



## **United City of Yorkville**

800 Game Farm Road

Yorkville, Illinois 60560

Telephone: 630-553-4350

[www.yorkville.il.us](http://www.yorkville.il.us)

### **AGENDA ECONOMIC DEVELOPMENT COMMITTEE MEETING**

**Tuesday, April 5, 2016**

**6:00 p.m.**

City Hall Conference Room  
800 Game Farm Road, Yorkville, IL

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#### **Citizen Comments:**

**Minutes for Correction/Approval:** March 1, 2016

#### **New Business:**

1. EDC 2016-16 Building Permit Report for February 2016
2. EDC 2016-17 Building Inspection Report for February 2016
3. EDC 2016-18 Property Maintenance Report for February 2016
4. EDC 2016-19 Economic Development Report for March 2016
5. PC 2016-06 Commercial Trade School – Text Amendment
6. PC 2016-07 Lot 19 Commercial Drive – Proposed Special Use for a Self Storage Facility
7. PC 2016-08 319 E. Van Emmon Road – Proposed Special Use for a Commercial School
8. EDC 2016-20 Autumn Creek – Proposed Amended Annexation Agreement for Fee/Ordinance Lock

#### **Old Business:**

#### **Additional Business:**

#### **2015/2016 City Council Goals – Economic Development Committee**

<b>Goal</b>	<b>Priority</b>	<b>Staff</b>
“South Side Economic Development”	1	Bart Olson & Krysti Barksdale-Noble
“Revenue Growth (Industrial/Commercial Incentives)”	2	Bart Olson & Krysti Barksdale-Noble
“Downtown Planning and Development”	3	Krysti Barksdale-Noble
“Comprehensive Plan Update”	15	Krysti Barksdale-Noble

UNITED CITY OF YORKVILLE  
WORKSHEET  
ECONOMIC DEVELOPMENT COMMITTEE  
Tuesday, April 5, 2016  
6:00 PM  
CITY HALL CONFERENCE ROOM

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**CITIZEN COMMENTS:**

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**MINUTES FOR CORRECTION/APPROVAL:**

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1. March 1, 2016

- ☐ Approved \_\_\_\_\_
- ☐ As presented
- ☐ With corrections

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**NEW BUSINESS:**

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1. EDC 2016-16 Building Permit Report for February 2016

- ☐ Moved forward to CC \_\_\_\_\_ consent agenda?   Y   N
  - ☐ Approved by Committee \_\_\_\_\_
  - ☐ Bring back to Committee \_\_\_\_\_
  - ☐ Informational Item
  - ☐ Notes \_\_\_\_\_
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2. EDC 2016-17 Building Inspection Report for February 2016

☐ Moved forward to CC \_\_\_\_\_ consent agenda?   Y   N

☐ Approved by Committee \_\_\_\_\_

☐ Bring back to Committee \_\_\_\_\_

☐ Informational Item

☐ Notes \_\_\_\_\_

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3. EDC 2016-18 Property Maintenance Report for February 2016

☐ Moved forward to CC \_\_\_\_\_ consent agenda?   Y   N

☐ Approved by Committee \_\_\_\_\_

☐ Bring back to Committee \_\_\_\_\_

☐ Informational Item

☐ Notes \_\_\_\_\_

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4. EDC 2016-19 Economic Development Update

☐ Moved forward to CC \_\_\_\_\_ consent agenda?   Y   N

☐ Approved by Committee \_\_\_\_\_

☐ Bring back to Committee \_\_\_\_\_

☐ Informational Item

☐ Notes \_\_\_\_\_

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5. PC 2016-06 Commercial Trade School – Text Amendment

☐ Moved forward to CC \_\_\_\_\_ consent agenda?   Y   N

☐ Approved by Committee \_\_\_\_\_

☐ Bring back to Committee \_\_\_\_\_

☐ Informational Item

☐ Notes \_\_\_\_\_

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6. PC 2016-07 Lot 19 Commercial Drive – Proposed Special Use for a Self Storage Facility

☐ Moved forward to CC \_\_\_\_\_ consent agenda?   Y   N

☐ Approved by Committee \_\_\_\_\_

☐ Bring back to Committee \_\_\_\_\_

☐ Informational Item

☐ Notes \_\_\_\_\_

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7. PC 2016-08 319 E. Van Emmon Road – Proposed Special Use for a Commercial School

☐ Moved forward to CC \_\_\_\_\_ consent agenda?   Y   N

☐ Approved by Committee \_\_\_\_\_

☐ Bring back to Committee \_\_\_\_\_

☐ Informational Item

☐ Notes \_\_\_\_\_

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8. EDC 2016-20 Autumn Creek Proposed – Amended Annexation Agreement for Fee/Ordinance Lock

☐ Moved forward to CC \_\_\_\_\_ consent agenda?   Y   N

☐ Approved by Committee \_\_\_\_\_

☐ Bring back to Committee \_\_\_\_\_

☐ Informational Item

☐ Notes \_\_\_\_\_

\_\_\_\_\_  
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**OLD BUSINESS:**

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**ADDITIONAL BUSINESS:**

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Reviewed By:	
Legal	<input type="checkbox"/>
Finance	<input type="checkbox"/>
Engineer	<input type="checkbox"/>
City Administrator	<input type="checkbox"/>
Human Resources	<input type="checkbox"/>
Community Development	<input type="checkbox"/>
Police	<input type="checkbox"/>
Public Works	<input type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>

Agenda Item Number

Minutes

Tracking Number

### Agenda Item Summary Memo

**Title:** Minutes of the Economic Development Committee – March 1, 2016

**Meeting and Date:** EDC – April 5, 2016

**Synopsis:**

### Council Action Previously Taken:

Date of Action: \_\_\_\_\_ Action Taken: \_\_\_\_\_

Item Number: \_\_\_\_\_

**Type of Vote Required:** Majority

**Council Action Requested:** Committee Approval

**Submitted by:** Minute Taker

Name

Department

### Agenda Item Notes:

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*Have a question or comment about this agenda item?*

*Call us Monday-Friday, 8:00am to 4:30pm at 630-553-4350, email us at [agendas@yorkville.il.us](mailto:agendas@yorkville.il.us), post at [www.facebook.com/CityofYorkville](https://www.facebook.com/CityofYorkville), tweet us at @CityofYorkville, and/or contact any of your elected officials at [http://www.yorkville.il.us/gov\\_officials.php](http://www.yorkville.il.us/gov_officials.php)*

# DRAFT

**UNITED CITY OF YORKVILLE  
ECONOMIC DEVELOPMENT COMMITTEE  
Tuesday, March 1, 2016 6:00pm  
Yorkville City Hall, Conference Room  
800 Game Farm Road**

**In Attendance:**

**Committee Members:**

Chairman Ken Koch  
Alderman Diane Teeling  
Alderman Carlo Colosimo

Absent: Alderman Chris Funkhouser

**Other City Officials:**

Community Development Director Krysti Barksdale-Noble  
City Planner Chris Heinen  
Code Official Pete Ratos

**Other Guests:**

Craig Borneman, BBB Farms LLC  
Kent Batemann, BBB Farms LLC

The meeting was called to order by Chairman Ken Koch at 6:00pm.

**Citizen Comments:** None

**Previous Meeting Minutes:** February 2, 2016

The minutes were approved as read on a voice vote.

**New Business:**

***1. EDC 2016-11 Building Permit Report for January 2016***

Mr. Ratos reported 19 permits--10 commercial and 9 miscellaneous. January was slow due to weather, but there was a rebound in February.

***2. EDC 2016-12 Building Inspection Report for January 2016***

There were 99 inspections in January, some of them for Rosati's expansion.

***3. EDC 2016-13 Property Maintenance Report for January 2016***

No adjudications took place in January, however, some letters were issued and the issues were later compliant.

#### ***4. EDC 2016-14 Economic Development Update***

Ms. Dubajic was unable to be present, but Ms. Noble said staff has met with several persons. There is interest in opening an alternative school, some interest in industrial property and in property along Rt. 47. There is no further update on Kendall Marketplace at this time. She also added that today was the deadline to begin moving dirt on the Fountainview development to be eligible for incentives. She reached out to the developer and there had been communication issues with obtaining signatures, but they have now been secured for the final plat. She is unsure if an amendment will be requested for the missed deadline or if they will just proceed. Ms. Noble will provide an update at the end of the week.

#### ***5. EDC 2016-15 Kendall County Intergovernmental Agreement for Building Inspections***

A couple years ago, the City began sharing services for building inspections with the County. Plumbing inspections are now included and the County employs the same inspector as the City's backup, so an agreement must be drafted to include those times when he does inspections during work hours. The only change is the agreement covers a 1-year period rather than 3 years. Building and plumbing inspections are now covered in one document and it also covers insurance requirements which the City has already met. If approved by Council, it will be executed by the end of the month. The committee approved and it moves to consent.

#### ***6. PC 2016-05 Silver Fox Development Rezoning***

Mr. Heinen said this property was annexed in 2006 and was slated for a 172-lot subdivision, but was not final platted. The previous owner came in last year with plans to build a sports dome, however, the property has since been sold. As part of that sale, there was an amendment in 2015 which eliminated entitlements and just retained the R-2 zoning. Also as part of the agreement, the current ag use will be allowed as a legal non-conforming use until 2026 with a renewal each two years. The petitioner is requesting to rezone from R-2 to A-1. Other properties in that area that are zoned R-2 are also being used for agriculture at this time. Ms. Noble said in 2026, letters will be sent to the nearby property owners asking if they wish to extend their ag use or rezone.

Rezoning approval was recommended by the committee and it moves forward to the Plan Commission for a Public Hearing in early April and to the full Council at the end of April.

**Old Business:** None

**Additional Business:** None

There was no further business and the meeting was adjourned at 6:12pm.

Minutes respectfully submitted by  
Marlys Young



Reviewed By:	
Legal	<input type="checkbox"/>
Finance	<input type="checkbox"/>
Engineer	<input type="checkbox"/>
City Administrator	<input type="checkbox"/>
Human Resources	<input type="checkbox"/>
Community Development	<input checked="" type="checkbox"/>
Police	<input type="checkbox"/>
Public Works	<input type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>

Agenda Item Number

NB #1

Tracking Number

EDC 2016-16

### Agenda Item Summary Memo

**Title:** Building Permit Report for February 2016

**Meeting and Date:** EDC – April 5, 2016

**Synopsis:** All permits issued in February 2016

### Council Action Previously Taken:

Date of Action: N/A Action Taken: N/A

Item Number: N/A

**Type of Vote Required:** Informational

**Council Action Requested:** None

**Submitted by:** D. Weinert Community Development  
Name Department

### Agenda Item Notes:

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# UNITED CITY OF YORKVILLE

## BUILDING PERMIT REPORT

February 2016

### TYPES OF PERMITS

	Number of Permits Issued	SFD <i>Single Family Detached</i>	B.U.I.L.D <i>Single Family Detached Program Begins 1/1/2012</i>	SFA <i>Single Family Attached</i>	Multi- Family <i>Apartments Condominiums</i>	Commercial <i>Includes all Permits Issued for Commercial Use</i>	Industrial	Misc.	Construction Cost	Permit Fees
February 2016	32	0	8	0	0	7	0	17	1,633,170.00	116,157.38
Calendar Year 2016	51	0	8	0	0	17	0	26	1,801,812.00	118,557.38
Fiscal Period	510	7	62	0	0	112	0	329	16,056,917.00	942,988.46
February 2015	10	0	0	0	0	3	0	7	33,546.00	932.15
Calendar Year 2015	31	0	5	0	0	14	0	12	31,076,297.00	97,112.42
Fiscal Period 2015	460	2	52	0	0	87	0	319	50,319,614.00	879,009.19
February 2014	18	1	1	0	0	9	0	7	465,569.00	31,292.89
Calendar Year 2014	30	1	1	0	0	15	0	13	561,309.00	34,054.39
Fiscal Period 2014	465	21	31	0	0	102	0	311	15,145,453.00	675,916.69
February 2013	30	5	6	0	0	12	0	7	1,939,039.00	132,871.08
Calendar Year 2013	51	7	10	0	0	22	0	12	3,107,911.00	206,654.62
Fiscal Period 2013	480	28	36	0	0	110	0	306	16,187,403.00	840,510.05





Reviewed By:	
Legal	<input type="checkbox"/>
Finance	<input type="checkbox"/>
Engineer	<input type="checkbox"/>
City Administrator	<input type="checkbox"/>
Human Resources	<input type="checkbox"/>
Community Development	<input checked="" type="checkbox"/>
Police	<input type="checkbox"/>
Public Works	<input type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>

Agenda Item Number

NB #2

Tracking Number

EDC 2016-17

### Agenda Item Summary Memo

**Title:** Building Inspection Report for February 2016

**Meeting and Date:** EDC – April 5, 2016

**Synopsis:** All inspections scheduled in February 2016

#### Council Action Previously Taken:

Date of Action: N/A Action Taken: N/A

Item Number: N/A

**Type of Vote Required:** Informational

**Council Action Requested:** None

**Submitted by:** D. Weinert Community Development  
Name Department

#### Agenda Item Notes:

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DATE: 03/02/2016  
TIME: 11:44:27  
ID: PT4A0000.WOW

UNITED CITY OF YORKVILLE  
CALLS FOR INSPECTION REPORT

PAGE: 1

INSPECTIONS SCHEDULED FROM 02/01/2016 TO 02/29/2016

INSPECTOR	TIME	TYPE OF INSPECTION	PERMIT	ADDRESS	LOT	SCHED. DATE	COMP. DATE
PR	_____	002-REI REINSPECTION Comments1: FINAL SIGN	20140491	201 E VETERANS PKWY			02/17/2016
PR	_____	002-FIN FINAL INSPECTION	20150198	506 W MADISON ST			02/11/2015
PR	_____	002-REL ROUGH ELECTRICAL	20150290	101 W WASHINGTON ST			02/12/2016
PR	_____	003-RFR ROUGH FRAMING					02/19/2016
PR	_____	004-RMC ROUGH MECHANICAL					02/19/2016
PR	_____	005-PLR PLUMBING - ROUGH					02/19/2016
PR	_____	001-FIN FINAL INSPECTION	20150323	1222 MARKETPLACE DR			02/04/2016
PR	_____	001-FIN FINAL INSPECTION Comments1: SIDING	20150430	511 W MADISON ST			02/16/2016
PR	_____	014-FIN FINAL INSPECTION	20150448	2478 WAVERLY CIR	237		02/03/2016
PR	_____	015-PLF PLUMBING - FINAL OSR READ					02/03/2016
TK	_____	016-EFL ENGINEERING - FINAL INSPE Comments1: BBOX NOT KEYABLE					02/03/2016
PR	_____	015-FIN FINAL INSPECTION	20150475	822 CAULFIELD PT	109		02/03/2016
PR	_____	016-PLF PLUMBING - FINAL OSR READ					02/03/2016
TK	_____	017-EFL ENGINEERING - FINAL INSPE Comments1: BBOX KEYABLE OK TO TEMP.					02/03/2016
PR	_____	003-RFR ROUGH FRAMING	20150481	305 E WASHINGTON ST			02/18/2016
PR	_____	012-FIN FINAL INSPECTION	20150488	1433 RUBY DR	351		02/04/2016
PR	_____	013-PLF PLUMBING - FINAL OSR READ					02/04/2016
TK	_____	014-EFL ENGINEERING - FINAL INSPE					02/04/2016
KL	_____	015-REI REINSPECTION Comments1: BBOX KEYABLE OK TO TEMP					02/05/2016
PR	_____	013-FIN FINAL INSPECTION	20150489	1458 SLATE CT	344		02/09/2016
PR	_____	014-PLF PLUMBING - FINAL OSR READ					02/09/2016
TK	_____	015-EFL ENGINEERING - FINAL INSPE Comments1: BBOX KEYABLE OK TO TEMP					02/09/2016

DATE: 03/02/2016  
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UNITED CITY OF YORKVILLE  
CALLS FOR INSPECTION REPORT

PAGE: 2

INSPECTIONS SCHEDULED FROM 02/01/2016 TO 02/29/2016

INSPECTOR	TIME	TYPE OF INSPECTION	PERMIT	ADDRESS	LOT	SCHED. DATE	COMP. DATE
PR	_____	005-REL ROUGH ELECTRICAL	20150500	842 OMAHA DR	33		02/24/2016
PR	_____	006-RFR ROUGH FRAMING					02/24/2016
PR	_____	007-RMC ROUGH MECHANICAL					02/24/2016
PR	_____	008-PLR PLUMBING - ROUGH					02/24/2016
PR	_____	009-INS INSULATION					02/26/2016
		Comments1: REINSPECT OF ROUGH PLUMB PARTIAL ADDED					
PR	_____	013-FIN FINAL INSPECTION	20150526	867 GREENFIELD TURN	43		02/16/2016
PR	_____	014-PLF PLUMBING - FINAL OSR READ					02/16/2016
TK	_____	015-EFL ENGINEERING - FINAL INSPE					02/16/2016
		Comments1: BBOX KEYABLE, OK TO TEMP					
PR	_____	013-FIN FINAL INSPECTION	20150548	1388 SLATE DR	383		02/17/2016
PR	_____	014-PLR PLUMBING - ROUGH					02/17/2016
TK	_____	015-EFL ENGINEERING - FINAL INSPE					02/17/2016
		Comments1: BBOX KEYABLE OK TO TEMP					
PR	_____	PM 003-ESW ENGINEERING - SEWER / WAT	20150550	1443 RUBY DR	352		02/11/2016
PR	_____	004-PLU PLUMBING - UNDERSLAB					02/19/2016
PR	_____	005-PLR PLUMBING - ROUGH					02/19/2016
PR	_____	006-REL ROUGH ELECTRICAL					02/19/2016
PR	_____	007-RMC ROUGH MECHANICAL					02/19/2016
PR	_____	008-RFR ROUGH FRAMING					02/19/2016
PR	_____	009-GAR GARAGE FLOOR					02/22/2016
PR	_____	010-BSM BASEMENT FLOOR					02/22/2016
PR	_____	011-INS INSULATION					02/24/2016
PR	_____	014-FIN FINAL INSPECTION	20150551	2678 LILAC WAY	379		02/23/2016
PR	_____	015-PLF PLUMBING - FINAL OSR READ					02/23/2016
KL	_____	016-EFL ENGINEERING - FINAL INSPE					02/23/2016
		Comments1: BBOX KEYABLE					

DATE: 03/02/2016  
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UNITED CITY OF YORKVILLE  
CALLS FOR INSPECTION REPORT

PAGE: 3

INSPECTIONS SCHEDULED FROM 02/01/2016 TO 02/29/2016

INSPECTOR	TIME	TYPE OF INSPECTION	PERMIT	ADDRESS	LOT	SCHED. DATE	COMP. DATE
PR	_____	007-PLR PLUMBING - ROUGH	20150552	2752 LILAC CT	330		02/02/2016
PR	_____	008-RFR ROUGH FRAMING					02/02/2016
PR	_____	009-REL ROUGH ELECTRICAL					02/02/2016
PR	_____	010-RMC ROUGH MECHANICAL					02/02/2016
PR	_____	011-BSM BASEMENT FLOOR					02/03/2016
PR	_____	012-INS INSULATION					02/08/2016
PR	_____	013-GAR GARAGE FLOOR					02/22/2016
PR	_____	012-FIN FINAL INSPECTION	20150556	882 N CARLY CIR	48		02/16/2016
PR	_____	013-PLF PLUMBING - FINAL OSR READ					02/16/2016
TK	_____	014-EFL ENGINEERING - FINAL INSPE					02/16/2016
TK	_____	015-EFL ENGINEERING - FINAL INSPE Comments1: BBOK KEYABLE OK TO TEMP					02/19/2016
PR	_____	012-GAR GARAGE FLOOR	20150564	1975 MEADOWLARK LN	120		02/12/2016
PR	_____	004-PLU PLUMBING - UNDERSLAB	20150575	798 BLUESTEM DR	114		02/11/2016
PR	_____	005-BSM BASEMENT FLOOR					05/25/2015
PR	_____	006-FIN FINAL INSPECTION	20150592	253 WALSH CIR	33		02/04/2016
PR	_____	AM 007-PLF PLUMBING - FINAL OSR READ					02/04/2016
PR	_____	001-FTG FOOTING	20150614	9675 RT 34			02/02/2016
PR	_____	002-FIN FINAL INSPECTION					02/13/2016
PR	_____	001-FIN FINAL INSPECTION	20150618	208 S BRIDGE ST			02/23/2016
PR	_____	004-REL ROUGH ELECTRICAL	20150621	1985 MARKETVIEW DR			02/01/2016
PR	_____	005-RFR ROUGH FRAMING					02/01/2016
PR	_____	006-ABC ABOVE CEILING Comments1: LAVATORY					02/01/2016
PR	_____	007-RFR ROUGH FRAMING					02/18/2016

