. On or before June 1 of each year, in the event School District has received payments from Aurora under this Agreement, then School District shall submit a report to Aurora describing the manner in which the payments have been used. In the event any agreement between School District and Aurora provides that money turned over to School District is to be used for a specific purpose or within a specific time period, the report shall address such issues. If School District fails to file such a report with Aurora, then Aurora may delay the payment of any additional funds due to the School District until such time as a full report containing adequate information is transmitted to Aurora.

5. This Agreement may be terminated by either party for any reason or no reason at all upon thirty (30) days' prior written notice to the other evidencing the intention is to terminate this Agreement. The termination of this Agreement shall not affect the continuing obligation of the School District or Aurora with regard to claims or damages allegedly arising out of Aurora's efforts prior to termination, or to Aurora's

obligation to distribute or the actual distribution of subdivision contributions collected prior to the date of termination.

CITY OF AURORA

By: _____
Mayor

ATTEST:

_____
City Clerk

OSWEGO COMMUNITY UNIT SCHOOL DISTRICT NO. 308

By: _____
President, Board of Education

ATTEST:

_____
Secretary, Board of Education

OSWEGO COMMUNITY UNIT SCHOOL DISTRICT 308
Aurora Impact Fee Table
Fall 2001 Study

Type	BR	FMV	2001 Study at 100%	Aurora: 75%	Capped at: $3,500
Detached	2	100,000	0.00	0.00	0.00
Detached	2	102,500	0.00	0.00	0.00
Detached	2	105,000	0.00	0.00	0.00
Detached	2	107,500	0.00	0.00	0.00
Detached	2	110,000	0.00	0.00	0.00
Detached	2	112,500	0.00	0.00	0.00
Detached	2	115,000	0.00	0.00	0.00
Detached	2	117,500	0.00	0.00	0.00
Detached	2	120,000	0.00	0.00	0.00
Detached	2	122,500	0.00	0.00	0.00
Detached	2	125,000	0.00	0.00	0.00
Detached	3	100,000	5,713.98	4,285.49	3,500.00
Detached	3	102,500	5,610.86	4,208.15	3,500.00
Detached	3	105,000	5,507.75	4,130.81	3,500.00
Detached	3	107,500	5,404.63	4,053.47	3,500.00
Detached	3	110,000	5,301.51	3,976.13	3,500.00
Detached	3	112,500	5,198.40	3,898.80	3,500.00
Detached	3	115,000	5,095.28	3,821.46	3,500.00
Detached	3	117,500	4,992.17	3,744.13	3,500.00
Detached	3	120,000	4,889.05	3,666.79	3,500.00
Detached	3	122,500	4,785.94	3,589.46	3,500.00
Detached	3	125,000	4,682.82	3,512.12	3,500.00
Detached	3	127,500	4,579.71	3,434.78	3,434.78
Detached	3	130,000	4,476.59	3,357.44	3,357.44
Detached	3	132,500	4,373.47	3,280.10	3,280.10
Detached	3	135,000	4,270.36	3,202.77	3,202.77
Detached	3	137,500	4,167.24	3,125.43	3,125.43
Detached	3	140,000	4,064.13	3,048.10	3,048.10
Detached	3	142,500	3,961.01	2,970.76	2,970.76
Detached	3	145,000	3,857.90	2,893.43	2,893.43
Detached	3	147,500	3,754.78	2,816.09	2,816.09
Detached	3	150,000	3,651.67	2,738.75	2,738.75
Detached	3	152,500	3,548.55	2,661.41	2,661.41
Detached	3	155,000	3,445.44	2,584.08	2,584.08
Detached	3	157,500	3,342.32	2,506.74	2,506.74
Detached	3	160,000	3,239.20	2,429.40	2,429.40
Detached	3	162,500	3,136.09	2,352.07	2,352.07
Detached	3	165,000	3,032.97	2,274.73	2,274.73
Detached	3	167,500	2,929.86	2,197.40	2,197.40
Detached	3	170,000	2,826.74	2,120.06	2,120.06
Detached	3	172,500	2,723.63	2,042.72	2,042.72
Detached	3	175,000	2,620.51	1,965.38	1,965.38
Detached	3	177,500	2,517.40	1,888.05	1,888.05

Detached	3	180,000	2,414.28	1,810.71	1,810.71
Detached	3	182,500	2,311.17	1,733.38	1,733.38
Detached	3	185,000	2,208.05	1,656.04	1,656.04
Detached	3	187,500	2,104.93	1,578.70	1,578.70
Detached	3	190,000	2,001.82	1,501.37	1,501.37
Detached	3	192,500	1,898.70	1,424.03	1,424.03
Detached	3	195,000	1,795.59	1,346.69	1,346.69
Detached	3	197,500	1,692.47	1,269.35	1,269.35
Detached	3	200,000	1,589.36	1,192.02	1,192.02
Detached	3	202,500	1,486.24	1,114.68	1,114.68
Detached	3	205,000	1,383.13	1,037.35	1,037.35
Detached	3	207,500	1,280.01	960.01	960.01
Detached	3	210,000	1,176.90	882.68	882.68
Detached	3	212,500	1,073.78	805.34	805.34
Detached	3	215,000	970.66	728.00	728.00
Detached	3	217,500	867.55	650.66	650.66
Detached	3	220,000	764.43	573.32	573.32
Detached	3	222,500	661.32	495.99	495.99
Detached	3	225,000	558.20	418.65	418.65
Detached	3	227,500	455.09	341.32	341.32
Detached	3	230,000	351.97	263.98	263.98
Detached	3	232,500	248.86	186.65	186.65
Detached	3	235,000	145.74	109.31	109.31
Detached	3	237,500	42.63	31.97	31.97
Detached	3	240,000	0.00	0.00	0.00
Detached	4	100,000	11,699.30	8,774.48	3,500.00
Detached	4	102,500	11,596.19	8,697.14	3,500.00
Detached	4	105,000	11,493.07	8,619.80	3,500.00
Detached	4	107,500	11,389.95	8,542.46	3,500.00
Detached	4	110,000	11,286.84	8,465.13	3,500.00
Detached	4	112,500	11,183.72	8,387.79	3,500.00
Detached	4	115,000	11,080.61	8,310.46	3,500.00
Detached	4	117,500	10,977.49	8,233.12	3,500.00
Detached	4	120,000	10,874.38	8,155.79	3,500.00
Detached	4	122,500	10,771.26	8,078.45	3,500.00
Detached	4	125,000	10,668.15	8,001.11	3,500.00
Detached	4	127,500	10,565.03	7,923.77	3,500.00
Detached	4	130,000	10,461.92	7,846.44	3,500.00
Detached	4	132,500	10,358.80	7,769.10	3,500.00
Detached	4	135,000	10,255.68	7,691.76	3,500.00
Detached	4	137,500	10,152.57	7,614.43	3,500.00
Detached	4	140,000	10,049.45	7,537.09	3,500.00
Detached	4	142,500	9,946.34	7,459.76	3,500.00
Detached	4	145,000	9,843.22	7,382.42	3,500.00
Detached	4	147,500	9,740.11	7,305.08	3,500.00
Detached	4	150,000	9,636.99	7,227.74	3,500.00
Detached	4	152,500	9,533.88	7,150.41	3,500.00
Detached	4	155,000	9,430.76	7,073.07	3,500.00
Detached	4	157,500	9,327.64	6,995.73	3,500.00
Detached	4	160,000	9,224.53	6,918.40	3,500.00

Detached	4	162,500	9,121.41	6,841.06	3,500.00
Detached	4	165,000	9,018.30	6,763.73	3,500.00
Detached	4	167,500	8,915.18	6,686.39	3,500.00
Detached	4	170,000	8,812.07	6,609.05	3,500.00
Detached	4	172,500	8,708.95	6,531.71	3,500.00
Detached	4	175,000	8,605.84	6,454.38	3,500.00
Detached	4	177,500	8,502.72	6,377.04	3,500.00
Detached	4	180,000	8,399.61	6,299.71	3,500.00
Detached	4	182,500	8,296.49	6,222.37	3,500.00
Detached	4	185,000	8,193.37	6,145.03	3,500.00
Detached	4	187,500	8,090.26	6,067.70	3,500.00
Detached	4	190,000	7,987.14	5,990.36	3,500.00
Detached	4	192,500	7,884.03	5,913.02	3,500.00
Detached	4	195,000	7,780.91	5,835.68	3,500.00
Detached	4	197,500	7,677.80	5,758.35	3,500.00
Detached	4	200,000	7,574.68	5,681.01	3,500.00
Detached	4	202,500	7,471.57	5,603.68	3,500.00
Detached	4	205,000	7,368.45	5,526.34	3,500.00
Detached	4	207,500	7,265.34	5,449.01	3,500.00
Detached	4	210,000	7,162.22	5,371.67	3,500.00
Detached	4	212,500	7,059.10	5,294.33	3,500.00
Detached	4	215,000	6,955.99	5,216.99	3,500.00
Detached	4	217,500	6,852.87	5,139.65	3,500.00
Detached	4	220,000	6,749.76	5,062.32	3,500.00
Detached	4	222,500	6,646.64	4,984.98	3,500.00
Detached	4	225,000	6,543.53	4,907.65	3,500.00
Detached	4	227,500	6,440.41	4,830.31	3,500.00
Detached	4	230,000	6,337.30	4,752.98	3,500.00
Detached	4	232,500	6,234.18	4,675.64	3,500.00
Detached	4	235,000	6,131.07	4,598.30	3,500.00
Detached	4	237,500	6,027.95	4,520.96	3,500.00
Detached	4	240,000	5,924.83	4,443.62	3,500.00
Detached	4	242,500	5,821.72	4,366.29	3,500.00
Detached	4	245,000	5,718.60	4,288.95	3,500.00
Detached	4	247,500	5,615.49	4,211.62	3,500.00
Detached	4	250,000	5,512.37	4,134.28	3,500.00
Detached	4	252,500	5,409.26	4,056.95	3,500.00
Detached	4	255,000	5,306.14	3,979.61	3,500.00
Detached	4	257,500	5,203.03	3,902.27	3,500.00
Detached	4	260,000	5,099.91	3,824.93	3,500.00
Detached	4	262,500	4,996.79	3,747.59	3,500.00
Detached	4	265,000	4,893.68	3,670.26	3,500.00
Detached	4	267,500	4,790.56	3,592.92	3,500.00
Detached	4	270,000	4,687.45	3,515.59	3,500.00
Detached	4	272,500	4,584.33	3,438.25	3,438.25
Detached	4	275,000	4,481.22	3,360.92	3,360.92
Detached	4	277,500	4,378.10	3,283.58	3,283.58
Detached	4	280,000	4,274.99	3,206.24	3,206.24
Detached	4	282,500	4,171.87	3,128.90	3,128.90
Detached	4	285,000	4,068.76	3,051.57	3,051.57

Detached	4	287,500	3,965.64	2,974.23	2,974.23
Detached	4	290,000	3,862.52	2,896.89	2,896.89
Detached	4	292,500	3,759.41	2,819.56	2,819.56
Detached	4	295,000	3,656.29	2,742.22	2,742.22
Detached	4	297,500	3,553.18	2,664.89	2,664.89
Detached	4	300,000	3,450.06	2,587.55	2,587.55
Detached	4	302,500	3,346.95	2,510.21	2,510.21
Detached	4	205,000	3,243.83	2,432.87	2,432.87
Detached	4	307,500	3,140.72	2,355.54	2,355.54
Detached	4	310,000	3,037.60	2,278.20	2,278.20
Detached	4	312,500	2,934.49	2,200.87	2,200.87
Detached	4	315,000	2,831.37	2,123.53	2,123.53
Detached	4	317,500	2,728.25	2,046.19	2,046.19
Detached	4	320,000	2,625.14	1,968.86	1,968.86
Detached	4	322,500	2,522.02	1,891.52	1,891.52
Detached	4	325,000	2,418.91	1,814.18	1,814.18
Detached	4	327,500	2,315.79	1,736.84	1,736.84
Detached	4	330,000	2,212.68	1,659.51	1,659.51
Detached	4	332,500	2,109.56	1,582.17	1,582.17
Detached	4	335,000	2,006.45	1,504.84	1,504.84
Detached	4	337,500	1,903.33	1,427.50	1,427.50
Detached	4	340,000	1,800.22	1,350.17	1,350.17
Detached	4	342,500	1,697.10	1,272.83	1,272.83
Detached	4	345,000	1,593.98	1,195.49	1,195.49
Detached	4	347,500	1,490.87	1,118.15	1,118.15
Detached	4	350,000	1,387.75	1,040.81	1,040.81
Detached	4	352,500	1,284.64	963.48	963.48
Detached	4	355,000	1,181.52	886.14	886.14
Detached	4	357,500	1,078.41	808.81	808.81
Detached	4	360,000	975.29	731.47	731.47
Detached	4	362,500	872.18	654.14	654.14
Detached	4	365,000	769.06	576.80	576.80
Detached	4	367,500	665.94	499.46	499.46
Detached	4	370,000	562.83	422.12	422.12
Detached	4	372,500	459.71	344.78	344.78
Detached	4	375,000	356.60	267.45	267.45
Detached	4	377,500	253.48	190.11	190.11
Detached	4	380,000	150.37	112.78	112.78
Detached	4	382,500	47.25	35.44	35.44
Detached	4	385,000	0.00	0.00	0.00
Detached	5	100,000	7,877.50	5,908.13	3,500.00
Detached	5	102,500	7,774.39	5,830.79	3,500.00
Detached	5	105,000	7,671.27	5,753.45	3,500.00
Detached	5	107,500	7,568.16	5,676.12	3,500.00
Detached	5	110,000	7,465.04	5,598.78	3,500.00
Detached	5	112,500	7,361.93	5,521.45	3,500.00
Detached	5	115,000	7,258.81	5,444.11	3,500.00
Detached	5	117,500	7,155.69	5,366.77	3,500.00
Detached	5	120,000	7,052.58	5,289.44	3,500.00
Detached	5	122,500	6,949.46	5,212.10	3,500.00

Detached	5	125,000	6,846.35	5,134.76	3,500.00
Detached	5	127,500	6,743.23	5,057.42	3,500.00
Detached	5	130,000	6,640.12	4,980.09	3,500.00
Detached	5	132,500	6,537.00	4,902.75	3,500.00
Detached	5	135,000	6,433.89	4,825.42	3,500.00
Detached	5	137,500	6,330.77	4,748.08	3,500.00
Detached	5	140,000	6,227.66	4,670.75	3,500.00
Detached	5	142,500	6,124.54	4,593.41	3,500.00
Detached	5	145,000	6,021.42	4,516.07	3,500.00
Detached	5	147,500	5,918.31	4,438.73	3,500.00
Detached	5	150,000	5,815.19	4,361.39	3,500.00
Detached	5	152,500	5,712.08	4,284.06	3,500.00
Detached	5	155,000	5,608.96	4,206.72	3,500.00
Detached	5	157,500	5,505.85	4,129.39	3,500.00
Detached	5	160,000	5,402.73	4,052.05	3,500.00
Detached	5	162,500	5,299.62	3,974.72	3,500.00
Detached	5	165,000	5,196.50	3,897.38	3,500.00
Detached	5	167,500	5,093.38	3,820.04	3,500.00
Detached	5	170,000	4,990.27	3,742.70	3,500.00
Detached	5	172,500	4,887.15	3,665.36	3,500.00
Detached	5	175,000	4,784.04	3,588.03	3,500.00
Detached	5	177,500	4,680.92	3,510.69	3,500.00
Detached	5	180,000	4,577.81	3,433.36	3,433.36
Detached	5	182,500	4,474.69	3,356.02	3,356.02
Detached	5	185,000	4,371.58	3,278.69	3,278.69
Detached	5	187,500	4,268.46	3,201.35	3,201.35
Detached	5	190,000	4,165.35	3,124.01	3,124.01
Detached	5	192,500	4,062.23	3,046.67	3,046.67
Detached	5	195,000	3,959.11	2,969.33	2,969.33
Detached	5	197,500	3,856.00	2,892.00	2,892.00
Detached	5	200,000	3,752.88	2,814.66	2,814.66
Detached	5	202,500	3,649.77	2,737.33	2,737.33
Detached	5	205,000	3,546.65	2,659.99	2,659.99
Detached	5	207,500	3,443.54	2,582.66	2,582.66
Detached	5	210,000	3,340.42	2,505.32	2,505.32
Detached	5	212,500	3,237.31	2,427.98	2,427.98
Detached	5	215,000	3,134.19	2,350.64	2,350.64
Detached	5	217,500	3,031.08	2,273.31	2,273.31
Detached	5	220,000	2,927.96	2,195.97	2,195.97
Detached	5	222,500	2,824.84	2,118.63	2,118.63
Detached	5	225,000	2,721.73	2,041.30	2,041.30
Detached	5	227,500	2,618.61	1,963.96	1,963.96
Detached	5	230,000	2,515.50	1,886.63	1,886.63
Detached	5	232,500	2,412.38	1,809.29	1,809.29
Detached	5	235,000	2,309.27	1,731.95	1,731.95
Detached	5	237,500	2,206.15	1,654.61	1,654.61
Detached	5	240,000	2,103.04	1,577.28	1,577.28
Detached	5	242,500	1,999.92	1,499.94	1,499.94
Detached	5	245,000	1,896.81	1,422.61	1,422.61
Detached	5	247,500	1,793.69	1,345.27	1,345.27

Detached	5	250,000	1,690.57	1,267.93	1,267.93
Detached	5	252,500	1,587.46	1,190.60	1,190.60
Detached	5	255,000	1,484.34	1,113.26	1,113.26
Detached	5	257,500	1,381.23	1,035.92	1,035.92
Detached	5	260,000	1,278.11	958.58	958.58
Detached	5	262,500	1,175.00	881.25	881.25
Detached	5	265,000	1,071.88	803.91	803.91
Detached	5	267,500	968.77	726.58	726.58
Detached	5	270,000	865.65	649.24	649.24
Detached	5	272,500	762.53	571.90	571.90
Detached	5	275,000	659.42	494.57	494.57
Detached	5	277,500	556.30	417.23	417.23
Detached	5	280,000	453.19	339.89	339.89
Detached	5	282,500	350.07	262.55	262.55
Detached	5	285,000	246.96	185.22	185.22
Detached	5	287,500	143.84	107.88	107.88
Detached	5	290,000	40.73	30.55	30.55
Detached	5	292,500	0.00	0.00	0.00
Detached	5	295,000	0.00	0.00	0.00
Attached	1	100,000	0.00	0.00	0.00
Attached	1	102,500	0.00	0.00	0.00
Attached	1	105,000	0.00	0.00	0.00
Attached	1	107,500	0.00	0.00	0.00
Attached	1	110,000	0.00	0.00	0.00
Attached	1	112,500	0.00	0.00	0.00
Attached	1	115,000	0.00	0.00	0.00
Attached	1	117,500	0.00	0.00	0.00
Attached	1	120,000	0.00	0.00	0.00
Attached	1	122,500	0.00	0.00	0.00
Attached	1	125,000	0.00	0.00	0.00
Attached	2	100,000	0.00	0.00	0.00
Attached	2	102,500	0.00	0.00	0.00
Attached	2	105,000	0.00	0.00	0.00
Attached	2	107,500	0.00	0.00	0.00
Attached	2	110,000	0.00	0.00	0.00
Attached	2	112,500	0.00	0.00	0.00
Attached	2	115,000	0.00	0.00	0.00
Attached	2	117,500	0.00	0.00	0.00
Attached	2	120,000	0.00	0.00	0.00
Attached	2	122,500	0.00	0.00	0.00
Attached	2	125,000	0.00	0.00	0.00
Attached	3	100,000	855.76	641.82	641.82
Attached	3	102,500	752.64	564.48	564.48
Attached	3	105,000	649.53	487.15	487.15
Attached	3	107,500	546.41	409.81	409.81
Attached	3	110,000	443.30	332.48	332.48
Attached	3	112,500	340.18	255.14	255.14
Attached	3	115,000	237.07	177.80	177.80
Attached	3	117,500	133.95	100.46	100.46
Attached	3	120,000	30.83	23.12	23.12

Attached	3	122,500	0.00	0.00	0.00
Attached	3	125,000	0.00	0.00	0.00
Attached	4	100,000	4,716.42	3,537.32	3,500.00
Attached	4	102,500	4,613.31	3,459.98	3,459.98
Attached	4	105,000	4,510.19	3,382.64	3,382.64
Attached	4	107,500	4,407.08	3,305.31	3,305.31
Attached	4	110,000	4,303.96	3,227.97	3,227.97
Attached	4	112,500	4,200.84	3,150.63	3,150.63
Attached	4	115,000	4,097.73	3,073.30	3,073.30
Attached	4	117,500	3,994.61	2,995.96	2,995.96
Attached	4	120,000	3,891.50	2,918.63	2,918.63
Attached	4	122,500	3,788.38	2,841.29	2,841.29
Attached	4	125,000	3,685.27	2,763.95	2,763.95
Attached	4	127,500	3,582.15	2,686.61	2,686.61
Attached	4	130,000	3,479.04	2,609.28	2,609.28
Attached	4	132,500	3,375.92	2,531.94	2,531.94
Attached	4	135,000	3,272.81	2,454.61	2,454.61
Attached	4	137,500	3,169.69	2,377.27	2,377.27
Attached	4	140,000	3,066.57	2,299.93	2,299.93
Attached	4	142,500	2,963.46	2,222.60	2,222.60
Attached	4	145,000	2,860.34	2,145.26	2,145.26
Attached	4	147,500	2,757.23	2,067.92	2,067.92
Attached	4	150,000	2,654.11	1,990.58	1,990.58
Attached	4	152,500	2,551.00	1,913.25	1,913.25
Attached	4	155,000	2,447.88	1,835.91	1,835.91
Attached	4	157,500	2,344.77	1,758.58	1,758.58
Attached	4	160,000	2,241.65	1,681.24	1,681.24
Attached	4	162,500	2,138.54	1,603.91	1,603.91
Attached	4	165,000	2,035.42	1,526.57	1,526.57
Attached	4	167,500	1,932.30	1,449.23	1,449.23
Attached	4	170,000	1,829.19	1,371.89	1,371.89
Attached	4	172,500	1,726.07	1,294.55	1,294.55
Attached	4	175,000	1,622.96	1,217.22	1,217.22
Attached	4	177,500	1,519.84	1,139.88	1,139.88
Attached	4	180,000	1,416.73	1,062.55	1,062.55
Attached	4	182,500	1,313.61	985.21	985.21
Attached	4	185,000	1,210.50	907.88	907.88
Attached	4	187,500	1,107.38	830.54	830.54
Attached	4	190,000	1,004.26	753.20	753.20
Attached	4	192,500	901.15	675.86	675.86
Attached	4	195,000	798.03	598.52	598.52
Attached	4	197,500	694.92	521.19	521.19
Attached	4	200,000	591.80	443.85	443.85
Attached	4	202,500	488.69	366.52	366.52
Attached	4	205,000	385.57	289.18	289.18
Attached	4	207,500	282.46	211.85	211.85
Attached	4	210,000	179.34	134.51	134.51
Attached	4	212,500	76.23	57.17	57.17
Attached	4	215,000	0.00	0.00	0.00
Multiple	0	100,000	0.00	0.00	0.00

Multiple	0	102,500	0.00	0.00	0.00
Multiple	0	105,000	0.00	0.00	0.00
Multiple	0	107,500	0.00	0.00	0.00
Multiple	0	110,000	0.00	0.00	0.00
Multiple	0	112,500	0.00	0.00	0.00
Multiple	0	115,000	0.00	0.00	0.00
Multiple	0	117,500	0.00	0.00	0.00
Multiple	0	120,000	0.00	0.00	0.00
Multiple	0	122,500	0.00	0.00	0.00
Multiple	0	125,000	0.00	0.00	0.00
Multiple	1	100,000	0.00	0.00	0.00
Multiple	1	102,500	0.00	0.00	0.00
Multiple	1	105,000	0.00	0.00	0.00
Multiple	1	107,500	0.00	0.00	0.00
Multiple	1	110,000	0.00	0.00	0.00
Multiple	1	112,500	0.00	0.00	0.00
Multiple	1	115,000	0.00	0.00	0.00
Multiple	1	117,500	0.00	0.00	0.00
Multiple	1	120,000	0.00	0.00	0.00
Multiple	1	122,500	0.00	0.00	0.00
Multiple	1	125,000	0.00	0.00	0.00
Multiple	2	100,000	0.00	0.00	0.00
Multiple	2	102,500	0.00	0.00	0.00
Multiple	2	105,000	0.00	0.00	0.00
Multiple	2	107,500	0.00	0.00	0.00
Multiple	2	110,000	0.00	0.00	0.00
Multiple	2	112,500	0.00	0.00	0.00
Multiple	2	115,000	0.00	0.00	0.00
Multiple	2	117,500	0.00	0.00	0.00
Multiple	2	120,000	0.00	0.00	0.00
Multiple	2	122,500	0.00	0.00	0.00
Multiple	2	125,000	0.00	0.00	0.00
Multiple	3	100,000	2,029.12	1,521.84	1,521.84
Multiple	3	102,500	1,926.01	1,444.51	1,444.51
Multiple	3	105,000	1,822.89	1,367.17	1,367.17
Multiple	3	107,500	1,719.78	1,289.84	1,289.84
Multiple	3	110,000	1,616.66	1,212.50	1,212.50
Multiple	3	112,500	1,513.55	1,135.16	1,135.16
Multiple	3	115,000	1,410.43	1,057.82	1,057.82
Multiple	3	117,500	1,307.32	980.49	980.49
Multiple	3	120,000	1,204.20	903.15	903.15
Multiple	3	122,500	1,101.08	825.81	825.81
Multiple	3	125,000	997.97	748.48	748.48
Multiple	3	127,500	894.85	671.14	671.14
Multiple	3	130,000	791.74	593.81	593.81
Multiple	3	132,500	688.62	516.47	516.47
Multiple	3	135,000	585.51	439.13	439.13
Multiple	3	137,500	482.39	361.79	361.79
Multiple	3	140,000	379.28	284.46	284.46
Multiple	3	142,500	276.16	207.12	207.12

Multiple	3	145,000	173.05	129.79	129.79
Multiple	3	147,500	69.93	52.45	52.45
Multiple	3	150,000	0.00	0.00	0.00

K03-525

WHITT LAW
whittlaw.com

STUART L. WHITT
SUSAN SCHNEIDER RUSSO
RICHARD T. PETESCH

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PLANNING DIVISION

COPY

September 9, 2003

Attorney John C. Banbury
CITY OF AURORA LAW DEPARTMENT
44 East Downer Place
Aurora, Illinois 60507-2067

Re: Oswego Community Unit School District No. 308

Dear John:

Thank you for the information which you provided under your cover letter of September 4, 2003. Enclosed please find the following documents in response thereto:

1. The Development Impact Fee Data Tables prepared by the Center for Governmental Studies at Northern Illinois University for the Oswego School District in November 2001. The report is divided into two series. Series 1 simply lays out the capital facilities development impact fees alone. Series 2 contains tables for the development impact fees, as well as incorporation of land/cash fees. In view of the fact that the City of Aurora collects capital facilities development impact fees and land/cash contributions, the Series 1 tables are relevant for these purposes.

2. A proposed Resolution approving an intergovernmental cooperation agreement with the School District providing for the collection of impact fees.

3. The proposed intergovernmental agreement between the School District and the City. Please note that this agreement was modeled after the West Aurora agreement that you provided. I have highlighted the changes made so that they were readily identifiable.

4. The Impact Fee Tables which were derived at by taking the values set forth in the Series 1 tables discussed above, reducing those values to 75% and then capping them at $3,500.

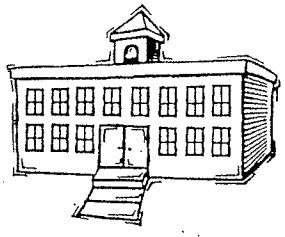
If these enclosures meet with your approval, I can present them to the Board of Education for its formal approval as early as October 22. In order to do that, however, I will need to have final documents to the School District by September 17. For this reason, I ask that you please review the enclosures and respond at your earliest convenience. To help facilitate your consideration of these matters, I am providing copies of this letter and the enclosures directly to Patricia Supergan, Bill Wyatt and Bill Spaeth.

Very truly yours,

WHITT LAW

Stuart L. Whitt
SLW:lb
swhitt@whittlaw.com
Enclosures

Development Impact Fee
Data Tables - Series 1
Oswego Community Unit School District #308

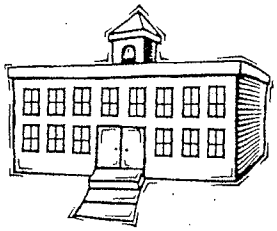


Prepared for
Oswego Community Unit School District #308

Prepared by
Center for Governmental Studies
Northern Illinois University

November 2001

Development Impact Fee
Data Tables - Series 1
Oswego Community Unit School District #308



Prepared for
Oswego Community Unit School District #308

Prepared by
Center for Governmental Studies
Northern Illinois University

November 2001

Development Impact Fee Data Tables

The Development Impact Fee Data Tables that accompany this correspondence represent the findings of a comprehensive analysis structured specifically to reflect the impacts of residential development on Oswego Community Unit School District #308. The school district has provided various items of information in support of the preparation of the tables including capital budget and capital improvement programming information. As a result, the tables should represent a reasonably accurate indication of the true impact of new development. However, use of the tables is appropriate only to the extent that the user adheres to the basic principles of development impact fee application. These general principles include, but are not limited to, the following:

1. Development impact fee revenues should be directed to capital improvement projects, not to operational expenses.

2. Development impact fee revenues should be accounted for separately with expenditures directed to new facilities designed to benefit those who have paid the fees. Development impact fee revenues should not be directed to the maintenance of existing facilities designed to benefit existing residents.

3. Development impact fee revenues should be expended within a reasonable period of time. If possible, these time periods should be reflected in capital project scheduling included in an adopted capital improvement budget or capital improvement program.

4. The collection of development impact fees based upon data included in or provided from an adopted capital improvement budget or capital improvement program implies a commitment on the part of the school district to pursue the capital facility projects included in that budget or program.

5. The development impact fee data tables should be updated on a regular basis.

Questions regarding the use of the development impact fee data tables should be directed to Roger Dahlstrom at the Center for Governmental Studies, Northern Illinois University (815) 753-0932.

RKD

19-Nov-01

Oswego Community Unit School District #308
Development Impact Fee Data Table

School District #308
School Site Impact Fee: 0.00

Detached Single Family Dwelling
Two Bedroom

Fair Market Value	School Capital Impact Fee	Total Fees
100,000	0.00	0.00
102,500	0.00	0.00
105,000	0.00	0.00
107,500	0.00	0.00
110,000	0.00	0.00
112,500	0.00	0.00
115,000	0.00	0.00
117,500	0.00	0.00
120,000	0.00	0.00
122,500	0.00	0.00
125,000	0.00	0.00

RKD

19-Nov-01

Oswego Community Unit School District #308
Development Impact Fee Data Table

School District #308
School Site Impact Fee: 0.00

Detached Single Family Dwelling
Three Bedroom

Fair Market Value	School Capital Impact Fee	Total Fees
100,000	5,713.98	5,713.98
102,500	5,610.86	5,610.86
105,000	5,507.75	5,507.75
107,500	5,404.63	5,404.63
110,000	5,301.51	5,301.51
112,500	5,198.40	5,198.40
115,000	5,095.28	5,095.28
117,500	4,992.17	4,992.17
120,000	4,889.05	4,889.05
122,500	4,785.94	4,785.94
125,000	4,682.82	4,682.82
127,500	4,579.71	4,579.71
130,000	4,476.59	4,476.59
132,500	4,373.47	4,373.47
135,000	4,270.36	4,270.36
137,500	4,167.24	4,167.24
140,000	4,064.13	4,064.13
142,500	3,961.01	3,961.01
145,000	3,857.90	3,857.90
147,500	3,754.78	3,754.78
150,000	3,651.67	3,651.67
152,500	3,548.55	3,548.55
155,000	3,445.44	3,445.44
157,500	3,342.32	3,342.32
160,000	3,239.20	3,239.20
162,500	3,136.09	3,136.09
165,000	3,032.97	3,032.97
167,500	2,929.86	2,929.86
170,000	2,826.74	2,826.74
172,500	2,723.63	2,723.63
175,000	2,620.51	2,620.51

RKD

19-Nov-01

Oswego Community Unit School District #308
Development Impact Fee Data Table

School District #308
School Site Impact Fee: 0.00

Detached Single Family Dwelling
Three Bedroom

Fair Market Value	School Capital Impact Fee	Total Fees
177,500	2,517.40	2,517.40
180,000	2,414.28	2,414.28
182,500	2,311.17	2,311.17
185,000	2,208.05	2,208.05
187,500	2,104.93	2,104.93
190,000	2,001.82	2,001.82
192,500	1,898.70	1,898.70
195,000	1,795.59	1,795.59
197,500	1,692.47	1,692.47
200,000	1,589.36	1,589.36
202,500	1,486.24	1,486.24
205,000	1,383.13	1,383.13
207,500	1,280.01	1,280.01
210,000	1,176.90	1,176.90
212,500	1,073.78	1,073.78
215,000	970.66	970.66
217,500	867.55	867.55
220,000	764.43	764.43
222,500	661.32	661.32
225,000	558.20	558.20
227,500	455.09	455.09
230,000	351.97	351.97
232,500	248.86	248.86
235,000	145.74	145.74
237,500	42.63	42.63
240,000	0.00	0.00

RKD

19-Nov-01

Oswego Community Unit School District #308
Development Impact Fee Data Table

School District #308
School Site Impact Fee: 0.00

Detached Single Family Dwelling
Four Bedroom

Fair Market Value	School Capital Impact Fee	Total Fees
100,000	11,699.30	11,699.30
102,500	11,596.19	11,596.19
105,000	11,493.07	11,493.07
107,500	11,389.95	11,389.95
110,000	11,286.84	11,286.84
112,500	11,183.72	11,183.72
115,000	11,080.61	11,080.61
117,500	10,977.49	10,977.49
120,000	10,874.38	10,874.38
122,500	10,771.26	10,771.26
125,000	10,668.15	10,668.15
127,500	10,565.03	10,565.03
130,000	10,461.92	10,461.92
132,500	10,358.80	10,358.80
135,000	10,255.68	10,255.68
137,500	10,152.57	10,152.57
140,000	10,049.45	10,049.45
142,500	9,946.34	9,946.34
145,000	9,843.22	9,843.22
147,500	9,740.11	9,740.11
150,000	9,636.99	9,636.99
152,500	9,533.88	9,533.88
155,000	9,430.76	9,430.76
157,500	9,327.64	9,327.64
160,000	9,224.53	9,224.53
162,500	9,121.41	9,121.41
165,000	9,018.30	9,018.30
167,500	8,915.18	8,915.18
170,000	8,812.07	8,812.07
172,500	8,708.95	8,708.95
175,000	8,605.84	8,605.84

RKD

19-Nov-01

Oswego Community Unit School District #308
Development Impact Fee Data Table

School District #308
School Site Impact Fee: 0.00

Detached Single Family Dwelling
Four Bedroom

Fair Market Value	School Capital Impact Fee	Total Fees
177,500	8,502.72	8,502.72
180,000	8,399.61	8,399.61
182,500	8,296.49	8,296.49
185,000	8,193.37	8,193.37
187,500	8,090.26	8,090.26
190,000	7,987.14	7,987.14
192,500	7,884.03	7,884.03
195,000	7,780.91	7,780.91
197,500	7,677.80	7,677.80
200,000	7,574.68	7,574.68
202,500	7,471.57	7,471.57
205,000	7,368.45	7,368.45
207,500	7,265.34	7,265.34
210,000	7,162.22	7,162.22
212,500	7,059.10	7,059.10
215,000	6,955.99	6,955.99
217,500	6,852.87	6,852.87
220,000	6,749.76	6,749.76
222,500	6,646.64	6,646.64
225,000	6,543.53	6,543.53
227,500	6,440.41	6,440.41
230,000	6,337.30	6,337.30
232,500	6,234.18	6,234.18
235,000	6,131.07	6,131.07
237,500	6,027.95	6,027.95
240,000	5,924.83	5,924.83
242,500	5,821.72	5,821.72
245,000	5,718.60	5,718.60
247,500	5,615.49	5,615.49
250,000	5,512.37	5,512.37
252,500	5,409.26	5,409.26

RKD

Oswego Community Unit School District #308
Development Impact Fee Data Table

School District #308
School Site Impact Fee: 0.00

Detached Single Family Dwelling
Four Bedroom

Fair Market Value	School Capital Impact Fee	Total Fees
255,000	5,306.14	5,306.14
257,500	5,203.03	5,203.03
260,000	5,099.91	5,099.91
262,500	4,996.79	4,996.79
265,000	4,893.68	4,893.68
267,500	4,790.56	4,790.56
270,000	4,687.45	4,687.45
272,500	4,584.33	4,584.33
275,000	4,481.22	4,481.22
277,500	4,378.10	4,378.10
280,000	4,274.99	4,274.99
282,500	4,171.87	4,171.87
285,000	4,068.76	4,068.76
287,500	3,965.64	3,965.64
290,000	3,862.52	3,862.52
292,500	3,759.41	3,759.41
295,000	3,656.29	3,656.29
297,500	3,553.18	3,553.18
300,000	3,450.06	3,450.06
302,500	3,346.95	3,346.95
305,000	3,243.83	3,243.83
307,500	3,140.72	3,140.72
310,000	3,037.60	3,037.60
312,500	2,934.49	2,934.49
315,000	2,831.37	2,831.37
317,500	2,728.25	2,728.25
320,000	2,625.14	2,625.14
322,500	2,522.02	2,522.02
325,000	2,418.91	2,418.91
327,500	2,315.79	2,315.79
330,000	2,212.68	2,212.68

19-Nov-01

Oswego Community Unit School District #308
Development Impact Fee Data Table

School District #308
School Site Impact Fee: 0.00

Detached Single Family Dwelling
Four Bedroom

Fair Market Value	School Capital Impact Fee	Total Fees
332,500	2,109.56	2,109.56
335,000	2,006.45	2,006.45
337,500	1,903.33	1,903.33
340,000	1,800.22	1,800.22
342,500	1,697.10	1,697.10
345,000	1,593.98	1,593.98
347,500	1,490.87	1,490.87
350,000	1,387.75	1,387.75
352,500	1,284.64	1,284.64
355,000	1,181.52	1,181.52
357,500	1,078.41	1,078.41
360,000	975.29	975.29
362,500	872.18	872.18
365,000	769.06	769.06
367,500	665.94	665.94
370,000	562.83	562.83
372,500	459.71	459.71
375,000	356.60	356.60
377,500	253.48	253.48
380,000	150.37	150.37
382,500	47.25	47.25
385,000	0.00	0.00

RKD

19-Nov-01

Oswego Community Unit School District #308
Development Impact Fee Data Table

School District #308
School Site Impact Fee: 0.00

Detached Single Family Dwelling
Five Bedroom

Fair Market Value	School Capital Impact Fee	Total Fees
100,000	7,877.50	7,877.50
102,500	7,774.39	7,774.39
105,000	7,671.27	7,671.27
107,500	7,568.16	7,568.16
110,000	7,465.04	7,465.04
112,500	7,361.93	7,361.93
115,000	7,258.81	7,258.81
117,500	7,155.69	7,155.69
120,000	7,052.58	7,052.58
122,500	6,949.46	6,949.46
125,000	6,846.35	6,846.35
127,500	6,743.23	6,743.23
130,000	6,640.12	6,640.12
132,500	6,537.00	6,537.00
135,000	6,433.89	6,433.89
137,500	6,330.77	6,330.77
140,000	6,227.66	6,227.66
142,500	6,124.54	6,124.54
145,000	6,021.42	6,021.42
147,500	5,918.31	5,918.31
150,000	5,815.19	5,815.19
152,500	5,712.08	5,712.08
155,000	5,608.96	5,608.96
157,500	5,505.85	5,505.85
160,000	5,402.73	5,402.73
162,500	5,299.62	5,299.62
165,000	5,196.50	5,196.50
167,500	5,093.38	5,093.38
170,000	4,990.27	4,990.27
172,500	4,887.15	4,887.15
175,000	4,784.04	4,784.04

RKD

19-Nov-01

Oswego Community Unit School District #308
Development Impact Fee Data Table

School District #308
School Site Impact Fee: 0.00

Detached Single Family Dwelling
Five Bedroom

Fair Market Value	School Capital Impact Fee	Total Fees
177,500	4,680.92	4,680.92
180,000	4,577.81	4,577.81
182,500	4,474.69	4,474.69
185,000	4,371.58	4,371.58
187,500	4,268.46	4,268.46
190,000	4,165.35	4,165.35
192,500	4,062.23	4,062.23
195,000	3,959.11	3,959.11
197,500	3,856.00	3,856.00
200,000	3,752.88	3,752.88
202,500	3,649.77	3,649.77
205,000	3,546.65	3,546.65
207,500	3,443.54	3,443.54
210,000	3,340.42	3,340.42
212,500	3,237.31	3,237.31
215,000	3,134.19	3,134.19
217,500	3,031.08	3,031.08
220,000	2,927.96	2,927.96
222,500	2,824.84	2,824.84
225,000	2,721.73	2,721.73
227,500	2,618.61	2,618.61
230,000	2,515.50	2,515.50
232,500	2,412.38	2,412.38
235,000	2,309.27	2,309.27
237,500	2,206.15	2,206.15
240,000	2,103.04	2,103.04
242,500	1,999.92	1,999.92
245,000	1,896.81	1,896.81
247,500	1,793.69	1,793.69
250,000	1,690.57	1,690.57
252,500	1,587.46	1,587.46

RKD

Oswego Community Unit School District #308
Development Impact Fee Data Table

School District #308
School Site Impact Fee: 0.00

Detached Single Family Dwelling
Five Bedroom

Fair Market Value	School Capital Impact Fee	Total Fees
255,000	1,484.34	1,484.34
257,500	1,381.23	1,381.23
260,000	1,278.11	1,278.11
262,500	1,175.00	1,175.00
265,000	1,071.88	1,071.88
267,500	968.77	968.77
270,000	865.65	865.65
272,500	762.53	762.53
275,000	659.42	659.42
277,500	556.30	556.30
280,000	453.19	453.19
282,500	350.07	350.07
285,000	246.96	246.96
287,500	143.84	143.84
290,000	40.73	40.73
292,500	0.00	0.00
295,000	0.00	0.00

Oswego Community Unit School District #308
Development Impact Fee Data Table

School District #308
School Site Impact Fee: 0.00

Attached Single Family Dwelling
One Bedroom

Fair Market Value	School Capital Impact Fee	Total Fees
100,000	0.00	0.00
102,500	0.00	0.00
105,000	0.00	0.00
107,500	0.00	0.00
110,000	0.00	0.00
112,500	0.00	0.00
115,000	0.00	0.00
117,500	0.00	0.00
120,000	0.00	0.00
122,500	0.00	0.00
125,000	0.00	0.00

19-Nov-01

Oswego Community Unit School District #308
Development Impact Fee Data Table

School District #308
School Site Impact Fee: 0.00

Attached Single Family Dwelling
Two Bedroom

Fair Market Value	School Capital Impact Fee	Total Fees
100,000	0.00	0.00
102,500	0.00	0.00
105,000	0.00	0.00
107,500	0.00	0.00
110,000	0.00	0.00
112,500	0.00	0.00
115,000	0.00	0.00
117,500	0.00	0.00
120,000	0.00	0.00
122,500	0.00	0.00
125,000	0.00	0.00

RKD

19-Nov-01

Oswego Community Unit School District #308
Development Impact Fee Data Table

School District #308
School Site Impact Fee: 0.00

Attached Single Family Dwelling
Three Bedroom

Fair Market Value	School Capital Impact Fee	Total Fees
100,000	855.76	855.76
102,500	752.64	752.64
105,000	649.53	649.53
107,500	546.41	546.41
110,000	443.30	443.30
112,500	340.18	340.18
115,000	237.07	237.07
117,500	133.95	133.95
120,000	30.83	30.83
122,500	0.00	0.00
125,000	0.00	0.00

RKD

19-Nov-01

Oswego Community Unit School District #308
Development Impact Fee Data Table

School District #308
School Site Impact Fee: 0.00

Attached Single Family Dwelling
Four Bedroom

Fair Market Value	School Capital Impact Fee	Total Fees
100,000	4,716.42	4,716.42
102,500	4,613.31	4,613.31
105,000	4,510.19	4,510.19
107,500	4,407.08	4,407.08
110,000	4,303.96	4,303.96
112,500	4,200.84	4,200.84
115,000	4,097.73	4,097.73
117,500	3,994.61	3,994.61
120,000	3,891.50	3,891.50
122,500	3,788.38	3,788.38
125,000	3,685.27	3,685.27
127,500	3,582.15	3,582.15
130,000	3,479.04	3,479.04
132,500	3,375.92	3,375.92
135,000	3,272.81	3,272.81
137,500	3,169.69	3,169.69
140,000	3,066.57	3,066.57
142,500	2,963.46	2,963.46
145,000	2,860.34	2,860.34
147,500	2,757.23	2,757.23
150,000	2,654.11	2,654.11
152,500	2,551.00	2,551.00
155,000	2,447.88	2,447.88
157,500	2,344.77	2,344.77
160,000	2,241.65	2,241.65
162,500	2,138.54	2,138.54
165,000	2,035.42	2,035.42
167,500	1,932.30	1,932.30
170,000	1,829.19	1,829.19
172,500	1,726.07	1,726.07
175,000	1,622.96	1,622.96

RKD

19-Nov-01

Oswego Community Unit School District #308
Development Impact Fee Data Table

School District #308
School Site Impact Fee: 0.00

Attached Single Family Dwelling
Four Bedroom

Fair Market Value	School Capital Impact Fee	Total Fees
177,500	1,519.84	1,519.84
180,000	1,416.73	1,416.73
182,500	1,313.61	1,313.61
185,000	1,210.50	1,210.50
187,500	1,107.38	1,107.38
190,000	1,004.26	1,004.26
192,500	901.15	901.15
195,000	798.03	798.03
197,500	694.92	694.92
200,000	591.80	591.80
202,500	488.69	488.69
205,000	385.57	385.57
207,500	282.46	282.46
210,000	179.34	179.34
212,500	76.23	76.23
215,000	0.00	0.00

RKD

19-Nov-01

Oswego Community Unit School District #308
Development Impact Fee Data Table

School District #308
School Site Impact Fee: 0.00

Multiple Family Dwelling
Zero Bedroom

Fair Market Value	School Capital Impact Fee	Total Fees
100,000	0.00	0.00
102,500	0.00	0.00
105,000	0.00	0.00
107,500	0.00	0.00
110,000	0.00	0.00
112,500	0.00	0.00
115,000	0.00	0.00
117,500	0.00	0.00
120,000	0.00	0.00
122,500	0.00	0.00
125,000	0.00	0.00

RKD

19-Nov-01

Oswego Community Unit School District #308
Development Impact Fee Data Table

School District #308
School Site Impact Fee: 0.00

Multiple Family Dwelling
One Bedroom

Fair Market Value	School Capital Impact Fee	Total Fees
100,000	0.00	0.00
102,500	0.00	0.00
105,000	0.00	0.00
107,500	0.00	0.00
110,000	0.00	0.00
112,500	0.00	0.00
115,000	0.00	0.00
117,500	0.00	0.00
120,000	0.00	0.00
122,500	0.00	0.00
125,000	0.00	0.00

RKD

19-Nov-01

Oswego Community Unit School District #308
Development Impact Fee Data Table

School District #308
School Site Impact Fee: 0.00

Multiple Family Dwelling
Two Bedroom

Fair Market Value	School Capital Impact Fee	Total Fees
100,000	0.00	0.00
102,500	0.00	0.00
105,000	0.00	0.00
107,500	0.00	0.00
110,000	0.00	0.00
112,500	0.00	0.00
115,000	0.00	0.00
117,500	0.00	0.00
120,000	0.00	0.00
122,500	0.00	0.00
125,000	0.00	0.00

RKD

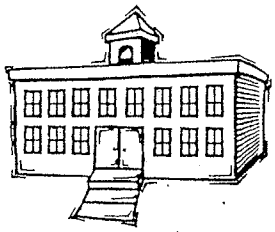
Oswego Community Unit School District #308
Development Impact Fee Data Table

School District #308
School Site Impact Fee: 0.00

Multiple Family Dwelling
Three Bedroom

Fair Market Value	School Capital Impact Fee	Total Fees
100,000	2,029.12	2,029.12
102,500	1,926.01	1,926.01
105,000	1,822.89	1,822.89
107,500	1,719.78	1,719.78
110,000	1,616.66	1,616.66
112,500	1,513.55	1,513.55
115,000	1,410.43	1,410.43
117,500	1,307.32	1,307.32
120,000	1,204.20	1,204.20
122,500	1,101.08	1,101.08
125,000	997.97	997.97
127,500	894.85	894.85
130,000	791.74	791.74
132,500	688.62	688.62
135,000	585.51	585.51
137,500	482.39	482.39
140,000	379.28	379.28
142,500	276.16	276.16
145,000	173.05	173.05
147,500	69.93	69.93
150,000	0.00	0.00

Development Impact Fee
Data Tables - Series 2
Oswego Community Unit School District #308

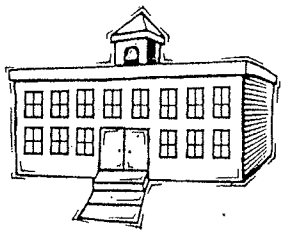


Prepared for
Oswego Community Unit School District #308

Prepared by
Center for Governmental Studies
Northern Illinois University

November 2001

Development Impact Fee
Data Tables - Series 2
Oswego Community Unit School District #308



Prepared for
Oswego Community Unit School District #308

Prepared by
Center for Governmental Studies
Northern Illinois University

November 2001

Development Impact Fee Data Tables

The Development Impact Fee Data Tables that accompany this correspondence represent the findings of a comprehensive analysis structured specifically to reflect the impacts of residential development on Oswego Community Unit School District #308. The school district has provided various items of information in support of the preparation of the tables including capital budget and capital improvement programming information. As a result, the tables should represent a reasonably accurate indication of the true impact of new development. However, use of the tables is appropriate only to the extent that the user adheres to the basic principles of development impact fee application. These general principles include, but are not limited to, the following:

1. Development impact fee revenues should be directed to capital improvement projects, not to operational expenses.

2. Development impact fee revenues should be accounted for separately with expenditures directed to new facilities designed to benefit those who have paid the fees. Development impact fee revenues should not be directed to the maintenance of existing facilities designed to benefit existing residents.

3. Development impact fee revenues should be expended within a reasonable period of time. If possible, these time periods should be reflected in capital project scheduling included in an adopted capital improvement budget or capital improvement program.

4. The collection of development impact fees based upon data included in or provided from an adopted capital improvement budget or capital improvement program implies a commitment on the part of the school district to pursue the capital facility projects included in that budget or program.

5. The development impact fee data tables should be updated on a regular basis.

Questions regarding the use of the development impact fee data tables should be directed to Roger Dahlstrom at the Center for Governmental Studies, Northern Illinois University (815) 753-0932.

RKD

19-Nov-01

Oswego Community Unit School District #308
Development Impact Fee Data Table

School District #308
School Site Impact Fee: 405.08

Detached Single Family Dwelling
Two Bedroom

Fair Market Value	School Capital Impact Fee	Total Fees
100,000	0.00	405.08
102,500	0.00	405.08
105,000	0.00	405.08
107,500	0.00	405.08
110,000	0.00	405.08
112,500	0.00	405.08
115,000	0.00	405.08
117,500	0.00	405.08
120,000	0.00	405.08
122,500	0.00	405.08
125,000	0.00	405.08

RKD

19-Nov-01

Oswego Community Unit School District #308
Development Impact Fee Data Table

School District #308
School Site Impact Fee: 1,492.15

Detached Single Family Dwelling
Three Bedroom

Fair Market Value	School Capital Impact Fee	Total Fees
100,000	5,713.98	7,206.13
102,500	5,610.86	7,103.01
105,000	5,507.75	6,999.90
107,500	5,404.63	6,896.78
110,000	5,301.51	6,793.66
112,500	5,198.40	6,690.55
115,000	5,095.28	6,587.43
117,500	4,992.17	6,484.32
120,000	4,889.05	6,381.20
122,500	4,785.94	6,278.09
125,000	4,682.82	6,174.97
127,500	4,579.71	6,071.86
130,000	4,476.59	5,968.74
132,500	4,373.47	5,865.62
135,000	4,270.36	5,762.51
137,500	4,167.24	5,659.39
140,000	4,064.13	5,556.28
142,500	3,961.01	5,453.16
145,000	3,857.90	5,350.05
147,500	3,754.78	5,246.93
150,000	3,651.67	5,143.82
152,500	3,548.55	5,040.70
155,000	3,445.44	4,937.59
157,500	3,342.32	4,834.47
160,000	3,239.20	4,731.35
162,500	3,136.09	4,628.24
165,000	3,032.97	4,525.12
167,500	2,929.86	4,422.01
170,000	2,826.74	4,318.89
172,500	2,723.63	4,215.78
175,000	2,620.51	4,112.66

RKD

19-Nov-01

Oswego Community Unit School District #308
Development Impact Fee Data Table

School District #308
School Site Impact Fee: 1,492.15

Detached Single Family Dwelling
Three Bedroom

Fair Market Value	School Capital Impact Fee	Total Fees
177,500	2,517.40	4,009.55
180,000	2,414.28	3,906.43
182,500	2,311.17	3,803.32
185,000	2,208.05	3,700.20
187,500	2,104.93	3,597.08
190,000	2,001.82	3,493.97
192,500	1,898.70	3,390.85
195,000	1,795.59	3,287.74
197,500	1,692.47	3,184.62
200,000	1,589.36	3,081.51
202,500	1,486.24	2,978.39
205,000	1,383.13	2,875.28
207,500	1,280.01	2,772.16
210,000	1,176.90	2,669.05
212,500	1,073.78	2,565.93
215,000	970.66	2,462.81
217,500	867.55	2,359.70
220,000	764.43	2,256.58
222,500	661.32	2,153.47
225,000	558.20	2,050.35
227,500	455.09	1,947.24
230,000	351.97	1,844.12
232,500	248.86	1,741.01
235,000	145.74	1,637.89
237,500	42.63	1,534.78
240,000	0.00	1,492.15

RKD

19-Nov-01

Oswego Community Unit School District #308
Development Impact Fee Data Table

School District #308
School Site Impact Fee: 2,485.31

Detached Single Family Dwelling
Four Bedroom

Fair Market Value	School Capital Impact Fee	Total Fees
100,000	11,699.30	14,184.61
102,500	11,596.19	14,081.50
105,000	11,493.07	13,978.38
107,500	11,389.95	13,875.26
110,000	11,286.84	13,772.15
112,500	11,183.72	13,669.03
115,000	11,080.61	13,565.92
117,500	10,977.49	13,462.80
120,000	10,874.38	13,359.69
122,500	10,771.26	13,256.57
125,000	10,668.15	13,153.46
127,500	10,565.03	13,050.34
130,000	10,461.92	12,947.23
132,500	10,358.80	12,844.11
135,000	10,255.68	12,740.99
137,500	10,152.57	12,637.88
140,000	10,049.45	12,534.76
142,500	9,946.34	12,431.65
145,000	9,843.22	12,328.53
147,500	9,740.11	12,225.42
150,000	9,636.99	12,122.30
152,500	9,533.88	12,019.19
155,000	9,430.76	11,916.07
157,500	9,327.64	11,812.95
160,000	9,224.53	11,709.84
162,500	9,121.41	11,606.72
165,000	9,018.30	11,503.61
167,500	8,915.18	11,400.49
170,000	8,812.07	11,297.38
172,500	8,708.95	11,194.26
175,000	8,605.84	11,091.15

RKD

19-Nov-01

Oswego Community Unit School District #308
Development Impact Fee Data Table

School District #308
School Site Impact Fee: 2,485.31

Detached Single Family Dwelling
Four Bedroom

Fair Market Value	School Capital Impact Fee	Total Fees
177,500	8,502.72	10,988.03
180,000	8,399.61	10,884.92
182,500	8,296.49	10,781.80
185,000	8,193.37	10,678.68
187,500	8,090.26	10,575.57
190,000	7,987.14	10,472.45
192,500	7,884.03	10,369.34
195,000	7,780.91	10,266.22
197,500	7,677.80	10,163.11
200,000	7,574.68	10,059.99
202,500	7,471.57	9,956.88
205,000	7,368.45	9,853.76
207,500	7,265.34	9,750.65
210,000	7,162.22	9,647.53
212,500	7,059.10	9,544.41
215,000	6,955.99	9,441.30
217,500	6,852.87	9,338.18
220,000	6,749.76	9,235.07
222,500	6,646.64	9,131.95
225,000	6,543.53	9,028.84
227,500	6,440.41	8,925.72
230,000	6,337.30	8,822.61
232,500	6,234.18	8,719.49
235,000	6,131.07	8,616.38
237,500	6,027.95	8,513.26
240,000	5,924.83	8,410.14
242,500	5,821.72	8,307.03
245,000	5,718.60	8,203.91
247,500	5,615.49	8,100.80
250,000	5,512.37	7,997.68
252,500	5,409.26	7,894.57

RKD

19-Nov-01

Oswego Community Unit School District #308
Development Impact Fee Data Table

School District #308
School Site Impact Fee: 2,485.31

Detached Single Family Dwelling
Four Bedroom

Fair Market Value	School Capital Impact Fee	Total Fees
255,000	5,306.14	7,791.45
257,500	5,203.03	7,688.34
260,000	5,099.91	7,585.22
262,500	4,996.79	7,482.10
265,000	4,893.68	7,378.99
267,500	4,790.56	7,275.87
270,000	4,687.45	7,172.76
272,500	4,584.33	7,069.64
275,000	4,481.22	6,966.53
277,500	4,378.10	6,863.41
280,000	4,274.99	6,760.30
282,500	4,171.87	6,657.18
285,000	4,068.76	6,554.07
287,500	3,965.64	6,450.95
290,000	3,862.52	6,347.83
292,500	3,759.41	6,244.72
295,000	3,656.29	6,141.60
297,500	3,553.18	6,038.49
300,000	3,450.06	5,935.37
302,500	3,346.95	5,832.26
305,000	3,243.83	5,729.14
307,500	3,140.72	5,626.03
310,000	3,037.60	5,522.91
312,500	2,934.49	5,419.80
315,000	2,831.37	5,316.68
317,500	2,728.25	5,213.56
320,000	2,625.14	5,110.45
322,500	2,522.02	5,007.33
325,000	2,418.91	4,904.22
327,500	2,315.79	4,801.10
330,000	2,212.68	4,697.99

RKD

19-Nov-01

Oswego Community Unit School District #308
Development Impact Fee Data Table

School District #308
School Site Impact Fee: 2,485.31

Detached Single Family Dwelling
Four Bedroom

Fair Market Value	School Capital Impact Fee	Total Fees
332,500	2,109.56	4,594.87
335,000	2,006.45	4,491.76
337,500	1,903.33	4,388.64
340,000	1,800.22	4,285.53
342,500	1,697.10	4,182.41
345,000	1,593.98	4,079.29
347,500	1,490.87	3,976.18
350,000	1,387.75	3,873.06
352,500	1,284.64	3,769.95
355,000	1,181.52	3,666.83
357,500	1,078.41	3,563.72
360,000	975.29	3,460.60
362,500	872.18	3,357.49
365,000	769.06	3,254.37
367,500	665.94	3,151.25
370,000	562.83	3,048.14
372,500	459.71	2,945.02
375,000	356.60	2,841.91
377,500	253.48	2,738.79
380,000	150.37	2,635.68
382,500	47.25	2,532.56
385,000	0.00	2,485.31

RKD

19-Nov-01

Oswego Community Unit School District #308
Development Impact Fee Data Table

School District #308
School Site Impact Fee: 1,910.62

Detached Single Family Dwelling
Five Bedroom

Fair Market Value	School Capital Impact Fee	Total Fees
100,000	7,877.50	9,788.12
102,500	7,774.39	9,685.01
105,000	7,671.27	9,581.89
107,500	7,568.16	9,478.78
110,000	7,465.04	9,375.66
112,500	7,361.93	9,272.55
115,000	7,258.81	9,169.43
117,500	7,155.69	9,066.31
120,000	7,052.58	8,963.20
122,500	6,949.46	8,860.08
125,000	6,846.35	8,756.97
127,500	6,743.23	8,653.85
130,000	6,640.12	8,550.74
132,500	6,537.00	8,447.62
135,000	6,433.89	8,344.51
137,500	6,330.77	8,241.39
140,000	6,227.66	8,138.28
142,500	6,124.54	8,035.16
145,000	6,021.42	7,932.04
147,500	5,918.31	7,828.93
150,000	5,815.19	7,725.81
152,500	5,712.08	7,622.70
155,000	5,608.96	7,519.58
157,500	5,505.85	7,416.47
160,000	5,402.73	7,313.35
162,500	5,299.62	7,210.24
165,000	5,196.50	7,107.12
167,500	5,093.38	7,004.00
170,000	4,990.27	6,900.89
172,500	4,887.15	6,797.77
175,000	4,784.04	6,694.66

RKD

Oswego Community Unit School District #308
Development Impact Fee Data Table

School District #308
School Site Impact Fee: 1,910.62

Detached Single Family Dwelling
Five Bedroom

Fair Market Value	School Capital Impact Fee	Total Fees
177,500	4,680.92	6,591.54
180,000	4,577.81	6,488.43
182,500	4,474.69	6,385.31
185,000	4,371.58	6,282.20
187,500	4,268.46	6,179.08
190,000	4,165.35	6,075.97
192,500	4,062.23	5,972.85
195,000	3,959.11	5,869.73
197,500	3,856.00	5,766.62
200,000	3,752.88	5,663.50
202,500	3,649.77	5,560.39
205,000	3,546.65	5,457.27
207,500	3,443.54	5,354.16
210,000	3,340.42	5,251.04
212,500	3,237.31	5,147.93
215,000	3,134.19	5,044.81
217,500	3,031.08	4,941.70
220,000	2,927.96	4,838.58
222,500	2,824.84	4,735.46
225,000	2,721.73	4,632.35
227,500	2,618.61	4,529.23
230,000	2,515.50	4,426.12
232,500	2,412.38	4,323.00
235,000	2,309.27	4,219.89
237,500	2,206.15	4,116.77
240,000	2,103.04	4,013.66
242,500	1,999.92	3,910.54
245,000	1,896.81	3,807.43
247,500	1,793.69	3,704.31
250,000	1,690.57	3,601.19
252,500	1,587.46	3,498.08

19-Nov-01

Oswego Community Unit School District #308
Development Impact Fee Data Table

School District #308
School Site Impact Fee: 1,910.62

Detached Single Family Dwelling
Five Bedroom

Fair Market Value	School Capital Impact Fee	Total Fees
255,000	1,484.34	3,394.96
257,500	1,381.23	3,291.85
260,000	1,278.11	3,188.73
262,500	1,175.00	3,085.62
265,000	1,071.88	2,982.50
267,500	968.77	2,879.39
270,000	865.65	2,776.27
272,500	762.53	2,673.15
275,000	659.42	2,570.04
277,500	556.30	2,466.92
280,000	453.19	2,363.81
282,500	350.07	2,260.69
285,000	246.96	2,157.58
287,500	143.84	2,054.46
290,000	40.73	1,951.35
292,500	0.00	1,910.62
295,000	0.00	1,910.62

RKD

Oswego Community Unit School District #308
Development Impact Fee Data Table

School District #308
School Site Impact Fee: 0.00

Attached Single Family Dwelling
One Bedroom

Fair Market Value	School Capital Impact Fee	Total Fees
100,000	0.00	0.00
102,500	0.00	0.00
105,000	0.00	0.00
107,500	0.00	0.00
110,000	0.00	0.00
112,500	0.00	0.00
115,000	0.00	0.00
117,500	0.00	0.00
120,000	0.00	0.00
122,500	0.00	0.00
125,000	0.00	0.00

19-Nov-01

Oswego Community Unit School District #308
Development Impact Fee Data Table

School District #308
School Site Impact Fee: 363.21

Attached Single Family Dwelling
Two Bedroom

Fair Market Value	School Capital Impact Fee	Total Fees
100,000	0.00	363.21
102,500	0.00	363.21
105,000	0.00	363.21
107,500	0.00	363.21
110,000	0.00	363.21
112,500	0.00	363.21
115,000	0.00	363.21
117,500	0.00	363.21
120,000	0.00	363.21
122,500	0.00	363.21
125,000	0.00	363.21

RKD

19-Nov-01

Oswego Community Unit School District #308
Development Impact Fee Data Table

School District #308
School Site Impact Fee: 676.66

Attached Single Family Dwelling
Three Bedroom

Fair Market Value	School Capital Impact Fee	Total Fees
100,000	855.76	1,532.42
102,500	752.64	1,429.30
105,000	649.53	1,326.19
107,500	546.41	1,223.07
110,000	443.30	1,119.96
112,500	340.18	1,016.84
115,000	237.07	913.73
117,500	133.95	810.61
120,000	30.83	707.49
122,500	0.00	676.66
125,000	0.00	676.66

RKD

19-Nov-01

Oswego Community Unit School District #308
Development Impact Fee Data Table

School District #308
School Site Impact Fee: 1,336.69

Attached Single Family Dwelling
Four Bedroom

Fair Market Value	School Capital Impact Fee	Total Fees
100,000	4,716.42	6,053.11
102,500	4,613.31	5,950.00
105,000	4,510.19	5,846.88
107,500	4,407.08	5,743.77
110,000	4,303.96	5,640.65
112,500	4,200.84	5,537.53
115,000	4,097.73	5,434.42
117,500	3,994.61	5,331.30
120,000	3,891.50	5,228.19
122,500	3,788.38	5,125.07
125,000	3,685.27	5,021.96
127,500	3,582.15	4,918.84
130,000	3,479.04	4,815.73
132,500	3,375.92	4,712.61
135,000	3,272.81	4,609.50
137,500	3,169.69	4,506.38
140,000	3,066.57	4,403.26
142,500	2,963.46	4,300.15
145,000	2,860.34	4,197.03
147,500	2,757.23	4,093.92
150,000	2,654.11	3,990.80
152,500	2,551.00	3,887.69
155,000	2,447.88	3,784.57
157,500	2,344.77	3,681.46
160,000	2,241.65	3,578.34
162,500	2,138.54	3,475.23
165,000	2,035.42	3,372.11
167,500	1,932.30	3,268.99
170,000	1,829.19	3,165.88
172,500	1,726.07	3,062.76
175,000	1,622.96	2,959.65

RKD

19-Nov-01

Oswego Community Unit School District #308
Development Impact Fee Data Table

School District #308
School Site Impact Fee: 1,336.69

Attached Single Family Dwelling
Four Bedroom

Fair Market Value	School Capital Impact Fee	Total Fees
177,500	1,519.84	2,856.53
180,000	1,416.73	2,753.42
182,500	1,313.61	2,650.30
185,000	1,210.50	2,547.19
187,500	1,107.38	2,444.07
190,000	1,004.26	2,340.95
192,500	901.15	2,237.84
195,000	798.03	2,134.72
197,500	694.92	2,031.61
200,000	591.80	1,928.49
202,500	488.69	1,825.38
205,000	385.57	1,722.26
207,500	282.46	1,619.15
210,000	179.34	1,516.03
212,500	76.23	1,412.92
215,000	0.00	1,336.69

RKD

Oswego Community Unit School District #308
Development Impact Fee Data Table

School District #308
School Site Impact Fee: 0.00

Multiple Family Dwelling
Zero Bedroom

Fair Market Value	School Capital Impact Fee	Total Fees
100,000	0.00	0.00
102,500	0.00	0.00
105,000	0.00	0.00
107,500	0.00	0.00
110,000	0.00	0.00
112,500	0.00	0.00
115,000	0.00	0.00
117,500	0.00	0.00
120,000	0.00	0.00
122,500	0.00	0.00
125,000	0.00	0.00

Oswego Community Unit School District #308
Development Impact Fee Data Table

School District #308
School Site Impact Fee: 8.27

Multiple Family Dwelling
One Bedroom

Fair Market Value	School Capital Impact Fee	Total Fees
100,000	0.00	8.27
102,500	0.00	8.27
105,000	0.00	8.27
107,500	0.00	8.27
110,000	0.00	8.27
112,500	0.00	8.27
115,000	0.00	8.27
117,500	0.00	8.27
120,000	0.00	8.27
122,500	0.00	8.27
125,000	0.00	8.27

19-Nov-01

Oswego Community Unit School District #308
Development Impact Fee Data Table

School District #308
School Site Impact Fee: 359.10

Multiple Family Dwelling
Two Bedroom

Fair Market Value	School Capital Impact Fee	Total Fees
100,000	0.00	359.10
102,500	0.00	359.10
105,000	0.00	359.10
107,500	0.00	359.10
110,000	0.00	359.10
112,500	0.00	359.10
115,000	0.00	359.10
117,500	0.00	359.10
120,000	0.00	359.10
122,500	0.00	359.10
125,000	0.00	359.10

RKD

19-Nov-01

Oswego Community Unit School District #308
Development Impact Fee Data Table

School District #308
School Site Impact Fee: 987.52

Multiple Family Dwelling Three Bedroom		
Fair Market Value	School Capital Impact Fee	Total Fees
100,000	2,029.12	3,016.64
102,500	1,926.01	2,913.53
105,000	1,822.89	2,810.41
107,500	1,719.78	2,707.30
110,000	1,616.66	2,604.18
112,500	1,513.55	2,501.07
115,000	1,410.43	2,397.95
117,500	1,307.32	2,294.84
120,000	1,204.20	2,191.72
122,500	1,101.08	2,088.60
125,000	997.97	1,985.49
127,500	894.85	1,882.37
130,000	791.74	1,779.26
132,500	688.62	1,676.14
135,000	585.51	1,573.03
137,500	482.39	1,469.91
140,000	379.28	1,366.80
142,500	276.16	1,263.68
145,000	173.05	1,160.57
147,500	69.93	1,057.45
150,000	0.00	987.52

RKD

Original

City of Aurora

Mayor's Office, 44 E. Downer Place. Aurora, Illinois 60507-2067 (630) 844-3612 FAX (630) 892-8967

David L. Stover
Mayor

September 26, 2003

TO: Finance Committee:
Alderman Bob O'Connor, Chairman
Alderman Chuck Nelson
Alderman Abby Schuler

FROM: Rick Todas, Chief of Staff R.T.

RE: Resolution Approving Intergovernmental Agreement with Oswego Community Unit School District No. 308 Regarding Impact Fees

I am forwarding to you correspondence and a Recommendation on the above referenced matter.

Please have the members of your committee review this matter and make a recommendation to the City Council.

RT/rp
Enclosures

c: Alderman Scheketa Hart-Burns

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F03.286

RECOMMENDATION

TO: THE COMMITTEE OF THE WHOLE

FROM: THE FINANCE COMMITTEE

The Finance Committee At Their Meeting On Wednesday, October 1, 2003

Recommended **APPROVAL** of a Resolution Approving Intergovernmental Agreement with Oswego Community Unit School District No. 308 Regarding Impact Fees

The Vote 3-0

Submitted By_____
Alderman Robert O'Connor, Chairman

Alderman Chuck Nelson,

Alderman Abby Schuler

Alderman Scheketa Hart-Burns, Alternate,

Dated This 2nd Day Of October ,2003.

EHLERS
LEADERS IN PUBLIC FINANCE

October 15, 2015

Study of Oswego Area Development Impact Fees: Findings & Recommendations

Village of Oswego, Illinois

Prepared by:

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LEADERS IN PUBLIC FINANCE
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Maureen Barry
Municipal Advisor

Study of Oswego Area Development Impact Fees: Findings & Recommendations
Village of Oswego, Illinois

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APPENDICES

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Appendix 3: Summary of Developer Interviews

Appendix 4: Pro forma Analysis of Impact Fees on Financial Feasibility of Single Family Residential Development

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Appendix 6: Land Valuation Studies Appraisal for 1-acre of Undeveloped Residential Land and Engineer's Opinion of Cost

Ehlers offers this summary overview of our findings and recommendations from our evaluation of the Village's current level of impact fees when compared to both capital needs resulting from new development as well as the competitive development market in the surrounding competitive communities. The proposed methodology for establishing and implementing development impact fees (DIFs) based on capital costs, market conditions, and population/ housing starts projections was reviewed at a meeting with representatives from the taxing districts on July 28, 2015. The summary of our findings and recommendations have been incorporated into this analysis and narrative report.

Background

In August 2014, the Village of Oswego engaged Ehlers to conduct a review of its existing development impact fees imposed on developers, consider potential revisions, and recommend action. While Ehlers has an agreement with the Village, the scope of services includes a cooperative review of the impact fees of other local government agencies in the area, all of which agreed to commission, fund, and participate in the study. They include School District 308, Oswegoland Park District, Oswego Public Library District, and Oswego Fire Protection District.

The Village's permit activity has slowed in recent years due to the downturn in the economy and because Oswego's impact fees are significantly higher than those of the surrounding communities. The taxing bodies agreed that it was important that action be taken to stimulate continued residential growth in the community to financially support facilities and infrastructure that have already been put in place and to fulfill the Village's vision for planned growth.

The Village's goal for the study was to create a simple and reasonable method for calculating and implementing fees that defray all or a portion of capital costs associated with new development while at the same encouraging private residential development as evidenced by increased building permit activity.

The original scope of work included a review of existing development fee schedules. As we worked through the materials, it became apparent that our time would be better spent on establishing a new approach and methodology for assessing and implementing impact fees rather than analyzing the current process, which the Village and Consultant agreed was neither effective nor sustainable.

In an effort to address these considerations, Ehlers conducted an analysis evaluating the current capital budgets for each of the taxing districts to evaluate the capital needs based on anticipated residential development. Ehlers also conducted interviews with area developers and surveyed surrounding competitive communities to get a better sense of what the market will bear in terms of development fees.

This analysis and narrative evaluates the potential range of development impact fees that could be justified by anticipated future residential growth, while recognizing that the fee levels need to be financially viable to real estate development projects. The Village should use this opportunity to streamline the fee structure and administrative guidelines to make it easy to understand by the

development community as well as the Village staff and elected officials. A simplified structure should also be incorporated for regular reviews of key data points that drive impact fees. These changes will dramatically improve the Village Staff's ability to easily implement and collect fees on a regular basis. This would also facilitate the development process from the developers' perspective and could make Oswego the community of choice for area builders.

Conclusions & Recommendations

The analysis indicates that there is a direct relationship between local DIFs and the financial feasibility of residential development projects. In short, the marketplace will only pay a certain level of local fees in order to build in a particular location. With respect to development, construction and financing costs, they too are tied to the market. The Village cannot control the marketplace with respect to these factors. The other key components in real estate development are the local land use regulations and government sponsored economic incentive programs, which are directly within the Village's purview. The following is a summary of conclusions and recommendations that can be drawn from the analysis of the taxing districts' capital plans, interviews with the real estate development community, and a survey of DIFs of the surrounding competitive communities.

- **Oswego's Current DIFs are Among the Highest in the Area.** After the various annexation agreements expire, Oswego will have some of the highest DIFs among area communities at around $39,000. Based on our survey of surrounding communities and interviews with developers, DIFs range from about $5,000 – $15,000 and many communities total about $16,000 – $17,000 including building permit fees, with a couple in the range of about $29,000 to $35,000. Oswego must consider alternatives to reduce fees or they risk losing significant investment from the residential development community who will seek opportunities in competitive communities.

- **DIFs Should be in Line with the Market.** The Village's permit activity has slowed in recent years due to the downturn in the economy and because Oswego's impact fees are significantly higher than those of the surrounding communities (see first conclusion). This observation was also made by the developers interviewed for this analysis and further supported by our survey of impact fees of competitive communities. The Village should recognize the "going market" for fees as they relate to the financial feasibility of a residential development project. The developer is constrained by budget items including construction and financing costs and cannot afford to pay higher DIFs in certain markets including Oswego because they cannot pass the additional cost on to the buyers. Because these budget items are market driven, they are subject to yearly changes and therefore should be reviewed by the Village regularly.

- **The DIF Process Must be Easy to Understand.** The Village and Ehlers agree that the current process for calculating and implementing DIFs is neither effective nor sustainable. The same feedback was received from the development community. It is imperative that the Village staff be able to clearly articulate the fees and guide the developer through the process. Therefore, the Village should endeavor to create a *simple and reasonable method* for calculating and implementing fees that defray all or a portion

of capital costs associated with new development, while at the same time encouraging private residential development as evidenced by increased building permit activity.

- **The Village Should Consider Streamlining the DIF Payment Process.** This study provides the Village the opportunity to revisit and revise their current fee structure and also how they administer and collect fees. Currently, the Developer must pay a number of fees to each taxing district and then bring proof of payment to the Village before securing a building permit. This is a cumbersome process and one that can be improved upon, thereby supporting the Village's goals to truly be business friendly as well as a more competitive place to do business with respect to the surrounding communities.

  We recommend the Village be the "one stop" for developers to pay the three fees outlined above. The Village would be responsible for paying the pro rata share of fees to each of the districts in addition to any land/cash monies. In order to reduce administrative burden and expense, the Village could potentially make payments on a scheduled basis, i.e. quarterly, rather than on a per development basis.

- **The Village Should Demonstrate that Oswego is "Open for Business".** Revising the impact fee structure, amount, and process will go a long way in terms of the Village Staff's ability to more easily implement and collect fees on a regular basis. This could also elevate the Village's image in a competitive residential marketplace by making improvements to facilitate the process from the developers' perspective. The Village should take the opportunity to capitalize on their effort to revise their impact fee structure and process through proactive outreach to the development community and media outlets. This in turn could be a driver in making Oswego the community of choice for area builders.

  The results of our survey of competitive communities, as defined later in this report, indicates that some have many categories of impact fees and require developers to pay these fees separately before they can secure a building permit. In addition, feedback from the developer interviews indicated that there is a large quantity of unfinished lot inventory in the surrounding communities and that they are inclined to build where impact fees are the lowest and with the least complication in terms of process. The more the Village can do to break away from their current image as one of the most expensive and confusing places to do business with respect to DIFs, the more the development community will see them as a place to invest.

- **Consider Establishing a Fee "Ceiling" for DIFs.** It is important for the Village to establish a clear framework and methodology to support the need for development impact fees. We propose utilizing the capital budgets for the taxing districts as a baseline for determining certain capital costs that are attributable to anticipated future growth. The capital budgets provide a rational basis as they are rooted in professional cost estimates and are accessible for review by the public and are approved by the boards of the respective taxing districts.

- **Consider Establishing a Fee "Reality" for DIFs.** The Village must also be cognizant of the current residential real estate and development market conditions as well as the DIF levels and processes of competitive communities. These factors will ultimately drive the decisions of private developers to invest in Oswego versus other communities, assuming that all other locational and market factors such as quality of schools, construction materials and labor costs, and selling prices are similar. Ideally, the fee "ceiling" and the fee "reality" will be the same or very close. In instances where the ceiling exceeds the reality of what a municipality can realistically charge a developer, the fee will obstruct the desired development, regardless of the community's capital needs.

Overview of Study

In addition to evaluating DIFs in relation to capital costs attributed to new development, understanding the connection between the community's DIF structure, process, and regulations to the financial feasibility of a residential development project is critical. Considering whether or not the community can successfully attract and retain private investment from the real estate development community is particularly important in communities that are competing for a similar group of developers and builders. Assuming other locational and market factors are the same or similar, developers will work in those communities where they can achieve a reasonable rate of return on their investment with the least amount of administrative burden.

The goals of this study were to:

- Provide an overall approach to structuring a new methodology for evaluating and establishing development impact fees.
- Serve as a general guide to the appropriate level of development impact fees that would likely be acceptable to the market place as evidenced by increased new single family residential construction building permit activity.
- Create a framework for a revised Ordinance for the provision of development impact fees on an ongoing basis.
- Provide updated appraisal and development cost estimates for one acre of residential land within the Village of Oswego for purposes of updating the land value as it relates to the Village's Land/Cash Ordinance.
- Demonstrate the relationship between development impact fees with respect to the financial feasibility of a single family residential development project.

Having completed our study, this resulting report does **not**:

- Provide cost estimates for any proposed projects.
- Evaluate or determine market preferences or market viability of any particular development proposal or land use scenario in the Village of Oswego.

The following section explains the approach and methodology we used to achieve the study's goals and arrive at our recommendations.

Approach & Methodology

Evaluation of Capital Needs. Each agency provided information on potential projects, equipment and other costs related to growth. Ehlers compiled and reviewed this information with each agency. Costs were evaluated over a 25 year period. The Village provided a 20 year Capital Plan, which we modeled out to 25 years and the other agencies provided their plans with varying timeframes ranging from 5 – 20 years. The purpose of Ehlers' evaluation of the capital plans was to verify service due to growth, potential costs, and when the service may occur. Ehlers assumed multiple bond issuances for financing capital costs that could potentially be covered in whole or in part by DIF due to growth. The annual debt service for those costs related to new growth were totaled for all taxing districts and divided by the projected housing starts to arrive at a per unit impact fee. Because capital needs and costs are subject to changes, we recommend the taxing districts review and revise their respective capital plans on a regular basis and work with Ehlers to update the Capital Costs model as needed.

Evaluation of Current Market Conditions. Recognizing the importance of the sensitivity of various fees and costs to the financial feasibility of a residential development project, Ehlers incorporated an evaluation of the current market conditions that the real estate development community will consider when determining where to invest and build. This included interviews with developers that are currently active in the Oswego market. Using feedback from the developers as well as Ehlers' knowledge of market factors, we created a basic pro forma budget for a single family home and tested the sensitivity of various levels of DIF to the overall profitability of a project. We also surveyed surrounding competitive communities to gauge DIF levels and process as compared to Oswego. Conclusions from these data sources were used to develop our recommendation for DIF as well as changes to the process for determining and implementing the collection of fees going forward.

Review and Discussion with Stakeholders. All of the taxing districts had agreed to commission, fund and participate in the study. Preliminary review of this approach and methodology was presented and discussed with representatives from the taxing districts during a meeting on July 28, 2015. There was a general consensus on the approach and methodology, tempered by the understanding that additional information would be forthcoming with respect to modifications to the capital costs included in the fee basis, as well as an understanding of the pro rata fees to each district. There was a consensus on the approach and methodology, which were then further developed are incorporated into this report.

Methodology

The proposed methodology is based on three primary components which then as a fourth item should be revisited regularly going forward:

1. Capital Improvement Plans (Associated Annual Debt Service) – *Impact Fee "Ceiling"*
2. Market Conditions – *Impact Fee "Reality"*
3. Housing Starts Projections
4. Revisit/Revise on an On-Going Basis

These items are explained in further detail in this section:

1. Capital Improvement Plan & Housing Start Projections: *Impact Fee "Ceiling"*
    - Determine which capital cost items will be included in the fees that could be defrayed in whole or in part by development impact fees. Ehlers included initial assumptions on cost items to be included. These items were reviewed by each taxing district and modified per direction from the Village and other districts. We have currently modeled annual debt service assumptions (excluding the actual annual debt service for the school district) for those costs associated with construction, renovation, and other capital improvements.
    - Calculate impact fee unit based on current housing starts projections as prepared by the Village (current projections prepared by S.B. Friedman & Company and the Village).
    - Calculate per unit fees regardless of number of bedrooms. This is geared toward simplicity as well as the recognition that the current market is geared primarily toward single family dwellings and assumes households with an average of 3 to 4 occupants.
    - Current ceiling fee based on Ehlers' assumptions and the taxing districts' review of construction/capital improvement components of the respective capital plans is approximately $25,000 per unit.
        - Note: The current capital plan components do not include the school district's current annual debt service for new construction to facilitate increased enrollment levels and future anticipated growth. Nor does it include capital items such as materials and textbooks. The Village provided an analysis estimating future annual costs for this study.

See **Appendix 1** for a summary of the capital needs for all taxing districts and **Appendix 2** for the Population and Housing Starts Projections.

2. Market Conditions and Housing Starts Projections: *Impact Fee "Reality"*

Ehlers evaluated the financial feasibility of a development project from the Developer's perspective in order to determine how impact fees affect the developers' bottom line (profit margin) as well as perceptions of the DIF process in Oswego versus surrounding competitive communities. We evaluated this by using the following approaches:

Developer Interviews. Ehlers conducted telephone interviews during May and June 2015 with area developers that are currently active in residential development and construction in and around Oswego. We reached out to a total of six developers and received responses from three of them. The purpose of the interviews was to gather feedback on current market conditions including hard and soft costs, financing terms, and target profit margins. In addition, we discussed perceptions about doing business with the Village of Oswego and surrounding competitive communities, development impact fees with respect to overall project costs and impacts to project profitability as well as locational decisions for new development projects. The following are general themes and conclusions gathered from these discussions:

- Developers would like to continue building in Oswego but will be forced to go to other communities if the DIF fees and process is not revised to be in line with other

communities and the marketplace.

- DIF and other fees are viewed as additions to land costs. In other words, developers are evaluating how much it will cost before they can get a shovel in the ground. With land costs rising, developers have less room in their budgets to pay for DIFs.
- Oswego is not unique among the surrounding competitive communities. Therefore, developers will build where the fees and land prices are lowest.
- Oswego's DIF process is confusing.

Summaries of the interviews can be found in **Appendix 3.**

Pro forma Budget for Residential Development. Ehlers conducted an analysis evaluating a hypothetical single family home development with three different square footages. The hypothetical home is based on a current development and provides an accurate representation of a housing type that is currently prevalent in the Village and surrounding communities. Each project was evaluated to get a general sense of the financial feasibility of the project. From the developer's perspective, a project that is financially feasible is one that yields a rate of return that is consistent with the project's goals and investment requirements. In order to gauge the financial feasibility of the hypothetical project, general industry assumptions of construction costs and revenues were applied for single family residential development. This information was supplemented with information gathered from our interviews with area developers. For purposes of this analysis, we evaluated the profit margins as appropriate.

We prepared two pro forma budgets using the DIF as the only variable. In the first analysis, we assumed per unit DIF of $39,000, which we understand would be the approximate fee once the Village's existing annexation agreements expire. The second analysis assumes a DIF of $15,500 per our findings from the market evaluation. A reasonable profit margin for a single family home is 10% – 15% of net retail price (what the buyer pays) for private developers. Profit margin requirements for production builders that are public companies range from 20% – 26% of sale price. The profit margins assuming the Village's current DIF of $39,000 is less than 10% in most instances. When we assume a per unit DIF of $15,500, the profit margin ranges from 15% – 18%. These analyses indicate that the Village's current DIF may hamper the developer's ability to achieve a reasonable profit margin and that a reduced fee is required in order for a developer to achieve a reasonable profit. If a developer cannot achieve the desired profit margin, they will look for other locations in which to invest.

The results of these pro formas are useful for planning purposes and to inform policy development by providing a snapshot of the major financial variables that affect feasibility in the current single family real estate development market in southwest suburban Chicagoland. They provide a high-level look at how the amount of DIF affects financial feasibility in the Oswego market, but are not applicable as, or intended to be used as, the basis for evaluating, financing, or developing any specific project. The pro formas can be found in **Appendix 4.**

Survey Competitive Communities. In addition, we evaluated other communities identified by the Village as competitive to Oswego with respect to new residential development activity and desirability from a homeowner perspective. Communities included in the survey are: New Lenox, North Aurora, Plainfield, Montgomery, Sugar Grove, and Yorkville. Ehlers contacted the building departments and/or other staff as appropriate in order to obtain information related

to the amount and collection process for DIF. Ehlers also obtained information from the municipal websites as available. Most communities provided information on total fees, which include DIF, building permit fees, and other miscellaneous fees. These total fees range from $12,000 to $35,000 per unit. By comparison, the Village of Oswego's current DIF after the expiration of various agreements is about $39,000 and building permit fees are over $12,000 for a total fee in excess of $50,000 per unit.

While evaluating building permit fees was not part of the scope of work for this study, we recognize that it is a consideration for developers when they are evaluating the investment required to get a shovel in the ground. In general, we found that the other communities' building permit fees were significantly less than Oswego's. Our understanding is that Oswego's current building permit fees are over $12,000 per unit. This amount includes $7,000 for water tap on charges. The Village has indicated that the per unit tap on fees will be about $2,200 per unit and that they wish to charge this fee separately so that it can be directly applied to the Water Enterprise Fund. If we assume the current $7,000 water tap on fee is eliminated and the $2,200 fee is included as one of the DIF categories, the building permit cost is reduced significantly. Based on our discussions with the Village, the average cost for a building permit s approximately $3,500 per unit, which is more in line with the surrounding communities. A summary of our survey of surrounding communities can be found in **Appendix 5.**

The findings from our evaluation of the market indicate that the market conditions justify what the Village can reasonably charge without deterring investment from the development community. Ideally, the market conditions for fees would meet or exceed the fees determined in the CIPs. Under the current capital improvement assumptions, the per unit DIF derived from the capital plans is approximately $25,000, which when combined with the current building permit fee of $12,000 is at the high end for total fees based on the survey of the surrounding communities. It is also higher than what developers have indicated they are willing or able to pay. Therefore, the fees should be aligned with the market conditions in order to facilitate and attract new residential development to Oswego.

3. Population and Housing Starts Projections

Ehlers recommends that projections be reviewed at least every 5 years early in the Village's fiscal year so that the capital plans can be updated in time for the budget process.

4. Review Periodically

Similarly to the above item, Ehlers recommends that the Village:

a. Review market conditions at least every 3 years.
b. Review population projections at least every 5 years.
c. Review capital plans at least every 5 years.

While the Village may not wish to include in an ordinance such a specific timeframe for review of these items, population and housing start projections, and resulting DIF fees, the new DIF Ordinance should include language that provides for periodic review by the Village as conditions warrant, such as changes in capital needs attributed to new development as well as inflation and other cyclical changes including market conditions.

Proposed Fee Structure

Based on the findings from our study, we believe that the Village should revise its impact fee structure and evaluate fees based on three primary factors:

1. Capital improvement plans of the various taxing districts.
2. Market conditions that exist within the residential real estate development community.
3. Population projections and housing starts for the community.

Based upon our research and findings, we recommend the Village adopt a streamlined fee structure that includes the following. Please note that these fees are independent of building permit fees:

- **Development Impact Fee** – includes one flat fee for Village and all taxing districts. The proposed Range of fees is $5,000 to $16,000 per unit. We have assumed and recommend a per unit fee of $15,500, or close to that figure. The $15,500 fee is inclusive of fees the Village is required to pay to the Fox Metro district and Kendall County. Approximately $9,735 of the per unit DIF could be applied to defray capital costs for the taxing districts after the required payments to Fox Metro and Kendall County. Although this impact fee is toward the high end of the range, we believe it could be viable in the market place when combined with the reduced building permit fee.
- **Water Tap On Fee (Water Capital Fund)** – The Village recently created this fund to cover costs associated with the construction of a new watershed facility. The Village's study indicates that the tap on fee is approximately $2,200 per unit. The Village prefers to make this a separate fee so it can be directly allocated to the Water Capital Fund.
- **Land/Cash Fee** – We were asked to provide a current appraisal for one acre of land for purposes of updating this portion of the Land/Cash Ordinance. Per the appraisal report prepared in March 2015, the current appraised value of one acre of unimproved land is $22,500. Engineer's Opinion of Cost to install improvements per Ordinance is $57,000. Total cost per acre = $79,500. The current appraisal and Engineer's Opinion of Cost reports can be found in **Appendix 6.**

Under this scenario, the total per unit impact fee would be $15,500 per unit (DIF+Water Tap On Fee). The Land/Cash Fee would be calculated separately and in addition to the per unit DIF Fee. Table 1 below summarizes the per unit DIF per the CIP/Housing Starts method or "ceiling" and the per unit DIF per the market "reality". Table 2 illustrates the breakdown of the per unit fee per taxing district.

Table 1

Per Unit DIF per CIP/Debt Service *"Ceiling"*	**Per Unit DIF per Market Conditions *"Reality"***			
Impact Fee "Ceiling"[1,2,3]	Impact Fee "Reality"	Water Enterprise Fund	Land/Cash Contribution[2]	**Total Impact Fee "Reality"[4,5]**
$25,000	$13,300	$2,200	Per Ordinance	**$15,500**

[1]Per CIP / Housing Starts projections. The Per Unit Fee will be updated based on the final capital costs that are included for each taxing district, as summarized in the table in Appendix 1.

[2]Does not include the Land Cash Contribution for Schools and Parks. This fee would be calculated and collected per the Village's Land/Cash Ordinance.

[3]Assumes the fees for the Water Enterprise Fund are included in the Capital Cost sheet.

[4]This amount is based upon the current marketplace for impact fees charged in surrounding competitive communities and per interviews with area developers. This fee level is furthered verified as financially feasible per our general proforma budget analysis for the development of a single family home in the area. The proposed fee is $15,500 which Includes: DIF of $9,735 per unit + $2,200 per unit water tap on fee to be collected separately for the Village Water Enterprise Fund + Fox Metro $1,650 + Kendall County $1,915. We propose the Village collect the fees and distribute accordingly.

[5]The impact fee per unit includes all taxing districts and is allocated to the taxing districts on a prorata basis based on each district's capital budget per the Village's forthcoming revised Development Impact Fee Ordinance.

Table 2

Portion of per unit DIF for Capital Costs[1] $9,735

	Percentage of Total Impact Need per District	Portion of Per Unit DIF per District[2]
Village	48.46%	$4,717.15
School District 308	38.02%	$3,701.18
Fire Protection District	3.46%	$337.31
Park District	6.49%	$632.18
Public Library District	3.57%	$347.17
Total	**100.00%**	**$9,735.00**

[1] The total proposed DIF is $15,500 per unit which Includes: DIF of $9,735 per unit + $2,200 per unit water tap on fee to be collected separately for the Village Water Enterprise Fund + Fox Metro $1,650 + Kendall County $1,915. We propose the Village collect the fees and distribute accordingly.

[2] The per district portion of the DIF is based on the Percentage of Total Impact Need Per District and multiplied by the per unit DIF.

Next Steps

Ultimately, the fees that are charged must align with the market conditions. Our interviews with the development community as well as our survey of competitive communities indicated that the market will ultimately dictate where investment will occur. This means that the Village must consider and be responsive to the development community and market realities in order to boost and maintain permit activity.

The next steps include the following:

- Presentation of this draft report to the Intergovernmental Committee
- Village Board approval of final report
- Village Attorney draft of a new DIF Ordinance
- Village Board adoption of DIF Ordinance

Proposed Approach to Structuring a New Development Impact Fee Ordinance

With respect to the creation and adoption of a new DIF ordinance, we recommend that the Village establish a new DIF Ordinance to replace prior outdated ordinances. This could greatly improve the Village's ability to streamline the process for developers as well as Village staff by creating a schedule and collection process that is easy to understand and implement. It also

provides the Village the opportunity to communicate to the development community that Oswego is "open for business" and is truly development-friendly.