DATE: 03/02/2016  
TIME: 11:44:27  
ID: PT4A0000.WOW

UNITED CITY OF YORKVILLE  
CALLS FOR INSPECTION REPORT

PAGE: 4

INSPECTIONS SCHEDULED FROM 02/01/2016 TO 02/29/2016

INSPECTOR	TIME	TYPE OF INSPECTION	PERMIT	ADDRESS	LOT	SCHED. DATE	COMP. DATE
PR	_____	008-REL ROUGH ELECTRICAL					02/18/2016
PR	_____	009-RMC ROUGH MECHANICAL					02/18/2016
PR	_____	010-PLR PLUMBING - ROUGH					02/18/2016
PR	_____	007-REL ROUGH ELECTRICAL	20150622	802 CAULFIELD PT	112		02/11/2016
PR	_____	008-RFR ROUGH FRAMING					02/11/2016
PR	_____	009-RMC ROUGH MECHANICAL					02/11/2016
PR	_____	010-PLR PLUMBING - ROUGH					02/11/2016
PR	_____	011-INS INSULATION					02/16/2016
PR	_____	006-REL ROUGH ELECTRICAL	20150625	891 PURCELL ST	68		02/08/2016
PR	_____	007-RFR ROUGH FRAMING					02/08/2016
PR	_____	008-PLR PLUMBING - ROUGH					02/08/2016
PR	_____	009-RMC ROUGH MECHANICAL					02/08/2016
PR	_____	010-INS INSULATION					02/10/2016
PR	_____	011-GAR GARAGE FLOOR					02/25/2016
PR	_____	012-STP STOOP					02/25/2016
PR	_____	003-BKF BACKFILL	20150627	1967 MEADOWLARK LN	124		02/11/2016
PR	_____	006-FIN FINAL INSPECTION	20150646	584 POPLAR DR	153		02/03/2016
PR	_____	007-PLF PLUMBING - FINAL OSR READ					02/03/2016
PR	_____	001-PHF POST HOLE - FENCE	20150647	931 S CARLY CIR	95		02/04/2016
PR	_____ AM	006-ABC ABOVE CEILING	20150662	942 N BRIDGE ST	1		02/19/2016
PR	_____	001-FTG FOOTING	20160007	751 WINDETT RIDGE RD	87		02/04/2016
PR	_____	002-BKF BACKFILL					02/12/2016
PR	_____ PM	003-ESW ENGINEERING - SEWER / WAT				02/18/2016	
		Comments1: CANCELLED					
PR	_____ PM	004-ESW ENGINEERING - SEWER / WAT					02/22/2016

DATE: 03/02/2016  
TIME: 11:44:27  
ID: PT4A0000.WOW

UNITED CITY OF YORKVILLE  
CALLS FOR INSPECTION REPORT

PAGE: 5

INSPECTIONS SCHEDULED FROM 02/01/2016 TO 02/29/2016

INSPECTOR	TIME	TYPE OF INSPECTION	PERMIT	ADDRESS	LOT	SCHED. DATE	COMP. DATE
PR	_____	PM 001-RFR ROUGH FRAMING	20160016	1387 SLATE DR	335		02/23/2016
PR	_____	002-REL ROUGH ELECTRICAL					02/23/2016
PR	11:15	001-RFR ROUGH FRAMING	20160019	2442 SUMAC DR	58		02/08/2016
PR	_____	001-FIN FINAL INSPECTION	20160020	805 BRISTOL ST			02/24/2016
PR	_____	001-FIN FINAL INSPECTION	20160021	216 ELIZABETH ST			02/22/2016
PR	_____	001-PHF POST HOLE - FENCE	20160022	911 FAWN RIDGE CT B	34		02/08/2016
PR	_____	001-FTG FOOTING	20160023	862 N CARLY CIR	44		02/23/2016
PR	_____	001-PHF POST HOLE - FENCE	20160025	1568 CORAL DR	183		02/17/2016
PR	13:00	001-MIS MISCELLANEOUS	20160028	210 E CENTER ST			02/10/2016
		Comments1: CLEAN OUT					
PR	_____	PM 001-ESW ENGINEERING - SEWER / WAT	20160043	1977 MEADOWLARK LN	119		02/25/2016
PR	_____	002-FTG FOOTING					02/29/2016

DATE: 03/02/2016  
TIME: 11:44:27  
ID: PT4A0000.WOW

UNITED CITY OF YORKVILLE  
CALLS FOR INSPECTION REPORT

INSPECTIONS SCHEDULED FROM 02/01/2016 TO 02/29/2016

INSPECTOR	TIME	TYPE OF INSPECTION	PERMIT	ADDRESS	LOT	SCHED. DATE	COMP. DATE
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PERMIT TYPE SUMMARY:		BIP BUILD INCENTIVE PROGRAM	SFD		70		
		BSM BASEMENT REMODEL			6		
		CRM COMMERCIAL REMODEL			10		
		ESN ELECTRIC SIGN			3		
		FNC FENCE			3		
		GAR GARAGE			1		
		MIS MISCELLANEOUS			1		
		PLM PLUMBING REPAIR OR ALTERATION			1		
		REM REMODEL			1		
		REP REPAIR			4		
		SID SIDING			1		
		WIN WINDOW REPLACEMENT			2		
INSPECTION SUMMARY:		ABC ABOVE CEILING			2		
		BKF BACKFILL			2		
		BSM BASEMENT FLOOR			3		
		EFL ENGINEERING - FINAL INSPECTION			9		
		ESW ENGINEERING - SEWER / WATER			4		
		FIN FINAL INSPECTION			17		
		FTG FOOTING			4		
		GAR GARAGE FLOOR			4		
		INS INSULATION			5		
		MIS MISCELLANEOUS			1		
		PHF POST HOLE - FENCE			3		
		PLF PLUMBING - FINAL OSR READY			9		
		PLR PLUMBING - ROUGH			8		
		PLU PLUMBING - UNDERSLAB			2		
		REI REINSPECTION			2		
		REL ROUGH ELECTRICAL			9		
		RFR ROUGH FRAMING			11		
		RMC ROUGH MECHANICAL			7		
		STP STOOP			1		
INSPECTOR SUMMARY:		KL KEVIN LAWRENTZ			2		
		PR PETER RATOS			93		
		TK TOM KONEN			8		
STATUS SUMMARY:	C	PR			10		
	D	PR			7		
	I	PR			60		
	T	KL			2		
	T	PR			16		
	T	TK			8		
REPORT SUMMARY:					103		



Reviewed By:	
Legal	<input type="checkbox"/>
Finance	<input type="checkbox"/>
Engineer	<input type="checkbox"/>
City Administrator	<input type="checkbox"/>
Human Resources	<input type="checkbox"/>
Community Development	<input checked="" type="checkbox"/>
Police	<input type="checkbox"/>
Public Works	<input type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>

Agenda Item Number

NB #3

Tracking Number

EDC 2016-18

### Agenda Item Summary Memo

**Title:** Property Maintenance Report for February 2016

**Meeting and Date:** EDC – April 5, 2016

**Synopsis:** \_\_\_\_\_  
\_\_\_\_\_

### Council Action Previously Taken:

Date of Action: \_\_\_\_\_ Action Taken: \_\_\_\_\_

Item Number: \_\_\_\_\_

**Type of Vote Required:** Informational

**Council Action Requested:** None

**Submitted by:** Pete Ratos Community Development  
Name Department

### Agenda Item Notes:

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# Memorandum

To: Economic Development Committee  
From: Pete Ratos, Code Official  
CC: Bart Olson, Krysti Barksdale-Noble, Lisa Pickering  
Date: February 29, 2016  
Subject: February Property Maintenance

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## Property Maintenance Report February 2016

### Adjudication:

1 Property Maintenance Case heard in February

N 2681	2645 N Bridge St.	Illegal Sign	Dismissed/Compliant
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**February Property Maintenance Complaint Report Attached**

Property Maintenance  
02/01/2016 - 02/29/2016

Case #	Case Date	ADDRESS OF COMPLAINT	TYPE OF VIOLATION	STATUS	VIOLATION LETTER SENT	CITATION ISSUED
20160015	2/29/2016	1334 WALSH CIR	SUMP DRAINING OVER SIDEWALK	TO BE INSPECTED		
20160014	2/25/2016	208 W RIDGE ST	JUNK, REFUSE	IN VIOLATION	2/29/2016	
20160013	2/22/2016	604 State St	GUTTERS HANGING	IN VIOLATION	2/24/2016	
20160012	2/22/2016	602 MAIN ST	CAR ON JACKS	IN VIOLATION	2/24/2016	
20160011	2/9/2016	1201 N BRIDGE ST	SIGN	CLOSED		
20160010	2/5/2016	314 E Washington	MUD FROM 314 POURING ACROSS NEIGHBORS DRIVE	TO BE INSPECTED, CONSULT WITH ERIC AND BRAD		
20160009	2/4/2016	SARAVANOS DR	GENERAL PROPERTY MNT ISSUES	CLOSED		
20160008	2/3/2016	802 S BRIDGE ST	TRUCKS FOR SALE	IN VIOLATION	2/4/2016	2/19/2016
20160007	2/1/2016	8996 A STAGECOACH TR	BROKEN WINDOWS DAMAGED EMPTY HOUSE	IN VIOLATION	2/4/2016	
20160006	2/1/2016	311 ESSEX CT	Camper in side yard	IN VIOLATION	2/4/2016	
20160005	2/1/2016	215 NEWBURY LN	TRUCK IN SIDE YARD	IN VIOLATION	2/4/2016	
20160004	2/1/2016	306 FAIRHAVEN DR	TRAILER	COMPLIANT		

Total Records: 12



Reviewed By:	
Legal	<input type="checkbox"/>
Finance	<input type="checkbox"/>
Engineer	<input type="checkbox"/>
City Administrator	<input checked="" type="checkbox"/>
Human Resources	<input type="checkbox"/>
Community Development	<input type="checkbox"/>
Police	<input type="checkbox"/>
Public Works	<input type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>

Agenda Item Number

NB #4

Tracking Number

EDC 2016-19

### Agenda Item Summary Memo

**Title:** Economic Development Report for March 2016

**Meeting and Date:** EDC – April 5, 2016

**Synopsis:** See attached.

### Council Action Previously Taken:

Date of Action: N/A Action Taken: \_\_\_\_\_

Item Number: \_\_\_\_\_

**Type of Vote Required:** \_\_\_\_\_

**Council Action Requested:** \_\_\_\_\_

**Submitted by:** Bart Olson Administration  
Name Department

### Agenda Item Notes:

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651 Prairie Pointe Drive, Suite 102 • Yorkville, Illinois 60560  
Phone 630-553-0843 • FAX 630-553-0889

Monthly Report – for April 2016 EDC Meeting of the United City of Yorkville

Downtown Redevelopment:

- Continue to work with Minor Threat Restaurant Group (Dale Lewis) on opening of three restaurant concepts and live theatre.
- Work with additional retail and service users in other vacant spaces in the downtown.

Development south of Fox River:

- New Development on Route 47 just south of Beaver Street (next to Merlins). Dance Studio
- Continued work to locate grocery store south of the River.
- Former West Suburban Bank building sold, due diligence for possible additional medical office space taking place at this time.
- Partially started building at Stagecoach Crossing, completion scheduled to begin in April. Midwest Environmental Services will move in August 2016 and will also have 3,000 square feet of space available.

Development north of the Fox River:

- Kendall Marketplace...Continue to work on "in-line" space for lease.
- Kendall Marketplace...Strategizing with Alex Berman on meetings for ICSC show in Las Vegas.
- Kendall Crossing...Continue to work on attracting new users to the development.

Industrial Development:

- Continue to work on attracting new industrial business to Yorkville, to expand jobs and tax base.

Recreational Development:

- Continue to work with Justine Brummel on multi-use sports facility.

Other Activity:

- Appeared on "Fox Valley Today" TV show and "Community Forum" radio show to showcase Yorkville, and promote upcoming PepperUNi 5K, and multi-use trail groundbreaking.

Respectfully submitted,

A handwritten signature in cursive script, reading "Lynn Dubajic".

Lynn Dubajic  
651 Prairie Pointe Drive, Suite 102  
Yorkville, IL 60560  
lynn@dlkllc.com  
630-209-7151 cell



Reviewed By:	
Legal	<input checked="" type="checkbox"/>
Finance	<input type="checkbox"/>
Engineer	<input type="checkbox"/>
City Administrator	<input checked="" type="checkbox"/>
Human Resources	<input type="checkbox"/>
Community Development	<input checked="" type="checkbox"/>
Police	<input type="checkbox"/>
Public Works	<input type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>

Agenda Item Number

NB #5

Tracking Number

PC 2016-06

### Agenda Item Summary Memo

**Title:** Trade/Commercial Schools – Text Amendment

**Meeting and Date:** EDC/April 5, 2016

**Synopsis:** Text amendment to the Zoning Ordinance to permit trade and commercial schools as a special use in the Manufacturing Districts and revise the definition.

#### Council Action Previously Taken:

Date of Action: \_\_\_\_\_ Action Taken: \_\_\_\_\_

Item Number: \_\_\_\_\_

**Type of Vote Required:** Informational.

**Council Action Requested:** None.

**Submitted by:** Chris Heinen Community Development  
Name Department

#### Agenda Item Notes:

See attached memo.

*Have a question or comment about this agenda item?*

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# Memorandum

To: Economic Development Committee  
From: Chris Heinen, Planner  
CC: Bart Olson, City Administrator  
Krysti Barksdale-Noble, Community Development Director  
Date: March 21, 2016  
Subject: **PC 2016-06 Trade Schools (Text Amendment)**

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## **Background:**

As the EDC will recall, the Zoning Ordinance was adopted on November 25, 2014 and placed into effect on January 1, 2015. Since that time, staff has been approached by a citizen looking to incorporate a private, non-profit alternative school within an M-1 zoning classified property. Our zoning ordinance currently does not allow trade schools or commercial schools within a manufacturing district. Staff researched several surrounding municipalities (see chart below) and found that several of them either permitted trade schools as an outright allowable use or required a special use in manufacturing districts. Staff felt that allowing trade schools in the Manufacturing Districts as a special use is consistent with current zoning trends and would allow, on a case-by-case basis, additional review of surrounding land uses, site layout, parking, utilities, and traffic.

Trade School Uses in Manufacturing Districts				
Municipality	Use	Permitted	Special Use	Not Permitted
Plainfield	Trade school, music school, dance school.			X
Oswego	Schools; music, dance, business, commercial or trade.		X	
Plano	Schools of dance, music, business or trade.		X	
Montgomery	Personal and Business Services.	X		
Naperville	Vocational and trade schools.	X		
Aurora	Technical, trade, and other specialty schools.	X		
Sugar Grove	Schools, commercial or trade.	X		

## **Staff Recommendation Summary:**

Staff has worked with the City Attorney to revise the definition of trade schools to add commercial school and allow such schools as a special use in the M-1 & M-2 zoning classifications. The following proposed text amendments would be:

1. Chapter 2: Rules and Definitions in the Zoning Ordinance to revise the definition of trade school to include commercial school and define it as “A school established to provide for the teaching of academic, industrial, clerical, managerial, artistic skills, or alternative education. This definition applies to schools that are owned and operated privately for profit or non profit and that may offer a complete education curriculum.”

2. Chapter 6: Permitted and Special Uses in the Zoning Ordinance to identify Commercial school, trade school as special uses in the M-1 Limited Manufacturing and M-2 General Manufacturing districts.

Staff will be available to answer any questions the Economic Development Committee may have regarding the proposed text amendment. A public hearing is scheduled on April 13, 2016 before the Plan Commission. A more detailed analysis will be presented to the Plan Commission during the public hearing process and a recommendation will be forwarded to the City Council for consideration at the April 26, 2016 regularly scheduled meeting.

**Attachments:**

1. Current Chapter 6 of the United City of Yorkville's Municipal Zoning Ordinance.
2. Research on Trade Schools.
3. Copy of Public Notice.

# CHAPTER 6

## Permitted and Special Uses

### Key

P = Permitted Use

S = Special Use

- = Not Permitted Use

Table 10.06.01  
Residential Uses

Use Category	Zoning Districts															
	Ag	Open Space		Residential						Business					Manufacturing	
	A-1	OS-1	OS-2	E-1	R-1	R-2	R-2 D	R-3	R-4	O	B-1	B-2	B-3	B-4	M-1	M-2
Mobile Home Park	-	-	-	-	-	-	-	S <sup>1</sup>	S <sup>1</sup>	-	-	-	-	-	-	-
Dwelling, Duplex	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	-
Dwelling, Multi-Family	-	-	-	-	-	-	-	P	P	-	P <sup>2</sup>	S <sup>2</sup>	S <sup>2</sup>	S <sup>2</sup>	S <sup>2</sup>	S <sup>2</sup>
Dwelling, Single-Family	P	-	-	P	P	P	P	P	P	-	-	-	-	-	-	-
Dwelling, Townhouse	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	-

<sup>1</sup> 10 Acre Minimum

<sup>2</sup> Apartments above the first floor in a building used for business or as live/work space above a manufacturing use shall be permitted up to a maximum of two (2) apartments.

Table 10.06.02  
Institutional Uses

Use Category	Zoning Districts															
	Ag	Open Space		Residential						Business					Manufacturing	
	A-1	OS-1	OS-2	E-1	R-1	R-2	R-2 D	R-3	R-4	O	B-1	B-2	B-3	B-4	M-1	M-2
Cemetery	S	S	S	S	S	S	S	S	S	-	-	-	-	-	-	-
Religious Institution, Large	S	-	-	S	S	S	S	S	S	P	P	P	P	P	S	S
Religious Institution, Small	S	-	-	S	S	S	S	S	S	P	P	P	P	P	S	S
Philanthropic Institution	S	-	-	S	S	S	S	S	S	-	-	-	-	-	-	-
Hospital	S	-	-	S	S	S	S	S	S	-	P	P	P	P	-	-
Library	-	-	-	-	-	-	-	-	-	P	P	P	P	P	-	-
Nursing Home/Rest Home	S	-	-	S	S	S	S	S	S	-	P	P			-	-
College, University or Junior College	S	-	-	S	S	S	S	S	S	P	P	P	P	P	-	-
School, Public or Private	-	-	-	P	P	P	P	P	P	-	-	-	-	-	-	-



Table 10.06.03  
Business Uses

Use Category	Zoning Districts															
	Ag	Open Space		Residential						Business					Manufacturing	
	A-1	OS-1	OS-2	E-1	R-1	R-2	R-2 D	R-3	R-4	O	B-1	B-2	B-3	B-4	M-1	M-2
Adult Daycare Facility	-	-	S	S	S	S	S	S	-	S	S	S	S	S	S	S
Adult Oriented Uses	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	S
Advertising Agency	-	-	-	-	-	-	-	-	-	P	P	P	P	P	-	-
Agricultural Implement Sales, Storage and Services of Agriculturally Products (see Section 10-6-1: Special Conditions)	S	-	-	-	-	-	-	-	-	-	-	-	S	P	-	-
Agricultural Uses	P	S	S	-	-	-	-	-	-	-	-	-	-	-	-	-
Amphitheater	-	-	P	-	-	-	-	-	-	-	S	S	S	S	S	S
Amusement Park	S	-	S	-	-	-	-	-	-	-	-	-	S	S	S	S
Animal Feed, Storage Preparation, Mixing and Wholesale and Retail																
Animal Hospital	S	-	-	-	-	-	-	-	-	-	-	-	S		-	-
Antique Sales	-	-	-	S	-	S	-	S	S	-	P	P	P	P	-	-
Apiaries	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Appliance - Service	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-
Art Galleries/Art Studio	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P
Auction House	P	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-
Automobile Parts/Accessories Sales	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-
Automobile Rental	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-
Automobile Repair	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P
Automobile Sales and Service/Open Sales Lot	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-
Bakery, Retail	-	-	-	-	-	-	-	-	-	-	P	P	P	P	S <sup>3</sup>	S <sup>3</sup>
Bank with Drive Through Facilities	-	-	-	-	-	-	-	-	-	P	P	P	P	P	-	-
Barber/Beauty Shop	-	-	-	-	-	-	-	-	-	P	P	P	P	P	-	-
Bed and Breakfast Inn	S	-	-	S	S	-	-	-	-	-	S	S	S	-	-	-

<sup>3</sup> Appurtenant to Wholesale

Table 10.06.03  
Business Uses

Use Category	Zoning Districts															
	Ag	Open Space		Residential						Business					Manufacturing	
	A-1	OS-1	OS-2	E-1	R-1	R-2	R-2 D	R-3	R-4	O	B-1	B-2	B-3	B-4	M-1	M-2
Bicycle Shop/Repair	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-
Billiard Parlor	-	-	-	-	-	-	-	-	-	-	S	P	P	P	-	-
Boat Sales and Rental	-	S	S	-	-	-	-	-	-	-	P	P	P	P	-	-
Boat Storage	-	S	S	-	-	-	-	-	-	-	S	S	S	S	S	S
Bookkeeping Service	-	-	-	-	-	-	-	-	-	P	P	P	P	P	-	-
Bookstore	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-
Bowling Alley	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-
Building Material Sales	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-
Building equipment, building materials, lumber, coal, sand and gravel yards, and yards for contracting equipment of public agencies, or public utilities, or materials or equipment of similar nature, ready mix batch plants, and asphalt manufacturing plants	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	S
Campground	S	-	S	-	-	-	-	-	-	-	-	-	-	-	-	-
Car Wash without mechanical repair	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P
Carpet and Rug Cleaning	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P
Catering Service	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-
Clothes - Pressing and Repair	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-
Club/Lodge, Private (see Section 10-6-1: Special Conditions)	S	-	-	-	-	-	-	-	-	P	P	P	P	P	-	S
Coffee Shop	-	-	-	-	-	-	-	-	-	P	P	P	P	P	-	-
Commercial Feeding of Fish, Poultry, Livestock	S	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Commercial Laboratory	-	-	-	-	-	-	-	-	-	P	P	P	P	P	-	-
Commercial School, Trade School - offering training in classroom study	-	-	-	-	-	-	-	-	-	P	P	P	P	P	-	-
Community Center	-	-	P	-	-	S	S	S	S	-	P	P	P	P	S	S

Table 10.06.03  
Business Uses

Use Category	Zoning Districts															
	Ag	Open Space		Residential						Business					Manufacturing	
	A-1	OS-1	OS-2	E-1	R-1	R-2	R-2 D	R-3	R-4	O	B-1	B-2	B-3	B-4	M-1	M-2
Contractor Facilities with Outdoor Storage	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	S
Contractor Offices	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P
Cultivation of non-food crops and seeds used of cellulosic biofuels production	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Dance Hall	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-
Daycare Facility and Preschools	S	-	S	S	S	S	S	S	-	S	S	S	S	S	S	S
Department Store	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-
Detective Agency	-	-	-	-	-	-	-	-	-	P	P	P	P	P	-	-
Dressmaker - Seamstress	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-
Dry Cleaning Establishment	-	-	-	-	-	-	-	-	-	S	P	P	P	P	-	-
Dry Cleaning Plant	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	S
Employment Office	-	-	-	-	-	-	-	-	-	P	P	P	P	P	-	-
Farming	P	S	S	-	-	-	-	-	-	-	-	-	-	-	-	-
Fertilizer Sales with Storage and Mixture	S	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Forestation	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Funeral Home/Mortuary/Crematorium	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-
Furniture Repair and Refinishing	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-
Gasoline Service Station	-	-	-	-	-	-	-	-	-	-	-	S	S	S	S	S
Golf Course (see Section 10-6-1: Special Conditions)	S	-	S	P	P	P	P	P	P	-	-	-	-	-	-	-
Golf Course, Miniature	S	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-
Golf Driving Range	S	-	S	-	-	-	-	-	-	-	-	-	P	P	-	-
Grain Elevators and Storage	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Grocery Store	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-
Health Club or Gymnasium	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-

Table 10.06.03  
Business Uses

Use Category	Zoning Districts															
	Ag	Open Space		Residential						Business					Manufacturing	
	A-1	OS-1	OS-2	E-1	R-1	R-2	R-2 D	R-3	R-4	O	B-1	B-2	B-3	B-4	M-1	M-2
Heavy Machinery and Equipment Rental	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P
Hotel/Motel/Motor Lodges/Tourist Courts	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-
Indoor Shooting Gallery/Gun Range (see Section 10-6-1: Special Conditions)	-	-	-	-	-	-	-	-	-	-	S	S	S	S	S	S
Interior Decorating Studio	-	-	-	-	-	-	-	-	-	-		P	P	P	-	-
Kennel, Commercial or Private Dog Kennels	S	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-
Liquor Store	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-
Locksmith	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-
Massage Establishment	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-
Medical Clinic	-	-	-	-	-	-	-	-	-	P	P	P	P	P	-	-
Microbrewery/Brew Pub (see Section 10-6-1: Special Conditions)	-	-	-	-	-	-	-	-	-	-	S	S	S	S	P	P
Milk Processing and Distribution (see Section 10-6-1: Special Conditions)	S	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P
Motorcycle Sales and Service	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-
Musical Instrument Sales/Repair	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-
Newspaper Publishing	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P
Nursery/Greenhouses	S	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-
Outdoor Music Venues	-	-	P	-	-	-	-	-	-	-	S	S	S	S	S	S
Off-Track Betting (OTB) Establishments	-	-	-	-	-	-	-	-	-	-	-	S	-	-	-	-
Parks	-	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-
Pawnbrokers/Pawnshops	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-
Pet Stores/Pet Supply	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-
Photography Studio/Camera Repair Shop	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-
Playground	-	P	P	P	P	P	P	P	P	-	P	P	P	P	-	-
Post Office/Retail Mail or Package Service	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-

Table 10.06.03  
Business Uses

Use Category	Zoning Districts															
	Ag	Open Space		Residential						Business					Manufacturing	
	A-1	OS-1	OS-2	E-1	R-1	R-2	R-2 D	R-3	R-4	O	B-1	B-2	B-3	B-4	M-1	M-2
Public Storage Facilities/Miniwarehouse Storage (see Section 10-6-1: Special Conditions)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	S
Professional Services/Offices	-	-	-	-	-	-	-	-	-	P	P	P	P	P	-	-
Radio and Television Studios	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-
Recreation Center	-	-	P	-	-	-	-	-	-	-	P	P	P	P	P	P
Recreational Camp - Private	S	-	S	-	-	-	-	-	-	-	-	-	-	-	-	-
Recreational Vehicle Sales and Service	-	--	-	-	-	-	-	-	-	-	-	-	P	P	-	-
Repair of Household or Office Machinery or Equipment	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P
Resale Dealers	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-
Restaurant, Convenience and Fast Food	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-
Retail Store includes Pharmacy/Drugstore	-	-	-	-	-	-	-	-	-	S	P	P	P	P	S	-
Riding Academies with Stables	S	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Roadside Stand	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Salvage Yard	S	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S
Shoe and Hat Repair	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-
Skating Rink	-	-	S	-	-	-	-	-	-	-	-	-	P	P	-	-
Stables or Paddocks	P	-	S	-	-	-	-	-	-	-	-	-	-	-	-	-
Stadium	-	-	S	-	-	-	-	-	-	-	-	-	S	S	S	S
Swimming Pool - Indoor	-	-	S	-	-	-	-	-	-	-	P	P	P	P	-	-
Tattoo and Body Piercing Establishment	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P
Tavern - Nightclub or Lounge	-	-	-	-	-	-	-	-	-	-	S	S	S	S	S	S
Taxidermist	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-
Theater	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-
Trailer Camp/Park	S	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-

Table 10.06.03  
Business Uses

Use Category	Zoning Districts															
	Ag	Open Space		Residential						Business					Manufacturing	
	A-1	OS-1	OS-2	E-1	R-1	R-2	R-2 D	R-3	R-4	O	B-1	B-2	B-3	B-4	M-1	M-2
Treatment Center	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-
Truck and Trailer Rental	-	-	-	-	-	-	-	-	-	-	-	-	S	P	-	-
Truck, truck tractor, truck trailer, car trailer or bus storage yard - not include motor freight terminal	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P
Upholstery Shop	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-
Veterinary Clinic	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-
Watch and Clock Sales and Repair	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-
Weaving and Mending - Custom	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-

Table 10.06.04  
Manufacturing Uses

Use Category	Zoning Districts															
	Ag	Open Space		Residential						Business					Manufacturing	
	A-1	OS-1	OS-2	E-1	R-1	R-2	R-2 D	R-3	R-4	O	B-1	B-2	B-3	B-4	M-1	M-2
Any Assembly, Production, Manufacturing, Testing, Repairing or Processing that can and does operate in compliance with Performance Standards (see Section 10-6-1: Special Conditions)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P
Bakery (Wholesale - Retail Component Special Use)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P
Manufacturer of Firearms and Ammunition	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P
Medical Cannabis Cultivation Center & Dispensaries (see Section 10-6-1: Special Conditions)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	S
Research Laboratories	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P
Aggregate Materials Extraction, Processing and Site Reclamation (Stone and Gravel Quarries)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S
Welding Shop	S	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P
Wholesaling and Warehousing - Local Cartage Express Facilities - not including motor freight terminal	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P

**Table 10.06.05**  
**Transportation Uses**

Use Category	Zoning Districts															
	Ag	Open Space		Residential						Business					Manufacturing	
	A-1	OS-1	OS-2	E-1	R-1	R-2	R-2 D	R-3	R-4	O	B-1	B-2	B-3	B-4	M-1	M-2
Airport	S	-	-	-	-	-	-	-	-	-	-	-	-	-	S	S
Bus or Truck Storage Yard	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P
Bus or Truck Garage or Streetcar House	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P
Marina	-	-	S	-	-	-	-	-	-	-	-	S	S	S	S	S
Motor Freight Terminals	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	S
Railroad Passenger Station	S	-	-	S	S	S	S	S	S	S	S	S	S	S	S	S
Railroad Repair Shops, Maintenance Buildings and Switching Yards	S	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S
Taxicab Business	-	-	-	-	-	-	-	-	-	-	-	-	P	P	S	S

**Table 10.06.06**  
**Utility Uses**

Use Category	Zoning Districts															
	Ag	Open Space		Residential						Business					Manufacturing	
	A-1	OS-1	OS-2	E-1	R-1	R-2	R-2 D	R-3	R-4	O	B-1	B-2	B-3	B-4	M-1	M-2
Communications Use	S	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Electric Substation	S	S	S	S	S	S	S	S	S	-	P	P	P	P	P	P
Filtration Plant	S	-	-	S	S	S	S	S	S	-	-	-	-	-	P	P
Fire Station	S	-	-	S	S	S	S	S	S	P	P	P	P	P	P	P
Police Station	S	-	-	S	S	S	S	S	S	P	P	P	P	P	P	P
Public Utility - Electric substations and distribution centers, gas regulation centers and underground gas holder stations	S	S	S	-	-	-	-	-	-	-	-	-	-	-	P	P
Other Public Utility Facilities	S	-	S	P	P	P	P	P	P	-	-	-	-	-	P	P
Radio and Television Towers - Commercial	S	-	-	S	S	S	S	S	S	-	-	-	-	-	P	P
Sanitary Landfill	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	S

Table 10.06.06  
Utility Uses

Use Category	Zoning Districts															
	Ag	Open Space		Residential						Business					Manufacturing	
	A-1	OS-1	OS-2	E-1	R-1	R-2	R-2 D	R-3	R-4	O	B-1	B-2	B-3	B-4	M-1	M-2
Sewage Treatment Plant	-	-	-	S	S	S	S	S	S	-	-	-	-	-	P	P
Solid Waste Disposal Site	-	-	-	-	-	-	-	-	-	S	S	S	S	S	P	P
Utility Company Maintenance Yard	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P
Utility Service Yard or Garage	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P
Watchman Quarters (Dwelling Units)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P

Table 10.06.07  
Alternative Energy Uses

Use Category	Zoning Districts															
	Ag	Open Space		Residential						Business					Manufacturing	
	A-1	OS-1	OS-2	E-1	R-1	R-2	R-2 D	R-3	R-4	O	B-1	B-2	B-3	B-4	M-1	M-2
Wind Farm	S	-	S	-	-	-	-	-	-	S	-	-	-	-	-	-
Freestanding Wind Energy System (FWES)	S	S	S	S	S	S	-	-	-	S	-	-	-	-	S	S
Building Mounted Wind Energy System (BWES)	S	-	P	S	S	S	S	S	S	S	S	S	S	S	S	S
Solar Farm	S	S	S	-	-	-	-	-	-	S	-	-	-	-	-	-
Building Mounted Solar Energy Systems (BSES)	S	-	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Freestanding Solar Energy Systems (FSSES)	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S

Table 10.06.08  
Miscellaneous Uses

Use Category	Zoning Districts															
	Ag	Open Space		Residential						Business					Manufacturing	
	A-1	OS-1	OS-2	E-1	R-1	R-2	R-2 D	R-3	R-4	O	B-1	B-2	B-3	B-4	M-1	M-2
Accessory Building/Use and Structures	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Planned Unit Development (PUD)	S	-	-	S	S	S	S	S	S	S	S	S	S	S	S	S



## **10-6-1 Special Conditions**

### **A. Agricultural Implementation Sales, Storage and Service of Agriculturally Oriented Products:**

1. Sales yards, wholesale or retail, for agricultural products in A-1 Agricultural District refer to Section 10-9-3 Special Uses.

### **B. Club/Lodge, Private:**

1. Private clubs or lodges in A-1 Agricultural District refer to 10-9-3 Special Uses.

### **C. Golf Courses:**

1. Regulation size golf courses are permitted provided that no clubhouse or accessory building shall be nearer than five hundred (500) feet to any dwelling on an adjacent zoning lot.
2. Golf courses, miniature golf courses and driving ranges in A-1 Agricultural District refer to 10-9-3 Special Uses.

### **D. Indoor Shooting Galleries/Gun Ranges:**

1. When located in a multiple-tenant building shall only be located in an end unit and with the gallery/range not adjacent to an adjoining unit.
2. The minimum building setback for indoor shooting gallery/gun range facilities shall be fifty (50) feet from any property line that abuts a residentially zoned property.
3. The retail operations of any indoor shooting gallery/gun ranges shall occupy not more than twenty five percent (25%) of the total floor area.

### **E. Manufacturing Uses:**

1. All business, production, servicing and processing shall take place within completely enclosed buildings unless otherwise specified. Within one hundred and fifty (150) feet of a residence district, all storage shall be in completely enclosed buildings or structures, and storage located elsewhere in the Manufacturing Districts may be open to the sky but shall be enclosed by solid walls or fences (including solid doors or gates thereto) at least eight (8) feet high, but in no case lower in height than the enclosed storage and suitably landscaped.
2. However, open off-street loading facilities and open off-street parking of motor vehicles under one and one-half tons' capacity may be unenclosed throughout the Manufacturing Districts, except for such screening of parking and loading facilities as may be required under provisions of Chapter 16 of this title.

### **F. Medical Cannabis Cultivation Center:**

1. Cultivation Center and Medical Cannabis Dispensing Organization in compliance with the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1 et seq.) provided that the distance requirements set forth in that Act are also required for public parks and religious institutions for such use.

**G. Microbrewery:**

1. Microbreweries/brewpubs, where if off premises consumption is allowed, all sales must be in a hand capped, sealed container with a total maximum production of fifteen thousand (15,000) barrels per calendar year inclusive of on premises and off premises sales.
2. Microbrewery/brewpub operations will be ancillary to a restaurant or eating establishment, and the brewing component of the facility shall be no more than twenty-five percent (25%) of the total floor area.

**H. Public Storage Facilities/Mini Warehouse Storage:**

1. Whenever a special use is granted for miniwarehouse storage under this M-1 zoning district or any other permitted zoning district, the following restrictions shall apply:
  - A. If the facility is within one hundred fifty feet (150') of a residential district, all storage shall be in completely enclosed buildings or structures, and storage located elsewhere in this district may be open to the sky, but shall be enclosed by solid walls or fences (including solid doors or gates thereto) at least eight feet (8') high, but in no case lower in height than the enclosed storage buildings and suitably landscaped consistent with the city's landscape ordinance.
  - B. A minimum of three (3) parking spaces shall be provided.
  - C. There shall be a minimum of twenty feet (20') between buildings.

**I. Salvage Yards**

1. Salvage Yards in A-1 Agricultural District refer to Section 10-9-3 Special Uses.

Variety store.

Watch and clock sales and repair.

Wearing apparel store.

Weaving and mending, custom. (Ord. 1979-7, 6-25-1979; amd. Ord. 2006-50, 6-26-2006)

### **5-8A-1: USES PERMITTED:**

The following uses are permitted:

#### **A. Manufacturing Type Uses:**

Advertising displays.

Apparel and other products manufactured from textiles.

Art needle work and hand weaving.

Automobile painting, upholstering, repairing, reconditioning and body and fender repairing, when done within the confines of a structure.

Awnings, venetian blinds.

Bakeries.

Beverages, nonalcoholic; bottling and distributing.

Blacksmith shop.

Books, hand binding and tooling.

Bottling works.

Brushes and brooms.

Building equipment, building materials, lumber, coal, sand and gravel yards, and yards for contracting equipment of public agencies, or public utilities, or materials or equipment of similar nature.

Cameras and other photographic equipment and supplies.

Canning and preserving.

Canvas and canvas products.

Carpet and rug cleaning.

Carting, express hauling or storage yards.

Ceramic products such as pottery and small glazed tile.

Cleaning and dyeing establishments when employing facilities for handling more than one thousand five hundred (1,500) pounds of dry goods per day.

Clothing.

Contractor or construction shops, such as:

Air conditioning.

Building.

Cement.

Electrical.

Heating and ventilating.

Masonry.

Painting.

Plumbing.

Refrigeration.

Roofing.

Cosmetics and toiletries.

Creameries and dairies.

Drugs.

Electrical appliances such as lighting fixtures, irons, fans, toasters and television receivers and home movie equipment, but not including electrical machinery.

Electrical supplies, manufacturing and assembly such as wire and cable assembly switches, lamps, insulation and dry cell batteries.

Food products, processing and combining of (except meat and fish); baking, boiling, canning, cooking, dehydrating, freezing, frying, grinding, mixing and pressing.

Fuel sales, no retail sales and no gas station uses.

Fuel sales with storage of fuel oils, gasoline and otherflammable products limited to one hundred twenty thousand (120,000) gallons per tank, with the total storage on a zoning lot not to exceed five hundred thousand (500,000) gallons.

Fur goods, not including tanning and dyeing.

Glass products, from previously manufactured glass.

Hosiery.

House trailers, manufacture.

Ice, dry and natural.

Ink mixing and packing and inked ribbons.

Laboratories; medical, dental, research, experimental and testing, provided there is no danger from fire or explosion nor of offensive noise, vibration, smoke, dust, odors, heat, glare or other objectionable influences.

Laundries.

Leather products, including shoes and machine belting, but not including tanning and dyeing.

Luggage.

Machine shops for tool, die and pattern making.

Meat products.

Metal finishing, plating, grinding, sharpening, polishing, cleaning, rustproofing and heat treatment.

Metal stamping and extrusion of small products such as costume jewelry, pins and needles, razor blades, bottle caps, buttons and kitchen utensils.

Musical instruments.

Orthopedic and medical appliances such as artificial limbs, braces, supports and stretchers.

Paper products, small; such as envelopes and stationery, bags, paper boxes, tubes and wallpaper printing.

Perfumes and cosmetics.

Pharmaceutical products.

Plastic products, but not including the processing of the raw materials.

Precision instruments such as optical, medical and drafting.

Printing and newspaper publishing including engraving and photoengraving.

Products from finished materials; plastic, bone, cork, feathers, felt, fiber, paper, fur, glass, hair, horn, leather, precious and semiprecious stones, rubber, shell or yarn.

Public utility electric substations and distribution centers, gas regulation centers and underground gas holder stations.

Repair of household or office machinery or equipment.

Rubber products, small, and synthetic treated fabrics, (excluding all rubber and synthetic processing) such as washers, gloves, footwear, bathing caps and atomizers.

Signs.

Silverware, plate and sterling.

Soap and detergents, packaging only.

Soldering and welding.

Sporting and athletic equipment such as balls, baskets, cues, gloves, bats, rackets and rods.

Statuary, mannequins, figurines and religious and church art goods, excluding foundry operations.

Storage and sale of trailers, farm implements and other similar equipment on an open lot.

Storage of flammable liquids, fats or oil in tanks each of fifty thousand (50,000) gallons or less capacity, but only after the locations and protective measures have been approved by local governing officials.

Storage of household goods.

Textiles; spinning, weaving, manufacturing, dyeing, printing, knit goods, yarn, thread and cordage, but not including textile bleaching.

Tool and die shops.

Tools and hardware such as bolts, nuts and screws, doorknobs, drills, hand tools and cutlery, hinges, house hardware, locks, nonferrous metal castings and plumbing appliances.

Toys.

Truck, truck tractor, truck trailer, car trailer or bus storage yard, when all equipment is in operable condition, but not including a truck or motor freight terminal.

B. Wholesaling And Warehousing Uses: Local cartage express facilities (but not including motor freight terminals).

C. Public And Community Service Uses:

Bus terminals, bus garages, bus lots, street railway terminals or streetcar houses.

Electric substations.

Fire stations.

Municipal or privately owned recreation buildings or community centers.

Parks and recreation areas.

Police stations.

Sewage treatment plants.

Telephone exchanges.

Water filtration plants.

Water pumping stations.

Water reservoirs. (Ord. 1979-7, 6-25-1979; amd. Ord. 2002-20, 5-28-2002)

D. Residential Uses: Dwelling units for watchmen and their families when located on the premises where they are employed in such capacity. However, no residential use, including dwelling units for watchmen and their families, shall be permitted at sexually oriented businesses, as defined in section 5-17-3 of this title.

**E. Miscellaneous Uses:**

Accessory uses.

Radio and television towers.

Sexually oriented businesses as defined in section 5-17-3 of this title.

Temporary buildings for construction purposes, for a period not to exceed the duration of such construction. (Ord. 2000-34, 12-11-2000)

**5-8A-2: CONDITIONS OF PERMITTED USES:**

All permitted uses are subject to the following conditions:

**A. Performance Standards:**

1. Any production, processing, cleaning, servicing, testing, repair or storage of goods, materials or products shall conform with the performance standards set forth in section 5-8-1 of this chapter.
2. Uses established after the effective date hereof shall conform fully to the performance standards set forth in section 5-8-1 of this chapter for the district.

**B. Enclosure Of Use, Screening Requirements:** All business, production, servicing and processing shall take place within completely enclosed buildings unless otherwise specified. Within one hundred fifty feet (150') of a residence district, all storage shall be in completely enclosed buildings or structures, and storage located elsewhere in this district may be open to the sky but shall be enclosed by solid walls or fences (including solid doors or gates thereto) at least eight feet (8') high, but in no case lower in height than the enclosed storage and suitably landscaped.