In summary of what has been previously stated, we propose the following considerations be included in a new Ordinance:

- Establish a methodology for periodic review of the following items (instead of proposing a schedule of specific fees):
  - Market conditions.
  - Population projections.
  - Capital plans.
- Include language that enables the Village to revisit/revise fees as conditions warrant to reflect changes in capital needs attributed to new development as well as inflation and other cyclical changes including market conditions.
- Streamline the fees to include the following three items:
  - **Development Impact Fee** – includes one flat fee for Village and all taxing districts per the proposed methodology in the prior section.
  - **Water Tap On Fee (Water Capital Fund)** – The Village recently created this fund to cover costs associated with the construction of a new watershed facility. The Village's study indicates that the tap on fee is approximately $2,200 per unit. The Village prefers to make this a separate fee so it can be directly allocated to the Water Capital Fund.
  - **Land/Cash Fee** – per existing ordinance. Current appraised value of one-acre of unimproved land is $22,500. Engineer's Opinion of Cost to install improvements per Ordinance is $57,000. Total cost per acre = $79,500.

We respectfully submit this report for your consideration and welcome the opportunity to address any questions or concerns.

Appendix 1: Capital Needs Summary Table - All Districts

APPENDIX 1

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Appendix 2: Population and Housing Starts Projections

APPENDIX 2

Residential Growth Projections per SB Friedman

Year	Population		Housing Starts		Houshold Size	Vacancy
	Low	High	Low	High		
2014	32,863	32,863	190	190	3.08	3%
2015	33,429	33,429	250	300	3.05	3%
2016	34,169	34,317	300	400	3.03	3%
2017	35,049	35,491	350	500	3.00	3%
2018	36,068	36,946	400	600	2.98	3%
2019	37,222	38,677	400	600	2.95	3%
2020	38,367	40,394	400	600	2.93	3%
2021	39,502	42,096	400	600	2.90	3%
2022	40,627	43,784	400	550	2.88	3%
2023	41,742	45,318	400	550	2.85	3%
2024	42,848	46,838	400	550	2.83	3%
2025	43,944	48,346	400	550	2.80	3%
Net Change	11,082	15,483				

Projected demand by type				
		New Development Mix (2012-2025)		
	2012 housing mix	Low	High	Future Housing Mix (2025)
Single Family	78%	62%	65%	73%
Townhome	17%	19%	19%	18%
Multi-family	5%	19%	17%	10%

Continuation of growth projections per staff based on SB Friedman Data

Year	Population		Housing Starts		Houshold Size	Vacancy
	Low	High	Low	High		
2026	45,076	49,902	400	550	2.80	3%
2027	46,208	51,458	400	550	2.80	3%
2028	47,340	53,014	400	550	2.80	3%
2029	48,472	54,570	400	550	2.80	3%
2030	49,604	56,126	400	550	2.80	3%
2031	50,736	57,682	400	550	2.80	3%
2032	51,868	59,238	400	550	2.80	3%
2033	53,000	60,794	400	550	2.80	3%
2034	54,132	62,350	400	550	2.80	3%
2035	55,264	63,906	400	550	2.80	3%
Net Change	10,188	14,004				
20 yr Change	22,401	31,043				

Future Housing Mix (2035)	
Single Family	64%
Townhome	19%
Multi-Family	17%

Ehlers received "Population and Housing Starts" Projection Table from Village in February 2015.

Appendix 3: Summary of Developer Interviews

Recommendations for Oswego Area Development Impact Fees
Village of Oswego, IL
Residential Real Estate Developer Interviews

EHLERS
LEADERS IN PUBLIC FINANCE

Interview Date: May 26 & May 28, 2015
Location: Teleconference
Purpose/Perspective: Multifamily Residential Developer
Interviewer: Jennifer Tammen

SUMMARY

The current product being built is an attached single family duplex product with units ranging from 2,200 to 2,600 square feet in Woodridge, IL.

Costs and Fees

- Hard Costs are $90.00 per square foot and include $25,000 in fees; they are about $83.00- $85.00 per square foot net of fees. The fees are broken out to about 50/50 split between permit fees and impact fees.
- Market rate land costs are $60,000 per unit. They have been paying $30,000 in Woodridge because they purchase the lots for a discount from a REIT. Romeoville lots are at $15,000, again purchased at a discount from a REIT.
- The Village of Woodridge collects fees and then they distribute to the taxing districts
- The Developer is building 2-3 bedroom units. If they built 4 bedroom SF homes, they would expect fees to jump higher
- Woodridge bases their fees on housing value- meaning the retail sale price of a home
- They are currently building 2,500-3,000 square foot duplex homes in Algonquin and Crystal Lake. Fees are $12-$15k per unit, which they aren't happy with that level, but the market will bear it in terms of the sale prices they can charge.
- They are building 1,800-2,000 square foot 2 bedroom duplexes in Romeoville with full unfinished basements and 2-car garages. They are selling for $225k-$250k per unit and paying 12,000-$15,000 in impact fees.
- They will not build a single family detached product in Oswego or some of the other communities with higher impact fees until the market comes around to support higher fees, which they guess may be in 3-4 years. They can't make numbers work with the current fees.
- They generally gauge 5% permit fees and 5% impact fees as a percentage of sales price to determine financial feasibility.

Financing

- Romeoville project- 5% on the acquisition & development; small loan on lots is 5% and 1pt for a 12 month extension. 5%- 12 month construction loan with 85% LTV and 75% LTV on the acquisition loan.

Absorption & Profit Margin

- Woodridge- Twenty sales in 1.5 years or about 1 month. Average sale price is $325,000. They expect to do about 1 sale per month in Romeoville.
- Woodridge development net profit is 10-15% of retail sales price. Romeoville will be around 5% net profit.

Interview Date: June 4, 2015
Location: Teleconference
Purpose/Perspective: Multifamily Residential developer
Interviewer: Jennifer Tammen

SUMMARY

Land Costs and Impact Fees

Costs on existing finished lots are $30,000 to $40,000 for a finished lot which includes the $50,000 in development costs to bring utilities to the site, so it's a negative land cost. Going forward, costs for a raw lot are $20,000 and $50,000 to finish lot for a total of $70,000 for the lot. If Oswego charges then $30,000 in fees, there is no way that they can make a development work. Buyers are sensitive to even a $5,000 increase in price in this market.

The Developer would like to get back to building volume of 200-300 lot subdivisions. Fees are a big factor. Sugar Grove missed the boom because they had the fee schedule backwards – to them the more they charged the more exclusive they would seem, which caused them to miss the market. Sugar Grove is now opening up. Some fees are being waived. Random impact fees that were not earmarked and "fluffy" were cut.

They do not have a rule of thumb on how much they can afford to pay in impact fees. Fees are a driver of residual land value. If development costs go up, land price must go down. If land owners are all competing for same business and all of the production builders are all buyers, then they are competing for next community.

Villages have to compete. There is a lot of finished lot inventory. Plainfield, Oswego, North Aurora, Yorkville, and Sugar Grove are all considered to be like suburbs of Naperville. Buyers looking to spend less than $400,000 will look at any of these markets. The developer does not see a big difference in school districts in this market that would be a driver for buyers to pick Oswego over another competing community. So items that are under the community's control, like impact fees, are an important part of making a community attractive to developers.

The Developer would like to build more in Oswego as they have been building there for many years and have good relationships with Village and buyers. Don't want to have to take a hiatus because of fees being high. But they can because there is plenty of inventory in the surrounding communities and Oswego is not uniquely superior to the surrounding communities.

Impact Fees and the Market

- Per the Developer, they have built more homes in Oswego than any other builder including two subdivisions that are totally built out. The impact fees in those subdivisions are grandfathered and range from $8,000 to $12,000 per home.
- Lots were repurchased from a partner in 2009 and the basis for single family finished lots was $10,000 to $20,000. They are only breaking even and not making adequate margins when adding the $8,000 to $12,000 in impact fees. Margins are at 15% want to be at 20-25%.

- The market has improved from 2010 to today. Other developers buying finished lots in Oswego for $25,000 to $40,000 with grandfathered fees ranging from $8,000 to $15,000 per unit. The most anyone is paying in impact fees is $20,000/unit at this time but could jump up to $40,000 (which is known from the Village's current estimate of fees per home).
- Since 2010 the Developer started new land acquisition after using related joint venture to buy lots for pennies on the dollar. They closed late in late May 2015 on their 27th new community. Only one has not performed.
- Oswego is the 3rd or 4th highest charging fee community in Chicagoland. Grandfathered fees are going to end in the next year or so and Oswego will risk losing production builders.
- Yorkville currently has an impact fee holiday up in June and that may be extended.
- The Developer has built less expensive units in Oswego, Plainfied, North Aurora, Aurora, and Mundelein.
- Developer has had success in Plainfield where impact fees are less than $10,000 per unit. These fees are not negotiated as a one off. Sometimes there is a pre-payment on schools and parks fees. Brand new lots without underlying approvals might be up to $15,000.
- For infill areas, it is better to buy a $150,000 lot and build a $600,000 home. Can't fetch much more than $300,000 to $350,000 for a production 4 bedroom home in Oswego and Plainfield area.

Absorption

They are building 2 or 3 month in a newer subdivision in Plainfield. Infill is selling at higher prices and they are ok with selling 1 per month because margin driven. They are selling 6 per month for a development Lisle.

Financing

They fund land acquisition via a corporate fund for a fee. Since financing terms are better now, they are getting financing on communities in low 4%'s or high 3%'s range. Financing is available for 50% of development and land acquisition costs and 100% on the vertical construction. The more favorable interest rates allow them to increase margin.

Interview Date: June 16, 2015
Location: Teleconference
Purpose/Perspective: Multifamily Residential developer
Interviewer: Jennifer Tammen

SUMMARY

- Private builder. They purchase developed lots from other builders and build in Yorkville, Batavia, and Sugar Grove. Currently has 120 lots scattered in Oswego and surrounding communities.

Impact Fees and the Market

- Number one factor for determining where to build is location and number two is the land cost and impact fee. They bought 30 lots in Yorkville knowing that the total of fees and land cost are half of what they are in Oswego.
- Yorkville permits total $13,000 which includes building permits and development impact fees. Another subdivision in Yorkville is $18,000. By comparison, Autumn Gate in Oswego is over $30,000 per unit.
- Oswego fees started at $10,000 in 2005 then kept going up. Last 3 years have been $29,000. Then went up to about to $30,000. It is not clear why fees continue to go up. The Village's comment has been "plan on the fees going up". The developer gets the impression that the Village may not understand annexation agreements and was undercharging at beginning.
- Yorkville is one of the best communities to work with in terms of clarity on impact fees. They send a sheet of the subdivisions and the associated fees and how long those fees are locked in. From time developer comes in they lock fees at 15 or 20 years. Most development happened between 2000 and 2006 and has locked in fees for 20 years.
- In contrast, Oswego is not clear on their fee structure and it makes it difficult for developers to determine their total development costs.
- Oswego does not have a lot of finished lots left. Yorkville has a lot more. Going forward, developers are going to want to build. They can get lots at 1985 pricing but once lots have to go back to $80,000 to $90,000 per lot including the fees, there will be trouble. Yorkville has a lot of lots so they will have an advantage going forward.
- Yorkville gave incentives to home buyers of $10,000 at one point. Anything would help to lower fees or costs to buyer.
- Sugar Grove fees total about $16,000 per unit which includes both buildings permits and development impact fees. That does not include Fox Metro – they are $1,600-$1,800.
- Batavia- under $11k for permits and DIF. Water connection in Oswego is $7,500 compared to $3,000 to $3,500 for most communities. Schools are almost $15,000.
- Oswego is only town that has done nothing to change their fee structure. Land owners came down, builders came down, but Oswego held their ground on fees.

Land Costs and Other Considerations

- They have done decent with Oswego in terms of sales but finished lot prices are moving up. In Yorkville they have purchased finished lots for $9,000 to $15,000 per lot. Prices going up everywhere.
- In 2005, they could sell a house for $400,000 in Oswego, but Yorkville would be about $25k less. Sugar Grove is close to Oswego in terms of price.
- Going forward property taxes for new construction are going to be the big consideration. They sold 5-6 houses in Autumn Gate between $450,000 and $500,000 in the last few years. A $475,000 house pays about $16,000 in property taxes. A Sugar Grove house sold recently for $620,000 and the Assessor thinks about $25,000 for taxes.
- Concerned about what they will do when the taxes come out and buyers start understanding the reality of the taxes. Houses are going to have to get smaller in order to combat the taxes.
- When buying the land they need to look at the permit fees and then consider the fees with the lot as the total price for the land.
- Labor has gone up in the last year and a half to the tune of about $10,000 more per unit. Concrete is costing $3,000-$4,000 more per unit. Nothing is going down, which makes the project even more sensitive to other costs like impact fees.

Profit Margin

- Lot prices are at $50,000. This Developer takes lot price out and targets 10% profit margin without the lot. National builders figure profit margin including the lot. They do it without the lot as it dictates the market and allows them to be more competitive with the nationals that need to get houses out of inventory. They don't include the permit fees in the basis for % profit margin.

Appendix 4: Pro forma Analysis of Impact Fees on Financial Feasibility of Single Family Residential Development

Table 1A

APPENDIX 4

Village of Oswego, IL- Development Impact Fee Study & Recommendations
Analysis of Development Costs and Required Profit Margins for New Single Family Home

Per Current Village of Oswego Development Impact Fee Structure

DEVELOPMENT ASSUMPTIONS		Attached Single Family Dwelling Assume 2.5 story construction over 2-car attached garage, unfinished basement, 2.5 baths[1]		
Unit Cost / Sale Assumptions		3-Bed + Loft	3-Bed	3-Bed + Loft
Avg. Unit Size (SF)		2,679	2,205	2,088
LAND COST				
Land Cost (per unit)[2]		$ 30,000	$ 30,000	$ 30,000
HARD COSTS				
Hard Unit Costs (psf)		$ 84.00	$ 84.00	$ 84.00
Subtotal Hard Costs per Unit		$ 225,036	$ 185,220	$ 175,392
SOFT COSTS				
Soft Costs (psf) (% of hard costs)	8%	$ 6.72	$ 6.72	$ 6.72
Subtotal Soft Costs per Unit		$ 18,003	$ 14,818	$ 14,031
Sales Expense/Commissions (% of Sales)	4%	$ 15,160	$ 13,391	$ 12,320
Subtotal Soft Costs and Sales Expense		$ 33,163	$ 28,209	$ 26,351
Fees (Per Unit Cost)				
Building Permits		$ 3,500	$ 3,500	$ 3,500
Impact Fees (Current Village of Oswego fee level)		$ 39,000	$ 39,000	$ 39,000
Subtotal Fees		$ 42,500	$ 42,500	$ 42,500
Total Unit Cost		$ 300,699	$ 255,929	$ 244,243
Total Unit Cost + Land		$ 330,699	$ 285,929	$ 274,243
FINANCING[3]	per unit	$ 13,905	$ 12,002	$ 11,505
Total DEVELOPMENT COST PER UNIT (LAND+HARD+SOFT+FINANCING)		$ 344,604	$ 297,931	$ 285,749
SALES AND PROFIT				
Base Price (List)		$ 359,990	$ 344,990	$ 339,990
Avg. Unit Sale Price[5]		$ 379,000	$ 334,775	$ 308,000
PSF Sale Price		$ 141	$ 152	$ 148
Profit		$ 34,396	$ 36,844	$ 22,251
Profit as % of Avg. Unit Sale Price[6]		9.1%	11.0%	7.2%

Does not consistently achieve req'd minimum market rate return of 10-15%.

Prepared by Ehlers

[1]Cost and revenue assumptions based on current conditions for a development in Woodridge, IL per discussion with Developer. Cost assumptions are similar for detatched single family construction, with neglible differences. Developer is familiar with Oswego market and surrounding areas.

[2]Market rate land cost in Woodridge estimated at $60k/unit. Developer purchased land from a REIT for $30k/unit. By contrast, Romeoville land prices are at $15k/unit, also purchased from a REIT.

[3]Financing Assumptions	Land	Construction
Loan - LTV	75%	85%
Equity	25%	15%
Interest Rate	5%	5% + 1pt. For each 12-month extension
Term (in Years)	1	1
Sales Expense		5%
Years of Sales/Sell Out Period4		1/month

[4]Project absorption was 20 units in about 1.5 years or approximately 1 unit per month.

[5]Per discussion with developer and recent sales data from Realtor.com. Final sale prices on Realtor.com reflect the total retail sale price, inclusive of upgrades, but data regarding upgrade type and costs was not available via Realtor.com.

[6]A reasonable profit margin for a single family home is 10-15% of net retail price (what the buyer pays) for private developers. Profit margin requirements for production builders that are public companies range in the low to mid 20% of sale price.

Table 1B

APPENDIX 4

Village of Oswego, IL- Development Impact Fee Study & Recommendations
Analysis of Development Costs and Required Profit Margins for New Single Family Home

Per Current Market Conditions forDevelopment Impact Fees @ $15,500/unit

DEVELOPMENT ASSUMPTIONS		Attached Single Family Dwelling Assume 2.5 story construction over 2-car attached garage, unfinished basement, 2.5 baths [1]		
Unit Cost / Sale Assumptions		3-Bed + Loft	3-Bed	3-Bed + Loft
Avg. Unit Size (SF)		2,679	2,205	2,088
LAND COST				
Land Cost (per unit)[2]		$ 30,000	$ 30,000	$ 30,000
HARD COSTS				
Hard Unit Costs (psf)		$ 84.00	$ 84.00	$ 84.00
Subtotal Hard Costs per Unit		$ 225,036	$ 185,220	$ 175,392
SOFT COSTS				
Soft Costs (psf) (% of hard costs)	8%	$ 6.72	$ 6.72	$ 6.72
Subtotal Soft Costs per Unit		$ 18,003	$ 14,818	$ 14,031
Sales Expense/Commissions (% of Sales)	4%	$ 15,160	$ 13,391	$ 12,320
Subtotal Soft Costs and Sales Expense		$ 33,163	$ 28,209	$ 26,351
Fees (Per Unit Cost)				
Building Permits		$ 3,500	$ 3,500	$ 3,500
Impact Fees (Current Market Conditions fee level)		$ 15,500	$ 15,500	$ 15,500
Subtotal Fees		$ 19,000	$ 19,000	$ 19,000
Total Unit Cost		$ 277,199	$ 232,429	$ 220,743
Total Unit Cost + Land		$ 307,199	$ 262,429	$ 250,743
FINANCING[3]	per unit	$ 12,906	$ 11,003	$ 10,507
Total DEVELOPMENT COST PER UNIT (LAND+HARD+SOFT+FINANCING)		$ 320,105	$ 273,432	$ 261,250
SALES AND PROFIT				
Base Price (List)		$ 359,990	$ 344,990	$ 339,990
Avg. Unit Sale Price[5]		$ 379,000	$ 334,775	$ 308,000
PSF Sale Price		$ 141	$ 152	$ 148
Profit		$ 58,895	$ 61,343	$ 46,750
Profit as % of Avg. Unit Sale Price[6]		**15.5%**	**18.3%**	**15.2%**

Achieves minimum req'd market rate return of 10-15%

Prepared by Ehlers

[1]Cost and revenue assumptions based on current conditions for a development in Woodridge, IL per discussion with Developer. Cost assumptions are similar for detatched single family construction, with neglible differences. Developer is familiar with Oswego market and surrounding areas.

[2]Market rate land cost in Woodridge estimated at $60k/unit. Developer purchased land from a REIT for $30k/unit. By contrast, Romeoville land prices are at $15k/unit, also purchased from a REIT.

[3]Financing Assumptions	Land	Construction
Loan - LTV	75%	85%
Equity	25%	15%
Interest Rate	5%	5% + 1pt. For each 12-month extension
Term (in Years)	1	1
Sales Expense		5%
Years of Sales/Sell Out Period4		1/month

[4]Project absorption was 20 units in about 1.5 years or approximately 1 unit per month.

[5]Per discussion with developer and recent sales data from Realtor.com. Final sale prices on Realtor.com reflect the total retail sale price, inclusive of upgrades, but data regarding upgrade type and costs was not available via Realtor.com.

[6]A reasonable profit margin for a single family home is 10-15% of net retail price (what the buyer pays) for private developers. Profit margin requirements for production builders that are public companies range in the low to mid 20% of sale price.

Appendix 5: Competitive Communities Survey

APPENDIX 5

Village of Oswego - Competitive Communities

Community	IMPACT FEE [1] Calculation Methodology	Estimated fee	Note(s)	TOTAL FEES [2] *Estimated*	Details
New Lenox	Function of # of bedrooms (tied to population)	$16,600	(Est. for T4 bedroom, full-price, home. This does not include water and sewer tap-on fees, or building/permitting fees. (bldg/permitting fees a function of sq ft. of home)	$35,000	When economy downturn hit, Village met with builders and developers; concern of developers was to remain competitive against future developments. Discussion resulted in changes in Building Code/requirements and fees. Mid 2010, resolution was passed, grandfathering some subdivisions, but point of resolution was to provide 50% reduction in Impact Fees only; tap on fees or permiting fees - those stayed same. Reduction was to sunset in 2011, but has been extended and is currently set to expire 12/31/15.
Plainfield	School fees based on bedroom count; Water/Sewer based on CIP/Budget	$18,200	(Est. for T4 bedroom, sf detached home. This does not include water and sewer tap-on fees, or building/permitting fees.	$29,400	Methodology for the water/sewer fees are function tied to their capital budgets, and have remained static. School fees are a function of bedroom count. Village noted that currently, the only fees currently charge by Village are the building permits and water/sewer tap-on. No other municipal fees being imposed, and have been waived since 2009. However, there is a proposal on the table that would reintroduce municipal fees in the range of $8,000.00.
Sugar Grove	CIP needs, divided by est. # of Units in Development(s)	n/a		$16,500	Residential developments were PUD, with Annexation Agreements; Each agreement had exhibit attached that listed impact and transition (lag) fees. "OLD" Range of fees was $30,000 (building, impact & transition) [It was noted this was less than Oswego at that time]. Now, there is a Cap on total fees of $16,500 (started back in 2010 when economy stalled, first few years only small # of permits issued, so continued with 'Cap' To determine fees, the Village looked at CIPs and divided by # of estimated units in developments. For Transportation Impact fee: a transportation study done, with improvements needed, and the amount in report was then divided by # of est. units.
Yorkville	Based on Comparison Study	n/a		$15,000 - $17,000	The City did a Comparative Study in 2012, which was shared with Ehlers. When Community Director was hired (2010), there were over 40 development agreements, all with different terms, agreement conditions, etc. Fee Ranges $2,200 - $27,000, with varying fee locks too, some locked in for 20 years; the last one will expire in 2024. Prior to 2007, the City didn't have a community development department and was noted that at that time, they didn't think there were Development opportunities in the City, until more and more developers starting contacting the City. At that time, Developers guided what the fees were; they would present annexation agreements with fees in place, showing what the would pay the City, and the City would accept the agreements. The municipal building fee started at $500, then was raised to $5,000 (before economy dropped). Currently, it was lowered to $1,700. City has a program, the BUILD Incentive, for new s/f development intended for infill. (this program was extended again - offers $10K rebated ($5k City for building permit fee, $5k Builder/developer match); Fees of $5,509 per residential unit drops to $1,759 under the program.
Montgomery	Based on meetings w/Districts, informal surveys to see if fees are 'in line' with other communities	n/a		$12,000 - $18,000	The Village commented that a few years ago, they completed an informal survey of rates in neighboring communities to see if their fees are within the range of the market. To establish fees, the Village worked with each district (fire, library, school,etc) to discuss which projects they had planned to completed that could possibly be assisted with Impact Fees, (if imposed). Then, the Village analyzed and determined a realistic fee that could be imposed. Most impact fees are related to annexation agreements; with most containing a table(s) outlining the fees and amounts as an attachment. Most of the fees (range) are same from agreement to agreement for some of the districts (library $195, fire $200 seem to stay same), but other districts may have differences. The Village currently has a $2,000 rebate available, which is deducted from certain 'Village' line item fees (related to general fund/water fund, so for example the water-tap on fee would be eligible for the rebate).
North Aurora				n/a	Unable to receive a response to inquiries made to Village. Online search found a reference in Board Meeting Minutes from March 18, 2013 had a discussion about fees, impact fees, and development. Village tried reduction of Building Permit Fees, which they determined to be unsuccessful. Staff was looking into reassessment of land/cash value fees; noted neighboring communities programs focused on impact fees. Made reference to comparable communities of Yorkville, Shorewood and Plainfield in terms of # of permit fees. Next steps, they were going to look at Montgomery, Aurora and Batavia.

Notes:

[1] Impact fees related to taxing districts, such as School, Park, Library, Fire, etc.

[2] Total fees include impact fees plus any other fees imposed, and not limited to water/sewer tap-on, building permits, annexation, transition, etc.

Appendix 6: Land Valuation Studies Appraisal for 1-acre of Undeveloped Residential Land and Engineer's Opinion of Cost

APPENDIX 6

Memo Via Electronic Mail

To: Christina Burns, Assistant City Manager, Village of Oswego
Rod Zenner, AICP, Community Development Director, Village of Oswego

From: Jennifer M. Tammen, Municipal Advisor/Principal

Date: August 24, 2015

Subject: Appraisal for 1-acre of Undeveloped Residential Land and Engineer's Cost Analysis

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As part of the Development Impact Fee Study engagement, Ehlers has coordinated the preparation of an appraisal for 1 acre of residential land within the Village of Oswego for purposes of updating the land value as it relates to the Village's land cash ordinance for schools and parks. The appraisal was prepared by MaRous & Company and a final draft was previously provided to the Village. A copy is attached herein for your convenience.

The Village also requested an Engineer's Cost Analysis to estimate the construction costs associated with the development of land with a per acre cost to develop land per the Village's Land/Cash Ordinance. The estimate also includes unit costs that could be applied to estimate the future development costs associated with school or park sites assuming utilities are brought to the site. Clark Dietz, Inc. has prepared the estimate and a copy is attached.

In summary, the appraised value of one acre of land as of January 22, 2015 is $22,500. The developed cost per acre of usable land for a school or park site, per the Village's Land/Cash Ordinance is $57,000 in 2015 dollars, for a total per acre cost of $79,500.

Please contact me with any questions.

1 ACRE OF UNDEVELOPED LAND
FOR RESIDENTIAL USE
OSWEGO, ILLINOIS 60543

MaROUS & COMPANY

March 4, 2015

Ehlers, Inc.
550 Warrenville Road, Suite 220
Lisle, Illinois 60532

Attention: Ms. Jennifer M. Tammen, Financial Advisor

Subject: 1 Acre of Undeveloped Land
Oswego, Illinois 60543

Dear Ms. Tammen:

In conformance with the signed letter of engagement, the value of land near Oswego, Illinois, has been developed. This appraisal report has been prepared specifically for your use in advising the Village of Oswego. The purpose of this appraisal is to determine at what price 1 acre of undeveloped land for residential use would sell as of January 22, 2015, in order for the Village Board to consider this information in its decision making. The entire fee simple in the property is being appraised.[1]

The assignment, based on the February 10, 2015, letter to you from Rod Zenner, Community Development Direct, Village of Oswego, is to value "undeveloped land at the perimeter of the Village's corporate limits..."

The residential market has begun to show signs of stabilization. Nevertheless, there remains significant pressure on the value of residential land due to the inventory of available land and of existing single-family houses at reasonable prices. Residential values in Oswego have remained stable and/or have increased slightly since 2012.

In view of the following facts and data connected with this appraisal, the market value of the fee simple interest in 1 acre of undeveloped land near Oswego, Illinois, as of January 22, 2015, is:

TWENTY-TWO THOUSAND FIVE HUNDRED DOLLARS

($22,500)

This value estimate is contingent upon the estimated exposure time of 6 to 9 months. It is a gross value and no allowance was made for brokerage commissions or costs of utilities, real estate taxes, or other carrying costs during the marketing period.

1 Fee simple interest is defined by *The Appraisal of Real Estate*. 13th ed., (Chicago: Appraisal Institute, 2008) page 114 as: Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat.

Ms. Jennifer M. Tammen
1 Acre of Land
March 4, 2015

MaRous and Company has received and has relied upon verbal and written communications and documents regarding the subject property in the preparation of this appraisal report. If additional information about the property being appraised is received or becomes known, MaRous and Company reserves the right to determine whether this information has a substantive impact on the valuation and to adjust values accordingly.

This document conforms to my understanding of the requirements for an appraisal report under Standard Rule 2-2 (a) of the *Uniform Standards of Professional Appraisal Practice and Advisory Opinions* (USPAP). This appraisal report is a brief recapitulation of the appraisal data, analyses, and conclusions. Supporting documentation is retained in MaRous and Company office files.

This letter of transmittal is personally signed and is attached to and accompanies an appraisal report. Any use of this letter of transmittal without the accompanying appraisal report and the original signatures invalidates the certification and may result in misleading value conclusions.

Respectfully submitted,

MaRous & Company

Michael S. MaRous, MAI, CRE
Illinois Certified General - #553.000141 (9/15 expiration)

APPRAISAL REPORT
1 Acre of Undeveloped Land for Residential Use
Oswego, Illinois 60543

Purpose of Assignment, Date, and Intended Use and User of the Appraisal

The purpose of this appraisal is to estimate the market value of 1 acre of land near Oswego, Illinois, as of March 3, 2015, in order to assist the Village of Oswego in determining at what price undeveloped land at the perimeter of the Village's corporate limits would sell if properly exposed for sale in the open market, and for planning purposes. The entire fee simple title is being appraised.

Fee Simple Estate

Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat.[2]

Market Value

The most probable price a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- Buyer and seller are typically motivated;
- Both parties are well informed or well advised, and acting in what they consider their own best interests;
- A reasonable time is allowed for exposure in the open market;
- Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
- The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.[3]

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2 *The Appraisal of Real Estate.* 13th ed., (Chicago: Appraisal Institute, 2008) 114.

3 (12 C.F.R. Part 34.42(g); 55 *Federal Register* 34696, August 24, 1990, as amended at 57 *Federal Register* 12202, April 9, 1992; 59 *Federal Register* 29499, June 7, 1994)

Sources of Property Identification and Scope of Work

In order to develop the fee simple market value of 1 acre of undeveloped residential land near Oswego:

- Michael S. MaRous, MAI, CRE, is familiar with the Oswego area;
- The physical and economic factors that could affect the property being appraised were researched;
- Market research was conducted to compile information concerning the general conditions affecting the residential property in the village of Oswego, and to develop sales of comparable vacant residential sites;
- General and specific information regarding the village, comparable land sales, and/or relevant market data was taken from a variety of public and or subscription sources, including mapping programs, governmental and private sector websites, and other miscellaneous resources and reference materials;
- Information from within MaRous and Company office files, and interviews with brokers, appraisers, developers, and lending institution representatives, (including Keith Lang; Robert Headrick, SRA; Pulte Homes; and representatives from Old 2nd National Bank,) were used to provide information for this report.

Significant real property appraisal assistance, including performing research and analyses, and assisting in the preparation of this appraisal report, was provided by Anita Rifkind.

Approaches to Value

The valuation of real estate mainly uses a combination of three basic approaches to value: the cost approach, the income capitalization approach, and the sales comparison approach. From the values indicated by these analyses and the weight accorded to each, an opinion of value is reached based upon expert judgment within the framework of the appraisal process.

In this instance, only the sales comparison approach to value is considered relevant to the development of an opinion of value.

This document conforms to my understanding of the requirements for an appraisal report under Standard Rule 2-2 (a) of the *Uniform*

Standards of Professional Appraisal Practice and Advisory Opinions (USPAP). This appraisal report is a brief recapitulation of the appraisal data, analyses, and conclusions. Supporting documentation is retained in MaRous and Company office files.

Location Description

The village of Oswego is comprised of approximately 14.6 square miles and is located in the northeast corner of Kendall County. To the immediate west is unincorporated land and the community of Lynnwood. To the north is unincorporated land and the town of Boulder Hill. Beyond that is the City of Aurora. To the east and south is unincorporated land. Beyond that is the village of Naperville. Southwest is unincorporated land and the city of Yorkville. The majority of the unincorporated areas around Oswego remain agricultural in use, although the trend has been toward the development of new subdivisions in these areas. The village is bisected by the Fox River.

Kendall County, and Oswego, have been growing rapidly as the metropolitan area has expanded to the collar counties. The 2010 population of 30,355 is just under 2.5 times the 2000 population of 12,726. This growth was slowed by the economic recession of 2007/2008; the 2014 estimated population is 31,942. Improving economic conditions are expected to result in additional demand for housing in the area.

Access and transportation to the village is good. U.S. Route 34 is the major highway running through the village in a northeast/southwest direction. U.S. 30 is the major east/west highway. An interchange at Orchard Road and Interstate 88 serves Oswego. To the east and west, Illinois Routes 59 and 47 provide additional access to Interstate 88. Metra commuter trains are available in Aurora; there is public bus service from Oswego to the Aurora Transportation Center.

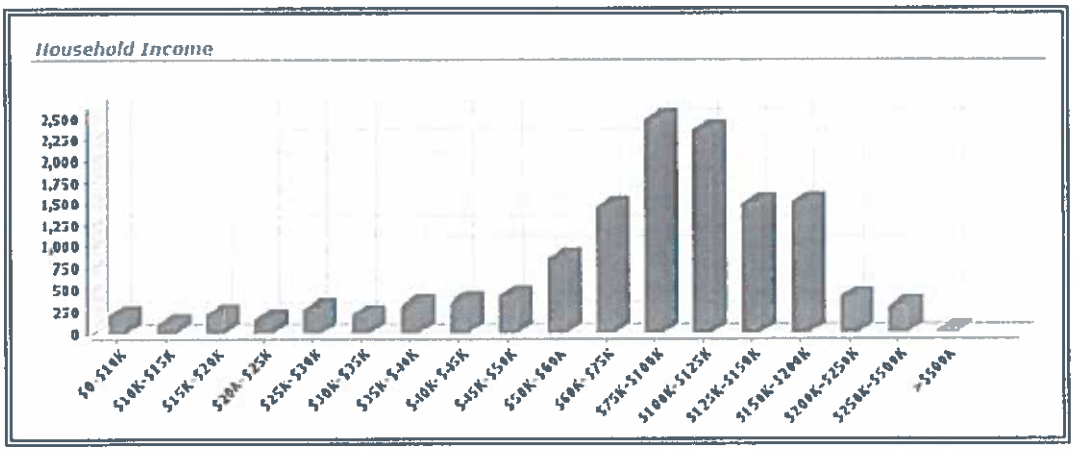
Commercial activity is concentrated along U.S. Route 34, with a smaller mix of retail, restaurant, and office uses in the downtown area,

which is situated on the eastern side of the Fox River. Retail sales in Oswego totaled $542,993,100 in 2013, exceeding those of Montgomery, Yorkville, and Plainfield.[4]

The village has 49 parks including 31 playgrounds, nine tennis courts, 367 acres of natural areas with 13 miles of biking/hiking trails, a 160-acre golf course, two skate parks, and an aquatic park. The village is served by 14 elementary schools, a middle school, and two high schools.

Permits for single-family residential development have shown significant improvement in the last 2 years. The Village reports that permits in 2009 totaled 71 with a total value of $17,755,701; in 2010 totaled 80 with a total value of $13,789,529; in 2011, totaled 86 with a total value of $15,195,208; in 2012, totaled 111 with a value of $15,737,733; and permits in 2013 totaled 214 with a value of $39,028,061.

The village's population is relatively young; the median age is 32.24 years. The 13,265 households have an average annual income of $102,011.



4 Data taken from the Economic Development Department of the Village of Oswego. Http://www.oswegoil.org accessed December 15, 2014.

Market Overview

The single-family residential market has begun to slowly recover from the devastating recession that began in late 2007/early 2008. The somewhat tepid economic recovery with only slight reductions in unemployment has resulted in continued underwater mortgages, defaults, and the resultant stagnation of housing prices.

Like most other communities, Oswego has experienced a significant reduction in housing values since 2008; however, residential values in Oswego have remained stable and/or have increased slightly since 2012.

Using Midwest Real Estate Data, LLC (MRED), the A. L. Wagner Appraisal Group has tracked values in the Chicago Metropolitan Area communities. The following excerpts from their quarterly report show the change between October 1, 2012, to October 1, 2013, and October 1, 2013, to October 1, 2014 for both Oswego and Yorkville.

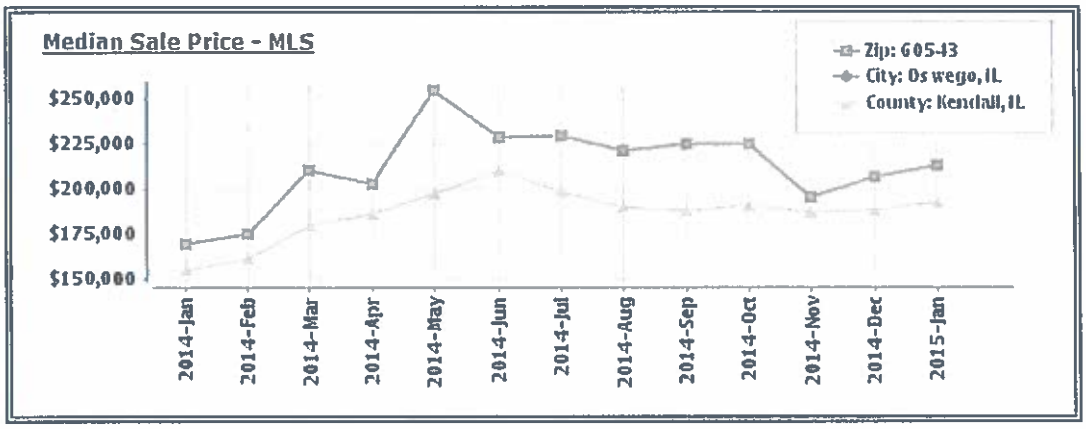
		October 1, 2013 Statistics							October 1, 2012 Statistics			
Town	MLS Area	Actives	Average List Price	Under Contract (Ctg.)	Under Contract (Pend)	# of Sales Last 12 mos.	Average Sale Price	MONTHS SUPPLY	MONTHS SUPPLY	Percent Change	Average Sale Price	12 mo SP Percent Change
Oswego	543	181	$ 299,576	82	12	489	$ 222,273	3.73	4.61	-22.47%	$ 222,122	0.07%
Yorkville	560	134	$ 336,192	40	10	314	$ 231,266	4.42	6.29	-29.77%	$ 208,187	11.09%

		October 1, 2014 Statistics							October 1, 2013 Statistics			
Town	MLS Area	Actives	Average List Price	Under Contract (Ctg.)	Under Contract (Pend)	# of Sales Last 12 mos.	Average Sale Price	MONTHS SUPPLY	MONTHS SUPPLY	Percent Change	Average Sale Price	12 mo SP Percent Change
Oswego	543	192	$ 328,858	89	11	464	$ 243,396	4.09	3.73	9.78%	$ 222,273	9.50%
Yorkville	560	147	$ 318,091	39	6	288	$ 241,650	5.30	4.42	19.98%	$ 231,266	4.49%

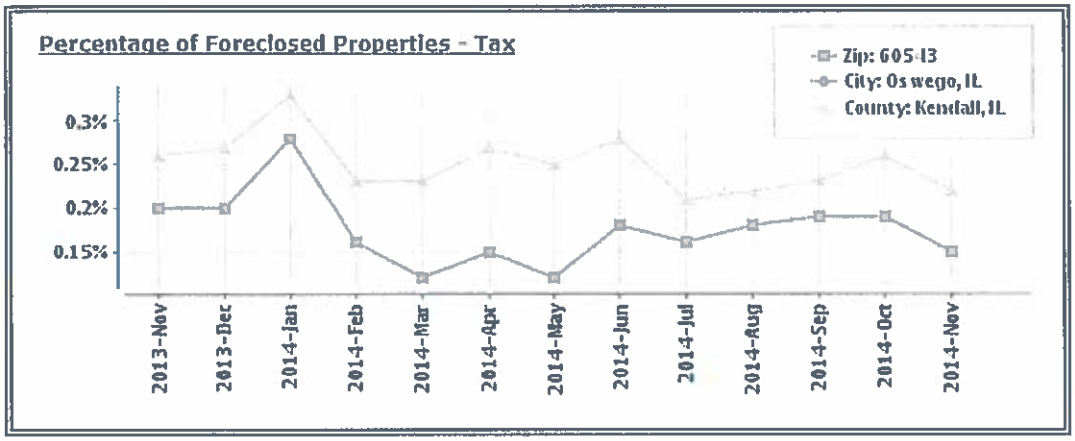
As these data indicate, inventory (Months Supply) has risen in both communities; however, the average sale price has continued to improve from the significant losses incurred between January 1, 2008, and January 1, 2012. These data are summarized in the table below.

		January 1, 2012 Statistics							January 1, 2008 Statistics			
Town	MLS Area	Actives	Average List Price	Under Contract (Ctg.)	Under Contract (Pend)	# of Sales Last 12 mos.	Average Sale Price	MONTHS SUPPLY	MONTHS SUPPLY	Percent Change	Average Sale Price	48 mo SP Percent Change
Oswego	543	226	$ 289,344	58	3	317	$ 239,130	7.21	9.01	-19.92%	$ 317,557	-24.70%
Yorkville	560	135	$ 316,275	32	5	259	$ 212,109	6.47	13.58	-52.35%	$ 309,512	-31.47%

The following table compares the median single-family house sale prices in Oswego with Kendall County as a whole for the last year.[5]



According to the MRED, the number of foreclosures in Oswego is below the average for Kendall County as a whole.



However, in the past 12 months, Midwest Real Estate Data (MRED) reports that there have been 431 sales with a range in sale price from $48,600 to $499,500, and with an average sale price of $241,839. The average marketing time was 104 days. Of these 431 sales, 95, or approximately 22 percent, were reported as sales under financial duress. Of the 27 land sales between 0.5 and 1.0 acre in size in Yorkville and Oswego in 2013 and 2014, 23 were foreclosures.

5 Source: Midwest Real Estate Data

These numbers indicate that foreclosures and general economic weakness continue to impact single-family residential values in the area.

As of the date of value, there are 19 listings of residential or agricultural lots and of land at least 1 acre in size, and located within the Village's boundaries and planning area. Of these, 13 range between 1 and 2 acres in size and have a range in asking price of $39,000 to $124,000. The average marketing time for these 13 listings is 1,076 days. Of the six larger properties, there are five listings that contain between 3 and 5 acres, with a range in asking price of $275,000 to $450,000. The average days on market for these six properties is 358 days.

There have been five sales of residential and agricultural land in Oswego and the planning area reported by MRED in the last 2 years. Of these, two were foreclosures. Two of the five are large acreage sales. The average marketing time for the three parcels ranging in size from 1 to just over 7 acres was 271 days. The average market time for the two parcels ranging in size from 23 to just over 32 acres was 445 days.

Overall, the market data indicate that, although residential values in Oswego have stabilized and have begun to improve, they are likely to remain at this "new normal" for some time into the future.

Site Description

This report estimates the value of 1 acre of undeveloped land at the perimeter of the Village's corporate limits. As such, the site would need to be improved with streets, sidewalks, utilities, and other site improvements. The estimates of these costs are not included in this appraisal report.

Zoning

The assumption is that acreage sales within the Village's planning area ultimately would be annexed by the Village and would be subdivided. Under the Village Zoning Ordinance, single-family residential lots range in size from 11,000 square feet under the R-2, Single Family Residence District, zoning, to 2.0 acres under the RE, Residential Estate

District, zoning. The following table summarizes the site sizes, frontages, and floor area ratio (FAR) allowed under the various zoning districts for single-family development.

SINGLE-FAMILY ZONING DISTRICTS

	R-1	R-2	R-3	R-4	R-E	R-L
Minimum Site Size (Sq. Ft.)	15,000	11,000	15,000	11,000	2 acres	30,000
Minimum Width (Ft.)	100	85	100	85	200	120
Allowed FAR	0.30/1.0	0.30/1.0	0.30/1.0	0.30/1.0	0.15/1.0	0.30/1.0

Source: Oswego Zoning Ordinance

The majority of the village is zoned either R-1 or R-2.

Access

The assumption is that raw acreage would be part of a subdivision with interior streets.

Utilities

All utilities, including electricity, natural gas, telephone, and municipal water and sewer, are assumed to be available, but not installed to the 1-acre parcel.

Flood Hazard

There may be areas of Oswego which are impacted by either flood hazard areas or wetlands. For the purposes of this assignment, it is assumed that the land being valued is not located in a designated flood hazard area or does not have significant areas of wetlands.

Exposure Time

Exposure time is the length of time a property would be offered on the market prior to a hypothetical sale as of the appraisal date. It is "a retrospective estimate based upon an analysis of past events assuming a competitive and open market."[6] Parallel with this concept is that of marketing time, which is "[a]n opinion of the amount of time it might take to sell a real or personal property interest at the concluded market

6 *The Dictionary of Real Estate Appraisal*. 5th ed., (Chicago: Appraisal Institute, 2010) 73.

value level during the period immediately after the effective date of an appraisal."[7]

As of the appraisal date, exposure times for residential land in the general market area of the subject property ranged from 6 months to more than 1 year. Based upon the market conditions analyzed for this report, the exposure period for the subject property at the appraised value and as of the date of value is estimated to be 6 to 9 months.

Highest and Best Use

Definition

Highest and best use is defined as follows:

> The reasonably probable use of property that results in the highest value.... To be reasonably probable, a use must meet certain conditions:
>
> - The use must be *physically possible* (or it is reasonably probable to render it so).
> - The use must be *legally permissible* (or it is reasonably probable to render it so).
> - The use must be *financially feasible*.
>
> Uses that meet the three criteria of reasonably probable uses are tested for economic *productivity*, and the reasonably probable use with the highest value is the highest and best use.[8]

To arrive at an opinion of highest and best use, the most profitable competitive use for the land or a site as though vacant and as improved is analyzed.

Highest and Best Use as Though Vacant

Market data previously discussed indicate that the residential real estate market in Oswego has begun to stabilize during the past 2 years. The number of foreclosures has decreased significantly, which will contribute to the further stabilization of values in the community.

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7 *The Dictionary of Real Estate Appraisal.* 5th ed., (Chicago: Appraisal Institute, 2010) 121.

8 *The Appraisal of Real Estate.* 14th ed., (Chicago: Appraisal Institute, 2013) 332.

However, the difficult economic conditions and the loss of value of existing single-family houses also has had a devastating impact on the value of vacant land. With construction costs basically holding steady during the economic downturn, new construction had become economically infeasible and there was little or no demand for vacant land on which to develop single-family houses. For those reasons, the market reflects the fact that losses in value for vacant land parcels generally are higher than those for single-family houses.

Nevertheless, communities like Oswego are beginning to see increased interest in new residential development. Demand is significantly better in areas where municipal water and sewer is potentially available, and near where there is some development occurring. Even in these areas, however, high impact fees act as a drain on the market.

As is evidenced by the market analysis and by the market data available in the Oswego market area, there have been few recent acreage sales. However, demand is likely to increase as market conditions continue to gradually improve.

Conclusions as Though Vacant

Vacant land in the Village of Oswego planning area continues to have residential development as its highest and best use.

Real Estate Tax Information

Real estate taxes currently are based on the 2013 tax rate of 10.6243 percent.

VALUATION PROCESS

Because the purpose of this appraisal report is to determine the value of vacant land, only the sales comparison approach to value has been considered. Definitions of the approaches to value are in the addenda to this report.

SALES COMPARISON APPROACH

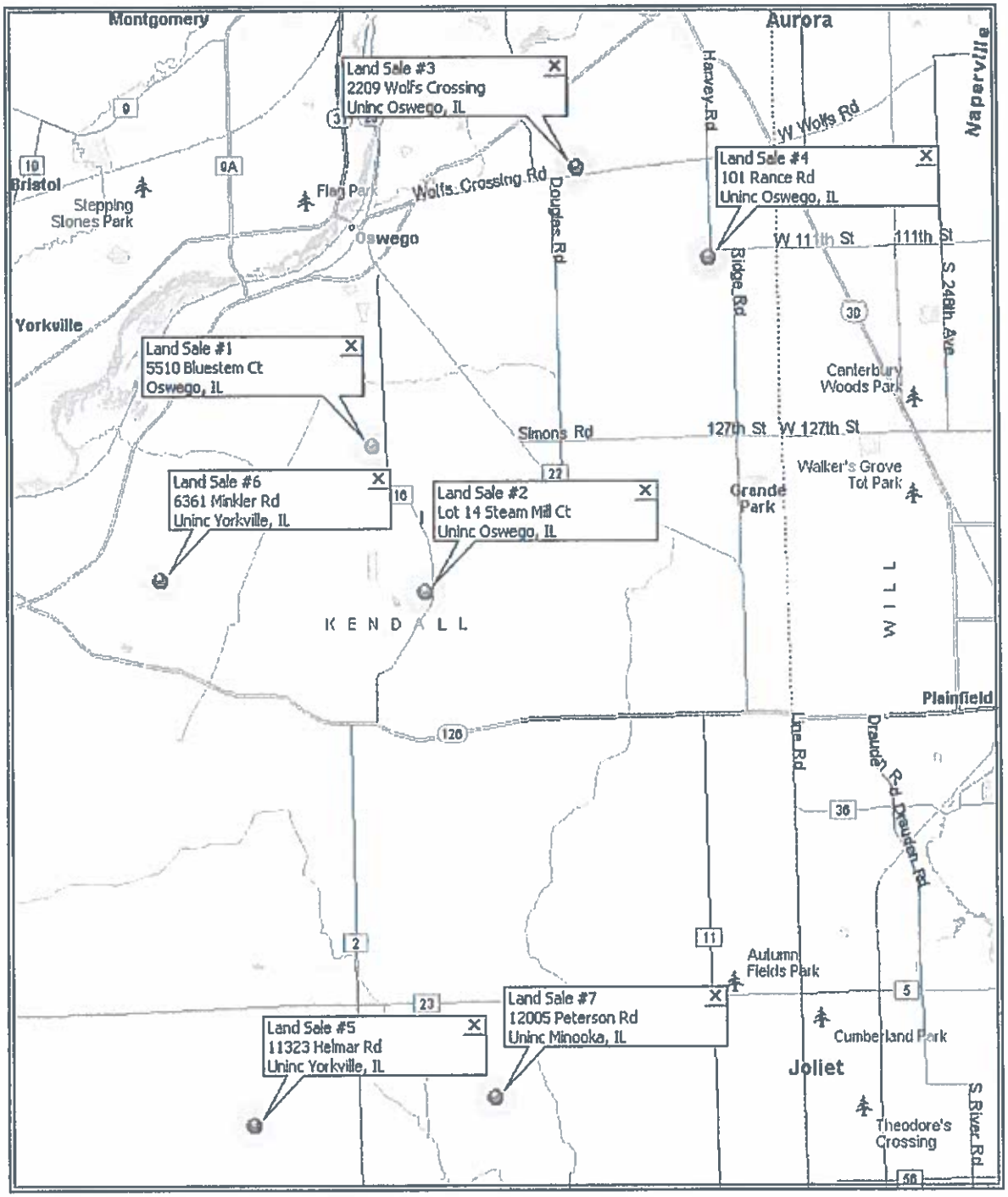
The sales comparison approach assumes that a prudent buyer would not buy a property for more than it would cost to purchase a comparable property. Because no two properties are ever identical, an analysis of differences in quality, location, size, and market appeal is a function of appraisal experience and judgment.

Land Sales Analysis

The table summarizing the sales considered for this analysis follows, and full descriptions are included in the addenda to this report. A map depicting the location of each of the land sales analyzed is included in this section of this appraisal report. Because there have been very few sales in Oswego and the Oswego planning areas, sales in other locations have been considered.

ACREAGE SALES

Sale No.	Location	Sale Price	Sale Date	Land Area (Acres)	Description	Sale Price Per Acre
1	5510 Bluestem Ct. Oswego	$118,000	1/14	1.84	Large pond; subdivided lot; private utilities required	$64,130
2	Lot 14 Steam Mill Ct. Uninc. Oswego	$45,000	4/13	1.04	Subdivided lot; private utilities required; foreclosure	$43,269
3	2209 Wolfs Crossing Unic. Oswego	$210,000	12/14	7.24	Adjacent to existing subdivision; foreclosure	$29,006
4	101 Rance Rd. Uninc. Oswego	$550,000	4/13	32.36	Agricultural land	$16,996
5	11323 Helmar Rd. Uninc. Yorkville	$953,100	12/13	70.60	Agricultural land; leased until 2/14; no utilities to site	$13,500
6	6361 Minkler Rd. Uninc. Yorkville	$356,250	Asking	12.59	Agricultural land; backs to forest preserve	$28,296
7	12005 Peterson Rd. Uninc. Minooka	$420,000	Asking	20.54	Agricultural land; creek	$20,448



ACREAGE SALES LOCATION MAP

Land Sale #1 is a parcel located at the southern end of the Village of Oswego corporate boundaries in the Old Reserve Hills subdivision. This subdivision is within the 2.25 housing units per acre ring of Planning Area 5. The sale occurred in January 2014, and requires upward adjustment for date of sale. Approximately half of the actual site size of 1.84 acres is located in the pond on site. Because it is part of a subdivision, some site improvements are included in the sale price. However, the site requires private well and septic systems.

There is another lot listed for sale in this subdivision: 5015 Barickman Court, Lot 40 has been listed for $69,900 for more than ten months. This basically rectangular-shaped parcel is comprised of 45,057 square feet, or 1.03 acres, indicating an asking price of $67,864 per acre. Consideration must be given to this being an asking price and subject to downward negotiations. Because it is part of a subdivision, some site improvements are included in the sale price. However, the site requires private well and septic systems.

Land Sale #2 is an older sale of an acre lot in the Henneberry Woods subdivision, located in unincorporated Oswego, and within the Village's Planning Area 6. The subdivision is within the 2.0 housing units per acre ring of this planning area. Some upward adjustment for date of sale is warranted. Because it is part of a subdivision, some site improvements are included in the sale price. However, the site requires private well and septic systems.

Land Sale #3 is the recent sale of 7.24 acres that appears to be located within the 2.3 housing units per acre ring on the western edge of Planning Area 3. The Churchill Club residential subdivision development surrounding this parcel has already annexed to the Village. Consideration must be given to this sale having resulting from the financial distress of the owner.

Land Sale #4 is an older sale of a large acreage parcel located in unincorporated Oswego. It is located in the 1.5 housing units per acre ring of Planing Area 3. Some upward adjustment for date of sale is warranted. This property sold within 1 day of listing.

Land Sale #5 is the sale of a large parcel that is located west and slightly south of Planning Area 7, in unincorporated Yorkville. The property sold as agricultural land in December 2013, with a lease that expired shortly afterwards. Some upward adjustment for date of sale is warranted. There is a drainage ditch at the rear of the property, indicating that some portions of the site may not be useable.

Land Sale #6 is a current listing of a 12.5-acre parcel located southeast of Planning Area 5 in unincorporated Yorkville. There is an existing subdivision on the north side of Hilltop Road from this parcel. The parcel has been on the market for more than 3 years. Consideration must be given to this being an asking price and subject to downward negotiations.

Land Sale #7 is a current listing of a 20.54-acre parcel located south of Planning Area 7 in unincorporated Minooka. This area is almost entirely rural. Consideration must be given to some improvements being located on the site; however, the parcel is being marketed as vacant land. It has been listed for approximately 6 months. Consideration must be given to this being an asking price and subject to downward negotiations.

The first two sales are of 1-acre lots in subdivisions and include improvements such as streets, electric, and/or natural gas. For that reason, these sales develop unit sale prices per acre higher than that considered appropriate for an acre of undeveloped land. However, they are good indicators of the value that subdivision and concomitant improvements add to the value of raw acreage sales. They are included primarily for informational purposes.

The remaining five sales/listings are of large agricultural parcels that are located in the Oswego planning area, or in the proximate market area, and within other unincorporated areas surrounding Oswego. Land Sale #3 is the most recent such land sale within the planning area of the Village.

Land Sales #4 and #5 represent the most recent transactions involving large acreage properties in the area. However, they are sales that occurred in 2013, and some upward adjustment is warranted to reflect the improvement in the overall market since that time.

The remaining sales are current listings, the first, Land Sale #6, in an area where development has already begun, and the last, Land Sale #7, in an area that is distant from any current development.

Taking into account these factors, the value for 1 acre of undeveloped land at the perimeter of the Village's corporate limits is concluded to be $22,500 per acre.

FINAL VALUE CONCLUSION

In this instance, the sales comparison approach to value was considered to be the appropriate methodology to develop an opinion of value.

Therefore, based on the facts reviewed herein and the data analyzed in connection with this appraisal, the estimated market value of the fee simple interest in 1 acre of undeveloped land for residential use near the village of Oswego, Illinois, as of March 3, 2015, is:

TWENTY TWO THOUSAND FIVE HUNDRED DOLLARS

($22,500)

This value is contingent upon the estimated exposure time of 6 to 9 months. It is a gross value, and no allowance was made for brokerage commissions, costs of utilities, real estate taxes, or other carrying costs during the marketing period.

This document conforms to my understanding of the requirements for a appraisal report under Standard Rule 2-2 (a) of the *Uniform Standards of Professional Appraisal Practice and Advisory Opinions* (USPAP). This appraisal report is a brief recapitulation of the appraisal data,

analyses, and conclusions. Supporting documentation is retained in MaRous and Company office files.

MaRous and Company has received and has relied upon verbal and written communications and documents regarding the subject property in the preparation of this appraisal report. If additional information about the subject property is received or becomes known, MaRous and Company reserves the right to determine whether this information has a substantive impact on the valuation of the subject property and to adjust values accordingly.

ASSUMPTIONS AND LIMITING CONDITIONS

Reporting Requirements

This appraisal report is intended to comply with the reporting requirements set forth under Standard Rule 2-2 (a) of the Uniform Standards of Professional Appraisal Practice for an appraisal report. As such, this report might not include full descriptions of the data, reasoning, and analyses that were used in the appraisal process to develop the opinion of value. Supporting documentation concerning the data, reasoning, and analyses is retained in the MaRous and Company office files. The information contained in this report is specific to the needs of the client and for the intended use stated in this report. MaRous and Company is not responsible for unauthorized use of this report.

Title and Survey

It is assumed that the title to the subject property is good and marketable. No survey or legal description was provided to MaRous and Company, and neither was developed for the accompanying appraisal report. All values contained in this appraisal report are subject to a review of a current plat of survey. Furthermore, MaRous and Company reserves the right to adjust values accordingly. The value estimate is given without regard to any questions of title, boundaries, encumbrances, or encroachments.

Hazardous Waste

Unless otherwise stated in this appraisal report, MaRous and Company has no knowledge of the existence of hazardous environmental conditions or substances, including and without limitation asbestos, polychlorinated biphenyls, petroleum leakage, and agricultural chemicals that may or may not be present on the subject property. Moreover, MaRous and Company appraisers are not qualified to test for these substances or conditions. Because the presence of substances such as asbestos, urea formaldehyde foam insulation, and other hazardous substances and environmental conditions may affect the value of a property, the value estimate is predicated on the assumption that no such condition exists on or in the subject property or in such proximity thereto that would cause a loss in value. No responsibility is assumed for any such conditions or for any expertise or engineering knowledge required to discover them.

Hidden Defects

All structures and mechanical components are assumed to be in sound, operable condition unless otherwise stated, and the value conclusions are based on that assumption. Additionally, the value estimate assumes no soil or subsoil conditions that would cause a loss in value. No responsibility is assumed for architectural, structural, engineering, or mechanical matters, and MaRous and Company appraisers are not qualified to make professional judgments in these areas.

Management

Competent and prudent management of the subject property is assumed. The estimate of value reported herein assumes that the assessments are entirely paid and that the property is free and clear of such assessments. Opinions and statistics furnished by others during this investigation are assumed to be correct, and no responsibility is assumed for their accuracy.

Market Conditions

The value conclusions contained herein are based on the research of market conditions as of the valuation date. Every effort has been made to consider the effect of predictable governmental actions, as well as any environmental or ecological concerns, on the subject property; however, no responsibility is assumed for subsequent changes in the local or national economy or for subsequent changes in local market conditions resulting from local or national economy changes. Because this is an appraisal of market value and is not a feasibility study, no responsibility can be assumed for the ability of the property owner to find a purchaser of the subject property at the appraised value.

ADA Compliance

The Americans with Disabilities Act (ADA) became effective January 26, 1992. No specific determination of compliance with the various detailed requirements of the ADA was made for the subject property. It is possible that a complete compliance survey of the subject property together with a detailed analysis of the ADA requirements could show that the property is not in compliance with one or more of the requirements of the act. If so, this fact could have a negative affect upon the value of the subject property. Because no direct evidence relating to this issue was developed, possible lack of compliance with the ADA was not taken into account in estimating value.

Other

An authentic copy of this appraisal report is signed in ink on the certification; be aware of the potential for alterations on copies. Exhibits, including maps, site plans, and photographs, are provided for informational purposes and are not necessarily to scale. Nothing contained in this appraisal report, particularly the valuation conclusions, the identity of any appraiser, and any reference to the Appraisal Institute or the MAI designation, is to be conveyed to a third party or to the public through advertising, public relations, news, sales, or other medium without the written consent and approval of MaRous and Company. If such consent is secured, the report must be used in its entirety and cannot be altered in any way, and must include all limiting conditions, certifications, and qualifications.

CERTIFICATION

I do hereby certify that, to the best of my knowledge and belief:

1. The statements of fact contained in this appraisal report are true and correct;
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions:
3. I have no present or prospective personal interest in the property that is the subject of this report and no personal interest with respect to the parties involved;
4. I have performed no services as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment;
5. I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment;
6. My engagement in this assignment was not contingent upon developing or reporting predetermined results;
7. The compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent even directly related to the intended use of this appraisal;
8. The reported analyses, opinions, and conclusions were developed, and this report has been prepared in conformity with the *Uniform Standards of Professional Appraisal Practice;*
9. Michael S. MaRous inspected the exterior of various residential areas in Oswego;
10. Anita Rifkind provided real property appraisal assistance to the person signing this certification;
11. The reported analysis, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Code of Professional Ethics and Standards of Professional Appraisal Practice of The Appraisal Foundation;
12. The use of the report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives; and
13. As of the date of this report, Michael S. MaRous, MAI, CRE, has completed the continuing education requirements for Designated Members of the Appraisal Institute.

MaRous & Company

Michael S. MaRous, MAI, CRE
Illinois Certified - #553.000141 (9/15 expiration)

ADDENDA

LAND SALE #1

5510 Bluestem Court
Oswego, Illinois 60543
PIN 03-32-127-005

Size	80,150 square feet or 1.84 acres gross 40,000 square feet or 0.92 acre net of pond (estimated)
Description	This irregularly shaped parcel is located near the end of the Bluestem Court cul-de-sac, in the Old Reserve Hills subdivision. The western portion of the site is located in the pond on site; the buildable area has a long and narrow shape. Municipal water and sewer are not available to this subdivision. The site is zoned R-L, Residential Large Lot District, by the Village of Oswego.
Sale Date	January 1, 2014
Sale Price	$118,000
Unit Sale Price	$64,130 per acre
Verification	This sale was verified by public record and by Multiple Real Estate Data (MRED). The sellers were Tadeusz and Barbara Budz; the buyers were Kevin E. and Kendra R. Schramm. This transaction is recorded as Document Number 2083.
Comments	Another lot in this subdivision is listed for sale: 5015 Barickman Court, Lot 40, has been listed for $69,900 for more than eight months. This rectangular-shaped lot is comprised of 45,057 square feet, indicating a unit asking price of $67,864 per acre.

LAND SALE #2

4179 Steam Mill Court
Unincorporated Oswego, Illinois 60543
PIN 06-05-402-021

Size	1.04 acre
Description	This irregularly shaped site is located at the end of the Steam Mill Court cul-de-sac, west of Grove Road, in the Henneberry Woods subdivision. The lot is in unincorporated Oswego, and within the Village's Planning Area 6, with a target density of 2.0 housing units per acre. Because it is part of a subdivision, some site improvements are included in the sale price. However, the site requires private well and septic systems. The lot is zoned A-1, Agriculture District, by Kendall County.
Sale Date	April 24, 2013
Sale Price	$45,000
Unit Sale Price	$43,269 per acre of land
Verification	This sale was verified by public record and by MRED. The seller was First National Bank of Brookfield; the purchaser was Daniel Carroll. This transaction is recorded as Document Number 10508.
Comments	This sale was the result of a foreclosure. A single-family house has been constructed on the site.

LAND SALE #3

2209 Wolfs Crossing
Unincorporated Oswego, Illinois 60543
PIN 03-15-226-006

Size	7.24 acres
Description	This trapezoidal shaped interior parcel site has approximate 769 feet of frontage on Wolfs Crossing, east of Douglas Road. The property is south adjacent to the Churchill Club residential development surrounding this parcel that is already annexed to the Village. The site is zoned A-1, Agriculture District, by Kendall County.
Sale Date	December 22, 2014
Sale Price	$210,000
Unit Sale Price	$29,006 per acre
Verification	This sale was verified by public record and MRED. The seller was Harris Bank; the buyer was Dhanda Premkumer. This transaction is recorded as Document Number 18129.
Comments	This sale was the result of a foreclosure.

LAND SALE #4

101 Rance Road
Unincorporated Oswego, Illinois 60543
PIN 03-13-400-014

Size	32.36 acres
Description	This flag-shaped interior parcel has approximately 325 feet of frontage on Rance Road, between Harvey Road and U.S. Route 30. The rear of the lot has a width of 1,318 feet. It is zoned A-1, Agriculture District, by Kendall County.
Sale Date	April 2, 2013
Sale Price	$550,000
Unit Sale Price	$16,996 per acre
Verification	This sale was verified by public record and MRED. The seller was Susan Oliver; the buyer was Vicky S. Campbell Trust. This transaction is recorded as Document Number 10581.

LAND SALE #5

11323 Helmar Road
Unincorporated Yorkville, Illinois 60560
PIN 05-31-400-006 and -015

Size	70.6 acres
Description	This basically rectangular-shaped interior parcel has an irregular northern border along a drainage ditch. It is located west and slightly south of Planning Area 7, in unincorporated Yorkville. It is zoned A-1, Agriculture District, by Kendall County.
Sale Date	December 31, 2013
Sale Price	$953,100
Unit Sale Price	$13,500 per acre
Verification	This sale was verified by public record and MRED. The seller was Thera Ann Cooper; the buyer was Raymond J. Feldott. This transaction is recorded as Document Number 1399.

LAND SALE #6

6361 Minkler Road
Unincorporated Yorkville, Illinois 60560
PIN 05-02-100-002

Size	12.59 acres
Description	This trapezoidal shaped parcel has approximately 594 feet of frontage on Minkler Road, and over 3,000 feet of frontage on Hilltop Road, east of Illinois Route 71. Development to the north and west are residential subdivisions annexed by Yorkville. It is zoned A-1, Agriculture, by Kendall County.
List Date	January 30, 2012
List Price	$356,250
Unit List Price	$28,296 per acre
Verification	This listing was verified by public record and MRED. The property is owned by Five H, LLC.

LAND SALE #7

12005 Peterson Road
Unincorporated Minooka, Illinois 60447
PIN 09-04-200-021

Size	20.54 acres
Description	This irregularly shaped flag lot has approximately 200 feet of frontage on Peterson Road where it dead-ends south of Caton Farm Road. There is an existing, older, single-family house on the Peterson Road frontage; however, the property was marketed as vacant land. A creek runs along the rear of the site. The site is zoned A-1, Agriculture District, by Kendall County.
List Date	July 11, 2014
List Price	$420,000
Unit List Price	$20,448 per acre
Verification	This listing was verified by public record and MRED. The property is owned by Margaret Dugan.

Definitions

Highest and Best Use

Highest and best use is defined as "the reasonably probable use of property that results in the highest value."[9]

In arriving at an opinion of highest and best use, the most profitable competitive use for the land or a site as though vacant and as improved is analyzed. The highest and best use of land or a site as though vacant is based on the assumption that a parcel of land is vacant or can be made vacant through demolition of any improvements. The highest and best use of a property as improved involves an analysis of the existing property.

Cost Approach

The cost approach is based upon the principle of substitution, comparing the cost to develop a property with the value of the existing or a similarly developed property. An estimate is made of the current cost to construct a reproduction of the existing structure from which is deducted accrued depreciation. To this is added entrepreneurial profit if appropriate and the estimated value of the underlying land.

Income Capitalization Approach

The income capitalization approach is "a set of procedures through which an appraiser derives a value indication for an income-producing property by converting its anticipated benefits (cash flows and reversion) into property value."[10]

Sales Comparison Approach

The sales comparison approach to value is based upon the principle of substitution, that is, when a property is replaceable in the market, its value tends to be no more than the cost of acquiring an equally desirable substitute property, assuming no costly delay in making the substitution.

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9 *The Appraisal of Real Estate*. 14th ed., (Chicago: Appraisal Institute, 2013) 332.

10 *The Dictionary of Real Estate Appraisal*. 5th ed., (Chicago: Appraisal Institute, 2010) 99.

MICHAEL S. MAROUS
STATEMENT OF QUALIFICATIONS

Michael S. MaRous, MAI, CRE, is president and owner of MaRous and Company. He has appraised more than $15 billion worth of primarily investment-grade real estate in more than 25 states. In addition to providing documented appraisals, he has served as an expert witness in litigation proceedings for many law firms; financial institutions; corporations; builders and developers; architects; local, state, county, and federal governments and agencies; and school districts in the Chicago metropolitan area. His experience in partial interest, condemnation, damage impact, easement (including aerial and subsurface), marital dissolutions, bankruptcy proceedings, and other valuation issues is extensive. He has provided highest and best use, marketability, and feasibility studies for a variety of properties. Many of the largest redevelopment areas and public projects, including Interstate 355, the O'Hare International Airport expansion, the Midway Airport expansion, and the McCormick Place expansion, are part of Mr. MaRous' experience. Also, he purchases and develops real estate for his own account.

APPRAISAL AND CONSULTATION EXPERIENCE

Industrial Properties

Business Parks
Distribution Centers
Manufacturing Facilities
Research Facilities
Self-storage Facilities
Warehouses

Commercial Properties

Auto Sales/Service Facilities
Banquet Halls
Big Box Stores
Gasoline Stations
Hotels and Motels
Office Buildings
Restaurants
Shopping Centers
Theaters

Special-Purpose Properties

Bowling Alleys
Cemeteries
Farms
Golf Courses
Lumber Yards
Nurseries
Riverboat Gambling Facilities
Schools
Stadium Expansion Issues
Tank Farms
Underground Gas Aquifers
Utility Corridors
Waste Transfer Facilities

Residential Properties

Apartment Complexes
Condominium Conversions
Condominium Developments
Single-family Residences
Subdivision Developments
Townhouse Developments

Vacant Land

Agricultural
Alleys
Commercial
Easements
Industrial
Residential
Right of Ways
Streets
Vacations

Clients

Corporations
Financial Institutions
Law Firms
Not-for-profit Associations
Private Parties
Public Entities

EDUCATION

B.S., Urban Land Economics, University of Illinois, Urbana-Champaign
Continuing education seminars and programs through the Appraisal Institute
and the American Society of Real Estate Counselors and real estate brokerage classes

PUBLIC SERVICE

Mayor, City of Park Ridge, Illinois (2003-2005)
Alderman, City of Park Ridge, including Liaison to the Zoning Board of Appeals and Planning and Zoning and Chairman of the Finance and Public Safety Committees (1997-2005)

PROFESSIONAL AFFILIATIONS AND LICENSES

Appraisal Institute, MAI designation, Number 6159
American Society of Real Estate Counselors, CRE designation
Illinois Certified General Real Estate Appraiser, License Number 553.000141 (9/15)
Licensed Real Estate Broker (Illinois)

PROFESSIONAL ACTIVITIES

Mr. MaRous is past president of the Chicago Chapter of the Appraisal Institute. He is former chair and vice chair of the National Publications Committee and has sat on the board of *The Appraisal Journal*. In addition, he has served on and/or chaired more than fifteen other committees of the Appraisal Institute, the Society of Real Estate Appraisers, and the American Institute of Real Estate Appraisers.

Mr. MaRous served as chair of the Midwest Chapter of the American Society of Real Estate Counselors in 2006 and 2007. He has sat on the Chicago Chapter Board of Directors, the Editorial Board of *Real Estate Issues,* and on various other committees.

Mr. MaRous also is past president of the Illinois Coalition of Appraisal Professionals. He has sat on the board of directors, has held office, and has served on numerous committees of many other professional associations, including the National Association of Security Dealers, the International Research Council, the Chicago Real Estate Board, the Northwest Suburban Real Estate Board, the National Association of Real Estate Boards, and the Northern Illinois Commercial Association of Realtors.

PUBLICATIONS AND PROFESSIONAL RECOGNITION

Mr. MaRous has spoken at more than 20 programs and seminars related to real estate appraisal and valuation.

Author

"Low-income Housing in Our Backyards," *The Appraisal Journal*, January 1996
"The Appraisal Institute Moves Forward," *Illinois Real Estate Magazine*, December 1993
"Chicago Chapter, Appraisal Institute," *Northern Illinois Real Estate Magazine*, February 1993
"Independent Appraisals Can Help Protect Your Financial Base," *Illinois School Board Journal*, November-December 1990
"What Real Estate Appraisals Can Do For School Districts," *School Business Affairs*, October 1990

Awards

Chicago Chapter of the Appraisal Institute - F. Gregory Opelka Award, 2002
Appraisal Institute - George L. Schmutz Memorial Award, 2001
Chicago Chapter of the Appraisal Institute - Heritage Award, 2000
Chicago Chapter of the Appraisal Institute - Herman O. Walther, 1987 (Distinguished Chapter Member)

Reviewer or Citation in the Following Books

Appraisal of Real Estate, Twelfth Edition, 2001
Appraisal of Real Estate, Thirteenth Edition, 2008
Subdivision Valuation, 2008
Real Estate Damages, 2008
Valuation of Apartment Properties, 2007
Valuation of Billboards, 2006
Appraising Industrial Properties, 2005
Valuation of Market Studies for Affordable Housing, 2005
Valuing Undivided Interest in Real Property: Partnerships and Cotenancies, 2004
Analysis and Valuation of Golf Courses and Country Clubs, 2003
Dictionary of Real Estate Appraisal, Fourth Edition, 2002
Valuing Contaminated Properties: An Appraisal Institute Anthology, 2002
Hotels and Motels: Valuation and Market Studies, 2001
Land Valuation: Adjustment Procedures and Assignments, 2001
Appraisal of Rural Property, Second Edition, 2000
Capitalization Theory and Techniques, Study Guide, Second Edition, 2000
Guide to Appraisal Valuation Modeling Land, 2000
Appraising Residential Properties, Third Edition, 1999
Business of Show Business: The Valuation of Movie Theaters, 1999
GIS in Real Estate: Integrating, Analyzing and Presenting Locational Information, 1998
Market Analysis for Valuation Appraisals, 1995

REPRESENTATIVE WORK OF MICHAEL S. MAROUS

Headquarters/Corporate Office Facilities in Illinois

Fortune 500 corporation facility, 200,000 sq. ft., Libertyville
Corporate headquarters, 300,000 sq. ft. and 500,000 sq. ft., Chicago
Fortune 500 corporation facility, 450,000 sq. ft., Northfield
Major airline headquarters, 1,100,000 million sq. ft. on 47 acres, Elk Grove Village
Former communications facility, 1,400,000 million sq. ft. on 62 acres, Skokie and Niles
Corporate Headquarters, 1,500,000+ sq. ft., Lake County
Former Sears Headquarters Redevelopment Project, Chicago

Office Buildings in Chicago

401 South LaSalle Street, 140,000 sq. ft.
134 North LaSalle Street, 260,000 sq. ft.
333 North Michigan Avenue, 260,000 sq. ft.
171 West Randolph Street, 360,000 sq. ft.
20 West Kinzie Street, 405,000 sq. ft.
55 East Washington Street, 500,000 sq. ft.
10 South LaSalle Street, 870,000 sq. ft.
222 West Adams, 1,000,000 sq. ft.
175 West Jackson Boulevard, 1,450,000 sq. ft.
227 West Monroe, 1,800,000 sq. ft.
10 South Dearborn Street, 1,900,000 sq. ft.

Hotels in Chicago

10 E. Grand Avenue (Hilton Garden Inn)
106 East Superior Street (Peninsula Hotel)
140 East Walton Place (The Drake Hotel)
676 North Michigan Avenue (Omni Chicago Hotel)
One West Wacker Drive (Renaissance Chicago Hotel)
320 North Dearborn Street (Westin Chicago River North)
505 North Michigan Avenue (Hotel InterContinental)

Large Industrial Properties in Illinois

Large industrial complexes, 400,000 sq. ft., 87th Street and Greenwood Avenue, Chicago
Distribution warehouse, 580,000 sq. ft. on 62 acres, Champaign
Publishing house, 700,000 sq. ft. on 195 acres, U.S. Route 45, Mattoon
AM Chicago International, 700,000± sq. ft. on 41 acres, 1800 West Central, Mt. Prospect
Nestlé distribution center, 860,000 sq. ft. on 153 acres, DeKalb
Fortune 500 company distribution center, 1,000,000 sq. ft., Elk Grove Village
U.S. Government Services Administration distribution facility, 860,000 sq. ft., 76th Street and Kostner Avenue, Chicago
Self-storage facilities, various Chicago metropolitan locations

Vacant Land in Illinois

15 acres, office, Northbrook
20 acres, residential, Glenview
25 acres, Hinsdale
55 acres, mixed-use, Darien
75 acres, I-88 at I-355, Downers Grove
100± acres, various uses, Lake County
140 acres, Flossmoor
142 acres, residential, Lake County
160 acres, residential, Cary
200 acres, mixed-use, Bartlett
250 acres, Island Lake
450 acres, residential, Wauconda
475± acres, various uses, Lake County
650 acres, Hawthorne Woods
650 acres, Waukegan/Libertyville
800 acres, Woodridge
900 acres, Matteson
1,000± acres, Batavia area
2,000± acres, Northern Lake County
5,000 acres, southwest suburban Chicago area
Landfill expansion, Lake County

Business and Industrial Parks

Chevy Chase Business Park, 30 acres, Buffalo Grove
Carol Point Business Center, 300-acre industrial park, Carol Stream, $125,000,000+ project
Internationale Centre, approximately 1,000 acre-multiuse business park, Woodridge

Retail Facilities

10 Community shopping centers, various Chicago, Metropolitan locations
Big-box uses, various Chicago metropolitan locations
Gasoline Stations, various Chicago metropolitan locations
More than 30 single-tenant retail facilities larger than 80,000 sq. ft., various Chicago metropolitan locations

Residential Projects

Federal Square townhouse development project, 118 units, $15,000,000+ sq. ft. project, Dearborn Place, Chicago
Marketability and feasibility study, 219 East Lake Shore Drive, Chicago
Riverview II, Chicago, Old Town East and West, Chicago, Museum Park Lofts II, Museum Park Tower 4, University Commons, Two River Place, River Place on the Park, Chicago

Market Studies

Impact of land fill on adjacent property values
Impact of low-income housing on adjacent residential property values
Impact of proposed quarry expansion on neighboring properties
Impact of commercial and parking uses on adjacent residential property values
Impact of significant zoning changes on residential property values
Sanitary sewer value impact study
Waste transfer facility impact study

Properties in Other States

330,000 sq. ft., Newport Beach, California
Former government depot/warehouse and distribution center, 2,500,000 sq. ft. on 100+ acres, Ohio
Shopping Center, St. Louis, Missouri
Office Building, Clayton, Missouri
Condominium Development, New York, New York

Airport Related Properties

Mr. MaRous has done valuations on more than 100 parcels in and around O'Hare International Airport, Chicago Midway Airport, Palwaukee Municipal Airport, Chicago Aurora Airport, DuPage Airport, and Lambert-St. Louis International Airport

REPRESENTATIVE CLIENT LISTING OF MICHAEL S. MAROUS

Law Firms

Botti Law Firm, P.C.
Alschuler, Simantz & Hem, LLC
Arnstein & Lehr LLP
Steven B. Bashaw, P.C.
Berger, Newmark & Fenchel P.C.
Berger Schatz
Carmody MacDonald P.C.
Crane, Heyman, Simon, Welch & Clar
Daley & Georges, Ltd.
DLA Piper
Drinker, Biddle & Reath LLP
Figliulo & Silverman, P.C.
Foley & Lardner LLP
Foran, O'Toole & Burke LLC
Franczek Radelet P.C.
Freeborn & Peters LLP
Goldberg Kohn
Gould & Ratner LLP
Graft & Jordan
Greenberg Traurig LLP
Helm & Wagner
Robert Hill Law, Ltd.
Hinshaw & Culbertson LLP
Holland & Knight LLP
Jenner & Block
Donald L. Johnson
Kinnally, Flaherty, Krentz & Loran PC
Kirkland & Ellis LLP
Klein, Thorpe & Jenkins, Ltd.
Locke Lord LLP
McDermott, Will & Emery
Mayer Brown
McGuireWoods LLP
Michael Best & Friedrich LLP
Miller & Sweeney CO
Morrison & Morrison, Ltd.
Bryan E. Mraz & Associates
Neal, Gerber & Eisenberg, LLP
Neal & Leroy LLC
O'Donnell Law Firm Ltd.
O'Halloran Kosoff Geitner & Cook, LLC
Owens, Owens & Rinn, Ltd.
Prendergast & DelPrincipe
Rathje & Woodward, LLC
Raysa & Zimmermann, LLC
Righeimer, Martin & Cinquino, P.C.
Mary Riordan, Attorney
Robbins, Salomon & Patt, Ltd.
Rosenfeld Hafron Shapiro & Farmer
Rosenthal, Murphey, Coblentz & Donahue
Rubin & Norris, LLC
Ryan and Ryan Attorneys at Law, P.C.
Reed Smith LLP
Sarnoff & Baccash
Scariano, Himes & Petrarca, Chtd.
Schiff Hardin LLP
Schiller, DuCanto & Fleck LLP
Schirott, Luetkehans & Garner,LLC
Schuyler, Roche & Crisham, P.C.
Sidley Austin LLP
Sonnenschien, Nath & Rosenthal LLP
Storino, Ramello & Durkin
Thomas M. Tully & Associates
Thompson Coburn, LLP
Tuttle, Vedral & Collins, P.C.
Vedder Price
Wildman, Harrold, Allen & Dixon
Winston & Strawn LLP
Worsek & Vihon LLP

Financial Institutions

AmericaUnited Bank and Trust
Charter One
Citibank
Cole Taylor Bank
Covest Banc
First Bank of Highland Park
First Midwest Bank
First Northwest Bank
Glenview State Bank
Harris Bank
Itasca Bank and Trust
Lake Forest Bank & Trust
MB Financial Bank
Midwest Bank & Trust Company
Northern Trust Bank
Northview Bank & Trust
Private Bank & Trust Co.
State Financial Bank
Winfield Community Bank
Wintrust Bank Group

Corporations

Advocate Health Care System
American Stores Company
Archdiocese of Chicago
Arthur J. Rogers and Company
BP Amoco Oil Company
Christopher B. Burke Engineering, Ltd.
Cambridge Homes
Canadian National Railroad
Capital Realty Services, Inc.
Chicago Cubs
Children's Memorial Hospital
Chrysler Realty Corporation
Citgo Petroleum Corporation
CorLands
Edward R. James Partners, LLC
Enterprise Development Corporation
Enterprise Leasing Company
Exxon Mobil Corporation
Hamilton Partners
Hewitt Associates LLC
Hollister Corporation
Imperial Realty Company
Kenard Corporation
Kimco Realty Corporation
Kinder Morgan, Inc.
Kmart Corporation
Lakewood Homes
Loyola University Health System
Marathon Oil Corporation
Meijer, Inc.
Mesirow Stein Real Estate, Inc.
Prime Group Realty Trust
Public Storage Corporation
RREEF Corporation
Shell Oil Company
Stewart Warner Corporation
Union Pacific Railroad Company
United Airlines, Inc.
United of America Insurance Company

Public Entities

Illinois Local Governments and Agencies

Village of Arlington Heights
Village of Barrington
Village of Bartlett
Village of Bellwood
Village of Brookfield
Village of Burr Ridge
Village of Cary
City of Chicago
Village of Deer Park
City of Des Plaines
Des Plaines Park District
Downers Grove Park District
City of Elgin
Elk Grove Village
City of Elmhurst
Village of Elmwood Park
City of Evanston
Village of Forest Park
Village of Franklin Park
Village of Glenview
Glenview Park District
Village of Harwood Heights
City of Highland Park
Village of Hinsdale
Village of Inverness
Village of Kildeer
Village of Lake Zurich
Leyden Township
Village of Lincolnshire
Village of Lincolnwood
Village of Morton Grove
Village of Mount Prospect
Village of North Aurora
Village of Northbrook
City of North Chicago
Village of Northfield
Northfield Township
Village of Oak Brook
Village of Orland Park
City of Palos Hills
City of Prospect Heights
City of Rolling Meadows
Village of Rosemont
City of St. Charles
Village of Schaumburg
Village of Schiller Park
Village of Skokie
Village of South Barrington
Village of Streamwood
Metropolitan Water Reclamation District of Greater Chicago
City of Waukegan
Village of Wheeling
Village of Wilmette
Village of Willowbrook
Village of Winnetka
Village of Woodridge

County Governments and Agencies

Boone County State's Attorney's Office
Forest Preserve of Cook County
Cook County State's Attorney's Office
DuPage County Board of Review
Forest Preserve District of DuPage County
Kane County
Kendall County Board of Review
Lake County
Lake County Forest Preserve District
Lake County State's Attorney's Office

State and Federal Government Agencies

Federal Deposit Insurance Corporation
U.S. General Services Administration
Illinois Housing Development Authority
Illinois State Toll Highway Authority
Internal Revenue Service
The U.S. Postal Service

Schools

Argo Community High School District No. 217
Arlington Heights District No. 25 Township High School District No. 214, Arlington Heights
Barrington Community Unit District No. 220
Chicago Board of Education
Chicago Ridge District No. 127½
College of Lake County
Community Consolidated School District No. 146
Consolidated High School District No. 230
Darien District No. 61
DePaul University
Elmhurst Community Unit School District No. 205
Indian Springs School District No. 109
LaGrange School District No. 105
Loyola University
Lyons Township High School District No. 204
Maine Township High School District No. 207
Morton College
Niles Elementary District No. 71
North Shore District No. 112, Highland Park
Northwestern University
Rosalind Franklin University
Roselle School District No. 12
Schaumburg Community Consolidated District No. 54
University of Illinois
Wheeling Community Consolidated District No. 21
Wilmette District No. 39

DEVELOPED LAND COST ANALYSIS
OSWEGO, ILLINOIS 60543

August 9, 2015

Prepared For: Ehlers, Inc.

Prepared By: Clark Dietz, Inc.

DEVELOPED LAND COST ANALYSIS

DEVELOPED LAND COST FOR PARK OR SCHOOL SITE

The purpose of this analysis is to provide the construction cost element for the development of one (1) acre of otherwise undeveloped land lying at the perimeter of Oswego, Illinois. The primary costs of construction have been identified for the preparation of usable land for a park or school site per the standards identified in Village's Land Cash Ordinance 06-20. Unit prices have been estimated utilizing design engineer's estimates and contractor's bid tabulations for construction projects including site grading, topsoil excavation and placement, establishment of turf and storm water detention needs. The contractor's unit prices were assumed to be competitively bid at current prevailing wage rates in the State of Illinois and all costs are in 2015 dollars.

The following items make up the baseline costs for the preparation of lands to produce a usable park site or school site in Oswego, Illinois:

- Earth Excavation and Grading
- Topsoil Excavation and Placement
- Seeding, Mulch and Fertilizer
- Storm Water Detention

Earth excavation and grading can vary greatly depending on site topography. For the purposes of this analysis it was assumed that the site is relatively flat and therefore would require an average excavation of 12 inches thick within the entire limits of the site. It was assumed that the site includes acceptable topsoil which can be excavated, stockpiled and placed within the limits of the development for the establishment of a 6 inch thick topsoil layer.

Storm water management practices can also vary greatly depending on the surrounding topography. Village Ordinance 06-20 states that the land dedication for a park site or school site shall not include the storm water management system and detention shall be accommodated offsite in other detention areas. For the purposes of this analysis storm water detention was developed as a regional system with the following design criteria assumptions:

- 20 acre development/drainage area
- 100 year storm frequency with 2.75 acre-feet storage requirement
- Wet basin with 1 acre water surface
- 25 foot wide perimeter with grass buffer
- 10 foot water depth from normal pool

- 3 foot +/- water storage depth with 2 foot +/- freeboard
- Earth excavation required for detention construction can remain on site
- Proposed outlet/overflow structure is required
- Existing downstream sewer or open channel has adequate capacity to accept controlled runoff and offsite drainage improvements are not required

Costs for these items were calculated on a unit cost basis as shown below:

Table 1
Opinion of Probable Construction Cost
1 Acre Developed Land per Land Cash Ordinance

ITEM	UNIT	QUANTITY	$/UNIT	TOTAL
EARTH EXCAVATION	CU. YD.	1,614	$20.00	$32,280
TOP SOIL EXCAVATION AND PLACEMENT, 6" THICK	CU. YD.	807	$11.00	$8,877
STORM WATER DETENTION	ACRE	1	$10,000	$10,000
SEEDING, MULCH AND FERTILIZER	ACRE	1	$5,000	$5,000
			TOTAL (PER ACRE 2015 DOLLARS)	$56,157
			SAY:	***$57,000***

As shown in TABLE 1, the identified developed cost per acre for the preparation of useable land for a park or school site in Oswego, Illinois is approximately $57,000 (2015 Dollars). The opinion of probable construction costs does not include costs associated with initial land purchase or public infrastructure improvements such as street and utility installations. Public infrastructure costs are discussed in the following section.

DEVELOPED LAND COST FOR PUBLIC INFRASTRUCTURE

The purpose of this analysis is to provide the construction cost element for the development of public infrastructure improvements through otherwise undeveloped land lying at the perimeter of Oswego, Illinois. The primary costs of construction have been identified for a typical infrastructure improvement within the public right-of-way. Unit prices have been estimated utilizing design engineer's estimates and contractor's bid tabulations for construction projects. The contractor's unit prices were assumed to be competitively bid at current prevailing wage rates in the State of Illinois and all costs are in 2015 dollars.

The following items make up the baseline costs for proposed public infrastructure improvements in Oswego, Illinois:

- Earth Excavation and Grading
- Portland Cement Concrete Pavement, 7" thick
- Aggregate Base Course, 8" thick
- Portland Cement Concrete Sidewalk, 6" thick
- Combination Concrete Curb and Gutter, Type B-6.12
  (Type B-6.12 = 6" barrier curb height and 12" gutter flag width)
- Sanitary Sewer, 8" diameter
- Water Main, 8" diameter
- Storm Sewer, 15" diameter
- Miscellaneous Structures for Storm, Sanitary and Water Utilities
- Professional Services, Engineering and Legal

For the purposes of this analysis, the public right-of-way width was assumed to be 66 feet. The proposed street improvements consist of a 30 foot wide concrete pavement atop an aggregate base course with combination concrete curb and gutter on both sides. The typical section also includes 5 foot wide concrete sidewalks on both sides with turfed parkways. Public utilities include sanitary sewer, water main and storm sewer systems. Sizes of sanitary sewer lines and water mains were based on the Village of Oswego Subdivision and Development Control Regulations. Other construction items, sizes and thicknesses were based on a combination of Village of Oswego requirements and engineering judgement. The cost difference between concrete pavement and hot-mix asphalt pavement was assumed to be negligible. Private utilities such as underground/overhead electric, gas, cable TV and various communications were assumed to be available in the vicinity of the development and are not included in the public infrastructure cost analysis.

The scope of public infrastructure improvements can vary greatly depending on site specific needs and constraints. For this reason, estimating public infrastructure costs in terms of acres is not reasonable and is not included herein. In addition, any changes to the assumed typical section should be considered when evaluating the cost of such improvements.

Costs for these items were calculated per 100 foot of improvement with a simple conversation to linear feet as shown in the following table:

Table 2
Opinion of Probable Construction Costs
Public Infrastructure for Developed Land

Typical Section Assumptions:

- *66 foot public right-of-way;*
- *30 foot wide street (edge to edge) with concrete curb and gutter;*
- *Turf parkways and 5' sidewalks on both sides;*
- *Public utilities include sanitary sewer, water main and storm sewer*

ITEM	UNIT	QUANTITY	$/UNIT	TOTAL
EARTH EXCAVATION	CU. YD.	500	$20.00	$10,000
PORTLAND CEMENT CONCRETE PAVEMENT 7"	SQ. YD.	334	$45.00	$15,030
AGGREGATE BASE COURSE 8"	SQ. YD.	400	$15.00	$6,000
PORTLAND CEMENT CONCRETE SIDEWALK 6"	SQ. FT.	1000	$6.00	$6,000
COMBINATION CONCRETE CURB & GUTTER TYPE B-6.12	FOOT	200	$25.00	$5,000
SANITARY SEWER 8" DIA., RCP	FOOT	100	$85.00	$8,500
WATER MAIN 8" DIA.	FOOT	100	$125.00	$12,500
STORM SEWER 15" DIA., RCP	FOOT	100	$60.00	$6,000
STORM SEWER LATERALS, RCP	FOOT	30	$60.00	$1,800
MISC. STRUCTURES FOR SANITARY, STORM AND WATER	L. SUM	1	$3,000.00	$3,000
TOPSOIL, SEEDING, MULCH AND FERTILIZER	SQ. YD.	255	$10.00	$2,550
MOBILIZATION	L. SUM	1	$3,500.00	$3,500
PROFESSIONAL SERVICES (ENGINEERING & LEGAL)	L. SUM	1	$3,000.00	$3,000
			SUBTOTAL (PER 100 FOOT 2015 DOLLARS)	$82,880
			SAY:	***$83,000***
			PER LINEAR FOOT CONVERSION	0.01
			TOTAL (PER LINEAR FOOT, 2015 DOLLARS)	**$830**

As shown in TABLE 2, the identified developed cost for public infrastructure in Oswego, Illinois is approximately $83,000 (2015 Dollars) per 100 foot of improvement. **The equivalent cost per linear foot is approximately $830 (2015 dollars).**

DEVELOPED LAND COST ANALYSIS LIMITATION

Clark Dietz, Inc. has no control over the cost or availability of labor, equipment, materials, market conditions, or over the contractor's method of pricing. The opinions of probable construction costs expressed herein are made on the basis of our professional judgement and experience. We make no warranty, expressed or implied that the bids will not vary from our opinions of probable construction costs.