However, open off street loading facilities and open off street parking of motor vehicles under one and one-half (1<sup>1</sup>/<sub>2</sub>) ton capacity may be unenclosed throughout the district, except for such screening of parking and loading facilities as may be required under the provisions of chapter 10 of this title.

**C. Nonconforming Uses:** Uses established on the effective date hereof and by the provisions continued herein are rendered nonconforming, shall be permitted to continue, subject to the regulations of chapter 9 of this title. (Ord. 1979-7, 6-25-1979)



### **5-8A-3: SPECIAL USES PERMITTED:**

The following uses may be allowed by special use permit in accordance with the provisions of section 5-12-7 of this title:

All uses permitted under section 5-7E-2, "B-5 Service Business District", of this title.

Any use which may be allowed as a special use in the B-5 business district.

Airport or aircraft landing fields.

Auction houses.

Motor freight terminals.

Planned development, industrial.

Sanitary landfill.

Slaughtering; poultry, rabbits, livestock.

Stadiums, auditoriums and arenas.

Theaters, outdoor drive-in. (Ord. 1979-7, 6-25-1979; amd. Ord. 1991-35, 11-25-1991; Ord. 1993-2, 3-22-1993)

## **5-7C-2: USES PERMITTED:**

The following uses are permitted:

All uses permitted in the B-2 district.

Appliances, sales.

Army/navy surplus sales.

Art gallery, art studio sales.

Auditorium.

Automatic food service.

Automobile accessory store where there is no driveway entrance across the sidewalk.

Automobile and motorcycle accessory and parts store, provided there is no on site repair, machining or service.

Bicycle shop, sales and repair.

Billiard parlor/pool hall.

Blueprint and photostat shop.

Bookbinding.

Bowling alley.

Business machines store.

Carpet and rug stores.

Carryout food service.

Catalog sales office.

China and glassware stores.

Clothing store, all types.

Coin and philatelic stores.

Costume rental shop.

Currency exchanges.

Dance hall.

Department store.

Discount store.

Drapery store.

Dry goods store, retail.

Employment agency, public and private.

Exterminating shops.

Financial institutions.

Floor covering sales.

Furniture sales, new.

Furrier, retail.

Garden supplies/seed stores.

Hardware store.

Health club or gymnasium.

Hotel.

Interior decorating studio/store.

Junior department store.

Leather goods.

Loan offices.

Locksmith.

Luggage stores.

Mirror and glazing shop.

Motels.

Motion picture theater.

Music, instrument and record store; repair and retail.

Newspaper publishing office.

Notions store.

Office equipment, supplies and stationery.

Orthopedic and medical appliance stores.

Paint/wallpaper store.

Pawnshop.

Personal loan agency.

Pet store, not including animal hospitals.

Physical culture and health services.

Picture frame store.

Radio and television studios, no towers.

Record shop.

Reducing salon, masseur and steam bath.

X Schools of dance, music, business or trade.

Sewing machine sales and service.

Sporting goods.

Stationery.

Tack shop.

Taxidermist.

Theater, indoor only.

Toy store.

Trading stamp store.

Transit and transportation facilities.

Typewriter, sales and repair.

ARTICLE C. - I INDUSTRIAL DISTRICT  
SECTION:

6-8C-2: - PERMITTED USES:

No building, structure, or parcel of land shall be used and no building or structure shall be erected, altered, or enlarged which is arranged, intended, or designed for other than one of the following uses:

1. Abrasive manufacture.
2. Bakeries.
3. Banks and financial institutions.
4. Boot and shoe manufacture.
5. Bottling companies.
6. Building materials and products sales and storage.
7. Offices—Business or professional.
8. Offices/clinics—Medical or dental.
9. Cartage and express facilities.
10. Civic buildings established prior to August 7, 2007. Civic buildings established after August 7, 2007, shall comply with Section 6-2-29 (Public Assembly Uses) of this Code.
11. Contractor and construction offices, shops, and yards.
12. Dairy products processing.
13. Dry cleaning establishments and laundries employing more than ten (10) persons.
14. Electronic and scientific precision instruments manufacture.
15. Electroplating.
16. Food manufacture, packaging, and processing.
17. Freight terminals, including air, motor, and railroad.
18. Furniture, bedding, and carpet manufacture.
19. General manufacturing.
20. Glass products production and sales.
21. Light machinery production.
22. Lithographing.
23. Machine shop.
24. Paper products manufacture.
25. Parking lots and garages, principal.
26. Plastics processing.
27. Pottery and ceramics manufacture.
28. Printing and publishing establishments.
29. Radio and television stations and studios.
- ✕ 30. Vocational and trade schools established prior to August 7, 2007. Vocational and trade schools which are established after August 7, 2007, shall comply with Section 6-2-29 (Public Assembly Uses) of this Code.

31. Sexually oriented business.
32. Warehouses, storage, and distribution facilities.
33. Warehouse, self-storage.
34. Wearing apparel manufacture.
35. Woodworking.
36. Other uses which are of the same general character as the other permitted uses as determined by the Zoning Administrator.
37. Pet care establishments, when the principal use of the building, structure or premises. All activity shall be conducted completely within any building or structure; outdoor areas shall be prohibited.
38. Fitness facility.
39. Automobile repair facility and car washes used in conjunction with an automobile repair facility.
40. Medical cannabis dispensing organization per Section 6-2-32 of this Title.
41. Sleep clinics.

(Ord. No. 80-5, 1-21-1980; Ord. No. 80-98, 10-6-1980; Ord. No. 95-67, 4-5-1995; Ord. No. 07-187, 8-6-2007; Ord. No. 08-018, 1-15-2008; Ord. No. 08-035, 2-19-2008; Ord. No. 10-073, § 1, 6-15-2010; Ord. No. 13-082, § 4, 8-20-2013; Ord. No. 13-162, § 5, 12-17-2013; Ord. No. 15-190, § 2, 12-1-2015)

6-8C-3: - CONDITIONAL USES:

The following conditional uses may be permitted in specific situations in accordance with the procedures outlined in Section 6-3-8 and Chapter 4 of this Title, as appropriate:

1. Airports and heliports.
2. Air, motor, and railroad freight terminals.
3. Asphalt products manufacture.
4. Automobile service stations and car washes used in conjunction with an automobile service station.
5. Boiler and tank manufacturing.
6. Brick and structural clay products manufacture.
7. Bulk storage of petroleum products.
8. Car washes.
9. Chemical and process manufacture.
10. Concrete mixing plants.
11. Eating and drinking establishments.
12. Feed mills.
13. Foundries and forge plants.
14. Fuel and ice sales.
15. Grain storage and processing.
16. Heavy machinery production.
17. Junkyards and automobile graveyards.
18. Leather tanning and processing.
19. Meatpacking.
20. Metal reduction and refinement.

21. Metal stamping.
  22. Mining operations.
  23. Motor vehicle sales, when in conjunction with a development petition for a planned unit development as outlined in Chapter 4 of this Title.
  24. Petroleum products processing and storage.
  25. Petroleum refining.
  26. Planned unit developments.
  27. Public and private utility facilities.
  28. Recreation and social facilities, excluding nursery schools, preschools, daycare centers, and learning centers unless accessory to a permitted use and excluding those uses defined as public assembly uses in Section 6-2-29 of this Title.
  29. Rubber processing and manufacture.
  30. Stadiums.
  31. Steel manufacture.
  32. Stone products manufacture.
  33. Telecommunications facilities as required by Chapter 13 of this Title.
  34. Public assembly uses per Section 6-2-29 of this Title.
  35. Pet care establishments, when the principal use of the building, structure or premises. Outdoor areas may be permitted. All outdoor activity shall be conducted as described in Section 6-2-25, "Veterinary Office And Pet Care Establishment," of this Title.
  36. Medical cannabis cultivation center per Section 6-2-29 of this Title.
- (Ord. No. 80-5, 1-21-1980; Ord. No. 06-225, 9-19-2006; Ord. No. 07-187, 8-6-2007; Ord. No. 08-035, 2-19-2008; Ord. No. 08-078, 4-15-2008; Ord. No. 09-017, 2-17-2009; Ord. No. 13-082, § 4, 8-20-2013; Ord. No. 13-162, § 5, 12-17-2013; Ord. No. 14-175, § 2, 11-18-2014)

**6-2-29: - PUBLIC ASSEMBLY USES:**

1. **Purpose:** It is the intent of this Section to provide regulations specific to public assembly uses located within the industrial districts provided for in Chapter 8 of this Title, specifically the RD, ORI, and I districts. It is further the intent of this Section to create greater opportunities for the location of said public assembly uses in instances where the City Council determines that said use shall not result in a detrimental impact to the intent of this Title and/or policies adopted through the City's comprehensive planning documents. Public assembly uses shall be ancillary and complementary to uses customarily permitted in Chapter 8, "Industrial Districts", of this Title.
2. **Applicability:** These regulations shall apply to all public assembly uses seeking approval of a conditional use through Chapter 8, "Industrial Districts", of this Title on or after August 7, 2007, which is the date following adoption hereof. Public assembly uses, as defined under Subsection 6-2-29.4 of this Section, established in accordance with the provisions of this Title prior to August 7, 2007, shall not be impacted by this Section and shall remain legal uses.
3. **Process:** Public assembly uses shall be processed as a conditional use in the respective industrial districts (RD, ORI, and I) in accordance with Section 6-3-8, "Conditional Uses", of this Title and Subsections 6-2-29.5 and 6-2-29.6 of this Section.
4. **Definitions:** For the purposes of this Section, public assembly uses shall be classified as the following noncommercial uses which are operated on a not for profit basis:
  - 4.1. Clubs/lodges.
  - 4.2. Religious uses.
  - 4.3. Schools, trade or vocational.
  - 4.4. Colleges/universities.
  - 4.5. Community centers.
  - 4.6. Performing arts center.
  - 4.7. Civic buildings.
  - 4.8. Cultural institutions.
  - 4.9. Other similar uses as determined by the Zoning Administrator.
5. **Public Assembly Use Components:** In determining compliance with Section 6-3-8, "Conditional Uses", of this Title, the following components of the public assembly use shall be evaluated based on the entirety of the circumstances affecting the particular property in the context of the existing and intended future use of the properties:
  - 5.1. Total square footage of the proposed use.
  - 5.2. Size of the parcel.
  - 5.3. Peak hours of operation and impact on adjacent uses.
  - 5.4. Primary and accessory uses of the operation.
  - 5.5. Parking demand and available private parking supply.
  - 5.6. Traffic generation and adjacent roadway capacity.
  - 5.7. Maximization of the highest and best use for the subject property and/or building.
  - 5.8. Preservation and enhancement of tax generating potential of the zoning district.
  - 5.9. Extent to which the proposed use, structure, and site design results in an efficient and



creative use of the subject property.

5.10. Other criteria determined to be necessary to assess compliance with Section 6-3-8 of this Title.

6. Compliance With All Other Applicable Code Requirements: The public assembly use shall comply with all applicable Code requirements, including, but not limited to, landscaping, building design guidelines, and performance standards.

(Ord. 07-187, 8-6-2007)

	P	E	R-1	R-2	R-3	R-4	R-4A	R-5	R-5A	B-1	B-2	B-3	O	DC	ORI	M-1	M-2	Additional Regulations
5250 Gun Clubs and shooting ranges														S				Otherwise complying with Article V of Chapter 8 of the Aurora Municipal Code
5260 Poolrooms												P		P		P	P	Otherwise complying with Division 4 of Article IV of Chapter 8 of the Aurora Municipal Code
5270 Juice bars, dry cabarets, teenage cabarets, and other non-alcoholic bars											S	S		S		S	S	
5400 Natural and other recreational parks	P	P	P	P	P	P	P	P	P	S	S	S	S	P	S	S	S	
5410 Amusement or theme park or fair												S				S	S	Otherwise complying with Article II of Chapter 8 of the Aurora Municipal Code
6000 Education, public admin., health care, and other inst.		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
6100 Educational services	S	S	S	S	S	S	S	S	S	S	S	S	S	P	S	S	S	
6110 Technical, trade, and other specialty schools										S	P	P	P	P	S	P	P	
6200 Public facilities and services		S	S	S	S	S	S	S	S	P	P	P	P	P	P	P	P	
6210 Correctional institutions																S	S	
6300 Health and human services		S	S	S	S	S	S	S	S	S	P	P	S	P	P	P	P	
6310 Day care		S	S	S	S	S	S	S	S	S	P	P	S	S	S	P	P	
6320 Nursing, supervision, and other rehabilitative services						S	S	S	S	S	S	S						
6330 Hospital or sanatoria		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	
6331 Mental health facility						S	S	S	S	S	S	S						

## **11-10-2: USES:**

### **A. Permitted uses:**

Administrative buildings.

Adult uses (if in compliance with the requirements of chapter 15 of this title).

Assembly, with or without fabrication of parts.

Automobile body shops.

Beverage distribution.

Boat builder.

Bottling works.

Business machine manufacturing.

Carpet and rug cleaners.

Cartage, express and parcel delivery.

Clothing manufacturing.

Contractor's yard.

Electrical motor and generator manufacturing.

Electronic component manufacturing.

Fabrication, processing, production or manufacturing of materials, goods or products.

Freight warehousing and distribution.

Impound yard, subject to additional standards and criteria in subsection D2 of this section.

Laboratories and research firms involved in the research, experimentation or testing of materials, goods, or products.

Lumberyards.

Machine shops.

Photo processing (nonretail).

Plastic processing.

Police headquarters and stations.


Pottery and ceramics manufacturing.

Printing, publishing or lithography establishments.

Public works buildings and facilities.

Recycling center.

Research and development laboratories.

 Schools, commercial or trade, including those teaching business, commercial or technical subjects.

Schools teaching dance, music, performance, and martial arts, subject to the additional standards and criteria in subsection D1 of this section.

Sheet metal fabrication.

Village halls.

Wholesale and warehousing.

Woodworking and wood products manufacturing. (Ord. 2007-03-06A, 3-6-2007; amd. Ord. 2007-08-21A, 8-21-2007; Ord. 2014-07-15, 7-15-2014; Ord. 2014-08-05E, 8-5-2014)

B. Special uses:

Aerial lift sales, rental, and service.

Airport and heliports.

Bakeries, exceeding five thousand (5,000) square feet of building area.

Bottled gas dealer.

Brick and structural clay products manufacturing.

Chemical processing.

Concrete and clay works.

Dairy products processing.

Food manufacturing, packaging and processing.

Furniture display, sales, and repair.

Gymnasiums and health clubs.

Heavy machinery manufacturing.

Mining, loading and hauling of sand, gravel, topsoil or other aggregate or minerals, including equipment, building or structure for screening, crushing, mixing, washing or storage, provided that:

1. No open pit or shaft is less than three hundred feet (300') from any public road or one hundred feet (100') from any side or rear property line.
2. All buildings or structures used for the crushing, washing, mixing or storage of mined materials are located not less than two hundred feet (200') from any property line.
3. A plan of development or the reclamation of the land is provided as part of the application for special use. This plan of development shall be accompanied by a written agreement between the owner or his agent and village and by a performance bond in an amount equal to the cost of the reclamation of the land, as set forth in the development plan.

Miniwarehouses, including watchman's quarters.

Paint and wallpaper manufacturing.

Paper products manufacturing.

Pharmaceutical and cosmetic manufacturing.

Planned developments.

Plastic manufacturing.

Public utility, governmental and service uses, including, but not limited to:

1. Essential services, including, fully automated gas regulating stations; telephone exchanges; and electric substations.

2. Towers and antennas, commercial, for radio, television and telephone transmitting, receiving or relay stations.
3. Wastewater treatment plant.
4. Waterworks, reservoirs, pumping stations, filtration plants and wells.

Radio, cellular and television towers.

Railroad yards.

Refuse company.

Stone products manufacturing.

Structural steel manufacturing.

Truck sales. (Ord. 2013-09-17A, 9-17-2013)

C. Permitted accessory uses: Please refer to section 11-4-7 of this title. (Ord. 2011-07-05B, 7-5-2011)

D. Additional standards and criteria for specific uses:

1. Schools Teaching Music, Dance, Performance, And Martial Arts:

- a. Shall not be located in the same building or on the same lot with any use permitted in the district that involves assembly, fabricating, production, processing or manufacturing activities;
- b. Performances on the premises shall not occur without the written approval of the community development director. (Ord. 2014-07-15, 7-15-2014)

2. Impound Yard:

- a. A principal building shall be located on the lot.
- b. The towing service operator(s) utilizing the impound yard shall provide the village a copy of the operator's valid registration with the Illinois commerce commission.
- c. If proposed to be located on a lot owned by an entity other than the impound yard operator, the impound yard operator shall provide the village with written authorization from the property owner.

- d. If proposed to be located on a lot with other uses, the impound yard operator shall provide the village proof of notification to the other uses.
- e. The impound yard shall not include vehicle repair or any salvage operations; may include a towing service on site.
- f. No vehicle shall be stored longer than one hundred eighty (180) days on site.
- g. The impound yard operator shall have an independent and qualified consultant perform an assessment and evaluation annually to determine that pollutants from stored vehicles have not leaked into the soil or sewers, or if they have, that they have been properly remediated.
- h. The impound yard shall comply with the commercial outdoor storage requirements in section 11-4-7 of this title.
- i. The impound yard shall comply with the fence requirements in section 11-4-13 of this title, with a minimum fence height of six feet (6'). (Ord. 2014-08-05E, 8-5-2014)

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### **SECTION 9.00 – MANUFACTURING DISTRICTS**

#### **9.01 M-1 LIMITED MANUFACTURING DISTRICT**

**A. Conditions of Use.** All permitted uses are subject to the following conditions:

1. Any production, processing, cleaning, servicing, testing, repair or storage of goods, materials or products shall conform with the performance standards set forth in Section 9.03.
2. All business, production, servicing and processing shall take place within completely enclosed buildings unless otherwise specified. Within one hundred and fifty (150) feet of a Residence District, all storage shall be in completely enclosed buildings or structures, and storage located elsewhere in this district may be open to the sky but shall be enclosed by solid walls or fences, including solid doors or gates thereto, at least eight (8) feet in height and suitably landscaped. If items in storage exceed eight (8) feet in height, an applicant may submit to the Plan Commission and the Village Board for a waiver to allow for fence in excess of eight (8) feet, but not to exceed fifteen (15) feet in height. However, open off-street loading facilities and open off-street parking of motor vehicles under one and one-half (1½) ton capacity may be unenclosed throughout the district, except for such screening of parking and loading facilities as may be required under the provisions of Section 12.00.
3. Uses established on the effective date of this amended Ordinance and by its provisions are rendered non-conforming, shall be permitted to continue, subject to the regulations of Section 5.00.
4. Uses established after the effective date of this amended Ordinance shall conform fully to the Performance Standards hereinafter set forth for the district.

**B. Permitted Uses.** The following uses are permitted:

1. Miscellaneous uses as follows:
  - a. Accessory uses.
  - b. Radio and television towers.
  - c. Temporary buildings for construction purposes for a period not to exceed the duration of such construction.
2. Off-street parking and loading as permitted or required in Section 12.00.
3. Production, Processing, Cleaning, Testing or Repair, limited to the following uses and products:
  - a. Advertising displays.



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- b. Apparel and other products manufactured from textiles.
- c. Art needle work and hand weaving.
- d. Automobile painting, upholstering, repairing, reconditioning and body and fender repairing, when done within the confines of a structure.
- e. Awnings, venetian blinds.
- f. Bakeries.
- g. Beverages.
- h. Books – hand binding and tooling.
- i. Bottling works.
- j. Brushes and brooms.
- k. Building equipment, building materials, lumber, coal, sand and gravel yards, and yards for contracting of equipment of public agencies, or public utilities, or materials or equipment of similar nature.
- l. Cameras and other photographic equipment and supplies.
- m. Canning and preserving.
- n. Canvas and canvas products.
- o. Carpet and rug cleaning.
- p. Carting, express hauling or storage yards.
- q. Ceramic products, such as pottery and small glazed tile.
- r. Cleaning and dyeing establishments when employing facilities for handling more than fifteen hundred (1,500) pounds of dry goods per day.
- s. Clothing.
- t. Cosmetics and toiletries.
- u. Creameries and dairies.
- v. Dentures.
- w. Drugs.
- x. Electrical appliances, such as lighting fixtures, irons, fans, toasters and electric toys.
- y. Electrical equipment assembly, such as home radio and television receivers and home movie equipment, but not including electrical machinery.

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- z. Electrical supplies, manufacturing and assembly of such wire and cable assembly, switches, lamps, insulation, and dry cell batteries.
- aa. Food products, processing and combining of (except meat and fish) baking, boiling, canning, cooking, dehydrating, freezing, frying, grinding, mixing and pressing.
- bb. Fur goods, not including tanning and dyeing.
- cc. Glass products from previously manufactured glass.
- dd. Hat bodies of fur and wool felt.
- ee. Hosiery.
- ff. House trailers, manufacture.
- gg. Ice, natural.
- hh. Ink mixing and packaging and inked ribbons.
- ii. Jewelry.
- jj. Laboratories; medical, dental, research, experimental, and testing, provided there is no danger from fire or explosion nor offensive noise, vibration, smoke, dust, odors, heat, glare, or other objectionable influences.
- kk. Laundries.
- ll. Leather products, including shoes and machine belting, but not including tanning and dyeing.
- mm. Luggage.
- nn. Machine shops for tool, die, and pattern making.
- oo. Metal finishing, plating, grinding, sharpening, polishing, cleaning, rust proofing and heat treatment.
- pp. Metal stamping and extrusion of small products, such as costume jewelry, pins and needles, razor blades, bottle caps, buttons and kitchen utensils.
- qq. Musical instruments.
- rr. Orthopedic and medical appliances, such as artificial limbs, braces, supports and stretchers.
- ss. Paper products, small, such as envelopes and stationery, bags, boxes, tubes and wallpaper printing.
- tt. Perfumes and cosmetics.