Kane, McKenna
and Associates, Inc.

150 North Wacker Drive
Suite 1600
Chicago, Illinois 60606

T: 312.444.1702
F: 312.444.9052

MEMO

TO: Village of Oswego, Illinois

FROM: Kane, McKenna and Associates, Inc.

RE: Sample Analysis of TIF School Payment Obligation

DATE: September 29, 2017

Pursuant to the Tax Increment Allocation Redevelopment Act (the "TIF Act") (specifically 65 ILCS 5/11-74.4-3(q)(7.5) of TIF Act), a school district is allowed to seek payment for such school district's increased costs attributable to assisted housing units located within a redevelopment project area for which a developer receives TIF assistance which costs would be paid from the Special Tax Allocation Fund created pursuant to the TIF Act (a "TIF Assisted Development").

The sole school district servicing the Village's TIF District is the Oswego Community Unit School District No. 308 (the "School District"). The School District is currently designated as "foundation district" for purposes of receiving general state aid from the State of Illinois. As a unit school district with a district average 1995-96 Per Capita Tuition Charge of less than $5,900, no more than 25% of the total amount of property tax increment revenue produced by those housing units are required to be used to pay for the School District's increased costs attributable to such units (see Exhibit A attached hereto which contains an excerpt from the TIF Act). However, in the event that the School District is designated as an "alternate" or "flat grant" district such percentage would be increased to 40% of such incremental property tax revenue.

Each year the increased costs are determined by multiplying the School District's attendance resulting from the net increase in new students enrolled in the School District that reside in the TIF Assisted Development by the most recently available per capita tuition cost of the School District less any increase in general state aid for each such student in such year. The attached Exhibit B includes an excerpt from the School District's FYE 6/30/16 Annual Financial Report provided to the Illinois State Board of Education ("ISBE") which reflects the most recent per capita tuition cost reported to ISBE and the attached Exhibit C reflects the ISBE general state aid calculation for the School District.

Kane, McKenna
and Associates, Inc.

150 North Wacker Drive
Suite 1600
Chicago, Illinois 60606

T: 312.444.1702
F: 312.444.9052

Based on the amounts provided in Exhibit C, the following would be the current year calculation for the amount of the general state aid received per student.

Net Entitlement (Part IV, Line 3)	$56,199,259.71		
Average Daily Attendance (Part I, Line 2)	17,118.42	=	$3,282.70/student

The cost per student, based on the current year's per capita tuition cost and current year's general state aid, would be calculated as follows:

2015-2016 Per Capita Tuition Charge (Exhibit B)	$9,296.82
Per Student General State Aid Entitlement	- 3,282,70
Net Cost Per Student	$6,014.12

The School District would be required to seek such payment after July1 and before September 30 of each year.

EXHIBIT A

Excerpts From TIF Act

reasonable reserves related thereto;

(7) To the extent the municipality by written agreement accepts and approves the same, all or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred within a taxing district in furtherance of the objectives of the redevelopment plan and project.

(7.5) For redevelopment project areas designated (or redevelopment project areas amended to add or increase the number of tax-increment-financing assisted housing units) on or after November 1, 1999, an elementary, secondary, or unit school district's increased costs attributable to assisted housing units located within the redevelopment project area for which the developer or redeveloper receives financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the assisted housing sites necessary for the completion of that housing as authorized by this Act, and which costs shall be paid by the municipality from the Special Tax Allocation Fund when the tax increment revenue is received as a result of the assisted housing units and shall be calculated annually as follows:

(A) for foundation districts, excluding any school district in a municipality with a population in excess of 1,000,000, by multiplying the district's increase in attendance resulting from the net increase in new students enrolled in that school district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by the most recently available per capita tuition cost as defined in Section 10-20.12a of the School Code less any increase in general State aid as defined in Section 18-8.05 of the School Code attributable to these added new students subject to the following annual limitations:

(i) for unit school districts with a district average 1995-96 Per Capita Tuition Charge of less than $5,900, no more than 25% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act;

(ii) for elementary school districts with a district average 1995-96 Per Capita Tuition Charge of less than $5,900, no more than 17% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act; and

(iii) for secondary school districts with a district average 1995-96 Per Capita Tuition Charge of less than $5,900, no more than 8% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act.

(B) For alternate method districts, flat grant districts, and foundation districts with a district average 1995-96 Per Capita Tuition Charge equal to or more than $5,900, excluding any school district with a population in excess of 1,000,000, by multiplying the district's increase in attendance resulting from the net increase in new students enrolled in that school district who reside in housing units within the

redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by the most recently available per capita tuition cost as defined in Section 10-20.12a of the School Code less any increase in general state aid as defined in Section 18-8.05 of the School Code attributable to these added new students subject to the following annual limitations:

(i) for unit school districts, no more than 40% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act;

(ii) for elementary school districts, no more than 27% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act; and

(iii) for secondary school districts, no more than 13% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act.

(C) For any school district in a municipality with a population in excess of 1,000,000, the following restrictions shall apply to the reimbursement of increased costs under this paragraph (7.5):

(i) no increased costs shall be reimbursed unless the school district certifies that each of the schools affected by the assisted housing project is at or over its student capacity;

(ii) the amount reimbursable shall be reduced by the value of any land donated to the school district by the municipality or developer, and by the value of any physical improvements made to the schools by the municipality or developer; and

(iii) the amount reimbursed may not affect amounts otherwise obligated by the terms of any bonds, notes, or other funding instruments, or the terms of any redevelopment agreement.

Any school district seeking payment under this paragraph (7.5) shall, after July 1 and before September 30 of each year, provide the municipality with reasonable evidence to support its claim for reimbursement before the municipality shall be required to approve or make the payment to the school district. If the school district fails to provide the information during this period in any year, it shall forfeit any claim to reimbursement for that year. School districts may adopt a resolution waiving the right to all or a portion of the reimbursement otherwise required by this paragraph (7.5). By acceptance of this reimbursement the school district waives the right to directly or indirectly set aside, modify, or contest in any manner the establishment of the redevelopment project area or projects;

(7.7) For redevelopment project areas designated (or redevelopment project areas amended to add or increase the number of tax-increment-financing assisted housing units) on or after January 1, 2005 (the effective date of Public Act 93-961), a public library district's increased costs attributable to assisted housing units located within the redevelopment project area for which the developer or

EXHIBIT B

Per Capita Tuition Cost

Page 29

	A	B	C	D	E	F
1	ESTIMATED OPERATING EXPENSE PER PUPIL (OEPP)/PER CAPITA TUITION CHARGE (PCTC) COMPUTATIONS (2015-2016)					
2	*This schedule is completed for school districts only.*					
3						
4	**Fund**	**Sheet, Row**		**ACCOUNT NO - TITLE**		**Amount**
5						
80				**PER CAPITA TUITION CHARGE**		
81						
82	**LESS OFFSETTING RECEIPTS/REVENUES:**					
83	TR	Revenues 9-14, L42, Col F	1411	Regular -Transp Fees from Pupils or Parents (In State)	$	65,821
84	TR	Revenues 9-14, L44, Col F	1413	Regular - Transp Fees from Other Sources (In State)		0
85	TR	Revenues 9-14, L45, Col F	1415	Regular - Transp Fees from Co-curricular Activities (In State)		60,298
86	TR	Revenues 9-14, L46, Col F	1416	Regular Transp Fees from Other Sources (Out of State)		0
87	TR	Revenues 9-14, L51, Col F	1431	CTE - Transp Fees from Pupils or Parents (In State)		0
88	TR	Revenues 9-14, L53, Col F	1433	CTE - Transp Fees from Other Sources (In State)		0
89	TR	Revenues 9-14, L54, Col F	1434	CTE - Transp Fees from Other Sources (Out of State)		0
90	TR	Revenues 9-14, L55, Col F	1441	Special Ed - Transp Fees from Pupils or Parents (In State)		0
91	TR	Revenues 9-14, L57, Col F	1443	Special Ed - Transp Fees from Other Sources (In State)		0
92	TR	Revenues 9-14, L58, Col F	1444	Special Ed - Transp Fees from Other Sources (Out of State)		0
93	ED	Revenues 9-14, L75, Col C	1600	Total Food Service		3,467,298
94	ED-O&M	Revenues 9-14, L82, Col C,D	1700	Total District/School Activity Income		845,390
95	ED	Revenues 9-14, L84, Col C	1811	Rentals - Regular Textbooks		1,782,786
96	ED	Revenues 9-14, L87, Col C	1819	Rentals - Other (Describe & Itemize)		0
97	ED	Revenues 9-14, L88, Col C	1821	Sales - Regular Textbooks		0
98	ED	Revenues 9-14, L91, Col C	1829	Sales - Other (Describe & Itemize)		0
99	ED	Revenues 9-14, L92, Col C	1890	Other (Describe & Itemize)		280,728
100	ED-O&M	Revenues 9-14, L95, Col C,D	1910	Rentals		1,198,538
101	ED-O&M-TR	Revenues 9-14, L98, Col C,D,F	1940	Services Provided Other Districts		0
102	ED-O&M-DS-TR-MR/SS	Revenues 9-14, L104, Col C,D,E,F,G	1991	Payment from Other Districts		0
103	ED	Revenues 9-14, L106, Col C	1993	Other Local Fees (Describe & Itemize)		160,179
104	ED-O&M-TR	Revenues 9-14, L131, Col C,D,F	3100	Total Special Education		3,835,587
105	ED-O&M-MR/SS	Revenues 9-14, L140, Col C,D,G	3200	Total Career and Technical Education		165,574
106	ED-MR/SS	Revenues 9-14, L144, Col C,G	3300	Total Bilingual Ed		187,317
107	ED	Revenues 9-14, L145, Col C	3360	State Free Lunch & Breakfast		12,452
108	ED-O&M-MR/SS	Revenues 9-14, L146, Col C,D,G	3365	School Breakfast Initiative		0
109	ED-O&M	Revenues 9-14, L147,Col C,D	3370	Driver Education		183,337
110	ED-O&M-TR-MR/SS	Revenues 9-14, L154, Col C,D,F,G	3500	Total Transportation		5,234,168
111	ED	Revenues 9-14, L155, Col C	3610	Learning Improvement - Change Grants		0
112	ED-O&M-TR-MR/SS	Revenues 9-14, L156, Col C,D,F,G	3660	Scientific Literacy		0
113	ED-TR-MR/SS	Revenues 9-14, L157, Col C,F,G	3695	Truant Alternative/Optional Education		0
114	ED-TR-MR/SS	Revenues 9-14, L159, Col C,F,G	3715	Reading Improvement Block Grant		0
115	ED-TR-MR/SS	Revenues 9-14, L160, Col C,F,G	3720	Reading Improvement Block Grant - Reading Recovery		0
116	ED-TR-MR/SS	Revenues 9-14, L161, Col C,F,G	3725	Continued Reading Improvement Block Grant		0
117	ED-TR-MR/SS	Revenues 9-14, L162, Col C,F,G	3726	Continued Reading Improvement Block Grant (2% Set Aside)		0
118	ED-O&M-TR-MR/SS	Revenues 9-14, L163, Col C,D,F,G	3766	Chicago General Education Block Grant		0
119	ED-O&M-TR-MR/SS	Revenues 9-14, L164, Col C,D,F,G	3767	Chicago Educational Services Block Grant		0
120	ED-O&M-DS-TR-MR/SS	Revenues 9-14, L165, Col C,D,E,F,G	3775	School Safety & Educational Improvement Block Grant		0
121	ED-O&M-DS-TR-MR/SS	Revenues 9-14, L166, Col C,D,E,F,G	3780	Technology - Technology for Success		0
122	ED-TR	Revenues 9-14, L167, Col C,F	3815	State Charter Schools		0
123	O&M	Revenues 9-14, L170, Col D	3925	School Infrastructure - Maintenance Projects		0
124	ED-O&M-DS-TR-MR/SS-Tort	Revenues 9-14, L171, Col C-G,J	3999	Other Restricted Revenue from State Sources		95,141
125	ED	Revenues 9-14, L180, Col C	4045	Head Start (Subtract)		0
126	ED-O&M-TR-MR/SS	Revenues 9-14, L184, Col C,D,F,G	-	Total Restricted Grants-In-Aid Received Directly from Federal Govt		0
127	ED-O&M-TR-MR/SS	Revenues 9-14, L191, Col C,D,F,G	-	Total Title V		0
128	ED-MR/SS	Revenues 9-14, L201, Col C,G	-	Total Food Service		2,687,151
129	ED-O&M-TR-MR/SS	Revenues 9-14, L211, Col C,D,F,G	-	Total Title I		1,293,758
130	ED-O&M-TR-MR/SS	Revenues 9-14, L216, Col C,D,F,G	-	Total Title IV		0
131	ED-O&M-TR-MR/SS	Revenues 9-14, L220, Col C,D,F,G	4620	Fed - Spec Education - IDEA - Flow Through		489,608
132	ED-O&M-TR-MR/SS	Revenues 9-14, L221, Col C,D,F,G	4625	Fed - Spec Education - IDEA - Room & Board		0
133	ED-O&M-TR-MR/SS	Revenues 9-14, L222, Col C,D,F,G	4630	Fed - Spec Education - IDEA - Discretionary		0
134	ED-O&M-TR-MR/SS	Revenues 9-14, L223, Col C,D,F,G	4699	Fed - Spec Education - IDEA - Other (Describe & Itemize)		0
135	ED-O&M-MR/SS	Revenues 9-14, L228, Col C,D,G	4700	Total CTE - Perkins		78,000
160	ED-O&M-DS-TR-MR/SS-Tort	Revenue Adjustments (C231 thru J258)	4800	Total ARRA Program Adjustments		64,227
161	ED	Revenues 9-14, L260, Col C	4901	Race to the Top		0
162	ED-O&M-DS-TR-MR/SS-Tort	Revenues 9-14, L261, Col C-G,J	4902	Race to the Top-Preschool Expansion Grant		0
163	ED,O&M,MR/SS	Revenues 9-14, L262, Col C,D,G	4904	Advanced Placement Fee/International Baccalaureate		0
164	ED-TR-MR/SS	Revenues 9-14, L263, Col C,F,G	4905	Title III - Immigrant Education Program (IEP)		0
165	ED-TR-MR/SS	Revenues 9-14, L264, Col C,F,G	4909	Title III - Language Inst Program - Limited Eng (LIPLEP)		135,010
166	ED-TR-MR/SS	Revenues 9-14, L265, Col C,F,G	4910	Learn & Serve America		0
167	ED-O&M-TR-MR/SS	Revenues 9-14, L266, Col C,D,F,G	4920	McKinney Education for Homeless Children		0
168	ED-O&M-TR-MR/SS	Revenues 9-14, L267, Col C,D,F,G	4930	Title II - Eisenhower Professional Development Formula		0
169	ED-O&M-TR-MR/SS	Revenues 9-14, L268, Col C,D,F,G	4932	Title II - Teacher Quality		132,684
170	ED-O&M-TR-MR/SS	Revenues 9-14, L269, Col C,D,F,G	4960	Federal Charter Schools		0
171	ED-O&M-TR-MR/SS	Revenues 9-14, L270, Col C,D,F,G	4991	Medicaid Matching Funds - Administrative Outreach		112,409
172	ED-O&M-TR-MR/SS	Revenues 9-14, L271, Col C,D,F,G	4992	Medicaid Matching Funds - Fee-for-Service Program		1,089,109
173	ED-O&M-TR-MR/SS	Revenues 9-14, L272, Col C,D,F,G	4999	Other Restricted Revenue from Federal Sources (Describe & Itemize)		0
174						
175				**Total Deductions for PCTC Computation Line 83 through Line 173**	$	**23,656,570**
176				**Net Operating Expense for Tuition Computation (Line 76 minus Line 175)**		149,163,313
177				**Total Depreciation Allowance (from page 27, Col I)**		11,572,862
178				**Total Allowance for PCTC Computation (Line 176 minus Line 177)**		160,736,175
179				**9 Month ADA (from the GSA Claimable for 2015-2016 Payable in 2016-2017 (ISBE form 54-33, Line 12))**		17,289.37
180				**Total Estimated PCTC (Line 178 divided by Line 179) ***	$	**9,296.82**
181						
182	* The total OEPP/PCTC may change based on the data provided. The final amounts will be calculated by ISBE					

EXHIBIT C

ISBE General State Aid Entitlement Calculation

CODE	24-047-3080-26
REGION	GRUNDY-KENDALL ROE
DISTRICT NAME	OSWEGO COMM UNIT SCHOOL DIST 308

ILLINOIS STATE BOARD OF EDUCATION
Division of Funding and Disbursement Services
100 North First Street
Springfield, Illinois 62777-0001

GENERAL STATE AID ENTITLEMENT FOR 2015-2016 PAYABLE IN 2016-2017

PART I - COMPUTATIONAL DATA

A.	2014 Orig. Equalized Assessed Val. (EAV)	$1,602,258,331	AA.	2014 Limiting Rate	5.9693
B.	7% Cap (Cook County Only)	$0	BB.	2013 Original EAV	$1,606,525,668
C.	Enterprise Zone Abatements	$0	CC.	2013 Operating Tax Rate	5.798000
D.	General Authority Abatements	$0	DD.	2014 Extension Limitation Ratio [ELR]	1.0268
E.	Property Tax Appeal Board Decisions	-$93,770		((A x AA) / (BB x CC))	
F.	Other EAV Adjustments	$0	EE.	Prior year EAV used for Gsa calcs.	$1,606,525,668
G.	2014 Adjusted EAV	$1,602,164,561	FF.	Prior year EAV X ELR ((EE x DD) - E)	$1,649,486,785

1.	EAV used for GSA calculations (lower of G or FF)	$1,602,164,561
2.	Best 3 Months Average Daily Attendance (ADA): 13-14: 16,701.92 14-15: 17,060.11 15-16: 17,118.42	17,118.42
3.	2014 Corporate Personal Property Replacement Tax (CPPRT)(received in 2015)	$2,054,391.81
4.	Calculation Rate	.0300
5.	DHS 3-Year Low Income Count Average 13: 3,924.00 14: 3,567.00 15: 3,590.00	3,693.66
6.	District Low Income Concentration (Line 5 divided by the most recent ADA from Line 2)	.2157
7.	Available Local Resources (Line 1 X Line 4 + Line 3)	$50,119,328.64
8.	Local Resources Per Pupil (Line 7 divided by Line 2)	$2,927.80
9.	Percentage of $6,119 (Line 8 divided by $6,119)	.4784

PART II - FOUNDATION FORMULA CALCULATIONS (Line 9 is less than .93)

1.	$6,119 X ADA (Part I, Line 2)	$104,747,611.98
2.	Available Local Resources (Part I, Line 7)	($50,119,328.64)
3.	Foundation Formula Claim Amount (Line 1 - Line 2)	$54,628,283.34
4.	Foundation Formula Claim Per Pupil (Line 3 / Part 1, Line 2)	$3,191.20

PART III - POVERTY GRANT CALCULATION

1.	LIC Conc. Level (Part 1 L-6) Squared x $2,700 + 294.25 = LIC Factor:	419.80	
2.	X DHS Average:	3,693.66	
3.	= Calculated FY2017 Poverty Amount:	1,550,598.46	1,550,598.46

PART IV - SUMMARY OF 2015-2016 CLAIM PAYABLE IN 2016-2017

1.	Gross Entitlement (Poverty Grant + Formula Claim Amount)		$56,178,881.80
	Adjustments:		
	Prior Year EAV Rollover	$316,401.32	
	Adjustment due to prior year(s) EAV certificate of error	$53,825.28	
	Adjustment due to prior year(s) property tax appeal board decision	$8,329.59	
	Proration Adjustment for prior year(s) Ptab and/or CofE	$-358,178.28	
2.	Total Adjustments		$20,377.91
3.	Net Entitlement (Gross Entitlement - Total Adjustments)		$56,199,259.71

PART V - HOLD HARMLESS GRANT (HH Base: $5,754,703.49) N/A

PAYMENT SUMMARY

Proration Percentage: 1.0000000000

Payment Total Subtracted Via Proration: 0.00

Prorated Payment Total: 56,199,259.71

Daniel W. Di Santo,
Village Administrator

100 Parkers Mill • Oswego, IL 60543 • (630) 554-2360 • Fax: (630) 551-4854
Website: http://www.oswegoil.org

September 29, 2017

Dr. John Sparlin
Superintendent of Schools
School District 308
jsparlin@sd308.org

Dear Dr. Sparlin,

I appreciate you and Mr. Dada taking the time to meet with me earlier this week to discuss the pending redevelopment of 59 S. Adams Street in Downtown Oswego. At your request, this letter explains the Village assistance proposed for the development and the payments School District 308 can receive to offset costs attributable to new students that live in the development.

Redevelopment of this site is a top priority of the Village of Oswego and is essential to our overall economic development strategy. As such, last year the Village approved a Tax Increment Financing (TIF) District in downtown with the support of School District 308, and subsequently purchased the former Alexander Lumber property all in an effort to bring a transformative development to Downtown Oswego. Our plan is beginning to come to fruition. This past spring renowned area developer Shodeen Group, LLC announced plans for a $50+ million redevelopment of the site that will provide much needed public parking, retail and restaurant space, and residential units to our downtown.

A decade ago, the Village considered approving a TIF District to bring a similar scale redevelopment project to the same property. However these plans were never approved and the Village decided to let the private market drive Downtown development. Since that time, there has been virtually no private investment in Downtown Oswego. Over the past year we have learned more about why Village assistance is necessary to make development in downtown possible.

Funding the public infrastructure improvements necessary for such a development is insurmountable for any developer. The cost to build a public parking deck, reconstruct public streets, and install modern utilities on the Alexander Lumber site exceeds $15 million. In our case, the TIF District will allow the developer to finance most of these public improvements through their own incremental property tax payments. However these property tax payments still fall short of financing all of the public improvements. In the true spirit of this public/private partnership, the Village proposes to bridge that financing gap with our own investment in off-site public improvements.

If permit, land-cash, and impact fees were added onto the already significant development costs, the funding gap would grow beyond what either the developer or Village could afford. As a result, staff is recommending that the Village waive all fees associated with this public/private

partnership to make the project possible. For School District 308, that means the Village would not collect development impact fees or land-cash fees on your behalf.

Instead of offsetting the District's costs attributable to the new residential units with traditional fees, the TIF Act allows the District to recoup TIF funds for any new District 308 students created by the development. Our financial consultants, Kane, McKenna and Associates, Inc., prepared the attached analysis that estimates the net payment to be $6,014.12 per student, per enrollment year during the duration of the TIF (adjusted each year until 2039). These payments provide a mechanism for the District to share in TIF revenues to recoup costs.

It is important to note that the developer does not project that many students will live in this development; therefore, the impact on the District may be nominal. The development's target demographic is empty nesters and young professionals. Of the 245 proposed units, 141 are planned for studio or 1-bedroom units and 104 are planned for 2-bedroom units. Studies have shown that students are most often found in 3-bedroom units and above. For your information, the proposed residences are also high-quality and high-end units that are sure to add variety to the Village's housing stock and improve property values in the TIF District and beyond.

We have negotiated in good faith with Shodeen over the past several months to orchestrate the best possible public/private partnership for the Village of Oswego. We worked with our financial consultants to ensure that our proposed redevelopment agreement and Village assistance plan are absolutely necessary. Together we have confirmed that but for the TIF financing, Village contribution, and fee waivers this project would not be possible. We do not take the decision to waive fees lightly, and are reassured that District 308 will be able to offset costs to educate any students from the development through the TIF Fund.

The Village takes seriously District 308's desire for more commercial and industrial development in Oswego to lessen the tax burden on our residents. We believe and experts agree that the best economic development investment that a community can make is to create a unique and thriving downtown experience. We are confident that once this development is complete all citizens of Oswego, as well as the taxing bodies, will enjoy its direct and indirect benefits.

I am happy to review this matter with you further at your request, and I will give you advance notice of when the redevelopment agreement will be discussed at an upcoming Village Board meeting.

Very Truly Yours,

Dan Di Santo
Village Administrator

Enclosures

Amount Collected

	FY21	FY20	FY19	FY18	FY17	FY16	FY15	FY14	FY13
Land Cash	$ 240,052	$ 450,742	$ 455,911	$ 356,351	$ 150,589	$ 251,344	$ 345,532	$ 466,995	$ 298,221
Impact Fees	$ 480,720	$ 308,481	$ 1,404,095	$ 367,836	$ 358,293	$ 277,117	$ 498,313	$ 700,418	$ 430,788
TOTAL	**$ 720,772**	**$ 759,223**	**$ 1,860,006**	**$ 724,187**	**$ 508,882**	**$ 528,462**	**$ 843,846**	**$ 1,167,413**	**$ 729,008**

	YTD FY21		FY20	FY19	FY18
Aurora Land Cash	$ 39,462		$ 60,396		
Kendall County Land Cash	$ 13,427	*	$ 5,621	$ 9,537	$ 36,120
Montgomery Impact			$ 13,444	$ 12,835	$ 3,553
Montgomery Land Cash			$ 96,214	$ 6,319	$ 7,290
Oswego Impact Fees	$ 320,957		$ 185,369	$ 1,214,165	$ 109,339
Oswego Land Cash	$ 92,323		$ 98,269	$ 227,079	$ 79,222
Plainfield Impact	$ 159,763		$ 172,677	$ 177,095	$ 254,944
Plainfield Land Cash	$ 94,840		$ 120,716	$ 212,976	$ 233,719
Will County Land Cash			$ 6,517		
	$ 720,772		**$ 759,223**	**$ 1,860,006**	**$ 724,188**

* FY21 Kendall County reported as of 11/30/20

	Oswego		Plainfield		Aurora		Montgomery		Joliet		Unincorporated Kendall County*	
	Attached 2-Bedroom Single Family	Detached 4-Bedroom Single Family	Attached 2-Bedroom Single Family	Detached 4-Bedroom Single Family	Attached 2-Bedroom Single Family	Detached 4-Bedroom Single Family	Attached 4-Bedroom Single Family	Detached 4-Bedroom Single Family	Attached 2-Bedroom Single Family	Detached 4-Bedroom Single Family	Attached 2-Bedroom Single Family	Detached 4-Bedroom Single Family
Land-Cash	$ 381.23	$ 2,663.19	$ 457.00	$ 2,615.00	$ 513.49	$ 3,513.66	**	$ 2,430.08	$ 769.00	$ 4,191.00	$ 348.14	$ 2,233.59
School Facility									$ 1,510.00	$ 8,356.00		
Impact	$ 2,436.09	$ 4,429.25	$ 943.00	$ 5,220.00			$ 1,622.96	$ 5,512.37				
Transition			$ 570.00	$ 3,284.00								
	$ 2,817.32	**$ 7,092.44**	**$ 1,970.00**	**$ 11,119.00**	**$ 513.49**	**$ 3,513.66**	**$ 1,622.96**	**$ 7,942.45**	**$ 2,279.00**	**$ 12,547.00**	**$ 348.14**	**$ 2,233.59**
	Fees were reduced for single family homes in 2015 and for multi-family homes in 2017 in an effort to re-start residential growth.		Past agreements with developers have eliminated/reduced these fees.		Impact Fees are on a sliding scale based on the price of the home.		Impact fees based on fair market value of home. A 4-bedroom attached home with a FMV of $175,000 and a 4-bedroom detached home with a FMV of $250,000 is used for illustration purposes. **based on children per unit estimates using $88,000/acre.				County does not allow impact fees - but there is a land cash ordinance.	
Current Land Cash Valuation	$ 79,500						$ 88,000		$ 138,623		$ 72,680	
Last Updated	2015						1991		2021		2014*	
Annual Escalator	None						None		4%*		None	
									* only school site & school facility fees, not impact fees		*reviewed in 2019	

Joliet

Land Cash

UNIT SCHOOL DISTRICT (K-12)					
Number of Bedrooms	***after 6/30/18***	***after 6/30/19***	***after 6/30/20***	***after 6/30/21***	***after 6/30/22***
Detached Single Family					
1 Bedroom	$0	$0	$0	$0	$0
2 Bedrooms	$532	$553	$575	$598	$622
3 Bedrooms	$3,118	$3,243	$3,372	$3,507	$3,648
4 Bedrooms	$3,874	$4,029	$4,190	$4,358	$4,532
5+ Bedrooms	$6,049	$6,291	$6,543	$6,804	$7,076
Attached Single Family					
1 Bedroom	$0	$0	$0	$0	$0
2 Bedrooms	$711	$739	$769	$800	$832
3 Bedrooms	$1,117	$1,162	$1,208	$1,256	$1,307
4+ Bedrooms	$2,095	$2,179	$2,266	$2,357	$2,451
Apartment					
Efficiency	$0	$0	$0	$0	$0
1 Bedroom	$13	$14	$14	$15	$15
2 Bedrooms	$545	$567	$589	$613	$638
3+ Bedrooms	$1,553	$1,615	$1,680	$1,747	$1,817

Joliet

School Facilities Impact Fee - Unit School District (K-12)											
Number of Bedrooms	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Detached Single Family Dwelling Units											
4+ Bedrooms	$6,106	$6,350	$6,604	$6,868	$7,143	$7,429	$7,726	$8,035	$8,356	$8,691	$9,038
3 Bedrooms	$4,952	$5,150	$5,356	$5,570	$5,793	$6,025	$6,266	$6,516	$6,777	$7,048	$7,330
2 Bedrooms	$968	$1,007	$1,047	$1,089	$1,133	$1,178	$1,225	$1,274	$1,325	$1,378	$1,434
Attached Single Family Dwelling Units											
4+ Bedrooms	$3,381	$3,516	$3,657	$3,803	$3,955	$4,113	$4,278	$4,449	$4,627	$4,812	$5,005
3 Bedrooms	$1,843	$1,916	$1,993	$2,073	$2,155	$2,242	$2,331	$2,425	$2,522	$2,622	$2,727
2 Bedrooms	$1,103	$1,147	$1,193	$1,241	$1,291	$1,342	$1,396	$1,452	$1,510	$1,570	$1,633
Apartments											
3+ Bedrooms	$2,527	$2,628	$2,733	$2,842	$2,956	$3,074	$3,197	$3,325	$3,458	$3,597	$3,740
2 Bedrooms	$890	$926	$963	$1,001	$1,041	$1,083	$1,126	$1,171	$1,218	$1,267	$1,318
1 Bedroom	$21	$22	$23	$24	$25	$26	$27	$28	$29	$30	$31

SUBDIVISION REGULATIONS

OF THE CITY OF JOLIET

APPROVED BY
THE CITY COUNCIL
OF THE CITY OF JOLIET
OCTOBER 16, 1979

ORDINANCE NO. 7208
(AS AMENDED)

INCLUDES ALL AMENDMENTS UP TO AND INCLUDING
ORD. #17417 ADOPTED 9/1/15

Updated 4/5/19

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SECTION I. GENERAL PROVISIONS

1.1 Title: These regulations shall hereafter be known, cited and referred to as the Subdivision Regulations of the City of Joliet, Illinois.

1.2 Policy:

A. It is hereby declared to be the policy of the City of Joliet to consider the subdivision of land and the subsequent development of the subdivided plat as subject to the control of the City pursuant to the official master plan of the municipality for the orderly, planned, efficient and economical development of the City.

B. Land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood, or other menace, and land shall not be subdivided until public facilities and improvements are available or are planned to be made available, and proper provision has been made for drainage, water, sewage, and capital improvements such as schools, parks, recreation facilities, and transportation facilities.

C. The existing and proposed public improvements shall not be in conflict with and shall be properly related to the proposals shown in the Master Plan, Official Map, and the capital budget and program of the City of Joliet, and it is intended that these regulations shall supplement and facilitate the enforcement of the provisions and standards contained in building and housing codes, sewer and water construction standards, zoning ordinances, Master Plan, Official Map and Land Use Plan, and capital budget and program of the City of Joliet.

1.3 Purposes: These regulations are adopted for the following purposes:

A. To protect and provide for the public health, safety, and general welfare of the City of Joliet.

B. To guide the future growth and development of the municipality, in accordance with the Master Plan.

C. To provide for adequate light, air, and privacy, to secure safety from fire, flood, and other danger, and to prevent overcrowding of the land, and undue congestion of population.

D. To protect the character and the social and economic stability of all parts of the City and to encourage the orderly and beneficial development of all parts of the City.

E. To protect and conserve the value of land throughout the municipality and the value of buildings and improvements upon the land, and to minimize the conflicts among the uses of land and buildings.

F. To guide public and private policy and action in order to provide adequate and efficient transportation, water, sewerage, schools, parks, playgrounds, recreation, and other public facilities.

G. To provide the most beneficial relationship between the uses of lands and buildings and the circulation of traffic throughout the municipality, having particular regard to the avoidance of congestion in the streets and highways, and the pedestrian traffic movements appropriate to the various uses of land and buildings and to provide for the proper location and width of streets and building lines.

H. To establish reasonable standards of design and procedures for subdivisions and resubdivisions, in order to further the orderly layout and use of land; and to insure proper legal descriptions and monumenting of subdivided land.

I. To insure that public facilities are available or are planned to be made available, and will have a sufficient capacity to serve the proposed subdivision.

J. To prevent the pollution of air, streams, and ponds; to assure the adequacy of drainage facilities; to safeguard ground water resources; and to encourage the wise use and management of natural resources throughout the City in order to preserve the integrity, stability, and beauty of the community and the value of the land.

K. To preserve the natural beauty of and topography of the City and to insure appropriate development with regard to these natural features.

L. To provide for open-spaces through the most efficient design and layout of the land, including the use of average density in providing for minimum width and area of lots, while preserving the density of land as established in the zoning ordinance of the City of Joliet.

1.4 Legal Authority:

A. The Subdivision Regulations of the City of Joliet ("Subdivision Regulations" or "Regulations") are adopted pursuant to the home rule powers of the City of Joliet. The Subdivision Regulations also constitute an exercise of the statutory authority conferred on the City of Joliet by Section 11-12-5 of the *Illinois Municipal Code* (65 ILCS 5/11-12-5) and other laws. To the extent necessary to validate any particular act, determination, order, ordinance or resolution of the City of Joliet or any provision, requirement, restriction or prohibition contained in the Subdivision Regulations that is determined to be beyond the home rule powers of the City of Joliet, these Regulations are adopted pursuant to the authority conferred on the City of Joliet by law, including but not limited to, the extra-territorial application and enforcement of the Subdivision Regulations.

B. It is the intention of the Mayor and City Council to exercise plenary authority pertaining to the development and division of land located within the City of Joliet and the unincorporated land located within one and one-half (1½) miles thereof, the regulation of the standards of design for subdivisions, re-subdivisions and for other areas of development, the making, review and approval of plats and maps, the provision of lot improvements and public improvements, the provision of subdivision bonds and instruments of similar purpose and effect,

the dedication of lands and the making of cash contributions. To the extent that there are any conflicts between the Subdivision Regulations and any provision of law or of the ordinances or requirements of other units of local government, these Regulations shall prevail, including but not limited to, the Subdivision Control Ordinance of Kendall County, as amended, the Subdivision and Plat Ordinance of Will County, as amended, and Section 11-12-8 of the *Illinois Municipal Code,* as amended, and the same are hereby preempted in their entirety and superceded. Section 11-39-3 of the *Illinois Municipal Code* and Section 3 of the *Public Construction Bond Act* are not preempted.*

**Revised: 2/19/03 Ord. #14186*

1.5 Scope of Application

A. General

These Subdivision Regulations shall apply to each of the following if located within the corporate limits of the City of Joliet or within one and one-half (1½) mile thereof and not included within another municipality:

1) subdivisions and re-subdivisions of land;

2) planned unit developments;

3) development or redevelopment of a lot, tract or parcel of record one acre or more in size and involving:

   a) the construction of a new principal building or structure, other than a single-family residence; or
   b) the expansion of an existing principal building or structure, other than a single-family residence where the gross floor area is increased by fifty per cent (50%) or more; or
   c) the renovation or alteration of an existing principal building or structure, other than a single family residence, where the value of the work exceeds fifty per cent (50%) or more of the fair cash value of the property as determined for real estate tax purposes; or
   d) a change in the principal land use from agricultural to non-agricultural; or
   e) a change in the principal land use to include the outdoor storage of inventory or equipment, other than farm equipment used on-site for farming operations, including, but not limited to, containers, trailers, motor vehicles, motor vehicle parts, tires, railcars, special, hazardous or solid waste, recyclables, landscape waste, aggregate materials, stockpiles.

B. *Exemptions*

The following divisions of land shall be exempt from these Regulations:

1) conveyances of land to a unit of government for public highway or for other public purposes;

2) transfers of less than one acre of adjoining and contiguous land between the owners thereof involving no new streets or easements of access, provided that the land being transferred is adjoining and contiguous to both parcels before and after the transfer;

Except for development or redevelopment by a unit of government that consists primarily of public highway improvements, the development or redevelopment of a lot or parcel of record that is one acre or more in size by a unit of government shall not be exempt from these Regulations solely because a related division of land is exempt.

A division of land, or the development or re-development of thereof, shall not be exempt from these Regulations solely because the making of a map or plat is not required by the *Plat Act* (765 ILCS, 205/1 et seq.), as amended.

Exemptions from these Regulations shall be construed narrowly.

C. *Prerequisites to the Division of Land*

In addition to any other approval or procedure set forth under other ordinances of the City of Joliet, or any other agency having jurisdiction, no land located within the corporate limits of the City of Joliet, or unincorporated land located within one and one-half mile of the corporate limits, shall be divided, and no map or plat of subdivision thereof, or planned unit development, shall be valid or accepted for recording, unless and until:

1) the owner submits a preliminary plat of the proposed subdivision to the Department of Community Development, and obtains approval thereof from the Mayor and City Council by ordinance after a public hearing before the Plan Commission;

2) the owner submits a final plat of the proposed subdivision to the Department of Community Development, and obtains approval thereof from the Mayor and City Council by ordinance after a public hearing before the Plan Commission;

3) the owner submits a record plat of the proposed subdivision to the Department of Community Development, and obtains approval thereof from the Mayor and City Council by ordinance;

4) the owner complies with all conditions set forth by the Mayor and City Council in connection with the approval of a plat , including, but not limited to, the payment of inspection fees, the submittal of a subdivision bond or similar security, the submittal of an irrevocable offer of dedication of public improvements and the filing of a recorded copy of the record plat with the City Clerk.

D. *Prerequisites to the Development of Land*

In addition to any other approval, procedure or requirement set forth under this or other ordinances of the City of Joliet, or any other agency having jurisdiction, no land located within the corporate limits of the City of Joliet or unincorporated land located within one and one-half mile of the corporate limits shall be developed or re-developed in the manner described in Section 1.5(A)(3) hereof unless and until:

1) the owner provides a Development Plan to the City Manager prior to the commencement of development or re-development that specifies the manner in which the subject property is to be developed and the how the improvements described in Section V of these Regulations will be provided, and other information

the City Manager may reasonably require, and obtains approval thereof from the City Manager by permit;

2) the owner provides the Assurances for Completion of Public Improvements set forth in Section IV of the Regulations prior to the commencement of development or the issuance of a Building Permit or Site Development Permit;

3) the owner provides the public improvements enumerated in Section V of these Regulations prior to the occupancy of the development or the issuance of a certificate of occupancy whichever occurs first;

4) the owner makes the School Site Contribution, the Park Contribution and pays all other fees, taxes and charges in accordance with the ordinances establishing the same.

E. *Prerequisites to the Issuance of Permits*

No building permit, certificate of occupancy, site development permit, business license or other permit or license required to occupy or develop real property shall be issued in respect of any building or structure located upon a parcel of land which was created by subdivision, re-subdivision or which was developed or re-developed, as set forth in Section 1.5A(3), on or after April 26, 1967 and not in conformity with the provisions of these Subdivision Regulations. No excavation of land or construction of any public improvements shall take place or be commenced except in conformity with these Regulations. The City Manager shall be authorized to withhold any benefit or service or refuse to issue, to revoke, to condition or to suspend any permit for any land, activity or structure that does not meet the conditions set forth in these Regulations.

F. *Circumvention Prohibited*

The subdivision of any lot or any parcel of land, by the use of metes and bounds description for the purpose of sale, transfer, or lease with the intent of evading these Regulations, shall not be permitted. All such described subdivisions shall be subject to the requirements contained in these Regulations.

G. *Re-Subdivision of Lots Improved with Duplexes*

Any vacant lot of record with the R-3 zoning classification may be divided to allow separate ownership of a two-unit residential structure (duplex) without formal approval of a subdivision or re-subdivision, provided that the following conditions are satisfied:

1) A two-unit residential structure (duplex) is constructed on the R-3 lot of record.

2) The person desiring to divide the lot has filed with the City Manager or his designee prior to the sale of any portion of the lot of record a survey prepared by an Illinois Professional Land Surveyor showing the boundary line of the original lot of record, the division of the original lot of record into two parcels through the common party wall, and two separate legal descriptions for the two new parcels.

3) The ground floor area of any individual duplex unit shall not deviate by more than 30% from the ground floor area of the adjacent unit.

4) The lot of record and the structure constructed thereon comply with all other subdivision regulations, provisions of the zoning ordinance (except for the side yard setback requirement for the common boundary line of the two new parcels on which the party wall is located), and all other, applicable laws and ordinances;

5) no new streets or alleys are being created;

6) each unit shall have separate utility systems and meters.*

Revised: 2/19/03 Ord. #14186

1.6 Enactment:

In order that land may be subdivided in accordance with these purposes and policy, these subdivision regulations are hereby adopted.

1.7 Interpretation, Conflict, and Separability:

A. In their interpretation and application, the provisions of these regulations shall be held to be the minimum requirements for the promotion of the public health, safety and general welfare.

B. Conflict with Public and Private Provisions:

*Revised: 9/4/91 Ord. #9705

1) Public Provisions: The regulations are not intended to interfere with, abrogate, or annul any other ordinance, rule or regulation, statute, or other provision of law. Where any provision of these regulations imposes restrictions different from those imposed by any other provision or these regulations or any other ordinance, rule, or regulation, or provision of law, whichever provisions are more restrictive or impose higher standards shall control.

2) Private Provisions: These regulations are not intended to abrogate any easement, covenant or any other private agreement or restriction provided that where the provisions of these regulations are more restrictive or impose higher standards or regulations than such easement, covenant, or other private agreement or restriction, the requirements of these regulations shall govern. Where the provisions of the easement, covenant, or private agreement or restriction impose duties and obligations more restrictive, or higher standards than the requirement of these regulations, or determinations of the Plan Commission or City Council in approving a subdivision or in enforcing these regulations, and such private provisions are not inconsistent with these regulations or determinations thereunder, then such private provisions shall be operative and supplemental to these regulations and determinations made thereunder.

Separability: If any part or provision of these regulations or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of these regulations or the application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of these regulations even without any such part, provision, or application.

1.8 Saving Provision:

These regulations shall not be construed as abating any action now pending under, or by virtue of, prior existing subdivision regulations, or as discontinuing, abating, modifying or altering any penalty accruing or about to accrue, or as affecting the liability of any person, firm, or corporation, or as waiving any right of the municipality under any section or provision existing at the time of adoption of these regulations, or as vacating or annulling any rights obtained by any person, firm or corporation, by lawful action of the municipality except as shall be expressly provided for in these regulations.

1.9 Reservations and Appeals:

Upon the adoption of these regulations according to law, the Subdivision Regulations of the City of Joliet, adopted April 26, 1967, as amended, are hereby repealed, except as to such sections expressly retained herein.

1.10 Amendments:

For the purpose of providing the public health, safety, and general welfare, the Plan Commission may from time to time recommend amendments and the City Council may amend the provisions imposed by these regulations.

1.11 Conditions:

Regulation of the subdivision and development of land and the attachment of reasonable conditions thereto is an exercise of valid police power delegated by the State to the City of Joliet by the Constitution of the State of Illinois and by law. The applicant, developer, owner and subdivider each have the duty of compliance with the Subdivision Regulations for so as to conform to the physical and economic development of the City and for the safety and general welfare of the lot owners in the subdivision and of the community at large.*

*Revised: 2/19/03 Ord. #14186

1.12 Resubdivision of Land:

A. Procedure for Resubdivision: For any change in a map of an approved or recorded subdivision plat, if such change affects any street layout shown on such map, or area reserved thereon for public use, or any lot line, or if it affects any map or

plan legally reached prior to the adoption of any regulations controlling subdivisions, such resubdivision shall be approved by the Plan Commission and City Council by the same procedure, rules and regulations for a subdivision.

B. Procedure for Subdivisions Where Future Resubdivision is Indicated: Whenever a parcel of land is subdivided and the subdivision plat shows one or more lots containing more than one acre of land and there are indications that such lots will eventually be resubdivided into smaller building sites, the Plan Commission or City Council may require that such parcel of land allow for the future opening of streets and the ultimate extension of adjacent streets. Easements providing for the future opening and extension of such streets may be made a requirement of the plat.

1.13 Vacation of Plats:

A. Any plat or any part of any plat may be vacated by the owner of the premises, at any time before the sale of any lot therein, by a written instrument, to which a copy of such plat shall be attached, declaring the same to be vacated.

B. Such an instrument shall be approved by the Plan Commission and City Council in like manner as plats of subdivisions. The City Council may reject any such instrument which abridges or destroys and public rights in any of its public uses, improvements, streets or alleys.

C. Such an instrument shall be executed, acknowledged or approved, and recorded or filed, in like manner as plats of subdivisions; and being duly recorded or filed shall operate to destroy the force and effect of the recording of the plat so vacated, and to divest all public rights in the streets, alleys, and public grounds, and all dedications laid out or described in such plat.

D. When lots have been sold, the plat may be vacated in the manner herein provided by all the owners in such plat joining in the execution of such writing.

1.14 Variations:

A. General: Where the Plan Commission finds that extraordinary hardship or practical difficulties may result from the strict compliance with these regulations, it may recommend variances to these subdivision regulations so that substantial justice may be done and the public interest secured, provided that such variances shall have not have the effect of nullifying the intent and purpose of these regulations; and further provided the Plan Commission shall not recommend variances unless it shall make findings based upon the evidence presented to it in each specific case that:

1) the granting of the variance will not be detrimental to the public safety, health, or welfare or injurious to other property;

2) the conditions upon which the request for a variance is based are unique to property for which the variance is

sought and are not applicable generally to other property;

3) because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result as distinguished from a mere inconvenience, if the strict letter of these regulations are carried out;

4) the variances will not in any manner vary the provisions of the Zoning Ordinance, Master Plan, Official Map, or any other City Ordinance.

B. Conditions: In recommending variances, the Plan Commission shall require such conditions as will, in its judgement, secure substantially the objectives of the standards or requirements of these regulations.

C. Procedures: A petition for any such variance shall be submitted in writing by the subdivider at the time when the preliminary plat is filed for the consideration of the Plan Commission. The petition shall state fully the grounds for the application and all of the facts relied upon by the petitioner.

D. In addition to the foregoing, the Mayor and City Council, upon the recommendation of the Plan Commission, may grant a variation from these Regulations for developments that are otherwise subject to these Regulations but that do not involve a subdivision of land located within the corporate limits of the City, but only if the owner establishes by clear and convincing evidence that the development will not have a material developmental impact on the City taking into account the following factors:

1) conformity with the comprehensive plan of the City;
2) conformity with the zoning ordinance of the County;
3) conformity with infrastructure and public improvement requirements of the City and the County;
4) effect on the use, maintenance and improvement of existing and planned City streets and other roads that enter the City;
5) effect on the use, maintenance and improvement of existing and planned parks, open space and recreational resources located within the City;
6) effect on the use, maintenance and improvement of existing and planned schools and libraries located within the City;
7) effect on public health and safety;
8) effect on police, fire, emergency medical and other public safety resources of the City;
9) effect on the taxable value of land in the City, land covered by an annexation agreement or of unincorporated land located within one and one half miles of the City;
10) effect on municipal and public utilities;
11) effect on drainage and stormwater detention;
12) location and size of the land containing the development;
13) other factors that have a demonstrable impact upon City public services and facilities*

*Revised: 2/19/03 Ord. #14186

1.15 *Enforcement, Violations, Penalties*

A. *General*

1) The City Manager shall be empowered to administer these Regulations and to bring to the attention of the Corporation Counsel any violations or lack of compliance herewith. The Corporation Counsel is authorized to commence actions and proceedings to enforce these Regulations and to seek fines and penalties for non-compliance. In addition, the Corporation Counsel, at the direction of the City Manager, is authorized to enforce and make claims under subdivision bonds, letters of credit and similar instruments submitted in accordance with these Regulations.

2) The Department of Public Works and Utilities shall be empowered to inspect and administer the design, construction and maintenance of all public improvements required by these Regulations.

B. *Violations and Penalties*

In addition to any other penalty or remedy provided by ordinance or law, any person, firm or corporation, who fails to comply with, or violates, any of these Regulations, shall be subject to a fine of not more than $750 pursuant to the provisions of Section 1-8 of the Code Of Ordinances, or such higher amount permitted by law..

C. *Civil Enforcement*

The City of Joliet may commence any appropriate action at law or in equity to enforce the Subdivision Regulations and to protect against any violation thereof. This shall include, but shall not be limited to proceedings to enjoin unlawful construction, actions to recover damages, proceedings to restrain, correct, or abate a violation or to prevent illegal occupancy, of a building, structure or premises. A showing of inadequate remedy at law or irreparable harm shall not be needed to obtain and injunction or restraining order. These remedies shall be in addition to the penalties described above. In the event the City of Joliet prevails in such an action, it shall be entitled to a judgment for court costs and reasonable attorneys fees. Actions may be brought against the applicant, the developer, the owner, the subdivider and their respective successors and assigns.

In the event an owner, developer or subdivider fails to complete the public improvements in accordance with these Regulations, then upon thirty (30) days written notice to the owner, developer and subdivider, the City may complete said improvements and the cost thereof shall be a lien against the subdivision, or any part thereof in which the City elects to assert its claim of lien. In addition, the owner, developer or subdivider shall be personally liable for the City’s costs in completing the improvements.

D. *Enforcement of Time Requirements*

Deadlines and other time requirements specified herein that are imposed upon the Community Design Development Board, the Plan Commission or the Mayor and City Council are directory only and not mandatory and the failure to act within the prescribed time period shall not deprive such bodies of authority or jurisdiction or invalidate their official actions. No person, including, but not limited to, an applicant, developer, owner or subdivider, shall have an action for damages or civil penalties against the City of Joliet, or its officers and employees, for the violation of any

deadline established herein. Furthermore, no map or plat shall be valid or entitled to recording or execution by officers of the City of Joliet on account of the failure to take action within the time requirements set forth in these Regulations. Section 11-12-8 of the *Illinois Municipal Code* is hereby preempted in its entirety accordingly. This sub-section shall not later the effective period of plats approved by the Mayor and City Council.*

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SECTION II. DEFINITIONS

2.1 Usage:

A. For the purpose of these regulations, certain numbers, abbreviations, terms, and words used herein shall be used, interpreted, and defined as set forth in this section.

B. Unless the context clearly indicates to the contrary, words used in the present tense include the future tense; words used in the plural number include the singular; the work "herein" means "in these regulations;" the word "regulations" means "these regulations."

C. A "person" includes a corporation, a partnership, and an incorporated association of persons such as a club; "shall" is always mandatory; a "building" includes any part thereof; "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged, or designed, to be used or occupied".

2.2 Words and Terms Defined:

Alley: A private or public right-of-way primarily designed to serve as a secondary access to the side or rear of those properties whose principal frontage is on some other street. (5.4A(3)(g), 5.4B(4)(c), 5.7E(9)).

Applicant: The owner of land proposed to be subdivided or his representative. Consent shall be required from the legal owner of the premises. (3.2A, 3.2B, 3.2C, 3.2G, 3.3A, 3.3B, 3.3C, 3.3D, 3.4A, 3.5C, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, (all sections)).
Application, Date of: The date upon which all required application materials have been received by the Department of Community Development.

Block: A tract of land bounded by streets, or by streets and public parks, cemeteries, railroad right-of-ways, shorelines of waterways, or boundary lines of municipalities. (5.4A(4)).
Bond: Any form of security, including cash deposit, surety bond, collateral, property, or instrument of credit in an amount and form satisfactory to the City Council. All bonds shall be approved by the City Council whenever a bond is required by these regulations. (3.4A(7), 4.1, 4.3B).

Building: Any structure built for the support, shelter, or enclosure of persons, animals, chattels, or moveable property of any kind, and includes any structure for which a building permit is required by the City of Joliet prior to construction. (4.6)
Capital Improvements Program: A proposed schedule of all future

projects listed in order of construction priority together with cost estimates and the anticipated means of financing each project. All major projects requiring the expenditure of public funds, over and above the City's annual operating expenses, for the purchase, construction and replacement of the physical assets for the Community are included. (1.2C)

Central Water System: The City of Joliet water utility including water treatments and distribution facilities. (5.6B)
Central Sewerage System: The City of Joliet sewer system including collection and treatment facilities. (5.7)

City: The City of Joliet.

Collector Streets or Roads: A road intended to move traffic from local roads to major and minor arterials. A collector road serves a neighborhood or large subdivision and is normally designed so that no residential properties face onto it. (5.2C(2), 5.4B(5)).

Comprehensive Plan: See Master Plan.

Community Design Review Board: A board established by the City Council to provide technical services to the Plan Commission in the administration of these regulations (3.2C, 3.2D, 3.2F, 3.3C, 3.3D).

Construction Plan: The maps or drawings accompanying a subdivision plat and showing the specific location and design of improvements to be installed in the subdivision in accordance with the requirements of the Plan Commission and the City Council as a condition of the approval of the plat (3.3A(4), 6.3).

Cul-De-Sac: A local street with only one outlet and having an appropriate terminal for the safe and convenient reversal of traffic movement (5.4A(3)(e), 5.4A(5)(b), 5.4A(10)(b), Table I).

Developer: The owner of land proposed to be subdivided or his representative. Consent shall be required from the legal owner of the premises.

Development: "Development" shall mean the construction, Alteration or expansion f a building or structure, the making of improvements to land or an expansion or change in an existing principal land use. Development shall also include "redevelopment".*

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Easement: A right or privilege in the real estate of another (5.4A(4)(c), 5.5D, 5.9B, 5.10B(3)).

Escrow: A deposit of cash by the developer in a separate account in a bank or savings institution which can only be withdrawn by the written approval of the Director of Public Works or Building Inspector as the case may be. Such funds on account shall be in lieu of an amount required on a performance or maintenance bond as required in these regulations (3.4A(7), 4.1B, 4.2B(2), 4.3, 4.4B, 4.5B).

Final Plat: The drawing or drawings, described in these

regulations, indicating the proposed manner or layout of the subdivision to be submitted to the Plan Commission and City Council for approval (3.3, 6.2).

Frontage: That side of a lot abutting on a street or way and ordinarily regarded as the front of the lot, but it shall not be considered as the ordinary side of a corner lot (5.2C, 5.4A(1)).
Frontage Street: Any street to be constructed by the developer or any existing street in which the development shall take place on both sides.

Grade: The slope of a road, street, utility conduit, or other public way, specified in percentage (%) terms (3.3(G), 5.4A(2), 5.2D(1), 5.4A(3)(a), 5.4B(3)(c)).
High Density: Those residential developments in which density is equal to or greater than one dwelling unit per 7,500 square feet. (5.7A)

Highway, Limited Access: A freeway, or expressway, providing a traffic-way for through traffic, in respect to which owners or occupants of abutting property or lands and other persons have no legal right to access to or from same, except at such points and in such manner as may be determined by the public authority having jurisdiction over such traffic-way. (5.4B(3))

Improvements: See Lot Improvements or Public Improvements.
Individual Sewage Disposal System: A septic tank, seepage tile sewage disposal system, or any other approved sewage treatment device meeting with acceptable engineering and health standards. (5.7B(2)(b), 5.7B(3), 5.7D)

Local Minor Streets or Roads: A road intended to provide access to other roads from individual properties and to provide right-of-way beneath it for sewer, water and storm drainage pipes. (5.4A(3)(d))

Lot: A tract, plot, or portion of a subdivision or other parcel of land intended as a unit for the purpose, whether immediate or future, of transfer of ownership or for building development. (5.2)

Lot, Corner: A lot situated at the intersection of two (2) streets, the interior angle of such intersection not exceeding 135 degrees. (5.2B)

Lot Improvement: Any building, structure, planting materials, work of art, or other object, or improvement of the land on which they are situated constituting a physical betterment of real property, or any part of such betterment. Certain lot improvements shall be properly bonded as provided in these regulations. (5.2)

Low Density: Those residential developments in which the density is equal to or less than one dwelling unit per 40,000 square feet. (5.7B)

Major Arterial: A road intended to move through traffic to and from such major attractors as central business districts, regional shopping centers, colleges and/or universities, major industrial areas, and similar traffic generators within the

City; and/or as a route for traffic between communities or large areas. (5.4A(5), 5.4B(5))

Major Subdivision: All subdivisions not classified as minor subdivision, including but not limited to subdivisions of six (6) or more lots, or any size subdivision requiring any new street or extension of City facilities, or the creation of any public improvements. (3.1A, 3.2C)

Master Plan: A Comprehensive Plan for development of the City, prepared by the Plan Commission and adopted by the City Council, pursuant to State law, and including any part of such plan separately adopted and any amendment to such plan, or parts thereof. (1.2A, 1.2C, 1.3B)

Medium Density: Those residential developments in which density is between 7,500 and 40,000 square feet per dwelling unit (5.7B).

Minor Arterial: A road intended to collect and distribute traffic in a manner similar to major arterials, except that these roads service minor traffic generating areas such as community-commercial areas, primary and secondary educational plants, hospitals, major residential areas, churches, and office, and/or designed to carry traffic from collector streets to the system of major arterials (5.4A(5), 5.4B(5)).

Minor Subdivision: Any subdivision containing not more than five (5) lots fronting on an existing street nor involving any new street or road, or the extension of municipal facilities, or the creation of any public improvements (and not adversely affecting the remainder of the parcel or adjoining property) and not in conflict with any provision or portion of the Master Plan, Official Map, Zoning Ordinance, or these regulations (3.1A, 3.2C).

Model Home: A dwelling unit used initially for display purposes which typifies the type of units that will be constructed in the subdivision (3.3H).

Non-Residential Subdivision: A subdivision intended for other than residential use such as commercial or industrial. Such subdivision shall comply with the applicable provisions of these regulations (5.4A(3)g, 5.4A(4)c, 5.4B(3)b, 5.12).

Off-Site: Any premises not located within the area of the property to be subdivided, whether or not in the same ownership as the applicant for subdivision approval.

Official Map: The map established by the City pursuant to law showing the streets, highways, parks, and drainage systems and set-back lines theretofore laid out, adopted and established by law, and any amendments or additions thereto adopted by the City Council and any additions thereto resulting from the approval of subdivision plats by the Plan Commission and City Council and the subsequent filing of such approved plats (1.2C, 5.4A(1), 5.4A(3)b, and 5.4B(1)).

Official Master Plan: See Master Plan.

Ordinance: Any legislative action, however denominated, by a local government which has the force of law including any amendment or repeal of any ordinance.

Owner: Any person, group of persons, firm or firms, corporation or corporations, or any legal entity having legal title to or proprietary interest in the land sought to be subdivided under these regulations.

Perimeter Street or Road: Any existing street to which the parcel of land is to be subdivided abuts on only one (1) side. (5.4C(1)).

Plan Commission: The Plan Commission of the City of Joliet.
Preliminary Plat: The preliminary drawings preparatory to the preparation of the final plat (or the recording plat in the case of minor subdivisions) (3.2, 6.1).

Public Improvement: Any drainage ditch, storm sewer, sanitary sewer main, water main, roadway, parkway, sidewalk, paving, pedestrian way, tree, lawn, off-street parking area, lot improvement, or other facility for which the City may ultimately assume the responsibility for maintenance and operation, or which may affect an improvement for which local government responsibility is established (3.3B, 3.4F, 4.1, 4.2, 4.4, 4.5, 5.3).

Recording Plat: The map, plan or record of a subdivision and all accompanying material, as described in these regulations (3.4, 6.4).

Registered Engineer: An engineer properly licensed and registered by the State of Illinois.

Registered Land Surveyor: A land surveyor properly licensed and registered by the State of Illinois. (6.4B).

Re-Subdivision: A change in a map of an approved or recorded subdivision plat if such change affects any street layout on such map or area reserved thereon for public use, or any lot line; or if it affects any map or plan legally recorded prior to the adoption of any regulation controlling subdivisions (3.1C(4)).

Right-of-Way: A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road, electrical transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, shade trees, or for other special uses. The usage of the term "right-of-way" for land platting purposes shall mean that every right-of-way hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels. (5.3, 5.4A(10a, 5.4B(3), Table I).

Roads, Classification: For the purpose of providing development of the streets, highways, roads, and right-of-ways in the City, and for their future improvements, reconstruction, realignment, and necessary widening, including provision for curbs, and sidewalks, each existing street, highway, road, and

right-of-way, and those located on approved and filed plats, has been designated on the Official Street Classification Map and/or on the Official Map of the City of Joliet and classified therein. The classification of each street, highway, road and right-of-way is based upon its location in the respective zoning districts of the City and its present and estimated future traffic volume and its relative importance and function as specified in the Master Plan of the City. The required improvements shall be measured as set forth for each street classification on the Street Classification Map or Official Map (5.4).

Streets and Roads, Dead-End: A road or portion of street with only one (1) vehicular traffic outlet. (5.4A(10)).

Streets and Roads, Right-of-Way Width: The distance between property lines measured at right-angles to the center line of the street.

Same Ownership: Ownership by the same person, corporation, firm, entity, partnership, or unincorporated association; or ownership by different corporations, firms, partnerships, entities, or unincorporated associations, in which a stockholder, partner, or associate, or a member of his family owns an interest in each corporation, firm, partnership, entity, or unincorporated association (3.2B(2)).

Set-Back: The distance between a building and the street line nearest thereto.

Screening: Either (a) a strip of at least ten (10) feet wide, densely planted (or having equivalent natural growth) with shrubs or trees at least four (4) feet high at the time of planting, or a type that will form a year-round dense screen at least six (6) feet high; or, (b) an opaque wall or barrier or uniformly painted fence at least six (6) feet high. (5.4B(3)a).

Subdivider: Any person who 1) having an interest in land, causes it, directly or indirectly to be divided into a subdivision or who 2) directly or indirectly, sells, leases, or develops, or offers to sell, lease, or develop, or advertises for sale, lease or development any interest, lot, parcel, site, unit, or plat in a subdivision, or who 3) engages directly or through an agent in the business of selling, leasing, developing, or offering for sale, lease, or development a subdivision or any interest, lot, parcel, site, unit, or plat in a subdivision.

Subdivision: “Subdivision” shall mean the division of land into two or more parcels or lots by plat, deed, metes and bounds description, trust agreement, devise, intestacy transfer, gift, lease or other method. In addition, the term ”subdivision” also includes any development or re-development of land, by planned unit development or otherwise meeting the requirements of Section 1.5(A)(3) hereof. For the purposes of determining whether the Subdivision Regulations apply, a subdivision is any activity that is within the scope of regulatory powers conferred upon the City of Joliet by Section 11-12-5 of the Illinois Municipal Code (65 ILCS 5/11-12-5).*

Subdivision Agent: Any person who represents or acts for, or on behalf of, a subdivider or developer, in selling, leasing or developing, or offering to sell, lease, or develop any interest, lot, parcel, unit, site or plat in a subdivision, except an attorney-at-law whose representation of another person consists solely of rendering legal services.

Subdivision, Major: See Major Subdivision.

Subdivision, Minor: See Minor Subdivision.

Temporary Improvement: Improvements built and maintained by a subdivider during construction of the subdivision and removed prior to release of the bond insuring their proper construction, maintenance, and removal (4.1.C, 5.4.A(10)a.).

SECTION III. SUBDIVISION APPLICATION PROCEDURE AND APPROVAL PROCESS

3.1 General Procedure

A. Classification of Subdivisions: Whenever any subdivision of land is proposed, before any contract is made for the sale of any part thereof, and before any permit for the erection of a structure in such proposed subdivision shall be granted, the subdivision owner, or his authorized agent, shall apply for and secure approval of such proposed subdivision in accordance with the following procedure, which includes basically two (2) steps for a minor subdivision and three (3) steps for a major subdivision.

1) Minor Subdivision:

a) Preliminary Plat
b) Recording Plat

2) Major Subdivision:

a) Preliminary Plat
b) Final Plat
c) Recording Plat

B. Official Submission Dates: For the purpose of these regulations, for both major and minor subdivisions, the date of the regular meeting of City Council at which the preliminary plat is approved shall constitute the official submittal date of the plat from which the statutory period required for formal recording plat approval or disapproval shall commence to run.

C. Coordination of Planned Unit Development Application with Subdivision Approval:

1) It is the intent of these regulations that subdivision review be carried out simultaneously with the review of planned unit development applications under the Zoning Ordinance. The plans required for planned unit development applications shall be submitted in a form to satisfy the requirements of the subdivision regulations.

2) General Requirement: Whenever the Zoning Ordinance authorizes a planned unit development application, which application requests uses of land and density of building and structures different from those which are allowed as of right within the zoning district in which the land is situated, and the application entails the division of land, vacant or improved, into two (2) or more lots, parcels, sites, units, plats, or interests for the purpose of offer, sale, lease, or development, either on the installment plan or upon any or all other plans, terms or conditions, including resubdivision, whether residential or nonresidential, subdivision approval of the planned unit development application shall be required by the Plan Commission in addition to all other procedures and approvals required in the Zoning Ordinance, whether or not such zoning procedures also require Plan Commission approval, review or recommendation.

3) Procedure to be followed:

a) Preliminary Plat and Final Plat Approval Required: Whenever a planned unit development application is submitted which involves a subdivision of land as set forth in Section 3.1(C)(1) of these regulations, such application shall be submitted to the office of the Director of Community Development. The application shall be made on the forms required for a preliminary plat as set forth in Section 3.2 of these regulations and shall include all information required of a Preliminary plat application as set forth herein. The Director of Community Development shall refer the application to the Plan Commission. The Plan Commission shall also make such reviews of use, density, and bulk standards as are required under the planned unit development regulations.

b) Consideration for Zoning Approval: The Plan Commission, after making its decision of approval, conditional approval, or disapproval of the Preliminary plat and Final plat, shall accept the remaining requirements of the planned unit development application and the submission of the application for recording plat approval. No building permits or certificates of occupancy shall be issued for the project until the planned unit development zoning application has been finally approved and recording plat approval has been given and the subdivision plat is recorded with the County Recorder of Deeds.

4) Resubdivision of Planned Unit Developments:

a) A planned unit development may be subdivided or resubdivided for purposes of sale or lease after the plan has been finally approved and development completed or partially completed.

b) If the subdivision or resubdivision of a planned unit development will create a new plot line, the applicant shall make application to the Plan Commission for the approval of the subdivision or re-subdivision. The Plan Commission and City Council shall approve the subdivision

only if they simultaneously approve the application to amend the zoning for the planned unit development for all provisions governing use, density, and bulk standards.

3.2 Preliminary Plat

A. Discussion of Requirements: Before preparing the preliminary plat for a subdivision, the applicant should discuss with the Director of Community Development, or his representative, the procedure for adoption of a subdivision plat and the requirements as to general layout of streets and for reservations of land, street improvements, drainage, sewerage, fire protection, and similar matters, as well as the availability of existing services. The Director of Community Development, or his representative, shall advise the applicant, where appropriate, to discuss the proposed subdivision with those officials who must eventually approve these aspects of the subdivision plat coming within their jurisdiction.

B. Application Procedure and Requirements: Prior to subdividing land, an owner of the land, or his representative, shall file an application for approval of a preliminary plat. The application shall:

1) Be made on forms available at the office of the Director of Community Development.

2) Include all contiguous holdings of land in the "same ownership," as defined herein, accompanied by an affidavit of ownership, which shall include the dates that the respective holdings of land were acquired, together with the land records, reference number, and the recorder's number of each conveyance to the present owner as recorded in the County Recorder of Deed's Office. The affidavit shall advise as to the legal owner of the property, the beneficiaries of any land trusts, the contract owner of the property, the date contract of sale was executed, and, if any corporations are involved, a complete list of all directors, officers, and stockholders owning more than five per cent (5%) of any class of stock in each corporation.

3) Be accompanied by a minimum of eighteen (18) paper copies of the Preliminary plat complying with these regulations and one (1) digitized copy thereof on a medium and in a format specified by the Director of Community Development.*

*Revised: 2/19/03 Ord. #14186

4) Be presented to the Director of Community Development, or his representative, in duplicate.

5) Be accompanied by a fee of One Hundred Twenty Dollars ($120.00),plus Twelve Dollars ($12.00) per lot, to a maximum of Twelve Hundred dollars ($1,200.00) and an Engineering Review Fee of Two Hundred Thirty Five Dollars ($235.00), plus Twelve Dollars ($12.00) per acre. **

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6) The application shall include an address and phone number of a local agent, if one is required, who shall be authorized to receive all notices required by these regulations.

7) If legal or equitable title to the property to be subdivided is held by a land trust, the application must identify each trustee and beneficiary of the trust and the percentage of interest held by each beneficiary.

If legal or equitable title to the property to be subdivided is held by a partnership or joint venture, the application must identify each partner or joint venturer.

If legal or equitable title to the property to be subdivided is held by a corporation, the application must identify all persons holding directly or indirectly more than 3% of the issued stock of the corporation and the percentage of shares held by each such shareholder.

If legal or equitable title to the property to be subdivided is held by a limited liability company, the application must identify all members of the company and the percentage of interest held by each member.

If legal or equitable title to the property to be subdivided is held by some other entity authorized by law to hold legal or equitable title to real property, the application must identify all officers or similar persons having a legal or equitable ownership interest in the entity or the right to direct the affairs of the entity.***

***Ordinance #15250 8/16/05

C. Classification: Tentative classification of the preliminary layout as a major or minor subdivision as defined in these regulations, shall be made at this time by the Director of Community Development. Subsequent to classification of the subdivision, the Director of Community Development shall place the matter before the Community Design Review Board, which shall be established by order of City Council concurrent with the adoption of these regulations. After review of the preliminary plat by the Community Design Review Board and the preparation of its report, as required by Section 3.2D, below, the matter shall be placed on the regular meeting agenda of the Plan Commission for formal action. Subsequent to approval by the City Council, if the subdivision is classified by the City Council as a minor subdivision, the applicant may proceed directly to the filing of an application for approval of a recording plat as provided in these regulations. If the subdivision is classified as a major subdivision, the applicant must first file an application for approval of a final plat, as provided in these regulations, before filing for recording plat approval.

D. Study of Preliminary Plat: The Community Design Review Board shall transmit the preliminary plat for review to officials or agencies of the local government, adjoining municipalities, school and special districts, and other official bodies as it deems necessary. The Community Design Review Board shall request that all officials and agencies, to whom a request for review has been made, submit their report to the Community

Design Review Board within ten (10) working days after receipt of the request. The Community Design Review Board will consider all the reports submitted by the officials and agencies concerning the preliminary plat and shall submit a report for proposed action to the Plan Commission for the next available regular meeting. The Community Design Review Board report to the Plan Commission shall be presented at a regular meeting of the Plan Commission within thirty (30) working days following the date of application for preliminary plat approval.

E. Public Hearing: The Plan Commission shall hold a public hearing on the preliminary plat within 30 working days following receipt of application.

1) The Director of Community Development shall advertise the public hearing by causing a notice to be submitted for one (1) publication in one (1) newspaper of general circulation to be published at least fifteen (15) days prior to the public hearing and mail notices to all property owners within one hundred feet (100') of the area to be platted, or in the case where an existing or proposed street intervenes, to owners of property within one hundred feet (100') of the street frontage. The Director of Community Development will maintain file copies of the preliminary plat for public review prior to the hearing.

2) Informational Signs: In addition to the publication of newspaper notice for a public hearing on any request for subdivision approval, notice of a public hearing on such application shall be given by posting one or more informational signs on the subject property in accordance with the following provisions:

(a) For parcels comprising 1 acre or more:

(i) The applicant or the applicant's agent shall erect a sign or signs with minimum dimensions of three (3) feet by four (4) feet. The number and location of the sign(s) shall be determined by the City Manager or his designee.

(ii) The sign(s) shall conform to the format provided by the City Manager or his designee and shall contain the time and place of public hearing and the nature of the application.

(iii) The sign(s) shall be posted at least 15 days but not more than 30 days before the public hearing date.

(iv) It shall be the responsibility of the applicant to prepare and create such signs and to erect whatever framework that may be necessary to display the signage.

(v) Upon completion of the public hearing, the sign(s) shall be removed within 10 days. If the applicant fails to remove the sign, the City of Joliet may remove the sign, and the cost of such removal shall be billed to the applicant and shall constitute a debt payable to the City.

(b) For parcels of less than 1 acre:

(i) The applicant of the applicant's agent shall erect at least one sign for every 500 feet of street frontage, with a minimum of one sign on each street abutting the property.

(ii) The sign(s) shall be posted at least 15 days but not more than 30 days before the public hearing date.

(iii) The sign(s) shall contain the time and place of the public hearing and the nature of the application.

(iv) The sign(s) required to be erected under this Section shall be provided by the City of Joliet upon the applicant's payment of a $50.00 deposit for each sign with the City of Joliet. It shall be the applicant's responsibility to post the sign(s). The applicant's deposit shall be refunded upon return of the sign(s).

(v) Upon completion of the public hearing, the sign(s) shall be removed and returned to the City of Joliet within ten days. If the applicant fails to remove the sign within ten days, the City of Joliet may remove the sign, and the cost of removal shall be deducted from the applicant's sign deposit.

(vi) The sign(s) shall be placed in a conspicuous location on the property so the sign(s) may be observed and read from the street, and the applicant shall provide a written certification of the posting of the sign(s), which certification shall include the date and location of the posting of the sign(s).

(vii) The applicant's failure to post the sign(s) as required by this section may result in the deferral of action on or the denial of the applicant's petition. If any required sign is properly posted in a timely manner before the public hearing but is subsequently removed or displaced by an act of vandalism or by inclement weather, the applicant shall be responsible for the replacement of the sign in the proper location. The absence of the sign for a temporary period shall not be a jurisdictional defect that will invalidate the application or any final or advisory action taken thereon.

(viii) The City Manager or his designee shall be authorized to vary the provisions of this section when any of the provisions are inappropriate to provide the intended notice under the particular circumstances. The City Manager or his designee shall be authorized to require the applicant to provide an alternate method of providing notice when necessary to provide adequate public notice. The applicant shall be required to pay any required fee for the provision of alternate notice. *, **

* Ord. No. 9880; Adopted 4/21/92
** Rev. 10/17/00, Ord. No. 12936

F. Plan Commission Review of Community Design Review Board Report on Preliminary Plat: The Plan Commission shall study the preliminary plat and the report of the Community Design Review Board, taking into consideration the requirements of the Subdivision Regulations and the best use of the land being subdivided. Particular attention will be given to the arrangement, location, and width of streets, their relation to the topography of the land, sewerage disposal, drainage, lot sizes and arrangements, and the requirements of the Official Map and Master Plan as adopted by the City Council.

G. Plan Commission Recommendation on Preliminary Plat: After reviewing and discussing the preliminary plat, the report of the Community Design Review Board and other reports submitted by invited agencies and officials, and testimony and exhibits submitted at the Public Hearing, the Plan Commission will advise the applicant of the specific changes or additions, if any, it will require in the layout, and character and extent of required improvements and reservations which it will require as a prerequisite to the recommendation of approval of the preliminary plat to the City Council. The Plan Commission and City Council may require additional changes as a result of further study of the subdivision in final form. Such recommendation for approval, conditional approval, or disapproval shall be made by the Plan Commission within twenty-one (21) calendar days after receiving the report of the Community Design Review Board.

H. Approval of Preliminary Plat: The Plan Commission shall submit a recommendation to approve, conditionally approve, or disapprove the preliminary plat to the City Council within fifteen (15) working days after the date of the regular meeting of the Plan Commission at which the decision on the recommendation was reached. The City Council may then act to approve, conditionally approve, or disapprove the preliminary plat or to request additional changes to the plat as the Council may deem necessary. If the City Council acts to approve the plat, said approval shall constitute authorization for the subdivider to prepare and submit a final plat in the case of a major subdivision or a recording plat in the case of a minor subdivision.

I. Effective Period of Preliminary Plat:

(1) Unless otherwise set forth in an ordinance approving a preliminary plat, the approval of a preliminary plat shall be effective for a period of two (2) years, at the end of which time approval of a recording plat of all or a section of the subdivision must have been obtained from the City Council. Any plat not receiving recording plat approval within the period of time set forth herein shall be null and void, and the owner shall be required to resubmit a new preliminary plat for approval subject to all new zoning restrictions and subdivision regulations. In the case of a large subdivision which is being sectionalized, as provided in Section 3.3(B) below, each recording plat approval shall extend the effective period of the preliminary plat for a period of two (2) years from the date of such recording plat approval.

(2) In the event that the owner wishes to extend the effectiveness of the preliminary plat approval beyond the aforesaid two year period,

or the time period specified in the preliminary plat approval ordinance, then the owner may request an extension for up to an additional three (3) year period. The request for an extension shall be made in writing on forms provided by the Director of Community Development and shall be referred to the Plan Commission for hearing and for the making of a recommendation to the City Council. The owner shall have the burden of showing by clear and convincing evidence that the inability to comply with the standard two year period was attributable to general market conditions and that the City has either (i) not materially modified its zoning or subdivision standards since the approval of the preliminary plat, or (2) the owner is willing to proceed with the development of the subdivision in accordance with such modified standards. The Plan Commission may recommend, and the Mayor and City Council may establish, mandatory conditions on the extension of the effective period of the preliminary plat that it may deem in the interest of public health, safety and welfare. These conditions may include, but are not limited to, a requirement that future residential construction within the subdivision be reasonably consistent with the house plans originally submitted in support of the application for approval of the most recent preliminary plat, final plat or PUD and be reasonably consistent with the construction that has already been completed and occupied in the subdivision based on the following factors:

(a) architectural style;
(b) gross floor area, both above-grade and below-grade;
(c) bedroom counts;
(d) exterior building materials;
(e) number of stories;
(f) building height and roof pitch
(g) taxable value upon completion of construction

(3) In the case of a residential development exceeding five (5) acres in size, as a condition of extending the effective period of a preliminary plat, the subdivision shall thereafter be considered a planned unit development. Review and approval of subsequent final and recording plats shall be coordinated and undertaken in accordance with Section 47-15A of the Zoning Ordinance, as amended.

3.3 Final Plat

A. Applicant Procedure and Requirements: Based upon the approval by the City Council of the Preliminary Plat, the applicant shall file an application for approval of a final plat. The application shall:

1) Be made on forms available at the office of the Director of Community Development and shall be accompanied by a fee of One Hundred Twenty Dollars ($120.00) plus Twelve Dollars ($12.00) per lot, to a maximum fee of Twelve-Hundred Dollars ($1,200.00) and an Engineering Review Fee equal to two and one half per cent (2½%) of the estimated cost of public improvements as required herein below. The applicant shall be entitled to a credit against the final plat Engineering Review Fee in an amount equal to the paid preliminary plat Engineering Review Fee, provided the preliminary plat on which the final plat is based is still in effect. **

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2) Include all land within the final plat and all land immediately adjacent thereto extending one hundred feet (100') therefrom, or of that directly opposite thereto, extending one hundred feet (100') from the street frontage of such opposite land, with the names of the owners as shown in the files of the County Assessor.

3) Be accompanied by a minimum of eighteen (18) paper copies of the final plat complying with these regulations and one (1) digitized copy thereof on a medium and in a format specified by the Director of Community Development.

4) Be accompanied by a minimum of three (3) paper copies of the construction plans as described in these regulations and one (1) digitized copy thereof on a medium and in a format specified by the Director of Public Works and Utilities.

5) Substantially comply with the preliminary plat as approved.

6) Be presented to the Director of Community Development, or his representative, in duplicate.

7) Whenever the subject property is in a land trust, the applicant must disclose the identity of each beneficiary of such trust, including the name, address, and percentage of interest of each beneficiary under oath and shall be filed at the time of filing the application.

Whenever the applicant is a partnership or association of two or more persons holding a joint or common interest, the names and addresses of each partner or associate shall be filed at the time of filing the application.

Whenever the applicant is an agent or agents or nominee, the principals for whom such agent, agents or nominee holding such interest shall be disclosed. Such disclosure shall be a statement under oath and shall be filed at the time of filing the application.

Whenever the applicant is a corporation, the names and addresses of all shareholders owning shares equal to or in excess of 3% of the proportionate interest, the names, addresses, and percentage of each therein shall be disclosed. Such disclosure shall be a statement under oath and shall be filed at the time of application.

In addition to the above, the applicant, all beneficial owners of a trust, all agents, nominees, partners or shareholders shall file a sworn affidavit with the City Manager or his designee that he holds the interest for no other person, association or shareholder, and in the event that he does hold such interest for other person or persons, the name of each person or persons shall be disclosed. *

*Ordinance #9182 5/15/90

B. Sectionalizing Large Subdivision Plats: The City Council may permit a large subdivision to be divided into two or more sections and may impose such conditions upon final plat approval

as it may deem necessary to assure the orderly development of the plat. The City Council may allow the performance bond or escrow account required in Section 3.4A(7) to be established in such amount as is commensurate with the section or sections for which final plat approval is being requested. The developer may also file the irrevocable offers to dedicate streets and public improvements in the section offered for final plat approval and defer filing offers of dedication for the remaining sections until recording plat approval is requested for those sections. **

**Revised 3/1/88 Ord. #8600

C. Study of Final Plat: The Director of Community Development shall refer the proposed final plat to the Community Design Review Board for its review, recommendations, and report. Such report of the Community Design Review Board shall be presented at a regular meeting of the Plan Commission within thirty (30) working days following the date of application for final plat approval.

D. Plan Commission Recommendation of Final Plat: After the Plan Commission has reviewed the final plat and construction plans and the report of the Community Design Review Board, the applicant shall be advised of any required changes and/or additions. The Commission shall vote a recommendation to approve, conditionally approve, or disapprove the final plat to the City Council within twenty-one (21) calendar days after receiving the report of the Community Design Review Board. Before the Plan Commission approves a final plat showing park reservation or land for other local government use proposed to be dedicated to the local government, the Commission shall obtain approval of the park or land reservation from the affected Park District or other unit of local government.

E. Approval of Final Plat: The Plan Commission shall submit a recommendation to approve, conditionally approve, or disapprove a final plat to the City Council within fifteen (15) working days after the date of the regular meeting of the Plan Commission at which the decision on the recommendation was reached. The City Council may then act to approve, conditionally approve, or disapprove the final plat or to request additional changes as the City Council may deem necessary. If the Council acts to approve the plat, such approval shall constitute authorization for the subdivider to prepare and submit a recording plat.

F. Zoning Regulations: Every plat shall conform to existing zoning regulations and subdivision regulations applicable at the time of proposed recording plat approval, except that any plat which has received final plat approval shall be exempt from subsequent zoning amendments to the Zoning Ordinance rendering the plat non-conforming as to setbacks or lot size, provided that recording plat approval is obtained within one year of final plat approval.

G. Grading of Site Prior to Recording Approval: Subsequent to final plat approval, upon concurrence of the Director of Public Works, and upon receipt by him of a detailed construction

schedule, the developer may commence construction to the grades and elevations required by the approved final plat. Submission of the construction schedule shall be accompanied by five (5) copies of the approved construction plans.

H. Model Homes: For the purpose of allowing the early construction of model homes in a subdivision, the Plan Commission shall permit a portion of a major subdivision involving no more than five (5) lots to be created in accordance with the procedures for minor subdivision, provided said portion derives access from an existing city, township, county, or state highway, and provided no future road or other improvement is anticipated where said lots are proposed. The recording plat for the "minor" portion shall be submitted to the Plan Commission simultaneously with the final plat for the remainder of the subdivision or section of which it is a part. Subsequent to recording plat approval of the "minor" portion, the model homes may be constructed, subject to such additional requirements as the City Council may require.

I. Effective Period of Final Plat: The approval of a Final Plat shall be effective for a period of time equal to the remaining effective period of the preliminary plat. At the end of this time approval of the recording plat must have been obtained from the City Council, although the plat need not yet be signed and filed with the County Recorder of Deeds. Any plat not receiving recording plat approval within the period of time set forth herein shall be null and void, and the developer shall be required to resubmit new preliminary and final plats for approval subject to all new zoning restrictions and subdivision regulations.

J. The application for approval of a final plat shall contain a good faith estimate prepared by a professional engineer licensed to practice in the State of Illinois of the probable expenses to design, construct and place in service all of the public improvements required by the Subdivision Regulations within the proposed final plat of subdivision. This estimate shall be subject to the review and approval of the City Manager and may be adjusted prior to final action by the Mayor and City Council on the final plat. The City Manager may defer the submittal of the good faith estimate beyond the time of application provided it is submitted before final action of the Mayor and City Council. **

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3.4 Recording Plat

A. Application Procedure and Requirements: Following the approval of the preliminary plat in the case of a minor subdivision, or the final plat in the case of a major subdivision, the applicant, if he wishes to proceed with the subdivision, shall file with the Director of Community Development an application for approval of a Recording Plat. The application shall:

1) Be made on forms available at the office of the Director of Community Development, and shall be accompanied by a Planning Review Fee of Three Hundred Sixty Dollars ($360.00). **

2) Include the entire subdivision, or section thereof, which derives access from an existing state, county, township, or city street or highway.

3) Be accompanied by a minimum of eighteen (18) paper copies of the recording plat complying with these regulations and one (1) digitized copy thereof on a medium and in a format specified by the Director of Community Development.

4) Be in substantial compliance with the preliminary plat or final plat, as approved, whichever is applicable, depending upon the classification of the subdivision.

5) Be presented to the Director of Community Development at least two (2) weeks prior to the regular meeting of the City Council at which approval is sought. The date of the regular meeting of the City Council at which recording approval is given shall constitute the official submittal of the recording plat for the purposes of these regulations.

6) Be accompanied by all formal irrevocable offers of dedication to the public of all streets, easements, or other public lands, in a form approved by the City's Corporate Counsel; and the recording plat shall be marked with a notation indicating the formal offers of dedication as follows:

> The owner or his representative, hereby irrevocably offer for dedication to the City of Joliet all the streets, easements and other required lands shown within the subdivision plat and construction plans in accordance with an irrevocable offer of dedication dated _____, and recorded in the County Recorder of Deeds Office.
>
> By:_____
> Owner or Representative
> Date:_____

The applicant shall deliver a full covenant and warranty deed to all such lands in proper form for recording, together with a title opinion for the City. In the event an appraisal is required, said appraisal shall be supplied by the applicant before the signing of the recording plat.

7) Be accompanied by the performance bond or evidence of the escrow account, if required, in a form satisfactory to the City's Corporation Counsel and in an amount established by the Plan Commission and City Council upon recommendation of the Director of Public Works and shall include a provision that the principal of the bond or the uses of the escrow account shall comply with all the terms of the resolution approving the recording plat and shall include, but not be limited to, the performance of all required subdivision and off-site improvements.

8) If public improvements are all or partially completed prior to recording plat approval, the applicant shall submit one reproducible copy of "as built" subdivision and plans

and profiles of that portion of public improvements as completed.

9) Be accompanied by an inspection fee in an amount to be determined on the basis of the provisions of these regulations (4.2A). The applicant shall also pay the cost of each street sign shown in the construction plans, which street signs shall be installed by the City.

10) If legal or equitable title to the property to be subdivided is held by a land trust, the application must identify each trustee and beneficiary of the trust and the percentage of interest held by each beneficiary.

If legal or equitable title to the property to be subdivided is held in a partnership or joint venture, the application must identify each partner or joint venturer.

If legal or equitable title to the property to be subdivided is held by a corporation, the application must identify all persons holding directly or indirectly more than 3% of the issued stock of the corporation and the percentage of shares held by each such shareholder.

If legal or equitable title to the property to be subdivided is held by a limited liability company, the application must identify all members of the company and the percentage of interest held by each member.

If legal or equitable title to the subject property to be subdivided is held by some other entity authorized by law to hold legal or equitable title to real property, the application must identify all officers or similar persons having a legal or equitable ownership interest in the entity or the right to direct the affairs of the entity.

11) If a final plat is not required because the proposed subdivision is considered a minor subdivision, then the Engineering Review Fee typically imposed on a final plat shall instead be imposed, administered and collected as part of the approval of the recording plat of subdivision. **

**Ordinance #17192 Dated 01/21/14

B. Affidavits and Certificates: The recording plat shall include the following:

1) Affidavits and certificates by a registered land surveyor that he has fully complied with these regulations and with the laws of the State of Illinois in surveying, dividing and mapping the land, that the plat is a correct representation of all the exterior boundaries of the land surveyed and of the subdivision of it, that the plat represents a survey made by him and that all monuments indicated thereon actually exist in the locations, size and material indicated on the plat.

2) A certificate by the land owner in the following form:
This is to certify that the undersigned is the owner of the land described in the attached plat and that he has

caused the same to be surveyed, subdivided and platted as shown by the plat for uses and purposes indicated therein.

3) A certificate signed by the Clerk of the County of Will and the Collector of the City of Joliet that there are no unpaid taxes or assessments outstanding on any of the land included in the plat.

C. City Council Review of the Recording Plat: Upon receipt of formal application and all accompanying materials, the Director of Community Development shall place the recording plat before the City Council at a regular Council meeting to be held within twenty-one (21) calendar days after the date of application. The City Council shall review the application for approval, the accompanying material and the plat and shall within twenty-one (21) calendar days of the initial consideration, modify and approve, or disapprove the recording plat. Such approval or disapproval shall be by an ordinance which shall set forth in detail the conditions to which the approval should be subject; or reasons for disapproval. Upon final action by the City Council, one (1) copy of the recording plat shall be returned to the subdivider with the date of approval, conditional approval, or disapproval, noted thereon, and the reasons therefore accompanying the plat.

D. Submission and Review: Subsequent to the approval of the City Council, one (1) copy of the recording plat on tracing cloth or reproducible mylar, two (2) copies of the recording plat on sepia paper, and two (2) copies of the recording plat on paper shall be submitted to the Director of Community Development for final review. A check payable to the County Recorder of Deeds in the amount of the current recording fee shall be provided. No approval shall be endorsed on the plat until a final review has indicated that all requirements of the City Council have been met.

E. Vested Rights: No vested rights shall accrue to any plat until Final Plat or Recording Plat approval. All requirements, conditions, or regulations adopted by the City Council applicable to the subdivision or on all subdivisions generally shall be deemed a condition for recording plat approval.

F. Public Improvements: Either all public improvements in the subdivision shall be installed and dedicated prior to the signing of the recording plat by the Mayor and Chairman of the Plan Commission, or the amount of the bond or escrow account shall be established by the City Council based upon the recommendation of the Director of Public Works, which bond or escrow account shall be established and submitted by the applicant at the time of application for recording plat approval. The City Council shall require the applicant to indicate on the plat all roads and public improvements to be dedicated, special districts for utility or other improvements which may be required to be established or extended and any other special requirements deemed necessary by the City Council in order to conform the subdivision plat to the Official Map and the Master Plan of the City of Joliet.

3.5 Signing and Recording of the Recording Plat

A. Signing of Plat:

1) When a bond or escrow account is required, the Chairman of the Plan Commission and the Mayor shall endorse approval of the plat after the bond and/or escrow fund has been established in accordance with City Council action and all conditions of the City Council Ordinance pertaining to the plat have been satisfied.

2) When installation of improvements is required, the Chairman of the Plan Commission and the Mayor shall endorse approval on the plat after all conditions of the City Council ordinance have been satisfied and all improvements satisfactorily completed. There shall be written evidence that the required public facilities have been installed in a manner satisfactory to the City as shown by a certificate signed by the Director of Public Works and that the necessary dedication of public lands has been accomplished.

B. Recording of Plat:

The Chairman of the Plan Commission, the Mayor and other City officials designated by law or ordinance shall sign at least two (2) reproducible originals of the recording plat one (1) of which shall be returned to the City Clerk after its recording by the applicant. *

*Ordinance #10796 Dated 5/16/95

SECTION IV. ASSURANCE FOR COMPLETION AND MAINTENANCE OF IMPROVEMENTS

4.1 Improvements and Performance Bond

A. Completion of Improvements: Before the recording plat is signed by the Chairman of the Plan Commission and the Mayor, and except as provided in Section 4.1B below, all applicants shall be required to complete to the satisfaction of the Public Works Director all street, sanitary, and other improvements - including lot improvements on the individual lots of the subdivision - as required in these regulations, specified on the final plat, and as approved by the City Council. All applicants shall be required to dedicate the same to the City free and clear of all liens and encumbrances on the property and public improvements thus dedicated.

B. Performance Bond or Escrow Fund

1) Establishment of Performance Bond or Escrow Fund Amount: The City Council may in its discretion waive the requirement that the applicant complete and dedicate all improvements prior to the signing of the recording plat, and that, as an alternative, the applicant post a bond or establish an escrow fund at the time of application for recording approval in an amount estimated by the City Council upon recommendation of the Director of Public Works, as sufficient to secure for the City the satisfactory construction, installation, and dedication of the incompleted portion of required improvements. The performance bond or escrow fund shall also secure necessary

improvements for proper erosion control throughout the subdivision including, but not limited to, soil stabilization by grass seeding or other appropriate means.

All performance bonds or escrow accounts established as performance bonds shall state in writing that in case of non-performance by the owner, the bonding company or the holder of the escrow account must release the funds to the Director of Public Works of the City of Joliet, upon his written request. Such release of fund will not be subject to the owner's approval and the funds released shall be used to complete the improvements required.

2) Acceptance of Performance Bond of Escrow Fund: Such performance bond or escrow fund shall comply with all statutory requirements and shall be satisfactory to the Corporation Counsel as to form, sufficiency, and manner of execution as set forth in these regulations. The period within which required improvements must be completed shall be specified by the City Council in the ordinance approving the recording plat and shall be incorporated in the bond or escrow fund and shall not in any event exceed two (2) years from the date of recording approval.

If the subdivider elects to submit a performance bond, such bond shall be approved by the City Council as to amount and surety and conditions satisfactory to the City Council. The Plan Commission may, upon proof of difficulty, recommend to the City Council an extension of the completion date set forth in such bond for a maximum period of one (1) additional year. The City Council may at any time during the period of such bond accept a substitution of principal or securities on the bond upon the recommendation of the Plan Commission.

C. Temporary Improvement: The applicant shall build and pay for all costs of temporary improvements required by the City Council and shall maintain same for the period specified by them. Prior to construction of any temporary facility or improvement, the developer shall file with the City a separate, suitable bond for temporary facilities, which bond shall insure that temporary facilities will be properly constructed, maintained, and removed. Where a temporary improvement is to remain for an indefinite period of time (e.g., a tee-shaped street ending at the edge of a subdivision which will be removed when the adjacent property is developed) the applicant shall pay to the City, prior to final release of this bond, a sum equal to the estimated cost of removing the improvement.