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- uu. Pharmaceutical products.
- vv. Plastic products, but not including the processing of the raw materials.
- ww. Precision instruments, such as optical, medical and drafting.
- xx. Products from finished materials; plastic, bone, cork, feathers, felt, fiber, copper, fur, glass, hair, horn, leather, precious and semi-precious stones, rubber, shell or yarn.
- yy. Printing and newspaper publishing, including engraving, photoengraving.
- zz. Public utility electric substations and distribution centers, gas regulation centers and underground gas holder stations.
- aaa. Repair of household or office machinery or equipment.
- bbb. Rubber products, small, and synthetic treated fabrics (excluding all rubber and synthetic processing), such as washers, gloves, footwear, bathing caps and atomizers.
- ccc. Signs, as regulated by Section 11.00.
- ddd. Silverware, plate and sterling.
- eee. Soap and detergents, packaging only.
- fff. Soldering and welding.
- ggg. Sporting and athletic equipment, such as balls, baskets, cues, gloves, bats, racquets, and rods.
- hhh. Statuary, mannequins, figurines and religious and church art goods, excluding foundry operations.
- iii. Storage of household goods.
- jjj. Storage and sale of trailers, farm implements and other similar equipment on an open lot.
- kkk. Storage of flammable liquids, fats or oil in tanks each of fifteen thousand (15,000) gallons or less capacity, but only after the locations and protective measures have been approved by local governing officials.
- lll. Textiles; spinning, weaving, manufacturing, dyeing, printing, knit goods, yarn, thread, and cordage, but not including textile bleaching.
- mmm. Tool and die shops.
- nnn. Tools and hardware, such as bolts, nuts and screws, doorknobs, drills, hand tools and cutlery, hinges, house hardware, locks, non-ferrous metal castings and plumbing appliances.

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- ooo. Toys.
  - ppp. Truck, truck tractor, truck trailer, car trailer, or bus storage yard, when all equipment is in operable condition, but not including a truck or motor freight terminal, which are treated under Section 9.02.
  - qqq. Umbrellas.
  - rrr. Upholstering (bulk), including mattress manufacturing, rebuilding, and renovating.
  - sss. Vehicles, children's; such as bicycles, scooters, wagons and baby carriages.
  - ttt. Watches.
  - uuu. Wood products, such as furniture, boxes, crates, baskets, and pencils and cooperage works.
  - vvv. Any other manufacturing establishment that can be operated in compliance with the Performance Standards of Section 9.03 without creating objectionable noise, odor, dust, smoke, gas, fumes, or vapor; and that is a use compatible with the use and occupancy of adjoining properties.
- 4. Professional and Business Offices.
  - 5. Public and Community Service Uses as follows:
    - a. Bus terminals, bus garages, bus lots, street railway terminals, or street car houses.
    - b. Electric substations.
    - c. Fire stations.
    - d. Municipal or privately owned recreation buildings or community centers.
    - e. Parks and recreation areas.
    - f. Police stations.
    - g. Sewage treatment plants.
    - h. Telephone exchanges.
    - i. Water filtration plants.
    - j. Water pumping stations.
    - k. Water reservoirs.

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6. Retail and services as follows:

- a. Automobile service station for the retail sale of gasoline and oil for motor vehicles, and for minor services which may be conducted out of doors.
- b. Contractor or construction such as building, cement, electrical, refrigeration, masonry, plumbing, roofing, air conditioning, heating and ventilating, fuel oil, with a storage of fuel oils, gas and other flammable products limited to twelve thousand (12,000) gallons per tank, with a total storage on zoning lots not to exceed fifty thousand (50,000) gallons.
- c. Health Clubs and Spas provided the property provides the adequate number of parking spaces per Section 12.00 of this Code.

(Ord. 12-57, 9/7/2012)

7. Wholesaling and Warehousing. Local cartage express facilities (but not including motor freight terminals).
  8. Leasing or renting of real estate, household goods or office products.
  9. Leasing commercial, industrial machinery, and equipment.
- C. Special Uses. The following uses may be allowed by Special Use Permit in accordance with the provisions of Section 13.08.
1. Adult uses.
    - a. Additional Buffers. A 0.3 opacity bufferyard with a minimum twenty (20) feet width shall be provided on all lot sides.
    - b. Separation.
      - i. The use shall be a minimum of one thousand seven hundred sixty (1,760) feet from any place of worship, school, or daycare center.
      - ii. The use shall be a minimum of one thousand seven hundred sixty (1,760) feet from any residential zoning district.
      - iii. The use shall be a minimum of one hundred fifty (150) feet from any zoning district other than M-1 or M-2.
    - c. Spacing. The minimum spacing between adult uses shall be on (1) mile.
    - d. Lot Size. The use shall be minimum one (1) acre.
    - e. Access. The use shall take access from an interior street in the manufacturing development not from an exterior roadway.
    - f. Signage. In height and shall have an area of no more than sixty (60) percent of the district standard. At the entrance to the building a notice



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shall be posted indicating that this is an adult use which may involve activities or materials that do not meet community decency standards.

- g. Alcohol. Adult uses shall not serve alcohol or allow the consumption of alcohol anywhere on the property.
- 2. Airport or aircraft landing fields.
- 3. Any use permitted in the B-3 Business District, provided the Performance Standards of Section 9.03 can be met in their entirety.
- 4. Any use which may be allowed as a Special Use in the B-3 Business District, but not including house trailer (mobile homes) camps or parks.
- 5. Body Piercing establishments.
- 6. Motor freight terminals.
- 7. Pet Boarding.
- 8. Planned Developments, industrial.
- 9. Power Generating Facilities.
  - a. Purpose and Intent. It is the purpose and intent of this Section to protect and preserve the health safety, and welfare of the Village by regulating power generating facilities, as defined in Section 3.02 of this Ordinance, within the Village.
  - b. General Standards.
    - i. A separate Special Use Permit, including an approved site development plan, must be issued for each power generating facility, as defined in Section 3.02 of the Oswego Zoning Ordinance, which is proposed to be located within the Village.
    - ii. A petition submitted for approval of a power generating facility Special Use Permit shall include but is not limited to, the following information:
      - a) The name and address of the record owner of the subject property;
      - b) The name and address of the firm proposing to construct and/or operate the facility;
      - c) A legal description and survey of the subject property prepared by an Illinois Licensed Surveyor;

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- d) A location map depicting the location of the subject property and the area surrounding it for a distance of ½ mile;
  - e) Detailed information regarding soil type, vegetation, wetlands, floodplain, ground water features, topography of undeveloped land, and other natural resource features present on and within 200 feet of the subject property;
  - f) A detailed site development plan depicting how the property will be developed with the facility, including the location of proposed buildings and structure, setback distances for proposed buildings and structures, and lot coverage;
  - g) Architectural renderings depicting the proposed appearance of the facility, including length, width, and height of proposed structures; and
  - h) Detailed information regarding the environmental impact of the facility on the subject site and adjacent land parcel, including information pertaining to noise, and the pollution of air, soil, and ground water (This information should include a Permit application, an air dispersion modeling study for NO<sub>x</sub>, CO, SO<sub>2</sub>PM, and VOMS; a noise study including existing ambient noise levels for the site, and a detailed noise abatement plan).
- iii. Criteria and factors used by the Plan Commission and Village Board to determine the appropriateness of the power generating facility Special Use Permit and whether to approve it, shall consist of, but not be limited to, the following:
- a) The compatibility of the proposed facility with existing zoning land use in the surrounding area.
  - b) The impact of the facility on adjoined land uses and the property value of adjoining lands.
  - c) The impact of the facility on the owner of the subject site and the ability to use said site.
  - d) The impact of the facility on the area transportation systems and infrastructure, including the ability to be served by local utilities.
  - e) The need for increased building setbacks based on the height of the facility and surrounding zoning and land use.

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- f) The need to buffer and/or screen adjoining uses from the facility.
  - g) Whether pollution generated by the proposed use creates health, safety, and nuisance risks.
  - h) Days and hours of operation of the facility and whether the use operates on a year-round or seasonal basis.
  - i) The means of access to the facility, including easements and/or ownership of land necessary to operate said facility.
  - j) The availability of alternative sites within and around the Village for a facility and whether a public and /or community need is met by it.
  - k) Location of the proposed facility relative to supportive services and facilities, including but not limited to natural gas lines and electric transmission lines, and its ability to utilize underground utility lines for support purposes.
  - l) The noise impact from the proposed facility experienced on surrounding properties and land uses.
  - m) The visual impact of the proposed power generating facility, when considered in the context of the surrounding properties.
- iv. The individual and relative weight to be accorded each of these criteria and factors listed in Section 9.01C above may vary depending upon the facts presented in each petition and it shall be the province of the Plan Commission to make that determination in each case.
- 10. Sanitary land fills.
  - 11. Stadiums, auditoriums and arenas.
  - 12. Tattoo establishments.
- D. Yard Areas. No building or structure shall hereafter be erected or structurally altered unless the following yards are provided and maintained in connection with such building.
- 1. Front Yard. On every zoning lot a front yard of not less than twenty-five (25) feet in depth shall be provided. However, where lots within the same block and comprising forty (40) percent of the frontage on the same street are already developed on the effective date of this Ordinance with front yards with an average depth of less than twenty-five (25) feet, then such average depth shall be the required front yard depth for such frontage in said block.



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2. Side Yards. On every zoning lot a side yard shall be provided along each side lot line. Each side yard shall be not less in width than ten (10) percent of the lot width, but need not exceed twenty (20) feet in width.
  3. Rear Yard. On every zoning lot a rear yard shall be provided and maintained of not less than twenty (20) feet in depth, except that the inner ten (10) feet may be used for off-street parking.
- E. Lot Coverage. Not more than sixty (60) percent of the area of a lot may be covered by buildings or structures, including accessory buildings.
- F. Floor Area Ratio. Not more than 0.8.

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**8.03 B-3 COMMUNITY SERVICE AND WHOLESALE DISTRICT**

**A. Permitted Uses**

1. Any use permitted in the B-1 Neighborhood Business District and in the B-2 Community Shopping District.
2. Agricultural implement sales and services when conducted wholly within an enclosed building.
3. Air conditioning and heating sales and service.
4. Animal hospitals and veterinarian offices.
5. Art galleries and studios.
6. Automobile sales and service, but not including automobile body repair and rebuilding, or painting of automobiles.
7. Automobiles and truck (under one and one-half (1½) ton capacity) minor motor repair and service shops, but not including body repair and rebuilding or painting.
8. Automobile service stations.
9. Battery and tire service stations.
10. Beverage, non-alcoholic, bottling and distributing.
11. Bicycle and motorcycle sales and repair.
12. Billiard and pool rooms, bowling alleys, dance halls and gymnasiums.
13. Blueprinting and Photostatting establishments.
14. Boat showrooms.
15. Book binding.
16. Building materials sales, when conducted wholly within a building.
17. Catering establishments.
18. Clubs and fraternal organizations.
19. Contractors' offices and shops where no fabricating is done on the premises and where all storage of material is within a building.
20. Costume rental shops.
21. Dwelling units provided they are located above the first floor and above a permitted business use. Dwelling units shall not be permitted on the ground floor of a business or in the rear of business buildings or in the rear of business establishments on the ground floor.

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22. Employment agencies.
23. Exterminating shops.
24. Feed and seed stores, wholesale.
25. Garages, public, for storage of private passenger automobiles and commercial vehicles under one and one half (1 ½) ton capacity.
26. Glass cutting and glazing establishments.
27. Greenhouse, wholesale growers.
28. Household appliance repair shops.
29. Laboratories, commercial (medical, dental, research, experimental and testing), provided no production or manufacturing of products takes place).
30. Orthopedic and medical appliance stores, but not including the assembly or manufacturing of such articles.
31. Parcel delivery station.
32. Pawn shops.
33. Pet shops, kennels or animal hospitals when conducted wholly within an enclosed building.
34. Photograph developing and processing.
35. Plumbing showrooms, heating and roofing supply shops.
36. Poultry and rabbit killing for retail sale on premises only.
37. Printing, publishing and issuing of newspapers, periodicals, books, stationery and other reading matter.
38. Public auction rooms.
39. Radio and television broadcasting stations.
40. Restaurants; drive-in, car service.
41. Riding academics.
- ~~42.~~ 42. Schools; music, dance, business, commercial or trade.
43. Second-hand stores and rummage shops.
44. Silver plating and repair shops.
45. Smoking and processing of meat products.
46. Taverns.

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47. Theatres, indoor.
48. Undertaking establishments.
49. Wholesale business, excluding a building, the principal use of which is for a storage warehouse.
50. Leasing or renting of real estate, household goods or office products.
51. Leasing commercial, industrial machinery, and equipment.

### B. Special Uses

1. Other uses similar to the above permitted uses.
2. Amusement establishments; bowling alleys, billiard parlors, gymnasiums, ice skating rinks, swimming pools, clubs and recreation centers containing one or more of the above uses.
3. Automobile laundries.
4. Cigar, cigarette and/or tobacco stores.
5. Day care center
6. Garages, public including painting, body and fender work and motor rebuilding.
7. Liquor store, packaged goods only.
8. Open sales lots.
9. Outdoor Entertainment, including but not limited to, live performances by groups and/or individuals, karaoke, etc. A Special Use Permit shall be established when a business has more than four (4) separate occurrences in any twelve (12) month period, and each occurrence shall not exceed four (4) consecutive days.
10. Public utility and governmental service uses.
11. Processing or assembly limited to the following, provided that space occupied in a building does not exceed six thousand (6,000) square feet of total floor and basement space, not including stairwells, or elevator shafts; and provided such processing or assembly can be conducted without noise, vibration, odor, dust or any other condition which might be disturbing to occupants of adjacent buildings. When manufacturing operations of the same or similar products demand space exceeding six thousand (6,000) square feet, they shall then be located in the M-1 Limited Manufacturing District:
  - a. Advertising displays.
  - b. Awnings, Venetian blinds and window shades.
  - c. Bakeries, wholesale.

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- d. Brushes and brooms.
  - e. Cosmetics, drugs and perfumes.
  - f. Electrical equipment appliances.
  - g. Food processing, packaging and distribution.
  - h. Jewelry.
  - i. Medical and dental supplies.
  - j. Optical goods and equipment.
  - k. Pattern-making.
  - l. Products from finished materials such as bond, plastic, cloth, cork, feathers, felt, fiber, paper, fur, glass, hair, horn leather, precious or semi-precious stone, rubber, shell or yarn.
  - m. Scientific and precision instruments.
12. Radio and television towers, receiving and transmitting.
13. Accessory uses to the above conditional uses including, but not limited to: off-street parking and off-street loading as regulated in Section 12.00.
- C. Yards. Same as required in the B-1 Neighborhood Business District.
- D. Floor Area Ratio. Not to exceed 1.5.
- E. Off-Street Parking and Loading. Off-street parking and loading facilities shall be provided as required or permitted in Section 12.00.

## 11.02 MANUFACTURING ZONING STANDARDS, BULK REGULATIONS AND USE TABLES

**Zoning Standards and Bulk Regulations Table**

Zoning District	Front Yard Setback*	Side/ Corner Side Yard Setback*	Rear Yard Setback*	Transitional Yard Setback*+	Floor Area Ratio	Maximum Building Height
M-1	Min 25 ft	Min 10% of lot width but no greater than 20 ft/ 25 ft	Min 20 ft	Min 30 ft	1.5	45 ft**
M-2	Min 25 ft	Min 10% of lot width but no greater than 20 ft/ 25 ft	Min 20 ft	Min 30 ft	3.0	45 ft**

\*All yard setbacks shall be landscaped and meet the Village's landscaping requirements except that curb cuts/drive entrances are permitted from the street and between lots for cross access. Parking/pavement areas and structures are prohibited in all yard setbacks except that the inner ten feet of the rear yard setback can be used for parking.

+A Transitional Yard shall be defined as a yard that abuts a residential use at the time of plan review and approval.

\*\*Table of Maximum Building Height Restrictions in Manufacturing Districts.

Zoning District	Within 500 feet of a Residential or Commercial zoned parcel (setback measured at the base of the structure)	Beyond 500 feet of a Residential or Commercial zoned parcel (setback measured at the base of the structure)
M-1	45 feet	65 feet
M-2	45 feet	100 feet, for buildings higher than 100 feet the setback is 500 feet plus two (2) feet per each one (1) foot above 100 feet.

OFF-STREET PARKING AND LOADING FACILITIES. Off-street parking and loading facilities shall be provided as permitted or required in Section 13.00.

### PERMITTED & SPECIAL USES.

#### Permitted, Special and Prohibited Use Table

P=Permitted Use    S=Special Use    X=Prohibited Use

Land Use Types	M-1	M-2
Accessory Uses	P	P
Agricultural Uses	S	S
Distribution Uses	S	S
Drive Through/In Establishment	X	X
Entertainment Uses	S	X
Adult Business Uses – subject to Montgomery Code of	X	S



Ordinances		
Finance Service	P	X
Currency Exchanges	X	X
Food Sales	X	X
Ground Mounted Solar Energy Systems in accordance with Section 4.06(11)	P	P
Health Services	P	X
Tattoo Parlor	P	X
Manufacturing Uses	P	P
Concrete or Asphalt Batching Plants including mining, loading and hauling of sand, gravel, topsoil or other aggregate	X	S
Fuel manufacturing/production/storage/sales	X	S
Food Processing	P	P
Miscellaneous	X	X
Construction Trailer – temporary during construction	P	P
Distribution Uses (Distribution Uses are Permitted Uses, except a Distribution Use shall be a Special Use when access to the proposed site is through an area zoned residential.)	P (S if access is through Residential)	P (S if access is through Residential)
Sanitary Landfill/Waste Transfer Station/Recycling Facility	X	S
Sewage Treatment Plants (permitted as an accessory use)	X	S
Sewage Pre-Treatment System	P	P
Motor Vehicle Service	P	P
Gas Station	S	S
Office Uses	P	P
Outdoor Sales accessory to principle use	S	S
Outdoor Use/Service accessory to principle use	S	S
Alternative Surfaces	S**	S**
Outdoor Storage accessory to principle use	S	S
Alternative Surfaces	S**	S**
Outdoor Sales/Use/Service/Storage (Principle Use)	S	S
Alternative Surfaces	S**	S**
Personal & Business Services	P	X
Planned Unit Development	S	S
Private Schools and Universities	X	X
Private Utilities	P	P
Public Uses	P	P
Large Active Park	S	S
Recreation, Commercial	S	S
Religious Use/Service	X	X
Residential Uses	X	X
Retail Sales	P	X
Pawnbroker	S	X
Sign: Off Premises/Billboard (subject to the requirements below in note d.)	P	X
Transportation Services	P	X
Utility Scale Solar Energy Systems in accordance with Section 4.06(11)	S	S
Warehouse Uses	P	P

Self Service Storage Warehouse	S	S
Wholesale Establishment	P	P
Fuel Sales	S	S

\* Where a given use can fit in more than one category, the more specific category shall regulate and control said use.

\*\* A special use for Alternative Surfaces may only be granted in conjunction with a special use for the category that it is a subset of.

Standards:

Outdoor storage areas for materials, products, and equipment that are not vehicles or piece of equipment offered for sale shall comply with the following requirements:

1. The owner or operator is required to submit a detailed plan describing the intended purpose of the use. This plan shall include but is not limited to the following: type and weight of vehicles, items to be stored on the surface, average daily vehicle trips conducted on the surface, other operations conducted on the site and dust mitigation activities.
2. Storage spaces or areas, drives and aisles shall be constructed of a minimum of 10 inches of material uniformly compacted to a minimum of ninety-five (95) percent standard proctor density or methods approved by the Village Engineer. Specified material shall be approved by the Village Engineer. Additional material depth may be required based on the use of the site subject to Village Engineer approval.
3. The owner or operator is required to engage in periodic dust control measures, including treating the alternative surface with calcium chloride on an as needed basis.
4. The owner or operator shall provide the Village an access easement over all areas utilizing an alternative surface pursuant to these provisions. In accordance with said easement, the Village will conduct periodic reviews of the site's dust control and to perform any mitigation actions it deems necessary. Prior to engaging in site remediation, the Village will provide the owner or operator with written notice identifying the violation and the owner or operator will be afforded seventy-two (72) hours to resolve. To the extent that the owner or operator fails to adequately address said violation to the satisfaction of the Village, thereby requiring Village to remediate said nuisance, the Village will deduct all applicable funds from the owner or operator's deposit. The owner or operator will be required to replenish said deposit within fifteen (15) days of receiving notice so that the account remains its proper balance of \$5,000.00.
5. The alternative surface cannot be located closer than 250 feet from a public right of way.
6. The alternative surface cannot be located closer than 250 feet from commercial or residential zoned property.
7. The alternative surface shall be maintained by the owner or operator to the satisfaction of the Director of the Community Development Department or other designee of the Village Administrator, including re-grading or restoration as needed due to traffic use, or storm related degradation. In the event that the alternative surface material degrades to a point



that increases the nuisance occurrences the material shall be removed and replaced with fresh material.

a. **New Compatible Uses:**

The Director of Community Development, or appointed designee, may allow a land use to be considered as a permitted or special use which, though not identified by name in a zoning district list of permitted or special uses, is deemed to be similar in nature, and clearly compatible with the listed uses. The officer shall consult the North American Industry Classification System (NAICS) to determine similarity or compatibility. However, such non-listed uses shall not be approved until the application for such use has been reviewed by the village attorney.

b. **Addition of Non-listed Uses to Zoning Ordinance:**

All non-listed uses that may be approved may be added to the appropriate use list at the time of periodic updating and revision. The officer shall, upon approving a use not specifically listed in this title, notify the planning commission and village board of trustees.

c. **Adult Business Uses Restrictions:**

**Dispersion restriction:**

No regulated use hereunder shall be located within 1000 feet of any other such use.

**Location restriction:**

No regulated use shall be permitted to operate on a parcel of land of which any portion of that parcel falls within three hundred feet (300') of the right-of-way line of Route 30, Route 31, and Orchard Road.

The structure in which is located any regulated use hereunder shall be located at least 1100 feet from the nearest property line of any land in any residential zone, or of any public, private or parochial school, park, playground, or church, convent, monastery, synagogue or similar place of worship, in any other zone.

However, the prohibition of this section shall be specially waived in any particular case upon the presentment to the village clerk and verification of a validated petition requesting such waiver signed by 51 percent of those persons owning real property, or otherwise residing or operating a business, within 1100 feet of the proposed location of the regulated use hereunder.

d. **Sign: Off Premises/Billboard must meet the following requirements:**

- 1) must be within 100 feet of an on/off ramp leaving a limited access highway owned or controlled by the State of Illinois or The United States of America (roads or highways owned or controlled by a County, Township or Municipality do not satisfy this provision),  
an
- 2) Must be more than 950 feet away from any property zoning Residential (R) District, and
- 3) Must be a non-electronic static sign (the sign is allowed to be illuminated in a manner that does not impair automobile driver's vision or is broadcasted toward residential structures),  
and

- 4) Must be separated from any other Off Premises/Billboard sign by at least 1,000 feet that is within the Village jurisdiction and is on the same side of the right of way that the proposed sign is on, and
- 5) Overall Size: Max 300 sq ft. and Minimum 200 sq. ft. and
- 6) Overall Height: Max 35 ft., and
- 7) Max. Allowable Surface Display Area: 300 sq. ft.

### **11.03 ADDITIONAL LAND USE DEFINITIONS**

- I. The definitions below are intended to provide an understanding and scope of each general land use category listed above. The definitions are not all inclusive and the zoning enforcement officer has the discretion to review and deny a use if in their opinion it does not meet the intent of the definition.
  - a. **Alternative Surfaces:** Acceptable alternative surfaces that will be considered are Crushed Limestone Aggregate meeting the IDOT standard gradation CA-1 or CA-7. Other materials may be considered for use as alternative surfaces subject to Village engineer approval.
  - b. **Agricultural Uses:** Any use which includes farming, plowing, tillage, cropping, installation of best management practices, seeding, cultivating, or harvesting for the production of food and fiber products such as fruits, vegetables, grains, trees, sod, landscape plants etc. This uses excludes animal husbandry, the use of animals for production of food or fiber products, grazing and raising of livestock or any other use involving animals.
  - c. **Distribution Uses:** A building, structure, parcel of land, or portion therefore in which:  
1) freight is shipped by airplane, motor truck or railroad: or 2) freight is received, assembled, sorted and/or rerouted for local, intrastate, or interstate shipment.
  - d. **Drive Through/In Establishment:** An establishment or part thereof in which patrons order commodities or process transactions at a window or electronic device used for communication or are served while still in their vehicles (for example, fast food restaurants, banks, pharmacies etc.).
  - e. **Entertainment Uses:** An establishment which provides indoor entertainment on site (for example, bowling alley, arcades, skate rinks, clubs etc).
  - f. **Financial Services:** An establishment which provides financial services (for example, banks, credit unions, savings and loans, etc.).
  - g. **Food Sales:** Any food service use that sells or serves foodstuff articles directly to patrons on site or off site for human consumption (for example, restaurant, grocery store, alcoholic beverages, etc). This excludes off-site catering services and manufacturing and distribution facilities of food products.

- h. Health Services: An establishment that provides health care services to people, not animals (for example, hospitals, emergency rooms, clinics, doctor offices, etc.).
  - I. Tattoo Parlor: An Establishment whose principal business activity, either in terms of operation or as held out to the public, is the practice of placing designs, letters, figures, symbols, or other marks upon or under the skin of any person, using ink or other substances that result in the permanent coloration of the skin by means of the use of needles or other instruments designed to contact or puncture the skin.
- i. Manufacturing Use: Any manufacturing use or process including assembling, fabricating, altering, converting, finishing, processing, treating and packaging, except any use or process hereinafter specifically excluded, and providing that such use will not be hazardous, offensive or objectionable by reason of odor, dust, cinders, gas, fumes, noise, vibrations, radiation, refuse matter or water-carried waste.
  - I. Food Processing: The preparation, processing, or canning and packaging of food products. Examples of activities included are bakeries and meat, poultry, and seafood canning curing and byproduct processing (not including facilities that also slaughter animals).
- j. Motor Vehicle Service/Gas Station: An establishment that services, sells, buys, trades or rents motor vehicles on site (for example, gas station, service of oil, brakes, tires, mufflers, transmissions, body shops, car sales/rental, car washes, etc.). All vehicles under service by a body shop shall be kept indoors at all times.
- k. Office/Service Uses: An establishment that uses space for conducting the affairs of a business, profession, service industry or government.
- l. Outdoor Sales/Service/Use: Any use that has outdoor sales or service/processing areas or any use that is not fully enclosed within a building on site and is accessory to the principle use on site.
  - ii. Outdoor Sales/Use/Service/Storage as a Principle Use: Any use which the primary purpose is to sell, use, service, and/or store products or activities outdoors, without any other principle use.
- m. Outdoor Storage: An establishment that stores products or goods outdoors on site and is accessory to the principle use; this excludes vehicles used as part of the business operation (for example, dump trucks, backhoes, bulldozers etc.).
- n. Personal & Business Services: An establishment that provides services to consumers (for example, insurance, salon, attorney, veterinarian, teaching facilities for trades, gymnastics, martial arts etc., consulting and contracting firms etc.).
- o. Planned Unit Development: As defined in Section 3.02.
- p. Private Schools and Universities: Any school or teaching institution that is not an Illinois public school as defined under Illinois State law (for example, parochial schools, private universities, excluding businesses teaching martial arts, ballet, gymnastics, trades etc.).



- q. Private Utilities: Facilities or their apparatus that provide transmission, transfer, and distribution of utility services that are owned and operated by non-public entities (for example, ComEd electrical substation, Nicor gas utility, AT&T phone utility, Comcast cable utility, radio, cellular and television towers etc.).
- r. Public Uses: Any local, state, or federal agency, office or service (for example, Village Hall, Police Station, Fire Station, Library, Post Office, Public School, public utility etc.).
- s. Recreation, Commercial: Any commercial enterprise which receives a fee in return for the provision of some recreational activity including but not limited to: indoor and outdoor athletic training facilities, paintball courses, and batting cages, but not including entertainment uses.
- t. Religious Use/Service: An establishment that provides religious or spiritual services for worship and congregation including administrative offices and other meeting rooms (for example, churches, parishes, rectories, temples, etc.).
- u. Residential Uses: An establishment that permit persons on premises to sleep on site or use as a permanent or semi-permanent residence (for example, apartment, loft, condo, nursing home, bed & breakfast, etc.).
- v. Retail Sales: An establishment that sells or rents goods and commodities to consumers (for example, clothing, pharmacy, home goods etc.).
- w. Sewage Pre-Treatment System: A system that reduces, eliminates or alters the nature or amount of pollutants or its properties prior to or in lieu of introducing such pollutants into the Publically Owned Treatment Works (POTW). This reduction or alteration can be obtained by physical, chemical or biological processes; by process changes; or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard.
- x. Transportation Service: An establishment that offers transportation services directly to the consumer (for example, livery, taxi, limousine, bus, train, ambulance etc.).
- y. Warehouse Uses: Any use which stores manufactured goods and products in completely enclosed buildings; this excludes self-service storage warehouses/facilities.
- z. Wholesale Establishment: An establishment or business that primarily engages in selling and/or distributing merchandise to retailers, industrial, commercial, institutional, or professional business users or to other wholesalers or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individual or companies; sales to individual consumers is permitted but should not be the primary use of the business.

## Sec. 9-13. - Uses.

- (1) *Table of permitted and special uses.* Table II-1 (Permitted and Special Uses in All Zoning Districts) of this article lists the uses that are permitted as-of-right, by special uses approval, and by revocable permit approval for each zoning district. The table is divided by general land use categories (e.g., residential, commercial). These general land use categories are subdivided into groups of similar land uses (e.g., eating and drinking establishments) and these groups are subdivided into the specific land uses (e.g., the eating and drinking establishment group lists café, restaurant, and tavern).
- (2) *Permitted uses.* Uses identified with a "P" in Table II-1 are permitted as of right in the subject district, provided the uses comply with all other applicable standards of this ordinance. No building or parcel of land shall be devoted to any use other than a use permitted in the zoning district in which it is located, except for:
- Uses lawfully established prior to the effective date of this zoning ordinance in accordance with Article XII, Nonconformities, of this ordinance.
  - Special uses allowed in accordance with [section 9-37](#), Special uses, and paragraph (2) of this section.
  - Uses permitted by revocable permit in accordance with [section 9-61\(9\)\(g\)](#), Standards for the B Districts, and paragraph (2) of this section.
- (3) *Special uses.* Uses identified with an "S" in Table II-1 are considered special uses and may be permitted in the subject district only after review and approval in accordance with [section 9-37](#), Special Uses, of this Ordinance.
- (4) *Uses permitted by revocable permit.* Uses identified with an "R" in Table II-1 may be permitted in the subject district only after review and approval in accordance with [section 9-61\(9\)\(g\)](#), Standards for the B Districts, of this ordinance.
- (5) *Prohibited uses.* Uses identified with a "-" in Table II-1 are expressly prohibited in the subject district. Uses that are not listed may also be prohibited; determination of whether an unlisted use may be permitted shall be made by the village planner in accordance with [section 9-25](#), Interpretation.
- (6) *Notes.* A note within a cell in the table, e.g., "(1)", indicated that the use may be allowed under certain conditions. The explanation or reference is found at the bottom of the table.

Table II-1. Permitted and Special Uses in All Zoning Districts

Use Category	Zoning District															
	Residential								Business				Industrial			
	RE	R-1	R-1 O	R-2	R-3	R-4	CV	TN	B-1	B-3	B-5	BT	I-1	I-2	AG	
RESIDENTIAL																
Household living																
Single-family dwelling	P	P	P	P	P	P	P	P				P			P	
Duplex				P	P	P	P	P								
Townhouse					P	P	P	P								
Multi-family dwelling						P					S				(1)	
Group living																
Assisted living facility	S	S	S	S	S	S	S	S	S	S						
Group home	S	S	S	S	S	S	S	S	S	S						
Nursing home	S	S	S	S	S	S	S	S	S	S						
Transitional shelter	S	S	S	S	S	S	S	S	S	S						
Group living not otherwise classified	S	S	S	S	S	S	S	S	S	S						
COMMERCIAL																
Adult use														P		
Animal services																
Animal grooming sales and service									P	P	P					
Animal hospital/veterinarian									P	P						
Animal shelter/kennel									S	S			P	P	S	
Artist studio								S	P	P	P	P	P	P		
Auction house										S						
Bakery, retail								S	P	P	P					
Building maintenance service									S	P	S					
Business support service									P	P	P					

Communications sales and service										P	P	P				
Construction sales and service																
Building material sales											P					
Construction/contractor storage yard											P			P	P	
Drive-through facility										S	S	S				
Dry cleaning, laundry pickup, and plant serving not more than one retail outlet								S		P	P	P				
Dry cleaning plant serving more than one retail outlet											S			P	P	
Eating and drinking establishments																
Brew-pub										P	P	P				
Microbrewery										P	P	P				
Cafe, coffee shop, soda fountain								S		P	P	P	S			
Restaurant										P	P	P	S			
Specialty food shop/carry-out										P	P	P	S			
Tavern										P	P	P				
Entertainment and recreation																
Arcade, amusement, billiard/pool hall											P	S				
Camp, day or youth											S			S		
Health club											P	S		P		
Recreation facility, private	S	S	S	S	S	S	S	S	S	S	P	S		S		
Stable	S	S	S								P					P
Theater										S	P	S				
Financial services																
Bank, credit union, savings and loan								S		P	P	P				
Brokerage or financial advising										P	P	P				
Currency exchange											P					
Flea market										S	P	S				
Food and beverage retail sales																
Convenience store								S		S	P	P				
Grocery store								S		P	P	P				
Liquor store (package goods)										S	P	P				
Liquor store (as accessory use)								S		S	P	P				
Supermarket											P					
Funeral and internment services																
Cemetery	S	S	S	S	S	S	S	S			S					
Cremating										S	P			P		
Funeral home or undertaking								S		S	P		S			

Garden center									P	P	P				
Home occupations	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)							
Lodging															
Bed and breakfast	S	S	S	S	S	S	S	S				S			S
Campground													S		
Hotel/motel									S	P	S				
Youth hostel									S	S	S	S			
Medical clinic or service, massage therapy								S	P	P	P	P	P		
Newspaper printing presses										P			P		
Office (except as more specifically regulated)															
GFA less than/equal to 10,000 sq. ft.								S	P	P	P	P	P		
GFA over 10,000 sq. ft.										P	S		P		
Outdoor sales display (except as otherwise permitted, see <a href="#">section 9-61</a> )									S	S	S	S			
Outdoor uses within public right-of-way											P				
Parking															
Garage as principle use									S	P	S		S		
Non-accessory parking lot									P	P	P		P	P	
Personal services															
Barber shop/hair salon								S	P	P	P	P			
Beauty, nail, or tanning salon								S	P	P	P	P			
Body art service										P					
Fortune telling service										P					
Repair service, consumer									P	P	P	P			
Retail sales and service (except as more specifically regulated)															
GFA less than 15,000 sq. ft.								S	P	P	P	S			
GFA 15,000—24,999 sq. ft.										P	P				
GFA 25,000 or more sq. ft.										P					
Services, consumer															
Car and light truck rental										P		S			
Car wash										P			P		
Catering									P	P	P				
Laundromat								S	P	P	P				
Taxidermist									S	P	S		P		
Service station, automotive									S	P	S		P		
Vehicle sales and service															
Auto body and/or repair										S			P		

Auto supply or auto accessory									P	P	P				
Auto/light truck sales and service										P					
Boat/RV sales, service or storage										P					
Heavy equipment sales or service										P			P		
Motorcycle sales or service										P					
Vehicle storage and towing										P			P		
Wholesale establishments										P					
INDUSTRIAL															
Asphalt plant														P	
Brewery													P	P	
Concrete plant—Indoor														P	
Concrete plant—Outdoor														S	
Hazardous material storage/disposal														S	
Incinerator														S	
Industry and manufacturing															
Light													P	P	
Medium													S	P	
Heavy														P	
Junk/salvage yard													S	P	
Recycling facility													S	P	
Warehouse, storage, and freight transportation															
Freight terminal, truck													S	S	
Freight terminal, rail or intermodal													S	S	
Moving and storage													P	S	
Outdoor storage, contained material										S			P	S	
Outdoor storage, uncontained raw materials													S	S	
Self-storage facilities										S			S		
Warehouse													P	P	
PUBLIC, CIVIC, EDUCATIONAL, OTHER															
Agriculture															
Dairy farm including processing															P
Farming on lot 40 or more acres	P	P	P	P	P	P	P	P							P
Farming, field and garden crops, less than 0.5—40 acres	P	P	P	P	P	P	P	P					P	P	P
Farm stand															P
Feedlot															P
Grain storage															P



Greenhouse, commercial										P			P	P	P
Hatchery, poultry															P
Roadside market										P					P
Child care facilities															
Child care facility other than day care home and foster home	S	S	S	S	S	S	S	S	P	S	P				
Preschool	S	S	S	S	S	S	S	S	P	S	P				
Day care home and foster home	P	P	P	P	P	P	P	P	P	P	P				P
Community center	S	S	S	S	S	S	S	S	P	P	P				
Donation box(es)									(3)	(3)	(3)		(3)	(3)	
Educational facility															
College and university								S	S	S	S				
School, kindergarten thru high school	S	S	S	S	S	S	S	S	S		S				
Trade school, music school, dance school								S	S	P	S				
Heliport									S	S	S		S	S	S
Hospital													S	S	
Library	S	S	S	S	S	S	S	S	S	S	S				
Lodge, fraternal and civic assembly								S	P	P	S				
Parks and playgrounds	P	P	P	P	P	P	P	P	P	P	P				
Police and fire stations	S	S	S	S	S	S	S	S	P	P	P		P	P	
Postal service	S	S	S	S	S	S	S	S	S	S	S		S	S	
Planned development	S	S	S	S	S	S	S	S	S	S	S	S	S	S	
Religious use															
Religious assembly	S	S	S	S	S	S	S	S	S	S	S	S	S		
Religious institution	S							S	S	S	S	S	S		
Utilities															
As part of subdivision plat	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Not as part of subdivision plat	S	S	S	S	S	S	S	S	S	S	S	S	P	P	S
Cannabis															
Cannabis dispensaries										S			S	S	
Cannabis cultivation centers													S	S	

## Notes:

- (1) Only if an accessory use to agriculture.
- (2) Permitted, subject to provisions of [section 9-19](#).
- (3) Permitted, subject to provisions of [section 9-16\(8\)](#).

(Ord. No. 2848, § I, 3-16-09; Ord. No. 3165, § 2(Exh.A), 7-7-14; Ord. No. 3216, § I, 6-1-15)

PUBLIC NOTICE  
NOTICE OF PUBLIC HEARING  
BEFORE  
THE UNITED CITY OF YORKVILLE  
PLAN COMMISSION  
PC 2016-06

NOTICE IS HEREWITH GIVEN THAT the United City of Yorkville, Kendall County, Illinois, petitioner, is proposing a text amendment to Chapter 6: Permitted and Special Uses in the Zoning Ordinance to identify Commercial school, trade school as special uses in the M-1 Limited Manufacturing and M-2 General Manufacturing districts and proposing a text amendment to Chapter 2: Rules and Definitions in the Zoning Ordinance to redefine the definition of trade school to “A school established to provide for the teaching of academic, industrial, clerical, managerial, artistic skills, or alternative education. This definition applies to schools that are owned and operated privately for profit or non profit and that may offer a complete education curriculum.” This text amendment will provide regulations for the establishment and operation of such uses in these zoning districts.

NOTICE IS HEREWITH GIVEN THAT the Plan Commission for the United City of Yorkville will conduct a public hearing on said application on Wednesday, April 13, 2016 at 7 p.m. at the United City of Yorkville, City Hall, located at 800 Game Farm Road, Yorkville, Illinois 60560.

The public hearing may be continued from time to time to dates certain without further notice being published.

All interested parties are invited to attend the public hearing and will be given an opportunity to be heard. Any written comments should be addressed to the United City of Yorkville City Clerk, City Hall, 800 Game Farm Road, Yorkville, Illinois, and will be accepted up to the date of the public hearing.

By order of the Corporate Authorities of the United City of Yorkville, Kendall County, Illinois.

BETH WARREN  
City Clerk

BY: Lisa Pickering  
Deputy Clerk



Reviewed By:	
Legal	<input type="checkbox"/>
Finance	<input type="checkbox"/>
Engineer	<input checked="" type="checkbox"/>
City Administrator	<input checked="" type="checkbox"/>
Human Resources	<input type="checkbox"/>
Community Development	<input checked="" type="checkbox"/>
Police	<input type="checkbox"/>
Public Works	<input type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>

Agenda Item Number

NB #6

Tracking Number

PC 2016-07

### Agenda Item Summary Memo

**Title:** Lot 19 Commercial Drive (Special Use Amendment)

**Meeting and Date:** EDC/April 5, 2016

**Synopsis:** Request for an Amendment to a Special Use Permit for a public self storage facility located at 147 Commercial Drive.

#### Council Action Previously Taken:

Date of Action: July 28, 2015 Action Taken: Special Use Approval

Item Number: \_\_\_\_\_

**Type of Vote Required:** Informational

**Council Action Requested:** Feedback

**Submitted by:** Chris Heinen Community Development  
Name Department

#### Agenda Item Notes:

See attached memo.