D. Cost of Improvements: All improvements required for the subdivision shall be made by the applicant at his expense. Where the City requires that public utilities within the subdivision be oversized to accommodate future development beyond the subdivision, the developer shall install such oversized facilities and shall be reimbursed by the City for the additional expenses of such oversizing in accordance with Resolution No. 1667, "A Resolution for the Development of Public Utilities in the City of Joliet." Where the City requires the construction of greater street cross-section that that of Collector Street "A" (Section 5.3), the developer shall install

such required street and shall be reimbursed by the City for the difference between the cost of Collector Street "A" and the cost of the required street.

E. Governmental Units: Governmental units to which these bonds or escrow funds and contract provisions apply may file in lieu of said contracts, bond or escrow account, a certified resolution or ordinance from offices or agencies authorized to act in their behalf, agreeing to comply with the provisions of this Article.

F. Failure to Complete Improvement: For subdivisions for which no performance bond or escrow fund has been posted or established, if the improvements are not completed within the period specified by the City Council in the ordinance approving the plat, the approval shall be deemed to have expired. In those cases where a performance bond or escrow fund has been posted and required improvements have not been installed within the terms of such performance bond or escrow fund, the City may thereupon declare the subdivision to be in default and require that the bond or escrow fund to be used to complete installation of all improvements regardless of the extent of the building development at the time the subdivision is declared to be in default.

G. Acceptance of Dedication Offers: Acceptance of formal offers of dedication of streets, public utilities, public areas, easements, and parks shall be by ordinance of the City Council. The approval by the Plan Commission or City Council of a subdivision plat shall not be deemed to constitute or imply the acceptance by the City of Joliet of any street, easement or other public land shown on said plat. The Plan Commission or City Council may require said plat to be endorsed with appropriate notes to this effect.

4.2 Inspection of Improvements

A. General Procedure and Fees: The City of Joliet shall provide for inspection of required improvements during construction. The applicant shall pay to the City an inspection fee of one & one-quarter percent (1 1/4%) the estimated cost of required improvements, and the recording plat shall not be signed by the Mayor and Plan Commission Chairman until such fee has been paid. If the Director of Public Works finds upon inspection that any of the required improvements have not been constructed in accordance with the City's construction standards and specifications, the applicant shall be responsible for completing the improvements in compliance with City standards and specifications. Wherever the cost of improvements is covered by a performance bond, the applicant and the company shall be severally and jointly liable for completing the improvements according to specifications. *

*Ordinance #9050 Dated 12/19/89

B. Release or Reduction of Performance Bond

1) Requirements for Acceptance of Dedication: The City Council will not accept dedication of required improvements until the Director of Public Works has submitted a

certificate stating that all required improvements have been satisfactorily completed. The applicant's engineer or surveyor shall certify to the Director of Public Works, through submission of a detailed, reproducible "as built" survey plat of the subdivision, and plan and profile drawings indicating location, dimensions, materials, and other information required by the City Council or Director of Public Works, that the layout of the line and grade of all public improvements is in accordance with the construction plans for the subdivision. Upon such certification, the City Council shall thereafter accept the dedication in accordance with the established procedure.

2) Reduction of Performance Bond: A performance bond or escrow fund shall be reduced only upon actual dedication of public improvements and then only to the ratio that the public improvements dedicated bears to the total public improvements for the plat. The posting of a maintenance bond for completed public improvements shall be required in accordance with Section 4.4B, prior to any reduction of the performance bond.

4.3 Conditional Certificate of Occupancy

A. When Allowed: Whenever, by reason of the season of the year, any lot improvements required by the subdivision regulations cannot be performed, the Building Inspector may issue a conditional certificate of occupancy, provided there is no danger to the health, safety, or general welfare.

B. Procedures on Escrow Fund or Performance Bond: All required lot improvements which have not been completed at the time of issuance of a conditional certificate of occupancy shall be installed by the developer within a period of nine (9) months from the date of issuance of said certificate. In the event that the improvements have not been properly installed, at the end of the time period, the Building Inspector shall give two (2) weeks written notice to the developer requiring him to install same, and in the event that same are not installed properly, the Building Inspector may request the City Council for authorization to proceed to contract out the work for installation of the necessary improvements in a sum not to exceed the amount of the escrow deposit or performance bond. In the event that the subsequent lot owner has agreed to install the necessary lot improvements, he shall be responsible for assuring the installation of said improvements by posting a suitable bond or escrow account at the time of issuance of the conditional certificate of occupancy.

4.4 Maintenance of Improvements

A. The applicant shall be required to maintain all improvements on the individual subdivided lots and provide snow removal on streets and sidewalks, until acceptance of said improvements by the City. If there are any certificates of occupancy on a street not dedicated to the City, the City of Joliet may on twelve (12) hours notice plow the street or effect emergency repairs and charge same to applicant.

B. Prior to accepting dedication of public improvements, the

City will require the applicant to file a maintenance bond in an amount equal to five percent (5%) of the original performance bond or escrow account and in a form acceptable to the Corporation Counsel, in order to assure the satisfactory condition of required improvements, including all lot improvements on the individual subdivided lots, for a period of two (2) years after the date of the acceptance of dedication by the City Council. *

*Revised 2/3/87 Ord. 8408

4.5 Deferral or Waiver of Required Improvements

A. The City Council may defer or waive at the time of final approval, subject to appropriate conditions, the provisions of any or all such improvements, as, in its judgment, are not required in the interests of the public health, safety, and general welfare, or which are in-appropriate because of lack of proper connecting facilities.

B. Whenever it is deemed necessary by the City Council to defer construction of any improvement required herein because of incompatible grades, future planning, inadequate connecting facilities, or for other reasons, the applicant shall pay his share of the costs of the future improvements to the City prior to the signing of the recording plat, or the applicant may post a bond, or establish an escrow account, insuring completion of said improvements upon demand of the City.

4.6 Issuance of Building Permits and Certificates of Occupancy

A. Where a performance bond or escrow fund has been required for a subdivision and except as provided in Paragraph B, below, no certificate of occupancy for any building in the subdivision shall be issued prior to the completion of the public improvements and dedication of the same to the City, as required in the Plan Commission's and City Council's approval of the final plat.

B. Prior to the issuance of any occupancy permit, the extent of street improvement shall be adequate for vehicular access by the prospective occupant and by Police and Fire equipment, which shall generally mean that the approved sub grade, base course, curb and gutter, and drainage facilities are in place.

4.7 Consumer Protection Legislation and Conflicts of Interest Statutes

A. No building permit or certificate of occupancy shall be granted or issued if a developer or his authorized agent shall have violated any federal, state, or local law pertaining to consumer protection of real estate land sales, promotion, or practices, or any applicable conflicts-of-interest legislation with respect to the lot or parcel of land which is the subject of the permit or certificate, until so ordered by a court of competent jurisdiction.

B. With respect to said lot or parcel of land, in the event a building permit or certificate of occupancy has been granted or issued, it shall be subject to revocation by the municipality

until so ordered otherwise by a court of competent jurisdiction, provided that in no event shall the rights of intervening third parties in possession of a certificate of occupancy be prejudiced by any such revocation.

C. Any violation of a federal, state or local consumer protection law (including but not limited to: Postal Reorganization Act of 1970; the Federal Trade Commission Act of 1970; Interstate Land Sales Full Disclosure Act; the Truth in Lending Act; the Uniform Commercial Credit Code; State Subdivision Disclosure Act), or conflicts-of-interest statute, law, or ordinance shall be deemed a violation of these regulations and subject to all of the penalties and proceedings as set forth in Section 1.15 thereof.

SECTION V. REQUIREMENT FOR IMPROVEMENTS, RESERVATIONS, AND DESIGN

5.1 General Provisions

A. Conformance to Applicable Rules and Regulations
In addition to the requirements established herein, all subdivision plats shall comply with the following laws, rules, regulations, and programs:

1) All applicable statutory provisions, rules and regulations of the State of Illinois.

2) The Zoning Ordinance, Building and Housing Codes, Flood Plain Management Ordinance, Storm Water Detention Ordinance, and all other applicable laws of the City of Joliet.

3) The Official Master Plan, Official Map, Public Utilities Plan, and Capital Improvements Program of the City, including all streets, drainage systems, and parks shown on the Official Map or Master Plan, as adopted.

4) The special requirements of these regulations and any rules of the Will County Health Department and/or appropriate state agencies.

5) The rules of the State and County Highway Department if the subdivision or any lot contained therein abuts a state highway or connecting street.

6) The standards and regulations adopted by the Director of Public Works, all Boards, Commissions, agencies and officials of the City of Joliet.

7) Plat approval may be withheld if a subdivision is not in conformity with the above policies and regulations established in Section 1.4 of the regulations.

8) All Federal laws.

B. Self-Imposed Restrictions

If the owner places restrictions on any of the land contained in the subdivision greater than those required by the Zoning Ordinance or these regulations, such restrictions or reference thereto may be required to be indicated on the

subdivision plat, or the Plan Commission or City Council may require that restrictive covenants be recorded with the County Recorder of Deeds in a form to be approved by the City's Corporation Counsel.

C. Plats Straddling Municipal Boundaries

Whenever access to the subdivision is required across land in another municipality, the Plan Commission or City Council may request assurance from the Corporation Counsel that access is legally established, and from the Director of Public Works that the access road is adequately improved, or that a performance bond has been duly executed and is sufficient in amount to assure the construction of the access road. In general, lot lines should be laid out so as not to cross municipal boundary lines.

D. Monuments

The applicant shall place, or cause to be placed, permanent reference monuments in the subdivision as required herein and as approved by a Registered Land Surveyor. Permanent monuments shall be verified after construction grading is complete.

1) Monuments shall be located on the street right-of-way lines, at street intersections, angle points of curves and block corners. They shall be spaced so as to be within sight of each other, the sight lines being contained wholly within the street limits.

2) The external boundaries of a subdivision shall be monumented in the field by monuments of stone or concrete, not less than thirty (30) inches in length, not less than four (4) inches square, or five (5) inches in diameter, and marked on top with a cross, brass plug, iron rod or other durable material securely embedded; or by iron rods or pipes at least twenty-four (24) inches long and two (2) inches in diameter. These monuments shall be placed not more than 1,400 feet apart in any straight line and at all corners, at each end of all curves, at the point where a curve changes its radius, at all angle points in any line, and at all angle points along any meander line, said points to be not less than twenty (20) feet back from the bank of any river or stream, except that when such corners or points fall within a street, or proposed future street, the monuments shall be placed in the side line of the street.

3) All internal boundaries, lot corners, and those corners and points not referred to in the preceding paragraph shall be monumented in the field by monuments as described in paragraph 4) below. These monuments shall be placed at all block corners, at each end of all curves, at a point where a river or stream changes its radius, and at all angle points in any line.

4) The lines of all lots that extend to rivers or streams shall be monumented in the field by iron pipes at least twenty-four (24) inches long and nine-sixteenths (9/16) of an inch in diameter or by round or square iron bars at least

twenty-four (24) inches long. These monuments shall be placed at the point of intersection of the river or stream with the lot line, with a meander line established not less than twenty (20) feet back from the bank of the river or stream.

5) All such monuments shall be set flush with the ground and planted in such a manner that they will not be removed by frost.

6) All such monuments shall be properly set in the ground and approved by a Registered Land Surveyor prior to the time the Plan Commission recommends approval of the recording plat.

E. Character of the Land

Land which the Plan Commission finds to be unsuitable for subdivision or development due to flooding, improper drainage, steep slopes, rock formations, adverse earth formations or topography, utility easements, or other features which may reasonably be presumed to be harmful to the safety, health, and general welfare of the present or future inhabitants of the subdivision and/or its surrounding areas, shall not be subdivided or developed, unless adequate methods are formulated by the developer and approved by the Plan Commission, upon recommendation of the Director of Public Works, to solve the problems created by the unsuitable land conditions. Such land shall be set aside for uses that shall not involve such a danger.

F. Subdivision Name

1)The proposed name of the subdivision shall not duplicate, or too closely approximate phonetically, the name of any other subdivision in the area covered by these regulations. The Plan Commission shall have the final authority to designate the name of the subdivision which shall be determined at preliminary plat approval.
2)Entry Signs. The erection of subdivision identification signs and/or monuments together with their supporting structures, hereinafter collectively referred to as “structure(s)” shall be required in all subdivisions at all entrances in all zoning districts, subject to the following terms and conditions:

a. Entrances will be classified as “primary exterior”, “secondary exterior”, “primary interior” and “secondary interior”. Primary exterior signage will be located on major or minor arterials. Secondary exterior signage will be located on collectors. Primary and secondary interior signage will be located on other main entrances between adjacent subdivisions.
b. The structure(s) are only permitted in easements specifically designated for such structure or within a designated landscape easement. No other building or structure may be erected on the easement. No more than one structure shall be erected on each entry corner on the perimeter of the subdivision. A primary exterior entrance shall require two signs, one on each entry corner. Secondary entrances shall require a sign on one entry

corner. A secondary entrance within a multi-family planned unit development shall also require a sign on one entry corner.

c. The structure(s) may contain a single-sided message area containing a minimum of twenty (20) square feet. The message shall be measured by the smallest square, rectangle, triangle, circle or combination thereof, which will encompass the entire message. The message area may contain the subdivision name and/or logo only and shall contain no commercial advertisement.
d. For subdivisions with a total acreage of five acres up to a maximum of 160 acres, the primary exterior sign structure shall be a minimum of six (6) feet in height as measured from the final grade for the structure's lot and shall contain at least sixty (60) square feet as determined by measuring the side of the structure fronting on a public street. The structure shall contain supporting structures (pillars) with a minimum of three (3) feet by three (3) feet upon a five (5) feet by five (5) feet foundation.
e. For subdivisions with a total acreage of over 160 acres, the primary exterior sign structure shall be a minimum of six (6) feet in height as measured from the final grade for the structure's lot and shall contain at least 120 square feet as determined by measuring the side of the structure fronting on a public street.
f. The structure(s) shall be constructed of brick, stone or other masonry material in conjunction with wrought iron. Lettering, ornaments or other graphics on the structure may be constructed of stone, wrought iron, anodized aluminum, thick metals, or cast concrete. The use of sheet metal is prohibited.
g. Secondary interior signage shall be required between adjacent subdivisions and shall require a decorative pillar a minimum of 5 feet 6 inches in height as measured from the final grade and 2 feet 6 inches in width. The decorative pillar shall be constructed of brick, stone or other masonry material and shall contain lettering, ornaments or other graphics denoting the name of the subdivision in stone or metal material.
h. The structure(s) shall not impede visibility at the intersection of any driveway or vehicular entrance or any street within the triangular areas as established in Section 47-17.6(4) of the Joliet Zoning Ordinance. The decorative pillar(s) may be located in the public right-of-way.
i. The structure(s) must have a five-foot landscape buffer containing landscaping as specified in a landscape plan approved by the City Manager or his designee.
j. The structure shall not be erected or otherwise placed on a site until a building permit and/or sign permit has been obtained from the City Manager or his designee as required by the Joliet Zoning Ordinance.
k. The structure shall be maintained by a homeowner's association consisting of the property owners in the subdivision of which the structure(s) is/are a part.
l. Illumination of the structure(s) shall be from a concealed or shielded light source, with illumination concentrated on the area of the sign, either by placement of a streetlight or auxiliary lighting. Concealed or shielded

light sources shall thereby reduce glare upon the street and any residential property. Illumination of the structure shall not be flashing or intermittent.

*Ordinance #14329 dated 6/17/03

5.2 Lot Improvements

A. Lot Arrangement

The lot arrangement shall be such that there will be no foreseeable difficulties, by reason of topography or other conditions, in securing building permits to build on all lots in compliance with the Zoning Ordinance, Flood Plain Management Ordinance, and Health Regulations and in providing drive-way access to buildings on such lots from an approved street.

B. Lot Dimensions

Lot dimensions shall comply with the minimum standards of the Zoning Ordinance of the City of Joliet. Where lots are more than double the minimum required area for the zoning district, the Plan Commission or City Council may require that such lots be arranged so as to allow further subdivision and the opening of future streets where they would be necessary to serve such potential lots, all in compliance with the zoning ordinance and these regulations. In general, side lot lines shall be at right angles to street lines (or radial to curving street lines) unless a variation from this rule will give a better street or lot plan. Dimensions of corner lots shall be large enough to allow for erection of buildings, observing the minimum front-yard set-back from both streets. Depth and width of properties reserved or laid out for business, commercial, or industrial purposes, shall be adequate to provide for the off-street parking and loading facilities required for the type of use and development contemplated, as established in the Zoning Ordinance of the City of Joliet.

C. Double Frontage Lots and Access to Lots

1) Double Frontage Lots: Double frontage lots and reverse frontage lots shall be avoided except where necessary to provide separation of residential development from major streets or to overcome specific disadvantages of topography and orientation.

2) Access from Major and Minor Arterials and Collector Streets: Lots shall not, in general, derive access exclusively from an arterial or collector street. Where drive-way access from an arterial or collector street may be necessary for several adjoining lots, the Plan Commission may require that such lots be served by a combined access drive in order to limit possible traffic hazard on such street. Where possible, drive-ways should be designed or arranged so as to avoid requiring vehicles to back into traffic on arterial or collector streets.

D. Soil Preservation, Grading and Seeding

1) Soils, Preservation and Final Grading: No certificate of occupancy shall be issued until final grading has been completed in accordance with the approved final plat. Final grading of the subdivision shall provide slight drainage swales at the sides and to the rear of lots to prevent the overland drainage from one lot from creating accumulation or causing drainage on an adjacent lot. Topsoil should not be removed from the subdivision or used as spoil, but should be redistributed so as to provide at least six (6) inches of cover on the lots and at least four (4) inches of cover between the sidewalks and curbs, and shall be stabilized by seeding or planting.

2) Lot Drainage: The layout and grading of lots shall be accomplished in such a manner as to minimize overland drainage from lot to lot. Positive drainage away from all principal buildings shall be provided in the following manner: at final grading a minimum slope of 8% shall be maintained away from all foundations for a distance of at least 6 feet. On naturally sloping land building sites shall be created, to the greatest extent practicable, by a balancing of cut and fill on the same lot. The filling of sites shall be restricted in the following manner: the finish grade elevation at the foundation shall be no higher than the natural grade elevation of the building site at a point midway between property lines, unless required to provide positive drainage as specified above.

3) Lawn Grass Seed and Sod: Lawn-grass seed shall be sown at not less than four (4) pounds to each one-thousand (1000) square feet of land area. Unless unusual weather conditions permit otherwise, spring seeding shall be from March 15 to May 15, and fall seeding shall be from August 15 to October 15. The seed shall consist of a maximum of ten per cent (10%) rye grass by weight and a minimum of ninety (90%) per cent of permanent blue grass and/or fescue grass by weight.

All seed shall have been tested for germination within one (1) year of the date of seeding, and the date of testing shall be on the label containing the seed analysis. All lots shall be seeded from the roadside edge of the unpaved right-of-way back to a distance of twenty-five (25) feet behind the principal residence on the lot.

E. Debris and Waste

No cut trees, timber debris, earth, rocks, stones, soil, junk, rubbish, or other waste materials of any kind shall be buried in any land, or left or deposited on any lot or street at the time of issuance of a certificate of occupancy, and removal of same shall be required prior to issuance of any certificate of occupancy on a subdivision. Nor shall any be left or deposited in any areas of the subdivision at the time of expiration of the performance bond or dedication of public improvements, whichever is sooner.

F. Fencing

Each subdivider and/or developer shall be required to furnish and install fences wherever the Plan Commission determines that hazardous conditions exist, such as, but not limited to, instances where residential lots abut limited access highways or stone-quarries. The fences shall be constructed according to standards established by the Director of Public Works and shall be noted as to height and material on the final plat. No certificate of occupancy shall be issued until such fence improvements have been duly installed.

G. Waterbodies and Watercourse

If a tract being subdivided contains a water body, or portion thereof, lot lines shall be so drawn as to distribute the entire ownership of the water body among the fees of adjacent lots. The Plan Commission and/or City Council may approve an alternate plan whereby the ownership of and the responsibility for safe maintenance of the water body is so placed that it will not become a City government responsibility. No more than twenty-five per cent (25%) of the minimum area of a lot required under the Zoning Ordinance may be satisfied by land which is under water. Where a watercourse separates the buildable area of a lot from the street by which it has access, provisions shall be made for installation of a culvert or other structure, of design approved by the Director of Public Works.

5.3 Right-of-Way Improvement - Street Cross-Sections

The subdivider shall provide all right-of-way improvements necessary to service the development in conformance with these regulations. Generally, the right-of-way will contain the following public improvements: road pavement and base, curb and gutter, sidewalks, sanitary sewer, water main, storm sewer, street lights, and street signs. In addition, provision must often be made within the right-of-way for one or more of the following private utility services: natural gas, telephone, electric power, cable TV. The layout and dimensioning of the right-of-way and the location of improvements within it shall conform to the standard cross-sections illustrated on the following pages.

5.4 Roads

A. General Requirements

1) Frontage on Improved Roads: No subdivision shall be approved unless the area to be subdivided shall have frontage on and access from an existing street on the Official Map, or if there is no Official Map, on the Official Street Classification Map. Wherever the area to be subdivided is to utilize existing road frontage, such road shall be suitably improved as provided herein below.

2) Grading and Improvement Plan: Roads shall be graded and improved and conform to the City of Joliet construction standards and specifications and shall be approved as to design and specifications by the Director of Public Works in accordance with the construction plans required to be

submitted prior to final plat approval.

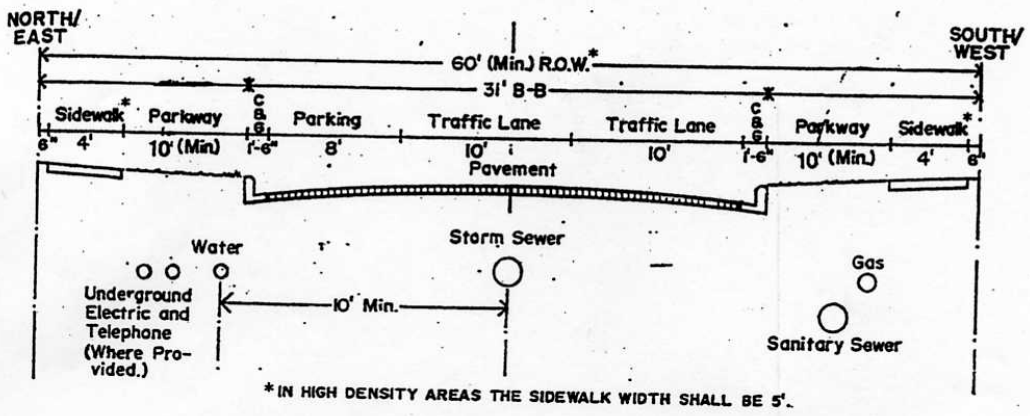
3) Topography and Arrangement:

a) Roads shall be related appropriately to the topography. Local roads may be curved wherever possible to avoid conformity of lot appearance. All streets shall be arranged so that as many as possible of the building sites are at or above the grade of the streets. Grades of streets shall conform as closely as possible to the original topography. A combination of steep grades and curves shall be avoided. Specific standards are contained in the design standards, Section 5.4,B. of these regulations.

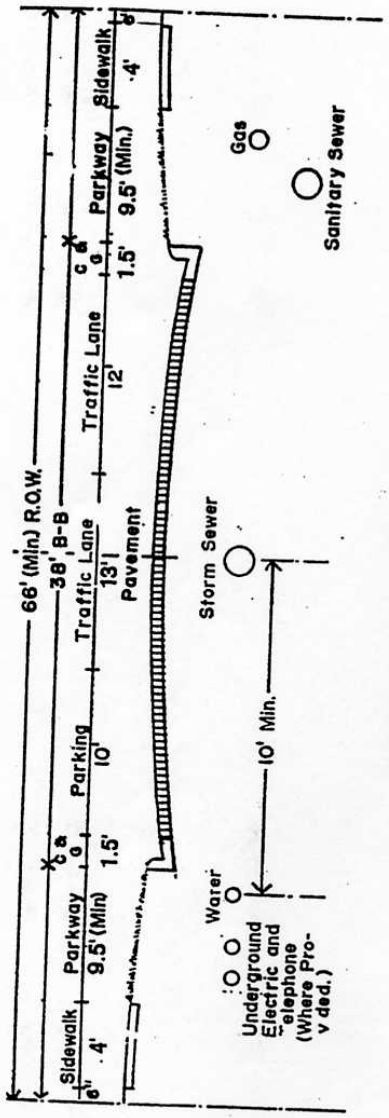
b) All streets shall be properly integrated with the existing and proposed system of thoroughfares and dedicated right-of-way as established on the Official Map, the Official Street Classification Map, and/or Master Plan.

c) All streets shall be properly related to special traffic generators such as industries, business districts, schools, churches, and shopping centers, to population densities and to the pattern of existing and proposed land uses.

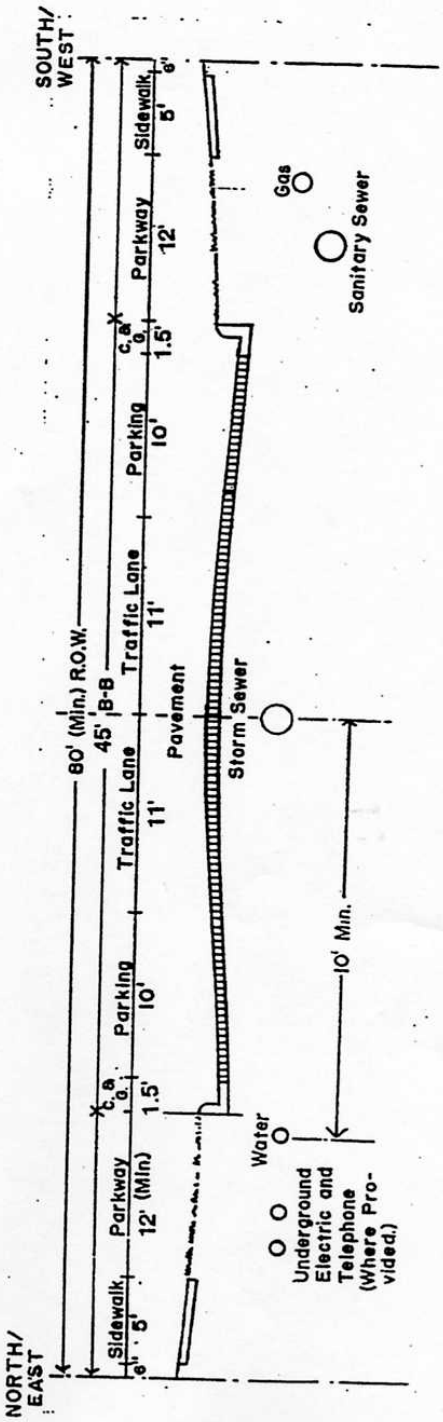
SECTION 5.3 & 5.4A (THREE PAGE CHART)



LOCAL STREET



COLLECTOR STREET



MINOR ARTERIAL

STREET CROSS-SECTIONS-ARTERIALS

ARTERIAL

MAJOR ARTERIAL

d) Minor or local streets shall be laid out to conform as much as possible to the topography, to discourage use by through traffic, to permit efficient drainage and utility systems, and to create the minimum number of streets necessary to provide convenient and safe access to property.

e) The rigid rectangular gridiron street pattern need not necessarily be adhered to, and the use of curvilinear streets, cul-de-sacs, or U-shaped streets shall be encouraged where such use will result in a more desirable layout.

f) Proposed streets shall be extended to the boundary lines of the tract to be subdivided, unless prevented by topography or other physical conditions, or unless in the opinion of the Plan Commission and/or the City Council such extension is not necessary or desirable for the coordination or layout of the subdivision with the existing layout or the most advantageous future development of adjacent tracts.

g) In business and industrial developments, the streets and other access ways shall be planned in connection with the grouping of buildings, location of rail facilities, and the provision of alleys, truck loading and maneuvering areas and walks and parking areas so as to minimize conflict of movement among the various types of traffic, including pedestrian.

4) Blocks:

a) Blocks shall have sufficient width to provide for two (2) tiers of lots of appropriate depth. Exceptions to this prescribed block width shall be permitted in blocks adjacent to arterial streets, railroads, or waterways.

b) The length, width, and shape of blocks shall be such as are appropriate for the locality and the type of development contemplated. Blocks in residential areas should be no less than four hundred (400) feet and no greater than one thousand and two hundred (1,200) feet in length.

c) In long blocks, the Plan Commission or the City Council may require the reservation of an easement through the block to accommodate utilities, drainage facilities, or pedestrian traffic. Pedestrian ways or cross walks, not less than fifteen (15) feet wide, may be required by the Plan Commission through the center of blocks more than eight hundred (800) feet long where deemed essential to provide circulation or access to schools, playgrounds, shopping centers, transportation or other community facilities. Blocks designed for industrial uses shall be of such length and width as may be determined suitable by the Plan Commission for the prospective use.

5) Access to Arterials: Where a subdivision borders on or contains an existing or proposed major or minor arterial,

the Plan Commission and/or City Council shall require that access to such streets be limited by one of the following means:

a) The subdivision of blocks so as to back onto the arterial and front onto a parallel local street; no access shall be provided from the arterial, and screening shall be provided in a strip of land along the rear property line of such lots.

b) A series of cul-de-sacs, U-shaped streets, or short loops entered from and designed generally at right angles to such a parallel street, with the rear lines of their terminal lots backing onto the arterial.

c) A marginal access or service road (separated from the arterial by a planting or grass strip and having access thereto at suitable points).

d) Or, similar, acceptable practices.

6) Road Names: The final plat as submitted shall indicate the names of proposed streets. Names shall be sufficiently different in sound and in spelling from other road names in the City and surrounding areas so as not to cause confusion. A road which is on the same approximate alignment as an existing road shall bear the same name. All street names shall be subject to the approval of the Plan Commission.

7) Road Regulatory Signs: As a part of the construction drawings submitted with the application for approval of the final plat, the Applicant shall submit a traffic control plan to the Director of Public Works and Utilities showing proposed locations of traffic control devices, signs and signals, street signage and pavement markings.

All permanent traffic control devices, signs and signals, street signage and pavement markings shall be installed by the applicant in accordance with the specifications and policies of the Director of Public Works and Utilities. Street name signs are to be erected at all intersections within or abutting the subdivision at a location approved by said Director. The applicant shall also install temporary street name signs before the issuance of a certificate of occupancy for any structure on the streets approved until the erection of permanent street signage. *

*Ordinance #10796 5/16/95

8) Street Lights: Installation of street lights shall be required in accordance with design and specification standards contained within the American National Standard Practice for Roadway Lighting (1972), published by the Illuminating Engineering Society.

9) Reserve Strips or Spite Strip: The creation of any reserve strip or spite strip shall not be permitted adjacent to a proposed street in such a manner as to deny access from adjacent property to such street.

10) Construction of Roads and Dead-end Streets

a) Construction of Roads: The arrangement of streets shall provide for the continuation of principal streets between adjacent properties when such continuation is necessary for convenient movement of traffic, effective fire protection, for efficient provision of utilities and where such continuation is in accordance with the Comprehensive Plan. If the adjacent property is undeveloped and the street must be a dead-end street temporarily, the right-of-way shall be extended to the property line of the adjacent property. A temporary T or L shaped turnabout shall be provided on all temporary dead-end streets, with the notation on the subdivision plat that any land outside the normal street right-of-way shall revert to abutting properties whenever the street is continued. The Plan Commission or City Council may limit the length of temporary dead-end streets in accordance with the design standards of these regulations.

b) Dead-end Roads (permanent) Where a road does not extend to the boundary of the subdivision and its continuation is not required by the Plan Commission or the Mayor and City Council for access to adjoining property, its terminus shall normally not be nearer to such boundary than fifty (50) feet. However, the Plan Commission or the Mayor and City Council may require the reservation of an appropriate easement to accommodate drainage facilities, pedestrian traffic, or utilities. A cul-de-sac turnaround and center island shall be provided at the end of a permanent dead-end street in accordance with the provision for Minimum Turnaround Diameter in Table 1.

Every required cul-de-sac center island shall be constructed with a surface covering of grass sod or ground-covering plants. In addition, one or more trees shall be planted on the cul-de-sac center island in locations that do not interfere with snow removal or storage.

For greater convenience to traffic and more effective police and fire protection, permanent dead-end streets shall, in general, be limited in length in accordance with the design standards of these regulations.*

*Ordinance #14362 dated 07/15/03

B. Design and Construction Standards

1) General: In order to provide for roads of suitable width and improvement to accommodate prospective traffic and afford satisfactory access to police, fire fighting, snow removal, sanitation and road maintenance equipment, the design of roads and streets shall be in accordance with the design standards and criteria contained within the Design Manual of the State of Illinois Department of Transportation, Bureau of Design.

2) Road Surfacing and Improvements: After sewer and water

utilities have been installed by the developer, the applicant shall construct curbs and gutters and shall construct or cause to be constructed roadways through the Bituminous Binder Course to the widths prescribed in these regulations. The Bituminous Paving Contractors shall be pre-qualified to construct public roadway improvements. Pre-qualification shall consist of Illinois Department of Transportation (IDOT) pre-qualification, Capital Development Board pre-qualification, or City of Joliet pre-qualification.***

The final lift of pavement shall not be installed until the following construction season. If the roadway's sub-grade has had an approved soil stabilization treatment, the final lift of pavement shall be allowed to be installed during the same construction season as the base course and lower lifts of pavement are installed. Said surfacing shall be of such character as is suitable for the expected traffic and in harmony with similar improvements in the surrounding areas. Adequate provisions shall be made for culverts, drains and bridges.*

The construction of all roadway improvements, including but not limited to, road base, surface pavement, shoulders, drainage improvements and structures, bridges and retaining structures, curbs, turnarounds, and sidewalks shall conform to the standards and specifications contained within the Standard Specifications for Road and Bridge Construction (as amended and updated), prepared by the Department of Transportation of the State of Illinois (IDOT), and shall be incorporated into the construction plans required to be submitted by the developer for final plat approval. Driveways and driveway aprons shall also be installed within nine months of the issuance of a certificate of occupancy for any structure by the developer and shall consist of Portland Cement Concrete 6 inches in thickness and reinforced by 6"x6", #10 x #10 welded wire fabric situated upon a 3 inch thick sub-base of stone having an IDOT gradation of CA-6 or 3 inches of bituminous concrete surface course situated upon a 6 inch sub-base of stone having an IDOT gradation of CA-6. **

* Ordinance #10796; 05/16/95
** Ordinance #11429; 03/18/97
*** Ordinance #14574; 02/17/04

3) Railroads and Limited Access Highways: Railroad right-of-way and limited access highways where so located as to affect the subdivision of adjoining lands shall be treated as follows:

a) In residential districts a buffer strip of at least twenty-five (25) feet in depth in addition to the normal depth of the lot required in the district shall be provided adjacent to the railroad right-of-way or limited access highway. This strip may be part of the platted lots and shall be designated on the Plat: "This strip is reserved for screening. The placement of other structures hereon is prohibited."

b) In districts zoned for business, commercial, or industrial uses, the nearest street extending parallel or approximately parallel to the railroad shall, wherever practicable, be at a sufficient distance therefrom to ensure suitable depth for commercial or industrial sites.

c) Streets parallel to the railroad when intersecting a street which crosses the railroad at grade shall, to the extent practicable, be at a distance of at least 150 feet from the railroad right-of-way. Such distance will be determined with due consideration of the minimum distance required for future separation of grades by means of appropriate approach gradients.

4) Intersections:

a) Streets shall be laid out so as to intersect as nearly as possible at right angles. A proposed intersection of two new streets at an angle of less than seventy-five (75) degrees shall not be acceptable. An oblique street should be curved approaching an intersection and should be approximately at right angles for at least one hundred (100) feet therefrom. Not more than two streets shall intersect at any one point unless specifically approved by the Plan Commission and City Council.

b) Proposed new intersections along one side of an existing street shall, wherever practicable, coincide with any existing intersections on the opposite site of such street. Street jogs with center-line off-sets of less than 150 feet shall not be permitted, except where the intersected street has separated dual drives without median breaks at either intersection. Where streets intersect arterial streets, their alignment shall be continuous.

c) The number of intersecting streets along major and minor arterial streets shall be held to a minimum. The policy of the City Council shall be to limit intersections along major arterial such that they (intersections) occur at intervals of not less that 1200 feet, 900 feet, and 300 feet, respectively, for Types A, B, and C intersections, as defined below. In the same manner, such intersections along the minor arterial streets shall occur at intervals of not less than 1000 feet, 700 feet, and 300 feet, respectively, for Types A, B, and C intersections. Type A intersections are defined as those intersections requiring or anticipated by the Plan Commission or City Council to require a traffic control (traffic lights or stop signs) on the public street along which the interval is measured, but not necessarily on the intersecting streets. Type B intersections are defined as those intersections not requiring traffic controls, but allowing left-hand turning movements off of the public street along which the interval is measured. Type C intersections are defined as those intersections not requiring traffic controls and not permitting left-hand turning movements off of the public street along which the interval is measured. When the interval is between intersections of

different types, the least restrictive interval requirement shall apply.

(1) No alleys will be allowed in any new subdivisions proposed in the City of Joliet.

(2) The number of business/commercial driveways along major and minor arterial streets shall be held to a minimum. The policy of the City Council shall be to limit driveways along major and minor arterial streets on the following basis:

(a) For lots with a frontage less than 150 feet, driveways shall be no closer together than 300 feet.

(b) For lots with a frontage between 150-225 feet, driveways shall be no closer together than two times the average individual lot frontage.

(c) For lots with a frontage greater than 225 feet, driveways shall be no closer together than 450 feet.

(d) Driveways that are limited to one direction of travel may be allowed, subject to the approval of the Community Design Review Board, at a spacing of 300 feet independent of the lot frontage.

(e) In determining the spacing between driveways, distances between existing and proposed street intersections and driveways shall be considered in the spacing calculations. *

d) Minimum curb radius at the intersection of two local streets shall be twenty (20) feet; and minimum curb radius at an intersection involving a collector street shall be twenty-five (25) feet. Alley intersections and abrupt changes in alignment within a block shall have the corners cut off in accordance with standard engineering practice to permit safe vehicular movement.

e) Intersections shall be designed with a flat grade wherever practicable. In hilly or rolling areas, at the approach to an intersection, a leveling area shall be provided having not greater than a two per cent (2%) slope at a distance of sixty (60) feet, measured from the nearest right-of-way line of the intersecting street.

*Revised 3/1/88 Ord. #8600

f) Where any street intersection would involve earth banks or existing vegetation inside any lot corner that would create a traffic hazard by limiting visibility, the developer shall cut such ground and/or existing vegetation (including trees) in connection with the grading of the public right-of-way to the extent deemed necessary to provide adequate sight distance as determined by acceptable engineering standards.

g) The cross-slopes on all streets, including intersections, shall be three per cent (3%) or less.

5)Driveways and Curbcuts:

Curbcuts for property driveway access should be avoided on collector streets and on arterial streets, in particular. The approximate location of driveway curbcuts on arterial and collector streets shall be shown on the preliminary and final plats. While it is recognized that the exact location and spacing of curbcuts may vary from what is shown on the plat when the subdivision is developed, the overall spacing of curbcuts must be maintained so as to avoid intervals between curbcut locations which are too short. In no case shall the curbcut locations be varied such that their spacing in relationship to other curbcuts or other street intersections is less than the minimum intervals delineated in Section 5.4 B.(4)(c) immediately above, nor shall the number of curbcuts made along any one street exceed the number shown on the plat. Where none are shown, none shall be made.

6) Bridges: Bridges of primary benefit to the applicant, as determined by the Plan Commission and/or City Council, shall be constructed at the full expense of the applicant without reimbursement from the City. The sharing of expense for the construction of bridges not of primary benefit to the applicant as determined by the Plan Commission and/or City Council, will be fixed by special agreement between the City and the applicant. Said cost shall be charged to the applicant pro rata as the percentage of his land developed and so served.

C. Road Dedications and Reservations

1) New Perimeter Streets: Street systems in new subdivisions shall be laid out so as to eliminate or avoid new perimeter half-streets. Where an existing half-street is adjacent to a new subdivision, the other half of the street shall be improved and dedicated by the subdivider. The Plan Commission and/or City Council may authorize a new perimeter street where the subdivider improves and dedicates the entire required street right-of-way width within his own subdivision boundaries.

2) Widening and Realignment of Existing Roads: Where a subdivision borders an existing narrow road or when the Master Plan, Official Map, or zoning setback regulations indicate plans for realignment or widening a road that would require use of some of the land in the subdivision, the applicant shall be required to improve and dedicate at his expense such areas for widening or realignment of such roads. Such frontage roads and streets shall be improved and dedicated by the applicant at his own expense to the full width as required by these subdivision regulations. Land reserved for any road purposes may not be counted in satisfying yard or area requirements of the Zoning Ordinance whether the land is to be dedicated to the City in fee simple or an easement is granted to the City.

TABLE 1. DESIGN STANDARDS FOR STREETS

Improvement	Development Density: Residential Low	Residential Medium	Residential High	Non-Residential Business-Industrial
Minimum Right-of-Way Width (in Feet)				
Local Street	50	60	60	60
Collector Street	66	66	66	66
Minor Arterial	85	85	85	85
Major Arterial	100	100	100	100
Minimum Pavement Width (measured back-to-back in Feet) and Curb and Gutter Type				
Local Street	31'R/C*	31'R/C	31'R/C	31'B/C
Collector Street	38'R/C	38'R/C	38'R/C	38'B/C
Minor Arterial	45'B/C	45'B/C	45'B/C	45'B/C
Arterial	53'B/C	53'B/C	53'B/C	53'B/C
Major Arterial	61'B/C	61'B/C	61'B/C	61'B/C

(R/C = Rolled Type Curb and Gutter)
(B/C = Barrier Type Curb and Gutter)

* Rolled curb and gutter shall only be allowed in single-family or duplex residential subdivision on right-of-ways where driveways take access.

NOTE: Special cross sections may be required in situations where street roadways have been declared unique and may require design standards other than listed above. **

** Ordinance #11429; 3/18/97

Maximum Grade (Per Cent)				
Local Street	8	8	7	6
Collector Street	----------6% in all areas----------			
Minor Arterial	----------5% in all areas----------			
Major Arterial	----------4% in all areas----------			
Minimum Grade	----------0.5% in all areas----------			
Minimum Radius of Curve (in Feet)				
Local Street	100	100	100	200
Collector Street	100	100	100	200
Minor Arterial	----------400 feet in all areas--------			
Major Arterial	----------500 feet in all areas--------			
Minimum Length of Barrier Curves				
Local Street	{100 feet, but not less than 20 feet for each			
Collector Street <	{algebraic difference in grade.			
Minor Arterial	200 feet, but not less than 50 feet for each algebraic difference in grade.			
Major Arterial	300 feet, but not less than 50 feet for each algebraic difference in grade.			

TABLE 1. DESIGN STANDARDS FOR STREETS (continued)

Revised 3/18/80 - Ordinance #7267

	Development Density			
	Residential			Non-Residential Business-
Improvement	Low	Medium	High	Industrial
Minimum Length of Tangents Between Reverse Curves (in Feet)				
Local Street	100	100	150	200
Collector Street	100	100	150	200
Minor Arterial	200	200	250	300
Major Arterial	300	300	350	400
Minimum Sight Distance at Intersections (in Feet)				
Local Street	200	200	200	250
Collector Street	200	240	240	250
Minor Arterial	275	275	300	300
Major Arterial	275	300	300	400
Intersection	(Across corners-75 feet Back)			Intersection
Minimum Turnaround Diameter (in Feet)				
Local Streets				
Right-of-Way Diameter	100	100	120	140
Pavement (measured face-to-face)	80	80	100	120
Center Island Diameter MAXIMUM (If Required)	21*	21*	40	50 (if required)
	*Ordinance #14362 dated 07/15/03			
Design Speed (Miles per Hour)				
Local Street	25	30	30	30
Collector Street	30	35	35	35
Minor Arterial	40	40	40	40
Major Arterial	40	40	40	50
Maximum Length of Cul-de-sac				
Permanent:	Serving no more than fourteen (14) families, or not exceeding 600 feet in length, whichever is greater.			
Temporary:	Serving no more than twenty-five (25) families, or not exceeding 1,000 feet in length, whichever is greater.			
Minimum Radius at Intersections (in Feet)				
At Pavement	25	25	30	30

5.5 Drainage and Storm Sewers

A. General Requirements

The Plan Commission shall not recommend for approval any plat of subdivision which does not make adequate provision for storm or flood water run off channels or basins. The storm water drainage system shall be separate and independent of any sanitary sewer system. Storm sewers shall be designed by the Rational Method, or other comparable method as approved by the Plan Commission, and a copy of design computation shall be submitted along with plans. Inlets shall be provided so that surface water is not carried across or around any intersection, nor for a distance of more than 300 feet in the gutter unless calculations indicate that a greater distance is suitable. When calculations indicate that curb capacities are exceeded at a point, no further allowance shall be made for flow beyond that point, and basins shall be used to intercept flow at that point. Surface water drainage patterns shall be shown for each and every lot block. *

*Ordinance #11429; 3/18/97

B. Design and Construction Standards

The design and construction of all storm sewers and other drainage facilities and structures shall conform to the standards and specifications contained within the Standard Specifications for Water and Sewer Main Construction in Joliet, Illinois, as amended, available from the office of the Department of Public Works, and the Design Manual of the State of Illinois Department of Transportation, Bureau of Design. **

C. Nature of Storm Water Facilities

1) Location: The applicant may be required by the Plan Commission to carry away by pipe or open ditch any spring or surface water that may exist either previously to, or as a result of the subdivision. Such drainage facilities shall be located in the road right-of-way where feasible, or in perpetual unobstructed easements of appropriate width, and shall be constructed in accordance with the construction standards and specifications.

** Revised 5/20/86, Ord. #8269

2) Accessibility to Public Storm Sewers

a) Where a public storm sewer is accessible, the applicant shall install storm sewer facilities, or if no outlets are within 300 feet, adequate provision shall be made for the disposal of storm waters, subject to the specifications of the Director of Public Works. However, in subdivisions containing lots less than 15,000 square feet in area and in business and industrial districts, underground storm sewer systems shall be constructed throughout the subdivisions and be conducted to an approved outfall. Inspection of facilities shall be conducted by the Director of Public Works.

b) If a connection to a public storm sewer will be provided eventually, as determined by the Director of

Public Works and the Plan Commission, the developer shall make arrangements for future storm water disposal to a public storm sewer system at the time the plat receives final approval. Provision for such connection shall be incorporated by inclusion in the performance bond required for the subdivision plat.

3) Accommodation of Upstream Drainage Areas: A culvert or other drainage facility shall in each case be large enough to accommodate potential run off from its entire upstream drainage area, whether inside or outside the subdivision. The Director of Public Works shall determine the necessary size of the facility, based on the provisions of the construction standards and specifications, assuming conditions of maximum potential watershed development permitted by the Zoning Ordinance, and taking into account the requirements for storm water detention as set forth in the City's Code of Ordinances.

4) Effect on Downstream Drainage Areas: The Director of Public Works shall study the effect of each subdivision on existing downstream drainage facilities outside the area of the subdivision, taking into account the requirements for storm water detention as set forth in the City's Code of Ordinances. Drainage studies conducted by the City of Joliet together with studies conducted by the U.S. Army Corps of Engineers, the State of Illinois, and other such studies as shall be appropriate, shall serve as a guide to the determination of needed improvements. When it is anticipated that the additional runoff incident to the development of the subdivision will overload an existing downstream drainage facility, the Plan Commission and City Council may withhold approval of the subdivision until provision has been made for the improvement of said potential condition. No subdivision shall be approved unless adequate drainage will be provided to an adequate drainage watercourse or facility.

5) Flood Plain Areas: The Plan Commission or City Council shall, when they deem it necessary for the health, safety, or welfare of the present and future population of the area and necessary to the conservation of water, drainage, and sanitary facilities, prohibit the subdivision of any portion of the property which lies within the flood plain of any stream or drainage course. These flood plain areas shall be preserved from any and all destruction or damage resulting from clearing, grading, dumping of earth, waste material, or stumps, except at the discretion of the City Council.

Development within the Flood Plain, where permitted, shall conform to the requirements of the Joliet "Flood Plain Management Ordinance."

6) Aeration Devices in Detention and Retention Facilities: The applicant, at its expense and as a mandatory condition of record plat approval, shall equip all detention and retention facilities located in the subdivision with aerators and related appurtenances meeting the requirements and specifications issued by the City Manager. In addition, the applicant shall provide adequate assurances for the completion and maintenance of such

items in the same manner as such assurances are provided for public improvements pursuant to Section IV of these Regulations. This shall include, but shall not be limited to, the submittal and approval of a cost estimate, the submittal of a performance bond, letter of credit or escrow and the submittal of a maintenance bond. The applicant shall have the duty to operate, maintain and replace the aeration equipment until it, or any entity which the applicant controls, no longer owns any real property within the subdivision or the development. Thereafter, the duty to operate, maintain and replace the aeration equipment shall jointly rest with the owners of the lots in the subdivision and the applicant shall so indicate by notation on the record plat.

D. Dedication of Drainage Easements

1) General Requirements: Where a subdivision is traversed by a watercourse, drainageway, channel, or stream, there shall be provided a stormwater easement or drainage right-of-way conforming substantially to the lines of such watercourse, and of such width and construction or both as will be adequate for the purpose. Whenever possible, the drainage shall be maintained in an open channel with landscaped banks and adequate width for maximum potential volume of flow.

2) Drainage Easements:

a) Where topography or other conditions are such as to make impractical the inclusion of drainage facilities within road right-of-way, perpetual unobstructed easements at least fifteen (15) feet in width for such drainage facilities shall be provided across property outside the road lines and with satisfactory access to the road. Easements shall be indicated on the plat. Drainage easements shall be carried from the road to a natural water course or to other drainage facilities.

b) When a proposed drainage system will carry water across private land outside the subdivision, appropriate drainage rights shall be secured and indicated on the plat.

c) The applicant shall dedicate, either in fee or by drainage or conservation easement of land on both sides of existing watercourses, to a distance to be determined by the Plan Commission.

d) Low-lying lands along watercourses subject to flooding or over flowing during storm periods, whether or not included in areas for dedication, shall be preserved and retained in their natural state as drainageways, or may be used in accordance with the Flood Plain Management Ordinance of the City of Joliet.

5.6 Water Facilities

A. General Requirements

1) Necessary action shall be taken by the applicant to

provide a water supply system capable of providing water for domestic use and fire protection.

2) Where a public water main is accessible, the subdivider shall install adequate water facilities (including fire hydrants) subject to the approval of the Illinois Environmental Protection Agency, and the Director of Utilities.

3) Water mains shall be extended only as approved by the Illinois Environmental Protection Agency and the Director of Utilities

.

4) To facilitate the above, the location of all fire hydrants and all water distribution improvements shall be shown on the final plat and the construction plans, and all improvements proposed to be served shall be indicated. The cost of installing same shall be included in the performance bond to be furnished by the developer.

B. Individual Wells and Central Water Systems

1) In low-density zoning districts if a public water system is not available, individual wells may be used at the discretion of the Plan Commission or City Council.

2) If the Plan Commission and/or City Council requires that a connection to a public water main be eventually provided as a condition to approval of an individual well or central water system, the applicant shall make arrangements for future water service at the time the plat receives recording approval. Performance or cash bonds may be required to insure compliance.

C. Fire Hydrants

Fire hydrants shall be required for all subdivisions except those coming under Section 5.6 B. Fire hydrants shall be located no more than 350 feet apart and within 350 feet of any structure and shall be approved by the Fire Department. Whenever practicable, fire hydrants shall be situated on extended lot lines within the public right of way. Fire hydrants shall be installed such that there will be a minimum of twenty (20) inches between the steamer hose connection and the finished grade. To eliminate future street openings, all underground utilities for fire hydrants, together with the fire hydrants themselves and all other supply improvements shall be installed before any final paving of a street shown on a subdivision plat. **

D. Design and Construction Standards

The water distribution system shall be designed so as to provide adequate fire protection and domestic water supply to all parts of the development. To this end the looping of water mains shall be required wherever practicable. All water mains shall be at least six inches (6") in diameter. The design and construction of all components of the water supply system shall conform to the standards and specifications contained within the Standard Specifications for Water and Sewer Main Construction in

Joliet, Illinois, as amended, available from the office of the Department of Public Works. *

* Revised 05/20/86; Ord. #8269
** Revised 10/20/98; Ord. #12063

5.7 Sewerage Facilities

A. High Density Residential and Non-residential Districts

Sanitary sewerage facilities shall connect with the public sanitary sewerage system. Sewers shall be installed to serve each lot and to grades and sizes required by approving officials and agencies. No individual disposal system or treatment plants (private or group disposal systems) shall be permitted. Sanitary sewerage facilities (including the installation of laterals in the right-of-way) shall be subject to the specifications, rules, regulations, and guidelines of the Director of Utilities and the Illinois Environmental Protection Agency.

B. Low- and Medium-Density Residential Districts

Sanitary sewerage systems shall be constructed as follows:

1) Where the public sanitary sewerage system is available on abutting property or within five hundred feet (500') of the subdivision, the applicant shall connect with same and provide sewers accessible to each lot in the subdivision.

2) Where the public sewerage system is not within five hundred feet (500'), but will become available within a reasonable period of time (not to exceed fifteen (15) years), the applicant shall choose one of the following alternatives:

a) Central Sewerage System: The maintenance cost to be assessed against each property benefited. Where plans for future public sanitary sewerage systems exist, the applicant shall install lines, laterals, and mains to be in permanent conformance with such plans and ready for connection to such public sewer mains; or,

b) Individual Disposal Systems: Provided the applicant shall install sanitary sewer lines, laterals, and mains from the street curb to a point in the subdivision boundary where a future connection with the public sewer main shall be made. Sewer lines shall be laid from the house to the street line, and a connection shall be available in the house to connect from the individual disposal system to the sewer system when the public sewers become available. Such sewer systems shall be capped until ready for use and shall conform to all plans for installation of the public sewer system, where such exist, and shall be ready for connection to such public sewer main.

3) Where sanitary sewer systems are not within five hundred feet (500') and will not become available for a period in excess of fifteen (15) years, the applicant may install sewerage systems as follows:

a) Medium-Density Residential Districts: A central sewerage system only. No individual disposal system will be permitted. Where plans exist for the public sewer system to be built and available within a fifteen (15) year period, the applicant shall install all sewer lines, laterals, and mains to be in permanent conformance with such plans and ready for connection to such public sewer system.

b) Low-Density Residential Districts: Individual disposal systems or central sewerage systems shall be used.

C. Mandatory Connection to Public Sewer System

If a public sanitary sewer is available and a sanitary sewer is placed in a street or alley abutting upon property, the owner thereof shall be required to connect to said sewer for the purpose of disposing of waste, and it shall be unlawful for any such owner or occupant to maintain upon any such property an individual sewerage disposal system.

D. Individual Disposal System Requirements

If public sewer facilities are not available, and individual disposal systems are proposed, minimum lot areas shall conform to the requirements of the Will County Health Department and percolation tests and test holes shall be made as directed by the County Health Officer, and the results submitted to the Health Department. The individual disposal system, including the size of the septic tanks and size of the tile fields or other secondary treatment device, shall be approved by the County Health Officer.

E. Design and Construction Standards

1) The design and construction of all components of the sanitary waste disposal system shall conform to the standards and specifications contained within the Standard Specifications for Water and Sewer Main Construction in Joliet, Illinois, as amended, available from the office of the Department of Public Works. *

*Revised 5/20/86; Ord. #8269

2) Design Factors: Sanitary sewer systems should be designed for the ultimate tributary population. Due consideration should be given to current zoning regulations and approved planning and zoning reports where applicable. Sewer capacities should be adequate to handle the anticipated maximum hourly quantity of sewage and industrial waste together with an adequate allowance for infiltration and other extraneous flow. The unit design flows presented hereinafter should be adequate in each case for the particular type of development indicated. Sewers shall be designed for the total tributary area using the following criteria:

One and Two Family Dwellings-.02 cubic feet per second

(c.f.s.)/acre.

Apartments:

One and Two Story	- .02 c.f.s./acre.
Three thru Six Story	- .03 c.f.s./acre.

Commercial:

Small stores, Offices, and Miscellaneous Businesses	- .02 c.f.s./acre.
Shopping Centers	- .02 c.f.s./acre.
High Rise	- As directed by Public Works Director.
Industrial	- As directed by Public Works Director.

These design factors shall apply to watersheds of 300 acres or less. Design factors for watersheds of larger than 300 acres and smaller than 1,000 acres shall be computed on the basis of lineal decrease from the applicable design factor for an area of 300 acres to a design factor of .01 c.f.s./acre for an area of 1,000 acres unless otherwise directed by the Public Works Director. Design factors for watersheds of larger than 1,000 acres shall be .01 c.f.s./acre unless otherwise directed by the Public Works Director.

3) Maximum Size: The diameter of the sewers proposed shall not exceed the diameter of the existing or proposed outlet, whichever is applicable, unless otherwise approved by the Director of Public Works.

4) Minimum Size: No public sewer shall be less than eight (8) inches in diameter.

5) Minimum Slope: All sewers shall be designed to give velocities when flowing of not less than 2.0 feet per second. All velocity and flow calculations shall be based on the Manning Formula using an N value of 0.013. The design slopes shall be evenly divisible by four (4). The slopes shall be minimum for the size indicated. Exceptions to these minimum slopes shall be made at the upper end of lateral sewers serving under thirty (30) houses. Said sewers shall have a minimum slope of 0.76 per cent. Where lateral sewers serve less than ten (10) houses, the minimum slope shall not be less than one per cent (1%). (See Table 2.)

TABLE 2. MINIMUM SLOPES FOR SEWER SIZE INDICATED

Sewer Size (In Inches)	Minimum Slope in Feet per 100 Feet
8	0.4
10	0.28
12	0.22
15	0.15
18	0.12
21	0.10
24	0.08
30	0.058
36	0.046

6) Alignment: All sewers shall be laid with straight alignment between manholes, unless otherwise directed or approved by the Director of Public Works.

7) Manhole Location: Manholes shall be installed at the end of each line; at all changes in grade, size or alignment; at all intersection; and, at distances not greater than 400 feet.*

8) Manholes: The difference in elevation between any incoming sewer and the manhole invert shall not exceed eighteen (18) inches except where required to match crowns. The use of drop manholes will require the approval of the Director of Public Works. The minimum inside diameter of the manholes shall conform to those specified by the Director of Public Works. Inside drop manholes will require special considerations; however, in no case shall the minimum clear distance be less than that indicated above. When a smaller sewer joins a larger one, the crown of the smaller sewer shall not be lower than that of the larger one. The minimum drop through manholes shall be 0.2 feet.

9) Sewer Locations: Sanitary sewers shall be located within the street or alley rights-of-way unless topography dictates otherwise. When located in easements or private property, access shall be maintained to all manholes. A manhole shall be provided at each street or alley crossing. End lines shall be extended to provide access from street or alley rights-of-way where possible.

Imposed loading shall be considered in all locations. Not less than six (6) feet of cover shall be provided over the top of pipe in street and alley rights-of-way or three (3) feet in all other areas.

10) Cleanouts and Lampholes: Cleanouts and lampholes will not be permitted.

*Revised 5/20/86, Ord. 8269

11) There shall be no physical connection between a public or private potable water supply system and a sewer which will permit the passage of any sewage or polluted water into the potable supply. Sewers shall be kept removed from water supply wells or water supply sources and structures.

12) Relation of sewers to water mains: A minimum horizontal distance of ten (10) feet shall be maintained between parallel water and sewer lines. At points where sewers cross water mains, the sewer shall be constructed of cast iron pipe or encased in concrete for a distance of ten (10) feet in each direction from the crossing, measured perpendicular to the water line. This will not be required when the water main is at least two (2) feet above the sewer.

5.8 Sidewalks

A. Required Improvements

1) Sidewalks shall be included within the dedicated non-pavement right-of-way of all roads as shown in Table 3, below.

2) Concrete curbs are required for all roads where sidewalks are required by these regulations.

3) Sidewalks shall be improved as required in Section 5.4 B, (2) of these regulations. A median strip of grassed or landscaped areas at least two (2) feet wide shall separate all sidewalks from adjacent curbs.

B. Pedestrian Accesses

The Plan Commission and/or City Council may require in order to facilitate pedestrian access from the streets to schools, parks, playgrounds, or other nearby roads, perpetual unobstructed easements at least fifteen (15) feet in width. Easements shall be indicated on the plat.

TABLE 3. SIDEWALKS REQUIRED

	Residential			
	Development Density			Non-Residential
Nature of Road	Low	Medium	High	Commercial & Office +
Local Street	Both Sides 4 ft. Wide	Both Sides 4 ft. Wide	Both Sides 4 ft. Wide	Both Sides 5 ft. Wide
Collector Street	Both Sides 4 ft. Wide	Both Sides 4 ft. Wide	Both Sides 4 ft. Wide	Both Sides 5 ft. Wide
Minor Arterial	Both Sides 5 ft. Wide	Both Sides 5 ft. Wide	Both Sides 5 ft. Wide	Both Sides 5 ft. Wide
Major Arterial	Both Sides 5 ft. Wide	Both Sides 5 ft. Wide	Both Sides 5 ft. Wide	Both Sides 5 ft. Wide*

+For industrial subdivisions, 5 foot sidewalks shall be installed where, in the opinion of the Plan Commission and City Council, they are required by nature of the development, and/or the needs of the surrounding area.

5.9 Private Utilities

A. General Requirements

All utility facilities, including, but not limited to gas, electric power, telephone, and CATV cables, shall be located underground throughout the subdivision. Where existing utility facilities are located above ground, except where existing on public roads and rights-of-way, they shall be removed and placed underground. All utility facilities existing and proposed throughout the subdivision shall be shown on the final plat. Underground service connections to the street property of each platted lot shall be installed at the subdividers expense.

B. Easements

1) Easements centered on rear lot lines shall be provided for utilities (private and municipal); such easements shall be at least ten (10) feet wide. Where rear yard drainage easements are combined with utility easements, such combined easements shall be at least fifteen (15) feet wide. Proper coordination shall be established between the subdivider and the utility companies for the establishment of utility easements shown on the plat which are properly aligned to existing utility easements established on adjoining properties.

*Ordinance #10437 5/17/94

2) Where topographical or other conditions not attributable to the applicant are such as to make impractical the inclusion of utilities in rear lot lines, perpetual unobstructed easements at least ten (10) feet in width shall be provided along side lot lines with satisfactory access to

the road or rear lot lines. All easements shall be indicated on the final plat.

5.10 Preservation of Natural Features and Amenities

A. General

Existing features which would add value to residential development or to the local community as a whole, such as trees, as herein defined, watercourses, historic spots, and similar irreplaceable assets, shall be preserved in the design of the subdivision. No trees shall be removed from any subdivision nor any change of grade of the land affected until approval of the preliminary plat has been granted. All trees on the plat required to be retained shall be preserved, and all trees where required shall be welled and protected against change of grade. The preliminary plat shall show the number and location of trees, as required by these regulations and shall further indicate all those marked for retention, and the location of all proposed shade trees located along the street side of each lot as required by these regulations. *

B. Shade Trees Planted by Developer

1) As a requirement of subdivision approval, the applicant shall plant shade trees on the property of the Subdivision. Such trees are to be planted within the parkway of the right-of-way of the road. At least one (1) tree shall be planted in every forty (40) feet of frontage along each road. In commercial and industrial subdivisions, if the planting of shade trees shall prove to be an impediment to safe ingress and egress and/or visibility, or in conflict with locations of utilities, a landscaping plan shall be submitted. This landscaping plan shall contain a variety of plant species and quantities sufficient to compensate for the omission of a shade tree only for the locations where a conflict exists. No more than twenty percent (20%) of any one species of shade tree shall be planted in any subdivision or other development subject to these regulations. In addition to other final plat or plan submittals, the applicant shall also submit a list to the Director of Community Development identifying the species and size of the proposed shade trees. **; ***

* Revised 3/1/88; Ord. #8600
** Ordinance #9965 8/18/92
*** Ordinance #12562 12/7/99

a) If the established trees on-site meet or exceed the minimum spacing and size requirements of this Ordinance;

b) If unusual development conditions make strict adherence to the above provisions as outlined in Section 5.10 (B)(1) impractical.

2) New trees to be provided pursuant to those regulations should be approved by the Director of Community Development and shall be planted in accordance with the regulations of the Director of Public Works. Such trees shall have a minimum trunk diameter of not less than two inches (2")

(measured twelve inches (12") above ground level). Only long-lived shade trees, acceptable to the Director of Community Development and Plan Commission shall be planted.

3)Parkway trees to be provided pursuant to the regulations and limited to the following ornamental species: Crabapple, Ornamental Pear (excluding Bradford Pear), or other species approved by the City Manager, or his designee. Such trees shall have a minimum trunk diameter of not less than two inches (2″) (measured twelve inches (12″) above ground level).

Ord. #14917; dated 12/07/04

5.11 Non-Residential Subdivisions

A. General

If a proposed subdivision includes land that is zoned for commercial or industrial purposes, the layout of the subdivision with respect to such land shall make such provisions as Plan Commission and/or City Council may require. A non-residential subdivision shall be subject to all the requirements of these regulations, as well as such additional standards established by Plan Commission, and shall conform to the proposed land uses and standards established in the Comprehensive Plan, Official Map, and Zoning Ordinance.

B. Standards

In addition to the principles and standards in these regulations, which are appropriate to the planning of all subdivisions, the applicant shall demonstrate to the satisfaction of the Commission that the street, parcel, and block pattern is specifically adapted to the uses anticipated and takes into account other uses in the vicinity. The following principles and standards shall be observed:

1) Proposed industrial parcels shall be suitable in area and dimensions to the types of industrial development anticipated.

2) Street rights-of-way and pavement shall be adequate to accommodate the type and volume of traffic anticipated to be generated thereupon.

3) Special requirements may be imposed by the City with respect to curb, street, and sidewalk design and construction.

4) Special requirements may be composed by the City with respect to the installation of public utilities, including water, sewer, and storm water drainage.

5) Every effort shall be made to protect adjacent residential areas from potential nuisance from a proposed commercial or industrial subdivision, including the provision of extra depth in parcels backing up on existing or potential residential development and provisions for a permanently landscaped buffer strip when necessary.

6) Streets carrying non-residential traffic, especially truck traffic, shall not normally be extended to the boundaries of adjacent existing or potential residential areas.

5.12 Perpetual Care and Control of Common Areas and Improvements

All common areas, landscape easements, outlots, detention ponds and other common improvements and grounds that are not dedicated to and accepted by a unit of government shall be owned, operated and maintained by the applicant or a duly organized homeowners association established by the applicant in accordance with law and that is comprised of all of the owners of the private properties situated within the subdivision. The association shall be imbued by the applicant with sufficient legal and financial powers and means so as to perpetually control, operate and maintain the common areas and improvements for which it is responsible. The applicant shall provide the City with a copy of the declaration of covenants and other organizational documents and State filings that evidence compliance with this Section. *Ord #15504 dated 04/04/06

SECTION VI. SPECIFICATIONS FOR DOCUMENTS TO BE SUBMITTED

6.1 Preliminary Plat

Preliminary plats submitted to the Plan Commission, prepared in pen or pencil, shall be drawn to a convenient scale of not more than one hundred (100') feet to an inch and shall show the following information.

A. Name

1) Name of subdivision if property is within an existing subdivision.

2) Proposed name if not within a previously platted subdivision. The proposed name shall not duplicate the name of any plat previously recorded.

3) Name of property if no subdivision name has been chosen (this is commonly the name by which the property is locally known).

B. Ownership

1) Name and address, including telephone number, of legal owner or agent, if any, of property, and citation of last instrument conveying title to each parcel of property involved in the proposed subdivision, giving grantor, guarantee, date and land records reference.

2) Citation of any existing legal rights-of-way or easements affecting the property.

3) Existing covenants and liens on the property, if any.

4) Name and address, including telephone number, of the professional person(s) responsible for subdivision design of public improvements, and for surveys.

C. Description

Location of property by metes and bounds description or by government lot, section, township, range and county, geographic scale, north arrow, and date.

D. Features

1) Location of property lines, existing easements, burial grounds, railroad rights-of-way, water courses, and Flood Plain boundaries, and existing wooded areas or trees eight inches (8") or more in diameter, measured four feet (4') above ground level; location, width and names of all existing or platted streets or other public ways within or immediately adjacent to the tract; names of owners of adjoining unsubdivided property.

2) Location, sizes, elevations, and slopes of existing sewers, water mains, culverts and other underground structures within the tract and immediately adjacent thereto; existing permanent buildings and utility poles on or immediately adjacent to the site and utility rights-of-way.

3) Approximate topography.

4) The approximate location and widths of proposed streets.

5) Preliminary proposals for connection with existing water supply system and the proposed water distribution system, and connection with the existing sanitary sewerage systems and the proposed waste collection system, for alternative means of providing water supply and sanitary waste treatment and disposal; preliminary provisions for collecting, detaining, and discharging surface water drainage.

6) The approximate locations, dimensions, and area of all proposed or existing lots.

7) The approximate location, dimensions, and area of all parcels of land proposed to be set aside for park or playground use or other public use, or for the use of property owners in the proposed subdivision.

8) A vicinity map showing streets and other general development of the surrounding area. The preliminary plat shall show all school and improvement district lines with the zones properly designated.

6.2 Final Plat

A. General

The final plat shall be prepared by a licensed land surveyor at a convenient scale not more than one hundred feet (100') to the inch; may be prepared in pen or pencil, and the sheets shall be numbered in sequence if more than one (1) sheet is used and shall be of a size that is acceptable for filing in the office of the Recorder of Deeds, but shall not be more than thirty-four inches (34") in width, nor more than forty-four inches (44") in

length (34" x 44"). It should be noted that the map prepared for the final plat may also be used for the recording plat, and therefore, shall be drawn on reproducible paper, or mylar; preparation in pencil will make required changes and additions easier.

B. Features

The final plat shall show the following:

1) The location of property with respect to surrounding property and streets, the names of all adjoining property owners of record, or the names of adjoining developments; the names of adjoining streets.

2) The location and dimensions of all boundary lines of the property to be expressed in feet and decimals of a foot.

3) The location of existing streets, easements, water bodies, streams, and other pertinent features such as swamps, railroads, buildings, parks, cemeteries, drainage ditches, bridges, flood plains, as determined by the Plan Commission.

4) The location and width of all existing and proposed streets and easements, alleys, and other public ways, and easements and proposed street rights-of-way and building set-back lines.

5) The locations and dimensions of all proposed or existing lots.

6) The location and dimensions of all property proposed to be set aside for park or playground use, or other public or private reservation, with designation of the purpose thereof, and conditions, if any, of the dedication of reservation.

7) The name and address of the owner or owners of the land to be subdivided, the name and address of the subdivider if other than the owner, and the name and address of the land surveyor.

8) The date of the map, approximate true north point, scale, and title of the subdivision.

9) Sufficient data acceptable for the Director of Public Works to determine readily the location bearing and length of all lines, and to reproduce such lines upon the ground; the location of all proposed monuments.

10) Name of the subdivision and the proposed names of all new streets.

11) Proposed lot numbers; blocks shall be consecutively numbered or lettered in alphabetical order and lots within blocks shall be consecutively numbered. The blocks in numbered additions to subdivision bearing the same name shall be numbered or lettered consecutively throughout the several additions.

12) Topography of the site with 2' or less contour intervals and tied to U.S.G.S. datum.

13) All lots in each block consecutively numbered. Outlots shall be lettered in alphabetical order within each block.

14) All information required on the preliminary plat should also be shown on the final plat, and the following notations shall also be shown:

a) Explanation of drainage easements, if any.

b) Explanation of site easements, if any.

c) Explanation of reservation, if any.

d) Endorsement of land owner, as follows:

_____

Owner Date

15) Form for endorsement by the Plan Commission Chairman and Secretary, as follows:

Approved by Resolution of the Joliet City Plan Commission on:

_____, 20____

_____ _____

Plan Commission Chairman Plan Commission Secretary

16) Form for endorsements by the Mayor and City Clerk as follows:

Approved by Ordinance of the City Council of the City of Joliet on:

_____, 20____

_____ _____

Mayor City Clerk

17) The lack of information under any item specified herein, or improper information supplied by the applicant, shall be cause of disapproval of a final plat.

6.3 Construction Plans

A. General

Construction plans shall be prepared for all required improvements. Plans shall be drawn at a scale of no more than fifty feet (50') to the inch, and map sheets shall be of the same size as the final plat. The following shall be shown:

1) Profiles showing existing and proposed elevations along center lines of roads. Where a proposed road intersects an existing road or roads, the elevation along the center line of the existing road or roads within one hundred feet (100') of the intersection shall be shown. Approximate radii of all curves, lengths of tangents, and central angles of all streets.

2) The Plan Commission shall require, where steep slopes exist, that cross-sections of all proposed streets, drawn on a line at right angles to the centerline of the street and at one hundred foot (100') stations, shall be shown with elevations indicated at five (5) points as follows: at the center line of the streets; at each property line; and, at points twenty-five feet (25') inside each property line.

3) Plans and Profiles showing the locations and typical cross-sections of street pavements including curbs and gutters, sidewalks, drainage easements, servitudes, rights-of-way, manholes, and catch basins; the locations of street trees, street lighting standards, and street signs; the location, size and invert elevations of existing and proposed sanitary sewer, storm drains, and fire hydrants, showing connections to any existing or proposed utility systems; and exact locations and size of all water, gas, or other underground utilities or structures.

4) Location, size, elevation, and other appropriate description of any existing facilities or utilities, including, but not limited to, existing streets, sewers, drains, water mains, easements, storm water detention basins, other water bodies, streams, and other pertinent features, such as swamps, railroads, buildings, features noted on the Official Map or Master Plan, at the point of connection to proposed facilities and utilities within the subdivision, and each tree with a diameter of eight inches (8") or more, measured twelve inches (12") above ground level. Where a stand of such large trees is involved, the location of the perimeter of the stand will be adequate. The water elevations of adjoining lakes or streams at the date of the survey, and the approximate high- and low-water elevations of such lakes or streams. All elevations shall be based upon the U.S. Geological Survey datum plane. If the subdivision borders a lake, river, or stream, the distances and bearings of a meander line established not less than twenty feet (20') back from the ordinary high-water mark of such waterways shall also be shown.

5) Topography at the same scale as the final plat with a contour interval of two feet (2'), referred to sea-level datum. All datum provided shall be latest applicable U.S. Coast and Geodetic Survey datum and should be so noted on the plat.

6) All specifications and references required by the City's construction standards and specifications.

7) Notation of approval as follows:

_____ _____

Owner Date

_____ _____

Plan Commission Chairman Date

8) Title, name and address and signature of professional engineer and surveyor, and date, including revision dates.

6.4 Recording Plat

A. General

The recording plat shall be presented in india ink on tracing cloth or reproducible mylar at the same scale and contain the same information, except for any changes or additions required by ordinance of the City Council, as shown on the final plat (or preliminary plat, in the case of a minor subdivision). The final plat may be used as the recording plat if it meets these requirements and is revised, if necessary, in accordance with the City Council ordinance. All revision dates must be shown as well as the following:

1) Notation of any self-imposed restrictions, and locations of any building lines proposed to be established in this manner, if required by the Plan Commission or City Council in accordance with these regulations.

2) Affidavits and certificates as required in Section 3.4, B, of these regulations.

3) Lots numbered as approved by the City Council.

4) All monuments erected, corners, and other points established in the field in their proper places. The material of which the monuments, corners, or other points are made shall be noted at the representation thereof or by legend, except that lot corners need not be shown. The legend for metal monuments shall indicate the kind of metal, the diameter, length and weight per lineal foot of the monuments.

5) Form of endorsement by Mayor, City Clerk, Plan Commission Chairman, and Plan Commission Secretary, as follows:

Approved by Resolution of the Joliet City Plan Commission on

_____A.D., 20_____

Plan Commission Chairman Plan Commission Secretary

as authorized by the Final (Preliminary) Plat Approved by: Ordinance No._____of the City Council of the City of Joliet.

_____ _____

Mayor City Clerk

6) Form of endorsement by the City Collector, as follows:

I,_____, Joliet City

Collector, hereby certify that I find no delinquent general taxes, unpaid current taxes, or unpaid special assessments against the property described by this plat.

Dated at Joliet, Illinois, this_____day of_____ A.D., 20_____

_____
City Collector

B. Preparation

The recording plat shall be prepared by a registered land surveyor licensed by the State of Illinois.

SECTION VII: DEDICATION OF SCHOOL SITES OR PAYMENT OF FEES IN COMBINATION WITH OR IN LIEU THEREOF

7.1 General

As a condition of approval of any recording plat of a minor subdivision, final plat of a major subdivision, or final plat of a planned unit development, each developer, builder, or subdivider (hereinafter "developer") shall dedicate land for school sites to serve the immediate and future needs of the residents of the development, or make a cash contribution in lieu of actual land dedication, or a combination of both, in accordance with the criteria set forth in this section.

7.2. Criteria for Requiring School Site Dedication:

(a) Contribution Requirement and Population Ratio:

The ultimate number of students to be generated by a subdivision or planned unit development shall bear directly upon the amount of land required to be dedicated for school sites. The land dedication requirement shall be determined by obtaining the ratio of: (1) estimated number of students to be served from the subdivision or planned unit development in each such school classification as calculated from the population density schedule set forth in subsection 7.4, over the (2) maximum recommended number of students to be served in each such school classification as stated in subsection 7.2(b), and then applying such ratio to the (3) minimum recommended number of acres for a school site of each such school classification as stated in subsection 7.2(b). The product thereof shall be the acres of land deemed needed to have sufficient land for school sites to serve the estimated increased children in each such school classification.

(b) School Classification and Size of School Site:

School classifications and size of school sites within the City shall be determined in accordance with the following criteria:

School Classification By Grades	**Maximum # Students for Each Such School Classification**	**Minimum # Acres of Land for Each School Site of Such Class.**
Elementary Schools,	600 Students	11 Acres

Grades Kindergarten through 5th (K-5)		
Junior High Schools, Grades 6th through 8th (6-8)	900 Students	29 Acres
High Schools, Grades 9th through 12th (9-12)	1,500 Students	45 Acres

The location of the school sites shall be subject to an intergovernmental agreement between the City and the school district in which the development is located, or, in the absence of an agreement, the City's comprehensive plan. The intergovernmental agreement or comprehensive plan, whichever applicable, shall serve as a guideline for locating school sites.

7.3 Criteria for Requiring a Contribution in Lieu of a School Site:

(a) When the required land contribution calculated in accordance with the formula set forth in subsection 7.2(a) is too small to be practical for use as a school site, or when the available land is inappropriate for a school site, or when the development requires improvements or additions to existing school sites, the City shall require the developer to pay a cash contribution in lieu of the required land dedication. The word "small" as used in this section shall mean the total number of proposed dwelling units will produce less than the maximum number of students for one school of each school classification as set forth in subsection 7.2(b). The determination that available land is inappropriate for a school site shall be made by the City after inspection of the land and after hearing the recommendation of the school district in which the development is located and the developer of the subject property.

(b)The cash contribution to be made in lieu of or in combination with the dedication of land shall be in accordance with the following schedule for a unit school district consisting of kindergarten through twelfth grade:

UNIT SCHOOL DISTRICT (K-12)					
Number of Bedrooms	***after 6/30/18***	***after 6/30/19***	***after 6/30/20***	***after 6/30/21***	***after 6/30/22***
Detached Single Family					
1 Bedroom	$0	$0	$0	$0	$0
2 Bedrooms	$532	$553	$575	$598	$622
3 Bedrooms	$3,118	$3,243	$3,372	$3,507	$3,648
4 Bedrooms	$3,874	$4,029	$4,190	$4,358	$4,532
5+ Bedrooms	$6,049	$6,291	$6,543	$6,804	$7,076
Attached Single Family					
1 Bedroom	$0	$0	$0	$0	$0
2 Bedrooms	$711	$739	$769	$800	$832
3 Bedrooms	$1,117	$1,162	$1,208	$1,256	$1,307
4+ Bedrooms	$2,095	$2,179	$2,266	$2,357	$2,451

Apartment					
Efficiency	$0	$0	$0	$0	$0
1 Bedroom	$13	$14	$14	$15	$15
2 Bedrooms	$545	$567	$589	$613	$638
3+ Bedrooms	$1,553	$1,615	$1,680	$1,747	$1,817

(c) The cash contribution to be made in lieu of or in combination with the dedication of land shall be in accordance with the following schedule for a grade school district consisting of kindergarten through eighth grade:

GRADE SCHOOL DISTRICT (K-8)					
Number of Bedrooms	***after 6/30/18***	***after 6/30/19***	***after 6/30/20***	***after 6/30/21***	***after 6/30/22***
Detached Single Family					
1 Bedroom	$0	$0	$0	$0	$0
2 Bedrooms	$455	$473	$492	$512	$532
3 Bedrooms	$2,097	$2,181	$2,268	$2,359	$2,453
4 Bedrooms	$2,830	$2,943	$3,061	$3,183	$3,311
5+ Bedrooms	$4,126	$4,291	$4,463	$4,641	$4,827
Attached Single Family					
1 Bedroom	$0	$0	$0	$0	$0
2 Bedrooms	$541	$563	$585	$609	$633
3 Bedrooms	$821	$854	$888	$924	$960
4+ Bedrooms	$1,450	$1,508	$1,568	$1,631	$1,696
Apartment					
Efficiency	$0	$0	$0	$0	$0
1 Bedroom	$9	$9	$10	$10	$11
2 Bedrooms	$361	$375	$390	$406	$422
3+ Bedrooms	$1,047	$1,089	$1,132	$1,178	$1,225

(d) The cash contribution to be made in lieu of or in combination with the dedication of land shall be in accordance with the following schedule for a high school district consisting of ninth grade through twelfth grade:

HIGH SCHOOL DISTRICT (9-12)					
Number of Bedrooms	***after 6/30/18***	***after 6/30/19***	***after 6/30/20***	***after 6/30/21***	***after 6/30/22***
Detached Single Family					
1 Bedroom	$0	$0	$0	$0	$0
2 Bedrooms	$76	$79	$82	$85	$89
3 Bedrooms	$900	$936	$973	$1,012	$1,053
4 Bedrooms	$931	$968	$1,007	$1,047	$1,089
5+ Bedrooms	$1,922	$1,999	$2,079	$2,162	$2,248
Attached Single Family					
1 Bedroom	$0	$0	$0	$0	$0
2 Bedrooms	$142	$148	$154	$160	$166
3 Bedrooms	$253	$263	$274	$285	$296
4+ Bedrooms	$646	$672	$699	$727	$756

Apartment					
Efficiency	$0	$0	$0	$0	$0
1 Bedroom	$4	$4	$4	$4	$5
2 Bedrooms	$161	$167	$174	$181	$188
3+ Bedrooms	$445	$463	$481	$501	$521

(e) After 2017, the amount of the cash contribution shall be annually increased by 4% per year.

Revised: 06/21/05; Ord. #15215

7.4 School Population Density:

The cash contribution schedules set forth in subsection 7.3 are based on the following population density schedule:

Type of Unit	K-5	6-8	9-12
Detached Single-Family			
2 bedroom	.122	.041	.020
3 bedroom	.503	.222	.234
4 bedroom	.662	.309	.233
5 bedroom	.000	1.000	.500
Attached Single-Family			
1 bedroom	0	0	0
2 bedroom	.095	.077	.037
3 bedroom	.237	.064	.066
4 bedroom	.345	.155	.168
Apartments			
Efficiency	0	0	0
1 bedroom	.002	.001	.001
2 bedroom	.082	.041	.042
3 bedroom	.230	.123	.116

The population density schedule shall apply to all school districts located within the city and shall remain in effect until modified by the city or the expiration of this section.

7.5 Criteria for Requiring Land Dedication and a Cash Contribution: A combination of a land dedication and a cash contribution in lieu of land shall be required when:

(a) Only a portion of the land to be developed is proposed as the location for a school site. That portion of the land within the subdivision or planned unit development falling within the school location shall be dedicated as a site, and a cash contribution in lieu thereof shall be required for any additional land that would have been required to be dedicated; or

(b) A major part of the school site has already been acquired and only a small portion of land is needed from the development to complete the site. The remaining portions shall be required by dedication, and a cash contribution in lieu thereof shall

also be required.

7.6 Permitted Use of Cash Contributions:

Cash contributions payable under subsection 7.3 may be used by the receiving school district to serve the immediate or future needs of students from the development or for improvements to existing sites that will service the development. Cash contribution may also be used for the acquisition of school sites, the construction of new schools, the improvement of existing schools, or for the payment of any bonds issued for school construction or improvements.

7.7 Combining with Adjoining Developments:

In those cases where the subdivision or planned unit development is less than 40 acres, a school site which is to be dedicated shall be situated in relation with adjoining developments and dedication so as to produce usable school sites.

7.8 Topography and Grading:

The slope, topography, and geology of the dedicated site, as well as its surroundings, shall be suitable for its intended purpose.

7.9 Time of Conveyance of Land or Payment of Cash Contributions:

The developer shall convey all required lands to the designated school district within 30 days after the recording plat or planned unit development plat is accepted by the Office of Recorder of Deeds for recording or as may be otherwise agreed upon by the developer and the school district. When a cash contribution is required, the developer shall make the cash contribution for each lot to the school district prior to the issuance of a building permit for the subject lot. Payments shall be made directly to the school district or districts in which the development is located. Evidence of the conveyance of land or a receipt from the school district for the payment of a cash contribution shall be submitted to the City when an application for a building permit is filed. The failure to provide sufficient evidence of the required conveyance or cash contribution shall constitute sufficient grounds for the denial of the application for a building permit or, when a building permit has been issued already, revocation of the building permit.

7.10 Effective Date for Dedications and Cash Contributions:

(a) The land dedication and cash contribution requirements of this section shall apply to all final plats of subdivision approved on or after February 1, 1996, unless the City and a school district have agreed upon a different effective date by intergovernmental agreement, in which case such date shall apply. All school districts located within the corporate limits of the city shall be entitled to land dedications or cash contributions, whichever is applicable, for any development for which a final plat of subdivision has been approved for land located within the school district's boundaries.

(b) For those school districts that were eligible to receive land dedications and cash contributions pursuant to Ordinance No. 8832 approved on March 7, 1989, those school districts shall continue to collect cash contributions on that portion of subdivisions for which a final plat has been approved prior to February 1, 1996, or such other date if agreed by the City and the school district by intergovernmental agreement, in which case such date shall apply. The amount of the cash contributions shall be subject to the schedule in effect when those final plats were approved by the City. The cash contribution schedule set forth in subsection 7.3 shall not apply to lots in a final plat of subdivision subject to cash contributions under the original Ordinance No. 8832.

(c) For those subdivisions subject to the cash contributions set forth in subsection 7.3, the payment shall be in the amount in effect at the time of the filing of a fully completed application for a building permit in accordance with the schedule set forth in subsection 7.3.

7.11 Additional Contribution Agreements:

Nothing in this section shall be construed as prohibiting a school district from entering into an agreement with a land owner or developer for the payment of additional fees or the payment for other goods or items in addition to the payment of cash contributions, the dedication of land, or both under this section.

FOOTNOTE

Ordinance No. 8832 as originally codified as Section VII of the Subdivision Regulations of the City of Joliet but replaced by this Ordinance shall remain in effect for the purpose of (a) establishing the amount of the cash contributions for final plats of subdivision not subject to the cash contribution schedule set forth in Section 1 (subsection 7.3) of this Ordinance, and (b) completing the conveyance of any land to a school district required as of the effective date of this Ordinance. Any subdivision that was exempt from the requirements of Ordinance No. 8832 shall remain exempt from land dedication and cash contribution requirements of this Ordinance. *

*Revised: 1/17/96; Ord. #11015

SECTION VIII: DEDICATION OF PARK LANDS OR PAYMENT OF FEES IN COMBINATION WITH OR IN LIEU THEREOF

8.1 General

As a condition of approval of a preliminary plat of residential subdivision, or of a preliminary plat of a Planned Unit Development, each subdivider or developer shall dedicate land for park and recreational purposes to serve the immediate and future needs of the residents of the development, or provide a cash contribution in lieu of actual land dedication, or a combination of both, as determined by the Mayor and City Council, in accordance with the requirements set forth herein.

8.2 Criteria for Requiring Park and Recreational Land Dedication

(a) Amount of Land Required

Subject to Section 8.3, ten(10) acres of land shall be dedicated to the park district, or other public entity designated by the Mayor and City Council for every 333 lots and/or dwelling units contained in the preliminary plat of subdivision or planned unit development.

Example: Development of 82 detached single-family lots and 3 lots intended for 6-unit town homes.

Total Number of Lots/Units X The Required Acreage =
Total Acres to be Dedicated (for 333 lots/units)

$82 + 18 = 100 \times \frac{10 \text{ acres}}{333} = 3$ acres to be Dedicated *

*Revised: 1/21/14; Ord. #17193

(b) Location of Park Site

The land to be dedicated shall be in a location which will be of relatively equal to benefit to the residents of the development. The location shall also take into account nearby park sites. In appropriate circumstances, the land to be dedicated shall be contiguous to proposed or existing sites located in adjacent developments. Standards utilized by the applicable park district and the City shall be used as a guideline in locating sites.

(c) Credit for Land Dedication

When land dedication is required, credit to developers shall be given in accordance with the following criteria.

The first four (4) acres must be contiguous in one location, relatively flat, not included as part of a storm water management system, and above all known maximum flood levels in the area. Land over and above the four acre minimum shall be credited as follows:

100 % Credit - for additional land as described above
50% Credit - for important natural areas and flood plain that is designated by the Park District as part of a planned linear park.

When the land proposed for dedication includes important natural acres or flood plain that is designated by the park district as part of a planned linear park, credit will be assigned as follows:

100% Credit - for the first four acres or one-half of the required dedication whichever is less, contiguous in one location, relatively flat, not included as part of a storm water management system, and above all known maximum flood levels in the area.

50% Credit - for important natural areas and flood plain that are designated by the Park District as part of a planned linear park.

8.3 Criteria for Requiring a Cash Contribution in Lieu of Park and Recreation Sites

Where the development is small and the resulting park site would be too small to be practical or when the available land is geologically and topographically inappropriate for park and recreational purposes as determined by the City after consultation with the applicable park district, the City shall require the subdivider or developer to pay a cash contribution in lieu of park and recreation land dedication. The cash contribution shall be available to serve the immediate or future needs of the residents of the development. The park district serving the development shall use the cash contribution for other facilities or improvements that would be available for use by the residents of the development, such as the acquisition of park or recreational land or facilities located within the corporate limits of the City, or the capital improvement of other existing local park and recreation land or facilities located within the corporate limits of the City. The cash contribution shall not be used for operational expenses. Acceptance of the cash contribution shall obligate the park district to comply with the terms of this ordinance. *

*Ordinance #13378; 11/20/01

A combination of land dedication and a contribution in lieu of land shall be required when a substantial part of the local park or recreation site has already been acquired and only a portion of additional land is needed from the development to complete the site. In this event, the land needed to complete the site shall be dedicated and a cost contribution shall be made for any additional land that would have otherwise been required.

(a) Fair Market Value

The cash contribution in lieu of land shall be based on the "fair market value" of the acres of subdivided land in the area to be developed or improved as specified herein, that otherwise would have been dedicated as park and recreation sites. The "fair market value" for each proposed preliminary plat shall be determined to be the average of three appraisals prepared by appraisers registered as Certified General appraisers in the State of Illinois. The costs of these appraisals shall be borne by the Developer. The appraisal shall be based on the current value of an acre of buildable land set aside as park land in a developed subdivision with utilities available at the property line and fully improved residential road frontage satisfying all building and subdivision ordinances. Complete copies of the appraisals shall be submitted to the City at the time application is made for plat approval.

(b) Conveyance of Land Donation or Payment of Cash Contributions:

The land to be dedicated for park purposes shall be clearly depicted on the preliminary plat. The total amount of park land dedicated shall be as required in Section 8.2. The appropriate park district shall inspect the land to be dedicated and shall receive title to the land upon written approval of all improvements.

1. The developer shall convey all required lands to the park district or other public entity designated by the Mayor and City Council within two years after the recording plat or planned unit development plat for the unit in which the park site is located is accepted by the Office of Recorder of Deeds for recording or as may be otherwise agreed upon by the developer and the park district. When a cash contribution is required, the developer shall make the cash contribution for each lot to the park district prior to the issuance of a building permit for the subject lot. Payments shall be made directly to the park district or districts in which the development is located. Evidence of the conveyance of land or a receipt from the park district for the payment of a cash contribution shall be submitted to the City when an application for a building permit is filed. The failure to provide sufficient evidence of the required conveyance or cash contribution shall constitute sufficient grounds for the denial of the application for a building permit or, when a building permit has already been issued, revocation of the building permit.

2. The manner of conveyance will be by warranty deed naming the respective park district or other public entity designated by the Mayor and City Council as the sole grantee. The deed shall be accompanied by a commitment for a policy of owner's title insurance naming the park district as a proposed insured. All title encumbrances unacceptable to the park district shall be removed by the developer prior to submitting the deed and commitment for title insurance policy. Both the deed and the commitment for title insurance policy shall be delivered directly to the park district. The developer shall not record any deed or conveyance. After review of the status of title, the park district shall record the deed or, if title is unacceptable, return the deed to the developer with an explanation of the title defects. The developer shall correct the noted defects and deliver a deed and revised commitment to the park district within a reasonable time.

3. The developer shall ascertain the pro rata real estate taxes through the date of delivery of the deed and commitment for policy of title insurance of the park district. The developer shall make payment in said amount to the park district or other designated public entity at the same time that the deed and commitment for title insurance policy is delivered.

8.4 Credit for Private Open Space and Recreation Areas

With the approval of the Mayor and City Council, a portion of the public park site requirement may be provided in the form of private recreation areas. The extent of such areas shall be determined by the Mayor and City Council, based upon the needs of the projected residents, the extent to which the private recreation areas are available for use by the residents of the subdivision, and available park land in the general area.

The substitution of private recreational areas for dedicated public parks may be approved if the Mayor and City Council find that the proposed private park site and park improvements are

comparable to public park lands and improvements serving similar developments. Detailed plans of facilities to be installed shall be submitted with the preliminary plat and shall be subject to the review and approval of the Mayor and City Council under advisement of the park district. Before any credit is given for private recreation areas, the subdivider shall provide appropriate assurances that the private recreation areas will be permanently maintained for such use by the execution of such legal documents and the provision of such sureties as City may request.