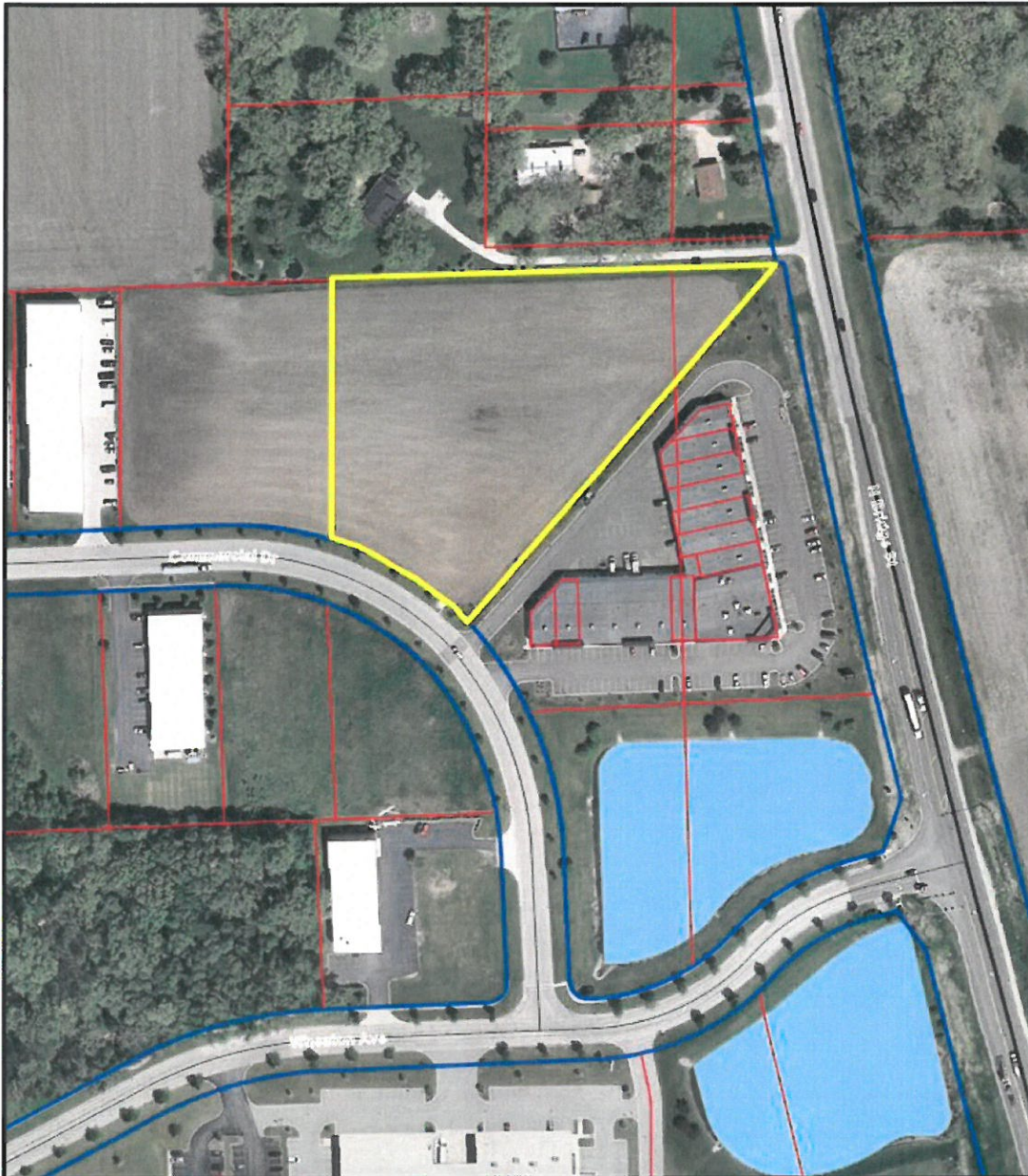
# Memorandum

To: Economic Development Committee  
From: Chris Heinen, Planner  
CC: Bart Olson, City Administrator  
Krysti J. Barksdale-Noble, Community Development Director  
Date: March 18, 2016  
Subject: **PC 2016-07 – Self Storage Facility (Special Use Amendment) – Lot 19 Commercial Drive**

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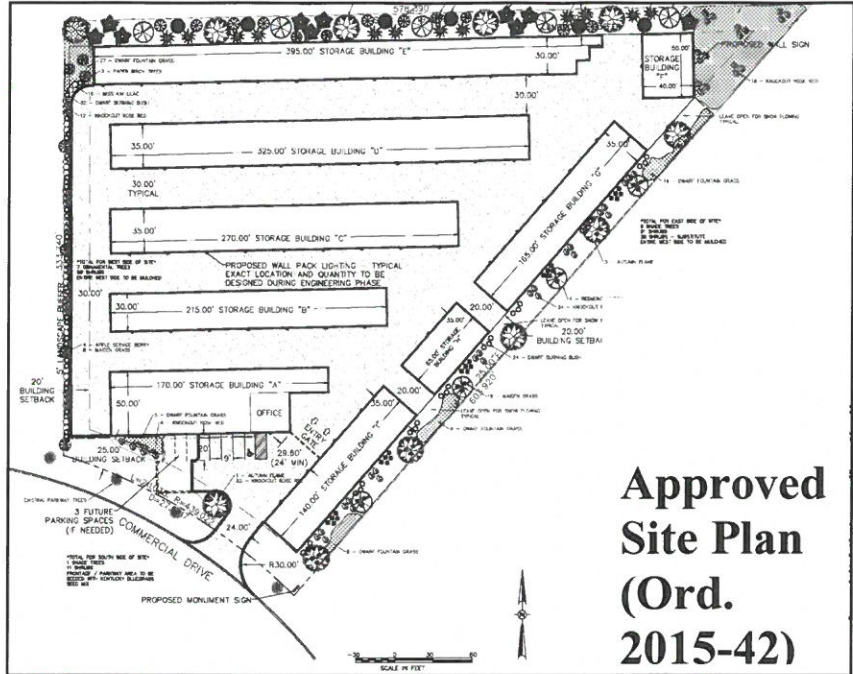
## **Background & Request:**

The petitioner, Terry Richards, petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting to amend a special use approved for a public storage facility pursuant to Chapter 6, Table 10.06.03 of the Yorkville Zoning Ordinance. The amendments to the special use include relocation of the buildings on the property, increasing the number of buildings on the property and increasing the landscape materials, all as shown on a new site plan for the development of the property. The real property is located at 147 Commercial Drive in Yorkville, Illinois.





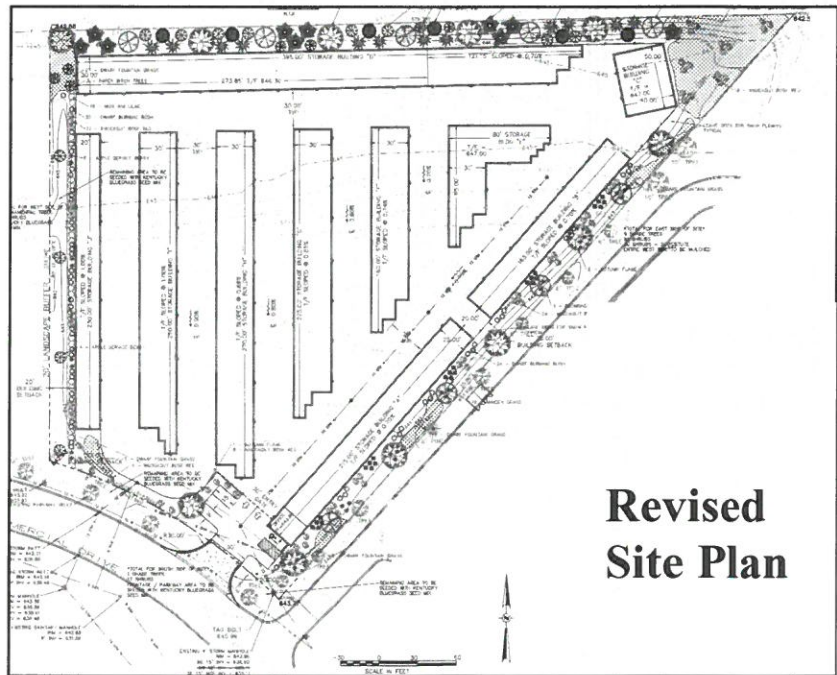
The property was annexed pursuant to an annexation agreement on March 23, 1995 to the City of Yorkville by the Inland Land Appreciation Fund, L.P as part of a larger land development plan subsequently zoned R-2, B-3 and M-1. The property in question fell under the B-3 zoning classification upon annexation. The petitioner originally submitted plans in storage facility. During these petitions, City Council approved the following: Ordinance 2015-41, rezoning the property from B-3 to M-1; Ordinance 2015-42, granting a



**Approved  
Site Plan  
(Ord.  
2015-42)**

special use for the public storage facility; Ordinance 2015-44, granting a lot coverage variance. Since the original approval, the petitioner has been working on completing the final engineering for the site. Upon reviewing the final engineering plans, staff noticed that the layout of the buildings and the number of buildings had changed from the approved plans. This change brought forth the petition before you for a special use amendment.

The petitioner is looking to construct ten (10) self storage buildings. The main entrance will be located on Commercial Drive. The petitioner is proposing five (5) parking stalls, which includes one (1) handicapped accessible stall. The plan also indicates an additional three (3) parking stalls for the future, if needed. The property will be secured by fencing and an entry gate that will be accessible by the Fire Department via a Knox Box. The overall lot coverage, which includes buildings and pavement, has decreased from approximately 80% in the original plan to 79% in this current plan. The 20 foot landscape buffer along the northern property line will remain the same as the original plan. Additional buffering/landscaping is proposed along the eastern and western property lines as part of the new site layout.



**Revised  
Site Plan**

**EXISTING CONDITIONS:**

The existing zoning and land use for properties surrounding the subject property are as indicated below:

	<b>Zoning</b>	<b>Land Use</b>
<b>North</b>	Kendall County	County Residences
<b>East</b>	B-3, General Business District	Vacant/Commercial Building
<b>South</b>	B-3, General Business District	Vacant/Commercial Building
<b>West</b>	M-1, Limited Manufacturing	Vacant Parcel

**SPECIAL USE CRITERIA:**

Section 10-4-9F of the City's Zoning Ordinance establishes standards for special use requests. No special use shall be recommended by the plan commission unless said commission shall find that:

1. The establishment, maintenance or operation of the special use will not be unreasonably detrimental to or endanger the public health, safety, morals, comfort or general welfare.
2. The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood.
3. The establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.
4. Adequate utilities, access roads, drainage or other necessary facilities have been or are being provided.
5. Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.
6. The special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the city council pursuant to the recommendations of the plan commission.

**The applicant has provided written responses to these special use and amendment standards as part of their application and requests inclusion of those responses into the public record at the April 13, 2016 Plan Commission meeting.**

**Staff Comments:**

The proposed change in the site layout of the property is supported by staff. A public hearing is scheduled on April 13, 2016 before the Plan Commission. A recommendation will be forwarded to the City Council for consideration at the April 26, 2016 regularly scheduled meeting. Staff will be available to answer any question the Economic Development Committee may have at Tuesday night's meeting.

**Attachments:**

1. Copy of Petitioner's Application w/exhibits.
2. Copy of Public Notice.





## United City of Yorkville

800 Game Farm Road  
Yorkville, Illinois 60560  
Telephone: 630-553-4350  
Fax: 630-553-3436

# APPLICATION FOR SPECIAL USE

### Purpose of Application

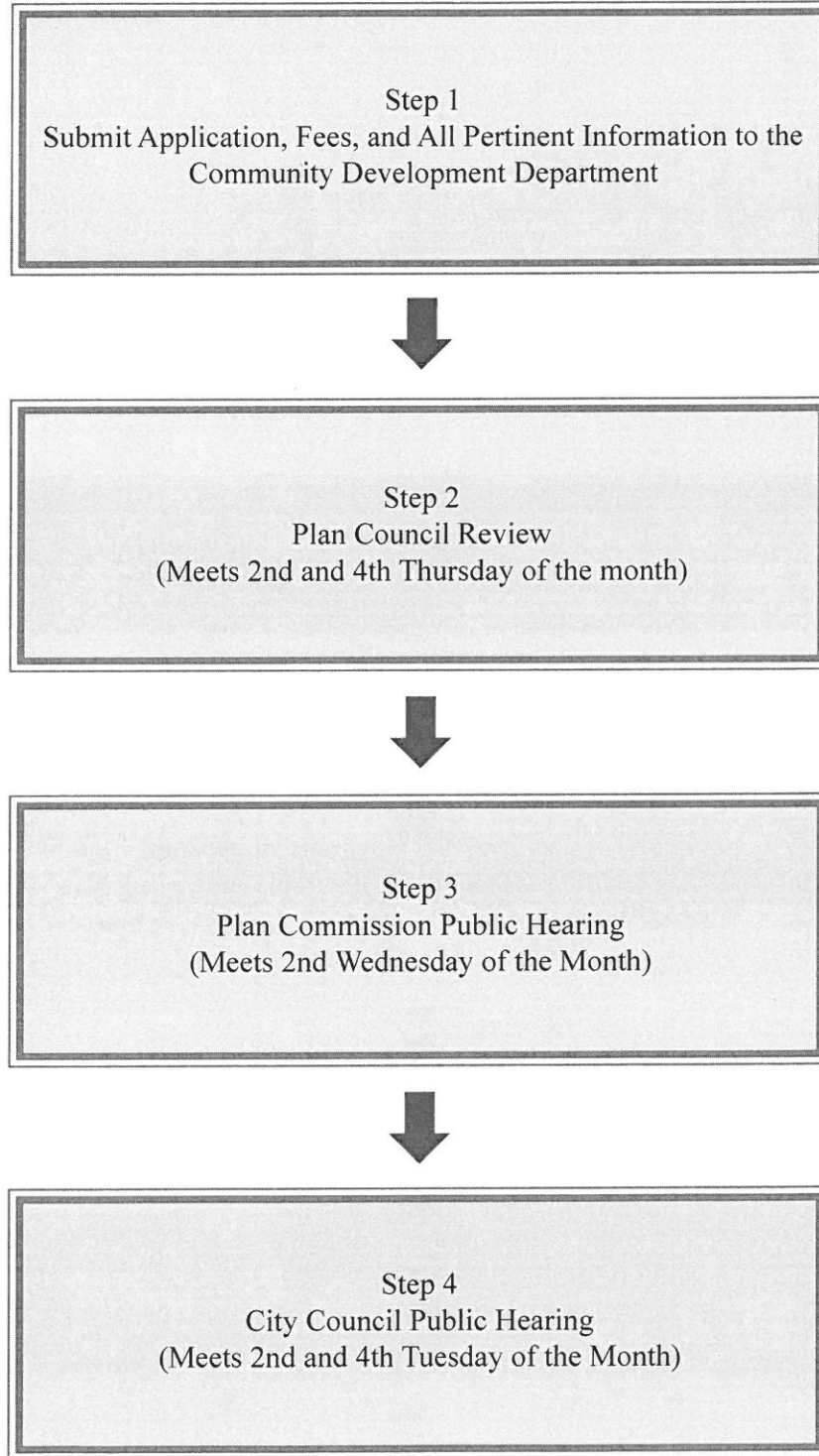
The purpose of the zoning code is based upon the authority of the city to divide its land into districts by use, bulk, location of building and structures, in a substantially uniform manner. It is recognized that while some uses are permitted under the zoning code to keep uniformity, a case-by-case analysis must be conducted for certain permitted uses to discover the impact of those uses on neighboring land and of the public need for the particular use at the particular location. In these cases a special use must be granted.

This packet explains the process to successfully submit and complete an Application for Special Use. It includes a detailed description of the process and the actual application itself (Pages 6 to 10). Please type the required information in the application on your computer. The application will need to be printed and signed by the applicant. The only item that needs to be submitted to the city from this packet is the application. The rest of the packet is to help guide you through the process unto completion.

For a complete explanation of what is legally required throughout the Special Use process, please refer to "Title 10, Chapter 4, Section 9 Special Uses" of the Yorkville, Illinois City Code.

## Application Procedure

### Procedure Flow Chart





## Application Procedure

### Step 1

#### **Application Submittal**

The following must be submitted to the Community Development Department:

- 2 original signed applications with legal description.
- 5 copies each of the application and exhibits, proposed drawings, location map, and site plan. Large items must be folded to fit in a 10" x 13" envelope.
- Appropriate filing fee. (See attached Fee Sheet on page 5)
- 1 CD containing an electronic copy (pdf) of each of the signed application (complete with exhibit), proposed drawings, location map, and site plan. A Microsoft Word document with the legal description is required on the CD.

Within one (1) week of submittal, the Community Development Department will determine if the application is complete or if additional information is needed. These materials must be submitted a minimum of 45 days prior to the targeted Plan Commission meeting. An incomplete submittal could delay the scheduling of the project.

Applicant will be responsible for payment of recording fees and public hearing costs, including written transcripts of the public hearing and outside consultant costs (i.e. legal review, land planner, zoning coordinator, environmental, etc.). The applicant will be required to establish a deposit account with the city to cover these fees. The Petitioner Deposit Account/Acknowledgement of Financial Responsibility form is attached to this document and must be submitted with the application.

### Step 2

#### **Plan Council**

Applicant must present the proposed plan to the Plan Council. The Plan Council meets on the 2nd and 4th Thursday of the month. The members of the Council include the Community Development Director, City Engineer, the Building Department Official, the Public Works Director, the Director of Parks and Recreation, a Fire Department Representative, and a Police Department Representative. Upon recommendation by the Plan Council, applicant will move forward to the Plan Commission hearing.

### Step 3

#### **Plan Commission**

Applicant will attend a public hearing conducted by the Plan Commission. The Plan Commission meets on the 2nd Wednesday of the Month at 7:00pm. Notice will be placed in the Kendall County Record by the United City of Yorkville. The applicant is responsible for sending certified public hearing notices to adjacent property owners within 500 feet of the subject property no less than 15 days and no more than 30 days prior to the public hearing date. Twenty Four (24) hours prior to the public hearing, a certified affidavit must be filed by the applicant with the Community Development Department containing the names, addresses and permanent parcel numbers of all parties that were notified.

The Plan Commission will conduct a public hearing on the request, take public comments, discuss the request, and make a recommendation to City Council. No special use shall be recommended by the Plan Commission unless it follows the standards (page 8 and 9) set forth in city's zoning code.

## Application Procedure

### Step 4

#### City Council

Applicant will attend the City Council meeting where the recommendation of the special use will be considered. The City Council meets on the 2nd and 4th Tuesdays of the month at 7:00pm. City Council will make the final approval of the special use.

#### Dormant Applications

The Community Development Director shall determine if an application meets or fails to meet the requirements stated above. If the Director determines that the application is incomplete it will become dormant under these circumstances:

- The applicant has been notified of such deficiencies and has not responded or provided a time line for completing the application within ninety (90) days from the time of notification.
- The applicant has not responded in writing to a request for information or documentation from the initial plan commission review within six (6) months from the date of that request.
- The applicant has not responded to a request for legal or engineering deposit replenishment for city incurred costs and fees within ninety (90) days from the date of the request.

If the Community Development Director has sent the required notice and the applicant has not withdrawn their application or brought it into compliance, then the director shall terminate the application. After termination, the application shall not be reconsidered except after the filing of a completely new application.

Withdrawal or termination of an application shall not affect the applicant's responsibility for payment of any costs and fees, or any other outstanding debt owed to the city. The balance of any funds deposited with the city that is not needed to pay for costs and fees shall be returned to the applicant. (Ord. 2011-34, 7-26-2011)

**United City of Yorkville**

800 Game Farm Road

Yorkville, Illinois 60560

Telephone: 630-553-4350

Fax: 630-553-7575

**INVOICE & WORKSHEET  
PETITION APPLICATION**

CONTACT:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DEVELOPMENT/ PROPERTY:

RichardsAcreage: 3.60Date: 3/9/16

**Concept Plan Review:** ☐ Yes ☐ No \$ \_\_\_\_\_  
Engineering Plan Review Deposit of \$500 due

**Amendment:** ☐ Yes ☐ No \$ \_\_\_\_\_  
\$500.00 Fee due for each: (Annexation) (Plan) (Plat) (PUD)

**Annexation:** ☐ Yes ☐ No \$ \_\_\_\_\_  
\$250.00, plus \$10/acre for each acre over 5.  
# of acres: \_\_\_\_\_ - 5 = \_\_\_\_\_ x \$10 = \_\_\_\_\_ + \$250

**Rezoning:** ☐ Yes ☐ No \$ \_\_\_\_\_  
\$200.00, plus \$10/acre for each acre over 5.  
# of acres: \_\_\_\_\_ - 5 = \_\_\_\_\_ x \$10 = \_\_\_\_\_ + \$200  
If annexing and rezoning, charge only 1 per acre fee.  
If rezoning to a PUD, charge PUD Development Fee- not Rezoning Fee.