When credit for private recreation areas is approved, the total park land dedication required from the subdivision or planned unit development shall be suitably adjusted to reflect the credit.

8.5 Combining the Adjoining Development

Public open space which is to be dedicated should, where possible, be combined with dedications from adjoining developments.

8.6 Improved Sites

All sites shall have road frontage and access to electricity, gas, water and sanitary sewer. The developer shall also provide roadway improvements, street lighting, sidewalks, storm drainage and curb and gutter as may be required in conjunction with the development of other lots in the subdivision.

8.7 Topography, Grading and Seeding

The shape, topography and geology of the dedicated site must be suitable for its intended purpose. Final grading and turf establishment on sites dedicated for parks and recreational uses shall be performed by the developer according to plans and specifications approved by the park district, or other public entity having jurisdiction thereof.

8.8 Notification Process

(a) Developers shall meet and discuss open space needs with the park district prior to submittal of a preliminary plat. Written notice shall be given to the park district by the developer when a project has been filed for public hearing before the Plan Commission.

(b) Within ninety days of written notification from a developer, and prior to City Council review of a preliminary plat, the park district shall notify the City in writing of its desire to accept land, cash, or a combination of land and cash, in fulfillment of the developer's obligation under this section. If land is chosen, said notification shall include,

1. A general description of its location, size and special features, if any.

2. A description of any specific agreements with the developer regarding the conveyance of land or improvements, over and above the requirements of this Section.

3. A statement approving the proposed park plan for the proposed site.

If a cash contribution is chosen, said notification shall include a request for the City to obtain a recommendation of fair market value from the Township Assessor for township in which the proposed development lies.

8.9 Exemptions

The provisions of this Section VIII shall not apply within the following described territory:

(a) That portion of the DesPlaines River Valley Enterprise Zone, or its final boundaries of record, lying east of Raynor Avenue and Brandon Road; or

(b) the area lying east of Center Street and west of the DesPlaines River; or

(c) the area lying south of Second Street and north of Interstate 80, west of Rowell Avenue and east of South Chicago Street. *

*Ordinance #11814, 3/3/98

DATE	ORDINANCE NO.	DESCRIPTION
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APPENDIX

CONSOLIDATED STORMWATER MANAGEMENT, SOIL EROSION AND SEDIMENT CONTROL AND FLOODPLAIN MANAGEMENT REGULATIONS (2003)

STORMWATER MANAGEMENT REGULATIONS

Sec. 31-205. Stormwater detention regulations

The stormwater detention regulations set forth in this section shall apply to any development for which an application for a preliminary plat is filed on or after December 1, 1993, and to any property subject to Section 8-59 of this Code for which a building permit has been applied for on or after December 1, 1993.

The purpose of the stormwater detention regulations is to diminish threats to public health, safety and welfare caused by runoff of excessive stormwater from new development and redevelopment. This excessive stormwater could result in the inundation of damageable properties, the erosion and destabilization of downstream channels, and the pollution of valuable stream and lake resources. The cause of increases in stormwater runoff quantity and rate and impairment of quality is the development and improvement of land. These regulations control development activities to prevent adverse impacts.

These regulations are adopted to accomplish the following objectives:

Objective 1. To assure that new development does not increase the drainage or flood hazards to others or create unstable conditions susceptible to erosion;

Objective 2. To protect new buildings and major improvements to buildings from flood damage due to increased stormwater runoff;

Objective 3. To protect human life and health from hazards of increased flooding on a watershed basis;

Objective 4. To lessen the burden on the taxpayer for flood control projects, repairs to flood-damaged public facilities and utilities, correction of channel erosion problems, and flood rescue and relief operations caused by increased stormwater runoff quantities from new development;

Objective 5. To protect, conserve and promote orderly development of land and water resources;

Objective 6. To preserve the natural hydrologic and hydraulic functions of watercourses and floodplains and to protect water quality and aquatic habitats;

Objective 7. To preserve the natural characteristics of stream corridors in order to moderate flood and stormwater impacts, improve water quality, reduce soil erosion, protect aquatic and riparian habitat, provide recreational opportunities, provide aesthetic benefits and enhance community and economic development.

Ordinance No. 11301, Section 1, adopted December 3, 1996.

(a) ***General regulations***

(1) Site runoff storage shall be provided in accordance with the following table:

LAND USE	***EXISTING PARCEL SIZE***	***SITE RUNOFF STORAGE REQUIRED?***	***NOTES***
Residential Land Uses of Undeveloped Site			
Single Family	**Under 5 Acres**	**No**	
Single Family	**5 Acres Or More**	**Yes**	**Only If More Than 2 Single Family Residences may be Constructed on Site**
Two Family	**Under 5 Acres**	**No**	
Two Family	**5 Acres Or More**	**Yes**	**Only If More Than 1 Two Family Residence May be Constructed on Site**
Multi-Family	**Under 1 Acre**	**No**	
Multi-Family	**1 Acre Or More**	**Yes**	
Non-Residential Land Uses of Undeveloped Site			
Any Non-Residential Use	**Under 1 Acre**	**No**	
Any Non-Residential Use	**1 Acre Or More**	**Yes**	
Additional Development of Developed Residential Site			
Multi-Family	**Under 1 Acre**	**No**	
Multi-Family	**1 Acre Or More**	**Yes**	**Only If Aggregate Disturbed Area Exceeds 25,000 Square Feet**
Additional Development of Developed Non-Residential Site			
Any Non-Residential Use	**Under 1 Acre**	**No**	
Any Non-Residential Use	**1 Acre Or More**	**Yes**	**Only If Aggregate Disturbed Area Exceeds 25,000 Square Feet**

Roadway Development	**n/a**	**No**	**If 2 Acres Or Less Of New Impervious Area**
Roadway Development	**n/a**	**Yes**	**If More Than 2 Acres Of New Impervious Area**

The peak discharge rate from a storm detention facility shall be controlled for the two-year 24-hour storm event and the 100-year 24-hour storm event to levels that will not cause an increase in flooding or channel instability downstream when considered in aggregate with other developed properties and downstream drainage capacities. The peak discharge from events less than or equal to the two-year event shall not be greater than 0.04 cfs per acre of property drained. The peak 100-year discharge shall not be greater than 0.15 cfs per acre of property drained.

(2) Event hydrograph routing methods or the modified rational method may be used to calculate design runoff volumes for the site runoff facilities. The methods must be HEC-1, (SCS methodology) HEC-HMS, TR-20, or TR-55 tabular method. Event methods shall incorporate the following assumptions:

(1) Antecedent moisture condition =2; and

(2) Appropriate Huff rainfall distribution; and

(3) 24-hour duration storm with a 1% probability (100-year frequency) of occurrence in any one year as specified by the Illinois State Water Survey Bulletin 70 Northeast Sectional rainfall statistics.

If the modified rational method is used to determine the design runoff volumes, the volume of detention storage shall be determined for the 24 hour 100-year event of critical duration. The volume of detention determined by the rational method shall be multiplied by a factor of 1.3 (130%).

(3) All design rainfall events shall be based on the Illinois State Water Survey's Bulletin 70, Northeast Sectional Statistics,

(4) Design criteria for the construction of detention facilities are contained in the Subdivision Regulations.

(5) The City Manager or his designee shall be authorized to require more stringent release rates where detailed regional studies indicate that the receiving stream does not have capacity to accept release at the rate allows by subsection (a)(1).

Ordinance No. 10323, Section 2, adopted December 8, 1993.

(6) Site runoff storage is not required in the following circumstances.

(i) Direct discharge industrial sites.

(ii) Non-industrial discharge sites of 160 acres or less having the following minimum river frontage:

SITE AREA	***REQUIRED FRONTAGE***
Under 2 Acres	**50 feet**
2 Or More Acres, But Less Than 5 Acres	**100 feet**
5 Or More Acres, But Less Than 10 Acres	**150 feet**
10 Or More Acres, But Less Than 40 Acres	**200 feet**
40 Or More Acres, But Less Than 80 Acres	**350 feet**
80 Or More Acres, But Less Than 160 Acres	**500 feet**

For the purposes of this Section, Direct Discharge Sites shall be defined as parcels of land, or portions thereof, which are immediately adjacent to and naturally drain to the banks of the Des Plaines River, Chicago and Sanitary Ship Canal or the DuPage River without crossing other private or public property.

(b) ***Submittals***

The submittal of the stormwater drainage system shall include an evaluation of the site design features which minimize the increase in runoff volumes and rates from the site. The submittal shall include evaluations of site design features which are consistent with the following hierarchy:

(1) minimize impervious surfaces on the property consistent with the needs of the project;

(2) attenuate flows by use of open vegetated swales and natural depressions;

(3) Infiltrate runoff on-site

(4) provide stormwater retention structures;

(5) provide stormwater detention structures;

(6) construct storm sewers.

Ordinance No. 10323, Section 2, adopted December 8, 1993, as amended by Ordinance No. 11301, Section 2, adopted December 3, 1996.

(c) ***Design Objectives***

(1) The drainage system should be designed to minimize adverse water quality impacts downstream and on the property itself. Detention basins shall incorporate design features to capture stormwater runoff pollutants. In particular, designers shall give preference to wet

bottom and wetland designs and all flows from the development shall be routed through the basin (i.e., low flows shall not be bypassed). Retention and infiltration of stormwater shall be promoted throughout the property's drainage system to reduce the volume of stormwater runoff and to reduce the quantity of runoff pollutants.

(2) The drainage system should incorporate multiple uses where practicable. Uses considered compatible with stormwater management include open space, aesthetics, aquatic habitat, recreation (boating, trails, playing fields), wetlands and water quality mitigation. The applicant should avoid using portions of the property exclusively for stormwater management.

Ordinance No. 10323, Section 2, adopted December 8, 1993, as amended by Ordinance No. 11301, Section 3, adopted December 3, 1996.

(d) ***Wet Detention Basins***

(1) Wet detention basin design. Wet detention basins shall be designed to remove stormwater pollutants, to be safe, to be aesthetically pleasing, and as much as feasible to be available for recreational use.

(2) Wet detention depths. Wet basins shall be at least three feet deep, excluding nearshore banks and safety ledges. If fish habitat is to be provided, they shall be at least ten feet deep over twenty-five percent of the bottom area to prevent winter freezeout.

(3) *Inlet and outlet orientation.* To the extent feasible the distance between detention inlets and outlets shall be maximized.

Ordinance No. 10323, Section 2, adopted December 8, 1993.

(e) ***Wetland and Dry Detention Basin Design:***

In addition to the other requirements of this ordinance, wet and dry basins shall be designed to remove stormwater pollutants, to be safe, to be aesthetically pleasing and as much as feasible to be available for multiple uses.

(1) *Wetland and Dry Basin Drainage*: Wetland and dry basins shall be designed so that the portion of their bottom area which is intended to be dry shall have standing water no longer than seventy-two hours for all runoff events less than the 100-year event. Underdrains directed to the outlet may be used to accomplish this requirement. Grading plans shall clearly distinguish the wet/wetland, portion of the basin bottom from the dry portion.

(2) *Velocity dissipation*: Velocity dissipation measures shall be incorporated into dry basin designs to minimize erosion at inlets and outlets and to minimize the resuspension of pollutants.

(3) *Inlet and Outlet Orientation*: To the extent feasible, the distance between detention inlets and outlets shall be maximized. If possible, they should be at opposite ends of the basin. There should be no low flow bypass between the inlet and outlet.

(4) *Stilling/Sedimentation Basins*: A stilling/sedimentation basin should be constructed at each major inlet to a wetland or dry basin. The volume of the basins should be at least 500 ft. per acre of impervious surface in the drainage area. Side slopes of the basins shall be no steeper than 3 horizontal to 1 vertical and basin depths should be at least 3 feet to minimize resuspension of accumulated sediment.

Ordinance No. 10323, Section 2, adopted December 8, 1993, as amended by Ordinance No. 11301, Section 4, adopted December 3, 1996

(f) ***Minimum detention outlet size***

Where a single pipe outlet or orifice plate is to be used to control the discharge, it shall have a minimum diameter of 4 inches. If this minimum orifice permits a release rate greater than those specified in 31-205(a) and regional detention is not a practical alternative, alternative outlet designs shall be utilized which incorporate perforated risers or other self-cleaning flow restrictors.

Ordinance No. 10323, Section 2, adopted December 8, 1993.

(g) ***Detention in floodplains***

The placement of detention basins within the floodplain is strongly discouraged because of questions about their reliable operation during flood events. However, the stormwater detention requirements of this ordinance may be fulfilled by providing detention storage within flood fringe areas on the project site provided the following provisions are met:

(1) *Detention in flood fringe areas*: The placement of a detention basin in a flood fringe area shall require compensatory storage for 1.0 times the volume below the base flood elevation occupied by the detention basin including any berms. The release from the detention storage provided shall still be controlled consistent with the requirements of this section. The applicant shall demonstrate its operation for all streamflow and floodplain backwater conditions. Excavations for compensatory storage along watercourses shall be opposite or adjacent to the area occupied by detention. All floodplain storage lost below the ten-year flood elevation shall be replaced below the ten-year flood elevation. All floodplain storage lost above the existing ten-year flood elevation shall be replaced about the proposed ten-year flood elevation. All compensatory storage excavations shall be constructed to drain freely and openly to the watercourse.

(2) *Detention in floodways*: Detention basins shall be placed in the floodway only in accordance with subsection (g)(3).

(3) *On-stream detention*: On stream detention basins are discouraged but allowable if they provide regional public benefits and if they meet the other provisions of these regulations with respect to water quality and control of the two-year and 100 year, 24-hour events from this property. Further criteria are presented in section 5.5.C.3 of the Subdivision Regulations. If on-stream detention is used for watersheds larger than one square mile, it is recommended that the applicant used dynamic modeling to demonstrate that the design will not increase stage for any properties upstream or downstream of the

property. Also, impoundment of the stream as part of on-stream detention:

(a) shall not prevent the migration of indigenous fish species, which require access to upstream areas as part of their life cycle, such as for spawning.

(b) shall not cause or contribute to the degradation of water quality or stream aquatic habitat,

(c) shall include a design calling for gradual bank slopes, appropriate bank stabilization measures, and a pre-sedimentation basin, and,

(d) shall require the implementation of an effective nonpoint source management program throughout the upstream watershed which shall include at a minimum: runoff reduction BMPs consistent with this ordinance; 2-year detention/sedimentation basins for all development consistent with Section 709.4; and a program to control nonpoint sources at the source for prior developments constructed without appropriate stormwater BMPs.

Ordinance No. 10323, Section 2, adopted December 8, 1993, as amended by Ordinance No. 11301, Section 5, adopted December 3, 1996

(h) ***Protection of Wetlands and Depressional Storage Areas***

Wetlands and other depressional storage areas shall be protected from damaging modifications and adverse changes in runoff quality and quantity associated with land developments. In addition to the other requirements of this ordinance, the following requirements shall be met for all developments whose drainage flows into wetlands and depressions] storage areas (as appropriate):

(1) *Detention in Wetlands and Depressional Storage Areas*: Existing wetlands shall not be modified for the purposes of stormwater detention unless it is demonstrated that the existing wetland is low in quality and the proposed modifications will maintain or improve its habitat and ability to perform beneficial functions. Existing storage and release rate characteristics of wetlands and other depressional storage areas shall be maintained and the volume of detention storage provided to meet the requirements of this section shall be in addition to this existing storage.

(2) *Sediment Control*: The existing wetland shall be protected during construction by appropriate soil erosion an sediment control measures and shall not be filled.

(3) *Alteration of drainage patterns*: Site drainage patterns shall not be altered to substantially decrease or increase the existing area tributary to the wetland.

(4) *Detention/Sedimentation*: All runoff from the development tributary to the wetland shall be routed through a preliminary detention/sedimentation basin designed to capture the two-year, 24 hour event and hold it for at least 24 hours, before being discharged to the

wetland. This basin shall be constructed before grading begins. In addition, the drainage heirarchy defined in Section 31-205 (b) should be followed to minimize runoff volumes and rates being discharged to the wetland.

(5) *Vegetated Buffer Strip*: A buffer strip of at least 25 feet in width, preferably vegetated with native plant species, shall be maintained or restored around the periphery of the wetland.

Ordinance No. 10323, Section 2, adopted December 8, 1993, as amended by Ordinance No. 11301, Section 6, adopted December 3, 1996

(i) ***Streets and parking lots***

(1) *Streets*: If streets are to be used as part of the drainage system, ponding depths shall not exceed curb heights by more than six inches and shall not remain flooded for more than eight hours for any event less than or equal to the 100-year event.

(2) *Parking lots*: The maximum stormwater ponding depth in any parking area shall not exceed twelve inches.

Ordinance No. 10323, Section 2, adopted December 8, 1993.

(j) ***Infiltration Practices***

Infiltration practices including basins, trenches and porous pavement may be allowed if the following conditions are met:

(1) A soil survey indicates that the existing soil types are adequate for infiltration practice.

(2) The bottom of any proposed infiltration facility is located a minimum of four feet above the seasonally high groundwater and bedrock.

(3) A sediment settling basin is provided to remove sediment from stormwater flows before they reach infiltration basins or trenches.

(4) Infiltration facilities are located more than 75 feet from any existing or proposed building foundation.

(5) Stormwater shall not be allowed to stand more than 72 hours over eighty percent of a dry basin' s bottom area for the maximum design event.

(6) The infiltration facility is located so that a positive outfall could be installed and the basin could be converted to a dry detention basin if the bottom of the basin becomes clogged with sediment in the future.

Ordinance No. 10323, Section 2, adopted December 8, 1993, as amended by Ordinance No. 11301, Section 7, adopted December 3, 1996

(k) ***Maintenance considerations***

The stormwater drainage system shall be designed to minimize and facilitate maintenance. Turfed sideslopes shall be designed to allow lawn mowing equipment to easily negotiate them. Pre-sedimentation basins shall

be provided with easy methods for removing sediment. Access for heavy equipment shall be provided to the pre-sedimentation basins. In addition, all applicants shall be required to establish a restrictive covenant by notation on the record plat stating that the maintenance of the detention area is the responsibility of all property owners in the subdivision, including bank stabilization, bank maintenance, future sediment removal, or dredging, stabilization of water levels, outfall structures and storm sewer pipes within the detention easement.

Ordinance No. 10323, Section 2, adopted December 8, 1993, as amended by Ordinance No. 14207, Section 7, adopted March 4, 2003..

(l) ***Accommodating flows from upstream tributary areas***

Stormwater runoff from areas tributary to the property shall be considered in the design of the property's drainage system. Whenever practicable, flows from upstream areas that are not to be detained should be routed around the basin being provided for the site being developed.

(1) *Upstream areas not meeting current requirements*: When there are areas not meeting the storage and release rates of these regulations, tributary to the applicant's property, regionalized detention on the applicant's property shall be explored by the applicant. The following steps shall be followed:

(a) The applicant shall compute the storage volume needed for his property using the release rates of Section 31- 205(a), the applicant's property area, and the procedures described in section 31-205(a).

(b) Areas tributary to the applicant's property, not meeting the storage and release rate requirements of these regulations, shall be identified.

(c) Using the areas determined in subsection (b) above plus the applicant's property area, total storage needed for the combined properties shall be computed.

(d) Allowable release rates shall be computed using the combined property areas. Storage shall be computed as described in Section 31-205(a). If tributary areas are not developed, a reasonable fully developed land cover based on local zoning, shall be assumed for purposes of computing storage.

(e) Once the necessary combined storage is computed, the City of Joliet may choose to pay for oversizing the applicant's detention basin to accommodate the regional flows. The applicant's responsibility will be limited to the storage for his property as computed in subsection (a) above. If regional storage is selected by the City of Joliet, then the design produced in subsection (d) above shall be implemented.

(f) If regional storage is rejected by the City of Joliet, the applicant shall design the storage and release rates for the applicant's property only. Existing upstream flows shall be routed around the storage when practicable.

(2) *Upstream areas meeting ordinance requirements*: When there are areas which meet the storage and release rate requirements of this ordinance, tributary to the applicant's property, the upstream flows

shall be bypassed around the applicant's detention basin, or be routed through the applicant's detention basin if this is the only practicable alternative. Storage needed for the applicant's property shall still be computed as described in subsection (l)(1). However, if the City of Joliet decides to route tributary area flows through an applicant's basin, the final design stormwater releases shall be based on the combined total of the applicant's property plus tributary areas. It must be shown that at no time will the runoff' from the applicant's property exceed the allowable release rate for the applicant's property alone.

Ordinance No. 10323, Section 2, adopted December 8, 1993.

(m) ***Time of Construction of Storage Areas***

Where detention, retention or depressional storage areas are to be used as part of the drainage system for a property, they shall be constructed as the first part of the initial earthwork program. Temporary detention facilities can be provided where the schedule for the site does not include the permanent detention site as a part of the initial development. Bonding for the completion of adequate permanent facilities shall be provided with the first increment of the development recorded.

Ordinance No. 10323, Section 2, adopted December 8, 1993.

(n) ***Maintenance responsibility***

The maintenance of stormwater detention facilities shall be provided by the property owner(s) of the site. The owner(s) of the property shall grant an easement to the City of Joliet in the event that Joliet needs to enter the property to correct deficiencies in the maintenance provided by the owner(s). Presedimentation facilities, inlet control structures and outlet structures shall be maintained by the City of Joliet to assure adequate functioning of the facility.

Ordinance No. 10323, Section 2, adopted December 8, 1993.

SOIL EROSION AND SEDIMENT CONTROL REGULATIONS

Sec. 31-206. Site development permit.

The regulation of soil erosion and sediment control is provided by Sections 31-206 and 31-207. The purpose of these sections is to safeguard persons, protect property, prevent damage to the environment, and promote the public welfare by guiding, regulating and controlling the design, construction, use and maintenance of any development or other activity which disturbs or breaks the topsoil or otherwise results in movement of earth on land situated within the corporate limits of Joliet. It is the intention of these sections that the delivery of sediment from sites affected by land disturbing activity be limited, as closely as practicable, to that which would have occurred if the land had been left in its natural undisturbed state.

It is the objective of these regulations to control soil erosion and sedimentation caused by development activities, including clearing,

grading, stripping, excavating, and filling of land. Measures taken to control soil erosion and offsite sediment runoff should be adequate to assure that sediment is not transported from the site by a storm event of ten-year frequency or less. The following principles shall apply to activities regulated by this section.

Principle 1: Development should be related to the topography and soils of the site so as to create the least potential for erosion. Areas of steep slopes where high cuts and fills may be required should be avoided wherever possible, and natural contours should be followed as closely as possible.

Principle 2: Natural vegetation should be retained and protected wherever possible. Areas immediately adjacent to natural watercourses, lakes, ponds, and wetlands should be left undisturbed wherever possible. Temporary crossings of watercourses, when permitted, must include appropriate stabilization measures.

Principle 3: Special precautions should be taken to prevent damages resultant from any necessary development activity within or adjacent to any stream, take, pond, or wetlands Preventative measures should reflect the sensitivity of these areas to erosion and sedimentation.

Principle 4: The smallest practical area of land should be exposed for the shortest practical time during development.

Principle 5: Sediment basins or traps, filter barriers, diversions, and any other appropriate sediment or runoff control measures should be installed prior to site clearing and grading and maintained to remove sediment from run-off waters from land undergoing development

Principle 6: The selection of erosion and sedimentation control measures should be based on assessment of the probable frequency of climatic and other events likely to contribute to erosion, and on evaluation of the risks, costs, and benefits involved.

Principle 7: In the design of erosion control facilities and practices, aesthetics and the requirements of continuing maintenance should be considered.

Principle 8: Provision should be made to accommodate the increased run-off caused by changed soil and surface conditions during and after development. Drainageways should be designed so that their final gradients and the resultant velocities and rates of discharge will not create additional erosion onsite or downstream.

Principle 9: Permanent vegetation and structures should be installed and functional as soon as practical during development.

Principle 10: Those areas being converted from agricultural purposes to other land uses should be vegetated with an appropriate protective cover prior to development.

Principle 11: All waste generated as a result of site development activity should be properly disposed of and should be prevented from being carried off the site by either wind or water.

Principle 12: All construction sites should provide measures to prevent sediment from being tracked onto public or private roadways.

Ordinance No. 11301, Section 8, adopted December 3, 1996.

(a) ***Permit required***

Except as otherwise provided in this ordinance, no person shall commence or perform any clearing, grading, stripping, excavating, or filling of land which meets the following provisions without having first obtained a site development permit from the City of Joliet.

(1) Any land disturbing activity (i.e. clearing, grading, stripping, excavation, fill, or any combination thereof) that will affect an area in excess of 5000 square feet.

(2) Any land disturbing activity that will affect an area in excess of 500 square feet if the activity is within 25 feet of a lake, pond, stream, or wetland; or

(3) Excavation, fill, or any combination thereof that will exceed 100 cubic yards.

Ordinance No. 10323, Section 3, adopted December 8, 1993.

(b) ***Exceptions***

A permit shall not be required for any of the following provided that the person responsible for any such development shall implement necessary soil erosion and sediment control measures to satisfy the principles set forth in the Subdivision Regulations.

(1) Excavation below final grade for the basement and footings of a single-family residence and appurtenant structures on a site in excess of two acres for which a building permit has been issued by the City of Joliet;

(2) Excavation below final grade for the basement and footings of a single-family residence on a site two (2) acres or less which was permitted by subdivision approval.

(3) Agricultural use of land on a site which has a permit provided by subdivision; or

(4) Installation, renovation, or replacement of a septic system to serve an existing dwelling or structure.

Ordinance No. 10323, Section 3, adopted December 8, 1993.

(c) ***Application for permit***

Application for a site development permit shall be made by the owner of the property or the owner's authorized agent to the city manager or his

designee on a form furnished for that purpose. Each application shall bear the name(s) and address(es) of the owner or developer of the site and of any consulting firm retained by the applicant together with the name of the applicant's principal contract at such firm and shall be accompanied by a filing fee of $250.00. Each application shall include certification that any land clearing, construction, or development involving the movement of earth shall be in accordance with the plans approved upon issuance of the permit.

Ordinance No. 10323, Section 3, adopted December 8, 1993.

(d) ***Submissions***

Each application for a site development permit shall be accompanied by the following information:

(1) A vicinity map in sufficient detail to enable easy location in the field of the site for which the permit is sought and including the boundary line and approximate acreage of the site, existing zoning a legend and scale.

(2) (a) Existing topography of the site and adjacent land within approximately 100 feet of the boundaries, drawn at no greater than two-foot contour intervals **and** clearly portraying the conformation and drainage pattern of the area.

(b) The location of existing buildings, structures, utilities, streams, lakes, floodplains, wetlands and depressions, drainage facilities vegetative cover, paved areas and other significant natural or man-made features on the site and adjacent land within 100 feet of the boundary.

(c) Proposed use of the site, including present development and planned utilization; areas of clearing, stripping, grading, excavation and filling; proposed contours, finished grades and street profiles; provisions for storm drainage, including storm sewers, swales, detention basins and any other measures to control the rate of runoff with a drainage area map, indications of flow directions and computations; kinds and locations of utilities; and areas and acreages proposed to be paved, covered, sodded or seeded, vegetatively stabilized or left undisturbed.

(3) An erosion and sediment control plan showing all measures necessary to meet the objectives of this ordinance throughout all phases or construction and permanently after completion of development of the site, including:

(a) Location and description including standard depths of all sediment control measures and design specifics of sediment basins and traps including outlet details.

(b) Location and description of all soil stabilization and erosion control measures including seeding mixtures and rates, types of sod, method of seedbed preparation, expected seeding dates, type and rate of lime and fertilizer application, king and quantity of mulching for both temporary and permanent vegetative control measures and types of non-vegetative stabilization measures.

(c) Location and description of all runoff control measures including diversions, waterways and outlets.

(d) Location and description of methods to prevent tracking of sediment offsite including construction entrance details as appropriate.

(e) Description of dust and traffic control measures.

(f) Locations of stockpiles and description of stabilization methods.

g) Description of off-site fill or borrow volumes, locations and methods of stabilization.

(h) Provisions for maintenance of control measures including type and frequency of maintenance and easements the person(s) or entity which will have legal responsibility for maintenance of erosion control structures and measures during development and after development is completed.

(i) Identification (name, address and telephone) of the person(s) or entity which will have legal responsibility for maintenance of erosion control structures and measures during development and after development is completed.

(4) The proposed phasing of development of the site including stripping and clearing, rough grading and construction and final grading and landscaping . Phasing should identify the expected date clearing will begin, the estimated duration of exposure of cleared areas, and the sequence of installation of temporary sediment control measures (including perimeter controls), clearing and grading, installation of temporary soil stabilization measures, installation of storm measures, paving streets and parking areas, final grading, and the establishment of permanent vegetative cover and the removal of temporary measures. It shall be the responsibility of the applicant to notify the City of Joliet of any significant changes which occur in the site development schedule after the initial erosion and sediment control plan has been approved.

These submissions shall be prepared in accordance with the requirements of these regulations and the standards and requirements of the "Illinois Urban Manual" (NRCS, IEPA, 1995).

The City of Joliet may waive specific requirements for the content of submissions upon finding that the information submitted is sufficient to show that the work will comply with the objectives and principles of these regulations.

Ordinance No. 10323, Section 3, adopted December 8, 1993, as amended by Ordinance No. 11301, Section 9, adopted December 3, 1996

(e) ***Bonds***

The applicant is required to file with the City of Joliet a faithful performance bond or bonds, letter of credit or other improvement security satisfactory to the city manager or his designee in an amount deemed sufficient by the city manager or his designee to cover all costs of improvements, landscaping, maintenance of improvements and landscaping, and soil erosion and sediment control measures for such period as specified by the City of Joliet and engineering and inspection cost to cover the cost of failure or repair or improvements installed on the site.

Ordinance No. 10323, Section 3, adopted December 8, 1993.

(f) ***Review and approval***

Each application for a site development permit shall, be reviewed and acted upon according to the following procedures:

(1) The City of Joliet will review each application for a site development permit to determine its conformance with the provisions. of this ordinance. Within 30 days after receiving an application, the City of Joliet shall in writing:

(a) Approve the permit application if it is found to be in conformance with the provisions of this ordinance and issue the permit;

(b) Approve the permit application subject to such reasonable conditions as may be necessary to secure substantially the objectives of this ordinance and issue the permit subject to these conditions; or

(c) Disapprove the permit application indicating the deficiencies and the procedure for submitting a revised application and/or submission.

(2) No site development permit shall be issued unless the applicant is notified of his responsibility to obtain all relevant federal and state permits (i.e. for floodplains and wetlands).

(3) Failure of the City of Joliet to act on an original or revised application within 30 days of receipt shall authorize the applicant to proceed in accordance with the plans as filed unless such time is extended by agreement between the City of Joliet and the applicant. Pending preparation and approval of a revised plan, development activities shall be allowed to proceed in accordance with conditions established by the City of Joliet.

Ordinance No. 10323, Section 3, adopted December 8, 1993.

(g) ***Expiration of permit***

Every site development permit shall expire and become null and void if the work authorized by such permit has not bee commenced within two (2) years, or is not completed by a date which shall be specified in the permit; except that the City of Joliet may, if the permittee presents satisfactory evidence that unusual difficulties have prevented work being commenced or completed within the specified time limits, grant reasonable extension of time if written application is made before the expiration date of the permit. The City of Joliet may require modification of the erosion control plan to prevent any increase in erosion or offsite sediment runoff resulting from any extension.

Ordinance No. 10323, Section 3, adopted December 8, 1993.

(h) ***Stop Work Order***

In the event any person holding a site development permit pursuant to this ordinance violates the terms of the permit, or carries on site development in such a manner as to materially adversely affect the health, welfare or safety of persons residing or working in the

neighborhood of the development site or so as to be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood the City Manager may suspend or revoke the site development permit.

(1) Suspension of a permit shall be by written stop-work order issued by the City Manager and delivered to the permitee, its agent or the person performing the work. The stop-work order shall be effective immediately, shall state the specific violations cited, and shall state the conditions under which work may be resumed.

(2) No site development permit shall be permanently suspended or revoked until a hearing is held by the City Manager. Written notice of such hearing shall be served on the permitee, either personally or by registered mail, and shall state the grounds for the complaint or the reasons for suspension or revocation and the time when and place where such hearing will beheld. Such notice shall be served on the permitee at least five (5) days prior to the date set for the hearing. At such hearing, the permitee shall be given an opportunity to be heard and may call witnesses and present evidence. At the conclusion of the hearing the City Manager shall determine whether the permit shall be suspended or revoked.

Ordinance No. 14204, Section 8, adopted March 4, 2003.

(i) ***Enforcement***

No person shall construct, alter, repair, or maintain any grading, excavation or fill, or cause the same to be done in violation of any of this ordinance. Any person violating this ordinance shall be guilty of an ordinance violation. Each day during which any violation of this ordinance is committed, continued or permitted shall constitute a separate offense. Upon conviction of any such violation, such person, partnership or corporation shall be punished by a fine of not more than Seven Hundred Fifty Dollars ($750.00) for each offense. In addition to any other penalty authorized by this ordinance, any person convicted of violating this ordinance shall be required to restore the site to condition existing prior to commission of the violation and to bear the expense of such restoration.

Ordinance No. 14204, Section 9, adopted March 4, 2003.

Sec. 31-207. Design and operation standards and requirements

(a) ***Soil erosion and sediment controls***

Site design requirements for soil erosion and sediment controls: on-site sediment control measures as specified by the following criteria shall be constructed and functional prior to initiating clearing, grading, stripping, excavating or fill activities on the site.

(1) For disturbed areas draining less than one acre, filter barriers (including filter fences, straw bales, or equivalent control measures) shall be constructed to control all offsite runoff as specified in referenced handbooks. Vegetated filter strips with a minimum width of 25 feet may be used as an alternative only where runoff in sheet flow is expected.

(2) For disturbed areas draining more than 1 but less than 5 acres, a sediment trap or equivalent control measure shall be constructed at the downslope point of the disturbed area.

(3) For disturbed areas draining more than 5 acres, a sediment basin or equivalent control measure shall be constructed at the downslope point of the disturbed area.

(4) Sediment basins and sediment trap designs shall meet the requirements of the "Illinois Urban Manual"(NRCS, IEPA, 1995).

(5) The sediment storage shall be sized to store the estimated sediment load generated from the site over the duration of the construction period with a minimum storage equivalent to the volume of sediment generated in one year. For construction periods exceeding one year, the one-year sediment load and sediment removal schedule may be substituted.

Ordinance No. 10323, Section 4, adopted December 8, 1993, as amended by Ordinance No. 11301, Section 10, adopted December 3, 1996

(b) ***Stormwater conveyance channels***

Stormwater conveyance channels including ditches, swales and diversions and the outlets of all channels and pipes shall be designed and constructed to withstand the expected flow velocity from the 10-year frequency storm without erosion. All constructed or modified channels shall be stabilized within 48 hours consistent with the following standards:

(1) For grades up to 4 percent, seeding in combination with mulch, erosion blanket or an equivalent control measure shall be applied. Sod or erosion blanket or mat shall be applied to the bottom of the channel.

(2) For grades of 4 to 8 percent, sod or an equivalent control measure shall be applied in the channel.

(3) For grades greater than 8 percent, rock, riprap or an equivalent measure shall be applied or the grade shall be effectively reduced using drop structures.

Ordinance No. 10323, Section 4, adopted December 8, 1993.

(c) ***Disturbed areas***

Disturbed areas shall be stabilized with temporary or permanent measures within seven calendar days following the end of active disturbance or redisturbance consistent with the following criteria:

(1) Appropriate temporary or permanent stabilization measures shall include seeding, mulching, sodding and/or non-vegetative measures.

(2) Areas having slopes greater than 12 percent shall be stabilized with sod, mat or blanket in combination with seeding or equivalent.

Ordinance No. 10323, Section 4, adopted December 8, 1993.

(d) ***Land disturbance activities in stream channels***

Land disturbance activities in stream channels shall be avoided where possible. If disturbance activities are unavoidable, the following requirements shall be met:

(1) Construction vehicles shall be kept out of the stream channel to the maximum extent practicable. Where construction crossings are necessary, temporary crossings shall be constructed of non-erosive material such as riprap or gravel.

(2) The time and area of disturbance of stream channels shall be kept to a minimum. The stream channel including bed and banks shall be restabilized within 48 hours after channel disturbance is completed interrupted or stopped.

(3) Whenever channel relocation is necessary, the new channel shall be constructed in the dry and fully stabilized area before flow is diverted.

Ordinance No. 10323, Section 4, adopted December 8, 1993.

(e) ***Protection of storm sewer inlets and culverts***

Storm sewer inlets and. culverts shall be protected by sediment traps or filter barriers meeting accepted design standards and specifications.

Ordinance No. 10323, Section 4, adopted December 8, 1993.

(f) ***Soil storage piles***

Soil storage piles containing more than 10 cubic yards of material shall not be located with a downslope drainage length of less than 25 feet to a roadway or drainage channel. Filter barriers including straw bales, filter fence or equivalent shall be installed immediately on the downslope side of the piles.

Ordinance No. 10323, Section 4, adopted December 8, 1993.

(g) ***Dewatering devices***

If dewatering devices are used, discharge locations shall be protected from erosion. All pumped discharges shall be routed through appropriately designed sediment traps or basins or equivalent.

Ordinance No. 10323, Section 4, adopted December 8, 1993.

(h) ***Temporary Access Roads***

Each site shall have graveled (or equivalent) entrance roads, access drives and parking areas of sufficient length and width to prevent sediment from being tracked onto public or private roadways. Any sediment reaching a public or private road shall be removed by shovelling or street cleaning before the end of each workday and transported to a controlled sediment disposal area.

Ordinance No. 10323, Section 4, adopted December 8, 1993.

(i) ***Maintenance***

All temporary and permanent erosion and sediment control practices must be maintained and repaired as needed to assure effective performance of their intended function.

Ordinance No. 10323, Section 4, adopted December 8, 1993.

(j) ***Temporary Erosion Disposal***

All temporary erosion and be disposed of within 30 days after final site stabilization measures. Trapped sediment and other disturbed soils resulting from the disposition of temporary measures should be permanently stabilized to prevent further erosion and sedimentation.

Ordinance No. 10323, Section 4, adopted December 8, 1993, as amended by Ordinance No. 11301, Section 11, adopted December 8, 1996.

(k) ***Handbook adopted by reference***

The standards and specifications contained in the "Illinois Urban Manual" published by the Natural Resources Conservation Service and the Illinois Environmental Protection Agency in 1995 and the "Illinois Procedures and Standards for Urban Soil Erosion and Sedimentation Control" published in 1988 (the “Greenbook”) are hereby incorporated by reference and made a part hereof by reference for the purpose of delineating procedures and methods of operation under site development and erosion and sedimentation control plans approved under Section 31-206. In the event of a conflict between provisions of said manuals and this section, this section shall govern.

Ordinance No. 10323, Section 4, adopted December 8, 1993.

(l) ***Maintenance of control measures***

All soil erosion and sediment control measures necessary to meet the requirements of this ordinance shall be maintained periodically by the applicant or subsequent land owner during the period of land disturbance and development of the site in a satisfactory manner to ensure adequate performance.

Ordinance No. 10323, Section 4, adopted December 8, 1993.

(m) ***Inspection***

The City Of Joliet shall make periodic inspections and shall notify the permittee wherein the work fails to comply with the site development or erosion and sedimentation control plan as approved. The permitted shall request inspections two working days prior to the completion of the following items:

(1) The completion of installation of sediment and runoff control measures(including perimeter controls and diversions), prior to proceeding with any other earth disturbance or grading;

(2) After stripping and clearing;

(3) After rough grading;

(4) After final grading

(5) After seeding and landscaping;

(6) After final stabilization and landscaping, prior to removal of sediment controls.

If stripping, clearing, grading and/or landscaping are to be done in phases or areas, the permitted shall give notice and request inspection at the completion of the above stages of work in each phase or area.

Ordinance No. 10323, Section 4, adopted December 8, 1993, as amended by Ordinance No. 11301, Section 12, adopted December 8, 1996.

(n) ***Special precautions***

If at any stage of the grading of any development site, the City of Joliet determines by inspection that the nature of the site is such that further work authorized by an existing permit is likely to imperil any property, public way, stream, lake, wetland or drainage structure, the City of Joliet may require as a condition of allowing the work to be done that such reasonable special precautions to be taken as in considered advisable to avoid the likelihood of such peril.

Ordinance No. 10323, Section 4, adopted December 8, 1993.

(o) ***Stop Work Order***

Where it appears that storm damage may result because the grading on any development site is not complete, work may be stopped and the permittee required to install temporary structures or take such other measures as may be required to protect adjoining property or the public safety.

Ordinance No. 10323, Section 4, adopted December 8, 1993.

(p) ***Amendment of plans***:

Major amendments of the site development or erosion and sedimentation control plans shall be submitted to the City of Joliet and shall be processed and approved or disapproved in the same manner as the original plans. Field modifications of a minor nature may be authorized by the City of Joliet.

Ordinance No. 10323, Section 4, adopted December 8, 1993.

FLOODPLAIN MANAGEMENT REGULATIONS

8-500 Short Title
8-501 Purpose
8-502 Definitions
8-503 How to Use this Ordinance
8-504 Duties of the Enforcement Official

8-505 Base Flood Elevation
8-506 Occupation and Use of Flood Fringe Areas
8-507 Occupation and Use of Identified Floodways
8-508 Occupation and Use of Special Flood Hazard Areas Where Floodways are Not Identified
8-509 Permitting Requirements Applicable to All Flood Plain Areas and Protection of Buildings
8-510 Other Development Requirements
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Section 8-500: Short Title.

This Ordinance shall be known, and may be cited, as the "*Joliet Special Flood Hazard Areas Development Ordinance*".

Ordinance No. 14207, Section 1, adopted March 4, 2003.

Section 8-501: Purpose.

This Ordinance is enacted pursuant to the powers granted to the City by Sections 1-2-1, 11-12-12, 11-30-8, and 11-30-2 of the *Illinois Municipal Code* (65 ILCS 1-1 et seq.) and pursuant to the home rule powers vested in the City of Joliet by the Constitution of the State of Illinois. The purpose of this Ordinance is to maintain the City's eligibility in the *National Flood Insurance Program*; to minimize potential losses due to periodic flooding including loss of life, loss of property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare; and to preserve and enhance the quality of surface waters, conserve economic and natural values and provide for the wise utilization of water and related land resources. This Ordinance is adopted in order to accomplish the following specific purposes.

a. To meet the requirements of the Rivers, Lakes and Streams Act (615 ILCS 5/18g);

b. To assure that new development does not increase the flood or drainage hazards to others, or creating unstable conditions susceptible to erosion;

c. To protect new buildings and major improvements to buildings from flood damage;

d. To protect human life and health from the hazards of flooding;

e. To lessen the burden on the taxpayer for flood control projects, repairs to flood-damaged public facilities and utilities, and flood rescue and relief operations;

f. To make federally subsidized flood insurance available for property in the City by fulfilling the requirements of the National Flood Insurance Program; and

g. To comply with the rules and regulations of the *National Flood Insurance Program,* codified as 44 CFR 59-79, as amended.

h. To protect, conserve and promote the orderly development of land and water resources; and

i. To preserve the natural characteristics and functions of watercourses and floodplains in order to moderate flood and stormwater impacts, improve water quality, reduce soil erosion, protect aquatic and riparian habitat, provide recreational opportunities, provide aesthetic benefits and enhance community and economic development.

Ordinance No. 10884, Section 2, adopted August 15, 1995, as amended and restated by Ordinance No. 14207, Section 1, adopted March 4, 2003.

Section 8-502: Definitions.

For the purposes of this Ordinance, the following definitions are adopted:

a. "*Act*" shall mean the *Rivers, Lakes and Streams Act* (615 ILCS 5/5 et seq.),

b. "*Applicant*" shall mean any person, firm, corporation or agency which submits an application.

c. "*Appropriate Use*" shall mean only uses of the regulatory floodway that are permissible and will be considered for permit issuance. The only uses that will be allowed are as specified in Section 8-507 of this Ordinance.

d. "*Base Flood*" shall mean the flood having a one-percent probability of being equaled or exceeded in any given year. The base flood is also known as the 100-year frequency flood event. Application of the base flood elevation at any location is as defined in Section 8-505 of this Ordinance.

e. "*Building*" shall mean a structure that is principally above ground and is enclosed by walls and a roof. The term includes a gas or liquid storage tank, a manufactured home, mobile home or a prefabricated building. This term also includes recreational vehicles and travel trailers to be installed on a site for more than 180 days.

f. "*Channel*" shall mean any river, stream, creek, brook, branch, natural or artificial depression, ponded area, flowage, slough, ditch, conduit, culvert, gully, ravine, wash, or natural or man-made drainageway, which has a definite bed and banks or shoreline, in or into which surface or groundwater flows, either perennially or intermittently.

g. "*Channel Modification*" shall mean alteration of a channel by changing the physical dimensions or materials of its bed or banks. Channel modification includes damming, rip-rapping or other armoring, widening, deepening, straightening, relocating, lining and significant removal of bottom or woody vegetation. Channel modification does not include the clearing of dead or dying vegetation, debris, or trash from the channel. Channelization is a severe form of channel modification typically involving relocation of the existing channel (e.g. straightening).

h. "*Compensatory Storage*" An artificially excavated, hydraulically equivalent volume of storage within the SFHA used to balance the loss of

natural flood storage capacity when artificial fill or structures are placed within the flood plain. The uncompensated loss of natural flood plain storage can increase off-site floodwater elevations and flows.

i. "*Conditional Approval of a Regulatory Floodway Map Change*" shall mean Preconstruction approval by DNR and the Federal Emergency Management Agency (FEMA) of a proposed change to the floodway map. This preconstruction approval, pursuant to this Part, gives assurances to the property owner that once an Appropriate Use is constructed according to permitted plans, the floodway map can be changed, as previously agreed, upon review and acceptance of as-built plans.

j. "*Conditional Letter of Map Revision (CLOMR)*" shall mean a letter which indicates that the FEMA will revise base flood elevations, flood insurance rate zones, flood boundaries or floodway as shown on an effective Flood Hazard Boundary Map or Flood Insurance Rate Map, once the as-built plans are submitted and approved.

k. "*Control Structure*" shall mean a structure designed to control the rate of flow that passes through the structure, given a specific upstream and downstream water surface elevation.

l. "*Dam*" shall mean all obstructions, wall embankments or barriers, together with their abutments and appurtenant works, if any, constructed for the purpose of storing or diverting water or creating a pool. Underground water storage tanks are not included.

m. "*Development*" shall mean any man-made change to real estate, including:

(i) Construction, reconstruction, repair, or placement of a building or any addition to a building.

(ii) Installing a manufactured home on a site, preparing a site for a manufactured home, or installing a travel trailer on a site for more than 180 days.

(iii) Drilling, mining, installing utilities, construction of roads, bridges, or a similar projects.

(iv) Demolition of a structure or redevelopment of a site.

(v) Clearing of land as an adjunct of construction.

(vi) Construction or erection of levees, walls, fences, dams, or culverts; channel modification; filling, dredging, grading, excavating, paving, or other non-agricultural alterations of the ground surface; storage of materials; deposit of solid or liquid waste.

(vii) Any other activity of man that might change the direction, height, or velocity of flood or surface water, including extensive vegetation removal.

Development does not include maintenance of existing buildings and facilities such as re-roofing or re-surfacing of roads when there is no increase in elevation, or gardening, plowing, and

similar agricultural practices that do not involve filling, grading, or construction of levees.

n. "*DNR*" shall mean the Illinois Department of Natural Resources.

o. "*Elevation Certificates*" shall mean a form published by FEMA that is used to certify the elevation to which a building has been elevated.

p. "*Erosion*" shall mean the general process whereby soils are moved by flowing water or wave action.

q. "*Exempt Organizations*" shall mean organizations which are exempt from this ordinance pursuant to law, including state, federal and units of local government.

r. "*FEMA*" shall mean the Federal Emergency Management Agency and its regulations at 44 CFR 59-79 effective as of March 17, 2003.

s. "*Flood*" shall mean a general and temporary condition of partial or complete inundation of normally dry land areas from overflow of inland or tidal waves or the unusual and rapid accumulation or runoff of surface waters from any source.

t. "*Flood Frequency*" shall mean a period of years, based on a statistical analysis, during which a flood of a stated magnitude may be expected to be equaled or exceeded.

u. "*Flood Fringe*" shall mean that portion of the flood plain outside of the regulatory floodway.

v. "*Flood Insurance Rate Maps (FIRM)*" shall mean a map prepared by the Federal Emergency Management Agency that depicts the special flood hazard area (SFHA) within a community. This map includes insurance rate zones and flood plains and may or may not depict floodways.

w. "*Flood Plain*" shall mean that land typically adjacent to a body of water with ground surface elevations at or below the base flood or the 100-year frequency flood elevation. Flood plains may also include detached Special Flood Hazard Areas, ponding areas, etc. The flood plain is also known as the Special Flood Hazard Area (SFHA). The flood plains are those lands within the jurisdiction of the City that are subject to inundation by the base flood or 100-year frequency flood. The SFHA's of the City are generally identified as such on the Flood Insurance Rate Map of Will County prepared by the Federal Emergency Management Agency (or the U.S. Department of Housing and Urban Development) and dated March 17, 2003. The SFHA's of those parts of unincorporated territory that are within the extraterritorial jurisdiction of the City or that may be annexed into the City are generally identified as such on the Flood Insurance Rate Map prepared for Will County \by FEMA and dated March 17, 2003.

x. "*Floodproofing*" shall mean any combination of structural and non-structural additions, changes or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

y. "*Floodproofing Certificate*" shall mean a form published by FEMA that is used to certify that a building has been designed and constructed to be structurally dry floodproofed to the flood protection elevation.

z. "*Flood Protection Elevation (FPE)*" shall mean the elevation of the base flood 100-year frequency flood plus one foot of freeboard at any given location in the SFHA.

aa. "*Freeboard*" shall mean an increment of elevation added to the base flood elevation to provide a factor of safety for uncertainties in calculations, unknown localized conditions, wave actions and unpredictable effects such as those caused by ice or debris jams.

bb. "*Hydrologic and Hydraulic Calculations*" shall mean engineering analysis which determine expected flood flows and flood elevations based on land characteristics and rainfall events.

cc. "*Letter of Map Amendment (LOMA)*" shall mean official determination by FEMA that a specific structure is not in a 100-year flood zone; amends the effective Flood Hazard Boundary Map or FIRM.

d. "*Letter of Map Revision (LOMR)*" shall mean a letter that revises base flood or 100-year frequency flood elevations, flood insurance rate zones, flood boundaries or floodways as shown on an effective FHBM or FIRM.

ee. "*Manufactured Home*" shall mean a structure, transportable in one or more sections, which is built on a permanent chassis and is designated for use with or without a permanent foundation when connected to the required utilities. The term manufactured homes also includes park trailers, travel trailers and other similar vehicles placed on site for more than 180 consecutive days.

ff. "*Manufactured Home Park or Subdivision*" shall mean a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

gg. "*Mitigation*" shall mean those measures necessary to minimize the negative effects which flood plain development activities might have on the public health, safety and welfare. Examples of mitigation include compensatory storage, soil erosion and sedimentation control, and channel restoration.

hh. "*NGVD*" shall mean the National Geodetic Vertical Datum of 1929. Reference surface set by the National Geodetic Survey deduced from a continental adjustment of all existing adjustments in 1929.

ii. "*Natural*" shall mean, when used in reference to channels, those channels formed by the existing surface topography of the earth prior to changes made by man. A natural stream tends to follow a meandering path; its flood plain is not constrained by levees; the area near the bank has not been cleared, mowed or cultivated; the stream flows over soil and geologic materials typical of the area with no substantial alteration of the course or cross-section of the stream caused by filling or excavating. A modified channel may regain some natural characteristics over time as the channel meanders and vegetation is reestablished. Similarly, a modified channel may be restored to more natural conditions by man through regrading and revegetation.

jj. "*Ordinary High Water Mark (OHWM)*" shall mean the point on the bank or shore up to which the presence and action of surface water is so continuous so as to leave a distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation or other easily recognized characteristics.

kk. "*Public Flood Control Project*" shall mean a flood control project which will be operated and maintained by a public agency to reduce flood damages to existing buildings and structures which includes a hydrologic and hydraulic study of the existing and proposed conditions of the watershed. Nothing in this definition shall preclude the design, engineering, construction or financing, in whole or in part, of a flood control project by persons or parties who are not public agencies.

ll. "*Publicly Navigable Waters*" shall mean all streams and lakes capable of being navigated by watercraft.

mm. "*Professional Land Surveyor*" shall mean a land surveyor registered in the State of Illinois under the *Illinois Professional Land Surveyor Act of 1989* (225 ILCS 330/1 et seq.).

nn. "*Professional Engineer*" shall mean an engineer licensed under the laws of the State of Illinois to practice professional engineering as set forth in the *Professional Engineering Practice Act of 1989* (225 ILCS, 325/1 et seq.).

oo. "*Regulatory Floodway*" shall mean the channel, including onstream lakes, and that portion of the flood plain adjacent to a stream or watercourse as designated by DNR, which is needed to store and convey the existing and anticipated future 100-year frequency flood discharge with no more than a 0.1 foot increase in stage due to the loss of flood conveyance or storage, and no more than a 10% increase in velocities. The regulatory floodways are designated on the Will County FIRM prepared by FEMA and dated March 17, 2003. The regulatory floodways for those parts of unincorporated territory that are within the extraterritorial jurisdiction of the City that may be annexed into the City which are designated for on the Will County FIRM prepared by and dated March 17, 2003. The rivers included, but not limited to, are: DuPage River, Rock Run Creek, Rock Run Slough, Rock Run Tributaries 1, 2 and 3, Sunnyland Drain, Sunnyland Drain Tributary, Caton Creek, Lily Cache Creek, DesPlaines River, Hickory Creek, Spring Creek, Illinois & Michigan Canal, and Thorne Creek. To locate the regulatory floodway boundary on any site, the regulatory floodway boundary should be scaled off the

regulatory floodway map and located on a site plan, using reference marks common to both maps. Where interpretation is needed to determine the exact location of the regulatory floodway boundary, DNR should be contacted for the interpretation.

pp. "*Repair, Remodeling or Maintenance*" shall mean development activities which do not result in any increases in the outside dimensions of a building or any changes to the dimensions of a structure.

qq. "*Retention/Detention Facility*" A retention facility stores stormwater runoff without a gravity release. A detention facility provides for storage of stormwater runoff and controlled release of this runoff during and after a flood or storm.

rr. "*Riverine SFHA*" shall mean any SFHA subject to flooding from a river, creek, intermittent stream, ditch, on stream lake system or any other identified channel. This term does not include areas subject to flooding from lakes, ponding areas, areas of sheet flow, or other areas not subject to overbank flooding.

ss. "*Runoff*" shall mean the water derived from melting snow or rain falling on the land surface, flowing over the surface of the ground or collected in channels or conduits.

tt. "*Sedimentation*" shall mean the processes that deposit soils, debris, and other materials either on other ground surfaces or in bodies of water or watercourses.

uu. "*Special Flood Hazard Area (SFHA)*" shall mean any base flood area subject to flooding from a river, creek, intermittent stream, ditch, or any other identified channel or ponding and shown on a Flood Hazard Boundary Map or Flood Insurance Rate Map as Zone A, AO, A1-30, AE, A99, AH, VO, V30, VE, V, M or E.

vv. "*Structure*" shall mean the results of a man-made change to the land constructed on or below the ground, including the construction, reconstruction or placement of a building or any addition to a building; installing a manufactured home on a site; preparing a site for a manufactured home or installing a travel trailer on a site for more than 180 days.

ww. "*Substantial Improvement*" shall mean any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either, (a) before the improvement or repair is started, or (b) if the structure has been damaged, and is being restored, before the damage occurred. For the purposes of this definition "Substantial Improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either (1) any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions or (2) any alteration of a structure listed on the

National Register of Historic Places or a State Inventory of Historic Places.

xx. "*Transition Section*" shall mean the reaches of the stream or floodway where water flows from a narrow cross-section to a wide cross-section or vice versa.

yy. "*City Manager*" shall mean the City Manager of the City of Joliet or another City official designated by the City Manager as the official responsible for administering this Ordinance.

Ordinance No. 10884, Section 2, adopted August 15, 1995, as amended by ordinance No. 10912, Section 1, adopted September 19, 1995, as amended and restated by Ordinance No. 14207, Section 1, adopted March 4, 2003.

Section 8-503: How to Use This Ordinance.

The City Manager shall be responsible for fulfilling all of the duties listed in Section 8-504.

To fulfill those duties, the City Manager first should use the criteria listed in Section 8-505, *Base Flood Elevations*, to determine whether the development site is located within a flood plain. Once it has been determined that a site is located within a flood plain, the City Manager must determine whether the development site is within a flood fringe, a regulatory floodway, or within a SFHA or flood plain on which no floodway has been identified. If the site is within a flood fringe, the City Manager shall require that the minimum requirements of Section 8-506 be met. If the site is within the floodway, the City Manager shall require that the minimum requirements of Section 8-507 be met. If the site is located within a SFHA or floodplain for which no detailed study has been completed and approved, the City Manager shall require that the minimum requirements of Section 8-508 be met.

In addition, the general requirements of Section 8-509 shall be met for all developments meeting the requirements of Section 8-506, 8-507 or 8-509. The City Manager shall assure that all subdivision proposals shall meet the requirements of Section 8-510.

If a variance is to be granted for a proposal, the City Manager shall review the requirements of Section 8-511 to make sure they are met. In addition, the City Manager shall complete all notification requirements.

In order to assure that property owners obtain permits as required in this Ordinance, the City Manager may take any and all actions as outline in Section 8-513.

Ordinance No. 10884, Section 2, adopted August 15, 1995, as amended and restated by Ordinance No. 14207, Section 1, adopted March 4, 2003.

Section 8-504: Duties of the Enforcement Official(s).

The City Manager shall be responsible for the general administration and enforcement of this Ordinance which shall include the following:

a. *Determining the Flood Plain Designation*. Check all new development sites to determine whether they are in a Special Flood Hazard Area (SFHA). If they are in a SFHA, determine whether they are in a floodway, flood fringe or in a flood plain on which a detailed study has not been conducted which drains more than one (1) square mile.

b. *Professional Engineer Review*. If the development site is within a floodway or in a flood plain on which a detailed study has not been conducted which drains more than one (1) square mile then the permit shall be referred to a registered professional engineer (P.E.) under the employ or contract of the City for review to ensure that the development meets the requirements of Section 8-507. In the case of an Appropriate Use, the P.E. shall state in writing that the development meets the requirements of Section 8-507.

c. *Dam Safety Requirements*. Ensure that a DNR Dam Safety Permit has been issued or a letter indicating no Dam Safety Permit is required, if the proposed development activity includes construction of a dam as defined in Section 8-502. Regulated dams may include weirs, restrictive culverts or impoundment structures.

d. *Other Permit Requirements*. Ensure that any and all required federal, state and local permits are received prior to the issuance of a flood plain development permit.

e. *Plan Review and Permit Issuance*. Ensure that all development activities within the SFHAs of the jurisdiction of the City meet the requirements of this Ordinance and issue a flood plain development permit in accordance with the provisions of this Ordinance and other regulations of the City when the development meets the conditions of this Ordinance.

f. *Inspection Review*. Inspect all development projects before, during and after construction to assure proper elevation of the structure and to ensure they comply with the provisions of this Ordinance.

g. *Elevation and Floodproofing Certificates*. Maintain in the permit files an Elevation Certificate certifying the elevation of the lowest floor (including basement) of a residential or non-residential building or the elevation to which a non-residential building has been floodproofed, using a Floodproofing Certificate, for all buildings subject to Section 8-509 of this Ordinance for public inspection and provide copies of same;

h. *Records for Public Inspection*. Maintain for public inspection and furnish upon request base flood data, SFHA and regulatory floodway maps, copies of federal or state permit documents, variance documentation, Conditional Letter of Map Revision, Letter of Map Revision, Letter of Map Amendment and “as built” elevation and floodproofing or elevation and floodproofing certificates for all buildings constructed subject to this Ordinance.

i. *State Permits*. Ensure that construction authorization has been granted by DNR, for all development projects subject to Section 8-507 and 8-508 of this Ordinance, unless enforcement responsibility has been delegated to the City. Upon acceptance of this Ordinance by DNR and FEMA, the City shall be deemed to accept the delegation of responsibility and authority pursuant to 17 IL Adm. Code 3708.90 pertaining to construction in the regulatory floodway and flood plain when floodways have not been defined in Sections 8-507 and 8-508 of this Ordinance. However, the following review approvals are not delegated to the City and shall require review or permits from DNR:

(i) Organizations which are exempt from this Ordinance under State or Federal law.

(ii) DNR projects, dams or impoundment structures as defined in Section 8-502 and all other state, federal or local unit of government projects, including projects of the City and County, except for those projects meeting the requirements of Sec. 8-507.

(iii) An engineer's determination that an existing bridge or culvert crossing is not a source of flood damage and the analysis indicating the proposed flood profile, per Section 8-507e.

(iv) An engineer's analysis of the flood profile due to Section 8-507e

(v) Alternative transition sections and hydraulically equivalent compensatory storage as indicated in Section 8-507e.(i, ii, viii).

(vi) Permit issuance of structures within or over publicly navigable rivers, lakes and streams;

(vii) Any changes in the Base Flood Elevation or floodway locations; and,

(viii) Base Flood Elevation determinations where none now exist.

j. *Cooperation with Other Agencies*. Cooperate with state and federal flood plain management agencies to improve base flood or 100-year frequency flood and floodway data and to improve the administration of this Ordinance. Submit data to DNR and FEMA for proposed revisions of a regulatory map. Submit reports as required for the National Flood Insurance Program. Notify FEMA of any proposed amendments to this Ordinance.

k. *Promulgate Regulations*. Promulgate rules and regulations as necessary to administer and enforce the provisions of this Ordinance, subject however to the review and approval of DNR and FEMA for any Ordinance changes.

Ordinance No. 10884, Section 2, adopted August 15, 1995, as amended and restated by Ordinance No. 14207, Section 1, adopted March 4, 2003.

Section 8-505: Base Flood Elevation.

This Ordinance's protection standard is based on the Flood Insurance Study for Will County. If a base flood elevation or 100-year frequency flood elevation is not available for a particular site, then the protection standard shall be according to the best existing data available in the Illinois State Water Surveys Flood Plain Information Repository. When a party disagrees with the best available data, that party may finance the detailed engineering study needed to replace existing data with better data and submit it to DNR and FEMA.

a. The base flood or 100-year frequency flood elevation for the SFHAs of all rivers and creeks shall be as delineated on the 100-year flood profiles in the Flood Insurance Study of Will County prepared by FEMA dated March 17, 2003 and such other amendments or revisions to such study and maps as may be prepared from time to time. The rivers included but not limited to are: DuPage River, Rock Run Creek, Rock Run Slough, Rock Run Tributaries 1, 2 and 3, Sunnyland Drain, Sunnyland Drain Tributary, Caton Creek, Lily Cache Creek, DesPlaines River, Hickory Creek, Spring Creek, Illinois & Michigan Canal, and Thorne Creek.

b. The base flood or 100-year frequency flood elevation for the SFHAs of those parts of unincorporated Will County that are within the extraterritorial jurisdiction of the City or that may be annexed into the City shall be as delineated on the 100-year flood profiles in the Flood Insurance Study of Will County prepared by FEMA and dated March 17, 2003 and such amendments or revisions to such study and maps as may be prepared from time to time.

c. The base flood or 100-year frequency flood elevation for each SFHA delineated as an "AH Zone" or "AO Zone" shall be that elevation (or depth) delineated on the Flood Insurance Rate Map of the City.

d. The base flood or 100-year frequency flood elevation for each of the remaining SFHAs delineated as an "A Zone" on the Flood Insurance Rate Map of Will County shall be according to the best existing data available in the Illinois State Water Survey Flood Plain Information Repository. When no base flood or 100-year frequency flood elevation exists, the base flood or 100-year frequency flood elevation for a riverine SFHA shall be determined from a backwater model, such as HEC-II, WSP-2, or a dynamic model such as HIP. The flood flows used in the hydraulic models shall be obtained from a hydrologic model, such as HEC-I TR-20, or HIP, or by techniques presented in various publications prepared by the United States Geological Survey for estimating peak flood discharges. Flood flows should be based on anticipated future land use conditions in the water shed as determined from adopted local and regional land use plans. Along any watercourses draining more than one (1) square mile, the above analysis shall be submitted to DNR for approval, once approved it must be submitted to the Illinois State Water Survey Floodplain Information Repository for filing. For a non-riverine SFHA, the Base Flood Elevation shall be the historic Flood of Record plus three feet, unless calculated by a detailed engineering study and approved by the Illinois State Water Survey.

Ordinance No. 10884, Section 2, adopted August 15, 1995, as amended by ordinance No. 10912, Section 1, adopted September 19, 1995, as amended and restated by Ordinance No. 14207, Section 1, adopted March 4, 2003.

Section 8-506: Occupation and Use of Flood Fringe Areas.

Development in and/or filling of the flood fringe will be permitted if protection is provided against the base flood or 100-year frequency flood by proper elevation, and compensatory storage and other provisions of this Ordinance are met. No use will be permitted which adversely affects the capacity of drainage facilities or systems. Developments located within the flood fringe shall meet the requirements of this section, along with the requirements of Section 8-509.

a. *Development Permit*. No person, firm, corporation, or governmental body not exempted under Illinois law shall commence any development in the SFHA without first obtaining a development permit from the City Manager.

b. *Permit Application* Application for a development permit shall be made on a form provided by the City Manager. The application shall be accompanied by drawings of the site, drawn to scale, showing property line dimensions and legal description for the property and sealed by a licensed engineer, architect or land surveyor; existing grade elevations in M.S.L., 1929 adj. datum or N.G.V.D. and all changes in grade resulting from excavation or filling; the location and dimensions of all buildings and additions to buildings. For all proposed buildings, the elevation of the lowest floor (including basement) and lowest adjacent grade shall be shown on the submitted plans and the development will be subject to the requirements of Section 8-509 of this Ordinance.

c. *Application- Review* Upon receipt of a development permit application, the City Manager shall compare the elevation of the site to the base flood or 100-year frequency flood elevation. Any development located on land that can be shown to have been higher than the base flood elevation as of the sites first Flood Insurance Rate Map identification is not in the SFHA and, therefore, not subject to the requirements of this Ordinance. The Building Official shall maintain documentation of the existing ground elevation at the development site and certification that this ground elevation existed prior to the date of the site’s first Flood Insurance Rate Map identification.

d. *Reserved*

e. *Submittal of Other Permits* The applicant shall submit to the City Manager copies of all other local, state and federal permits, approvals or permit-not-required letters that may be required for this type of activity. The City Manager shall not issue a permit unless all other local, state and federal permits have been obtained.

f. *Preventing Increased Damages* No development in the flood fringe shall create a threat to public health and safety.

g. *Filling* If fill is being used to elevate the site above the base flood or 100-year frequency flood elevation, the applicant shall submit sufficient data and obtain a letter of map revision (LOMR) from FEMA for the purpose of removing the site from the flood plain.

h. *Compensatory Storage* Whenever any portion of a flood plain is authorized for use, the volume of space which will be occupied by the authorized fill or structure below the base flood or 100-year frequency flood elevation shall be compensated for and balanced by a hydraulically equivalent volume of excavation taken from below the base flood or 100-year frequency flood elevation. The excavation volume shall be at least equal

to the volume of storage lost due to the fill or structure. In the case of streams and watercourses, such excavation shall be made opposite or adjacent to the areas so filled or occupied. All flood plain storage lost below the existing 10-year flood elevation shall be replaced below the proposed 10-year flood elevation. All flood plain storage lost above the existing 10-year flood elevation shall be replaced above the proposed 10-year flood elevation. All such excavations shall be constructed to drain freely and openly to the watercourse.

Ordinance No. 10884, Section 2, adopted August 15, 1995, as amended and restated by Ordinance No. 14207, Section 1, adopted March 4, 2003.

Section 8-507. Occupation and Use of Identified Floodways.

This section applies to proposed development, redevelopment, site modification or building modification within a regulatory floodway. The regulatory floodway for all rivers, creeks and streams shall be as delineated on the regulatory floodway maps designated by DNR according and references in Section 8-502oo. Only those uses and structures will be permitted which meet the criteria in this section. All floodway modifications shall be the minimum necessary to accomplish the purpose of the project. The development shall also meet the requirements of Section 8-509.

a. *Development Permit* No person, firm, corporation or governmental body not exempted by state law shall commence any development in a floodway without first obtaining a development permit from the City Manager.

b. *Permit Application* Application for a development permit shall be made on a form provided by the City Manager. The application shall include the following information:

(i) Name and address of applicant;

(ii) Site location (including legal description) of the property, drawn to scale, on the regulatory floodway map, indicating whether it is proposed to be in an incorporated or unincorporated area;

(iii) Name of stream of body of water affected;

(iv) Description of proposed activity;

(v) Statement of purpose of proposed activity;

(vi) Anticipated dates of initiation and completion of activity;

(vii) Name and mailing address of the owner of the subject property if different from the applicant;

(viii) Signature of applicant or the applicant’s agent;

(ix) If the applicant is a corporation, the president or other authorized officer shall sign the application form;

(x) If the applicant is a partnership, each partner shall sign the application form; and

(xi) If the applicant is a land trust, the trust officer shall sign the name of the trustee by him (her) as trust officer. A disclosure affidavit shall be filed with the application, identifying each beneficiary of the trust by name and address and defining the respective interests therein.

(xii) Plans of the proposed activity shall be provided which include as a minimum:

(a) A vicinity map showing the site of the activity, name of the waterway, boundary lines, names of roads in the vicinity of the site, graphic or numerical scale, and north arrow;

(b) A plan view of the project and engineering study reach showing existing and proposed conditions including principal dimensions of the structure or work, elevations in mean sea level (1929 adjustment) datum or N.G.V.D., adjacent property lines and ownership, drainage and flood control easements, location of any channels and any existing or future access roads, distance between proposed activity and navigation channel (when the proposed construction is near a commercially navigable body of water), regulatory floodway limit, flood plain limit, specifications and dimensions of any proposed channel modifications, location and orientation of cross-sections, north arrow, and a graphic or numerical scale;

(c) Cross-section view of the project and engineering study reach showing existing and proposed conditions including principal dimensions of the work as shown in plan view, existing and proposed elevations, normal water elevation, 10-year frequency flood elevation, 100-year frequency flood elevation, and graphic or numerical scales (horizontal and vertical);

(d) *Reserved*

(e) A copy of the regulatory floodway map, marked to reflect any proposed change in the regulator floodway location.

(xiii) Any and all other local, state and federal permits or approval letters that may be required for this type of development.

(xiv) Engineering calculations and supporting data shall be submitted showing that the proposed work will meet the permit criteria of Section 8-507 d.

(xv) If the regulatory floodway delineation, base flood or 100-year frequency flood elevation will change due to the proposed project, the application will not be considered complete until DNR has indicated conditional approval of the regulatory floodway map change. No structures may be built until a Letter of Map Revision has been approved by FEMA.

(xvi) The application for a structure shall be accompanied by drawings of the site, drawn to scale showing property line dimensions and existing ground elevations and all changes in grade resulting from any proposed excavation or filling, and flood plain and floodway limits; sealed by a registered professional engineer, licensed architect or registered land surveyor; the location and dimensions of all buildings and additions to buildings; and the elevation of the lowest floor (including basement) of all proposed buildings subject to the requirements of Section 8-509 of this Ordinance.

(xvii) *Reserved*

c. *Submittal of Other Permits* The applicant shall obtain and submit to the City Manager copies of all other local, state, and federal permit and approvals that may be required for this type of activity. The City Manager shall not issue the development permit unless all required federal and state permits have been obtained. A Registered Professional Engineer, under the employ or contract of the City shall review and approve applications reviewed under this Section.

d. *Preventing Increased Damages and a List of Appropriate Uses*.

The only development in a floodway which will be allowed are Appropriate Uses, which will not cause a rise in the base flood elevation, and which will not create a damaging or potentially damaging increase in flood heights or velocity or be a threat to public health and safety and welfare or impair the natural hydrologic functions of the floodway or channel, or permanently impair existing water quality or aquatic habitat. Construction methods shall be minimized by appropriate mitigation methods as called for in this Ordinance. Only those Appropriate Uses listed in 17 IL Adm. Code 3708 will be allowed. Appropriate uses do not include the construction or placement of any new structures, fill, building additions, buildings on stilts, excavation or channel modifications done to accommodate otherwise non-appropriate uses in the floodway, fencing (including landscaping or planting designed to act as a fence) and storage of materials except as specifically defined above as an Appropriate Use. The approved Appropriate Uses are as follows:

(i) Flood control structures, dikes, dams and other public works or private improvements relating to the control of drainage, flooding, erosion, or water quality or habitat for fish and wildlife.

(ii) Structures or facilities relating to the use of, or requiring access to, the water or shoreline, such as pumping and treatment facilities, and facilities and improvements related to recreational boating, commercial shipping and other functionally water dependent uses;

(iii) Storm and sanitary sewer outfalls;

(iv) Underground and overhead utilities;

(v) Recreational facilities such as playing fields and trail systems including any related fencing (at least 50% open when viewed from any one direction) built parallel to the direction of flood flows, and including open air pavilions and toilet facilities (4 stall maximum) that will not block flood flows nor reduce floodway storage;

(vi) Detached garages, storage sheds, or other non-habitable accessory structures without toilet facilities to existing buildings that will not block flood flows, nor reduce floodway storage;

(vii) Bridges, culverts, roadways, sidewalks, railways, runways and taxiways and any modification thereto;

(viii) Parking lots and aircraft parking aprons built at or below existing grade where either:

(a) the depth of flooding at the 100-year frequency flood event will not exceed one foot; or

(b) the applicant of a short-term recreational use facility parking lot, formally agrees to restrict access during overbank flooding events and accepts liability for all damage caused by vehicular access during all overbank flooding events;

(ix) Regulatory floodway regrading, without fill, to create a positive non-erosive slope toward a watercourse.

(x) Floodproofing activities to protect previously existing lawful structures including the construction of water tight window wells, elevating structures, or construction of floodwalls around residential, commercial or industrial principal structures where the outside toe of the floodwall shall be no more than ten (10) feet away from the exterior wall of the existing structure, and, which are not considered substantial improvements to the structure.

(xi) In the case of damaged or replacement buildings, reconstruction or repairs made to a building that are valued at less than 50% of the market value of the

building before it was damaged or replaced, and which do not increase the outside dimensions of the building.

(xii) Additions to existing buildings above the BFE that do not increase the building's foot print and are valued at less than 50% of the market value of the building.

e. *Regulatory Floodway Uses* Within the regulatory floodway as identified on the regulatory floodway maps designated by DNR, the construction of an Appropriate Use will be considered permissible provided that the proposed project meets the following engineering and mitigation criteria and is so stated in writing with supporting plans, calculations and data by a registered professional engineer and provided that any structure meets the protection requirements of Section 8-509 of this Ordinance.

(i) *Preservation of Flood Conveyance, so as not to Increase Flood Stages Upstream.* For appropriate uses other than bridge or culvert crossings, on-stream structures or dams, all effective regulatory floodway conveyance lost due to the project will be replaced for all flood events up to and including the 100-year frequency flood. In calculating effective regulatory floodway conveyance, the following factors shall be taken into consideration:

(a) *Regulatory floodway conveyance*,

$$\mathbf{K, \text{ where } K = (1.486/n) \times AR^{2/3}}$$

where "n" is Manning's roughness factor, "A" is the effective area of the cross-section, and "R" is the ratio of the area to the wetted perimeter. (See, *Open Channel Hydraulics*, Ven Te Chow, 1959, McGraw-Hill Book Company, New York)

(b) The same Manning's "n" value shall be used for both existing and proposed conditions unless a recorded maintenance agreement with a federal, state, or local unit of government can assure the proposed conditions will be maintained or the land cover is changing from a vegetative to a non-vegetative land cover.

(c) Transition sections shall be provided and used in calculations of effective regulatory floodway conveyance. The following expansion and contraction ratios shall be used unless an applicant's engineer can prove to DNR through engineering calculations or model tests that more abrupt transitions may be used with the same efficiency:

(1) When water is flowing from a narrow section to a wider section, the water should be assumed to expand no faster than at a rate of

one foot horizontal for every four feet of the flooded stream's length.

(2) When water is flowing from a wide section to a narrow section, the water should be assumed to contract no faster than at a rate of one foot horizontal for every one foot of the flooded stream's length.

(3) When expanding or contracting flows in a vertical direction, a minimum of one foot vertical transition for every ten feet of stream length shall be used.

(4) Transition sections shall be provided between cross-sections with rapid expansions and contractions and when meeting the regulatory floodway delineation on adjacent properties.

(5) All cross-sections used in the calculations shall be located perpendicular to flood flows.

(ii) *Preservation of Floodway Storage so as Not to Increase Downstream Flooding* Compensatory storage shall be provided for any regulatory floodway storage lost due to the proposed work from the volume of fill or structures placed and the impact of any related flood control projects. Compensatory storage for fill or structures shall be equal to the volume of flood plain storage lost. Artificially created storage lost due to a reduction in head loss behind a bridge shall not be required to be replaced. The compensatory regulatory floodway storage shall be placed between the proposed normal water elevation and the proposed 100-year flood elevation. All regulatory floodway storage lost below the existing 10-year flood elevation shall be replaced below the proposed 10-year flood elevation. All regulatory floodway storage lost above the existing 10-year flood elevation shall be replaced above the proposed 10-year flood elevation. All such excavations shall be constructed to drain freely and openly to the watercourse. If the compensatory storage will not be placed at the location of the proposed construction, the applicant's engineer shall demonstrate to DNR through a determination of flood discharges and water surface elevations that the compensatory storage is hydraulically equivalent.

(iii) *Preservation of Floodway Velocities so as Not to Increase Stream Erosion or Flood Heights*. For all Appropriate Uses, except bridges or culverts or on stream structures, the proposed work will not result in an increase in the average channel or regulatory floodway velocities. However, in the case of bridges or

culverts or on stream structures built for the purpose of backing up water in the stream during normal or flood flows, velocities may be increased at the structure site if scour, erosion and sedimentation will be avoided by the use of rip-rap or other design measures.

(iv) *Construction of New Bridges or Culvert Crossings and Roadway Approaches*. The proposed structure shall not result in an increase of upstream flood stages greater than 0.1 foot when compared to the existing conditions for all flood events up to and including the 100-year frequency event; or the upstream flood stage increases will be contained within the channel banks (or within existing vertical extensions of the channel banks) such as within the design protection grade of existing levees or flood walls or within recorded flood easements. If the proposed construction will increase upstream flood stages greater than 0.1 feet, the developer must contact DNR, Dam Safety Section for a Dam Safety permit or waiver.

(a) The engineering analysis of upstream flood stages must be calculated using the flood study flows, and corresponding flood elevations for tailwater conditions for the flood study specified in Section 8-505 of this Ordinance. Culverts must be analyzed using the U.S. DOT, FHWA Hydraulic Chart for the Selection of Highway Culverts. Bridges must be analyzed using the U.S. DOT/Federal Highway Administration Hydraulics of Bridge Waterways calculation procedures.

(b) Lots floodway storage must be compensated for per Section 8-507 e(ii).

(c) Velocity increases must be mitigated per Section 8-507 e(iii)

(d) If the crossing is proposed over a public water that is used for recreational or commercial navigation, a DNR permit must be received.

(e) The hydraulic analysis for the backwater caused by the bridge showing the existing condition and proposed regulatory profile must be submitted to DNR for concurrence that a CLOMR is not required by Section 8-507d.

(f) All excavations for the construction of the crossing shall be designed per Section 8-507 e(viii).

(v) *Reconstruction or Modification of Existing Bridges, Culverts, and Approach Roads*

(a) The bridge or culvert and roadway approach reconstruction or modification shall be constructed with no more than 0.1 foot increase in backwater over the existing flood profile for all flood frequencies up to and including the 100-year event, if the existing structure is not a source of flood damage.

(b) If the existing bridge or culvert and roadway approach is a source of flood damage to buildings or structures in the upstream flood plain, the applicant's engineer shall evaluate the feasibility of redesigning the structure to reduce the existing backwater, taking into consideration the effects on flood stages on upstream and downstream properties.

(c) The determination as to whether or not the existing crossing is a source of flood damage and should be redesigned must be prepared in accordance with the Department of Transportation Rules 17 IL. Adm. Code 3708 (Floodway Construction in Northeastern Illinois) and submitted to the Division for review and concurrence before a permit is issued.

(vi) *On-Stream Structures Built for the Purpose of Backing Up Water*

Any increase in upstream flood stages greater than 0.0 foot when compared to the existing conditions, for all flood events up to and including the 100-year frequency event shall be contained within the channel banks (or within existing vertical extensions of the channel banks) such as within the design protection grade of existing levees or flood walls or within record flood easements. A permit or letter indicating a permit is not required must be obtained from DNR, Dam Safety Section for a Dam Safety permit or waiver for any structure built for the purpose of backing up water in the stream during normal or flood flow. All dams and impoundment structures as defined in Section 8-502.1 shall meet the permitting requirements of 17 IL Adm. Code 3702 (Construction and Maintenance of Dams). If the proposed activity involves a modification of the channel or floodway to accommodate an impoundment, it shall be demonstrated that:

(a) The impoundment is determined to be in the public interest by providing flood control, public recreation, or regional stormwater detention;

(b) The impoundment will not prevent the migration of indigenous fish species, which require access to

upstream areas as part of their life cycle, such as for spawning;

(c) The impoundment will not cause or contribute to degraded water quality or habitat conditions. Impoundment design should include gradual bank slopes, appropriate bank stabilization measures, and a pre-sedimentation basin.

(d) A non-point source control plan has been implemented in the upstream watershed to control the effects of sediment runoff as well as minimize the input of nutrients, oil and grease, metals and other pollutants. If there is more than one municipality in the upstream watershed, the municipality in which the impoundment is constructed should coordinate with upstream municipalities to ensure comprehensive watershed control;

(e) The project otherwise complies with the requirements of Section 8-507.

(vii) *Flood Proofing of Existing Habitable, Residential and Commercial Structures* If construction is required beyond the outside dimensions of the existing building, the outside perimeter of the floodproofing construction shall be placed no further than 10 feet from the outside of the building. Compensation of lost storage and conveyance will not be required for floodproofing activities.

(viii) *Excavation in the Floodway* When excavation is proposed in the design of bridges and culvert openings including the modifications to and replacement of existing bridge and culvert structures, or to compensate for lost conveyance for other Appropriate Uses, transition sections shall be provided for the excavation. The following expansion and contraction ratios shall be used unless an applicant’s engineer can prove to DNR through engineering calculations or model tests that more abrupt transitions may be used with the same efficiency:

(a) When water is flowing from a narrow section to a wider section, the water should be assumed to expand no faster than at a rate of one foot horizontal for every four feet of the flooded stream’s length;

(b) When water is flowing from a wide section to a narrow section, the water should be assumed to contract no faster than at a rate of one foot horizontal for every one feet of the flooded stream’s length; and

(c) When expanding or contracting flows in a vertical direction, a minimum of one foot vertical transition for every ten feet of stream length shall be used.

(d) Erosion/scour protection shall be provided inland upstream and downstream of the transition sections.

(ix) *Channel Modification* If the proposed activity involves a channel modification, it shall be demonstrated that:

(a) There is no practicable alternative to the activity which would accomplish its purpose with less impact to the natural conditions of the body of water affected. Possible alternatives include levees, bank stabilization, flood proofing of existing structures, removal of structures from the floodplain, clearing the channel, high flow channel, or the establishment of a stream side buffer strip or green belt. Channel modification is acceptable if the purposed is to restore natural conditions and improve water quality and fish and wildlife habitat;

(b) Water quality, habitat, and other natural functions would be significantly improved by modification and not significant habitat area may be destroyed, or the impacts are offset by the replacement of an equivalent degree of natural resource values;

(c) The activity has been planned and designed and will be constructed in a way which will minimized its adverse impacts on the natural conditions of the body of water affected, consistent with the following criteria:

(1) The physical characteristics of the modified channel shall match as closely as possible those of the existing channel in length, cross-section, slope and sinuosity. If the existing channel has been previously modified, restoration of more natural physical conditions should be incorporated into channel modification design, where practical.

(2) Hydraulically effective transitions shall be provided at both the upstream and downstream ends of the project, designed such that they will prevent erosion.

(3) One-sided construction of a channel shall be used when feasible. Removal of streamside

(riparian) vegetation should be limited to one side of the channel, where possible, to preserve the shading and stabilization effects of the vegetation.

(4) Clearing of stabilizing vegetation shall be limited to that which is essential for construction of the channel.

(5) Channel banks shall be constructed with a side slope no steeper than 3:1 horizontal to vertical, wherever practicable. Native vegetation and gradual side slopes are the preferred methods for bank stabilization. Where high velocities or sharp bends necessitate the use of alternative stabilization measure, soil bioengineering techniques, natural rock or rip-rap are preferred approaches. Artificial materials such as concrete, gabions, or construction rubble should be avoided unless there are no practicable alternatives.

(6) All disturbed areas associated with the modification shall be seeded or otherwise stabilized as soon as possible upon completion of construction. Erosion blanket or an equivalent material shall be required to stabilize disturbed channel banks prior to the establishment of the vegetative cover.

(7) If the existing channel contains bottom diversity such as deep pools, riffles, or other similar features, such features shall be provided in the new channel. Spawning and nesting areas and flow characteristics compatible with fish habitat shall also be established, where appropriate.

(8) A sediment basin shall be installed at the downstream end of the modification to reduce sedimentation and degradation of the stream quality.

(9) New or relocated channels should be built in the dry and all items of construction including vegetation, should be completed prior to diversion of water into the new channel.

(10) There shall be no increase in stage or velocity as the channel enters or leaves the project site for any frequency flood unless necessitated by a public flood control project or unless the increase is justified

as a part of a habitat improvement or erosion control project.

(11) Unless the modification is for a public flood control project, there shall be no reduction in the volume of floodwater storage outside the floodway as a result of the modification; and

(12) The project otherwise complies with the requirements of Section 8-507.

(x) *Seeding and Stabilization Plan* For all activities located in a floodway, a seeding and stabilization plan shall be submitted by the applicant.

(xi) *Soil Erosion and Sedimentation Measures* For all activities in the floodway, including grading, filling and excavation, in which there is potential for erosion of exposed soil, soil erosion and sedimentation control measures shall be employed consistent with the following criteria:

(a) The construction area shall be minimized to preserve the maximum vegetation possible. Construction shall be scheduled to minimize the time soil is exposed and unprotected. In no case shall the existing natural vegetation be destroyed, removed, or disturbed more than 15 days prior to the initiation of improvements.

(b) Temporary and/or permanent soil stabilization shall be applied to denuded areas as soon as possible. As a minimum, soil stabilization shall be provided within 15 days after final grade is reached on any portion of the site, and with 15 days to denuded areas which may not be at final grade but will remain undisturbed for longer than 60 days.

(c) Sedimentation control measures shall be installed before any significant grading or filling is initiated on the site to prevent the movement of eroded sediments off site or into the channel. Potential sediment control devices include filter fences, straw bale fences, check dams, diversion ditches, and sediment traps and basins.

(d) A vegetated buffer strip of at least 25 feet in width shall be preserved and/or reestablished, where possible, along existing channels (See, Section 8-507e (xvi)). Construction vehicle use of channels shall be minimized. Temporary stream crossings shall be constructed, where necessary, to minimized erosion. Necessary construction in or along channels shall be re-stabilized immediately.

(e) Soil erosion an sedimentation control measures shall be consistent with "*Procedures and Standards for Urban Soil Erosion and Sedimentation Control in Illinois*" (1988) also known as the "Green Book" and "*The Illinois Urban Manual*" (NRCS, IEPA, 1995).

(xii) *Public Flood Control Projects* For public flood control projects, the permitting requirements of this section will be considered met if the applicant can demonstrate to DNR through hydraulic and hydrologic calculations that the proposed project will not singularly or cumulatively result in increased flood heights outside the project right-of-way or easements for all flood events up to and including the 100-year frequency event.

(xiii) *General Criteria for Analysis of Flood Elevations*

(a) The flood profiles, flows and floodway data in the regulatory floodway study, referenced in Section 8-505, must be used for analysis of the base conditions. If the study data appears to be in error or conditions have changed, DNR shall be contacted for approval and concurrence on the appropriate base conditions data to use.

(b) If the 100-year regulatory floodway elevation at the site of the proposed construction is affected by backwater from a downstream receiving stream with a larger drainage area, the proposed construction shall be shown to meet the requirements of this section for the 100-year frequency flood elevations of the regulatory floodway conditions and conditions with the receiving stream at normal water elevations.

(c) If the applicant learns from DNR, local governments, or a private owner that a downstream restrictive bridge or culvert is scheduled to be removed, reconstructed, modified, or a regional flood control project is scheduled to be built, removed, constructed or modified within the next five years, the proposed construction shall be analyzed and shown to meet the requirements of this section for both the existing conditions and the expected flood profile conditions when the bridge, culvert or flood control project is built.

(xiv) *Conditional Letter of Map Revision* If the Appropriate Use would result in a change in the regulatory floodway location or the 100-year frequency flood elevation, the applicant shall submit to DNR and to FEMA all the information, calculations and documents necessary to be issued a conditional regulatory floodway map revision

and receive from DNR a conditional approval of the regulatory floodway change before a permit is issued. However, the final regulatory floodway map will not be changed by FEMA until as-built plans or record drawings are submitted and accepted by FEMA and DNR. In the case of non-government projects, the municipality in incorporated areas and the county in unincorporated areas shall concur with the proposed conditional regulatory floodway map revision before DNR approval can be given. No filling, grading, dredging or excavating shall take place until a conditional approval is issued. No further development activities shall take place until a final Letter of Map Revision (LOMR) is issued by FEMA and DNR.

(xv) *Professional Engineer's Supervision* All engineering analyses shall be performed by or under the supervision of a registered professional engineer.

(xvi) *Construction Protection* For all activities in the floodway involving construction within 25 feet of the channel, the following criteria shall be met:

(a) A natural vegetation buffer strip shall be preserved within at least 25 feet of the ordinary high water mark of the channel.

(b) Where it is impossible to protect this buffer strip during construction of an appropriate use, a vegetated buffer strip shall be established upon completion of construction.

(xvii) *Commencement of Construction* After receipt of conditional approval of the regulatory floodway change and issuance of a permit and a Conditional Letter of Map Revision, construction as necessary to change the regulatory floodway designation may proceed but no buildings or structures or other construction that is not an Appropriate Use may be placed in that area until the regulatory floodway map is changed and a final Letter of Map Revision is received. The regulatory floodway map will be revised upon acceptance and concurrence by DNR and FEMA of the "as built" plans.

f. *Reserved*

g. *State Review* For those projects listed below located in a regulatory floodway, the following criteria shall be submitted to DNR for their review and concurrence prior to the issuance of a permit:

(i) DNR will review an engineer's analysis of the flood profile due to a proposed bridge pursuant to Section 8-507 e(iv).

(ii) DNR will review an engineer's determination that an existing bridge or culvert crossing is not a source of flood damage and the analysis indicating the proposed flood profile, pursuant to Section 8-507 e(v).

(iii) The DNR will review alternative transition sections and hydraulically equivalent storage pursuant to Section 8-507 e(i, ii and viii).

(iv) The DNR will review and approve prior to the start of construction any Department projects, dams (as defined in Section 8-502(l) and all other state, federal or local units of government projects, including projects of the municipality or county.

h. *Other Permits* In addition to the other requirements of this Ordinance, a development permit for a site located in a floodway shall not be issued unless the applicant first obtains a permit or written documentation that a permit is not required from DNR, issued pursuant to 615 ILCS 5/5 et seq. No permit from DNR shall be required if the Division has delegated this responsibility to the City.

i. *Dam Safety Permits* Any work involving the construction, modification or removal of a dam as defined in 17 IL Adm. Code 3702 (Construction and Maintenance of Dams) shall obtain a DNR Dam Safety permit prior to the start of construction of a dam. If the City Manager finds a dam that does not have a DNR permit and if the City Manager finds a dam is unsafe, the City Manager shall immediately notify the owner of the dam, DNR, Dam Safety Section of DNR in Bartlett and the Illinois Emergency Management Agency (IEMA).

j. *Activities That Do Not Require a Registered Professional Engineer's Review*

The following activities may be permitted without a registered professional engineer's review. Such activities shall still meet the other requirements of this Ordinance, including the mitigation requirements.

(i) Underground and overhead utilities that:

(a) Do not result in any increase in existing ground elevations, or

(b) Do not require the placement of above ground structures in the floodway, or

(c) In the case of underground stream crossings, the top of the pipe or encasement is buried a minimum of 3' below the existing stream bed, and

(d) In the case of overhead utilities, no supporting towers are placed in the watercourse and are designed in such a fashion as not to catch debris.

(ii) Storm and sanitary sewer outfalls that:

(a) Do not extend riverward or lakeward of the existing adjacent natural bank slope, and

(b) Do not result in an increase in ground elevation, and

(c) Are designed so as not to cause stream erosion at the outfall location.

(iii) Construction of sidewalks, athletic fields (excluding fences), properly anchored playground equipment and patios at grade.

(iv) Construction of shoreline and streambank protection that:

(a) Does not exceed 1000 feet in length.

(b) Materials are not placed higher than the existing top of bank.

(c) Materials are placed so as not to reduce the cross-sectional area of the stream channel or bank of the lake.

(d) *Reserved*

(v) Temporary stream crossings in which:

(a) The approach roads will be 0.5’ (1/2 foot) or less above natural grade.

(b) The crossing will allow stream flow to pass without backing up the water above the stream bank vegetation line or above any drainage tile or outfall invert.

(c) The top of the roadway fill in the channel will be at least 2’ below the top of the lowest bank. Any fill in the channel shall be non-erosive material, such as rip-rap or gravel.

(d) All disturbed stream banks will be seeded or otherwise stabilized as soon as possible upon installation and again upon removal of construction.

(e) The access road and temporary crossings will be removed within one year after authorization.

Ordinance No. 10884, Section 2, adopted August 15, 1995, as amended and restated by Ordinance No. 14207, Section 1, adopted March 4, 2003.

Section 8-508. Occupation and Use of SFHA Areas Where Floodways Are Not Identified.

In SFHA or flood plains, where no floodways have been identified and no base floor or 100-year frequency flood elevations have been established by FEMA, and draining more than a square mile, no development shall be permitted unless the cumulative effect of the proposals, when combined with all other existing and anticipated uses and structures, shall not significantly impede or increase the flow and passage of the floodwaters nor significantly increase the base flood or 100-year frequency flood elevation.

a. *Development Permit*. No person, firm, corporation or governmental body, not exempted by Illinois law, shall commence any development in a SFHA or flood plain without first obtaining a development permit from the City Manager. Application for a development permit shall be made on a form provided by the City Manager. The application shall be accompanied by drawings of the site, drawn to scale showing property line dimensions; and existing grade elevations and all changes in grade resulting from excavation or filling, sealed by a licensed engineer, architect or surveyor; the location and dimensions of all buildings and additions to buildings; and the elevation of the lowest floor (including basement) of all proposed buildings subject to the requirements of Section 8-509 of this Ordinance. The application for a development permit shall also include the following information:

(i) A detailed description of the proposed activity, its purpose, and intended use;

(ii) Site location (including legal description) of the property, drawn to scale, on the regulatory floodway maps, indicating whether it is proposed to be in an incorporated or unincorporated area;

(iii) Anticipated dates of initiation and completion of activity;

(iv) Plans of the proposed activity shall be provided which include as a minimum:

(a) A vicinity map showing the site of the activity, name of the waterway, boundary lines, names of roads in the vicinity of the site, graphic or numerical scale, and north arrow;

(b) A plan view of the project and engineering study reach showing existing and proposed conditions including principal dimensions of the structure or work, elevations in mean seal level (1929 adjustment) datum or N.G.V.D., adjacent property lines and ownership, drainage and flood control easements, distance between proposed activity and navigation channel (when the proposed construction is near a commercially navigable body of water), flood plain limit, location and orientation of cross-sections, north arrow, and a graphical or numerical scale;

(c) Cross-section views of the project and engineering study reach showing existing and proposed

conditions including principal dimensions of the work as shown in plan view, existing and proposed elevations, normal water elevation, 10-year frequency flood elevation, 100-year frequency flood elevation, and graphical or numerical scales (horizontal and vertical); and

(d) *Reserved*

(v) Engineering calculations and supporting data shall be submitted showing that the proposed work will meet the criteria of Section 8-508d.

(vi) Any and all other local, state and federal permits or approvals that may be required for this type of development.

b. *Application Review* Based on the best available existing data according to the Illinois State Water Survey's Flood Plain Information Repository, the City Manager shall compare the elevation of the site to the base flood or 100-year frequency flood elevation. Should no elevation information exist for the site, the developer's engineer shall calculate the elevation according to Section 8-505d. Any development located on land that can be shown to have been higher than the base flood elevation as of the sites first Flood Insurance Rate Map Identification is not in the SFHA and, therefore, not subject to the requirements of this Ordinance. The Building Official shall maintain documentation of the existing ground elevation at the development site and certification that this ground elevation existed prior to the date of the site's first Flood Insurance Rate Map identification.

c. *Other Permits* The applicant will be responsible for submitting copies of all other local, state, and federal permits, approvals or permit-not-required letters that may be required for this type of activity. The City Manager shall not issue the development permit unless all required local, state and federal permits have been obtained.

d. *Preventing Increased Damages* No development in the SFHA, where a floodway has not been determined shall create a damaging or potentially damaging increase in flood heights or velocity or threat to public health, safety and welfare or impair the natural hydrologic channel.

e. *Riverine SFHAs* Within all riverine SFHA's where the floodway has not been determined, the following standards shall apply:

(i) The developer shall have a Registered Professional Engineer state in writing and show through supporting plans, calculations, and data that the project meets the engineering requirements of Section 8-507e(i-xii) for the entire flood plain as calculated under the provisions of Section 8-505d. of this Ordinance. As an alternative, the developer should have an engineering study performed to determine a floodway and submit that engineering study to DNR for acceptance as a regulatory floodway. Upon acceptance of their floodway by the Department, the developer shall then demonstrate that the project meets the requirements of Section 8-507 for

the regulatory floodway. The floodway shall be defined according to the definition in Section 8-502oo. of this Ordinance.

(ii) A development permit shall not be issued unless the applicant first obtains a permit from DNR or written documentation that a permit is not required from DNR.

(iii) No permit from DNR shall be required if the Division has delegated permit responsibility to the City per 17 IL Adm. Code 3708 for regulatory floodways, per DNR Statewide Permit entitled "*Construction in Flood Plains with No Designated Floodways in Northeastern Illinois*."

(iv) *Dam Safety Permits*. Any work involving the construction, modification or removal of a dam or an on-stream structure to impound water as defined in Section 8-502 1. shall obtain an DNR Dam Safety permit or letter indicating a permit is not required prior to the start of construction of a dam. If the City Manager finds a dam that does not have a DNR permit, the City Manager shall immediately notify the Dam Safety Section of DNR. If the City Manager finds a dam which is believed to be in unsafe condition, the City Manager shall immediately notify the owner of the dam and the Illinois Emergency Management Agency (IEMA), and the DNR, Dam Safety Section in Bartlett.

(v) The following activities may be permitted without a Registered Professional Engineer's review or calculation of a base flood elevation and regulatory floodway. Such activities shall still meet the other requirements of this Ordinance:

(a) Underground and overhead utilities that:

(i) Do not result in any increase in existing ground elevations, or

(ii) Do not require the placement of above ground structures in the floodway, or

(iii) In the case of underground stream crossings, the top of the pipe or encasement is buried a minimum of 3' below the existing streambed, and

(iv) In the case of overhead utilities, no supporting towers are placed in the watercourse and are designed in such a fashion as not to catch debris.

(b) Storm and sanitary sewer outfalls that:

(i) Do not extend riverward or lakeward of the existing adjacent natural bank slope, and

(ii) Do not result in an increase in ground elevation, and

(iii) Are designed so as not to cause stream bank erosion at the outfall location.

(c) Construction of shoreline and streambed protection that:

(i) Does not exceed 1000 feet in length or 2 cubic yards per lineal foot of streambed.

(ii) Materials are not placed higher than the existing top of bank.

(iii) Materials are placed so as not to reduce the cross-sectional area of the stream channel by more than 10%.

(iv) *Reserved*

(d) Temporary stream crossings in which:

(i) The approach roads will be 0.5’ (1/2 foot) or less above natural grade.

(ii) The crossing will allow stream flow to pass without backing up the water above the stream bank vegetation line or above any drainage tile or outfall invert.

(iii) The top of the roadway fill in the channel will be at least 2’ below the top of the lowest bank. Any fill in the channel shall be non-erosive material, such as rip-rap or gravel.

(iv) All disturbed stream banks will be seeded or otherwise stabilized as soon as possible upon installation and again upon removal of construction.

(v) The access road and temporary crossings will be removed within one year after authorization.

(e) The construction of light poles, sign posts and similar structures;

(f) The construction of sidewalks, driveways, athletic fields (excluding fences), patios and similar surfaces which are built at grade;

(g) The construction of properly anchored, unwalled, open structures such as playground equipment, pavilions, and carports built at or below existing grade that would not obstruct the flow of flood waters;

(h) The placement of properly anchored buildings not exceeding seventy (70) square feet in size, nor ten (10) feet in any one dimension (e.g., animal shelters and tool sheds);

(i) The construction of additions to existing buildings which do not increase the first floor area by more than twenty (20) percent, which are located on the upstream or downstream side of the existing building, and which do not extend beyond the sides of the existing building that are parallel to the flow of flood waters;

(j) Minor maintenance dredging of a stream channel where:

(i) The affected length of stream is less than 1000 feet.

(ii) The work is confined to reestablishing flows in natural stream channels, or

(iii) The cross-sectional area of the dredged channel conforms to that of the natural channel upstream and downstream of the site.

(iv) The flood carrying capacity within any altered or relocated watercourse shall be maintained.

(f) *Compensatory Storage*. Whenever any portion of a flood plain is authorized for use, the volume of space which will be occupied by the authorized fill or structure below the base flood or 100-year frequency flood elevation shall be compensated for and balanced by a hydraulically equivalent volume of excavation taken from below the base flood or 100-year frequency flood elevation. The excavation volume shall be at least equal to the volume of storage lost due to the fill or structure. In the case of streams and watercourses, such excavation shall be made opposite or adjacent to the areas so filled or occupied. All flood plain storage lost below the existing 10-year flood elevation shall be placed below the proposed 10-year flood elevation. All flood plain storage lost above the existing 10-year flood elevation shall be replaced above the proposed 10-year flood elevation. All such excavations shall be constructed to drain freely and openly to the watercourse.

(g) *No External Effects* Until a regulatory floodway is designated, no new construction, substantial improvements, or other development (including fill) shall be permitted within unnumbered A zones and Zone AE on the currently effective FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water

surface elevation of the base flood more than one-tenth foot at any point within the community. In order to demonstrate compliance with this requirement, an applicant may presume future compliance with the laws, regulations and ordinances pertaining to flood management, including the *Joliet Special Flood Hazard Areas Development Ordinance*.

Ordinance No. 10884, Section 2, adopted August 15, 1995, as amended and restated by Ordinance No. 14207, Section 1, adopted March 4, 2003.

Section 8-509. Permitting Requirements Applicable to All Flood Plain Areas.

In addition to the requirements found in Section 8-506, 8-507 and 8-508 for development in flood fringes, regulatory floodways, and SFHA or flood plains where no floodways have been identified (Zones A, AO, AH, AE, A1-A30, A99, VO, V1-30, VE, V, M or E), the following requirements shall be met.

a. Public Health Standards

b. No developments in the SFHA shall include locating or storage chemicals, explosives, buoyant materials, animal wastes, fertilizers, flammable liquids, pollutants, or other hazardous or toxic materials below the FPE.

c. New and replacement water supply systems, wells, sanitary sewer lines and on-site waste disposal systems may be permitted providing all manholes or other above ground openings located below the FPE are watertight.

d. *Carrying Capacity and Notification*. For all projects involving channel modification, fill or stream maintenance (including levees), the flood carrying capacity of the watercourse shall be maintained. In addition, the City shall notify adjacent communities in writing 30 days prior to the issuance of a permit for the alternation or relocation of the watercourse.

e. *Protecting Buildings*. All buildings located within a 100-year flood plain also known as a SFHA, shall be protected from flood damage below the flood protection elevation. However, existing buildings located within a regulatory floodway shall also meet the more restrictive Appropriate Use standards included in Section 8-507. This building protection criteria applies to the following situations:

(i) Construction or placement of a new building.

(ii) Substantial improvement to an existing building as defined in Section 8-502ww, including an increase to the first floor area by more than twenty percent. This alteration shall be figured cumulatively beginning with any alteration which has taken place subsequent to April 1, 1990.

(iii) Substantial damage to an existing building as defined in Section 8-502ww. This alteration shall be figured cumulatively beginning with any alteration which has taken place subsequent to April 1, 1990.

(iv) Installing a manufactured home on a new site or a manufactured home on an existing site. This building protection requirement does not apply to returning a mobile home to the same site it lawfully occupied before it was removed to avoid flood damage; and

(v) Installing a travel trailer on a site for more than 180 days.

This building protection requirement may be met by one of the following methods.

f. A residential or non-residential building, when allowed, may be constructed on permanent land fill in accordance with the following:

(i) The lowest floor, (including basement) shall be at or above the flood protection elevation.

(ii) The fill shall be placed in layers no greater than one (1) foot deep before compaction and should extend at least ten (10) feet beyond the foundation of the building before sloping below the flood protection elevation. The top of the fill shall be above the flood protection elevation. However, the ten (10) foot minimum may be waived if a structural engineer certifies an alternative method to protect the building from damages due to hydrostatic pressures. The fill shall be protected against erosion and scour. The fill shall not adversely affect the flow or surface drainage from or onto neighboring properties.

g. A residential or non-residential building may be elevated in accordance with the following:

(i) The building or improvements shall be elevated on crawl space, stilts, piles, walls, or other foundation that is permanently open to flood waters and not subject to damage by hydrostatic pressures of the base flood or 100-year frequency flood. The permanent openings shall be no more than one foot above grade, and consists of a minimum of two openings. The openings must have a total net area of not less than one square inch for every one square foot of enclosed area subject to flooding below the Base Flood Elevation.

(ii) The foundation and supporting members shall be anchored and aligned in relation to flood flows and adjoining structures so as to minimize exposure to known hydrodynamics forces such as current, waves, ice and floating debris.

(iii) All areas below the flood protection elevation shall be constructed of materials resistant to flood damage. The lowest floor (including basement) and all electrical, heating, ventilating, plumbing, and air conditioning

equipment and utility meters shall be located at or above the flood protection elevation. Water and sewer pipes, electrical and telephone lines, submersible pumps, and other waterproofed service facilities may be located below the flood protection elevation.

(iv) No area below the flood protection elevation shall be used for storage of items or materials.

(v) Manufactured homes, (including, but not limited to, travel trailers to be installed on a site for more than 180 days) and all manufactured homes that are placed or substantially improved within Zones A1-30, AH, and AE on the City's FIRM, situated on sites located:

(a) Outside of a manufactured home park or subdivision,

(b) In a new manufactured home park or subdivision,

(c) In an expansion to an existing manufactured home park or subdivision, or

(d) In an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood,

shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to or above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist floatation collapse and lateral movement. in accordance with the regulations promulgated under the *Illinois Mobile Home Tie-Down Act* and regulations set forth in 77 IL Adm. Code 870.

(vi) All other manufactured homes placed or substantially improved on sites in an existing manufactured home park or subdivision within Zones A-1-30, AH, and AE on currently effective FIRM that are not subject to the provisions of paragraph (g)(v) of this section shall be elevated so that either:

(a) The lowest floor of the manufactured home is at or above the base flood elevation, or

(b) The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist floatation, collapse, and lateral movement.

h. Only a non-residential building may be structurally floodproofed (in lieu of elevation) provided that a registered professional engineer shall certify that the building has been structurally dry floodproofed below the flood protection elevation, the structure and attendant utility facilities are watertight and capable of resisting the effects of the base flood or 100-year frequency flood. The building design shall take into account flood velocities, duration, rate of rise, hydrostatic and hydrodynamics forces, the effects of buoyancy, and impacts from debris or ice. Floodproofing measures shall be operable without human intervention and without an outside source of electricity (levees, berms, floodwalls and similar works are not considered flood proofing for the purpose of this subsection).

Tool sheds and detached garages on an existing single-family platted lot, may be constructed with the lowest floor below the flood protection elevation in accordance with the following:

(i) The building is not used for human habitation.

(ii) All areas below the base flood or 100-year frequency flood elevation shall be constructed with waterproof material. Structures located in a regulatory floodway shall be constructed and placed on a building site so as not to block the flow of flood waters and shall also meet the Appropriate Use criteria of Section 700.0. In addition, all other requirements of Section 700, 800 and 900 must be met.

(iii) The structure shall be anchored to prevent flotation.

(iv) Service facilities such as electrical and heating equipment shall be elevated or floodproofed to the flood protection elevation.

(v) The building shall be valued at less than $5,000.00 and be less than 500 square feet in floor size.

(vi) The building shall be used only for the storage of vehicles or tools and may not contain other rooms, workshops, greenhouses or similar uses.

j. All new construction and substantial improvements that have fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria: A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

k. Non-conforming structures located in a regulatory floodway may remain in use, but may not be enlarged, replaced or structurally altered. A non-conforming structure damage by flood, fire, wind or other natural or man-made disaster may be restored unless the damage exceeds fifty percent (50%) of its market value before it was damaged, in which case it shall conform to this Ordinance.

l. Within any AO zone on the currently effective FIRM, all new construction and substantial improvements of residential structures shall have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as two feet, or such higher amount specified on the currently effective FIRM.

m. Within any AO zone on the currently effective FIRM, all new construction and substantial improvements of nonresidential structures:

(i) shall have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as two feet, or such higher amount specified on the currently effective FIRM, or

(ii) together with attendant utility and sanitary facilities be completely floodproofed to that level to meet the floodproofing standard specified in 44 CFR 60.3(c)(3)(ii);

n. Within any A99 zones on the currently effective FIRM, the standards of 44 CFR 60(a)(1) through (a)(4)(i) and 44 CFR 60(b)(5) through (b)(9) shall apply and be required.

o. Within Zones AH and AO, adequate drainage paths around structures on slopes, to guide floodwaters around and away from proposed structures, shall be provided.

p. Recreational vehicles placed on sites within Zones A1-30, AH, and AE on the currently effective FIRM must either:

(i) Be on the site for fewer than 180 consecutive days;

(ii) Be fully licensed and ready for highway use, or

(iii) Meet the permit requirements of 44 CFR 60(b)(1) and the elevation and anchoring requirements for "manufactured homes" in 44 CFR 60(c)(6).

A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

Ordinance No. 10884, Section 2, adopted August 15, 1995, as amended and restated by Ordinance No. 14207, Section 1, adopted March 4, 2003.

Section 8-510. Other Development Requirements.

The Mayor and City Council shall take into account flood hazards, to the extent that they are known in all official actions related to land management, use and development.

a. New subdivisions, manufactured home parks, annexation agreements, and Planned Unit Developments (PUDs) within the SFHA shall be reviewed to assure that the proposed developments are consistent with Sections 8-506, 8-507, 8-508 and 8-509 of this Ordinance and the need to minimize flood damage. Plats or plans for new subdivisions, mobile home parks and Planned Unit Developments (PUDs) shall include a signed statement by a Registered Professional Engineer that the plat or plans account for changes in the drainage of surface waters in accordance with the *Plat Act* (765 ILCS 205/1 et seq.).

b. Proposals for new subdivisions, manufactured home parks, travel trailer parks, planned unit developments (PUDs) and additions to manufactured home parks and additions to subdivisions shall include base flood or 100-year frequency flood elevation data and floodway delineations. Where this information is not available from an existing study filed with the Illinois State Water Survey, the applicant's engineer shall be responsible for calculating the base flood or 100-year frequency flood elevation per Section 8-505d. and the floodway delineation per the definition in Section 8-502oo. and submitting it to the Illinois State Water Survey and DNR for review and approval as best available regulatory data.

c. Streets, blocks, lots, parks and other public grounds shall be located and laid out in such a manner as to preserve and utilize natural streams and channels. Wherever possible, the flood plains shall be included within parks or other public grounds.

d. The Mayor and City Council shall not approve any Planned Unit Development (PUD) or plat of subdivision located outside the corporate limits unless such agreement or plat is in accordance with the provisions of this Ordinance.

Ordinance No. 10884, Section 2, adopted August 15, 1995, as amended and restated by Ordinance No. 14207, Section 1, adopted March 4, 2003.

Section 8-511. Variances.

No variances shall be granted to any development located in a regulatory floodway as defined in Section 8-502m. However, when a development proposal is located outside of a regulatory floodway, and whenever the standards of this Ordinance place undue hardship on a specific development proposal, the applicant may apply to the Mayor and City Council for a variance. The City Manager shall review the applicant's request for a variance and shall submit its recommendation to the Mayor and City Council.

a. No variance shall be granted unless the applicant demonstrates that:

(i) The development activity cannot be located outside the SFHA;

(ii) An exceptional hardship would result if the variance were not granted;

(iii) The relief requested is the minimum necessary;

(iv) There will be no additional threat to public health and safety;

(v) There will be no additional public expense for flood protection, rescue or relief operations, policing or repairs to roads, utilities, or other public facilities;

(vi) The provisions of Section 8-506d. and 8-508d. of this Ordinance shall still be met.

(vii) The activity is not in a regulatory floodway;

(viii) The applicant's circumstances are unique and do not represent a general problem, and

(ix) The granting of the variance will not alter the essential character of the area involved including existing stream uses.

b. The City Manager shall notify an applicant in writing that a variance from the requirements of Section 8-509 that would lessen the degree of protection to a building will:

(i) Result in increased premium rates for flood insurance up to amounts as high as $25 for $100 of insurance coverage;

(ii) Increase the risks to life and property; and

(iii) Require that the applicant proceed with knowledge of these risks and that he will acknowledge in writing that he assumes the risk and liability.

(iv) Variances requested in connection with restoration of a site or building listed on the National Register of Historical Places or documented as worthy of preservation by the Illinois Historic Preservation Agency may be granted using criteria more permissive than the requirements of Section 8-511a. and 8-511b.

Ordinance No. 10884, Section 2, adopted August 15, 1995, as amended and restated by Ordinance No. 14207, Section 1, adopted March 4, 2003.

Section 8-512. Disclaimer of Liability.

The degree of flood protection required by this Ordinance is considered reasonable for regulatory purposes and is based on available information derived from engineering and scientific methods of study. Larger floods may occur or flood heights may be increased by man-made or natural causes. This Ordinance does not imply that development, either inside or outside of the SFHA, will be free from flooding or damage. This Ordinance does not create liability on the part of the City or any officer or employee thereof for any flood damage that results from

reliance on this Ordinance or any administrative decision made lawfully thereunder.

Ordinance No. 10884, Section 2, adopted August 15, 1995, as amended and restated by Ordinance No. 14207, Section 1, adopted March 4, 2003.

Section 8-513 Enforcement and Penalties.

Failure to comply with the requirements of a permit or conditions of a variance resolution shall be deemed to be a violation of this Ordinance. Upon due investigation, the City Manager may determine that a violation of the minimum standards of this Ordinance exist. The City Manager shall notify the owner in writing of such violation.

a. If such owner fails after ten days notice to correct the violation:

(i) The City may make application to the Circuit Court for an injunction requiring conformance with this Ordinance or make such other order as the Court deems necessary to secure compliance with the Ordinance.

(ii) Any person who violates this Ordinance shall, upon conviction thereof, be fined not less than fifty dollars ($50.00) nor more than seven hundred fifty dollars ($750.00) for each day the offense continues.

(iii) A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

(iv) The City may record a notice of violation on the title to the property.

b. The City Manager shall inform the owner that any such violation is considered a willful act to increase flood damages and, therefore, may cause coverage by a Standard Flood Insurance Policy to be suspended.

c. Nothing herein shall prevent the City from taking such other lawful action to prevent or remedy any violations. All costs connected therewith shall accrue to the person or persons responsible.

Ordinance No. 10884, Section 2, adopted August 15, 1995, as amended and restated by Ordinance No. 14207, Section 1, adopted March 4, 2003.

Montgomery

Lennar Homes

Huntington Chase- East of Larkspur (Oswego)

Building Area: Total area of basement times 2 or 3 levels plus garage (Rounded to nearest hundred)

Valuation:	Square footage times $45.00
Building Fee:	$25 per hundred square feet
Plan Review Fee:	$125.00
Water Tap:	$1590.00 ($2000 credit applied)
Plumbing Fee:	$250.00
Engineering Fee:	$300.00
Engineering Re- Inspection Fee:	$75.00
Certificate of Occupancy:	$40.00
Oswego School Impact Fee:	(Paid at CO Issuance- see table)
Village of Montgomery (Impact) Fee:	$1,380.00
Bristol Kendall Fire District Fee:	$200.00
Oswego Library Fee:	$57.00
Traffic Fee:	$320.00
Land Cash Oswego School:	By # of Bedrooms (see below)
	3 Bedrooms: $1458.99
	4 Bedrooms: $2430.08
	5 Bedrooms: $1868.17
Water Meter:	$280.50

Example: 4 Bedroom home, 4200 square feet (including the garage and basement)

Valuation: 4200 x 45 = $189,000

Building Fee: 42 x 25 = $1050

Lennar Homes

Huntington Chase- East of Larkspur (Oswego)

Building Area: Total area of basement times 2 or 3 levels plus garage (Rounded to nearest hundred)

Valuation:	Square footage times $45.00
Building Fee:	$25 per hundred square feet
Plan Review Fee:	$125.00
Water Tap:	$1590.00 ($2000 credit applied)
Plumbing Fee:	$250.00
Engineering Fee:	$300.00
Engineering Re- Inspection Fee:	$75.00
Certificate of Occupancy:	$40.00
Oswego School Impact Fee:	(Paid at CO Issuance- see table)
Village of Montgomery (Impact) Fee:	$1,380.00
Bristol Kendall Fire District Fee:	$200.00
Oswego Library Fee:	$57.00
Traffic Fee:	$320.00
Land Cash Oswego School:	By # of Bedrooms (see below)
	3 Bedrooms: $1458.99
	4 Bedrooms: $2430.08
	5 Bedrooms: $1868.17
Water Meter:	$280.50

Example: 4 Bedroom home, 4200 square feet (including the garage and basement)

Valuation: 4200 x 45 = $189,000

Building Fee: 42 x 25 = $1050

Lennar Homes

Huntington Chase- West of Larkspur (Yorkville)

Building Area: Total area of basement times 2 or 3 levels plus garage (Rounded to nearest hundred)

Valuation:	Square footage times $45.00
Building Fee:	$25 per hundred square feet
Plan Review Fee:	$125.00
Water Tap:	$1590.00 ($2000 credit applied)
Water Tap:	$1590.00 ($2000 credit applied)
Water Tap:	$1590.00 ($2000 credit applied)
Plumbing Fee:	$250.00
Engineering Fee:	$300.00
Engineering Re- Inspection Fee:	$75.00
Certificate of Occupancy:	$40.00
Yorkville School Impact Fee:	$3000.00
Village of Montgomery (Impact) Fee:	$1,380.00
Bristol Kendall Fire District Fee:	$200.00
Oswego Library Fee:	$57.00
Traffic Fee:	$320.00
Land Cash Yorkville School:	By # of Bedrooms (see below)
	3 Bedrooms: $1458.99
	4 Bedrooms: $2430.08
	5 Bedrooms: $1868.17
Water Meter:	$280.50

Example: 4 Bedroom home, 4200 square feet (including the garage and basement)

Valuation: 4200 x 45 = $189,000

Building Fee: 42 x 25 = $1050

Water Fees

Type A

Unit Type	PE Cost per Unit	# of Units per Building	Total Cost Per Building
1 Bedroom	$ 1,539.00	12	$ 18,468.00
2 Bedroom	$ 3,078.00	22	$ 67,716.00
3 Bedroom	$ 3,078.00	2	$ 6,156.00
(4304906 for all)		Cost for 1 Building	$ 92,340.00
		Cost for 7 Buildings	$ 646,380.00

Tap and Meter Fees

4" Fire Tap (4304906)	$ -	$ -	$ 6,500.00
3" Meter (4304905)	$ -	$ -	$ 1,989.35
3/4" Bypass Meter (4304905)	$ -	$ -	$ 157.30
		Cost for 1 Building	$ 8,646.65
		Cost for 7 Buildings	$ 60,526.55

Total Water Costs Fees Type A Building	Cost for 1 Building	$ 100,986.65
	Cost for 7 Buildings	$ 706,906.55

Type E

Unit Type	PE Cost per Unit	# of Units per Building	Total Cost Per Building
1 Bedroom	$ 1,539.00	18	$ 27,702.00
2 Bedroom	$ 3,078.00	16	$ 49,248.00
3 Bedroom	$ 3,078.00	2	$ 6,156.00
		Cost for 1 Building	$ 83,106.00
		Cost for 6 Buildings	$ 498,636.00

4" Fire Tap (4304906)	$ -	$ -	$ 6,500.00
3" Meter (4304905)	$ -	$ -	$ 1,989.35
3/4" Bypass Meter (4304905)	$ -	$ -	$ 157.30
		Cost for 1 Building	$ 8,646.65
		Cost for 6 Buildings	$ 51,879.90

Total Water Fees Type E Building	Cost for 1 Building	$ 91,752.65
	Cost for 6 Buildings	$ 550,515.90

Total PE Water Fees:	$ 1,145,016.00
Total Tap and Meter Fees:	$ 112,406.45
Total Water Fee Amount for All 13 Buildings:	**$ 1,257,422.45**

Their Fees	PE	$	1,145,016.00
	meters	$	43,057.00
	Tap	$	84,500.00

			$	**1,272,573.00**
			For 13 Buildings	
Their meter price	$	3,312.00	$	43,056.00
Our new cost	$	1,989.35	$	25,861.55
Bypass Meter	$	157.30	$	2,044.90
Meters Only	$	2,146.65	$	27,906.45
	Difference of:		$	(15,149.55)

# of Buildings	Total Units
7	84
7	154
7	14
21	**252**

6	108	192
6	96	250
6	12	26
18	**216**	

Building Permit Fees

Fee Type	Building Type A	Fees for 7 Type A's
Building Permit Fee (4102101)	$ 10,500.00	$ 73,500.00
Plan Review Fee (4102101)	$ 999.17	$ 6,994.19
Plumbing Inspections (4304101)	$ 5,400.00	$ 37,800.00
Certificate of Occupancy (4102101)	$ 1,440.00	$ 10,080.00
Oswegoland Park District Land Cash (2001409)	$ 30,359.32	$ 212,515.24
Oswego School Dist. Land Cash (2001406)	$ 8,806.77	$ 61,647.39
Total	**$ 57,505.26**	**$ 402,536.82**

Fee Type	Building Type E	Fees for 6 Type E's
Building Permit Fee (4102101)	$ 10,000.00	$ 60,000.00
Plan Review Fee (4102101)	$ 999.17	$ 5,995.02
Plumbing Inspections (4304101)	$ 5,400.00	$ 32,400.00
Certificate of Occupancy (4102101)	$ 1,440.00	$ 8,640.00
Oswegoland Park District Land Cash (2001406)	$ 30,359.32	$ 182,155.92
Oswegoland School Dist. Land Cash (2001201)	$ 8,806.77	$ 52,840.62
Total	**$ 57,005.26**	**$ 342,031.56**
	Grand Total for all 13	**$ 744,568.38**

Fee Type	Building Type A	Building Type E
Building Permit Fee (4102101)	$ 10,500.00	$ 10,000.00
Plan Review Fee (4102101)	$ 999.17	$ 999.17
Plumbing Inspections (4304101)	$ 5,400.00	$ 5,400.00
Certificate of Occupancy (4102101)	$ 1,440.00	$ 1,440.00
Oswegoland Park District Land Cash (2001409)	$ 30,359.32	$ 30,359.32
Oswego School Dist. Land Cash (2001406)	$ 8,806.77	$ 8,806.77
Water Tap On-PE Cost per Unit (4304906)	$ 92,340.00	$ 83,106.00
4" Fire Tap (4304906)	$ 6,500.00	$ 6,500.00
3" Meter (4304905)	$ 1,989.35	$ 1,989.35
3/4" Bypass Meter (4304905)	$ 157.30	$ 157.30
	$ 158,491.91	**$ 148,757.91**

Fee Totals by Building

	1 Building Type A	
Water Fees	$	100,986.65
Building Fees	$	57,505.26
Total	$	158,491.91
	1 Building Type E	
Water Fees	$	91,752.65
Building Fees	$	57,005.26
Total	$	148,757.91
All 13 Buildings	(7 A's & 6 E's)	
Water Fees	$	1,257,422.45
Building Fees	$	744,568.38
Grand Total	$	2,001,990.83

Garage Fees:			Construction Value $72,000 each
			Area: 1885 sqft
Building Fee	$	481.00	
Plan Review	$	125.00	
Total	$	606.00	

VILLAGE OF MONTGOMERY

SUBDIVISION ORDINANCE & EXHIBITS

SUBDIVISION ORDINANCE
OF THE
VILLAGE OF MONTGOMERY, ILLINOIS

November, 1975
Reviewed and Updated
February, 1991

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SUBDIVISION ORDINANCE FOR THE VILLAGE OF MONTGOMERY, ILLINOIS

WHEREAS, to the end that the future development of the Village nay be controlled and the public health and safety, comfort, morals and welfare of persons living within the territory governed by the Village may be promoted, the President and Board of Trustees of the Village of Montgomery, Illinois, deem it necessary that an ordinance be passed providing regulations which shall govern the subdivision and platting of lands lying within the corporate limits of the Village as now are or hereafter existing and, to the extent that such provisions and regulations may be applicable, shall also govern the subdivision and platting of lands lying within the contiguous territory which is not more than one and one half (1-1/2) miles beyond the corporate limits of the Village.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MONTGOMERY, KANE AND KENDALL COUNTIES, ILLINOIS.

SECTION 1.00 – TITLE

This ordinance shall be known and may be cited and referred to as the "Subdivision Regulations for the Village of Montgomery, Illinois," and is adopted pursuant to the authorization of Chapter 24 of the Illinois Revised Statutes.

SECTION 2.00 – PURPOSE

While it is recognized that regulations are needed to assure orderly extension of Village streets, there are additional purposes for enactment of such controls:

A. To insure sound, harmonious subdivision development and community growth, and to safeguard the interest of the homeowner, the subdivider, the investor and the Village;

B. To provide permanent assets to the locality and to the Village;

C. To prevent scattered development beyond existing public utilities and prevent excessive development costs;

D. To assure the development of land for optimum use with necessary protection against deterioration and obsolescence;

E. To limit and control the pollution of the environment that can be caused by inadequate or incomplete urban development;

F. To lessen congestion in the streets and along the highways;

G. To provide for adequate light and air;

H. To facilitate adequate provision for transportation, water, sewerage, schools, and other public necessities;

I. To insure proper legal description and proper monumenting of subdivided land.

These regulations are established with reasonable consideration of the character of the Village with a view toward conserving the value of buildings upon the land and providing the best possible environment for human habitation. It is intended that these regulations shall supplement and facilitate the enforcement of the provisions and development standards contained in the Building Code, Official Map Regulations, Zoning Ordinance and the Official Village Comprehensive Plan.

SECTION 3.00 – APPLICATION OF ORDINANCE

The Subdivision Ordinance of the Village of Montgomery, Illinois, shall apply to all subdivisions of land, as defined herein, located within the Village of Montgomery and entirely or in part within the unincorporated area within the one and one-half (1-1/2) miles jurisdictional limits of the Village, in accordance with Chapter 24 of the Illinois Revised Statutes. The subdivision plans and plats, proposed improvements to be installed and all procedures in relation thereto, shall in all respects be in full compliance with the regulations herein. The document entitled "Standard Specification for Improvements" shall be included as part of this Ordinance.

SECTION 4.00 – GENERAL PROVISIONS

A. Whenever any subdivision of land shall hereafter be laid out within the incorporated limits of the village of Montgomery, or within the contiguous territory not more than one and one-half (1-1/2) miles beyond the incorporated boundaries of the Village or Montgomery, the subdivider thereof or his agent shall submit both a preliminary and a final subdivision plat to the Village for its deliberation. The subdivision plats and all procedures relating thereto shall in all respects be in full compliance with these regulations.

B. Until preliminary plats and plans for the subdivision is approved;

   1. No land shall be subdivided, nor any street laid out, nor any improvements made to the natural land.

   2. No lot, tract or parcel of land within any subdivision shall be offered for sale, nor shall any sale, contract for sale or option be made or given.

   3. No improvements- such as sidewalks, water supply, storm water drainage, sanitary sewerage facilities, gas service, electric service, lighting, grading, paving, or surfacing of streets -- shall hereafter be made by any owner or owners or his or their agent, or by any public service corporation at the request of such owner or owners or his or their agent.

   4. *Unsuitable Land* - No land shall be subdivided for any use which is determined by the Plan Commission, after investigation by the Village Engineer, to be unsuitable for such use by reason of flooding or bad drainage, adverse earth and rock formation or topography, or any other feature likely to be harmful to the health, safety or welfare of the future residents in the proposed subdivision or the community. However, if the subdivider agrees to make improvements which will, in the opinion of the Village Engineer, make the area safe for occupancy and provide adequate lot and street drainage and storm, water retention or detention facilities, the subdivision may then be approved.

      For flood limits, surface water runoff and hardship, refer to the following:

a. *Flood Hazard Maps* - Maps prepared by the U.S. Department of the Interior, U.S. Geological Survey, shall be utilized as the determination of the area subject to flooding.

b. *Surface Water Runoff*- For regulations relative to control measures for surface water runoff, refer to the Village of Montgomery, Illinois, Surface Water Runoff Control Ordinance.

c. *Hardship* - Where the land developer or subdivider can show that the strict adherence to the design standards set forth causes an unnecessary hardship, the Village Board may approve a variance. Such variance may be granted after recommendation of the Plan Commission, and where topography and conditions peculiar to the site or surrounding area substantiate a variance without destroying the intent of the provisions of this ordinance.

C. All offerings of dedications of land to the Village for use as streets, highways, alleys, schools, parks, playgrounds, or other public uses shall be referred to the Plan Commission for review and recommendation before being accepted by the Village Board or by any other governing authority of the Village of Montgomery.

D. Where a tract of land is proposed for subdivision as part of a larger, logical subdivision unit in relation to the Village as a whole, the Plan Commission shall, before approval, require a plan for the entire area or neighborhood, such plan to be used by the Commission as an aid in judging the proposed plat. The Village Engineer and Village Planner shall cooperate with the Plan Commission in the preparation of this plan and shall furnish such surveys and data as may be necessary.

4.01 INTERPRETATION

A. MINIMUM STANDARDS ESTABLISHED. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.

B. HIGHER STANDARDS GOVERN. Where the conditions of this ordinance upon the subdivision of land are either more restrictive or less restrictive than comparable conditions imposed by any other provisions of this ordinance or of any other applicable law, ordinance, resolution, rule or regulation of any kind, the regulations which are more restrictive and impose higher standards or requirements shall govern.

C. EASEMENTS OR COVENANTS NOT ABROGATED. This ordinance is not intended to abrogate any easement, covenant, or any other private agreement, provided that where the regulations of this ordinance are more restrictive or impose higher standards or regulations than such easement, covenant, or other private agreement, the requirements of this ordinance shall govern.

D. EXISTING SUBDIVISIONS. No subdivision of land which was not lawfully existing at the time of the adoption of this ordinance shall be made lawful solely by reason of the adoption of this ordinance, and to the extent that said subdivision of land is in conflict in any manner with the requirements of this ordinance, said subdivision of land remains unlawful hereunder.

4.02 SEPARABILITY

It is hereby declared to be the intention of the Village of Montgomery that the provisions of this ordinance be separable in accordance with the following:

A. SEPARABILITY OF PARTS. If any court of competent jurisdiction shall adjudge any provision of this ordinance to be invalid, such judgment shall not affect any other provision of this ordinance not specifically included in said judgment.

B. SEPARABILITY OF APPLICATION. If any court of competent jurisdiction shall adjudge invalid the application of any provision of this ordinance to a particular subdivision of land, such judgment shall not affect the application of said provision to any other subdivision of land, not specifically included in said judgment.

SECTION 5.00 – RULES AND DEFINITIONS

In the interpretation of his ordinance, the rules and definitions contained in this section shall be observed and applied, except when the context clearly indicates otherwise.

5.01 RULES

The language set forth in the text of his ordinance shall be interpreted in accordance with the following rules of construction:

A. Words used in the present tense shall include the future, and words used in the singular number shall include the plural number, and the plural the singular.

B. The word “shall” is mandatory and not discretionary.

C. The word “may” is permissive.

D. The word "lot" shall include the words "p1at” and “piece” and "parcel."

E. The phrase "used for" shall include the phrases "arranged for", "designed for", "intended for", and "occupied for".

5.02 DEFINITIONS

ALLEY. A public right-of-way primarily for vehicular traffic along the side or in the rear of properties, which affords only a secondary means of access to abutting properties.

BLOCK. A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad right-of-way, bulkhead lines or shore lines or waterways, or corporate boundary lines of the Village.

BORING, SOIL. Examination and analysis of the subsoil conditions of a specific parcel of land by drilling.

BUILDING. Any structure with substantial walls and roof entirely separated on all sides from any other structure by space or by walls in which there are no communicating doors, windows or openings; and which is designed or intended for shelter, enclosure or protection of persons or animals.

BUILDING PERMIT. A permit issued by the village of Montgomery for the construction, erection, addition or alteration of a structure or building.

BUILDING SETBACK LINE. A line parallel to the street line at a distance from it, regulated by the front yard requirements of the Montgomery Zoning ordinance.

COMPREHENSIVE PLAN. The composite of the functional and geographic elements of the Official Comprehensive Plan of the Village of Montgomery and Environs or any segment thereof, in the form of plans, maps, charts, text of reports, implementing ordinances, and the Official Map.

CORING, PAVEMENT. Examinations and analysis of the completed surface and/or sub-surface of a finished pavement by removing a core by drilling.

CROSSWALK. A public right-of-way located across a block to provide pedestrian access to adjacent streets or alleys.

CUL-DE-SAC. A minor street having one open end and being permanently terminated by a vehicular turnaround.

CURB. The permanent edge of a paved surface designed to separate the vehicular travelway from the landscaped parkway.

DATUM PLANE. A reference point from which elevations are measured. The datum plane is mean sea level as established by the United States Geodetic Survey (U.S.G.S.).

DETENTION BASIN. A covered or uncovered reservoir designed to temporarily store an excessive accumulation of storm water so as to reduce peak flow in a storm water drainage system.

DRAINAGE SWALE. A drainage ditch of shallow depth with side slopes not exceeding one to six (1:6).

EASEMENT. A grant by a property owner for the use of a strip of land by the general public, a corporation, or a certain person or persons for a specific purpose or purposes.

ELEVATIONS. The vertical distance measured from a point on the ground to the datum plane.

EXCAVATION. Any act by which organic matter, earth, sand, gravel, rock, or any other similar material is cut into, dug, quarried, uncovered, removed, displaced, relocated or bulldozed, and including the conditions resulting therefrom.

EXISTING GRADE. The vertical location of the existing ground surface prior to excavation or filling.

FILL. Any act in which earth, sand, gravel, rock, or any other material is deposited, placed, replaced, pushed, dumped, pulled, transport or moved by man to a new location and including the conditions resulting therefrom.

FRONTAGE ROAD. A right of way being a roadway, street, thoroughfare, or highway, not an alley or pedestrian way, which runs adjacent to another right of way, street, thoroughfare, or highway which may or may not provide access to such adjacent right of way but which does give access to an area or neighborhood on the opposite side of such right of way from the adjacent *right* of way.

GRADE. The slope of the land, road, street, or other public way expressed in percent.

GRADING. Excavation of fill or any combination thereof and including the conditions resulting from any excavation or fill.

GRASS LAND AREA. The entire area at a development including lots, streets and alleys, measured to the centerline of any bounding streets.

LOT. A parcel of land legally described as a distinct portion or piece of land of record.

LOT, THROUGH. A lot having frontage on two parallel or approximately parallel streets, and which is not a corner lot. On a through lot, both street lines shall be deemed front lines.

OFFICIAL MAP. The map showing the streets, highways and parks heretofore laid out, adopted and established by law and any amendments or additions thereto resulting from the Board of Trustees action or the approval of subdivision plats.

PARCEL. All contiguous land in one ownership.

PARKWAY. That portion of the street right-of-way between the property line and the curb.

PERSON. Any person, firm or corporation, public or private, the State of Illinois and its agencies or political subdivisions, and the United States of America, its agencies and instrumentalities, and any agent, servant, offices, or employee of any of the foregoing.

PLAN COMMISSION. The word "Plan Commission" as used herein, refers to the Plan Commission of the village of Montgomery.

PLANNED UNIT DEVELOPMENT. A parcel or tract of land, initially under single ownership or control, which contains two or more principal buildings and one or more principal uses, planned and constructed as a unified development where specific regulations of a given zoning district are modified through the issuance of a special use permit.

PLAT. A plan, map, drawing or chart on which the subdivider's plan for the subdivision of land is presented and which he submits for approval and intends to record in final form.

PLAN, FINAL. The drawings and documents presented for final approval as described in Subsection 8.08.

PLAN, PRELIMINARY. The drawings and documents presented for tentative approval as described in Subsection 8.03.

PLAN, SKETCH. A general map or drawing on which the subdivider's design for the subdivision of land is presented for discussion purposes prior to the preparation of the preliminary plan.

RESIDUE AREA. A residue area is that portion of planned development not platted as residential lots or designed for dedication as streets or alley.

RETENTION BASIN. A stormwater storage facility that is designed to be maintained as a free water surface or pond.

ROADWAY. The paved area within a street right-of-way intended for vehicular traffic, including all curb and gutter facilities.

SITE. A lot or parcel of land, or a contiguous combination thereof, where any work is performed as a single unified operation.

SITE DEVELOPMENT. A procedure altering terrain and/or vegetation and constructing driveways.

SOIL TESTING. Determination and analysis of the subsoil conditions of a specific land area by use of soil boring.

STREET, APPROVED. Any streets, whether public or private, meeting standards and specifications of and accepted by the Village of Montgomery.

STREET, HALF. A street of less than the total required width along one or more property lines of a subdivision.

STREET, MAJOR. A street of considerable continuity, which serves or is intended to serve as a major traffic artery connecting various sections of Montgomery.

STREET, MARGINAL ACCESS. A minor street which is parallel and adjacent to highways and major streets and which provides access to abutting properties and protection to local traffic from fast, through moving traffic on the highways and major streets.

STREET, MINOR. A street primarily as access to abutting properties.

STREET, PUBLIC. Any major or secondary street or minor street which is shown on the subdivision plat and is or is to be dedicated to public use.

STREET, SECONDARY OR COLLECTOR. A street which carries traffic from minor streets to the major street system, including the principal entrance streets of residential development and streets for circulation within such development.

STREET WIDTH. The shortest distance between lines of lots delineating the public street.

SUBDIVIDER. The person or persons responsible for preparing and recording the plats of the subdivision and for carrying out all appropriate requirements relating thereto as outlined in this ordinance.

SUBDIVISION. A described tract of land which is to be, or has been divided into two (2) or more lots or parcels, any of which is less than five (5) acres, for the purpose, whether immediate or future, of transfer of ownership or building development, including all public streets, alleys, ways for public service facilities, parks, playgrounds, school grounds or other public grounds, and all tracts, parcels, lots or blocks, and numbering of all such lots, locks, or parcels by progressive numbers, giving their precise dimensions. The term subdivision includes resubdivision and where it is appropriate to the context, relates to the process of subdividing or to the land subdivided, provided, however, that the following shall not be considered a subdivision and shall be exempt from the requirements of this ordinance.

1. The division of lots or blocks of less than one (1) acre, or any recorded subdivision which does not involve any new streets or easements of access;

2. The sale or exchange of parcels of land between owners of adjoining and contiguous land;

3. The conveyance of parcels of land or interest herein for use as right-of-way for railroads or other public utility facilities which does not involve any new streets or easement of access;

4. The conveyance of land owned by a railroad or other public utility, which does not involve any new streets or easement of access;

5. The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use;

6. Conveyances made to correct descriptions in prior conveyances;

7. The division of lots of records into no more than two (2) parts and not involving any new streets or easements of access, provided that the two (2) parts meet the requirements of the applicable zoning ordinance and all other ordinances of the Village of Montgomery.

VACANT. Land on which there are no structures or only structures, which are secondary to the use or maintenance of the land itself.

VILLAGE. The Village of Montgomery, Illinois.

WATER LEVEL, CONSTANT. The minimum depth of water designed to be contained at all times within a retention basin.

WATER LEVEL, OCCASIONAL. The maximum depth of water designed to be contained within a retention or detention basin during periods of peak storm water flow.

SECTION 6.00 – GENERAL GUIDELINES

Any owner of land which is within the corporate limits of the Village of Montgomery or within one and one-half (1-1/2) miles of such corporate limits on unincorporated land, wishing to divide the same into lots or to resubdivide for the purpose of sale or assessment, or both, or wishing to dedicate streets, alleys, or other lands for public use, shall follow the procedures and requirements of this ordinance.

6.01 PRELIMINARY CONSULTATION

A. INFORMAL MEETING. The subdivider submits a letter of intent to the Plan Commission through the Plan. Commission Secretary and meets informally with them to discuss his sketch plan and proposed improvements.

1. *General subdivision Information* shall describe or outline the existing conditions of the site and the proposed development as necessary to supplement the submitted plans. This information may include data on existing covenants, land characteristics, and available community facilities and utilities; and information describing the subdivision proposal, such as number of residential lots, typical lot width and depth, price range, business areas, school, playground and park areas, and other public areas, proposed protective covenants, and proposed utilities and street improvements.

2. *Sketch Plan* on topographic survey shall show in simple sketch from the proposed layout of streets, lots and other features in relation to existing conditions. The sketch plan may be a free hand pencil sketch made directly on a print of the topographic survey. The sketch plan shall include the existing data and contours of not less than five (5) foot intervals.

B. SUBDIVIDER ADVISED. The Plan Commission, after checking the proposed sketch plan, shall advise the subdivider within thirty (30) days from the meeting as to the apparent adequacy of the proposed plan and thus, apprise the subdivider of any requirements the Village might have that should be incorporated into the design of the subdivision.

6.02 PRELIMINARY PLAN

A. PLAN AND APPLICATION. The subdivider prepares a preliminary plan, including a proposal for the installation of improvements, a school demographic study, and intended dedication or reservation of public lands, and submits an application and twenty three (23) copies of the proposed plat to the Plan Commission through the Plan Commission Secretary.

B. ACTION BY PLAN COMMISSION. The Plan Commission obtains the required recommendations from the Village Engineer, the Village Planner, the affected school districts, and other Village officers and then, after applying the provisions of this ordinance, approves the preliminary plan, or approves the preliminary plan subject to modification, or rejects the preliminary plan. Findings are reported in writing to both the subdivider and the President of the Board.

C. ACTION BY VILLAGE BOARD. When the preliminary plan meets the requirements of this ordinance, as determined by the Plan Commission, such plan will be recommended to the Village Board for tentative approval. Upon approval by the Board, the preliminary plan will be returned to the subdivider for compliance with final approval requirements.

6.03 FINAL PLAT

A. PLAT AND DOCUMENTS. After complying with the above requirements, the subdivider prepares and submits to the Village Clerk through the Plan Commission Secretary, the original and 20 copies of the final plat incorporating all required modifications to the preliminary plan.

B. ACTION BY PLAN COMMISSION. The Plan Commission determines whether or not the final plat conforms with the approved preliminary plan and forwards the plat, with its recommendation, to the Village Board.

C. ACTION BY VILLAGE BOARD. The Village Board approves or rejects the final plat.

D. ACTION BY SUBDIVIDER. After the Village Board has approved the final plan, the subdivider installs street and utility improvements, and other improvements indicated on the plan, or the subdivider (in lieu of constructing said improvements) may enter into a contract with the Village, before the plat is recorded, agreeing to install the required improvements and provides an irrevocable letter of credit or performance bond. (See Appendix, Exhibit A)

E. RECORDING OF PLAT. After the approval of the final plat, the Village records the plat with the Recorder of Deeds of Kane and Kendall County, and the subdivider may then proceed to develop and sell lots in his subdivision.

SECTION 7.00 – GENERAL PROVISIONS FOR SUBDIVISION APPROVAL

7.01 PLAN COMMISSION GUIDELINES

A. PARTICULAR ATTENTION OF THE PLAN COMMISSION. The Plan Commission, in the examination of subdivision plans for approval, and in the application of this ordinance, shall take into consideration the requirements of the community and the best use of the land being subdivided. Particular attention shall be given to width and location of streets, suitable sanitary utilities, storm water drainage, lot sizes and arrangements, as well as local requirements such as parks and playgrounds, schools and recreation sites, and other public uses.

B. CONFORMITY WITH COMPREHENSIVE PLAN. The Plan Commission shall especially require that all subdivisions conform to the provisions and conditions of the Comprehensive Plan. Plat approval may be withheld if a subdivision does not conform to the provisions of the Comprehensive Plan.

C. AREA PLAN REQUIRED. Where a tract of land proposed for subdivision is part of a large logical subdivision unit in relation to the Village as a whole, the Plan Commission may, before recommending approval, cause to be prepared a plan for the entire area or neighborhood, such plan to be used by the Plan Commission as an aid in judging the proposed plat.

D. STORM WATER PROVISIONS REQUIRED. The Plan Commission shall not recommend for approval by the village Board any plat of subdivision, which does not make adequate provision for storm or flood water runoff channels or basins.

E. PRESERVATION OF NATURAL FEATURES. In all subdivisions due regard shall be given to the preservation of natural features such as large trees, watercourses, historical sites or structures, and similar features.

7.02 UNSUITABLE LAND

No land shall be subdivided for any use which is determined by the Plan Commission, after investigation by the Village Engineer, to be unsuitable for such use by reason of flooding or bad drainage, adverse earth or rock formation or topography, or any other feature likely to be harmful to the health, safety, or welfare of the future residents in the proposed subdivision or of the community. However, if the subdivider agrees to make improvements which will, in the opinion of the Village Engineer, make the area safe for occupancy and provide adequate lot and street drainage and storm water detention facilities, the subdivision may then be approved.

7.03 VACATION OF A PLAT OF SUBDIVISION

A. Any plat or any part of a plat may be vacated by the owner of the premises, at any time before the sale of any lot therein, by a written instrument, to which a copy of such plat shall be attached, declaring the same to be vacated.

B. Such an instrument shall be approved by the Village Board in like manner as plats of subdivisions. The Village Board may reject any such instrument which abridges or destroys any public rights in any of its streets. Such an instrument shall be executed, acknowledged or approved, and recorded, or filed, in the like manner as plats of subdivisions; and being duly recorded, or filed, shall operate to destroy the force and effect of the recording of the plat so vacated, and to divest all public rights in the streets, and public grounds, and all dedications laid out or describe in such plat.

C. When lots have been sold, the plat nay be vacated in the manner herein provided by all the owners of lots in such plat joining in the execution of such writing.

8.00 – PROCEDURE FOR SUBDIVISION APPROVAL

8.01 PRELIMINARY CONSULTATION

Prior to the submission of the preliminary plan of any proposed subdivision within the jurisdiction of this ordinance, the subdivider shall make know his intentions to the Plan Commission via the Plan Commission Secretary. During this preliminary or pre-application stage, the following actions shall be taken.

A. ACTION BY THE SUBDIVIDER. The subdivider shall meet with the Plan Commission Secretary for the purpose of presenting a general outline of his proposal, including but not necessarily limited to the following:

1. *Written Notification*. Written notification in the form of a letter of intent from the subdivider to the Village Board establishing the subdivider's intent to develop the land.

2. *General Subdivision Information*. General subdivision information that shall describe or outline the existing conditions of the site and the proposed development as necessary to supplement the submitted plans. This information shall include data on existing covenants, land characteristics, and available community facilities and utilities; and information describing the subdivision proposal, such as number of residential lots and units broken down by type and bedroom count, typical lot width and depth, price range, business areas, school, playground and park areas, and other public areas, traffic study, proposed protective covenants and proposed utilities, street improvements and soil boring test results.

3. *Sketch Plan*. A plan on a topographic survey that shall show in simple sketch form the proposed layout of streets, lots and other features in relation to existing conditions. The sketch plan may be a free hand sketch made directly on a print of the topographic survey. The sketch plan shall include the existing topographic data and contours of not less than five (5) foot intervals. This may be attached to U.S.G.S. topographic data.

4. *Tentative Engineering Proposals*. Tentative engineering proposals regarding water supply, sewage disposal, storm water drainage, and street improvements.

B. ACTION BY THE PLAN COMMISSION SECRETARY. The Plan Commission Secretary shall discuss the proposed subdivision with the subdivider and so advise of any Village plans or projects which might affect the proposed subdivision, the procedural steps, design and improvement standards, and the general planning requirements. After which, the Plan Commission Secretary shall proceed with the following investigations:

1. *Zoning Check*. Check the existing zoning of the tract and advise the subdivider if a zoning change is necessary or desirable.

2. *Public Facility Impact*. Determine the adequacy of existing or proposed schools, parks, existing water supply, and other public infrastructure conditions and needs in the vicinity of the proposed subdivision.

3. *Site Inspection*. Inspect the site or otherwise determine its relationship to major streets, utility systems, and adjacent land uses, and determine any unusual problems in regard to topography, utilities, flooding, etc.

4. *School Sites*. Advise the developer of the potential acreage allotment, or funds in lieu thereof, to be donated and utilized for public school sites based upon the developer's

estimates of the needs of each affected school district, and the Comprehensive Plan, Official Map of the Village of Montgomery, and the Land-Cash Ordinance of the Village.

5. *Comprehensive Plan Conformity*. Advise the developer of the Comprehensive Plan, which delineates the areas to be served by either public and/or private water and/or sanitary sewer service. This will determine the feasibility of the proposed subdivision, the sizes of the utilities, and the lots therein.

8.02 PROCEDURE FOR APPROVAL OF PRELIMINARY PLAN

A. ACTION BY THE SUBDIVIDER. The subdivider shall cause to be prepared a preliminary plan, which plan shall include all of the property owned or controlled by the applicant, which properties are adjacent to or considered to be contiguous to the proposed subdivision, together with improvement plans and other supplementary material as specified shall be submitted to the Village Clerk via the Planning Commission Secretary, with written application for approval. Accompanying this preliminary plan shall be a School Demographic Study, prepared in accordance with Subsection 8.03 of this ordinance. Twenty-three (23) copies of the preliminary plan and all accompanying documentation including the School Demographic Study and the required filing fee shall accompany the application.

B. ACTION BY THE PLAN COMMISSION. The Plan Commission shall instruct the Village staff to assist the Commission in assembling plans and reports for the design and construction of streets and other such public improvements as are required by this ordinance or any other ordinances of the Village. The Plan Commission, and Village staff will review the preliminary plan for compliance with these regulations and other ordinances of the Village of Montgomery and the Plan Commission shall, upon completion of all reviews, make the following referral:

1. *Make Recommendations*. Approve or disapprove the proposed preliminary subdivision plan and submit its written recommendations, which shall include the recommendations of the Village Engineer, to the Village Board of Trustees; or

2. *Advise Subdivider*. If the Plan Commission finds that changes, additions or corrections are required on the preliminary plan, the Plan Commission shall so advise the subdivider in writing. The subdivider may resubmit the preliminary plan to the Plan Commission without paying an additional fee, for its consideration at the next regular meeting of said Commission. The Plan Commission shall at said meeting approve or disapprove the preliminary plan and submit its recommendations in writing, which shall include the recommendations of the Village Engineer, to the Village Board of Trustees and the subdivider.

3. *Notification to Subdivider*. The Plan Commission shall notify the owner or subdivider in writing as to the time and place of the Plan Commission meeting at which he will be afforded an opportunity of being heard.

C. ACTION BY THE VILLAGE BOARD. If such plan is recommended for approval by the Plan Commission to the Village Board, the Village Board of Trustees shall accept or reject said plan within one (l) month after its next regular meeting following the action of the Plan Commission. The Village Board of Trustees may extend the one-month period.

1. *Qualifications of Approval.* The following qualifications shall govern approval of the preliminary plan:

   a. Approval of a preliminary plan by the Montgomery Plan Commission and the Village Board of Trustees is tentative only, involving merely the general acceptability of the layout submitted.

   b. The Plan Commission and Village Board of Trustees may require such changes or revisions as are deemed necessary in the interest of the needs of the community.

   c. Approval of the preliminary plan shall be effective for a maximum period of one (1) year, unless upon application of the developer, the Village Board of Trustees grants an extension. The application for said extension shall not require an additional filing fee, or the submittal of additional copies of the plan of subdivision.

2. *Notice of Approval Required.* Upon approval of the preliminary plan by the Board of Trustees, the Notice of Approval of Preliminary Plan shall be stamped upon four (4) prints thereof, and required signatures affixed:

   This form is located in Appendix, Exhibit A

D. DISTRIBUTION OF APPROVED PLANS. Twenty-three (23) prints of such approved preliminary plan shall be distributed by the Village Clerk as follows:

1. Eight (8) prints shall be sent to the Plan Commission;

2. One (1) print shall be sent to each affected school district;

3. One (1) print shall be sent to the affected sanitary district;

4. One (1) print shall be sent to the affected fire protection district;

5 Eleven (11) prints shall be retained by the Village Clerk for filing and departmental use; and

6. One (1) print shall be returned to the subdivider.

8.03 PRELIMINARY PLAN REQUIREMENTS

The purpose of the preliminary plan is to allow the Plan Commission, the Board of Trustees, and other public bodies to determine whether the proposed layout of the land in question is satisfactory from the standpoint of the public interest. The preliminary plan shall be prepared by a qualified professional, trained experienced in the layout of subdivisions.

The following graphic and descriptive items are normally required to be shown on the preliminary plan and the accompanying application for approval. The lack of information under any item specified herein, or improper information supplied by the applicant, shall be cause for disapproval of a preliminary plan.

A. APPLICATION FOR APPROVAL. Written application by the owner, or his agent, for approval, on forms furnished by the Plan Commission, shall accompany each preliminary plan and contain the following information:

1. *Name for File Identification.*

    a. Name of subdivision of property is within an existing subdivision.

    b. Proposed name if not within a previously platted subdivision. The proposed name shall not duplicate the name of any plat previously recorded in Kane or Kendall County.

    c. Name of property if no subdivision name has been chosen. (This is commonly the name by which the property is locally known).

2. *Location and Description of Property*. Location by government lot, section, township, range, and county.

3. *Basic Facts and Proposals Pertaining to the Property*.

    a. Size of tract in acres or of existing lots, if any, in square feet.

    b. Existing zoning classification of property and any rezoning proposed to be requested.

    c. Number of lots proposed in subdivision.

    d. Area of lots proposed; minimum, average, and maximum.

    e. Proposed linkage with water and sewer facilities.

    f. Any other proposal, such as parcels of land intended to be dedicated, conveyed, or served for public use, and the conditions proposed for such disposal and use.

    g. Names and addresses of all other local governments affected.

    h. Location of nearest flood way/flood plain.

4. *Information as to Ownership, Preparation of Flat, and Submission.*

    a. Name and address, including telephone number, of legal owner or agent of property and citation of last instrument conveying title to each parcel of property involved in the proposed subdivision, giving grantor, grantee, date, and land records reference.

    b. Citation of any existing legal rights-of- way or easements affecting the property.

    c. Existing covenants on the property, if any.

    d. Name and address, including telephone number, of the professional responsible for the subdivision design shall be shown on the preliminary plat as submitted – Registered Professional Engineer of Illinois, responsible for the design of public improvements, and Registered Illinois Land Surveyor, responsible for surveys.

B. DEDICATION OF PARK LANDS AND SCHOOL SITES OR FOR PAYMENT OF FEES IN LIEU THEREOF TO THE VILLAGE OF MONTGOMERY.

As a condition of approval of a final plat of subdivision, or of a final plat of a planned unit development, each subdivider or developer will be required to dedicate land for park and recreational purposes and land for school sites, to serve the immediate and future needs of the residents of the development, or cash contribution in lieu of actual land dedication, or a combination of both, at the option of the Village, in accordance with the following criteria and formula:

1. *Criteria for Requiring Park and Recreation Land Dedication:*

a. Recruitment and Population Ratio. The ultimate density of a proposed development shall bear directly upon the amount of land required for dedication. The total requirement shall be 10.00 acres of land per 1,000 of ultimate population in accordance with the following classifications:

TYPES OF RECREATION AREA	SIZE RANGE	MINIMUM ACRES PER 1,000 PEOPLE
i. Play Lot	Minimum 8,000 sq. ft.	Not applicable
ii. School-Park/Neighborhood	Minimum Park of 5 acres	2.5
iii. Neighborhood Park	Minimum 3.5 acres	2.0
iv. District-wide Park	Minimum 4 acres up to 30 acres	2.5
v. Community-wide	Minimum 12 acres	3.0
	Total	**10.00 acres of land per 1,000 people**

b. Location. The Comprehensive Park and Recreation Plan and/or the "Standards by Types of Recreation and Park Areas" as adopted by the Fox Valley Park District and the Oswegoland Park District and the Montgomery Comprehensive Plan, shall be used as guidelines in locating sites. A park site adjoining all elementary school sites of not less than 5 acres shall be considered a requirement. A central location which will serve equally the entire development is most desirable in large developments, these sites can be located throughout the development according to established standards for park area distances.

c. Credit for Private Open Spaces and Recreation Areas. When subdividers or developers provide their own open space for recreation areas and facilities, it has the effect of reducing the demand for local public recreational services. Depending on the size of the development, a portion of the park and recreation area in subdivisions or planned unit developments may, at the option of the Village Board, be provided in the form of "private" open space in lieu of dedicated "public" open space. The extent of same shall be determined by the Village Board, based upon the needs of the projected residents and in conformance to the total park and recreation land for the general area.

In general, a substitution of private open space for dedicated parks will imply a substantially higher degree of improvement and the installation of recreational facilities,

including equipment by the developer as part of his obligation. Detailed plans of such areas, including specifications of facilities to be installed, must be approved by the Village, and before any credit is given for private recreation areas, the subdivider or developer must guarantee that these private recreation areas will be permanently maintained for such use by the execution of the appropriate legal documents. Private "swimming clubs" are included in this provision. A copy of "Suggested Criteria for Swimming Pool Development" as adopted by the Fox Valley Park District and the Oswegoland Park District shall be used for the guidance of the developer. When an adjustment for private recreation areas is warranted, it will be necessary to compute the total park land dedication that would have been required from the subdivision or planned unit development and then subtract the credit to be given.

2. *Criteria for Requiring School Site Dedication:*

   a. Requirement and Population Ratio. The ultimate number of students to be generated by a subdivision or planned unit development shall bear directly upon the amount of land required to be dedicated for school sites. The land dedicated requirement shall be determined by obtaining the ratio of: (1) estimated children to be served in each such school classification over the (2) maximum recommended number of students to be served in each such school classification as stated herein, and then applying such ratio to the (3) said minimum recommended number of acres for a school site of each such school classification as stated herein. The product thereof shall be the acres of land deemed needed to have sufficient land for school sites to serve the estimated increased children in each such school classification.

   b. School Classification and Size of School Site. School classifications and size of school sites within the Village shall be determined in accordance with the following criteria:

School Classification by Grades	**Maximum Number of Students for Each Such School Classification**	**Minimum Number Acres of Land for Each School Site of Such Classification**
Elementary Schools, Grades Kindergarten through 5th (K-5)	600 Students	11 acres
Junior High Schools, Grades 6th through 8th (6-8)	900 Students	29 acres
High Schools, Grades 9th through 12th (9-12)	2300 Students	53 acres

   c. Location. The Comprehensive School Plan and/or the standards adopted by the affected School District shall be used as a guideline in locating sites.

3. *Criteria for Requiring a Contribution in Lieu of Park and School Sites:* Where the development is small and the resulting site is too small to be practical or when the available land is inappropriate for park and recreational purposes or a school site, the Village shall require the subdivider or developer to pay a cash contribution in lieu of the land dedication required. The cash contributions in lieu of park and recreation land dedication shall be held in trust by the Village, solely for the acquisition of park and recreation land as hereinbefore classified, which will be available to serve the immediate or future needs of the residents of that subdivision or development or for the improvement of other existing local park and recreation land which already serves such needs. The cash contributions in lieu of school sites shall be held in trust by the Village or other public body designated by the Village, solely for use in the acquisition of land for a school site to serve the immediate or future needs of children from that subdivision or development or for the improvements to any existing school site which already serves such needs, or for the construction of any school buildings or additions thereto. If any portion of a cash contribution in lieu of park and recreation land dedication or cash contribution in lieu of school site is not expended for the purposes set forth herein within ten years from the date of receipt, it shall be refunded to the developer who made such contribution, upon receipt of a written demand by said developer.

    a. Fair Market Value. The cash contribution in lieu of land shall be based on the "fair market value" of the acres of land in the area improved as specified herein, that otherwise would have been dedicated as park and recreation and school sites. It has been determined that the present "fair market value" of such improved land in and surrounding the Village is $88,000 per acre and such figure shall be used in making any calculation herein, except as provided in Section One (c)(i)(a) or unless the subdivider or developer files a written objection thereto. In the event of any such written objection, the subdivider or developer shall submit an appraisal showing the "fair market value" of such improved land in the area of his development or other evidence thereof and final determination of said "fair market value" per acre of such improved land shall be made by the Village Board based upon such information submitted by the subdivider or developer and from other sources which may be submitted to the Village Board by Village staff, the park district, school district or others.

        i. As stated in the aforementioned section, the current "fair market value" of improved land in and surrounding the Village is $88,000 per acre, however, said value as of 9/9/99 was fixed at $42,500 in this ordinance, prior to amendment. In order to foster development, the required contribution amount shall be reduced to the following amounts per acre for the following years, if the required amount is approved by the Village Board and actually paid within said calendar year:

        ii. Criteria for Requiring Dedication and a Fee.

Calendar year 1999	$44,000
Calendar year 2000	$55,000
Calendar year 2001	$66,000
Calendar year 2002	$77,000
Calendar year 2003 and beyond	$88,000

b. Criteria for Requiring Dedication and a Fee. There will be situations in subdivisions or planned unit developments when a combination of land dedication and a contribution in lieu of land are both necessary. These occasions will arise when:

i. Only a portion of the land to be developed is proposed as the location for a park or school site. That portion of land within the subdivision falling within the park or school location shall be dedicated as a site as aforesaid, and a cash contribution in lieu thereof shall be required for any additional land that would have been required to be dedicated;

ii. A major part of the local park or recreation site or school site has already been acquired and only a small portion of land is needed from the development to complete the site. The remaining portions shall be required by dedication, and a cash contribution in lieu thereof shall be required.

4. *Density Formula:* The following table of population density is generally indicative of current and short range projected trends in family size for new construction and shall be used in calculating the amount of required dedication of acres of land or the cash contributions in lieu thereof unless a written objection is filed thereto by the subdivider

Table of Estimated Ultimate Population Per Dwelling Unit
Children Per Unit

Type of Unit	Pre-School	Elementary	Junior High	Senior High	TOTAL Grades K-12	Adults (18 years+)	TOTAL Population per Dwelling Unit
Single Family (Detached)							
2 Bedroom	0.113	0.136	0.048	0.02	**0.204**	1.7	**2.017**
3 Bedroom	0.292	0.369	0.173	0.184	**0.726**	1.881	**2.899**
4 Bedroom	0.418	0.53	0.298	0.36	**1.188**	2.158	**3.764**
5 Bedroom	0.283	0.345	0.248	0.3	**0.893**	2.594	**3.77**
Attached Single Family							
1 Bedroom	0.00	0.00	0.00	0.00	**0.00**	1.193	**1.193**
2 Bedroom	0.064	0.088	0.048	0.038	**0.174**	1.752	**1.99**
3 Bedroom	0.212	0.234	0.058	0.059	**0.351**	1.829	**2.392**
4 Bedroom	0.323	0.322	0.154	0.173	**0.649**	2.173	**3.145**
Apartments							
Efficiency	0.00	0.00	0.00	0.00	**0.00**	1.294	**1.294**
1 Bedroom	0.00	0.002	0.001	0.001	**0.004**	1.754	**1.758**
2 Bedroom	0.047	0.086	0.042	0.046	**0.174**	1.693	**1.914**
3 Bedroom	0.052	0.234	0.123	0.118	**0.475**	2.526	**3.053**

Note:

There are only three significant categories provided in this chart. Because of the similarity of yields of all types of attached single family dwelling units, only one category is provided. The same is true with apartments; thus only one category . Be

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or developer. Statistical data obtained from the United States Census Bureau and/or other sources approved by the Village of Montgomery shall be deemed as acceptable sources of demographic data.

In the event a subdivider or developer files a written objection to the Table of Estimated Ultimate Population listed herein, he shall submit his own demographic study showing the estimated additional population to be generated from the subdivision or planned unit development and in that event final determination of the density formula to be used in such calculations shall be made by the Village Board based upon such demographic information submitted by the subdivider or developer and from other sources which may be submitted to the Village Board by the Park Districts, School District, or others. It is recognized that population density, age distribution and local conditions change over the years, and the specific formula for the dedication of land, or the payment of fees in lieu thereof, as stated herein, is subject to periodic review and amendment if necessary.

5. *Reservation of Additional Land:* Where the comprehensive plan or the standards of the Village call for a larger amount of park and recreational land or school sites in a particular subdivision of planned unit development than the developer is required to dedicate, the land needed beyond the developer's contribution shall be reserved for subsequent purchase by the Village or other public body designated by the Village, provided that such acquisition is made within one year from the date of approval of the final plat.

6. *Combining with Adjoining Developments*: Where the subdivision of planned unit development is less than 40 acres, public open space or a school site which is to be dedicated should, where possible, be combined with dedications from adjoining developments in order to produce usable recreation areas or school sites without hardship on a particular developer.

7. *Topography and Grading:* The slope, topography and geology of the dedicated site as well as its surroundings must be suitable for its intended purposes. Grading on sites dedicated for park and recreational uses shall not differ greatly from surrounding land.

8. *Improved Sites*: All sites shall be dedicated in a condition ready for full service of electrical, water, sewer and streets (including enclosed drainage and curb and gutter) as applicable to the location of the site, or acceptable provision made therefore. The sidewalk and trees normally included with the definition of "improved" sites may be deleted due to the delay time between dedication of any such school site and construction of school facilities thereon.

9. *Land Donations*: All land donations required by the ordinance shall be contiguous in one location. All land donations shall be in addition to any detention or retention facilities and shall be measured in acres of land above the high water level. No storm management areas shall be accepted as part or in whole of the land donation requirement.

C. ACCOMPANYING DOCUMENTATION REQUIRED. The preliminary plan of subdivision shall be accompanied by:

1. *Annexation Statement*. A statement that the proposed subdivision (where contiguous) is or is not to be annexed to the Village.

2. *Preliminary Plan for Sewer and Water*. Either a preliminary engineering plan for sewer, water and storm sewers or a written statement setting forth general plans for such improvements and indicating the method to be employed to overcome particular problems that may be encountered with the development of the proposed subdivision.

3. *Soil Analysis*. A soil analysis for each proposed subdivision shall be completed by an engineer registered in the State of Illinois and shall be of sufficient scope to point out potential ground absorption, runoff, flooding deficiencies, the presence of unstable soils or of soils of such low bearing capacity as to constitute problems for conventional construction, or the presence of subsurface rock that would affect the installation of underground improvements on the provisions of above ground improvements. If the subdivision contains questionable soil and, in the opinion of the Village Engineer, additional soil investigations, boring or other soil tests are necessary to determine the nature and extent of such questionable material, the owner or developer shall retain or cause to be retained the services of a competent testing laboratory to perform the needed investigations.

    a. Copies of the completed reports prepared by the testing laboratory shall be filed with the Village Engineer and Plan Commission.

    b. Neither the Village Engineer nor the Village shall have any liability for costs connected with the tests, boring or interpretations of results of such work.

4. *Protective Covenants*. Draft of protective covenants, whereby the subdivider proposes to regulate land use in the subdivisions and otherwise protect the proposed development.

D. DRAWINGS AND DATA REQUIRED. The preliminary plan and required accompanying maps shall be drawn on reproducible medium in a manner that is clear and legible prints can be made therefrom, and shall be at a scale of not less than two hundred feet to the inch (1" = 200'). It shall show all existing conditions required below and shall show all proposals including the following:

1. *Identification and Description*. Identification and description shall be as follows:

    a. Name of the subdivision: not a duplication of a name of any plat heretofore recorded in the Village or in Kane or Kendall County, Illinois.

    b. Location of the Subdivision: location by section, township, and range, or by other approved legal description, including present tract designation according to official county records.

    c. Survey of the Subdivision: boundary line survey on an accompanying map which is prepared and certified by a registered land surveyor.

    d. Designer of the Subdivision: name and address of the site planner and/or engineer.

    e. Owner of the Subdivision: name and address of the owner and/or subdivider.

2. *Existing Conditions*. Data required as a basis for the preliminary plan shall include existing conditions as follows, except when otherwise specified by the Plan Commission.

a. Boundary Lines: in accordance with Section D(1)(c) above.

b. Total Acreage: within the boundary lines.

c. Existing Zoning Districts: both in proposed subdivision and all adjacent tracts.

d. Existing Improvements: location, widths, and names of all existing or previously platted streets or other rights-of-way showing type of improvement (if any), railroad and utility rights-of-way, parks and other public open spaces, permanent buildings and structures and their street address numbers, easements, and section and corporate lines within the tract and to a distance of one hundred (100) feet beyond the tract.

e. Utilities on and Adjacent to the Tract: location and size of existing sewer lines, water mains culverts, or other underground facilities within the tract and to a distance of one hundred (100) feet beyond the tract – also indicating such data as locations and surface and invert grade elevations of catch-basins, manholes, and fire hydrants. If water mains and sewers are not on or adjacent to the tract, indicate the direction and distance to, and the size of nearest usable facilities.

f. Location Map: drawn at a scale of not less than one inch equals one thousand feet (1" = 1,000') or larger, showing boundary lines of adjoining unsubdivided land within an area bounded by nearest arterial streets or other natural boundaries, but not less than one-half mile beyond the subdivision boundaries in subdivisions located beyond the Village limits, identifying type of use and ownership of surrounding land and showing alignments of existing streets.

g. Topographic Data: data including existing contours at vertical intervals of not more than three (3) foot, except. in unusual topographical conditions, such vertical intervals may be required to be altered as determined by the Village Engineer, (topographic data shall refer to United States Geodetic Survey or adjusted Village of Montgomery Datum).

h. Other Conditions of the Tract: water courses, marshes, rock outcrop, wooded areas, isolated preserveable trees one (1) foot or more in caliper at one (1) foot above ground level, houses, barns, shacks, and other significant features.

i. Reference to Monuments: locations of or reference to locations of existing monuments or survey markers used in preparation of survey and grade elevation of each monument and marker.

j. Proposed Public Improvements: highway or other major improvements planned by public authorities for future construction on or near the tract.

k. Easements: location, width, and purpose.

1. Other Conditions on Adjacent Land: approximate direction and gradient of ground slope, including any embankments or retaining walls, character and location of buildings, railroads, power lines, towers, and other nearby non-residential land uses or adverse influences; and owner of adjacent unplatted land (for adjacent platted land refer to subdivision plat by name,

recording date, and number and show approximated percent built-up, typical lot size and dwelling type).

3. Subdivision Design Features. Subdivision design features shall be as follows:

   a. Accord with Comprehensive Plan: the preliminary plan shall be in substantial accord with the Comprehensive Plan as amended from time to time.

   b. Proposed Zoning Changes: the Village of Montgomery zoning districts proposed for the subdivision shall be shown.

   c. Layout of streets: showing right-of-way widths and street names (not duplicating the name of any street heretofore used in the Village or its environs unless such street is an extension of or in line with an already named street in which event that name shall be used) and showing proposed through streets extended to the boundaries of the subdivision and approximate grades and gradients. The street numbering system as adopted by the Village shall be adhered to.

   d. Other Rights-of-way: location and width of pedestrian ways, and utility easements.

   e. Location of Utilities: if not shown on other exhibits.

   f. Lotting: layout, total number of lots, and dimensions on the lot containing the minimum width and depth and the maximum width and depth, lot numbers and block numbers.

   g. Sites to be Reserved or Dedicated: sites, if any, to be reserved or dedicated for schools, parks, playgrounds or other public uses. Such sites shall be designated by letter or number.

   h. Setback Lines: minimum front and side street building lines – indicating dimensions.

   i. Sewers and Drainage: proposed location of sewer lines and storm water drains and proposed method of sewage and waste disposal including sufficient information to show the intent of surface drainage and detention and/or retention facilities conforming to minimum standards of the Village of Montgomery.

      Such layout shall show the storm and sanitary sewers, stubs, valves, line hydrants and water mains including size, capacity and location. Included with this shall be proposed dimensions of storm and sanitary sewers and water mains, and a written statement by the subdivider or his engineer describing the adequacy of these proposed facilities as well as the effect they will have on existing or future facilities.

   j. Grading: the subdivider shall submit proposed detailed grading plans of blocks and lots. No land will be approved for subdivision which is subject to periodic flooding or which contains inadequate drainage facilities or other topographic conditions which may increase danger to health, life or property or; aggravate erosion of flood hazard unless the subdivider agrees to make improvements which will, in the opinion of the village Engineer and Plan Commission, make such land safe for development and occupancy, including construction of adequate storm water detention facilities.

k. Land Use Intent: sites, if any, for multi-family dwellings, shopping centers, churches, industry, or other non public uses exclusive of single family dwellings.

8.04 PLANS AND SPECIFICATIONS FOR REQUIRED LAND IMPROVEMENTS

A. ENGINEERING PLANS REQUIRED. After the approval of the preliminary plan and prior to filing an application for approval of the final plat, the subdivider shall submit to the Village Clerk twenty-three (23) complete sets of engineering plans and specifications for the land improvements required by this ordinance along with a single estimate of the cost of the proposed improvements. Said plans and specification shall bear the seal of the design engineer and shall include the following documents:

1. *Topographic Map*. A topographic map of the proposed subdivision at a minimum scale of one inch equals two hundred feet (l" - 200'), the limits of which shall extend at least one hundred (100) feet beyond the limits of the proposed development or a grading plan of the subdivision showing the existing grades, the floor grade of the proposed structures, the direction of flow of surface runoff, the finished grade of all corners of a lot, or as requested by the Village Engineer.

2. *Construction Drawings.* Construction drawings with a horizontal scale of one inch equals fifty feet (1" = 50') and a vertical scale of one inch equals five feet (1" = 5'). Existing and proposed construction are to be shown on these drawings.

3. *Detail Sheets*. Detail sheets of the Village of Montgomery showing the various standards for streets, street lights, manholes, catch basins, curb/gutter design, valve boxes, sewer and water services, shall be attached to and made a part of the subdivider's construction drawings.

4. Specifications. Complete set of specifications covering the work to be done.

B. ENGINEERING PLANS APPROVAL. The Village Clerk shall forward twenty-three (23) complete sets of such copies of preliminary plans and specification for land improvements and grading plans to the Plan Commission such set of plans and specifications to the Village Engineer.

1. Review by Village Engineer. The Village Engineer and other public officials having jurisdiction shall approve such engineering and specification or set forth the revisions necessary for approval. Based upon the conditions of approval of the plans and specifications the subdivider shall have prepared, by a registered engineer, final plans and specifications covering such required land improvements. Such plans and specification shall be approved by the Village Engineer and other public officials having jurisdiction and such approval shall be certified on the final plat.

2. Review Fees. The Village will charge the subdivider for review of plans for required surface and underground improvements on a tine plus material basis as established by the Village of Montgomery and the Village Engineer.

   This fee will be paid by the subdivider prior to the approval of his engineering plans.

8.05 CONSTRUCTION OF REQUIRED IMPROVEMENTS

A. Installation Required. After approval of the preliminary plan by the Village Board, and after approval of the plans and specifications for required improvements by the Village Engineer, and Board of Trustees, the subdivider shall install street and utility improvements, and other improvements indicated on the plan, in accordance with specifications hereinafter provided. If such improvements are not installed as required at the tine the final plat is submitted for approval, the subdivider shall, before the recording of his plat, enter into a contract with the Village of Montgomery agreeing to install the required improvements. Such contract shall be in such form as required by Subsection 8.06 of this ordinance.

B. Deeding of Improvements. All underground public improvement up to the property line shall be deeded over to the Village of Montgomery and become the property of the Village after approval by the Village Engineer and when accepted by resolution of the Village Board.

8.06 AGREEMENTS AND GUARANTEE OF IMPROVEMENTS

The requirements of this section shall be complied with prior to the approval and recording of a final plat of subdivision.

A. ACTION BY THE SUBDIVIDER. Prior to the filing of an application for final plat, the subdivider shall submit the following to the Village Clerk:

1. *Statement of Agreement.* A statement of agreement that:

a. The land improvements, required by this ordinance, shall be completed by the owner or subdivider in accordance with the plans and specifications approved by the village Engineer.

b. Four (4) sets plus one (1) reproducible set on mylar of as built plans, as required by section 10.00 herein, shall be submitted by the owner or subdivider.

c. If payment in lieu of funds is to be made on an installment basis, the subdivider shall inform the Building Department in writing within five (5) days of any such initial occupancy of a family unit and also submit any such payment concurrent therewith to the Village Clerk for ultimate payment to the appropriate school district.

d. All improvements, and the as built plans of said improvements, shall be completed by the owner or subdivider within two (2) years following approval of the final plan by the President and Board of Trustees.

e. That no home in any block shall be occupied for longer than seven (7) months without all sidewalks, curb and gutter, and roadway base and surfacing being completed for the entire block by the owner or subdivider, or whenever at least seventy-five (75) percent of a designated block has occupied homes on it, then the owner or subdivider shall have completed constructing all of the sidewalks, curb, gutter and street pavements in that block.

2. *Performance Guarantee*

A. Any subdivider or developer must provide security for completion of all public improvements required of said subdivision or development as may be shown on the final

plat or plan as approved by the Village. The security for the completion of said public improvements must be one of the following, subject to the other terms and conditions hereof:

1. Cash in the amount of 110% of the engineer's estimated cost of the public improvements remaining to be completed;

2. A letter of credit in the amount of 110% of the estimated cost of the public improvements remaining to be completed, certifying that adequate funds are and will be available at a banking or financial institution authorized to do business in the State of Illinois and approved by the Village; or

3. A subdivider's bond in the amount of 110% of the estimated cost of the public improvements remaining to be completed.

B. With respect to either a letter of credit or a bond, the amount and the provider of the guarantee for completion, shall be as approved by the Village Engineer and/or the Village Attorney and shall include the following:

1. Be irrevocable.
2. Contain an accurate legal description of the subdivision, phase, or unit to which the guarantee pertains and identify the public improvements included therein.
3. Be issued solely for the benefit of the Village and all funds payable by reason of default be payable solely to the Village.
4. Contain a specific expiration date including a renewal provision such that it will remain in force at least six months beyond the completion date and acceptance by the Village.
5. Provide for notification to the Village not less than 60 nor more than 90 days prior to any such expiration date and provide that if notice is not issued and received by the Village of such expiration, that the guarantee contained therein shall not expire until after a notice has been provided not less than 60 nor more than 90 days from the extended expiration date.
6. Include a commitment by the developer or subdivider or owner to complete the public improvements as specified in the final plat and plans as approved by the Village Engineer.
7. Contain a completion date by which all public improvements must be completed and accepted.
8. Provide that upon notification and certification by the Village Engineer of non-performance (which shall include any failure to complete the public improvements by the completion date) that the same will constitute a default.
9. Specify a mechanism, form and timing for payment of funds to the Village upon the certification described in subsection 8 hereof and that no consent from the guarantor or the developer or subdivider is needed to obtain funds.
10. Provide that the company or bank issuing the financial instrument must meet the Village's rating criteria:
    a. Banks (for letters of credit): A financial institution authorized to do business in the State of Illinois.
    b. Insurance Companies (for surety bonds): A.M. Best Company rating of Superior (A++ and A+), Excellent (A and A-), and Very Good (B++ and B+), or equivalent.

C. Public improvements completed prior to the required date of posting may be omitted from the amount of the guarantee. Completed public improvements are those (1) which have been previously accepted by the Village, or (2) which the Village has not designated for acceptance and which the Village acknowledges as complete.

D. The security for completion of public improvements may be released only upon fulfillment of the following conditions:

1. Completion of the public improvements and acceptance by the Village.
2. Submission of one set of reproducible mylar as-built drawings of the public improvements.
3. A bill of sale on a contractor's affidavit and lien waivers in accordance with the Illinois Mechanic's Lien Act for all public improvements which have been designated by the Village for acceptance.
4. Acceptance and approval by the Village Engineer of a guarantee for maintenance of public improvements. The guarantee shall be in one of the following formats:

   a. Cash in the amount of 10% of the estimated cost or actual construction costs of the public improvements to be accepted or acknowledged as complete by the Village.
   b. A subdivider's bond in the amount of 10% of the estimated cost or actual construction costs of the public improvements to be accepted or acknowledged as complete by the Village.
   c. A letter of credit in the amount of 10% of the estimated cost or actual construction costs of the public improvements to be accepted or acknowledged as complete by the Village, certifying that adequate funds are and will be available at a sound and reputable banking or financial institution authorized to do business in the State of Illinois.

E. The form, amount and provider of such guarantee shall be subject to the approval of the Village Engineer and/or the Village Attorney and shall contain the same provisions as set forth above for the security for completion of such public improvements.

B. ACTION BY THE VILLAGE CLERK. The Village Clerk shall not certify the approval of the President and Board of Trustees on the final plat until the requirements of this section have been completed.

C. GUARANTEE OF COMPLETED IMPROVEMENTS. Upon completion of the improvements covered by the accepted form guaranteeing improvements, the subdivider shall notify the Village Building Inspector in writing and request inspection of the completed improvements. The subdivider shall submit, with the request for inspection, an as built plan covering the improvements to be accepted. Said as built plan shall meet the requirements of Section 10.00 herein. After the improvements have been inspected by the Village and found to be complete, but before acceptance by the Village Board, the subdivider shall furnish an applicable letter guaranteeing the improvements against faulty workmanship and/or materials for a period of one (1) year after acceptance. Said letter shall be of an amount equal to at least ten (10) percent of the total cost of the improvements to be accepted.

Since a Letter of Credit or performance bond is already on file guaranteeing completion of the improvements, the subdivider need not furnish this before acceptance by the Village Board. However, said acceptance by the President and Board of Trustees shall release an amount equal to but not more than ninety (90) percent of the original security to enable the subdivider to furnish a new Letter of Credit or performance bond of an amount equal to or not less than 10 (10) percent of the cost of the improvements for one (1) year after acceptance.

D. LETTER OF CREDIT OR PERFORMANCE BOND REQUIRED

1. *See Appendix, EXHIBIT A.*

2. *Subdivisions Outside Corporate Limits*. Such agreements, as set forth above shall not be required for the subdivisions located in the unincorporated areas within one and one-half miles beyond the Village limits when there is evidence that agreements are entered into between the owner or subdivider and Kane or Kendall County, except when the Village standards for public improvements are of higher quality than Kane or Kendall County standards, such agreements may be required by the Village.

8.07 ACCEPTANCE OF REQUIRED LAND IMPROVEMENTS

A. ACCEPTANCE OF IMPROVEMENTS BY RESOLUTION. Upon the completion of construction of any public improvements required by this ordinance, in conformance with approved engineering plans and specifications, the subdivider shall prepare and submit to the Village Building Department four (4) sets, plus one (1) reproducible set on mylar of as built plans and certification by the Village Engineer that such public improvements have been satisfactorily completed in accordance with the approved engineering plans and specifications. The Village Board will enact a resolution accepting said improvements.

B. FINAL PLAT APPROVAL NOT ACCEPTANCE OF IMPROVEMENTS. If any final plat of subdivision contains public streets or thoroughfares which are therein dedicated as such, whether located within the corporate limits of the Village, or all or in part outside thereof, or contains existing streets located outside of said corporate limits, the approval of the final plat by the Board of Trustees or the subsequent annexation of the property to the Village shall not constitute an acceptance thereon or therein, irrespective of any act or acts by an officer, agent, or employee of the Village with respect to such streets or improvements. The acceptance of such streets or thoroughfares shall be made only by the adoption of a resolution by the Board of Trustees, after there has been filed with the Village Engineer certifying that all improvements required to be constructed or installed in or upon such streets or thoroughfares, in connection with the approval of the plat of subdivision by the Board of Trustees, have been fully completed and the construction or installation thereof has been approved by him.

8.08 PROCEDURE FOR APPROVAL OF FINAL PLAT

A. ACTION BY THE SUBDIVIDER

1. *Application to Village Clerk*. Application for approval of the final plat including all engineering drawings, shall be submitted in writing to the Village Clerk via the Plan Commission Secretary and shall be accompanied by the fee and engineering review as required in these regulations. The application shall be submitted at least fourteen (14) days prior to the

regular meeting of the Plan Commission for its review and recommendations for approval or disapproval.

2. *Conformance with Preliminary Plan*. The final plat shall conform substantially to the preliminary plan as approved and, if desired by the subdivider, it may constitute only that portion of the approved preliminary plan which he proposed to record and develop at the time; provided, however, that such portion conforms to all requirements of these regulations.

B. ACTION BY THE PLAN COMMISSION. Within two (2) months after it's meeting, at which the application for approval of the final plat is reviewed, the Plan Commission shall approve or disapprove it. If the Plan Commission approves, it shall affix upon the plat the certifying signature of its Chairman. If it disapproves, it shall set forth its reasons in its own records and provide the applicant with a copy.

C. ACTION BY THE BOARD OF TRUSTEES

1. *Plat Submitted to Board of Trustees*. After approval of final plat by the Plan Commission and the fulfillment of the requirements of these regulations, on (1) tracing of the final plat of the subdivision, drawn in ink on tracing cloth or mylar drafting film not to exceed thirty-six (36) inches by forty-eight inches (36" x 48") in size, shall be submitted to the Village Board of Trustees for approval.

2. *Action by Board of Trustees*. Action must be taken by the Village Board of Trustees within two (2) months after the meeting at which the final plat and all drawings, maps and other documents required have been submitted for its approval. The Village Board of Trustees may grant an extension of the two (2) month period.

3. *Approved Plat Copies*. Upon approval by the Board of Trustees, the Village Clerk shall receive from the subdivider through the Plan Commission Secretary one (1) cloth or mylar reproducible print and three (3) contact prints of the approved final plat, and three (3) copies of the approved supporting documents. The cost of such prints and copies of documents shall be paid by the subdivider.

   a. One (1) contact print of the final plat, when applicable one (1) copy of the accompanying protective covenants and one (1) copy of the supporting documents shall be delivered to the Plan Commission;

   b. One (l) contact print and all specifications, drawings, and estimates shall be delivered to the Village Engineer; and

   c. One (1) transparency print and one (1) contact print and all other supporting documents shall be retained by the Village Clerk.

D. FILING OF FINAL PLAT

1. *Filing with County*. Upon approval by the Village Board of Trustees, the Village Clerk shall record the plat with the Kane or Kendall County Recorder within three (3) months. If construction does not begin within two (2) years from approval, such plat shall be null and void.

2. *Filing for Local Record*. The final plat in exact form as approved by the Board of Trustees, and as filed for local record by the Village Clerk. Such file copy shall bear the appropriate documentation number as assigned by the Kane or Kendall County Recorder.

E. DRAWINGS AND DATA FOR FINAL APPROVAL. The final plat shall be accurately drawn in ink on tracing cloth or mylar drafting film, in a manner that clear and legible transparent or contact prints or photostatic copies can be made. The final plat shall be at a scale of not less than one hundred feet to the inch (1" = 100') on sheets not to exceed thirty-six by forty-eight inches (36" x 48"). Where necessary, the plat may be drawn on several sheets accompanied by an index sheet showing the entire subdivision. For large subdivisions, the final plat may be submitted for approval progressively in contiguous sections satisfactory to the Plan Commission. The final plat shall show the following:

1. *General Information*. General information shall be as follows:

   a. Boundary Lines: in accordance with item D of Subsection 8.03.

   b. Layout of Streets: showing right-of-way widths and street names (not duplicating the name of any street heretofore used in the Village or its environs unless such street is on extension of, or in line with, an already named street in which event that name shall be used) and showing proposed through streets extended to the boundaries of the subdivision.

   c. Other Rights-of-Way: location and width of alleys, pedestrian ways, and utility easements.

   d. Sites to be Reserved or Dedicated: sites to be reserved or dedicated for schools, parks, playgrounds or other public uses, or for the exclusive use of property owners within the subdivision. Such areas shall be designated by letter or number and by legal description.

   e. Accurate Dimensions: accurate angular and lineal dimensions for all lines, angles, radii, and arcs used to describe all boundaries including perimeter survey of tract, streets easements, areas to be reserved or dedicated for public use, and other important features. Error of closure of boundary line surveys shall not exceed one in ten thousand (one (1) foot for each ten thousand (10,000) feet of perimeter survey). Angular error shall not exceed plus or minus twenty (20) seconds. Lot lines to show dimensions in feet and hundredths, and when angle occurs in any lot lines between lot corners, the measurement of the angle shall be shown in degrees, minutes, and seconds. The final plat shall show accurately the location of all permanent lot markers as actually installed.

   f. Control Points: true angles and distances to the nearest established street lines and official monuments (not less than three (3)), which shall be accurately described in the plat by location, size and elevation, to which all dimensions, angles, bearings, and similar data on the plat shall be referred.

   g. Identification System: an identification system for all blocks and lots using consecutive numbers for lots within a block and, where applicable, a street address number in accord with current Village policies.

h. Correlation with Existing Boundaries: municipal, township, or section lines accurately correlated to the lines of the subdivision by distances and angles.

i. Location of Monuments: accurate location of all monuments which shall be placed at all block corners, angle points, and at intermediate points as shall be required by the Village Engineer, and installed in such a manner that they may be located by a licensed surveyor. All U.S.G.S., State, County, Village, or other official benchmarks, monuments, or triangulation stations in or adjacent to the property shall be preserved in precise position.

j. Covenants: protective covenants, or filed as an accompanying document in form for recording.

k. Setback Lines: proposed building setback lines on all lots and other sites.

1. Name of Subdivision.

m. Location: by section, township, and range.

n. Title, Scale, North Arrow, Date.

o. Certification: certification by a registered land surveyor certifying to the accuracy of the survey and plat.

p. Other Data: such other certificates, affidavits, endorsements, or dedications as may be required by the Plan Commission in the enforcement of these regulations.

2. *Certification Required*. The application for approval of the final plat shall not be deemed completed until the following certificates, (See Appendix, EXHIBITS A-J)

3. *Subdivisions Outside Corporate Limits*. Except as otherwise required by statute, certification on final plats of subdivision located in the unincorporated areas within one and one-half miles beyond the Village Regulations, except when Village of Montgomery Subdivision Regulations are more restrictive, the applicable certifications contained herein shall also be required.

SECTION 9.00 – PLANNING STANDARDS FOR SUBDIVISION DESIGN

The subdivision of land- including the arrangement, character, extent, width, *grade,* and location of all streets, cross-walks, easements, sites for parks, playgrounds, and schools or other land to be dedicated for public use- shall conform to the Comprehensive Plan and official map of the Village of Montgomery, and approval of design standards shall be considered on the basis of their relation to existing and platted streets, reasonable circulation of traffic within the subdivision and adjacent land, topographic conditions, runoff of storm water, public convenience and safety, and appropriate relation to the proposed uses of the area to be served.

9.01 STREET STANDARDS

A. STREET ARRANGEMENT. Where such is not shown on the Comprehensive Plan, and/or official map, the arrangement of streets within a subdivision shall either (Refer to Appendix, EXHIBIT L):

1. *Continuity*. Provide for the continuation or projection of existing principal streets in adjacent areas; or

2. *Conformity with Plan*. Conform to a plan for the area or neighborhood approved or adopted by the Plan Commission to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impracticable.

B. STREET DESIGN. All required street right-of-way widths, and pavement widths, curves, gradients and site distances shall be as shown in the accompanying *Table of Minimum Standards for Street Design* (following) and in accordance with the following:

1. *Street Jogs.* Street jogs with centerline offsets of less than one hundred twenty-five (125) feet shall be avoided.

2. *Intersections*. It must be evidenced that all street intersections and confluences encourage safe and efficient traffic flow and, in general, be at or near right angles and in no case shall a street intersect any other street at less than sixty (60) degrees. An intersection of more than two (2) streets shall not be permitted.

3. *Cul-de-sac Streets*. A cul-de-sac street, in single-family residential districts, shall be no more than six hundred (600) feet in length, measured along its centerline from the point of origin to the end of its right-of-way. In multiple family residential areas, cul-de-sac streets shall not be permitted. Each cul-de- sac street shall have terminus of nearly circular shape with a minimum right-of-way diameter equal to pavement diameter plus twenty eight (28) feet and a pavement outside diameter of not less than eighty-four (84) feet.

4. *Median Strips*. Median strips other than raised center curb separating lanes of traffic within a single right-of-way shall not be allowed. However, where a parkway exists on a new street which is an extension of the existing street, a median strip may be constructed not more than five hundred (500) feet in length to provide the transition to no median strip. All such median strips as described above shall have barrier curbs with gutters.

5. *Access from Major Streets*. Provisions shall be made for vehicular and pedestrian access to residential property abutting a major street either by providing: (a) a marginal access road, or (b) by backing lots to the thoroughfare and providing access by a collector, minor, or cul-de-sac street one (1) lot depth removed and with a no-access strip at least twelve (12) feet wide along the rear lot line. These standards are established for the purpose of providing protection for the residential properties and to provide for traffic safety and the efficient use of the major street for its intended function of accommodating through traffic.

6. *Frontage Roads*. Where a subdivision boarders on or contains a railroad or highway, the Plan Commission may require a street approximately parallel to and on each side of such railroad or highway, at a distance suitable for the appropriate use of the intervening land, as for park purposes in residential district, or for commercial or industrial purposes in appropriate districts. Such distances shall also be determined with due regard for the requirements of approach grades and future grade separations.

7. *Reserve Strips*. Reserve strips controlling access to public utilities, streets or alleys shall be prohibited.

8. *Street Levels*. Street levels shall provide proper relation between the street and the elevation of the houses to assure positive drainage from the building to the street.

Table of Minimum Standards for Street Design

Street	Right-of-way Width	Pavement Width	Radius of Horizontal Curves	Length of Vertical Curves	Tangent Between Horizontal Reverse Curves	Maximum Gradient	Minimum Gradient	Clear Sight Distance
Major	100	66	500	200(a)	200	5%	4%	500
Collector	80	39	400	200(a)	200	5%	4%	400
Minor	66	31	150	100(b)	-	6%	4%	200
Cul-de-sac	60	31	150	100(b)	-	6%	4%	200
Marginal Access	60	38	400	200(a)	100	6%	4%	200
ORI	80-100	63	500	200(a)	200	2%	4%	500

Pavement measurements are in feet and are back to back of curb and include additional width for off-street parking.

(a) 50 feet of each 1% algebraic difference of grade but in no case less than 200 feet.
(b) 40 feet of each 1% algebraic difference of grade but in no case less than 100 feet.

C. ALLEYS

1. In commercial, business and industrial districts, definite and assured provisions shall be made for service access such as off- street loading, unloading, and parking consistent and adequate for the uses proposed. If, in the opinion of the Plan Commission such facilities are not adequate, the Plan Commission may permit or require the dedication and improvement of a public alley.

2. Alleys in residential areas shall not be permitted, except where deemed necessary and on the recommendation of the Plan Commission.

3. The width of an alley where permitted or required, shall be twenty (20) feet in residential areas and thirty (30) feet in commercial, business and industrial districts.

4. Alley intersections and sharp changes in alley alignment shall be prohibited.

5. Dead-end alleys shall be avoided where possible, but if unavoidable, they shall be provided with adequate turnaround facilities at the dead-end, as determined by the Plan Commission.

D. PRIVATE ACCESS STREETS

1. *Planned Developments*

a. Design Approval. The complete design for access streets, including specifications and designation of trafficway, driving lanes, paving widths, thickness, materials, etc., shall be submitted to the Plan Commission for review and approval prior to the issuance of building permits or sale or lease of buildings or land in "Planned Developments" as defined in this ordinance. The minimum number of off- street parking spaces shall be in accordance with

the requirements of the Zoning Ordinance of the Village of Montgomery. Where more than one (1) owner or lessee are to use the same private marginal access road or parking lot, a trust indenture shall be recorded before approval of the multi-family, commercial or industrial subdivision as defined herein.

b. Ingress and Egress. A minimum distance may be recommended by the Plan Commission and required by the Village Board where deemed necessary between points of ingress and egress where all property to be subdivided is under one (1) ownership on the effective date of this ordinance. Where property has frontage on a State or Federal highway, the spacing and design of the points of ingress and egress to the major highway shall be subject to approval of the Illinois Department of Transportation.

2. *Conventional Development*. A paved accessway from the property line to the street shall be provided as wide as the driveway for the dwelling to be served, except that no access driveway shall exceed twenty-five (25) feet in width. In the case of property zoned for other than single-family dwelling units, the requirements for access shall be of concrete.

E. PUBLIC SIDEWALKS AND PEDESTRIAN WAYS

1. *Sidewalks Required*. Sidewalks shall be installed on both sides of all streets located wholly within a subdivision and on the interior side of any existing street or street right- of-way bordering a subdivision in accordance with the following:

a. Sidewalks Separated from Streets. Sidewalks shall be separated from public streets by the full width of parkways. Parkways shall be a minimum of eight (8) feet from the edge of the walk to the back of the curb.

b. Carriage Walks Prohibited. Sidewalks adjacent to, or in conjunction with street curbs, are not permitted.

2. *Pedestrian Ways Required*. Pedestrian ways or crosswalks, not less than ten (10) feet in right-of-way with a paved walkway in accordance with Subsection 11.05 of this ordinance, shall be provided near the center of any block in excess of one thousand (1,000) feet in length or in any other block as recommended by the Plan Commission and approved by the Village Board.

9.02 EASEMENTS

A. EASEMENT DESIGN AND LOCATION. Utility distribution or transmission installations serving the subdivision, and when required, storm water drainage ways shall be located in easements as designated on the subdivision plat or record. Such easements shall be located along the rear lot lines or side lot lines at locations and extensions of utility installation between blocks, or continuity of drainage way. They shall occupy not less than the rear ten (10) feet of lot width adjoining the applicable side lot line, or may be of greater width if recommended by the Village Engineer and approved by the Board of Trustees. Additional easements at other locations may be recommended for specific conditions by the Village Engineer and required by the Board of Trustees.

B. CONTINUITY OF EASEMENTS. Easements shall be designed to provide continuity from block to block.

C. DRAINAGE EASEMENTS. Where a subdivision is traversed by a natural drainage way, channel, or stream, there shall be provided a drainage easement, conforming substantially with the areas bordering such water course that are subject to flooding. The easement width shall be determined by the Village Engineer.

9.03 BLOCKS

A. CONFIGURATION OF BLOCKS. The shape of blocks shall be determined by topographical features, the basic street system and traffic pattern, lot depths, and areas designated for public and other nonresidential land uses. In addition to these, the lengths, widths, and shapes of blocks shall be determined with due regard to:

1. *Site Adequacy*. Provision of adequate building sites suitable to the special needs of the type of use contemplated.

2. *Zoning*. Zoning requirements as to lot sizes and dimensions within the corporate limits of the Village of Montgomery.

3. *Convenience*. Needs for convenient access, circulation, control and safety or street traffic.

B. LENGTH OF BLOCKS. Needs for convenient access, control and safety or street

1. *Residential*. In residential subdivisions, the maximum length of blocks shall not exceed fifteen hundred (1,500) lineal feet. No blocks shall be less than six hundred (600) feet in length unless recommended by the Plan Commission and approved by the Board of Trustees.

2. *Non-Residential*. In manufacturing and business subdivisions, maximum length of blocks shall be as recommended by the Plan Commission and approved by the Board of Trustees.

C. NON-RESIDENTIAL BLOCKS. Blocks or portions thereof intended for commercial or industrial use shall be designated as such, and the plan shall show adequate off-street areas to provide for parking, loading docks, fire lanes, and other such facilities.

9.04 LOTS

A. CONFIGURATION OF LOTS. The lot size, width, depth, shape and orientation shall be appropriate for the location of the subdivisions and for the type of development and use contemplated and, in general, lots should be as nearly rectangular in shape as practicable.

1. *Conformance with Zoning Regulations*. Width and area of lots shall conform with lot width and area requirements set forth in the Zoning ordinance of the Village of Montgomery or that of Kane or Kendall County in the unincorporated areas beyond the Village limits. Corner lots shall be increased in width by twenty (20) percent over the width of typical interior lots, except that corner lots need not exceed ninety (90) feet in width if the ninety (90) feet in width is greater than the width of the typical lot, except the Board of Trustees may require, when recommended by the Plan Commission, a greater lot width to provide for the proper development of intersection design and traffic safety.

2. *Non-Residential Lots*. Width, area, and depth of lots in a manufacturing or business subdivision shall be as recommended by the Plan Commission and approved by the Board of Trustees.

3. *Side Lot Lines*. Side lot lines of lots shall be at right angles or radial to the street line, or substantially so.

B. ACCESS TO LOTS. Each lot within the subdivision must have access to a public or private street unless otherwise provided by local ordinance.

C. SEPARATION FROM MAJOR STREETS. Double frontage and reverse frontage lots shall be avoided except where essential to provide separation of residential development from major streets or highways or to overcome specific disadvantages of topography and orientation. A planting screen easement of at least ten do) feet, and across which there shall be no right of vehicular access, shall be provided along the rear lot lines of lots abutting such highways and major thoroughfares.

D. DOUBLE FRONTAGE LOTS. Double frontage lots are not permitted, except where lots back upon a major street, upon a body of water in separate or undivided ownership, or in manufacturing and business subdivisions when specifically recommended by the Plan Commission and approved by the Board of Trustees.

E. LOTS ABUTTING A WATER COURSE. Lots abutting upon a water course, drainageway, channel, or stream shall have an additional depth or width as recommended by the Plan Commission and approved by the Board of Trustees in order to provide acceptable building sites.

F. PRESERVATION OF NATURAL FEATURES. In the subdividing of any land, due regard shall be given to the preservation of natural features, such as trees, water courses, historical landmarks, and similar community assets, which, if preserved, would add to the attractiveness and value of the subdivision, neighborhood or the community as a whole. The Plan Commission shall include in its report its conclusions as to compliance herewith.

9.05 BUILDING SETBACK LINES

Building setback lines in all new subdivisions shall conform to the front yard provisions of the Montgomery Zoning Ordinance.

9.06 PARKS, SCHOOL SITES, AND PUBLIC AREAS

Wherever required by this ordinance or any other ordinance of the Village of Montgomery, parks, school sites, and/or other public areas shall be shown on all plans and plats and shall be of such configuration as to be acceptable to the Plan Commission, Village Board, and concerned public agency.

SECTION 10.00 – MATERIALS AND METHODS OF CONSTRUCTION FOR REOUIRED UNDERGROUND IMPROVEMENTS

The owner or subdivider shall install storm and sanitary sewers, water supply system, street grading and pavement, alleys, cross-walkways, public utilities, street lighting, in accordance with applicable ordinances and standards of construction of the Village of Montgomery and/or other appropriate agencies involved (i.e. Fox Metro Sanitary District).

No subdivision of land shall be approved without receiving a statement signed by the Village Engineer, certifying that the improvements described in the subdivider's plans and specifications, together with agreements, meet the minimum requirements of all ordinances of the Village and that they comply with the following:

All trenches caused by the construction of sewers, water mains, water service pipes, and in excavation around catch basins, manholes, inlets and other appurtenances which occur within the limits of existing or proposed pavements, sidewalks, and curbs and gutters, shall be back filled with trench back fill.

Trenches and excavations near or adjacent to proposed or existing pavements, sidewalks, and curbs and gutters shall be back filled with trench back fill to an elevation equal to the intersection of a one-to-one slope line from the top of the pavement, sidewalks or curb edge, with a vertical line through the nearest edge of the trench of excavation.

Trench back fill shall consist of sand, pitrun gravel or crushed stone and shall be compacted in place to ninety- five (95) percent of maximum density at optimum moisture as determined by the Standard Proctor Test.

10.01 SANITARY SEWER SYSTEM

A. SEWER SERVICE REQUIRED

1. Sanitary sewers and sanitary sewer service shall be installed to service all properties being developed within the municipality.

2. Sanitary sewer laterals shall be a minimum of eight (8) inches in diameter with minimum service lines of six (6) inches in diameter.

3. Material of pipe jointing and the placement, care and maintenance of such facilities shall be as established by Village ordinance.

4. The infiltration limit for all sanitary sewers shall not exceed those standards set by the applicable sanitary district. Ex-filtration tests where allowed by the Village Engineer shall provide the same criteria as infiltration.

5. Such joints and material as are set forth shall be considered minimum, and in the case of the sanitary sewer, must meet infiltration and other specifications in order to be approved by the Village.

B. APPROVAL FOR CONSTRUCTION. All sanitary sewer systems shall be constructed in accordance with standards approved by the Environmental Protection Agency of the State of Illinois, Aurora Sanitary District, and the Village of Montgomery, or such other utility corporation, public or private, whose service may be required. All sewer design, plans, and specifications shall be submitted to the above agencies for approval and file.

C. LARGER CAPACITY SOMETIMES REQUIRED. Where sanitary sewer mains of larger capacity than necessary are required, as directed by the Board of Trustees to serve the subdivision as delineated in the preliminary plan, the subdivider shall be required to pay for the proportionate benefit of the installation to his subdivision, as established by the Board of Trustees.

10.02 STORM WATER DRAINAGE SYSTEM REQUIRED

A. An adequate system of storm water drainage shall be constructed and installed, consisting of natural water courses, storm sewers and other necessary facilities which will drain the subdivision and protect roadway pavements.

B. STORM DRAINAGE COMPUTATIONS

1. The design engineer shall submit to the Village one copy of the storm drainage computations. The design engineer shall use the latest computer modeling methods available. Design assumptions shall include but not be limited to rainfalls based on a 24 hour Type II distribution storm. The storm sewer system shall be designed to carry a nominal five-year storm. The release rate of any storm water management basin shall not exceed 0.15 cfs per acre on average. Design assumptions shall include but not be limited to: tributary drainage characteristics, runoff curve numbers, and concentration times.

2. *Downstream Capacity of Existing System*. The design engineer shall indicate in his drainage computations any cases where the downstream capacity of the sewer system is inadequate, and the proposed sewers will not handle the runoff, or where the topography is such that flooding can be expected more often than the period for which the system is designed.

3. *Preventions of Flooding*. In areas where runoff from storm of greater intensity than those which the storm sewers are designed for will cause flooding of adjacent property, one of the following alternate procedures shall be instituted to preclude the possibility of flooding:

   a. Design storm sewers to provide runoff capacity for maximum storm of record.

   b. Change contours of land by grading to assure positive drainage.

4. *Construction of Detention Basins*. Construction of detention basins shall be in accordance with the Village Engineer and the Village of Montgomery requirements.

   A dry flow drainage shall be provided in detention areas.

   Detention areas must be capable of total drainage in not over 72 hours.

   Total area for parks with detention pond shall be not less than three (3) acres.

Detention basins shall be provided by the subdivider to accomplish the limiting of surface water runoff to not more than forty- two thousandths cubic feet per second per gross are (.042 CFS/Acre) and shall be designed on the basis of a one hundred (100) year storm in accordance with storm water detention standards established by the Village of Montgomery.

10.03 MANHOLES AND DRAINAGE APPURTENANCES

Manholes and drainage appurtenances as outlined below shall be constructed in accordance with the requirements of the Village of Montgomery.

A. MANHOLES. Manholes shall be constructed of the type, style, and size as set forth within the ordinances and standards of the Village.

B. CATCH BASINS AND INLETS. Catch basins, inlets and other drainage structures shall be constructed of the type, style, and size as set forth within the ordinances and standards of the Village.

C. FRAMES AND GRATES. Frames, grates *and* covers shall be constructed of the type, style and size set forth within the ordinances and standards of the Village.

10.04 WATER SUPPLY AND DISTRIBUTION SYSTEM

A. WATER SUPPLY AND DISTRIBUTION SYSTEM REQUIRED. Water distribution facilities, including piping, fittings, hydrants, valves, valve basins, water services, and all other needful appurtenances adequate for fire and domestic needs, shall be installed to serve all properties within the subdivision.

B. APPROVAL FOR CONSTRUCTION. All water distribution systems constructed to or within a subdivision shall be constructed in accordance with standards approved by the State of Illinois Environmental Protection Agency, and the Village of Montgomery water and sewer department. All distribution system plans and specifications shall be submitted to the above agencies for approval and file.

C. LARGER CAPACITY SOMETIMES REQUIRED. Where water mains of larger capacity are required, as directed by the Board of Trustees to serve the future growth in the vicinity of the subdivision, the subdivider shall be required to pay for the proportionate benefit of the installation to his subdivision, as established by the Board of Trustees.

D. WATER MAINS

1. A minimum of six (6) inches in interior diameter or larger as the development needs dictate.

2. Main shall be ductile iron pipe Class 150, with a minimum depth of cover of five and one-half (5-1/2) feet or as set forth in standards and ordinances of the village as amended from tine to time.

E. VALVES AND VAULTS. Valves shall be non-rising stem gate valves with operating nut, designed to take full pressure on either face, furnished in full compliance with AWWA C500. All valves shall open by turning to the left. Valves shall operate at a working pressure of one hundred fifty

(150) pounds per square inch. Valves eight (8) inches and smaller shall be housed in valve vaults with an internal diameter of forty-eight (48) inches; valves over eight (8) inches shall be housed in vaults with an internal diameter of sixty (60) inches. Valve vault, sidewall and base construction shall conform to that required for catch basins.

F. HYDRANTS

1. Hydrants shall be of the compression or gate type conforming to AWWA C 502 and shall be of a make that has been adopted by the Village as standard. Hydrants shall be designed for a three hundred (300) pound test pressure and a one hundred fifty (150) pound working pressure.

2. Hydrants shall be furnished with two (2), two and one-half (2-1/2) inch hose nozzles and one (1), four (4) inch steamer nozzle. Threads on nozzles and caps, and operating nuts, shall be National Standard Threads. Hydrants shall open by turning to the left and shall be so marked.

3. Hydrants shall have a six (6) inch pipe connection, a five (5) inch valve opening and shall be equipped with auxiliary valves. Auxiliary valve shall be attached to hydrant with one hundred twenty-five (125) pound standard flanges. Joint for joining the auxiliary valve shall be of the same type as specified for the piping system.

G. WATER SERVICES. All water services shall be constructed of Type K copper pipe, having a minimum internal diameter of one (1) inch. Such services shall be equipped with corporation cock, curb stops and other necessary fittings in accordance with current Village standards.

10.05 OFF-SITE IMPROVEMENTS

If it is determined that any existing infrastructure, including but not limited to water distribution systems, wastewater collection or treatment systems, storm sewers or other storm water management facilities, and street improvements, which may be situated either in part or entirely off-site, is inadequate to facilitate a proposed subdivision or development when 100% built-out, then improvements to any one or all of such facilities may be required, at such times during the construction of said subdivision or development as the Village deems appropriate.

SECTION 11.00 – STREET IMPROVEMENTS

All streets within all subdivisions, whether to be dedicated for public use of for private access to planned developments as herein defined, shall be improved with a durable hard- surfaced roadway in *accordance* with the following:

11.01 ROADWAYS

A. BASE COURSE AND SURFACE COURSE. Base courses and surface courses shall conform to the requirements set forth on the Village of Montgomery Standard Detail Sheet.

All road structures shall be constructed in accordance with the Standard specifications for Bridge and Road Construction as adopted by the State of Illinois, Department of Transportation effective January 1, 1973 and subsequent revisions that may now be in effect.

Curb and gutter shall conform with type B6-12 standard, as specified in the standards of the State of Illinois, Department of Transportation or if modified to be approved by the Village Engineer.

11.02 DRIVEWAYS

A. MATERIALS AND MINIMUM THICKNESS. Driveways shall be constructed using accepted procedures and equipment of one of the following alternates.

1. *Aggregate or crushed stone base course* - six (6) inches compacted with two (2) inches compacted thickness of Bituminous Concrete surface course (asphalt), or

2. *Portland Cement Concrete* - five (5) inches thickness reinforced with six inch by six inch *(6*" x 6") paving mesh, or

3. *Portland Cement Concrete base course* - four (4) inch thickness with two (2) inch compacted thickness of bituminous concrete surface (asphalt).

Any alternate materials other than those mentioned above shall be presented to the Village Engineer for his approval prior to the use thereof. No oil and chip surfaces will be allowed.

11.03 CURB CUTS

All curb-cuts necessary for driveways accessing on village streets shall be completed with one of the following procedures.

A. The complete existing combination concrete curb and gutter shall be removed and then replaced with a new combination concrete curb and gutter (depressed) according with the "Standard Specification For Road and Bridge Construction" adopted by the State of Illinois Department of Transportation.

B. The top of the existing concrete curb shall be saw-cut off using a concrete saw, leaving a smooth surface without jagged edges, with the cut being a minimum of two and one-halt (2-1/2) inches above the gutter pan elevation of the combination concrete curb and gutter.

C. The curb portion of the combination concrete curb and gutter or the back portion can be removed, but only if the removal of that portion equals or exceeds a depth of three (3) inches below the gutter pan elevation of the combination concrete curb and gutter. Acceptable metal connectors or anchors shall then be installed at a spacing not to exceed four (4) feet. The depressed portion of the curb can then be poured back with the cross-section corresponding to the standard depressed curt as specified in procedure CA) above. At no point shall the concrete pour be less than five (5) inches in thickness.

D. Driveways may be finished off to match the top of the existing curb without a curb-cut, if desired by the owner or builder. Each lot is allowed up to a total of 25 feet foot driveway access.

GUTTER-PANS: All gutter pans or gutter shall be kept clear of all materials. No concrete, asphalt or any other material will be permitted in the gutter pan. This prohibitive restriction also applies to pipes or any other device placed in the gutter pans to provide a better approach to the driveway.

SIDEWALKS: Shall be constructed by the Builder and/or Developer in all new areas, said walks shall be minimum of sixty (60) inches in width and four (4) inches in depth being constructed with P.C.C. concrete or approved equal said equal to be approved by the Village Engineer, walks to be cold jointed or scored at intervals not to exceed the width of the walk. Placement of walks shall be set with the back edge (the edge farthest from the curb) six inches outside of the property line and shall run the full width of the lot.

GENERAL: Any damage done to the existing street at the time or construction shall be repaired to the satisfaction of the Village Engineer.

At no time shall any portion of the combination concrete curb *and* gutter be poured as on integral part of the driveway. A joint using preformed joint tiller shall be provided between the back of the curb and the driveway portion.

11.04 CURB AND GUTTER

Barrier type curb and gutters shall be constructed on all streets using the type, style, and size as set forth within the ordinances and standards of the Village. No driveway pavement may extend into the street or gutter

11.05 FRONTAGE ROADS AND PARKING LOTS

The complete design for frontage roads, including specifications and designation of traffic ways, driving lanes, paving widths, thickness, materials, etc., shall be submitted to the Plan Commission for review and approval prior to the issuance of building permits or the sale of lease of buildings or land in Planned Developments as defined in this ordinance. The minimum number of off-street parking spaces shall be in accordance with the requirements of the Zoning Ordinance of the Village of Montgomery. Frontage roads and parking areas shall be designed in accordance with other provisions of this ordinance, but in no case shall the minimum equivalent thicknesses be less than six (6) inches for Portland Cement concrete or six (6) inches of Possolanic base course with two and one-half (2-1/2) inches of bituminous concrete binder and surface course (combined compacted thickness). When a frontage road is to be dedicated to public use, the specifications shall be in accordance with the minimum width, thickness and standards of the Village of Montgomery. Where more than one owner

or lessee are to use the same private frontage road or parking lot, a trust indenture shall be recorded before approval of the multi-family, commercial or industrial subdivision as defined herein.

A minimum distance may be required by the Commission where deemed necessary between points of ingress and egress where all property to be subdivided is under one ownership on the effective date of this ordinance. Where property has frontage on a state or Federal highway, the spacing and design of the points of ingress and egress to the major highway shall be subject to approval of the Illinois Division of Highways and in accordance with any adopted plans for highway corridor development as established by the municipality.

11.06 PARKWAYS

Parkways shall be required on both sides of a street to the sidewalk line. They shall be graded by the subdivider with not less than four (4) inches of topsoil.

11.07 ALLEYS

Alley pavement shall conform with specifications in Section 11.00 herein.

11.08 STREET LIGHTING IMPROVEMENTS

Street lighting improvements shall be installed to service all property to be developed. Such improvements shall be of the individual service utilizing the standard luminaries of the constant wattage type to provide lighting levels as hereinafter set forth. The design shall be in accordance with the Illuminating Engineering society's Handbook, 5th Edition, 1972.

Street Type	Foot Candles
Minimum	0.3
Major	0.9
Thoroughfare	1.2
Business & Commercial	2.0

11.09 FILING OF ENGINEERING PLANS AND REVIEW FEE

A. Four (4) complete sets of engineering plans and specifications of required land improvements as regulated by subsection 8.08 A-l, together with an estimate of the cost of improvements, said plans and specifications to bear the seal of an Illinois registered professional engineer along with his signed statement that such plans and specifications have been prepared in compliance with this ordinance and with good engineering practice. Said plans shall be drawn to a minimum horizontal scale of fifty (50) feet to the inch and minimum vertical scale of five (5) feet to the inch. Plans shall show profiles of all utility and street improvements, with elevations referred to United States Geological Survey datum.

B. Plan review fee based on the following schedule shall be paid by the Developer to the Village:

1. *Minimum Fee* $ 200.00

2. *First $50,000.00 of Estimated Construction Cost of Improvements* 1.75%

3. *Next $150,000.00 of Estimated Construction Cost of Improvements* 1.25%

4. *Next $300,000.00 of Estimated Construction Cost of Improvements* 0.75%

5. *All over* 0.60%

C. Inspection of facilities to be constructed for land under consideration within this ordinance charge shall be based on cost to the Village for having such inspection performed by the Village Engineer or designate of the Village Board.

11.10 ACCEPTANCE OF REQUIRED LAND IMPROVEMENTS

Upon the completion of construction of all public improvements required by this ordinance, in conformance with approved engineering plans and specifications, the Design Engineer engaged by the subdivider, builder or land developer shall prepare and submit to the Village Department of Public Works one set of mylar reproducible plans plus three (3) sets of as built plans and certification by Village Engineer that all public improvements have been satisfactorily completed in accordance with the approved engineering plans and specifications. The Village Board will enact a resolution accepting said improvements.

11.11 LANDSCAPING WITHIN PUBLIC RIGHTS-OF-WAY

A. GRASS SEEDING OR SOD REQUIRED. All unpaved areas within street rights-of-way shall be seeded or sodded with Kentucky Bluegrass mixture or with such other grass mixture as approved by the Village Board. Before the release of the twelve (12) month maintenance bond can be recommended by the Village Engineer, all unpaved areas between the edge of the road pavement and the right-of-way line must support an adequate mat of grass. Provisions shall be made to assure the growth of all landscaping.

B. PARKWAY TREES REQUIRED. Parkway trees shall be planted within the parkway at a maximum of forty (40) feet on center. Existing trees shall be preserved, if possible, as determined by the Village Planner. The type of tree shall be limited to those varieties as recommended below. Parkway trees shall not be installed over sewer and/or water service lines.

1. *Tree Sizes.* Deciduous trees shall be a minimum size of two and one-half (2 ½) inches caliper (measured one (1) foot from the ground), balled and burlapped (B&B) when installed. Evergreen trees shall be a minimum six (6) feet in size feet in height (B&B) when installed in screening areas as described below.

3. *Parkway Tree Varieties.* The following trees are recommended for use in parkways. The Village Planner must approve all other trees.

Recommended Parkway Trees	
Acer x freemani cultivars	Freeman Maple cultivars
Acer platanoides cultivars	Norway Maple
Acer rubrum cultivars	Red Maple cultivars
Acer saechururn cultivars	Sugar Maple cultivars
Fraxinus americana cultivars	White Ash cultivars
Fraxinus pennsylvanica cultivars	Green Ash cultivars

Ginkgo biloba cultivars	Ginkgo cultivars
Fraxinus quadrangulata cultivars	Blue Ash
Gleditsia triacanthos var inermis cultivars	Thornless Honey locust cultivars
Tilia amencana cultivars	American Linden cultivars
Tilia cordata cultivars	Littleleaf Linden cultivars
T. tomentosa cultivars	Silver Linden cultivars
Ulmus carpinifolia cultivars	Smoothleaf Elm cultivars

The following trees are prohibited within public rights-of-way as parkway trees. Those that are indicated with an asterisk (*) may be used in park or buffer settings, but not in parkways as street trees.

Prohibited Trees

Betula species	Birch species*	All cultivars
Fagus Species	Beech species*	All cultivars
Gymnocladus dioicus	Kentucky Coffee	All cultivars
Quercus species	Oak species*	All cultivars
Acer saccharinum	Silver Maple	All cultivars
Populus species	Poplar species	All cultivars
Salix species	Willow species*	All cultivars
Acer negundo	Box Elder	All cultivars
Catalpa speciosa	Northern Catalpa*	All cultivars
Ailanthus altissima	Tree of Heaven	All cultivars
Sorbus acuparia	Mountain Ash	All cultivars
Morus alba	Mulberry	All cultivars
Ulmus parvifolia	Chinese Elm	All cultivars

C. SCREEN PLANTING REQUIRED. Protective screen planting is required to secure an effective physical barrier between residential properties and adjoining non-residential uses, including collector streets and larger roadways, to minimize adverse conditions of sight and sound. The screen planting plan shall be prepared by a Landscape Architect and shall meet the approval of the Plan Commission. Screen plantings shall consist of a combination of shade trees (as listed above), ornamental trees, evergreen trees and shrubs.

11.12 BLASTING

No blasting shall take place in connection with any work in a subdivision until appropriate Village authorities have been notified and the applicable village ordinances complied with.

11.13 MARKERS

Iron pipe or steel bars not less than one-half (1/2) inch in diameter and twenty-four (24) inches long shall be at the intersection of street center lines and at all corners of lots. Markers shall be set level with the finished grade. The subdivider shall replace all or verify the existence of the iron pipes at all lot corners and all bends in property lines after the completion of all construction and before final acceptance of the subdivision by the Village Board of Trustees.

11.14 WATER RETENTION OR DETENTION FACILITIES

Retention ponds or reservoirs may be constructed. Such retention facilities shall be designed to retain a certain water level at all times *and* may, in addition to serving as part of the storm water drainage system of the Village of Montgomery, be used for scenic and recreation purposes. Detailed engineering plans and specifications for retention or detention facilities shall be prepared by the design engineer for review by the Village Engineer and Plan Commission and approval by the Village Board. The design of retention or detention facilities shall be in accordance with the following guidelines:

A. There must not be any pollution of any kind entering the water area during or after construction.

B. Not less than two (2) access drives into area from opposite directions, paved from curb to sidewalk.

C. An emergency overflow shall be constructed at all ponds.

D. When possible, a mechanical drain shall be constructed with the outlet pipe at the lowest possible elevation and connected to the storm sewer.

E. A mechanical control gate shall be used at the outlet pipe.

F. The ends of all incoming storm sewer lines shall be above the normal pool elevation and shall be set in a concrete headwall or end section.

G. Retention ponds of less than three (3) acres at normal water elevation are not permitted.

H. Depth of pool at normal elevation shall be not less than ten (10) feet over a minimum of thirty (30) percent of the pool.

I. The bottom slope of the pool shall be four (4) to one (1) from the maximum of thirty (30) percent of the pool.

J. The entire area shall be graded and seeded and the soil shall be stable enough to support mowing equipment and landscaped. Minimum five (5) trees per acre of two and one-half inch (2- ½") diameter.

K. The distance from the normal pool elevation to the nearest lot line shall be not less than one hundred (100) feet.

L. At flood stage, the water shall be not closer than fifty (50) feet to the nearest lot line.

M. DAMS AND CONSTRUCTED WALLS. All dams and constructed walls shall be designed by a registered engineer and, if of earth, shall have a maximum slope of 2.5 to 1, be constructed of compacted clean earth fill, and have an interior core wall of concrete on sheet steel.

N. EMBANKMENTS. Shaped earth embankments shall have a maximum slope of 3 to 1 and shall be compacted to remove all voids exposed by cutting and shall be cleared of all extraneous material and foliage below the designed water line.

O. DEPTH. Retention facilities shall maintain a minimum constant water depth of ten (10) feet over thirty (30) percent of the surface water area, in addition to the depth of occasional water detained in the facility in storm situations.

P. AREA. Retention facilities smaller in area than three (3) acres shall be measured at the constant water level.

Q. OVERFLOW OUTLETS. Overflow outlets shall be provided as necessary to keep the water level within a retention facility within its design limits. Materials and methods of construction for overflow piping shall be the same as for storm sewer construction as shown in subsection 10.02 of this ordinance. Maximum overflow rate shall be designed in accordance with subsection 10.02 of this ordinance. Overflow spillways shall be 6f concrete and so constructed that no erosion of the dam or outfall shall occur.

R. OVERFLOW OUTFALLS. Overflow outfalls shall be as specified in Subsection 10.02 of this ordinance for storm drainage outfalls.

S. BANK STABILIZATION AND LANDSCAPING. All cut embankments, earth dams, or other earth surfaces shall be seeded or sodded, in accordance with Subsection 11.11 of this ordinance, to the designed occasional water level of the retention facility. From this point to the constant water level, sand or gravel may be used. Stabilization with stone, concrete, or other material may be used if specifically approved by the Village Board. Trees shall not be planted on or within twenty (20) feet of any earth dam.

T. CONFORMANCE WITH SURFACE WATER RUNOFF ORDINANCE. In all instances the control of storm water runoff will be carried forth as delineated in the *Montgomery Surface Water Runoff Ordinance*.

11.15 INSPECTION OF SURFACE IMPROVEMENTS

A. INSPECTION REQUIRED. All grading, paving, landscaping, or other surface improvements as required by this ordinance shall be inspected during the course of construction and upon completion by the Village Engineer and by the Building Department of the Village of Montgomery.

B. NOTIFICATION REQUIRED. During the course of construction of the improvements, the subdivider shall notify the Village twenty-four (24) hours before any required inspection.

C. INSPECTION FEES. The subdivider shall pay the cost of all inspection services to the Village Treasurer. The fee shall be established by the Village, based on current rates and standard engineering practice.

11.16 EROSION AND SEDIMENTATION CONTROL

A. PURPOSE

1. The purpose of this is to take active measures to prevent excessive soil erosion from areas that are undergoing development for certain non-agricultural uses, including but not limited

to, the construction of dwelling units, commercial buildings and industrial plants, the building of roads and highways, and the creation of recreational facilities.

2. That the washing, blowing, and falling of eroding soil across and upon open roadways tend to create conditions that are not in the best interests of the general public. These conditions include but are not limited to: clogging of storm sewers and ditches; addition of silt and pollution to rivers, streams, lakes, ponds, reservoirs and other waterways; the destruction of fish and other aquatic life; and reduction in the channeling capacity of waterways, resulting in an increased chance of flooding in other areas.

B. GENERAL CRITERIA AND STANDARDS

1. Temporary vegetation or, where appropriate, mulching or other non-viable cover shall be used to protect areas exposed during development.

2. Sediment basins, debris basins, desilting basins, or silt traps shall be installed and maintained to remove sediment and run off waters from land undergoing development.

3. Provisions shall be made to effectively accommodate the increased run off caused by changed soil and surface conditions during and after development.

4. The plan of development shall relate to the topography and soils of the site so that the lowest potential for erosion is created, and natural plant covering is retained.

C. EROSION AND SEDIMENTATION CONTROL PLAN

1. Included with any site plan or sketch submitted to the Village should be the locations of existing utilities, known drains, water courses, drainage patterns.

2. The developer will produce a plan which will show the following.

   a. Whether the drainage course is barren or vegetated.

   b. Whether the natural or proposed outlet is subject to long term or continuous flow.

   c. Whether the existing outlet is actively eroding.

   d. Whether there is evidence of a high water table (permanent or seasonal).

   e. The elevation of all normal water level in all proposed and natural outlets.

3. The provisions of the *Village of Montgomery's Flood Plain Ordinance*, Ordinance # 620 shall be complied with.

SECTION 12.00 – ADMINISTRATION AND ENFORCEMENT

12.01 ORGANIZATION

The following offices of the government of the Village of Montgomery are concerned with the administration of this ordinance.

A. THE VILLAGE BOARD. The Village Board is vested with the following responsibilities in regard to subdivision control:

1. *Plans and Plats*. Approval or disapproval of all preliminary plans and final plats referred to it by the Plan Commission.

2. *Variations*. Approval or disapproval of all variation and exceptions recommended by the Plan commission.

3. *Amendments*. Amendment of the regulations of this ordinance when found necessary and desirable after review by the Plan Commission.

4. *Enforcement*. Initiation of appropriate proceedings to enforce the provisions of this ordinance.

B. THE VILLAGE PLAN COMMISSION. The Plan Commission shal1 administer the provisions of this ordinance, in furtherance of said authority shall:

1. Maintain Ordinances. Maintain permanent and current records of this ordinance, including amendments thereto.

2. *File Plans and Plats*. Receive and file all preliminary plans and final plats (together with applications).

3. *Liaison with Concerned Agencies*. Forward copies of the preliminary plan to other appropriate offices and agencies for their recommendations and report.

4. *Liaison with Village Board*. Forward with recommendations to the Village Board all preliminary plans.

5. *File All Checked Plats*. Receive and file all final plats, and check their compliance with the preliminary plan.

6. *Forward Plats to Village Board*. Forward with recommendations to the Village Board all final plats.

7. *Other Determinations*: Make all other determinations required by the regulations herein.

C. THE VILLAGE ENGINEER.

1. *Review of Plans*. The Village Engineer shall review all preliminary subdivision plans and make determinations in the areas of design standards and engineering specifications, as stipulated herein.

2. *Inspection of Work*. The Village Engineer shall inspect all improvements required by this ordinance both during construction and after completion to insure compliance with this ordinance and with good construction practice.

12.02 ENFORCEMENT

A. BUILDING AND ZONING OFFICER TO ADMINISTER ORDINANCE. It shall be the duty of the Building and Zoning Officer of the Village of Montgomery or his designee to administer this ordinance and to bring any violation or lack or compliance herewith to the attention of the Village Attorney.

B. COMPLIANCE REQUIRED BEFORE SALE OF LOTS OR INSURANCE OF BUILDING PERMIT. No owner, or agent of the owner, of any parcel of land located in a proposed subdivision shall transfer or sell such parcel, nor shall any public official issue a building permit for the construction of buildings or structures within a proposed subdivision, before the final plat of said subdivision has been approved by the Village Board, in accordance with the provisions of this ordinance, and filed with the Recorder of Deeds of Kane or Kendall County, Illinois.

C. USE OF MITES AND BOUNDS MEASURE PROHIBITED. The subdivision of any lot or any parcel of land by the use of mites and bounds for the purpose of sale, transfer, or lease with the intent of evading this ordinance will not be permitted. All such described subdivisions shall be subject to all of the requirements and regulations contained in this ordinance.

D. COMPLIANCE REQUIRED BEFORE PLAT APPROVAL. No final plat of subdivision shall be approved which does not comply with all the provisions of this ordinance.

12.03 VARIATIONS AND EXCEPTIONS

A. HARDSHIPS. Where the Plan Commission finds that extraordinary hardships or particular difficulties regarding the physical development of land may result from strict compliance with these regulations, it may recommend variations or exceptions to the regulations so that substantial justice may be done and the public interest secured, provided that such variation or exception shall not have the effect of nullifying the intent and purpose of this ordinance; and further provided the Plan Commission shall not recommend variations or exceptions to the regulations of this ordinance unless it shall make findings based upon the evidence presented to it in each specific case that:

1. *Public Welfare Protected*. The granting of the variation will not be detrimental to the public safety, health, or welfare or injurious to other property or improvements in the neighborhood in which the property is located;

2. *Unique Conditions*. The conditions upon which the request for a variation is based are unique to the property for which the variation is sought and are not applicable, generally, to other property;

3. *Particular Physical Conditions*. Because of the particular physical surroundings, shape or topographical conditions of the property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.

B. CONDITIONS. In recommending exceptions, the Plan Commission conditions as will, in its substantially the objectives of requirement of this ordinance variations and may require such judgment secure the standards or

C. PROCEDURE. A petition for any such variance shall be submitted in writing by the subdivider at the tine the preliminary plan is filed for consideration by the Plan Commission. The petition shall state fully the grounds for the application and all of the facts relied upon by the petitioner.

D RECOMMENDATIONS. Such variations and exceptions as may be recommended by the Plan Commission shall be forwarded to the Village Board in writing, substantiating the recommended variations and/or exceptions. The Village Board may approve such variations or exceptions from the requirements of this ordinance in specific cases as listed on the final plat, which in its opinion do not adversely affect the adopted Comprehensive Plan or the intent and purpose of this ordinance.

12.04 RECORD OF PLATS

All of such plats of subdivisions, after the same have been submitted and approved as provided in this ordinance, shall be copied upon a book of plats of said Village of Montgomery and shall be filed and kept by the Village of Montgomery.

12.05 VALIDITY

If any section, subsection, sentence, clause, or phrase of this ordinance is adjudged to be void, such decision shall not affect the validity of the remaining portions of this ordinance.

12.06 APPEALS

Any person or corporation may appeal within sixty (60) days to the Village Board of Trustees any final action taken by the Plan Commission. The Board of Trustees shall act as a Board of Appeals and shall hear and decide appeals form and review any final order, requirement, decision or determination made by the Plan Commission, under this Subdivision Control Ordinance. The concurring vote of two-thirds (2/3) of the Board of Trustees shall be necessary to reverse any final order of the Plan Commission under this ordinance.

12.07 REPEAL

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are to the extent that such conflict exists, are hereby repealed.

12.08 AMENDMENTS

For the purpose of promoting public health, safety, and general welfare, the Village Board may from time to time amend the regulations imposed by this ordinance. The Plan Commission shall hold a public hearing on proposed amendments and make recommendations thereon to the Village Board.

12.09 VIOLATIONS AND PENALTIES

Any person, firm, or corporation who fails to comply with, or violates, any of the provisions of this ordinance, shall be subject to a fine of not less than twenty five dollars ($25.00) and not more than five hundred dollars ($500.00), and each day the violation continues shall be considered a separate offense.

Whoever shall sell or offer for sale, lease or offer for lease, while this ordinance is in effect any lot or lots or block or blocks, within the incorporated limits of the Village of Montgomery, or any resubdivision of any lot or block therein, or within contiguous territory and not more than one and one-half (1-1/2) miles beyond the incorporated boundary of the Village of Montgomery before a final plat of subdivision has been approved by the Plan Commission and the Village Board of Trustees as required by this ordinance, shall be fined not less than Twenty Five Dollars ($25.00) not more than Five Hundred Dollars ($500.00) for each lot, block, or part thereof so disposed of, offered for sale or leased.

12.10 FEES

A. CONDITIONS. In order to cover the costs of plan examination, filing, recording, and other expenses incidental to the approval of a subdivision, the subdivider shall pay a fee at the time of application for approval of a preliminary plan. Such fee shall be based on the projected number of lots to be created, and an adjustment of the fee will be made; the subdivider to pay an additional amount or to receive a refund. There shall be no refund of any portion of the fee if the subdivider fails to apply for final approval of the subdivision. There shall be no fee for the preliminary consultations prior to the submission of the preliminary plan.

B. AMOUNT

Number of Lots			Fee
1	to	25	$30.00
26	to	50	$30.00 plus $0.50 for each lot in excess of 25
51	to	100	$42.50 plus $0.40 for each lot in excess of 50
101	to	200	$62.50 plus $0.25 for each lot in excess of 100
Over 200			$87.50 plus $0.15 for each lot in excess of 200

All such fees shall be payable to the Village of Montgomery by certified check or money order.

C. RECORDING FEES. In addition to the fees listed in paragraph B above, the subdivider shall also bear the cost of recording the plat.

12.11 ADOPTION

This ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

12.12 PUBLICATION

This ordinance shall be published in book or pamphlet form as provided by the Illinois Municipal Code.

12.13 EFFECT

The ordinance shall be in full force and effect from and after its passage and publication according to law.

Approved this _____ day of _____19____, A.D.

_____
President, Board of Trustees
Village of Montgomery,
Kane and Kendall County, Illinois

Vote:_____ Ayes____ Nays____ Absent_____

Attested:

_____
Village Clerk

EXHIBIT A

NOTICE OF APPROVAL OF PRELIMINARY PLAN

"Notice is hereby given that the preliminary plan of a subdivision shown hereon has received approval by the Board of Trustees of the Village of Montgomery, Illinois, and upon compliance by the subdivider with requirements of qualifications governing the approval of preliminary plans and with other revisions and stipulations that may be required, the Board of Trustees will receive the final plat for consideration when submitted by the subdivider in such form and within such time as required by this ordinance."

The Board of Trustees
of the Village of Montgomery, Illinois

Date_____, 20____

By_____
President
Attest_____
Village Clerk

EXHIBIT B

OWNER'S CERTIFICATE

(For use in case of corporation)

STATE OF ILLINOIS)
SS
COUNTY OF KANE OR KENDALL)

This is to certify that _____, a _____ corporation, is the sole owner of the land described in the annexed plat (exception, if any); that no other person has any right, title or interest in said land, and that said company has caused the same to be surveyed and subdivided as indicated theron, for the uses and purposes therein set forth, and does hereby acknowledge and adopt the same under the title thereon indicated;

Dated this _____day of _____, 20___.

_____
President

_____
Secretary

EXHIBIT B

OWNER'S CERTIFICATE

(For use in case of individual ownership)

STATE OF ILLINOIS)
SS
COUNTY OF KANE OR KENDALL)

This is to certify that _____, and _____ his wife, are the owners of the land described as _____ in Kane or Kendall County, Illinois, shown hereon as (Lot _____ Block_____) and that no other person has any right, title or interest in said land, and that said owners have caused the same to be surveyed and subdivided as indicated thereon the annexed plat (exception, if any); that no other person has any right, title or interest in said land, and that said company has caused the same to be surveyed and subdivided as indicated thereon, for the uses and purposed therein set forth, and do hereby acknowledge and adopt the same under the title thereon indicated;

Dated this _____day of _____, 20___.

_____
President

_____
Secretary

EXHIBIT C

OWNER'S SURFACE WATER DRAINAGE CERTIFICATE *

STATE OF ILLINOIS)
SS
COUNTY OF KANE OR KENDALL)

This is to certify that _____ owner of the land herein described or duly authorized attorney certify that to the best of my knowledge and belief the drainage of surface waters will not be changed by the construction of such subdivision or any part thereof, or, that if such surface water drainage will be changed, adequate provisions have been made for collection and diversion of such surface waters into public areas, or drains which the subdivider has a right to use, and that such surface waters will not be deposited on the property of adjoining land owners in such concentrations as may cause damage to the adjoining property because of the construction of the subdivision.

_____
Title

_____
Address

Dated this ____day of _____, 20___.

* Corporate owner's certificate should be accompanied by a corporate form of acknowledgement.

EXHIBIT D

NOTARY CERTIFICATE

STATE OF ILLINOIS)
SS
COUNTY OF KANE OR KENDALL)

I,_____, Notary Public in and for said County, in the State aforesaid, do hereby certify that_____ personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such owners, appeared before me this day in person and acknowledged that they signed to annexed plat as their own free and voluntary act for the uses and purposes therein set forth.

Given under may hand and Notarial Seal this _____day of _____, 20__.

_____
Notary Public

EXHIBIT E

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
SS
COUNTY OF KANE OR KENDALL)

I,_____, a Registered Illinois Land Surveyor, DO HEREBY CERTIFY that I have surveyed and subdivided in the above caption, and that the said annex plat, drawn to a scale of 100 feet per 1 inch, is a true and correct representation of the said survey and. subdivision. I do further certify that I have placed iron stakes at all lot corners and at all curve control points as permanent monuments from which future surveys may be made. All measurements are shown in feet and in decimal parts of a foot.

I do further certify that no part of the property covered by this plat is situated within 500 feet of surface drain or watercourse serving a tributary area of 640 acres or more.

Dated at Montgomery, Kane or Kendall County, Illinois, this _____day of_____ ,20___.

_____
Registered Illinois Land Surveyor

EXHIBIT F

VILLAGE ENGINEER

STATE OF ILLINOIS)
SS
KANE OR KENDALL COUNTY)

I, _____, Village Engineer of the Village of Montgomery, Illinois, hereby certify that the land improvements described in the annexed plat and the plans and specifications therefore, meet the minimum requirements of said Village and have been approved by all public authorities having jurisdiction thereof.

Dated at Montgomery, Kane or Kendall County, Illinois, this day of _____, 20___.

_____
Village Engineer

EXHIBIT G

COUNTY CLERK CERTIFICATE

STATE OF ILLINOIS)
SS
COUNTY OF KANE OR KENDALL)

I, _____, County Clerk of Kane or Kendall County, Illinois, DO HEREBY CERTIFY that there are no delinquent general taxes, or unpaid current general taxes, no unpaid forfeited taxes and no redeemable tax sales against any of the land included in the annexed plat.

I further certify that I have received all statutory Fees in connection with the annexed plat.

Given under my hand and seal of the county clerk at Kane or Kendall, Kane or Kendall County, Illinois, this _____ day of _____, 20____.

_____
County Clerk

EXHIBIT H

PLAN COMMISSION CERTIFICATE

STATE OF ILLINOIS)
SS
COUNTY OF KANE OR KENDALL)

This is to certify that the members of the Plan Commission have reviewed and approved the annexed plat.

Dated at Montgomery, Kane or Kendall County, Illinois, this___day of_____, 20___.

_____
Chairman

_____
Secretary

EXHIBIT I

CERTIFICATE AS TO SPECIAL ASSESSMENTS

STATE OF ILLINOIS)
SS
COUNTY OF KANE OR KENDALL)

I, _____ , Village Treasurer of the Village of Montgomery, do hereby certify that there are no delinquent or unpaid current or forfeited special assessments or any deferred installments thereof that have been apportioned against the tract of land included in the plat.

Dated at Montgomery, Kane or Kendall County, Illinois, this ___day of _____, 20___.

_____
Village Treasurer

EXHIBIT J

VILLAGE CLERK'S CERTIFICATE

STATE OF ILLINOIS)
SS
COUNTY OF KANE OR KENDALL)

I, _____, Village Clerk of the Village of Montgomery, Illinois, hereby certify that the annexed plat was presented to and by resolution duly approved by the Board of Trustees, of said Village at its meeting held on _____, 20___, and that the required bond or other guarantee has been posted for the completion of the improvements required by the regulations of said Village.

In witness whereof, I have hereto set my hand and seal of the Village of Montgomery, Illinois, this _____ day of _____, 20___.

_____
Village Clerk

EXHIBIT K

LETTER OF CREDIT

Letter of Credit #_____
Project _____
Amount _____

Name of Issuing
Institution _____
Address _____
_____
_____

Dear Sir:

The undersigned Bank of _____ by (name, title)_____, its duly authorized agent, hereby issues the Village of Montgomery, 1300 S. Broadway, Montgomery, IL 60538, this irrevocable letter of credit in the amount of $_____ which such credit may be drawn by said Village at sight on us.

Demands on said letter of credit must be accompanied by the certificate of the Village Engineer of the Village of Montgomery, certifying either (1) that said letter of credit is about to expire and has not been renewed; or (2) the work has not been completed in accordance with the plans, specifications and agreements (including any amendments thereof) for the following project: _____, (the "project").

This irrevocable letter of credit shall expire on _____; provided, however, the undersigned shall notify the Village Clerk by certified mail, return receipt requested, at least 35 days prior to said expiration date that said letter is about to expire. In no event shall this irrevocable letter of credit or the obligation contained herein expire except upon said written notice, it being expressly agreed by the undersigned that the above expiration date shall be extended as shall be required to comply with this notice provision.

The undersigned further agrees that this irrevocable letter of credit shall remain in full force and effect and pertain to any and all amendments or modifications which may be made from time to time to the plans specifications and agreements to the project, without notice from said Village of such amendments or modifications.

All acts, requirements and other preconditions for the issuance of this irrevocable letter of credit have been completed.

The Bank of _____ hereby undertakes and engages that all demands made in conformity with this irrevocable letter of credit will be duly honored upon presentation. If within ten (10) days of the date of any demand (made in conformity with the irrevocable letter of credit) is presented, we fail to honor the same, we agree to pay all attorney fees, court costs and other expenses incurred by the Village of Montgomery in enforcing these terms of this letter of credit.

Dated: _____

Issuing Bank: _____

By: _____
Authorized signature

(seal)

Performance bond will be of similar format

APPENDIX 6

Memo Via Electronic Mail

To: Christina Burns, Assistant City Manager, Village of Oswego
Rod Zenner, AICP, Community Development Director, Village of Oswego

From: Jennifer M. Tammen, Municipal Advisor/Principal

Date: August 24, 2015

Subject: Appraisal for 1-acre of Undeveloped Residential Land and Engineer's Cost Analysis

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As part of the Development Impact Fee Study engagement, Ehlers has coordinated the preparation of an appraisal for 1 acre of residential land within the Village of Oswego for purposes of updating the land value as it relates to the Village's land cash ordinance for schools and parks. The appraisal was prepared by MaRous & Company and a final draft was previously provided to the Village. A copy is attached herein for your convenience.

The Village also requested an Engineer's Cost Analysis to estimate the construction costs associated with the development of land with a per acre cost to develop land per the Village's Land/Cash Ordinance. The estimate also includes unit costs that could be applied to estimate the future development costs associated with school or park sites assuming utilities are brought to the site. Clark Dietz, Inc. has prepared the estimate and a copy is attached.

In summary, the appraised value of one acre of land as of January 22, 2015 is $22,500. The developed cost per acre of usable land for a school or park site, per the Village's Land/Cash Ordinance is $57,000 in 2015 dollars, for a total per acre cost of $79,500.

Please contact me with any questions.

1 ACRE OF UNDEVELOPED LAND
FOR RESIDENTIAL USE
OSWEGO, ILLINOIS 60543

MaROUS & COMPANY

March 4, 2015

Ehlers, Inc.
550 Warrenville Road, Suite 220
Lisle, Illinois 60532

Attention: Ms. Jennifer M. Tammen, Financial Advisor

Subject: 1 Acre of Undeveloped Land
Oswego, Illinois 60543

Dear Ms. Tammen:

In conformance with the signed letter of engagement, the value of land near Oswego, Illinois, has been developed. This appraisal report has been prepared specifically for your use in advising the Village of Oswego. The purpose of this appraisal is to determine at what price 1 acre of undeveloped land for residential use would sell as of January 22, 2015, in order for the Village Board to consider this information in its decision making. The entire fee simple in the property is being appraised.[1]

The assignment, based on the February 10, 2015, letter to you from Rod Zenner, Community Development Direct, Village of Oswego, is to value "undeveloped land at the perimeter of the Village's corporate limits..."

The residential market has begun to show signs of stabilization. Nevertheless, there remains significant pressure on the value of residential land due to the inventory of available land and of existing single-family houses at reasonable prices. Residential values in Oswego have remained stable and/or have increased slightly since 2012.

In view of the following facts and data connected with this appraisal, the market value of the fee simple interest in 1 acre of undeveloped land near Oswego, Illinois, as of January 22, 2015, is:

TWENTY-TWO THOUSAND FIVE HUNDRED DOLLARS

($22,500)

This value estimate is contingent upon the estimated exposure time of 6 to 9 months. It is a gross value and no allowance was made for brokerage commissions or costs of utilities, real estate taxes, or other carrying costs during the marketing period.

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1 Fee simple interest is defined by *The Appraisal of Real Estate*. 13th ed., (Chicago: Appraisal Institute, 2008) page 114 as: Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat.

Ms. Jennifer M. Tammen
1 Acre of Land
March 4, 2015

MaRous and Company has received and has relied upon verbal and written communications and documents regarding the subject property in the preparation of this appraisal report. If additional information about the property being appraised is received or becomes known, MaRous and Company reserves the right to determine whether this information has a substantive impact on the valuation and to adjust values accordingly.

This document conforms to my understanding of the requirements for an appraisal report under Standard Rule 2-2 (a) of the *Uniform Standards of Professional Appraisal Practice and Advisory Opinions* (USPAP). This appraisal report is a brief recapitulation of the appraisal data, analyses, and conclusions. Supporting documentation is retained in MaRous and Company office files.

This letter of transmittal is personally signed and is attached to and accompanies an appraisal report. Any use of this letter of transmittal without the accompanying appraisal report and the original signatures invalidates the certification and may result in misleading value conclusions.

Respectfully submitted,

MaRous & Company



Michael S. MaRous, MAI, CRE
Illinois Certified General - #553.000141 (9/15 expiration)

APPRAISAL REPORT
1 Acre of Undeveloped Land for Residential Use
Oswego, Illinois 60543

Purpose of Assignment, Date, and Intended Use and User of the Appraisal

The purpose of this appraisal is to estimate the market value of 1 acre of land near Oswego, Illinois, as of March 3, 2015, in order to assist the Village of Oswego in determining at what price undeveloped land at the perimeter of the Village's corporate limits would sell if properly exposed for sale in the open market, and for planning purposes. The entire fee simple title is being appraised.

Fee Simple Estate

Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat.[2]

Market Value

The most probable price a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- Buyer and seller are typically motivated;
- Both parties are well informed or well advised, and acting in what they consider their own best interests;
- A reasonable time is allowed for exposure in the open market;
- Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
- The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.[3]

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2 *The Appraisal of Real Estate.* 13th ed., (Chicago: Appraisal Institute, 2008) 114.

3 (12 C.F.R. Part 34.42(g); 55 *Federal Register* 34696, August 24, 1990, as amended at 57 *Federal Register* 12202, April 9, 1992; 59 *Federal Register* 29499, June 7, 1994)

Sources of Property Identification and Scope of Work

In order to develop the fee simple market value of 1 acre of undeveloped residential land near Oswego:

- Michael S. MaRous, MAI, CRE, is familiar with the Oswego area;
- The physical and economic factors that could affect the property being appraised were researched;
- Market research was conducted to compile information concerning the general conditions affecting the residential property in the village of Oswego, and to develop sales of comparable vacant residential sites;
- General and specific information regarding the village, comparable land sales, and/or relevant market data was taken from a variety of public and or subscription sources, including mapping programs, governmental and private sector websites, and other miscellaneous resources and reference materials;
- Information from within MaRous and Company office files, and interviews with brokers, appraisers, developers, and lending institution representatives, (including Keith Lang; Robert Headrick, SRA; Pulte Homes; and representatives from Old 2nd National Bank,) were used to provide information for this report.

Significant real property appraisal assistance, including performing research and analyses, and assisting in the preparation of this appraisal report, was provided by Anita Rifkind.

Approaches to Value

The valuation of real estate mainly uses a combination of three basic approaches to value: the cost approach, the income capitalization approach, and the sales comparison approach. From the values indicated by these analyses and the weight accorded to each, an opinion of value is reached based upon expert judgment within the framework of the appraisal process.

In this instance, only the sales comparison approach to value is considered relevant to the development of an opinion of value.

This document conforms to my understanding of the requirements for an appraisal report under Standard Rule 2-2 (a) of the *Uniform*

Standards of Professional Appraisal Practice and Advisory Opinions (USPAP). This appraisal report is a brief recapitulation of the appraisal data, analyses, and conclusions. Supporting documentation is retained in MaRous and Company office files.

Location Description

The village of Oswego is comprised of approximately 14.6 square miles and is located in the northeast corner of Kendall County. To the immediate west is unincorporated land and the community of Lynnwood. To the north is unincorporated land and the town of Boulder Hill. Beyond that is the City of Aurora. To the east and south is unincorporated land. Beyond that is the village of Naperville. Southwest is unincorporated land and the city of Yorkville. The majority of the unincorporated areas around Oswego remain agricultural in use, although the trend has been toward the development of new subdivisions in these areas. The village is bisected by the Fox River.

Kendall County, and Oswego, have been growing rapidly as the metropolitan area has expanded to the collar counties. The 2010 population of 30,355 is just under 2.5 times the 2000 population of 12,726. This growth was slowed by the economic recession of 2007/2008; the 2014 estimated population is 31,942. Improving economic conditions are expected to result in additional demand for housing in the area.

Access and transportation to the village is good. U.S. Route 34 is the major highway running through the village in a northeast/southwest direction. U.S. 30 is the major east/west highway. An interchange at Orchard Road and Interstate 88 serves Oswego. To the east and west, Illinois Routes 59 and 47 provide additional access to Interstate 88. Metra commuter trains are available in Aurora; there is public bus service from Oswego to the Aurora Transportation Center.

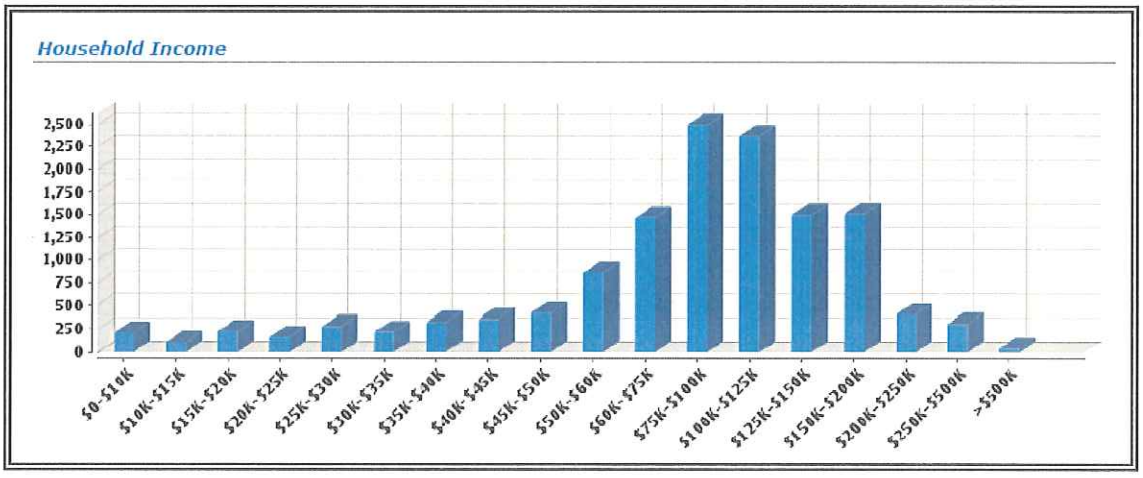
Commercial activity is concentrated along U.S. Route 34, with a smaller mix of retail, restaurant, and office uses in the downtown area,

which is situated on the eastern side of the Fox River. Retail sales in Oswego totaled $542,993,100 in 2013, exceeding those of Montgomery, Yorkville, and Plainfield.[4]

The village has 49 parks including 31 playgrounds, nine tennis courts, 367 acres of natural areas with 13 miles of biking/hiking trails, a 160-acre golf course, two skate parks, and an aquatic park. The village is served by 14 elementary schools, a middle school, and two high schools.

Permits for single-family residential development have shown significant improvement in the last 2 years. The Village reports that permits in 2009 totaled 71 with a total value of $17,755,701; in 2010 totaled 80 with a total value of $13,789,529; in 2011, totaled 86 with a total value of $15,195,208; in 2012, totaled 111 with a value of $15,737,733; and permits in 2013 totaled 214 with a value of $39,028,061.

The village's population is relatively young; the median age is 32.24 years. The 13,265 households have an average annual income of $102,011.



4 Data taken from the Economic Development Department of the Village of Oswego. Http://www.oswegoil.org accessed December 15, 2014.

Market Overview

The single-family residential market has begun to slowly recover from the devastating recession that began in late 2007/early 2008. The somewhat tepid economic recovery with only slight reductions in unemployment has resulted in continued underwater mortgages, defaults, and the resultant stagnation of housing prices.

Like most other communities, Oswego has experienced a significant reduction in housing values since 2008; however, residential values in Oswego have remained stable and/or have increased slightly since 2012.

Using Midwest Real Estate Data, LLC (MRED), the A. L. Wagner Appraisal Group has tracked values in the Chicago Metropolitan Area communities. The following excerpts from their quarterly report show the change between October 1, 2012, to October 1, 2013, and October 1, 2013, to October 1, 2014 for both Oswego and Yorkville.

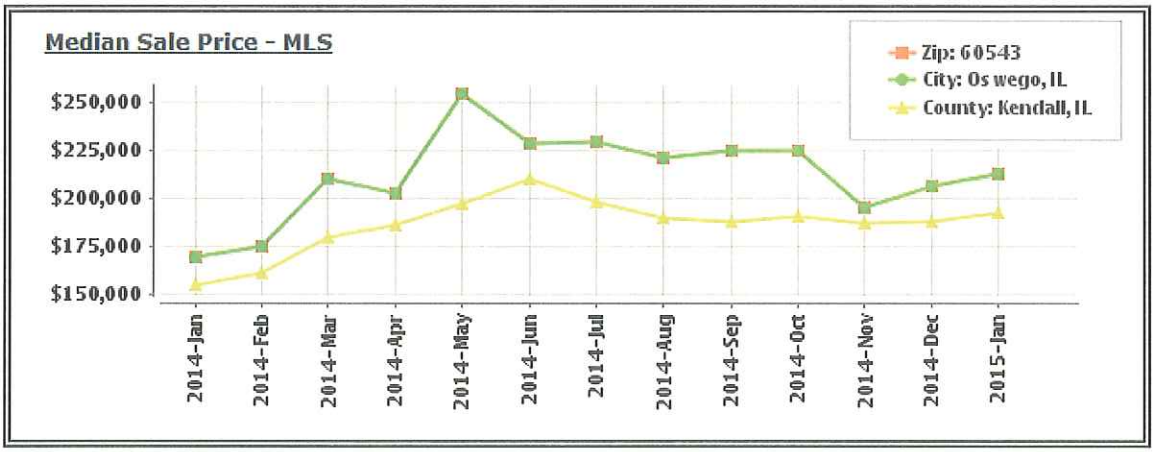
		October 1, 2013 Statistics							October 1, 2012 Statistics			
				Under	Under	# of Sales						12 mo SP
	MLS		Average	Contract	Contract	Last	Average	MONTHS	MONTHS	Percent	Average	Percent
Town	Area	Actives	List Price	(Ctg.)	(Pend)	12 mos.	Sale Price	SUPPLY	SUPPLY	Change	Sale Price	Change
Oswego	543	181	$ 299,576	82	12	489	$ 222,273	3.73	4.81	-22.47%	$ 222,122	0.07%
Yorkville	560	134	$ 336,192	40	10	314	$ 231,266	4.42	6.29	-29.77%	$ 208,187	11.09%

		October 1, 2014 Statistics							October 1, 2013 Statistics			
				Under	Under	# of Sales						12 mo SP
Town	MLS Area	Actives	Average List Price	Contract (Ctg.)	Contract (Pend)	Last 12 mos.	Average Sale Price	MONTHS SUPPLY	MONTHS SUPPLY	Percent Change	Average Sale Price	Percent Change
Oswego	543	192	$ 328,858	89	11	464	$ 243,396	4.09	3.73	9.78%	$ 222,273	9.50%
Yorkville	560	147	$ 318,091	39	6	288	$ 241,650	5.30	4.42	19.98%	$ 231,266	4.49%

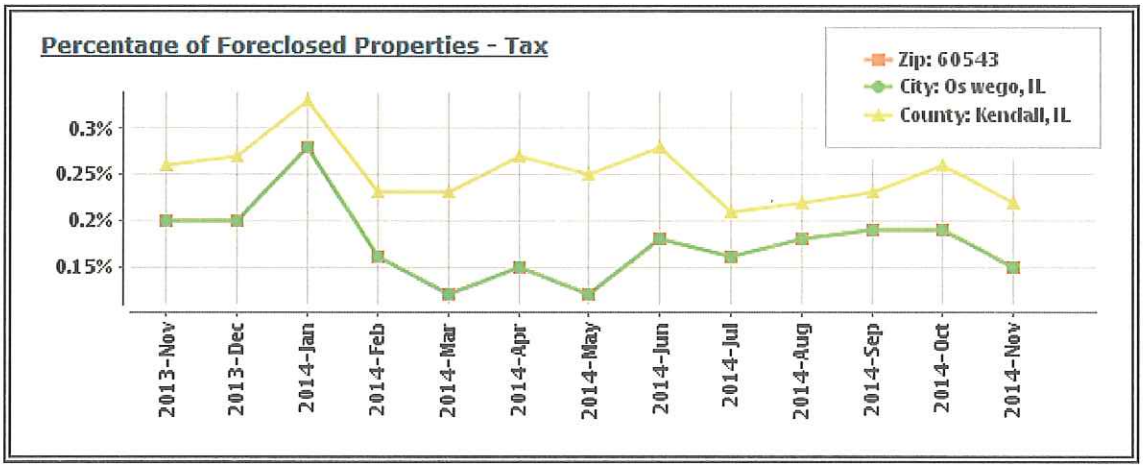
As these data indicate, inventory (Months Supply) has risen in both communities; however, the average sale price has continued to improve from the significant losses incurred between January 1, 2008, and January 1, 2012. These data are summarized in the table below.

		January 1, 2012 Statistics							January 1, 2008 Statistics			
				Under	Under	# of Sales						48 mo SP
	MLS		Average	Contract	Contract	Last	Average	MONTHS	MONTHS	Percent	Average	Percent
Town	Area	Actives	List Price	(Ctg.)	(Pend)	12 mos.	Sale Price	SUPPLY	SUPPLY	Change	Sale Price	Change
Oswego	543	226	$ 289,344	56	3	317	$ 239,130	7.21	9.01	-19.92%	$ 317,557	-24.70%
Yorkville	560	135	$ 316,275	32	5	259	$ 212,109	5.47	13.58	-59.69%	$ 309,512	-31.47%

The following table compares the median single-family house sale prices in Oswego with Kendall County as a whole for the last year.[5]



According to the MRED, the number of foreclosures in Oswego is below the average for Kendall County as a whole.



However, in the past 12 months, Midwest Real Estate Data (MRED) reports that there have been 431 sales with a range in sale price from $48,600 to $499,500, and with an average sale price of $241,839. The average marketing time was 104 days. Of these 431 sales, 95, or approximately 22 percent, were reported as sales under financial duress. Of the 27 land sales between 0.5 and 1.0 acre in size in Yorkville and Oswego in 2013 and 2014, 23 were foreclosures.

5 Source: Midwest Real Estate Data

These numbers indicate that foreclosures and general economic weakness continue to impact single-family residential values in the area.

As of the date of value, there are 19 listings of residential or agricultural lots and of land at least 1 acre in size, and located within the Village's boundaries and planning area. Of these, 13 range between 1 and 2 acres in size and have a range in asking price of $39,000 to $124,000. The average marketing time for these 13 listings is 1,076 days. Of the six larger properties, there are five listings that contain between 3 and 5 acres, with a range in asking price of $275,000 to $450,000. The average days on market for these six properties is 358 days.

There have been five sales of residential and agricultural land in Oswego and the planning area reported by MRED in the last 2 years. Of these, two were foreclosures. Two of the five are large acreage sales. The average marketing time for the three parcels ranging in size from 1 to just over 7 acres was 271 days. The average market time for the two parcels ranging in size from 23 to just over 32 acres was 445 days.

Overall, the market data indicate that, although residential values in Oswego have stabilized and have begun to improve, they are likely to remain at this "new normal" for some time into the future.

Site Description

This report estimates the value of 1 acre of undeveloped land at the perimeter of the Village's corporate limits. As such, the site would need to be improved with streets, sidewalks, utilities, and other site improvements. The estimates of these costs are not included in this appraisal report.

Zoning

The assumption is that acreage sales within the Village's planning area ultimately would be annexed by the Village and would be subdivided. Under the Village Zoning Ordinance, single-family residential lots range in size from 11,000 square feet under the R-2, Single Family Residence District, zoning, to 2.0 acres under the RE, Residential Estate

District, zoning. The following table summarizes the site sizes, frontages, and floor area ratio (FAR) allowed under the various zoning districts for single-family development.

SINGLE-FAMILY ZONING DISTRICTS

	R-1	R-2	R-3	R-4	R-E	R-L
Minimum Site Size (Sq. Ft.)	15,000	11,000	15,000	11,000	2 acres	30,000
Minimum Width (Ft.)	100	85	100	85	200	120
Allowed FAR	0.30/1.0	0.30/1.0	0.30/1.0	0.30/1.0	0.15/1.0	0.30/1.0

Source: Oswego Zoning Ordinance

The majority of the village is zoned either R-1 or R-2.

Access

The assumption is that raw acreage would be part of a subdivision with interior streets.

Utilities

All utilities, including electricity, natural gas, telephone, and municipal water and sewer, are assumed to be available, but not installed to the 1-acre parcel.

Flood Hazard

There may be areas of Oswego which are impacted by either flood hazard areas or wetlands. For the purposes of this assignment, it is assumed that the land being valued is not located in a designated flood hazard area or does not have significant areas of wetlands.

Exposure Time

Exposure time is the length of time a property would be offered on the market prior to a hypothetical sale as of the appraisal date. It is "a retrospective estimate based upon an analysis of past events assuming a competitive and open market."[6] Parallel with this concept is that of marketing time, which is "[a]n opinion of the amount of time it might take to sell a real or personal property interest at the concluded market

6 *The Dictionary of Real Estate Appraisal.* 5th ed., (Chicago: Appraisal Institute, 2010) 73.

value level during the period immediately after the effective date of an appraisal."[7]

As of the appraisal date, exposure times for residential land in the general market area of the subject property ranged from 6 months to more than 1 year. Based upon the market conditions analyzed for this report, the exposure period for the subject property at the appraised value and as of the date of value is estimated to be 6 to 9 months.

Highest and Best Use

Definition

Highest and best use is defined as follows:

> The reasonably probable use of property that results in the highest value.... To be reasonably probable, a use must meet certain conditions:
>
> - The use must be *physically possible* (or it is reasonably probable to render it so).
> - The use must be *legally permissible* (or it is reasonably probable to render it so).
> - The use must be *financially feasible*.
>
> Uses that meet the three criteria of reasonably probable uses are tested for economic *productivity*, and the reasonably probable use with the highest value is the highest and best use.[8]

To arrive at an opinion of highest and best use, the most profitable competitive use for the land or a site as though vacant and as improved is analyzed.

Highest and Best Use as Though Vacant

Market data previously discussed indicate that the residential real estate market in Oswego has begun to stabilize during the past 2 years. The number of foreclosures has decreased significantly, which will contribute to the further stabilization of values in the community.

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7 *The Dictionary of Real Estate Appraisal.* 5th ed., (Chicago: Appraisal Institute, 2010) 121.

8 *The Appraisal of Real Estate.* 14th ed., (Chicago: Appraisal Institute, 2013) 332.

However, the difficult economic conditions and the loss of value of existing single-family houses also has had a devastating impact on the value of vacant land. With construction costs basically holding steady during the economic downturn, new construction had become economically infeasible and there was little or no demand for vacant land on which to develop single-family houses. For those reasons, the market reflects the fact that losses in value for vacant land parcels generally are higher than those for single-family houses.

Nevertheless, communities like Oswego are beginning to see increased interest in new residential development. Demand is significantly better in areas where municipal water and sewer is potentially available, and near where there is some development occurring. Even in these areas, however, high impact fees act as a drain on the market.

As is evidenced by the market analysis and by the market data available in the Oswego market area, there have been few recent acreage sales. However, demand is likely to increase as market conditions continue to gradually improve.

Conclusions as Though Vacant

Vacant land in the Village of Oswego planning area continues to have residential development as its highest and best use.

Real Estate Tax Information

Real estate taxes currently are based on the 2013 tax rate of 10.6243 percent.

VALUATION PROCESS

Because the purpose of this appraisal report is to determine the value of vacant land, only the sales comparison approach to value has been considered. Definitions of the approaches to value are in the addenda to this report.

SALES COMPARISON APPROACH

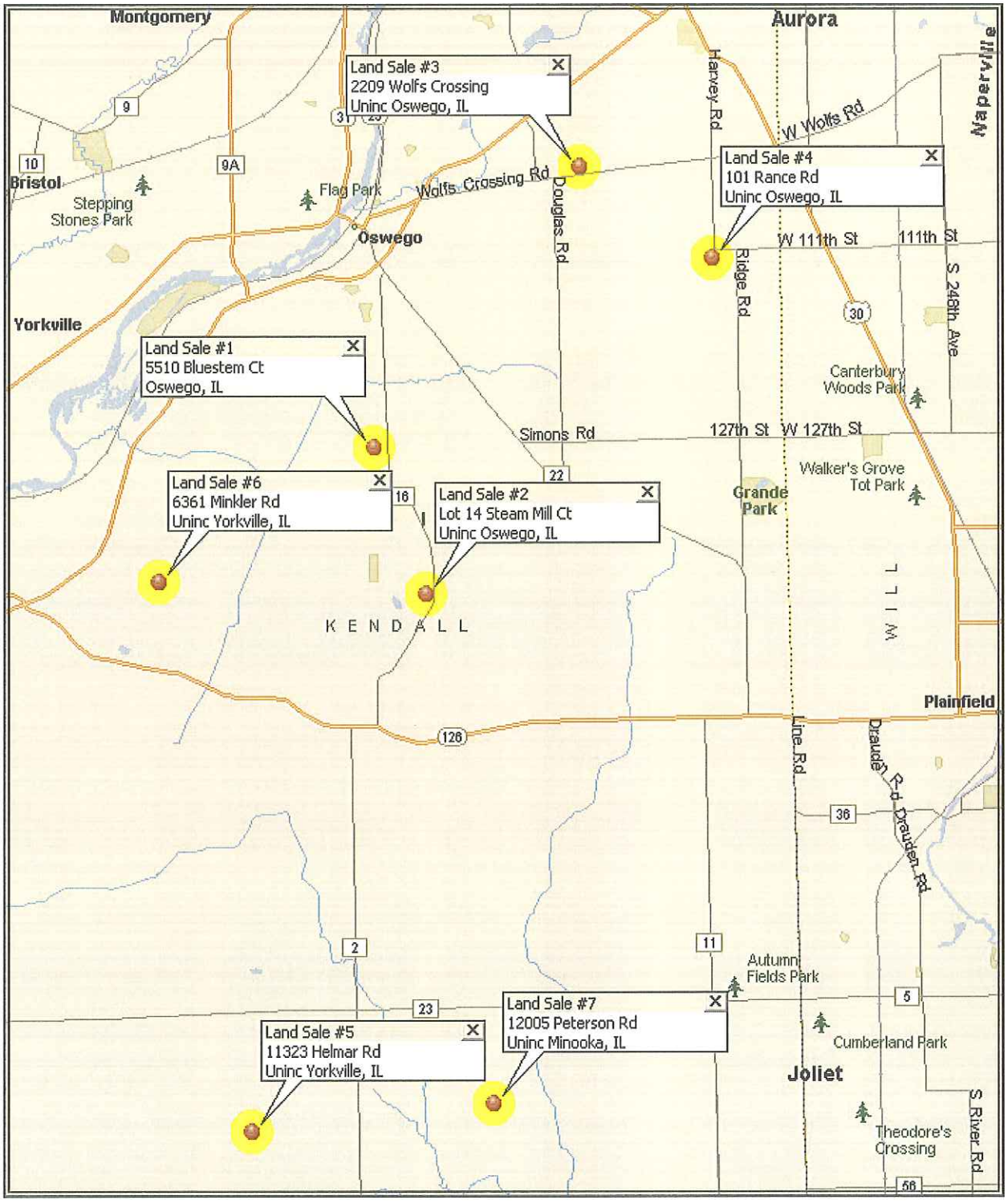
The sales comparison approach assumes that a prudent buyer would not buy a property for more than it would cost to purchase a comparable property. Because no two properties are ever identical, an analysis of differences in quality, location, size, and market appeal is a function of appraisal experience and judgment.

Land Sales Analysis

The table summarizing the sales considered for this analysis follows, and full descriptions are included in the addenda to this report. A map depicting the location of each of the land sales analyzed is included in this section of this appraisal report. Because there have been very few sales in Oswego and the Oswego planning areas, sales in other locations have been considered.

ACREAGE SALES

Sale No.	Location	Sale Price	Sale Date	Land Area (Acres)	Description	Sale Price Per Acre
1	5510 Bluestem Ct. Oswego	$118,000	1/14	1.84	Large pond; subdivided lot; private utilities required	$64,130
2	Lot 14 Steam Mill Ct. Uninc. Oswego	$45,000	4/13	1.04	Subdivided lot; private utilities required; foreclosure	$43,269
3	2209 Wolfs Crossing Unic. Oswego	$210,000	12/14	7.24	Adjacent to existing subdivision; foreclosure	$29,006
4	101 Rance Rd. Uninc. Oswego	$550,000	4/13	32.36	Agricultural land	$16,996
5	11323 Helmar Rd. Uninc. Yorkville	$953,100	12/13	70.60	Agricultural land; leased until 2/14; no utilities to site	$13,500
6	6361 Minkler Rd. Uninc. Yorkville	$356,250	Asking	12.59	Agricultural land; backs to forest preserve	$28,296
7	12005 Peterson Rd. Uninc. Minooka	$420,000	Asking	20.54	Agricultural land; creek	$20,448



ACREAGE SALES LOCATION MAP

Land Sale #1 is a parcel located at the southern end of the Village of Oswego corporate boundaries in the Old Reserve Hills subdivision. This subdivision is within the 2.25 housing units per acre ring of Planning Area 5. The sale occurred in January 2014, and requires upward adjustment for date of sale. Approximately half of the actual site size of 1.84 acres is located in the pond on site. Because it is part of a subdivision, some site improvements are included in the sale price. However, the site requires private well and septic systems.

There is another lot listed for sale in this subdivision: 5015 Barickman Court, Lot 40 has been listed for $69,900 for more than ten months. This basically rectangular-shaped parcel is comprised of 45,057 square feet, or 1.03 acres, indicating an asking price of $67,864 per acre. Consideration must be given to this being an asking price and subject to downward negotiations. Because it is part of a subdivision, some site improvements are included in the sale price. However, the site requires private well and septic systems.

Land Sale #2 is an older sale of an acre lot in the Henneberry Woods subdivision, located in unincorporated Oswego, and within the Village's Planning Area 6. The subdivision is within the 2.0 housing units per acre ring of this planning area. Some upward adjustment for date of sale is warranted. Because it is part of a subdivision, some site improvements are included in the sale price. However, the site requires private well and septic systems.

Land Sale #3 is the recent sale of 7.24 acres that appears to be located within the 2.3 housing units per acre ring on the western edge of Planning Area 3. The Churchill Club residential subdivision development surrounding this parcel has already annexed to the Village. Consideration must be given to this sale having resulting from the financial distress of the owner.

Land Sale #4 is an older sale of a large acreage parcel located in unincorporated Oswego. It is located in the 1.5 housing units per acre ring of Planing Area 3. Some upward adjustment for date of sale is warranted. This property sold within 1 day of listing.

Land Sale #5 is the sale of a large parcel that is located west and slightly south of Planning Area 7, in unincorporated Yorkville. The property sold as agricultural land in December 2013, with a lease that expired shortly afterwards. Some upward adjustment for date of sale is warranted. There is a drainage ditch at the rear of the property, indicating that some portions of the site may not be useable.

Land Sale #6 is a current listing of a 12.5-acre parcel located southeast of Planning Area 5 in unincorporated Yorkville. There is an existing subdivision on the north side of Hilltop Road from this parcel. The parcel has been on the market for more than 3 years. Consideration must be given to this being an asking price and subject to downward negotiations.

Land Sale #7 is a current listing of a 20.54-acre parcel located south of Planning Area 7 in unincorporated Minooka. This area is almost entirely rural. Consideration must be given to some improvements being located on the site; however, the parcel is being marketed as vacant land. It has been listed for approximately 6 months. Consideration must be given to this being an asking price and subject to downward negotiations.

The first two sales are of 1-acre lots in subdivisions and include improvements such as streets, electric, and/or natural gas. For that reason, these sales develop unit sale prices per acre higher than that considered appropriate for an acre of undeveloped land. However, they are good indicators of the value that subdivision and concomitant improvements add to the value of raw acreage sales. They are included primarily for informational purposes.

The remaining five sales/listings are of large agricultural parcels that are located in the Oswego planning area, or in the proximate market area, and within other unincorporated areas surrounding Oswego. Land Sale #3 is the most recent such land sale within the planning area of the Village.

Land Sales #4 and #5 represent the most recent transactions involving large acreage properties in the area. However, they are sales that occurred in 2013, and some upward adjustment is warranted to reflect the improvement in the overall market since that time.

The remaining sales are current listings, the first, Land Sale #6, in an area where development has already begun, and the last, Land Sale #7, in an area that is distant from any current development.

Taking into account these factors, the value for 1 acre of undeveloped land at the perimeter of the Village's corporate limits is concluded to be $22,500 per acre.

FINAL VALUE CONCLUSION

In this instance, the sales comparison approach to value was considered to be the appropriate methodology to develop an opinion of value.

Therefore, based on the facts reviewed herein and the data analyzed in connection with this appraisal, the estimated market value of the fee simple interest in 1 acre of undeveloped land for residential use near the village of Oswego, Illinois, as of March 3, 2015, is:

TWENTY TWO THOUSAND FIVE HUNDRED DOLLARS

($22,500)

This value is contingent upon the estimated exposure time of 6 to 9 months. It is a gross value, and no allowance was made for brokerage commissions, costs of utilities, real estate taxes, or other carrying costs during the marketing period.

This document conforms to my understanding of the requirements for a appraisal report under Standard Rule 2-2 (a) of the *Uniform Standards of Professional Appraisal Practice and Advisory Opinions* (USPAP). This appraisal report is a brief recapitulation of the appraisal data,

analyses, and conclusions. Supporting documentation is retained in MaRous and Company office files.

MaRous and Company has received and has relied upon verbal and written communications and documents regarding the subject property in the preparation of this appraisal report. If additional information about the subject property is received or becomes known, MaRous and Company reserves the right to determine whether this information has a substantive impact on the valuation of the subject property and to adjust values accordingly.

ASSUMPTIONS AND LIMITING CONDITIONS

Reporting Requirements

This appraisal report is intended to comply with the reporting requirements set forth under Standard Rule 2-2 (a) of the Uniform Standards of Professional Appraisal Practice for an appraisal report. As such, this report might not include full descriptions of the data, reasoning, and analyses that were used in the appraisal process to develop the opinion of value. Supporting documentation concerning the data, reasoning, and analyses is retained in the MaRous and Company office files. The information contained in this report is specific to the needs of the client and for the intended use stated in this report. MaRous and Company is not responsible for unauthorized use of this report.

Title and Survey

It is assumed that the title to the subject property is good and marketable. No survey or legal description was provided to MaRous and Company, and neither was developed for the accompanying appraisal report. All values contained in this appraisal report are subject to a review of a current plat of survey. Furthermore, MaRous and Company reserves the right to adjust values accordingly. The value estimate is given without regard to any questions of title, boundaries, encumbrances, or encroachments.

Hazardous Waste

Unless otherwise stated in this appraisal report, MaRous and Company has no knowledge of the existence of hazardous environmental conditions or substances, including and without limitation asbestos, polychlorinated biphenyls, petroleum leakage, and agricultural chemicals that may or may not be present on the subject property. Moreover, MaRous and Company appraisers are not qualified to test for these substances or conditions. Because the presence of substances such as asbestos, urea formaldehyde foam insulation, and other hazardous substances and environmental conditions may affect the value of a property, the value estimate is predicated on the assumption that no such condition exists on or in the subject property or in such proximity thereto that would cause a loss in value. No responsibility is assumed for any such conditions or for any expertise or engineering knowledge required to discover them.

Hidden Defects

All structures and mechanical components are assumed to be in sound, operable condition unless otherwise stated, and the value conclusions are based on that assumption. Additionally, the value estimate assumes no soil or subsoil conditions that would cause a loss in value. No responsibility is assumed for architectural, structural, engineering, or mechanical matters, and MaRous and Company appraisers are not qualified to make professional judgments in these areas.

Management

Competent and prudent management of the subject property is assumed. The estimate of value reported herein assumes that the assessments are entirely paid and that the property is free and clear of such assessments. Opinions and statistics furnished by others during this investigation are assumed to be correct, and no responsibility is assumed for their accuracy.

Market Conditions

The value conclusions contained herein are based on the research of market conditions as of the valuation date. Every effort has been made to consider the effect of predictable governmental actions, as well as any environmental or ecological concerns, on the subject property; however, no responsibility is assumed for subsequent changes in the local or national economy or for subsequent changes in local market conditions resulting from local or national economy changes. Because this is an appraisal of market value and is not a feasibility study, no responsibility can be assumed for the ability of the property owner to find a purchaser of the subject property at the appraised value.

ADA Compliance

The Americans with Disabilities Act (ADA) became effective January 26, 1992. No specific determination of compliance with the various detailed requirements of the ADA was made for the subject property. It is possible that a complete compliance survey of the subject property together with a detailed analysis of the ADA requirements could show that the property is not in compliance with one or more of the requirements of the act. If so, this fact could have a negative affect upon the value of the subject property. Because no direct evidence relating to this issue was developed, possible lack of compliance with the ADA was not taken into account in estimating value.

Other

An authentic copy of this appraisal report is signed in ink on the certification; be aware of the potential for alterations on copies. Exhibits, including maps, site plans, and photographs, are provided for informational purposes and are not necessarily to scale. Nothing contained in this appraisal report, particularly the valuation conclusions, the identity of any appraiser, and any reference to the Appraisal Institute or the MAI designation, is to be conveyed to a third party or to the public through advertising, public relations, news, sales, or other medium without the written consent and approval of MaRous and Company. If such consent is secured, the report must be used in its entirety and cannot be altered in any way, and must include all limiting conditions, certifications, and qualifications.

CERTIFICATION

I do hereby certify that, to the best of my knowledge and belief:

1. The statements of fact contained in this appraisal report are true and correct;
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions:
3. I have no present or prospective personal interest in the property that is the subject of this report and no personal interest with respect to the parties involved;
4. I have performed no services as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment;
5. I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment;
6. My engagement in this assignment was not contingent upon developing or reporting predetermined results;
7. The compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent even directly related to the intended use of this appraisal;
8. The reported analyses, opinions, and conclusions were developed, and this report has been prepared in conformity with the *Uniform Standards of Professional Appraisal Practice;*
9. Michael S. MaRous inspected the exterior of various residential areas in Oswego;
10. Anita Rifkind provided real property appraisal assistance to the person signing this certification;
11. The reported analysis, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Code of Professional Ethics and Standards of Professional Appraisal Practice of The Appraisal Foundation;
12. The use of the report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives; and
13. As of the date of this report, Michael S. MaRous, MAI, CRE, has completed the continuing education requirements for Designated Members of the Appraisal Institute.

MaRous & Company

Michael S. MaRous, MAI, CRE
Illinois Certified - #553.000141 (9/15 expiration)

ADDENDA

LAND SALE #1

5510 Bluestem Court
Oswego, Illinois 60543
PIN 03-32-127-005

Size	80,150 square feet or 1.84 acres gross 40,000 square feet or 0.92 acre net of pond (estimated)
Description	This irregularly shaped parcel is located near the end of the Bluestem Court cul-de-sac, in the Old Reserve Hills subdivision. The western portion of the site is located in the pond on site; the buildable area has a long and narrow shape. Municipal water and sewer are not available to this subdivision. The site is zoned R-L, Residential Large Lot District, by the Village of Oswego.
Sale Date	January 1, 2014
Sale Price	$118,000
Unit Sale Price	$64,130 per acre
Verification	This sale was verified by public record and by Multiple Real Estate Data (MRED). The sellers were Tadeusz and Barbara Budz; the buyers were Kevin E. and Kendra R. Schramm. This transaction is recorded as Document Number 2083.
Comments	Another lot in this subdivision is listed for sale: 5015 Barickman Court, Lot 40, has been listed for $69,900 for more than eight months. This rectangular-shaped lot is comprised of 45,057 square feet, indicating a unit asking price of $67,864 per acre.

LAND SALE #2

4179 Steam Mill Court
Unincorporated Oswego, Illinois 60543
PIN 06-05-402-021

Size	1.04 acre
Description	This irregularly shaped site is located at the end of the Steam Mill Court cul-de-sac, west of Grove Road, in the Henneberry Woods subdivision. The lot is in unincorporated Oswego, and within the Village's Planning Area 6, with a target density of 2.0 housing units per acre. Because it is part of a subdivision, some site improvements are included in the sale price. However, the site requires private well and septic systems. The lot is zoned A-1, Agriculture District, by Kendall County.
Sale Date	April 24, 2013
Sale Price	$45,000
Unit Sale Price	$43,269 per acre of land
Verification	This sale was verified by public record and by MRED. The seller was First National Bank of Brookfield; the purchaser was Daniel Carroll. This transaction is recorded as Document Number 10508.
Comments	This sale was the result of a foreclosure. A single-family house has been constructed on the site.

LAND SALE #3

2209 Wolfs Crossing
Unincorporated Oswego, Illinois 60543
PIN 03-15-226-006

Size	7.24 acres
Description	This trapezoidal shaped interior parcel site has approximate 769 feet of frontage on Wolfs Crossing, east of Douglas Road. The property is south adjacent to the Churchill Club residential development surrounding this parcel that is already annexed to the Village. The site is zoned A-1, Agriculture District, by Kendall County.
Sale Date	December 22, 2014
Sale Price	$210,000
Unit Sale Price	$29,006 per acre
Verification	This sale was verified by public record and MRED. The seller was Harris Bank; the buyer was Dhanda Premkumer. This transaction is recorded as Document Number 18129.
Comments	This sale was the result of a foreclosure.

LAND SALE #4

101 Rance Road
Unincorporated Oswego, Illinois 60543
PIN 03-13-400-014

Size	32.36 acres
Description	This flag-shaped interior parcel has approximately 325 feet of frontage on Rance Road, between Harvey Road and U.S. Route 30. The rear of the lot has a width of 1,318 feet. It is zoned A-1, Agriculture District, by Kendall County.
Sale Date	April 2, 2013
Sale Price	$550,000
Unit Sale Price	$16,996 per acre
Verification	This sale was verified by public record and MRED. The seller was Susan Oliver; the buyer was Vicky S. Campbell Trust. This transaction is recorded as Document Number 10581.

LAND SALE #5

11323 Helmar Road
Unincorporated Yorkville, Illinois 60560
PIN 05-31-400-006 and -015

Size	70.6 acres
Description	This basically rectangular-shaped interior parcel has an irregular northern border along a drainage ditch. It is located west and slightly south of Planning Area 7, in unincorporated Yorkville. It is zoned A-1, Agriculture District, by Kendall County.
Sale Date	December 31, 2013
Sale Price	$953,100
Unit Sale Price	$13,500 per acre
Verification	This sale was verified by public record and MRED. The seller was Thera Ann Cooper; the buyer was Raymond J. Feldott. This transaction is recorded as Document Number 1399.

LAND SALE #6

6361 Minkler Road
Unincorporated Yorkville, Illinois 60560
PIN 05-02-100-002

Size	12.59 acres
Description	This trapezoidal shaped parcel has approximately 594 feet of frontage on Minkler Road, and over 3,000 feet of frontage on Hilltop Road, east of Illinois Route 71. Development to the north and west are residential subdivisions annexed by Yorkville. It is zoned A-1, Agriculture, by Kendall County.
List Date	January 30, 2012
List Price	$356,250
Unit List Price	$28,296 per acre
Verification	This listing was verified by public record and MRED. The property is owned by Five H, LLC.

LAND SALE #7

12005 Peterson Road
Unincorporated Minooka, Illinois 60447
PIN 09-04-200-021

Size	20.54 acres
Description	This irregularly shaped flag lot has approximately 200 feet of frontage on Peterson Road where it dead-ends south of Caton Farm Road. There is an existing, older, single-family house on the Peterson Road frontage; however, the property was marketed as vacant land. A creek runs along the rear of the site. The site is zoned A-1, Agriculture District, by Kendall County.
List Date	July 11, 2014
List Price	$420,000
Unit List Price	$20,448 per acre
Verification	This listing was verified by public record and MRED. The property is owned by Margaret Dugan.

Definitions

Highest and Best Use

Highest and best use is defined as "the reasonably probable use of property that results in the highest value."[9]

In arriving at an opinion of highest and best use, the most profitable competitive use for the land or a site as though vacant and as improved is analyzed. The highest and best use of land or a site as though vacant is based on the assumption that a parcel of land is vacant or can be made vacant through demolition of any improvements. The highest and best use of a property as improved involves an analysis of the existing property.

Cost Approach

The cost approach is based upon the principle of substitution, comparing the cost to develop a property with the value of the existing or a similarly developed property. An estimate is made of the current cost to construct a reproduction of the existing structure from which is deducted accrued depreciation. To this is added entrepreneurial profit if appropriate and the estimated value of the underlying land.

Income Capitalization Approach

The income capitalization approach is "a set of procedures through which an appraiser derives a value indication for an income-producing property by converting its anticipated benefits (cash flows and reversion) into property value."[10]

Sales Comparison Approach

The sales comparison approach to value is based upon the principle of substitution, that is, when a property is replaceable in the market, its value tends to be no more than the cost of acquiring an equally desirable substitute property, assuming no costly delay in making the substitution.

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9 *The Appraisal of Real Estate.* 14th ed., (Chicago: Appraisal Institute, 2013) 332.

10 *The Dictionary of Real Estate Appraisal.* 5th ed., (Chicago: Appraisal Institute, 2010) 99.

MICHAEL S. MAROUS
STATEMENT OF QUALIFICATIONS

Michael S. MaRous, MAI, CRE, is president and owner of MaRous and Company. He has appraised more than $15 billion worth of primarily investment-grade real estate in more than 25 states. In addition to providing documented appraisals, he has served as an expert witness in litigation proceedings for many law firms; financial institutions; corporations; builders and developers; architects; local, state, county, and federal governments and agencies; and school districts in the Chicago metropolitan area. His experience in partial interest, condemnation, damage impact, easement (including aerial and subsurface), marital dissolutions, bankruptcy proceedings, and other valuation issues is extensive. He has provided highest and best use, marketability, and feasibility studies for a variety of properties. Many of the largest redevelopment areas and public projects, including Interstate 355, the O'Hare International Airport expansion, the Midway Airport expansion, and the McCormick Place expansion, are part of Mr. MaRous' experience. Also, he purchases and develops real estate for his own account.

APPRAISAL AND CONSULTATION EXPERIENCE

Industrial Properties

Business Parks
Distribution Centers
Manufacturing Facilities
Research Facilities
Self-storage Facilities
Warehouses

Commercial Properties

Auto Sales/Service Facilities
Banquet Halls
Big Box Stores
Gasoline Stations
Hotels and Motels
Office Buildings
Restaurants
Shopping Centers
Theaters

Special-Purpose Properties

Bowling Alleys
Cemeteries
Farms
Golf Courses
Lumber Yards
Nurseries
Riverboat Gambling Facilities
Schools
Stadium Expansion Issues
Tank Farms
Underground Gas Aquifers
Utility Corridors
Waste Transfer Facilities

Residential Properties

Apartment Complexes
Condominium Conversions
Condominium Developments
Single-family Residences
Subdivision Developments
Townhouse Developments

Vacant Land

Agricultural
Alleys
Commercial
Easements
Industrial
Residential
Right of Ways
Streets
Vacations

Clients

Corporations
Financial Institutions
Law Firms
Not-for-profit Associations
Private Parties
Public Entities

EDUCATION

B.S., Urban Land Economics, University of Illinois, Urbana-Champaign
Continuing education seminars and programs through the Appraisal Institute
and the American Society of Real Estate Counselors and real estate brokerage classes

PUBLIC SERVICE

Mayor, City of Park Ridge, Illinois (2003-2005)
Alderman, City of Park Ridge, including Liaison to the Zoning Board of Appeals and Planning and Zoning and Chairman of the Finance and Public Safety Committees (1997-2005)

PROFESSIONAL AFFILIATIONS AND LICENSES

Appraisal Institute, MAI designation, Number 6159
American Society of Real Estate Counselors, CRE designation
Illinois Certified General Real Estate Appraiser, License Number 553.000141 (9/15)
Licensed Real Estate Broker (Illinois)

PROFESSIONAL ACTIVITIES

Mr. MaRous is past president of the Chicago Chapter of the Appraisal Institute. He is former chair and vice chair of the National Publications Committee and has sat on the board of *The Appraisal Journal.* In addition, he has served on and/or chaired more than fifteen other committees of the Appraisal Institute, the Society of Real Estate Appraisers, and the American Institute of Real Estate Appraisers.

Mr. MaRous served as chair of the Midwest Chapter of the American Society of Real Estate Counselors in 2006 and 2007. He has sat on the Chicago Chapter Board of Directors, the Editorial Board of *Real Estate Issues,* and on various other committees.

Mr. MaRous also is past president of the Illinois Coalition of Appraisal Professionals. He has sat on the board of directors, has held office, and has served on numerous committees of many other professional associations, including the National Association of Security Dealers, the International Research Council, the Chicago Real Estate Board, the Northwest Suburban Real Estate Board, the National Association of Real Estate Boards, and the Northern Illinois Commercial Association of Realtors.

PUBLICATIONS AND PROFESSIONAL RECOGNITION

Mr. MaRous has spoken at more than 20 programs and seminars related to real estate appraisal and valuation.

Author

"Low-income Housing in Our Backyards," *The Appraisal Journal*, January 1996
"The Appraisal Institute Moves Forward," *Illinois Real Estate Magazine*, December 1993
"Chicago Chapter, Appraisal Institute," *Northern Illinois Real Estate Magazine*, February 1993
"Independent Appraisals Can Help Protect Your Financial Base," *Illinois School Board Journal*, November-December 1990
"What Real Estate Appraisals Can Do For School Districts," *School Business Affairs*, October 1990

Awards

Chicago Chapter of the Appraisal Institute - F. Gregory Opelka Award, 2002
Appraisal Institute - George L. Schmutz Memorial Award, 2001
Chicago Chapter of the Appraisal Institute - Heritage Award, 2000
Chicago Chapter of the Appraisal Institute - Herman O. Walther, 1987 (Distinguished Chapter Member)

Reviewer or Citation in the Following Books

Appraisal of Real Estate, Twelfth Edition, 2001
Appraisal of Real Estate, Thirteenth Edition, 2008
Subdivision Valuation, 2008
Real Estate Damages, 2008
Valuation of Apartment Properties, 2007
Valuation of Billboards, 2006
Appraising Industrial Properties, 2005
Valuation of Market Studies for Affordable Housing, 2005
Valuing Undivided Interest in Real Property: Partnerships and Cotenancies, 2004
Analysis and Valuation of Golf Courses and Country Clubs, 2003
Dictionary of Real Estate Appraisal, Fourth Edition, 2002
Valuing Contaminated Properties: An Appraisal Institute Anthology, 2002
Hotels and Motels: Valuation and Market Studies, 2001
Land Valuation: Adjustment Procedures and Assignments, 2001
Appraisal of Rural Property, Second Edition, 2000
Capitalization Theory and Techniques, Study Guide, Second Edition, 2000
Guide to Appraisal Valuation Modeling Land, 2000
Appraising Residential Properties, Third Edition, 1999
Business of Show Business: The Valuation of Movie Theaters, 1999
GIS in Real Estate: Integrating, Analyzing and Presenting Locational Information, 1998
Market Analysis for Valuation Appraisals, 1995

REPRESENTATIVE WORK OF MICHAEL S. MAROUS

Headquarters/Corporate Office Facilities in Illinois

Fortune 500 corporation facility, 200,000 sq. ft., Libertyville
Corporate headquarters, 300,000 sq. ft. and 500,000 sq. ft., Chicago
Fortune 500 corporation facility, 450,000 sq. ft., Northfield
Major airline headquarters, 1,100,000 million sq. ft. on 47 acres, Elk Grove Village
Former communications facility, 1,400,000 million sq. ft. on 62 acres, Skokie and Niles
Corporate Headquarters, 1,500,000+ sq. ft., Lake County
Former Sears Headquarters Redevelopment Project, Chicago

Office Buildings in Chicago

401 South LaSalle Street, 140,000 sq. ft.
134 North LaSalle Street, 260,000 sq. ft.
333 North Michigan Avenue, 260,000 sq. ft.
171 West Randolph Street, 360,000 sq. ft.
20 West Kinzie Street, 405,000 sq. ft.
55 East Washington Street, 500,000 sq. ft.
10 South LaSalle Street, 870,000 sq. ft.
222 West Adams, 1,000,000 sq. ft.
175 West Jackson Boulevard, 1,450,000 sq. ft.
227 West Monroe, 1,800,000 sq. ft.
10 South Dearborn Street, 1,900,000 sq. ft.

Hotels in Chicago

10 E. Grand Avenue (Hilton Garden Inn)
106 East Superior Street (Peninsula Hotel)
140 East Walton Place (The Drake Hotel)
676 North Michigan Avenue (Omni Chicago Hotel)
One West Wacker Drive (Renaissance Chicago Hotel)
320 North Dearborn Street (Westin Chicago River North)
505 North Michigan Avenue (Hotel InterContinental)

Large Industrial Properties in Illinois

Large industrial complexes, 400,000 sq. ft., 87th Street and Greenwood Avenue, Chicago
Distribution warehouse, 580,000 sq. ft. on 62 acres, Champaign
Publishing house, 700,000 sq. ft. on 195 acres, U.S. Route 45, Mattoon
AM Chicago International, 700,000± sq. ft. on 41 acres, 1800 West Central, Mt. Prospect
Nestlé distribution center, 860,000 sq. ft. on 153 acres, DeKalb
Fortune 500 company distribution center, 1,000,000 sq. ft., Elk Grove Village
U.S. Government Services Administration distribution facility, 860,000 sq. ft., 76th Street and Kostner Avenue, Chicago
Self-storage facilities, various Chicago metropolitan locations

Vacant Land in Illinois

15 acres, office, Northbrook
20 acres, residential, Glenview
25 acres, Hinsdale
55 acres, mixed-use, Darien
75 acres, I-88 at I-355, Downers Grove
100± acres, various uses, Lake County
140 acres, Flossmoor
142 acres, residential, Lake County
160 acres, residential, Cary
200 acres, mixed-use, Bartlett
250 acres, Island Lake
450 acres, residential, Wauconda
475± acres, various uses, Lake County
650 acres, Hawthorne Woods
650 acres, Waukegan/Libertyville
800 acres, Woodridge
900 acres, Matteson
1,000± acres, Batavia area
2,000± acres, Northern Lake County
5,000 acres, southwest suburban Chicago area
Landfill expansion, Lake County

Business and Industrial Parks

Chevy Chase Business Park, 30 acres, Buffalo Grove
Carol Point Business Center, 300-acre industrial park, Carol Stream, $125,000,000+ project
Internationale Centre, approximately 1,000 acre-multiuse business park, Woodridge

Retail Facilities

10 Community shopping centers, various Chicago, Metropolitan locations
Big-box uses, various Chicago metropolitan locations
Gasoline Stations, various Chicago metropolitan locations
More than 30 single-tenant retail facilities larger than 80,000 sq. ft., various Chicago metropolitan locations

Residential Projects

Federal Square townhouse development project, 118 units, $15,000,000+ sq. ft. project, Dearborn Place, Chicago
Marketability and feasibility study, 219 East Lake Shore Drive, Chicago
Riverview II, Chicago, Old Town East and West, Chicago, Museum Park Lofts II, Museum Park Tower 4, University Commons, Two River Place, River Place on the Park, Chicago

Market Studies

Impact of land fill on adjacent property values
Impact of low-income housing on adjacent residential property values
Impact of proposed quarry expansion on neighboring properties
Impact of commercial and parking uses on adjacent residential property values
Impact of significant zoning changes on residential property values
Sanitary sewer value impact study
Waste transfer facility impact study

Properties in Other States

330,000 sq. ft., Newport Beach, California
Former government depot/warehouse and distribution center, 2,500,000 sq. ft. on 100+ acres, Ohio
Shopping Center, St. Louis, Missouri
Office Building, Clayton, Missouri
Condominium Development, New York, New York

Airport Related Properties

Mr. MaRous has done valuations on more than 100 parcels in and around O'Hare International Airport, Chicago Midway Airport, Palwaukee Municipal Airport, Chicago Aurora Airport, DuPage Airport, and Lambert-St. Louis International Airport

REPRESENTATIVE CLIENT LISTING OF MICHAEL S. MAROUS

Law Firms

Botti Law Firm, P.C.
Alschuler, Simantz & Hem, LLC
Arnstein & Lehr LLP
Steven B. Bashaw, P.C.
Berger, Newmark & Fenchel P.C.
Berger Schatz
Carmody MacDonald P.C.
Crane, Heyman, Simon, Welch & Clar
Daley & Georges, Ltd.
DLA Piper
Drinker, Biddle & Reath LLP
Figliulo & Silverman, P.C.
Foley & Lardner LLP
Foran, O'Toole & Burke LLC
Franczek Radelet P.C.
Freeborn & Peters LLP
Goldberg Kohn
Gould & Ratner LLP
Graft & Jordan
Greenberg Traurig LLP
Helm & Wagner
Robert Hill Law, Ltd.
Hinshaw & Culbertson LLP
Holland & Knight LLP
Jenner & Block
Donald L. Johnson
Kinnally, Flaherty, Krentz & Loran PC
Kirkland & Ellis LLP
Klein, Thorpe & Jenkins, Ltd.
Locke Lord LLP
McDermott, Will & Emery
Mayer Brown
McGuireWoods LLP
Michael Best & Friedrich LLP
Miller & Sweeney CO
Morrison & Morrison, Ltd.
Bryan E. Mraz & Associates
Neal, Gerber & Eisenberg, LLP
Neal & Leroy LLC
O'Donnell Law Firm Ltd.
O'Halloran Kosoff Geitner & Cook, LLC
Owens, Owens & Rinn, Ltd.
Prendergast & DelPrincipe
Rathje & Woodward, LLC
Raysa & Zimmermann, LLC
Righeimer, Martin & Cinquino, P.C.
Mary Riordan, Attorney
Robbins, Salomon & Patt, Ltd.
Rosenfeld Hafron Shapiro & Farmer
Rosenthal, Murphey, Coblentz & Donahue
Rubin & Norris, LLC
Ryan and Ryan Attorneys at Law, P.C.
Reed Smith LLP
Sarnoff & Baccash
Scariano, Himes & Petrarca, Chtd.
Schiff Hardin LLP
Schiller, DuCanto & Fleck LLP
Schirott, Luetkehans & Garner,LLC
Schuyler, Roche & Crisham, P.C.
Sidley Austin LLP
Sonnenschien, Nath & Rosenthal LLP
Storino, Ramello & Durkin
Thomas M. Tully & Associates
Thompson Coburn, LLP
Tuttle, Vedral & Collins, P.C.
Vedder Price
Wildman, Harrold, Allen & Dixon
Winston & Strawn LLP
Worsek & Vihon LLP

Financial Institutions

AmericaUnited Bank and Trust
Charter One
Citibank
Cole Taylor Bank
Covest Banc
First Bank of Highland Park
First Midwest Bank
First Northwest Bank
Glenview State Bank
Harris Bank
Itasca Bank and Trust
Lake Forest Bank & Trust
MB Financial Bank
Midwest Bank & Trust Company
Northern Trust Bank
Northview Bank & Trust
Private Bank & Trust Co.
State Financial Bank
Winfield Community Bank
Wintrust Bank Group

Corporations

Advocate Health Care System
American Stores Company
Archdiocese of Chicago
Arthur J. Rogers and Company
BP Amoco Oil Company
Christopher B. Burke Engineering, Ltd.
Cambridge Homes
Canadian National Railroad
Capital Realty Services, Inc.
Chicago Cubs
Children's Memorial Hospital
Chrysler Realty Corporation
Citgo Petroleum Corporation
CorLands
Edward R. James Partners, LLC
Enterprise Development Corporation
Enterprise Leasing Company
Exxon Mobil Corporation
Hamilton Partners
Hewitt Associates LLC
Hollister Corporation
Imperial Realty Company
Kenard Corporation
Kimco Realty Corporation
Kinder Morgan, Inc.
Kmart Corporation
Lakewood Homes
Loyola University Health System
Marathon Oil Corporation
Meijer, Inc.
Mesirow Stein Real Estate, Inc.
Prime Group Realty Trust
Public Storage Corporation
RREEF Corporation
Shell Oil Company
Stewart Warner Corporation
Union Pacific Railroad Company
United Airlines, Inc.
United of America Insurance Company

Public Entities

Illinois Local Governments and Agencies

Village of Arlington Heights
Village of Barrington
Village of Bartlett
Village of Bellwood
Village of Brookfield
Village of Burr Ridge
Village of Cary
City of Chicago
Village of Deer Park
City of Des Plaines
Des Plaines Park District
Downers Grove Park District
City of Elgin
Elk Grove Village
City of Elmhurst
Village of Elmwood Park
City of Evanston
Village of Forest Park
Village of Franklin Park
Village of Glenview
Glenview Park District
Village of Harwood Heights
City of Highland Park
Village of Hinsdale
Village of Inverness
Village of Kildeer
Village of Lake Zurich
Leyden Township
Village of Lincolnshire
Village of Lincolnwood
Village of Morton Grove
Village of Mount Prospect
Village of North Aurora
Village of Northbrook
City of North Chicago
Village of Northfield
Northfield Township
Village of Oak Brook
Village of Orland Park
City of Palos Hills
City of Prospect Heights
City of Rolling Meadows
Village of Rosemont
City of St. Charles
Village of Schaumburg
Village of Schiller Park
Village of Skokie
Village of South Barrington
Village of Streamwood
Metropolitan Water Reclamation District of Greater Chicago
City of Waukegan
Village of Wheeling
Village of Wilmette
Village of Willowbrook
Village of Winnetka
Village of Woodridge

County Governments and Agencies

Boone County State's Attorney's Office
Forest Preserve of Cook County
Cook County State's Attorney's Office
DuPage County Board of Review
Forest Preserve District of DuPage County
Kane County
Kendall County Board of Review
Lake County
Lake County Forest Preserve District
Lake County State's Attorney's Office

State and Federal Government Agencies

Federal Deposit Insurance Corporation
U.S. General Services Administration
Illinois Housing Development Authority
Illinois State Toll Highway Authority
Internal Revenue Service
The U.S. Postal Service

Schools

Argo Community High School District No. 217
Arlington Heights District No. 25 Township High School District No. 214, Arlington Heights
Barrington Community Unit District No. 220
Chicago Board of Education
Chicago Ridge District No. 127½
College of Lake County
Community Consolidated School District No. 146
Consolidated High School District No. 230
Darien District No. 61
DePaul University
Elmhurst Community Unit School District No. 205
Indian Springs School District No. 109
LaGrange School District No. 105
Loyola University
Lyons Township High School District No. 204
Maine Township High School District No. 207
Morton College
Niles Elementary District No. 71
North Shore District No. 112, Highland Park
Northwestern University
Rosalind Franklin University
Roselle School District No. 12
Schaumburg Community Consolidated District No. 54
University of Illinois
Wheeling Community Consolidated District No. 21
Wilmette District No. 39

DEVELOPED LAND COST ANALYSIS
OSWEGO, ILLINOIS 60543

August 9, 2015

Prepared For: Ehlers, Inc.

Prepared By: Clark Dietz, Inc.

DEVELOPED LAND COST ANALYSIS

DEVELOPED LAND COST FOR PARK OR SCHOOL SITE

The purpose of this analysis is to provide the construction cost element for the development of one (1) acre of otherwise undeveloped land lying at the perimeter of Oswego, Illinois. The primary costs of construction have been identified for the preparation of usable land for a park or school site per the standards identified in Village's Land Cash Ordinance 06-20. Unit prices have been estimated utilizing design engineer's estimates and contractor's bid tabulations for construction projects including site grading, topsoil excavation and placement, establishment of turf and storm water detention needs. The contractor's unit prices were assumed to be competitively bid at current prevailing wage rates in the State of Illinois and all costs are in 2015 dollars.

The following items make up the baseline costs for the preparation of lands to produce a usable park site or school site in Oswego, Illinois:

- Earth Excavation and Grading
- Topsoil Excavation and Placement
- Seeding, Mulch and Fertilizer
- Storm Water Detention

Earth excavation and grading can vary greatly depending on site topography. For the purposes of this analysis it was assumed that the site is relatively flat and therefore would require an average excavation of 12 inches thick within the entire limits of the site. It was assumed that the site includes acceptable topsoil which can be excavated, stockpiled and placed within the limits of the development for the establishment of a 6 inch thick topsoil layer.

Storm water management practices can also vary greatly depending on the surrounding topography. Village Ordinance 06-20 states that the land dedication for a park site or school site shall not include the storm water management system and detention shall be accommodated offsite in other detention areas. For the purposes of this analysis storm water detention was developed as a regional system with the following design criteria assumptions:

- 20 acre development/drainage area
- 100 year storm frequency with 2.75 acre-feet storage requirement
- Wet basin with 1 acre water surface
- 25 foot wide perimeter with grass buffer
- 10 foot water depth from normal pool

- 3 foot +/- water storage depth with 2 foot +/- freeboard
- Earth excavation required for detention construction can remain on site
- Proposed outlet/overflow structure is required
- Existing downstream sewer or open channel has adequate capacity to accept controlled runoff and offsite drainage improvements are not required

Costs for these items were calculated on a unit cost basis as shown below:

Table 1
Opinion of Probable Construction Cost
1 Acre Developed Land per Land Cash Ordinance

ITEM	UNIT	QUANTITY	$/UNIT	TOTAL
EARTH EXCAVATION	CU. YD.	1,614	$20.00	$32,280
TOP SOIL EXCAVATION AND PLACEMENT, 6" THICK	CU. YD.	807	$11.00	$8,877
STORM WATER DETENTION	ACRE	1	$10,000	$10,000
SEEDING, MULCH AND FERTILIZER	ACRE	1	$5,000	$5,000
			TOTAL (PER ACRE 2015 DOLLARS)	$56,157
			SAY:	***$57,000***

As shown in TABLE 1, the identified developed cost per acre for the preparation of useable land for a park or school site in Oswego, Illinois is approximately $57,000 (2015 Dollars). The opinion of probable construction costs does not include costs associated with initial land purchase or public infrastructure improvements such as street and utility installations. Public infrastructure costs are discussed in the following section.

DEVELOPED LAND COST FOR PUBLIC INFRASTRUCTURE

The purpose of this analysis is to provide the construction cost element for the development of public infrastructure improvements through otherwise undeveloped land lying at the perimeter of Oswego, Illinois. The primary costs of construction have been identified for a typical infrastructure improvement within the public right-of-way. Unit prices have been estimated utilizing design engineer's estimates and contractor's bid tabulations for construction projects. The contractor's unit prices were assumed to be competitively bid at current prevailing wage rates in the State of Illinois and all costs are in 2015 dollars.

The following items make up the baseline costs for proposed public infrastructure improvements in Oswego, Illinois:

- Earth Excavation and Grading
- Portland Cement Concrete Pavement, 7” thick
- Aggregate Base Course, 8” thick
- Portland Cement Concrete Sidewalk, 6” thick
- Combination Concrete Curb and Gutter, Type B-6.12
  (Type B-6.12 = 6” barrier curb height and 12” gutter flag width)
- Sanitary Sewer, 8” diameter
- Water Main, 8” diameter
- Storm Sewer, 15” diameter
- Miscellaneous Structures for Storm, Sanitary and Water Utilities
- Professional Services, Engineering and Legal

For the purposes of this analysis, the public right-of-way width was assumed to be 66 feet. The proposed street improvements consist of a 30 foot wide concrete pavement atop an aggregate base course with combination concrete curb and gutter on both sides. The typical section also includes 5 foot wide concrete sidewalks on both sides with turfed parkways. Public utilities include sanitary sewer, water main and storm sewer systems. Sizes of sanitary sewer lines and water mains were based on the Village of Oswego Subdivision and Development Control Regulations. Other construction items, sizes and thicknesses were based on a combination of Village of Oswego requirements and engineering judgement. The cost difference between concrete pavement and hot-mix asphalt pavement was assumed to be negligible. Private utilities such as underground/overhead electric, gas, cable TV and various communications were assumed to be available in the vicinity of the development and are not included in the public infrastructure cost analysis.

The scope of public infrastructure improvements can vary greatly depending on site specific needs and constraints. For this reason, estimating public infrastructure costs in terms of acres is not reasonable and is not included herein. In addition, any changes to the assumed typical section should be considered when evaluating the cost of such improvements.

Costs for these items were calculated per 100 foot of improvement with a simple conversation to linear feet as shown in the following table:

Table 2
Opinion of Probable Construction Costs
Public Infrastructure for Developed Land

Typical Section Assumptions:

- 66 foot public right-of-way;

- 30 foot wide street (edge to edge) with concrete curb and gutter;

- Turf parkways and 5' sidewalks on both sides;

- Public utilities include sanitary sewer, water main and storm sewer

ITEM	UNIT	QUANTITY	$/UNIT	TOTAL
EARTH EXCAVATION	CU. YD.	500	$20.00	$10,000
PORTLAND CEMENT CONCRETE PAVEMENT 7"	SQ. YD.	334	$45.00	$15,030
AGGREGATE BASE COURSE 8"	SQ. YD.	400	$15.00	$6,000
PORTLAND CEMENT CONCRETE SIDEWALK 6"	SQ. FT.	1000	$6.00	$6,000
COMBINATION CONCRETE CURB & GUTTER TYPE B-6.12	FOOT	200	$25.00	$5,000
SANITARY SEWER 8" DIA., RCP	FOOT	100	$85.00	$8,500
WATER MAIN 8" DIA.	FOOT	100	$125.00	$12,500
STORM SEWER 15" DIA., RCP	FOOT	100	$60.00	$6,000
STORM SEWER LATERALS, RCP	FOOT	30	$60.00	$1,800
MISC. STRUCTURES FOR SANITARY, STORM AND WATER	L. SUM	1	$3,000.00	$3,000
TOPSOIL, SEEDING, MULCH AND FERTILIZER	SQ. YD.	255	$10.00	$2,550
MOBILIZATION	L. SUM	1	$3,500.00	$3,500
PROFESSIONAL SERVICES (ENGINEERING & LEGAL)	L. SUM	1	$3,000.00	$3,000
			SUBTOTAL (PER 100 FOOT 2015 DOLLARS)	$82,880
			SAY:	***$83,000***
			PER LINEAR FOOT CONVERSION	0.01
			TOTAL (PER LINEAR FOOT, 2015 DOLLARS)	**$830**

As shown in TABLE 2, the identified developed cost for public infrastructure in Oswego, Illinois is approximately $83,000 (2015 Dollars) per 100 foot of improvement. **The equivalent cost per linear foot is approximately $830 (2015 dollars).**

DEVELOPED LAND COST ANALYSIS LIMITATION

Clark Dietz, Inc. has no control over the cost or availability of labor, equipment, materials, market conditions, or over the contractor's method of pricing. The opinions of probable construction costs expressed herein are made on the basis of our professional judgement and experience. We make no warranty, expressed or implied that the bids will not vary from our opinions of probable construction costs.

Plaintiff's (current as of March 2019)

School Facility Impact Fees

Housing Type/ Number of Bedrooms	Year 2006	2007	2008
Detached Single Family			
2-BR	$ 736	$ 766	$ 796
2-BR	$ 3,914	$ 4,070	$ 4,233
4-BR +	$ 4,826	$ 5,019	$ 5,220
Attached Single Family			
2-BR	$ 872	$ 907	$ 943
3-BR	$ 1,455	$ 1,514	$ 1,575
4-BR +	$ 2,672	$ 2,779	$ 2,890
Apartments			
1-BR	$ 17	$ 18	$ 18
2-BR	$ 704	$ 732	$ 761
3-BR +	$ 1,997	$ 2,077	$ 2,160

EXHIBIT "A" - TRANSITION FEE TABLE

Village of Plainfield
Plainfield District No. 202 and
Oswego District No. 308

Unit School District (K-12)				
Number of Bedrooms	**Transition Fee By Time Period**			
	1/1/06 to 6/30/06	**7/1/06 to 12/31/06**	**1/1/07 to 6/30/07**	**After 7/1/07***
Detached Single-Family				
1 Bedroom	$0	$0	$0	$0
2 Bedrooms	$125	$249	$374	$499
3 Bedrooms	$654	$1,307	$1,961	$2,615
4 Bedrooms	$821	$1,642	$2,463	$3,284
5+ Bedrooms	$1,022	$2,046	$3,068	$4,091
Attached Single-Family				
1 Bedroom	$0	$0	$0	$0
2 Bedrooms	$142	$285	$427	$570
3 Bedrooms	$250	$501	$751	$1,001
4+ Bedrooms	$456	$911	$1,367	$1,822
Apartments				
Efficiency	$0	$0	$0	$0
1 Bedroom	$2	$6	$8	$11
2 Bedrooms	$113	$225	$338	$450
3+ Bedrooms	$320	$640	$960	$1,279

* The fees listed for "After 7/1/07" shall be the fees collected unless and until modified fee amounts are approved by the Village of Plainfield after 7/1/07.

Prepared by:
Village of Plainfield

Oswego Community USD No. 308
In-Lieu Site Contribution Fees by Home Type

Effective: May 1, 2018

Home Type	Students-Per-Home			Acres-Per-Student			In-Lieu Fee/AC	Permit Fee	Home Type
	ES	JHS	HS	ES	JHS	HS			
DSF									**DSF**
2-BR	0.122	0.041	0.02	0.025	0.02777	0.03333	$79,500	$386	2-BR
3-BR	0.503	0.222	0.234	0.025	0.02777	0.03333	$79,500	$2,110	3-BR
4-BR	0.662	0.309	0.233	0.025	0.02777	0.03333	$79,500	$2,615	4-BR
5-BR	0	1	0.5	0.025	0.02777	0.03333	$79,500	$3,533	5-BR
ASF									**ASF**
1-BR	0	0	0	0.025	0.02777	0.03333	$79,500	$0	1-BR
2-BR	0.095	0.077	0.037	0.025	0.02777	0.03333	$79,500	$457	2-BR
3-BR	0.237	0.064	0.066	0.025	0.02777	0.03333	$79,500	$787	3-BR
4-BR	0.345	0.155	0.168	0.025	0.02777	0.03333	$79,500	$1,473	4-BR
APT									**APT**
Studio	0	0	0	0.025	0.02777	0.03333	$79,500	$0	Studio
1-BR	0.002	0.001	0.001	0.025	0.02777	0.03333	$79,500	$9	1-BR
2-BR	0.082	0.041	0.042	0.025	0.02777	0.03333	$79,500	$365	2-BR
3-BR	0.23	0.123	0.116	0.025	0.02777	0.03333	$79,500	$1,036	3-BR

Notes:

School	*Land Area*	*Capacity*
ES	15 AC	600 students
JHS	25 AC	900 students
HS	80 AC	2,400 students

RESOLUTION No. 1490

A RESOLUTION ESTABLISHING A POLICY CONERNING THE IMPOSITION OF A SCHOOL TRANSITION FEE AS A CONDITION OF ANNEXATION

WHEREAS, the President and Board of Trustees anticipate that there will be significant residential development and student population growth within the Village of Plainfield and its statutory planning area in the near future; and

WHEREAS, the local school districts that will serve this development would greatly benefit from the provision of additional operating funds to meet the needs of the additional student population that will be generated by development; and

WHEREAS, property taxes generated by residential development are distributed to local school districts up to eighteen months after the arrival of new students; and

WHEREAS, the President and Board of Trustees of the Village of Plainfield hereby find and determine that a School Transition Fee should be imposed as a condition of the annexation of territory in order to provide additional operating revenue to local school districts to offset the effects caused by the delay between the time that new students are enrolled and the time that property taxes are distributed.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF PLAINFIELD AS FOLLOWS:

Section 1 General

It shall hereafter be the policy of the President and Board of Trustees of the Village of Plainfield to require the payment of a School Transition Fee as a condition of the annexation of territory to the Village of Plainfield. Therefore, unless otherwise authorized or directed by the President and Board of Trustees, the annexation of territory after the effective date of this Resolution shall be effectuated pursuant to an annexation agreement requiring the payment of a School Transition Fee in substantial accordance with the provisions set forth in Exhibit "A".

Section 2 Use of School Transition Fees

School Transition Fees are intended to be used to defray operating expenses associated with serving students residing in new residential developments. School Transition Fees shall be expended in accordance with policies established by the recipient local school board.

Section 3 **Intergovernmental Agreement with School Districts**

In order to receive School Transition Fees, a local school district shall enter into an intergovernmental agreement approved by the President and Board of Trustees. The agreement shall provide, among other things, that it shall be a condition of the receipt of School Transition Fees that the school district defend and indemnify the Village of Plainfield from and against any and all claims or actions brought or asserted against the Village of Plainfield in connection with the imposition, collection, administration or expenditure of the School Transition Fee. In addition, the intergovernmental agreement may also provide that until January 1, 2007 the school district may utilize a specified portion of the School Facilities Impact Fee for operational purposes.

Section 4 **Reservation of Powers**

Nothing herein shall be construed so as to limit, condition or impair the exercise of powers conferred on the Village of Plainfield to annex territory; enter into annexation agreements; regulate the zoning, subdivision, or development of land; to levy or impose taxes and feel; or to exercise other municipal functions and powers. The establishment of policy herein shall not be construed as a contract with any party. This Resolution may not be enforced by private action. This Resolution is subject to amendment or repeal. The failure to conform to the policy set forth herein shall not invalidate any official act of the President and Board of Trustees of the Village of Plainfield, including, but not limited to, the annexation of territory.

Section 5 Effective Date

This Resolution shall take effect immediately upon its passage and approval in accordance with law.

PASSED this 6 day of March, 2006.

James A Wald
Village President

Susan D Janik
Village Clerk

VOTING NO: 2

VOTING YES: 3

NOT VOTING: 1 Absent

EXHIBIT "A" - TRANSITION FEE TABLE

Village of Plainfield
Plainfield District No. 202 and
Oswego District No. 308

Unit School District (K-12)				
Number of Bedrooms	**Transition Fee By Time Period**			
	1/1/06 to 6/30/06	**7/1/06 to 12/31/06**	**1/1/07 to 6/30/07**	**After 7/1/07***
Detached Single-Family				
1 Bedroom	$0	$0	$0	$0
2 Bedrooms	$125	$249	$374	$499
3 Bedrooms	$654	$1,307	$1,961	$2,615
4 Bedrooms	$821	$1,642	$2,463	$3,284
5+ Bedrooms	$1,022	$2,046	$3,068	$4,091
Attached Single-Family				
1 Bedroom	$0	$0	$0	$0
2 Bedrooms	$142	$285	$427	$570
3 Bedrooms	$250	$501	$751	$1,001
4+ Bedrooms	$456	$911	$1,367	$1,822
Apartments				
Efficiency	$0	$0	$0	$0
1 Bedroom	$2	$6	$8	$11
2 Bedrooms	$113	$225	$338	$450
3+ Bedrooms	$320	$640	$960	$1,279

Grade School District (K-8)				
Number of Bedrooms	**Transition Fee By Time Period**			
	1/1/06 to 6/30/06	**7/1/06 to 12/31/06**	**1/1/07 to 6/30/07**	**After 7/1/07***
Detached Single-Family				
1 Bedroom	$0	$0	$0	$0
2 Bedrooms	$106	$212	$318	$424
3 Bedrooms	$555	$1,112	$1,667	$2,223
4 Bedrooms	$697	$1,396	$2,093	$2,791
5+ Bedrooms	$869	$1,738	$2,607	$3,477
Attached Single-Family				
1 Bedroom	$0	$0	$0	$0
2 Bedrooms	$121	$243	$364	$485
3 Bedrooms	$212	$426	$638	$851
4+ Bedrooms	$387	$775	$1,162	$1,549
Apartments				
Efficiency	$0	$0	$0	$0
1 Bedroom	$2	$4	$6	$9
2 Bedrooms	$95	$192	$287	$383
3+ Bedrooms	$271	$544	$815	$1,087

* The fees listed for "After 7/1/07" shall be the fees collected unless and until modified fee amounts are approved by the Village of Plainfield after 7/1/07.

EXHIBIT "A" - TRANSITION FEE TABLE

Village of Plainfield
Plainfield District No. 202 and
Oswego District No. 308

High School District (9-12)				
Number of Bedrooms	**Transition Fee By Time Period**			
	1/1/06 to 6/30/06	**7/1/06 to 12/31/06**	**1/1/07 to 6/30/07**	**After 7/1/07***
Detached Single-Family				
1 Bedroom	$0	$0	$0	$0
2 Bedrooms	$18	$38	$56	$75
3 Bedrooms	$98	$196	$294	$392
4 Bedrooms	$123	$247	$370	$493
5+ Bedrooms	$153	$307	$460	$614
Attached Single-Family				
1 Bedroom	$0	$0	$0	$0
2 Bedrooms	$21	$43	$64	$85
3 Bedrooms	$37	$75	$112	$150
4+ Bedrooms	$68	$137	$205	$273
Apartments				
Efficiency	$0	$0	$0	$0
1 Bedroom	$0.50	$1	$1.50	$2
2 Bedrooms	$16	$34	$50	$67
3+ Bedrooms	$48	$96	$144	$192

* The fees listed for "After 7/1/07" shall be the fees collected unless and until modified fee amounts are approved by the Village of Plainfield after 7/1/07.

SD308 COMMUNITY UNIT SCHOOL DISTRICT

Christi Tyler <ctyler@sd308.org>

RE: February 18th Meeting

1 message

Dan Di Santo <DDiSanto@oswegoil.org> Thu, Feb 11, 2021 at 2:56 PM
To: ctyler <ctyler@sd308.org>

Hi Christi –

I just reviewed your exhibits and wanted to make sure that you had the accurate land/cash value for Oswego (the current table does not show any amount).

For a 2-bedroom attached SF, the land/cash fee is $381.23, and for a 4-bedrrom detached SF, the land/cash fee is $2,663.19. If you could, please add those to your table. The table correctly shows our impact fees and that we no longer charge transition fees since they were combined with impact fees in 2015.

Also, I've attached the joint impact fee study that Oswego did with SD308 and others back in 2015 which lead to our current fees. The only modification since this time was reducing multi-family fees in 2017 as you note in your report.

Happy to answer any questions, and I'm looking forward to attending the meeting next week.

Dan

Daniel Di Santo

Village Administrator

Village of Oswego

100 Parkers Mill

Oswego, IL 60543

Direct: 630.551.2340

Cell: 630.989.4051

Email: ddisanto@oswegoil.org

From: Christi Tyler <ctyler@sd308.org>
Sent: Thursday, February 11, 2021 9:56 AM
To: Dan Di Santo <DDiSanto@oswegoil.org>; Dick, Trevor <TDick@aurora-il.org>; Scott Koeppel <skoeppel@co.kendall.il.us>; Jonathan Proulx <jproulx@goplainfield.com>; Carrie Szambelan <cszambelan@sd308.org>; Brian Murphy <bmurphy@goplainfield.com>; Jeff Zoephel <zoephel@ci.montgomery.il.us>;

jmelrose@goplainfield.com; Dibo, David <DDibo@aurora-il.org>; jtorri@joliet.gov; dconley@joliet.gov
Subject: February 18th Meeting

Good Afternoon All~

Thank you for accepting our invitation to our February 18th Finance and Facility Committee Meeting. The meeting will begin at 6:00 PM and will be held at Oswego East High School in the Community Room. Please enter Door #1 - which is the main entrance of the high school. There will be signs to direct you upstairs to the Community Room. If you have not yet RSVP'd please do so that we can have a final count. An invite will be sent following this email.

I wanted to provide you with some topics the committee may be interested in.

How are the amount of the developer fees determined?

What are your long-term development/growth goals?

Finally, if you have any documentation that you would like presented or shared with the Committee members please send them along and we will be happy to present and/or distribute to the group. Attached are documents that we will be sending to the committee members.

Thank you again for joining us!!

Christi Tyler

Chief Financial Officer/CSBO

71 Stonehill Road

Oswego, IL 60543

Office: 630.636.3180

Cell: 630.383.6592

Disclaimer

The information contained in this communication from ddisanto@oswegoil.org sent at 2021-02-11 15:56:21 may contain confidential information and may be legally privileged and is intended only for ctyler@sd308.org. If you are not ctyler@sd308.org you are hereby notified to not disseminate, distribute or copy this e-mail. Please notify Dan Di Santo immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. E-mail transmission cannot be guaranteed to be secure or error-free as information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain viruses. Dan Di Santo therefore does not accept liability for any errors or omissions in the contents of this message, which arise as a result of e-mail transmission. If verification is required, please request a hard-copy version. Village of Oswego, 100 Parkers Mill, Oswego IL, 60543, www.oswegoil.org

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**. To find out more Click Here.

Oswego DIF Final Report 20151015_3.0SUBMITTAL.pdf
3083K

REQUEST TO INSPECT AND/OR COPY RECORDS

Date: 3/24/2021

To: Freedom of Information Officer

c/o District Administration Center

4175 Rt. 71 Oswego, IL 60543

630-636-3088

FOIArequests@sd308.org

I hereby request to inspect ☑ copy* ☐ the following records:

(Please describe requested records as specifically as possible, attaching additional page if necessary.)

Any and all documents and information in regards to the towns of Aurora, Plainfield, Joliet and Montgomery each having different school providing fees with developers. Any and all documents, contracts or records between SD308 and any/all developers in the towns of Aurora, Plainfield, Joliet and Montgomery refrencing financials, property taxes, impact fees, transition fees, and land cash fees.

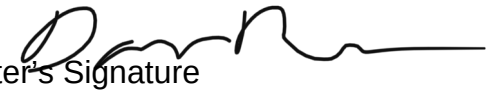
* There is no copying fee for the first 50 black and white standard-sized copies. The fee for additional copies is 15¢ per page. Actual cost will be charged for copies of documents not of standard size, and for the recording medium (*e.g,.* compact disk, tape, DVD), when applicable.

Are you requesting a waiver or reduction of copying fees? ☐ Yes ☑ No

If yes, what is the purpose of this request?

Is this request for a commercial purpose? ☐ Yes ☑ No

Danielle Merten
Requester's (Printed) Name


Requester's Signature

400 Deerfield Dr, Oswego, IL 60543
Requester's Address

402-680-1918
Requester's Phone Number

kevindaniellemerten@gmail.com
Requester's E-mail Address

(Please check if applies) ☑ **I do not want my address published as part of the online FOIA posting.**

WHITT LAW
whittlaw.com

STUART L. WHITT
RICHARD T. PETESCH
JOSHUA S. WHITT
GRETCHEN M. HARRIS

February 17, 2006

William L. Goldbeck, Esq.
GARDNER CARTON & DOUGLAS LLP
191 N. Wacker Drive, Suite 3700
Chicago, Illinois 60606-1698

Re: Steeplechase at Churchill Club

Dear Will:

Enclosed please find four copies of the Contribution Agreement approved by the Board of Education at Monday's meeting. Please secure the appropriate signatures from Hovstone and then return two fully-executed copies to me, together with the company's check payable to the School District in the amount of $152,000.00. Upon receipt I will issue a letter to the Village indicating Hovstone's satisfaction of the Agreement and authorizing release of the land cash contributions previously made.

Yours very truly,

WHITT LAW

Stuart L. Whitt
swhitt@whittlaw.com
SLW:pb
Enclosures

cc Mr. Joel Murphy
Mr. Michael Frances

105 EAST GALENA BOULEVARD, EIGHTH FLOOR, AURORA, IL 60505-3338
TELEPHONE 630-897-8875 FACSIMILE 630-897-1258

CONTRIBUTION AGREEMENT

This CONTRIBUTION AGREEMENT (this "**Agreement**") is entered into as of February _____, 2006 (the "**Effective Date**") by and between OSWEGO COMMUNITY UNIT SCHOOL DISTRICT NO. 308, a public school district (the "**School District**") and HOVSTONE PROPERTIES ILLINOIS, L.L.C., a Delaware limited liability lompany, d/b/a Town and Country Homes ("**Developer**"). The School District and Developer are hereinafter sometimes referred to jointly as the "**Parties**".

WITNESSETH:

WHEREAS, Developer is the developer of record of, and owner of, a parcel of real estate containing approximately 87.7 acres (the "**Property**") legally described on **Exhibit A**, attached hereto and made a part hereof, located south of Route 34 and east of Douglas Road in Oswego, Illinois, within the boundaries of the School District; and

WHEREAS, the Property has been annexed to the Village of Oswego, Illinois ("**Village**") pursuant to the terms and conditions of that certain Annexation Agreement dated August 2, 2004 by and between Developer and the Village and recorded with the Kendall County Recorder's Office as Document No. 200400022127 (the "**Annexation Agreement**"), and the Village has also approved that certain Preliminary Subdivision Plat for Churchill Club dated February 23, 2004 and last revised June 3, 2004 and attached as Exhibit D to the Annexation Agreement (collectively, the "**Approved Development Plans**").

WHEREAS, the Approved Development Plans permit development of the Property with not more than 212 attached and detached single family, active adult, age-restricted residential housing units (each a "**Unit**" and collectively, "**Units**") pursuant to the exemptions to the Fair Housing Act.

WHEREAS, because the Property will be developed as an active-adult, age-restricted development pursuant to the exemptions to the Fair Housing Act, the Developer has requested that it be allowed to make a contribution directly to the School District in lieu of land/cash contributions under Village Ordinance No. 04-07, as amended from time to time, and capital facilities development impact fees under Village Resolution No. 04-R-02, as amended from time to time, because the development of the Property in the manner contemplated by the Approved Development Plans will not generate an increase in the number of new students in the School District or otherwise adversely impact or put demand on the School District's educational services or resources.

WHEREAS, Developer has previously made significant voluntary contributions to the School District, including, but not limited to, payment of the sum of $349,992.09 above and beyond the amount required to be contributed pursuant to the Annexation Agreement on behalf of the development by Developer known as the Churchill Club in Oswego, delivery of a mass

graded site complete with building pads for the construction of a new elementary school and middle school in Oswego and substantial contributions to the Wolves & Panthers on Parade;

WHEREAS, the Parties seek to enter into this Agreement to confirm the commitment by Developer or any future substitute developers of the Property to make the Donation (hereinafter defined) to the School District and to confirm the School District's acceptance of the Donation.

NOW THEREFORE, in consideration of the terms and conditions contained herein and other good and valuable consideration, the receipt and legal sufficiency of which are hereby mutually acknowledged, the Parties agree as follows:

1. **Recitals.** The foregoing Recitals are incorporated herein as part of this Agreement as if fully set forth in this Section 1.

2. **Donation.** The Parties agree that Developer shall make a donation (the "**Donation**") of the sum of One Hundred Fifty-Two Thousand and No/100 Dollars ($152,000.00) to be utilized by the School District for the acquisition of real property for school purposes or for use in connection with its Building Trades Program. Developer hereby agrees that the full amount of the Donation shall be paid to the School District on or before the date that the Developer requests the Village to issue building permits for the construction of Units on the Property. Upon receipt, the School District will execute a written acknowledgement of the Donation which shall be forwarded to the Village and may be relied upon by the Village in its decision to issue building permits for the property.

3. **Costs of Collection.** If Developer or a future substitute developer fails to pay the required Donation to the School District at the time required by this Agreement and the School District is required to file an action to recover the Donation, the School District shall be entitled to recover from the non-paying party, in addition to such Donation, the costs and fees (including, without limitation, attorneys' fees) that it incurs in pursuing such action against any such non-paying party.

4. **Use of Donations Collected.** The School District shall use and expend the Donation (i) to acquire real property for use in connection with the School District's Building Trades Program or (ii) for such other school purposes permitted by law.

5. **No Further Donations.** Provided that Developer pays in full the amount of the Donation on or before the date on which the Village issues building permits for the construction of any Units on the Property, the Parties agree that no further payments or Donations to the School District (of land, cash or equipment) shall be required of Developer or future owners or developers of the Property with respect to the Property; provided, however, that if any portion of the Property is improved with residential housing units other than active adult, age-restricted housing units pursuant to the exemptions to the Fair Housing Act, then all land/cash contributions, capital facilities development impact fees and other charges in effect at that time shall be imposed as provided by Village Ordinance or Resolution.

6. **Assignment**. This Agreement shall be binding on and inure to the benefit of the Parties, and their respective personal representatives, successors and assigns (including, without limitation, successor developers and successor members of the School District's Board of Education).

7. **Miscellaneous**.

7.1 All notices required or permitted to be given under this Agreement shall be in writing and shall be delivered personally or sent to the Parties by certified or registered mail, return receipt requested, or by facsimile transmission with a copy of the notice and proof of transmission being sent by regular mail on the date of transmission to the following addresses:

School District:	Oswego Community School District No. 308 4175 Route 71 Oswego, Illinois 60543 Attention: Superintendent Behlow Telephone: (630) 636-3080 Facsimile: (630) 554-2168
With a copy to:	Whitt Law 105 East Galena Blvd., 8th Floor Aurora, Illinois 60505 Attention: Stuart L. Whitt Telephone: (630) 897-8875 Facsimile: (630) 897-1258
Developer:	Town and Country Homes 1806 South Highland Avenue Lombard, Illinois 60148 Attn: Ed Fitch Telephone: (630) 424-4852 Facsimile: (630) 953-1171
With a copy to:	Gardner Carton & Douglas LLP 191 North Wacker Drive, Suite 3700 Chicago, Illinois 60606-1698 Attention: William L. Goldbeck Telephone: (312) 569-1225 Facsimile: (312) 569-3225

or to such other address or party as any Party may from time to time designate in a notice to the other Parties. A notice given by certified or registered mail shall be deemed given three (3) days after such notice is deposited in the United States mail whether or not such notice is actually received by the addressee.

7.2 The captions of the Sections and Paragraphs of this Agreement are for convenience only, and do not affect the interpretation of, and are not to be interpreted as part of, this Agreement.

7.3 This Agreement shall be construed in accordance with the laws and statutes of the State of Illinois. In the event of any dispute regarding this Agreement or the rights and responsibilities of the Parties hereto, any resulting litigation shall be filed in the Circuit Court for the Sixteenth Judicial Circuit, Kendall County, Illinois. In the event of such litigation, the prevailing party shall be entitled to the award of costs and expenses, including reasonable attorneys' fees, as determined by the Court.

7.4 This Agreement constitutes the entire contract between the Parties with respect to the subject matter of this Agreement and may not be modified except by an instrument in writing, signed by both Parties (or their designated successors and assigns) and dated a date subsequent to the Effective Date of this Agreement. All exhibits to this Agreement are expressly incorporated herein by this reference thereto.

7.5 The provisions of this Agreement shall be severable so that the unenforceability or invalidity of any provision(s) of this Agreement shall not render any other provision or provisions unenforceable or invalid.

[Signature page follows]

IN WITNESS WHEREOF, the Parties have executed this Agreement on the date following their respective signatures to be effective as of the Effective Date.

HOVSTONE PROPERTIES ILLINOIS, L.L.C., a Delaware Limited Liability Company d/b/a Town and Country Homes

By: _____
Its: _____

Date of Execution: _____

OSWEGO COMMUNITY UNIT SCHOOL DISTRICT NO. 308

By: David C. Behrens
Its: President

ATTEST:

By: _____
Its: Secretary

Date of Execution: 2/13/06

EXHIBIT A

Legal Description of the Property

PARCEL ONE:

THAT PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2 AND PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 11, ALL IN TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 11; THENCE SOUTH ALONG THE EAST LINE OF SAID QUARTER 140 FEET TO A LINE DRAWN PARALLEL WITH AND 140 FEET SOUTH OF, MEASURED AT RIGHT ANGLES THERETO, THE NORTH LINE OF SAID QUARTER ; THENCE WEST ALONG SAID PARALLEL LINE 1214.86 FEET TO A POINT 115.87 FEET EAST OF, MEASURED ALONG SAID PARALLEL LINE, THE WEST LINE OF SAID NORTHWEST QUARTER; THENCE NORTHWESTERLY 117.87 FEET TO A POINT ON THE WEST LINE OF SAID NORTHWEST QUARTER 117.95 FEET SOUTH OF THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE NORTH ALONG THE WEST LINE OF SAID SECTIONS 11 AND 2 TO THE CENTER LINE OF U.S. ROUTE NO 34; THENCE NORTHEASTERLY ALONG SAID CENTER LINE TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2; THENCE SOUTH ALONG SAID EAST LINE TO THE POINT OF BEGINNING; IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

PARCEL TWO:

THAT PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID NORTHWEST QUARTER; THENCE SOUTH ALONG THE EAST LINE OF SAID QUARTER 315 FEET TO A LINE DRAWN PARALLEL WITH AND 315 FEET SOUTH OF, MEASURED AT RIGHT ANGLES THERETO, THE NORTH LINE OF SAID QUARTER FOR THE POINT OF BEGINNING; THENCE WEST ALONG SAID PARALLEL LINE 1230.82 FEET TO A POINT 100 FEET EAST OF, MEASURED ALONG SAID PARALLEL LINE, THE WEST LINE OF SAID NORTHWEST QUARTER; THENCE NORTHWESTERLY 101.73 FEET TO A POINT ON THE WEST LINE OF SAID NORTHWEST QUARTER 295.97 FEET SOUTH OF THE NORTHWEST CORNER THEREOF; THENCE SOUTH ALONG SAID WEST LINE TO THE SOUTHWEST CORNER OF SAID QUARTER; THENCE EAST ALONG THE SOUTH LINE OF SAID QUARTER 1320 FEET TO THE SOUTHEAST CORNER OF SAID QUARTER; THENCE NORTH ALONG THE EAST LINE OF SAID QUARTER TO THE POINT OF BEGINNING; IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

PARCEL THREE:

EASEMENT FOR TWO PRIVATE ROADWAYS BETWEEN PARCELS ONE AND TWO DESCRIBED AND CREATED BY THE DEED DATED FEBRUARY 18, 1960 AND RECORDED AUGUST 24, 1960 IN DOCUMENT (130866) BOOK 123 PAGE 167 IN KENDALL COUNTY, ILLINOIS.

PARCEL FOUR:

THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN; IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS:

EXCEPTING FROM THE ABOVE THAT PART CONVEYED TO IDOT AS FOLLOWS:

A PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2 AND PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, KENDALL COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: AND BEARINGS USED HEREIN ARE ASSUMED FOR DESCRIPTIVE PURPOSES ONLY:

COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER OF SECTION 11, THENCE NORTH 0 DEGREES 56 MINUTES 06 SECONDS WEST, 788.076 METERS (2,585.55 FEET) ALONG THE WEST LINE OF SAID NORTHWEST QUARTER OF SECTION 11 TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 0 DEGREES 56 MINUTES 06 SECONDS WEST, 19.247 METERS (63.15 FEET) ALONG THE WEST LINE OF SAID NORTHWEST QUARTER OF SECTION 11 TO THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER OF SECTION 11; THENCE NORTH 0 DEGREES 55 MINUTES 03 SECONDS WEST, 2.432 METERS (78.98 FEET) ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 2 TO THE CENTER LINE OF S.B.I. 65; THENCE NORTH 54 DEGREES 15 MINUTES 03 SECONDS EAST, 494.107 METERS (1621.08 FEET) ALONG SAID CENTER LINE OF S.B.I. 65 TO THE EAST LINE OF THE WEST HALF OF SAID SOUTHWEST QUARTER OF SECTION 2; THENCE SOUTH 00 DEGREES 55 MINUTES 44 SECONDS EAST, 21.772 METERS (71.43 FEET) ALONG SAID EAST LINE, THENCE SOUTH 54 DEGREES 15 MINUTES 35 SECONDS WEST, 494.053 METERS (1620.91 FEET) TO THE POINT OF BEGINNING, CONTAINING 8.813 SQUARE METERS (94.862 SQUARE FEET) MORE OR LESS, OF WHICH 6.024 METERS (64.942 SQUARE FEET) MORE OR LESS, IS WITHIN THE EXISTING RIGHT OF WAY, IN KENDALL COUNTY, ILLINOIS.

ORDINANCE NO. 04 -- 07

AN ORDINANCE AMENDING ORDINANCE NO. 96-33 AND RESCINDING ORDINANCE NO. 2000-23 IN THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS

(Village of Oswego Land / Cash Ordinance)

BE IT ORDAINED BY THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS, as follows:

Section 1: That Section 1 of Ordinance No. 96-33 be and the same is hereby deleted and the VILLAGE OF OSWEGO LAND / CASH ORDINANCE attached hereto and incorporated herewith as Exhibit "A" is substituted in its place..

Section 2: Ordinance No. 2000-23, amending Ordinance No. 96-33, is hereby repealed.

Section: 3: All ordinances, code sections, or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 4: Should any sentence, section, clause, part, or provision of this Ordinance be declared, by a court of competent jurisdiction, to be invalid; the same shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part declared to be invalid.

Section 5: This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

PASSED by the Board of Trustees of the Village of Oswego, Kendall County, Illinois this 9th day of February, 2004.

Dorothy A. Strong
DOROTHY A. STRONG, VILLAGE CLERK

DAVID KRAHN	Aye	RODGER LONG	Aye
CHARLES PAJOR.	Aye	BRADEN ROCK	Aye
WILLIAM SANDERS	Aye	LORI WEST	Aye

APPROVED by me, Craig Weber, as Village President of the Board of Trustees of the Village of Oswego, Kendall County, Illinois this 9th day of February, 2004.

Craig Weber
CRAIG WEBER, VILLAGE PRESIDENT

VILLAGE OF OSWEGO

ORDINANCE NO. 04-7

AN ORDINANCE AMENDING ORDINANCE NO. 96-33 AND RESCINDING ORDINANCE NO. 2000-23 IN THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS

(Village of Oswego Land / Cash Ordinance)

PASSED BY THE
BOARD OF TRUSTEES
AND
APPROVED BY THE VILLAGE PRESIDENT
OF THE
VILLAGE OF OSWEGO
THIS 9th DAY OF FEBRUARY, 2004

PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE

VILLAGE PRESIDENT AND BOARD OF TRUSTEES OF THE

VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS

9TH DAY OF FEBRUARY, 2004

VILLAGE OF OSWEGO

LAND / CASH ORDINANCE

FOR

THE VILLAGE OF OSWEGO, ILLINOIS
KENDALL COUNTY

ORDINANCE NO. 04-07

PASSED AND APPROVED
BY THE
VILLAGE PRESIDENT AND BOARD OF TRUSTEES
ON
FEBRUARY 9, 2004

VILLAGE OF OSWEGO
LAND/CASH ORDINANCE

Section 000.201 - GENERAL PROVISIONS

000.201.010 Citation

These regulations shall be known, cited, and referenced as the Land/Cash Ordinance of the Village.

000.201.020 Findings and Purpose

A. It is declared to be the policy of the Village of Oswego that the provision of various public facilities required to serve new development is subject to the control of the Village in accordance with the Comprehensive Plan of the Village for the orderly, planned, efficient, and economical development of the Village.

B. New development causes and imposes increased and excessive demands upon public facilities that are specifically and uniquely attributable to those developments. Affected facilities include the public school district and the park district.

C. Planning projections indicate that such development shall continue and shall place ever-increasing demands on the Village, the school district, and the park district.

D. Development potential and property values are influenced and affected by Village policy as expressed in the Comprehensive Plan and as implemented by the Village Zoning Ordinance, the Village Subdivision and Development Control Regulations, and the capital improvement budget.

E. To the extent that new development places demands upon public facilities which are specifically and uniquely attributable to that development, those demands should be satisfied by requiring that developments creating the demands pay the cost of meeting the demands.

F. The amount of land or cash fees to be required of new development shall be determined by the proportionate share cost of the additional public facilities needed to support such development, which public facilities shall be identified in the respective District's Capital Improvement Program or in a capital improvement budget.

G. The Village Board, after careful consideration and input from the respective District, hereby finds and declares that the dedication of land or the payment of cash fees required of new development to finance specified public facilities, the demand for

which is created by such development, is in the best interests of the general welfare of the Village and its residents, is equitable, and does not impose an unfair burden on such development. Therefore, the Village Board deems it necessary and desirable to adopt this Ordinance as herein set forth.

000.201.030 Intent

This Ordinance is intended to require the dedication of land, or the payment of cash fees, calculated pursuant to this Ordinance, at the time of building permit issuance, unless otherwise agreed to by the respective District.

000.201.040 Applicability

This Ordinance shall be uniformly applicable to development which occurs within the Village with the exception of exempted development including the following:

A. Development of property for which an equivalent land dedication or cash fee payment has been made subject to the requirements of a prior ordinance.

B. Development of property owned by a public school district, a public park district, a public library district, or a public fire protection district.

000.201.050 Requirement

No building permit as herein defined shall be issued for a nonexempt development unless the applicant therefore has dedicated land or paid the cash fee imposed by and calculated pursuant to this Ordinance. Prior to or concurrent with issuance of a building permit, approval of a site plan, approval of a final plat of subdivision, or approval of a final planned unit development (PUD); the Village shall calculate with consultation of the respective District, the land or cash fee for school site and park site to serve the immediate and future needs of the development. Cash payment in lieu of land dedication or a combination of both, at the discretion of the respective District, in accordance with Sections 000.204.050 and 000.204.060 of this Ordinance, may be required.

An amendment to an approved site plan, final plat of subdivision, final planned unit development (PUD), or an annexation agreement shall require compliance with this Ordinance to the extent that such amendment results in the calculation of a greater land dedication or cash fee for the school district or the park district.

Section 000.202 - DEFINITIONS

For the purposes of the regulations codified in this Ordinance, the terms and words used in this Ordinance shall be used, interpreted, and defined as follows:

000.202.010 Building Permit - The permit required for new construction and building additions pursuant to the Oswego Building Code. The term building permit, as used herein, shall not be deemed to include permits required for remodeling, for rehabilitation, or for other improvements to an existing structure, or for rebuilding a damaged or destroyed structure; provided there are no increases in the number of dwelling units or bedroom counts for residential development resulting therefrom.

000.202.020 Capital Budget - The portion of the Village of Oswego annual budget devoted to funding of capital improvement projects. The portion of the annual budget of a public school district serving the Village of Oswego devoted to funding of capital improvement projects. The portion of the Oswegoland Park District annual budget devoted to funding of capital improvement projects.

000.202.030 Capital Improvement - A project, facility, or piece of equipment with a useful life in excess of three (3) years.

000.202.040 Capital Improvement Program (CIP) - A multi-year program identifying future capital improvements and indicating planned sources of funding for those improvements.

000.202.050 Comprehensive Plan - The Comprehensive Plan of the Village of Oswego as recommended by the Plan Commission and adopted by the President and Board of Trustees of the Village of Oswego.

000.202.060 Cost - Expenditures incurred or estimated to be incurred to fund a capital improvement project. These costs may include acquisition of land, site preparation, construction of infrastructure, construction of improvements, equipping of facilities; and administrative, architectural, engineering, legal, and planning expenses incurred in connection with a project.

000.202.070 Demand Unit - A unit associated with a new development that generates the need for expansion of or improvement to public facilities.

000.202.080 Detention Basin – A dry bottom area of land which provides for the temporary storage of storm water run-off.

000.202.090 Developer - The owner of record of land proposed for development or his/her representative in the development process.

000.202.100 Development - Any change to improved or unimproved real property, the use of any principal structure or land, or any other activity that requires issuance of a building permit.

000.202.110 Development Impact Fee - A special and additional fee imposed at building permit issuance and calculated based upon the costs of public facilities in proportion to development creating the need for such facilities.

000.202.120 Gross Acreage - The entire area of a parcel of real property or a building site expressed in acres or portions thereof.

000.202.130 MAI - The professional designation "Member, Appraisal Institute" as conferred by The American Institute of Real Estate Appraisers.

000.202.140 Park District - Any public park district situated wholly or partially within the Village providing open space amenities and recreational programs including the Oswegoland Park District.

000.202.150 Planned Unit Development - A unified development of one or more parcels of contiguous land in a single ownership or unified control including two or more principal buildings or uses, and where the specific requirements of a given zoning district may be modified if an application is processed and approved under the planned unit development procedures of the Subdivision and Development Control Regulations and the Zoning Ordinance.

000.202.160 Proportionate Share - The cost of a public facility, or capital improvement project specifically and uniquely attributable to a new development after the consideration of the generation of additional demand from the new development.

000.202.170 Public Facility - Any or all of the following facilities to be financed in whole or in part by cash fees:

A. School sites.
B. Park sites.

000.202.180 Residential Development - Any change to improved or unimproved real property including a principal structure, all or a portion of which is designed or intended for use as a residence.

000.202.190 Retention Basin (Pond) - A pond, pool, or basin used for the permanent storage of water runoff.

000.202.200 School District - Any public school district situated wholly or partially within the Village providing elementary, junior high, and high school education; including Oswego Community Unit School District #308.

000.202.210 Service Standard - The level of service delivery associated with a public facility for which a land dedication or cash fee shall be required.

000.202.220 Site Plan - A document prepared to scale indicating accurately the dimensions and boundaries of a site; and showing the location of all proposed buildings, structures, uses, and principal site development features for a parcel of land.

000.202.230 Specifically and Uniquely Attributable - An identifiable portion of the need for additional public facilities or capital improvement projects resulting from a proposed development.

000.202.240 Subdivision and Development Control Regulations - The adopted ordinance of the Village of Oswego regulating the processes and design standards applicable to the division of and development of land within the Village.

000.202.250 Village - The Village of Oswego, Illinois.

000.202.260 Village Board - The Oswego Village Board of Trustees.

000.202.270 Wetland - An area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

000.202.280 Zoning District – A specifically delineated area or district in a municipality within which uniform regulations and requirements govern the use, placement, spacing and size of land and buildings.

000.202.290 Zoning Ordinance - The adopted ordinance of the Village of Oswego classifying land for use and regulating the use of land within the Village.

Section 000.203 - ADMINISTRATION

000.203.010 General Procedures for Land Dedication or Cash Fees

A. Calculation of Land Dedication or Cash Fees. Land dedication or cash fees established pursuant to this Ordinance shall be calculated based on the procedures summarized in Section 000.204 of this Ordinance.

B. Dedication of Land. School sites required pursuant to this Ordinance shall be dedicated to Oswego Community Unit School District #308, Yorkville School District #115, and any other applicable school district in which a development may be constructed. Park sites required pursuant to this Ordinance shall be dedicated to the Oswegoland Park District.

C. Collection of Cash Fees.

1. Park District. The cash contribution in lieu of park and recreation land dedication shall be paid directly to the Treasurer or designated official of the park district at its administrative office. The district shall issue a receipt indicating payment amount, date paid, and name of remitter. Prior to the issuance of a building permit, the developer shall bring said receipt to the Village as evidence that the cash fees have been paid.

2. School District. The cash contribution in lieu of school sites shall be paid directly to the Treasurer or designated official of the school district at its administrative office. The district shall issues a receipt indicating payment amount, date paid, and name of remitter. Prior to the issuance of a building permit, the developer shall bring said receipt to the Village as evidence that the cash fees have been paid.

000.203.020 Use of Dedicated Land or Cash Fees

Dedication of land or payment of cash fees pursuant to this Ordinance shall be restricted to use solely and exclusively for financing directly, or as a pledge against bonds, revenue certificates, and other obligations of indebtedness for the cost of public facilities.

A. Park District. Said funds shall be used by the Park District for the acquisition of park and recreational land which will be available to serve the immediate and future needs of the residents of the subdivision or development or for improvements of other existing local park and recreation sites and facilities which serve such needs.

B. School District. Said funds shall be used by the school district for the acquisition of land for a school site to serve the immediate or future needs of children from that subdivision or development, or site improvements, which include school buildings or other infrastructure necessitated in specifically and uniquely attributed to the subdivision or development.

000.203.030 Effect of Land Dedication or Cash Fees on Zoning Ordinance and Subdivision and Development Control Regulations

This Ordinance shall not affect, in any manner, the permissible use of property, density of development, design, and improvement standards and requirements; or any other aspect of the development of land or provision of public improvements subject to the zoning and subdivision and development control regulations or other regulations of the Village, which shall be operative and remain in full force and effect without limitation with respect to all such development.

000.203.040 Land Dedication or Cash Fees as Additional and Supplemental Requirement

Dedication of land or payment of cash fees is additional and supplemental to, and not in substitution of, any other requirements imposed by the Village on the development of land or the issuance of building permits.

Section 000.204 - CALCULATIONS

000.204.010 Criteria for Determining School Site.

The following criteria shall govern the calculation of school site:

A. Requirement and Population Ratio. The ultimate estimated number of students to be generated by the residential subdivision or development shall be the relevant demand unit, and shall be directly related to the amount of land required for a school site. The school site requirement shall be determined by obtaining the product of the following: (1) estimated number of students to be served in each school classification divided by the (2) maximum recommended number of students to be served in each such school classification as established in this Ordinance multiplied by the (3) recommended number of acres for a school site of each school classification as established in this Ordinance. The product thereof shall be the acres of land deemed needed to have sufficient school site land to serve the estimated increased number of students in each such school classification. The school site cash fee shall be the dollar amount equal to the product of the number of acres required for school site times the fair market value of land per acre established in this Ordinance.

B. School Classification and Size of School Site. School classifications and the size of school sites within the Village shall be determined in accordance with the following criteria:

School Classification by Grade	Maximum Number of Students per Classification	Minimum Usable acreage of Land per each Classification
Elementary or Grades 0 - 5	600	11
Junior High or Grades 6 - 8	900	20
High School or Grades 9 - 12	2,400	80

C. Location. Where the dedication of land is required, the standards adopted by the affected school district shall be used as guidelines in locating sites.

000.204.020 Criteria for Determining Park Site.

The following criteria shall govern the calculation of park site:

A. Requirement and Population Ratio. The ultimate estimated population to be generated by the residential subdivision or development shall be the relevant demand unit, and shall be directly related to the amount of land that would be required for a park site. The park site requirement shall be determined by obtaining the product of the following: (1) estimated population to be served by the park system divided by (2) one thousand (1,000) multiplied by the (3) required number of acres of park as established in this Ordinance. The product thereof shall be the acres of land deemed needed to have sufficient park site land to serve the estimated increased population. The park site cash fee shall be the dollar amount equal to the product of the number of acres required for park site times the fair market value of land per acre established in this Ordinance.

B. Park Site Classification and Acreage per Population. Park site classifications and the minimum acres of park site shall be 10 (ten) acres per one thousand (1,000) population.

C. Location. Where the dedication of land is required, a Comprehensive Park District Plan and/or appropriate standards adopted by the park district shall be used as a guideline in locating sites.

000.204.030 Determination of Land Value and Distribution of Cash Fee.

Determination of Land Value. The land value or cash fee for school site and park site shall be based on the fair market value of an acre of land in the area improved as specified in this Ordinance. It has been determined that the present fair market value of such improved land in and surrounding the Village is $70,000 (seventy thousand dollars) per acre. The specified land value shall be adjusted annually according to the property tax multiplier provided by the Oswego Township Assessor. The adjusted land value shall become effective May 1st of each year.

The land value shall be used in making any calculation in this Ordinance unless the subdivider or developer files a written objection thereto. In the event of any such objection, the subdivider or developer, at his/her own cost, shall obtain and submit an independent appraisal from an MAI designated appraiser indicating the fair market value of such comparable improved land in the area of the proposed development. Final determination of said fair market value per acre of such improved land shall be made by the Village Board in its sole discretion based on such information submitted by the subdivider or developer and from other sources which may be submitted to the Village Board by the school district, the park district, or others.

000.204.040 Dwelling Unit Population Formula.

Calculation of required land or cash fee shall be made in accordance with the population density factors contained in the Table of Estimated Ultimate Population Per Dwelling Unit (1996), published by Illinois School Consulting Service (Figure 3).

In the event a subdivider or developer files a written objection to the use of the Table of Estimated Ultimate Population Per Dwelling Unit, the subdivider or developer shall obtain and submit, at his/her own cost, a demographic study showing the estimated population to be generated from the development; and in that event, final determination of the density formula to be used in such calculations shall be made by the Village Board, in its sole discretion, based upon such demographic information submitted by the subdivider or developer and from other sources which may be submitted to the Village Board by the school district, the park district, or others.

000.204.050 Cash Contribution in Lieu of Park and School Sites.

When available land is inappropriate for park, recreational, or school sites, the Village of Oswego with consultation from the respective district/s shall require a cash contribution in lieu of the land dedication by the subdivider or developer.

000.204.060 Combination Land Dedication and Cash

There will be situations in subdivisions or developments when a combination of land dedication and a contribution in lieu of land are both necessary. The Village of Oswego with consultation from the respective district/s shall require both a land dedication and a cash contribution in the following situations:

A. Only a portion of the land to be developed is proposed as the location for a park or school site. That portion of the land within the subdivision or development falling within the park or school location shall be dedicated as a site as stated earlier, and a cash contribution in lieu thereof shall be required for any additional land that would have been required.

B. A major part of the local park, recreation or school site has already been acquired and only a small portion of land is needed from the development to complete the site. The remaining portions shall be required by dedication and a cash contribution in lieu thereof shall be required.

Section 000.205 - LAND DEDICATION

000.205.010 Reservation of Additional Land.

Where a land dedication is required and the Comprehensive Plan or the standards of the Village, the school district, or the park district call for a school site or park site in a particular development; the land needed beyond the required dedication shall be

the Village in writing of its desire to accept land, cash, or a combination of land and cash, in fulfillment of the developer's obligation under this Ordinance.

000.205.060 Security for Developer Performance

000.205.061 Performance Bond – If the Developer is to perform any work in furtherance of and attributable to the land dedication, including but not limited to storm water maintenance and/or active sporting facility construction, grading and/or site development, readying the site for utilities, streets, sidewalks, and/or other improvements, or any work agreed to be performed by the developer (whether upon the site, or off-site), then as security for the full and faithful performance of said work, the developer shall provide directly to the school or park district a specific Performance Bond (or other acceptable form of financial guarantee, if approved strictly and solely at the discretion of the school or park district) in an amount and form sufficient to provide adequate security for the work required by this ordinance and otherwise agreed upon. Performance for the installation of utilities, stormwater management facilities, curb and gutter, sidewalks, street trees, and other infrastructure required by the Village, and already covered by a financial guarantee to the Village need not be included.

000.205.062 Direct Payment – In lieu of a performance bond or other acceptable financial guarantee, and upon agreement with the school or park district, the developer may make direct payment to the school or park district of an amount deemed sufficient to complete the expected work. Thereafter, the work will be performed by the school or park district, and the developer shall be released from that portion of the work attributed to the dedication.

000.205.063 Condition of Final Plat – Said provision of a performance bond or other acceptable financial guarantee or direct payment, as specified above, shall be required prior to Village approval of the final plat in which the school or park site is located. Each district accepting land shall provide written notification to the Village that this requirement has been satisfied.

000.205.070 Conveyance of Land

A. The subdivider or developer shall convey to the respective school district or park district, the lands required under this ordinance within ninety (90) days after said request by said districts.

B. The manner of conveyance will be by Warranty Deed naming the respective school or park district as the grantee. The deed shall be accompanied by a commitment for a policy of title insurance as evidence that the developer hold merchantable title. All unacceptable title encumbrances shall be removed by the developer prior to submitting the deed and commitment for title insurance policy. Both the deed and the commitment for title insurance policy shall be delivered directly to the office of the school or park district. The developer shall not record any deed or conveyance. After review of the status of title, the school or park

LAND/CASH WORK SHEET
FOR OSWEGO SCHOOL DISTRICT # 308

Name of Development _____

Total units in development _____

Estimated Population per Dwelling Unit:*

Elementary _____ x (___)** = _____

Junior High _____ x (___)** = _____

High School _____ x (___)** = _____

TOTAL POPULATION = _____

Estimated children per school classification Maximum students per classification			X	*Minimum ACRE per classification of school size*			=	*Acres to be dedicated*
Elementary	(_____) 600	=	_____	x	*11 Acres*	=		( ) *Acres*
Junior High	(_____) 900	=	_____	x	*20 Acres*	=		( ) *Acres*
High School	(_____) 2400	=	_____	x	*80 Acres*	=		( ) *Acres*

Total acres to be donated = ( ) *Acres*

( ) *Total acres* x ( ) *Assessment of improved value per acre* = $_____ *Total value*

Total Value _____ = $_____ *Per unit*
Total Units

* *Based upon number of bedrooms per type of unit.*

** *Use figures from 1996 Illinois School Consulting Service/Ehlers & Associates, Inc. Table of Estimated Ultimate Populations Per Dwelling Unit)*

reserved by the Village in accordance with the Illinois Municipal Code (65 ILCS5/11-12-8).

000.205.020 Combining with Adjoining Development.

Where a land dedication is required and where practical, a school site or park site may be combined, upon agreement with the respective Districts, with dedications from adjoining developments in order to produce a usable school site or park site.

000.205.030 Park Site Standards.

The slope, topography, and geology of the dedicated site, as well as its surroundings, must be suitable for its intended purpose. The future park site shall be not less than five (5) acres in area and shall be contiguous in one location, designed and graded relatively flat (2-3% slope) with positive drainage which will allow for the construction of an active park with facilities such as playground, sitting area, shelter, basketball court, baseball/soccer fields, bike trail and parking lots.

The future park site shall receive a minimum of 6 inches of topsoil, fine graded and seeded with cool season turf grass to provide an acceptable stand of grass. The Park District will provide the specifications for the park development, types and mixes of fertilizer and seed, the standards for final acceptance of established turf, and any other improvements agreed upon. The future park site shall be maintained by the developer until it is acceptable and deeded to the Park District.

The park site shall not be included as part of a storm water management system, and shall be above all known maximum flood levels in the area. Storm water detention for the park site shall be accommodated off site in other detention areas.

Wetlands, floodplains, detention areas, storm water retention basins, and areas of steep slope shall not be accepted as park site; and shall not serve as a credit toward the required park site.

If the Park District decides it is in the best interests of the community to take ownership and maintenance (with no credit being given) of an existing or proposed wetland, the developer may be required to provide three (3) years of management and maintenance after the initial establishment.

000.205.031 Dedication and Improvement Agreement

Prior to or concurrent with the review of the final plat or PUD, the subdivider or developer shall enter into a "Dedication and Improvement Agreement" with the park district. A copy of this approved Agreement shall be submitted, by the subdivider or developer, to the Village prior to the recording of the final plat or PUD.

000.205.040 School Site Standards.

The developer shall provide the School District with the following:

A. A phase I environmental study of the site or other appropriate environmental study.
B. A topographical survey and specific boundary outline of the proposed site topography will be based on a minimum two (2)-foot contour interval.
C. A plan demonstrating how the site is to be drained with storm sewers and service by sanitary sewers and water.
D. An accurate delineation of adjacent flood plain areas, if any.
E. Soil borings from the location in the numbers deemed necessary.
F. A report from a competent soils engineer with regard to the requested soil borings. This report will include an opinion on whether the soils are capable of supporting a two-story structure (with or without basement facilities), and whether any special construction techniques will be required with regard to footings or preparation of the soil foundation.
G. A timetable for delivery of the proposed site, to be agreed upon by the developer and the School District.

For sites donated by the developer under this Ordinance, the slope, topography and geology of the dedicated as well at its surroundings must be suitable for school purposes. Grading on sites dedicated for school uses will be performed according to plans and specifications provided by the school district. The required storm water management should be provided by the developer off-site. The school district reserves the right to waive some or all of the above criteria for improved sites if the district deems them unnecessary or undesirable for expected future uses of the land.

000.205.041 Dedication and Improvement Agreement

Prior to or concurrent with the review of the final plat or PUD, the subdivider or developer shall enter into a "Dedication and Improvement Agreement" with the school district. A copy of this approved Agreement shall be submitted, by the subdivider or developer, to the Village prior to the recording of the final plat or PUD.

000.205.050 Notification Process

A. The Village shall recommend that developers meet with and discuss open space and school needs with both the park and school districts prior to making a formal plat or plan submittal to the Community Development Department. The Village shall also notify both the school and park districts when a project has been formally submitted to the Community Development Department for review. As part of the review process, both the school district and park district shall be given copies of the applicable plats and plans for their review and comment/s. Each district shall respond in writing to the Village identifying their respective needs.

B. Prior to review of a plat or plan by the Plan Commission, each district shall notify

TABLE OF ESTIMATED ULTIMATE POPULATION PER DWELLING UNIT
CHILDREN PER UNIT

Type of Unit	Pre-School 0 - 4 Years	Elementary Grades K-6 5-11 Years	Junior High Grades 7-8 12-13 Years	Total Grades K-8 5-13 Years	High School Grades 9-12 14-17 Years	Adults 18 Years +	Total Per Dwelling Unit
Detached Single Family							
2 Bedroom	0.113	0.143	0.041	0.184	0.020	1.700	2.017
3 Bedroom	0.292	0.422	0.120	0.542	0.184	1.881	2.899
4 Bedroom	0.418	0.644	0.184	0.828	0.360	2.158	3.764
5 Bedroom	0.283	0.461	0.132	0.593	0.300	2.594	3.770
Attached Single Family							
1 Bedroom	0.000	0.000	0.000	0.000	0.000	1.193	1.193
2 Bedroom	0.064	0.106	0.030	0.136	0.038	1.752	1.990
3 Bedroom	0.212	0.227	0.065	0.292	0.059	1.829	2.392
4 Bedroom	0.323	0.370	0.106	0.476	0.173	2.173	3.145
Apartments							
Efficiency	0.000	0.000	0.000	0.000	0.000	1.294	1.294
1 Bedroom	0.000	0.002	0.001	0.003	0.001	1.754	1.758
2 Bedroom	0.047	0.100	0.028	0.128	0.046	1.693	1.914
3 Bedroom	0.052	0.278	0.079	0.357	0.118	2.526	3.053

Note:
There are only three significant categories provided in this chart. Because of the similarity of yields of all types of attached single family dwelling units, only one category is provided. The same is true with apartments; thus, only one category. Because of the relatively short history of some newer types of detached and attached single family units, individual evaluations may be necessary.

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district shall record the deed or, if title is unacceptable, return the deed to the developer with an explanation of the title defects.

C. The developer shall ascertain the pro rata real estate taxes through the date of delivery of the deed and commitment for policy of title insurance to the school or park district. The developer shall make payment in said amount to the school or park district at the same time that the deed and commitment for title insurance policy is delivered.

Section 000.206 - MISCELLANEOUS PROVISIONS

000.206.010 Refund

If any portion of a cash contribution in lieu of park or school sites is not expended for the purposes set forth herein within ten (10) years from the date of receipt, it shall be refunded to the lot owner or owners of those lots for which the contribution was made which owner or owners are determined at the time the date of refund is established. Any request for a refund shall be made in writing to the respective district.

000.206.020 Indemnification

Indemnification and Hold Harmless Agreements are required from all taxing districts receiving land, cash in lieu of land, or a combination of cash and land per the terms of this ordinance, prior to the receipt of said donations.

TABLE OF ESTIMATED ULTIMATE POPULATION PER DWELLING UNIT
CHILDREN PER UNIT

Type of Unit	Pre-School 0 - 4 Years	Elementary Grades K-5 5-10 Years	Junior High Grades 6-8 11-13 Years	Total Grades K-8 5-13 Years	High School Grades 9-12 14-17 Years	Adults 18 Years +	Total Per Dwelling Unit
Detached Single Family							
2 Bedroom	0.113	0.136	0.048	0.184	0.020	1.700	2.017
3 Bedroom	0.292	0.369	0.173	0.542	0.184	1.881	2.899
4 Bedroom	0.418	0.530	0.298	0.828	0.360	2.158	3.764
5 Bedroom	0.283	0.345	0.248	0.593	0.300	2.594	3.770
Attached Single Family							
1 Bedroom	0.000	0.000	0.000	0.000	0.000	1.193	1.193
2 Bedroom	0.064	0.088	0.048	0.136	0.038	1.752	1.990
3 Bedroom	0.212	0.234	0.058	0.292	0.059	1.829	2.392
4 Bedroom	0.323	0.322	0.154	0.476	0.173	2.173	3.145
Apartments							
Efficiency	0.000	0.000	0.000	0.000	0.000	1.294	1.294
1 Bedroom	0.000	0.002	0.001	0.003	0.001	1.754	1.758
2 Bedroom	0.047	0.086	0.042	0.128	0.046	1.693	1.914
3 Bedroom	0.052	0.234	0.123	0.357	0.118	2.526	3.053

Note:
There are only three significant categories provided in this chart. Because of the similarity of yields of all types of attached single family dwelling units, only one category is provided. The same is true with apartments; thus, only one category. Because of the relatively short history of some newer types of detached and attached single family units, individual evaluations may be necessary.

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VILLAGE OF OSWEGO
KENDALL AND WILL COUNTY, ILLINOIS

ORDINANCE NO. 15 – 67

AN ORDINANCE AMENDING THE VILLAGE OF OSWEGO LAND/CASH ORDINANCE

ADOPTED BY
THE PRESIDENT AND BOARD OF TRUSTEES
OF THE
VILLAGE OF OSWEGO

This 3rd day of November 2015

Prepared by and Return to:
Village of Oswego
100 Parkers Mill
Oswego, IL 60543

Published in pamphlet form by authority of the President
and Board of Trustees of the Village of Oswego on November 4, 2015.

ORDINANCE NO. 15 - 67

AN ORDINANCE AMENDING THE VILLAGE OF OSWEGO
LAND/CASH ORDINANCE

WHEREAS, the Village of Oswego ("Village") has a population of more than 25,000 and is therefore a "Home Rule Unit" under the 1970 Illinois Constitution; and

WHEREAS, the Illinois Constitution of 1970 provides that a Home Rule Unit may exercise any power and perform any function pertaining to its government and affairs, including but not limited to the power to regulate for the protection of the public health, safety, morals and welfare; to license, to tax; and to incur debt; and

WHEREAS, the Village has in full force and effect a codified set of those ordinances of the Village which are of a general and permanent nature, which said codified set is known and designated as the Village Code of the Village of Oswego, as amended; and

WHEREAS, the Village of Oswego is a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals and welfare; and

WHEREAS, by Ordinance No. 04-07, the Village adopted a Land/Cash Ordinance ("Land/Cash Ordinance"); and

WHEREAS, the Land/Cash Ordinance has previously been amended; and

WHEREAS, an appraisal was performed to guide the Village in determining its land-cash fees (the "Appraisal"); and

WHEREAS, the Appraisal determined that value of an unimproved acre of land in and around the Village to be $22,500; and

WHEREAS, the Village Engineer has determined that the cost per acre of the improvements to such land as provided by Village Land/Cash Ordinance to be $57,000 per acre; and

WHEREAS, based upon the foregoing, the Village hereby determines that the cost per acre of improved land as contemplated by the Land/Cash Ordinance should be $79,500; and

WHEREAS, the Village further determines that the automatic escalator to the Land/Cash Value should be eliminated; and

WHEREAS, the Village determines that it is in the best interest of the Village to require that the Land/Cash Fee be paid directly to the Village and thereafter distributed to the school and park districts.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF OSWEGO, KENDALL AND WILL COUNTIES, ILLINOIS IN THE EXERCISE OF ITS HOME RULE, STATUTORY AND OTHER POWERS, as follows:

SECTION 1.

That 000.203.010(C)(1) and (2) of the Village Land/Cash Ordinance be and the same are hereby deleted and the following inserted in its place:

c. The cash contribution for schools and parks due pursuant to this Ordinance shall be collected by the Village and paid to the applicable district on a monthly basis.

SECTION 2.

That 000.204.030 of the Land/Cash Ordinance be and is hereby amended by deleting the first paragraph thereof and inserting the following in its place:

"Determination of Land Value. The land value or cash fee for school site and park site shall be based on the fair market value of an acre of land improved as specified by this Ordinance. It has been determined that the present fair market value of such improved land in and surrounding the Village is $79,500.00."

SECTION 6. SEVERABILITY.

This ordinance and every provision thereof shall be considered severable. If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 7. REPEALER.

All ordinances, resolutions, orders or parts thereof, which conflict with the provisions of this ordinance, is to the extent of such conflict, hereby repealed.

SECTION 8. EFFECTIVE DATE.

This ordinance shall be in full force and effect after its passage, approval and publication in pamphlet form.

PASSED by the Board of Trustees of the Village of Oswego, Kendall and Will Counties, Illinois this 3rd day of November 2015.

RYAN KAUFFMAN	AYE	LUIS PEREZ	AYE
KARIN MCCARTHY-LANGE	AYE	JUDY SOLLINGER	AYE
PAM PARR	AYE	JOE WEST	AYE

APPROVED by me, Gail E. Johnson, as President of the Village of Oswego, Kendall and Will Counties, Illinois this 3rd day of November 2015.

GAIL E. JOHNSON, VILLAGE PRESIDENT

TINA TOUCHETTE, VILLAGE CLERK

STATE OF ILLINOIS)
) SS
COUNTIES OF KENDALL)
AND WILL

CLERK'S CERTIFICATE
(ORDINANCE)

I, Tina Touchette, the duly qualified and acting Village Clerk of the Village of Oswego, Kendall and Will County, Illinois, do hereby certify that I am the keeper of its books and records and that the attached hereto is a true and correct copy of an Ordinance entitled:

AN ORDINANCE AMENDING THE VILLAGE OF OSWEGO LAND/CASH ORDINANCE

which Ordinance was duly adopted by said Board of Trustees at a regular meeting held on the 3rd day of November 2015, approved by the Village President on the 3rd day of November 2015 and thereafter published in pamphlet form.

I do further certify, in my official capacity, that a quorum of said Board of Trustees was present at said meeting and that the Board complied with all requirements of the Illinois Open Meetings Act.

IN WITNESS WHEREOF, I have hereunto set my hand this 4th day of November 2015.

VILLAGE OF OSWEGO CORPORATE SEAL KENDALL COUNTY, ILLINOIS

(Seal)

Tina Touchette

Tina Touchette, Village Clerk
Village of Oswego