**Special Use:** ☐ Yes ☐ No \$ \_\_\_\_\_  
\$250.00, plus \$10/acre for each acre over 5.  
# of acres: \_\_\_\_\_ - 5 = \_\_\_\_\_ x \$10 = \_\_\_\_\_ + \$250

**Zoning Variance:** \$85.00 ☐ Yes ☐ No \$ \_\_\_\_\_  
Outside Consultants deposit of \$500.00 due

**Preliminary Plan Fee:** \$500.00 ☐ Yes ☐ No \$ \_\_\_\_\_

**P.U.D. Fee:** \$500.00 ☐ Yes ☐ No \$ \_\_\_\_\_

**Final Plat Fee:** \$500.00 ☐ Yes ☐ No \$ \_\_\_\_\_

**Engineering Plan Review Deposit:** ☐ Yes ☐ No \$ \_\_\_\_\_  
☐ Less than 1 acre = \$1,000 due  
☐ Over 1 acre and less than 10 acres = \$2,500 due  
☐ Over 10 acres and less than 40 acres = \$5,000 due  
☐ Over 40 acres and less than 100 acres = \$10,000 due  
☐ Over 100 acres = \$20,000 due

**Outside Consultants Deposit:** ☐ Yes ☐ No \$ \_\_\_\_\_  
Legal, Land Planner, Zoning Coordinator, Environmental Services  
**Annexation, Subdivision, Rezoning, and Special Use:**  
☐ Less than 2 acres = \$1,000 due  
☐ Over 2 acres and less than 10 acres = \$2,500 due  
☐ Over 10 acres = \$5,000 due

**TOTAL AMOUNT DUE:** \$ \_\_\_\_\_  
Word/ O Drive/ Dev. Dep. ARO/ Fee Sheet Wkst

## Application For Special Use

### STAFF USE ONLY

Date of Submission  PC#

Development Name

### Applicant Information

Name of Applicant(s)

Business Address

City  State  ZIP

Business Phone  Business Fax

Business Cell  Business E-mail

### Property Information

Name of Holder of Legal Title

If Legal Title is held by a Land Trust, list the names of all holders of any beneficial interest therein:

Property Street Address

Description of Property's Physical Location

### Zoning and Land Use of Surrounding Parcels

North	R2
East	M1
South	B3
West	B3

Current Zoning Classification

### Kendall County Parcel Number(s) of Property

02-17-277-003	
02-16-153-001	

## Application For Special Use

### Additional Contact Information

#### Attorney

Name   
Address   
City  State  ZIP   
Phone  Fax   
E-mail

#### Engineer

Name   
Address   
City  State  ZIP   
Phone  Fax   
E-mail

#### Land Planner/Surveyor

Name   
Address   
City  State  ZIP   
Phone  Fax   
E-mail

### Attachments

Applicant must attach a legal description of the property to this application and title it as "Exhibit A".

Applicant must list the names and addresses of any adjoining or contiguous landowners within 500 feet of the property that are entitled notice of application under any applicable City Ordinance or State Statute. Attach a separate list to this application and title it as "Exhibit B".



## Application For Special Use

### Special Use Standards

Please state how the establishment, maintenance or operation of the special use will not be unreasonably detrimental to or endanger the public health, safety, morals, comfort or general welfare:

The project will not be detrimental to the public health as it will be constructed in an Industrial Park. Furthermore the Petitioner proposes to construct a fence around the lot so that the self storage buildings and units are not accessible by the public. The Petitioner furthermore is constructing a gate so that only patrons can access the self storage facility.

Please state how the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood:

The project will not be detrimental to the public health as it will be constructed in an Industrial Park. Furthermore the Petitioner proposes to construct a fence around the lot so that the self storage buildings and units are not accessible by the public. The Petitioner furthermore is constructing a gate so that only patrons can access the self storage facility. Additionally there is a landscape berm proposed on the rear north line of the subject property.

Please state how the establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district:

The surrounding properties in the Industrial Park are primarily industrial uses. The construction of a self storage facility will not impede the normal and orderly development an improvement of the surrounding properties for permitted uses in the District as individuals do not access their self storage units on a daily basis. The Petitioner hereby contends that the establishment of the Special Use to allow for the construction of a self storage facility is complimentary to the Industrial uses currently established in the Industrial Park.

Please state how adequate utilities, access roads, drainage or other necessary facilities have been or are being provided:

The subject property is located on a cul-de-sac and would be destination point for a customer. The utilities currently servicing the Industrial Park along with the roadways accessing the Industrial Park are adequate for the intended customers of the self storage facility. The Industrial Park is accessible from Route 47 and there currently exists a stop light to allow patrons of the Industrial Park and patrons and employees of the subject facility to access Route 47 after leaving the Industrial Park.

## Application For Special Use

### Special Use Standards

Please state how adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets:

The Petitioner does not believe that approving the M-1 Special Use to construct a self storage facility will cause any traffic congestion on public streets. Patrons of a self storage facility are not at the facility on a daily basis typically.

Please state how the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the City Council pursuant to the recommendations of the Plan Commission:

A self storage facility is a Special Use in the M-1 Zoning District and therefore necessitates an approval for the Special Use. The Petitioner will conform with the balance of the Regulations and Codes contained in the united City of Yorkville Zoning Code.

### Agreement

I verify that all the information in this application is true to the best of my knowledge. I understand and accept all requirements and fees as outlined as well as any incurred administrative and planning consultant fees which must be current before this project can proceed to the next scheduled committee meeting.

I understand all of the information presented in this document and understand that if an application becomes dormant it is through my own fault and I must therefore follow the requirements outlined above.

Applicant Signature

*Jimmy Richard*  
\_\_\_\_\_  
\_\_\_\_\_

Date

*3/8/2016*  
\_\_\_\_\_

THIS APPLICATION MUST BE NOTARIZED

PLEASE NOTARIZE IN THE SPACE BELOW:

*Subscribed and Sworn before me  
on the 8<sup>th</sup> day of March, 2016*

*Kelly A. Helland*



**Exhibit A**

**Legal Description of Subject Property**

Lot 19 Final Plat of Subdivision Yorkville Business Center Unit 3 being a part of the west half of Section 16 and part of the east half of Section 17, all in the Township 37 North, Range 7 East of the Third Principal Meridian according to the plat thereof recorded May 21, 2001 as Document 200100008620 in Kendall County, Illinois.

PIN 02-17-277-003 and 02-16-153-001



# ENGINEERING PLANS

**SECTION 17, TOWNSHIP 37 NORTH , RANGE 7 EAST**

**147 COMMERCIAL DRIVE  
YORKVILLE, IL 60560  
KENDALL COUNTY  
FEBRUARY , 2016**

### LEGEND

_____	-----	PROPERTY BOUNDARY
_____	-----	EXISTING CONTOUR LINE
_____	-----	EXISTING STORM SEWER
_____	-----	EXISTING SANITARY SEWER LINE
_____	-----	EXISTING WATERMAIN
_____	-----	EXISTING UNDERGROUND ELECTRIC
_____	-----	EXISTING OVERHEAD ELECTRIC
_____	-----	EXISTING GAS SERVICE
_____	-----	EXISTING TELEPHONE
_____	-----	PROPOSED CONTOUR LINE
_____	-----	PROPOSED WATERMAIN
_____	-----	PROPOSED STORM SEWER
_____	-----	PROPOSED SANITARY SEWER LINE
_____	-----	PROPOSED GREASE SERVICE LINE
_____	-----	PROPOSED VENT LINE
_____	-----	EXISTING FENCELINE
_____	-----	PROPOSED SALT FENCE
x 686.00		EXISTING SPOT SHOT
x 686.00		PROPOSED SPOT GRADE

WATER:	EXIST	PROP	
			B-BOX
			HYDRANT
			VALVE
			VALVE VAULT
STORM:			
			INLET-CURB
			INLET OR MANHOLE
			FLARED END SECTION
SANITARY:			
			CLEANOUT
			MANHOLE

	R.O.M. MONUMENT PROPERTY PIN		UTILITY POLE
	P.C. NAIL		GUY WIRE LOC.
	CHISELED MARK		UTIL. CABINET
	BENCHMARK		UTIL. PEDESTAL
	HUB & TACK SOIL BORING		LIGHT POLE
	TRAFFIC SIGNAL		ELECTRIC VAULT
	OVERLAND RELIEF		GAS VALVE
	FLOW DIRECTION		



## INDEX TO SHEETS

1. COVER SHEET
2. EXISTING CONDITIONS & DEMOLITION PLAN
3. STORMWATER POLLUTION & PREVENTION PLAN 1
4. STORMWATER POLLUTION & PREVENTION PLAN 2
5. CIVIL SITE PLANS
6. GENERAL NOTES & DETAILS

PROFESSIONAL ENGINEER'S CERTIFICATION  
STATE OF ILLINOIS, COUNTY OF KENDALL

I, JOHN J. TEBRUGGE, A LICENSED PROFESSIONAL ENGINEER OF ILLINOIS, HEREBY CERTIFY THAT THESE PLANS HAVE BEEN PREPARED UNDER MY PERSONAL DIRECTION BASED ON AVAILABLE DOCUMENTS AND FIELD MEASUREMENTS FOR THE EXCLUSIVE USE OF THE CLIENT NOTED HEREON.

GIVEN UNDER MY HAND & SEAL THIS 1ST DAY OF FEBRUARY 2018

GIVEN UNDER MY HAND & SEAL THIS 15<sup>TH</sup> DAY OF FEBRUARY, 2018



COPYRIGHT © 2014 BY TERRACON ENGINEERING  
ALL RIGHTS RESERVED. NO PART OF THESE CIVIL ENGINEERING PLANS  
MAY BE REPRODUCED, DISTRIBUTED, OR TRANSMITTED IN ANY FORM  
OR BY ANY MEANS, INCLUDING PHOTOCOPYING, RECORDING, OR OTHER  
ELECTRONIC OR MECHANICAL METHODS, WITHOUT THE PRIOR WRITTEN  
PERMISSION OF TERRACON ENGINEERING.

LOCATION MAP  
N.T.S.



## BENCHMARKS:

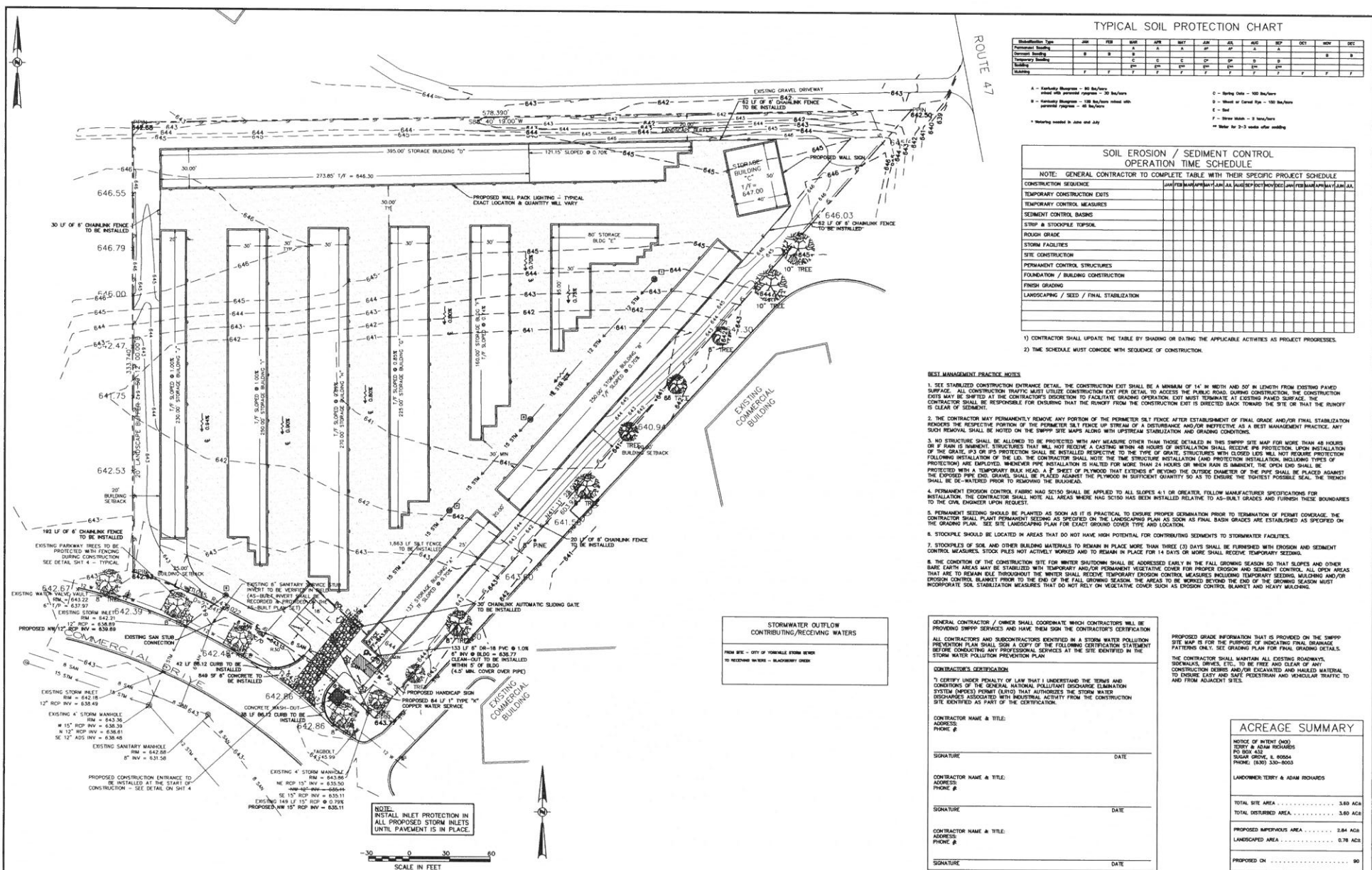
1. CHISELED "X" ON NORTHEAST BOLT OF FIRE HYDRANT LOCATED ON NORTH SIDE OF COMMERCIAL DRIVE NEAR INTERSECTIONS OF LOT 16 & 19  
NAVD 88 DATUM ELEVATION = 645.99
2. CHISELED "X" ON NORTHEAST BOLT OF FIRE HYDRANT LOCATED ON EAST SIDE OF COMMERCIAL DRIVE NEAR THE NORTHWEST CORNER OF DETENTION POND.  
NAVD 88 DATUM ELEVATION = 641.55

PLANS PREPARED FOR:  
TERRY & ADAM RICHARDS  
PO BOX 432 SUGAR GROVE, IL  
PHONE: (630) 330-8003  
TCRBUILDERS@GMAIL.COM

**CIVIL ENGINEER:**  
TEBRUGGE ENGINEERING  
P. O. BOX 38, 146 HUNTSMAN DR.  
PLANO, IL 60545  
(630) 552.4390  
(630) 552.4392  
TEBRUGGEENGINEERING@COMCAST.NET  
WWW.TEBRUGGEENGINEERING.NET

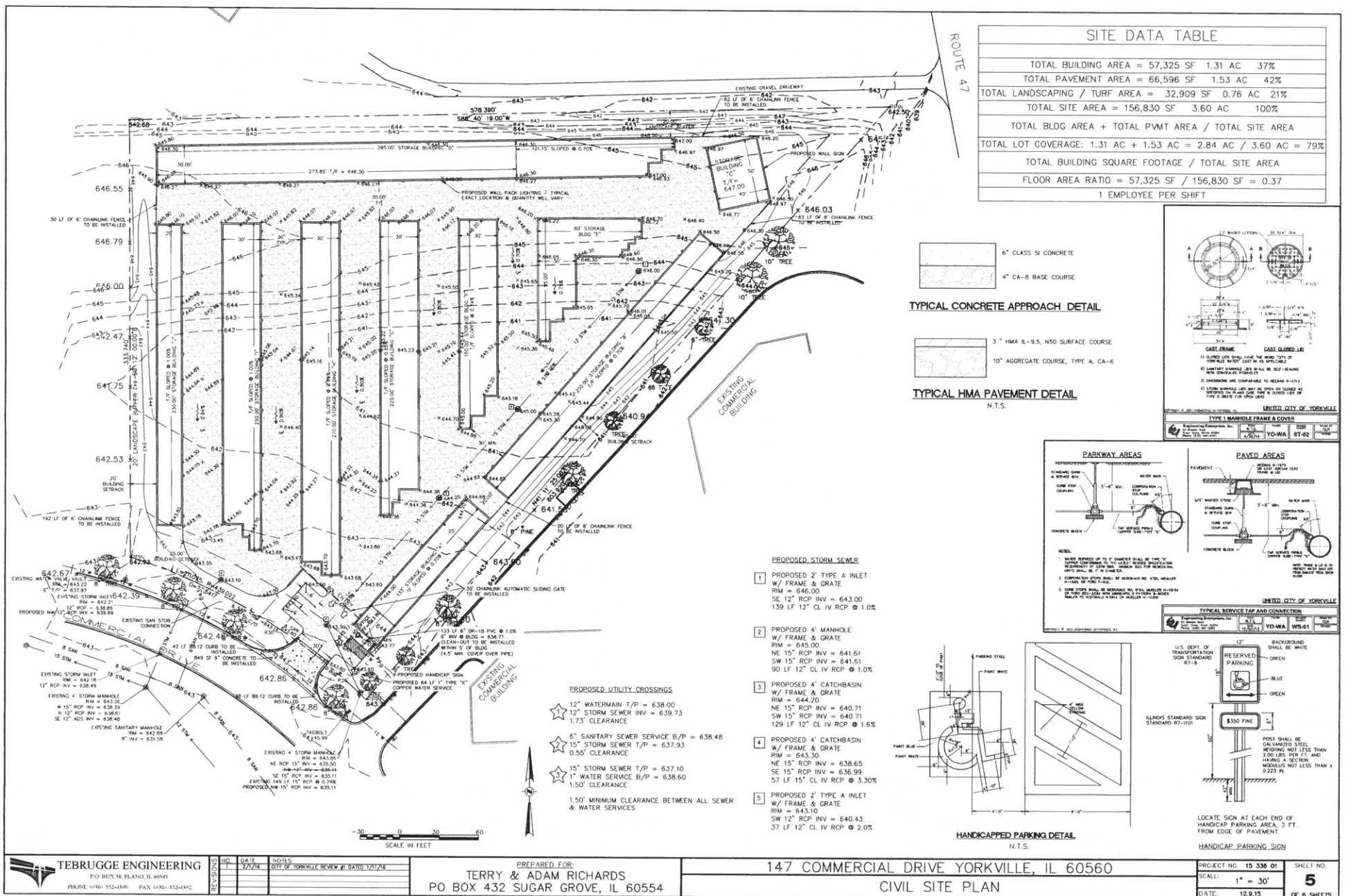
[illegible]











# SITE DATA TABLE

TOTAL BUILDING AREA = 57,325 SF	1.31 AC	37%
TOTAL PAVEMENT AREA = 66,596 SF	1.53 AC	42%
TOTAL LANDSCAPING / TURF AREA = 32,909 SF	0.76 AC	21%
TOTAL SITE AREA = 156,830 SF	3.60 AC	100%
TOTAL BLDG AREA + TOTAL PVMT AREA / TOTAL SITE AREA		
TOTAL LOT COVERAGE: 1.31 AC + 1.53 AC = 2.84 AC / 3.60 AC = 79%		
TOTAL BUILDING SQUARE FOOTAGE / TOTAL SITE AREA		
FLOOR AREA RATIO = 57,325 SF / 156,830 SF = 0.37		
1 EMPLOYEE PER SHIFT		

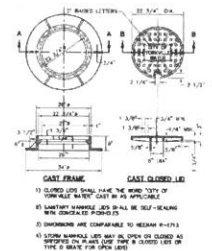
6" CLASS II CONCRETE  
4" CA-6 BASE COURSE

## TYPICAL CONCRETE APPROACH DETAIL

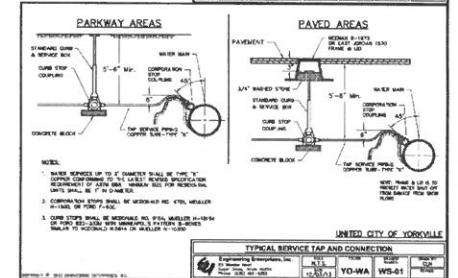
3" HMA IL-9.5, N50 SURFACE COURSE  
10" AGGREGATE COURSE, TYPE A, CA-6

## TYPICAL HMA PAVEMENT DETAIL

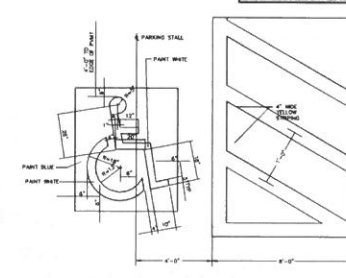
N.T.S.



UNITED CITY OF YORKVILLE	YO-WA	67-02
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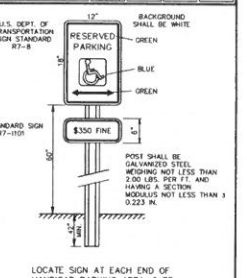


UNITED CITY OF YORKVILLE	YO-WA	67-01
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## HANDICAPPED PARKING DETAIL

N.T.S.



## HANDICAPPED PARKING SIGN

N.T.S.





**PROPOSED LANDSCAPING MATERIAL**

DESCRIPTION	UNIT OF MEASURE	QTY
<b>SHADE TREES</b>		
AUTUMN FLAME	2 1/2"	11
REDBOW LINCOLN	2 1/2"	9
<b>EVERGREEN TREE</b>		
WHITE FIR	5'	6
WHITE PINE	5'	10
COLORADO BLUE SPRUCE	5'	12
<b>ORNAMENTAL TREES</b>		
PAPER BIRCH	5'	7
APPLE-SUBSTITUTED	5'	12
<b>SHRUBS</b>		
DWARF BURNING BUSH	3 GAL	57
OPREA COLLEMANII	3 GAL	25
WISS AM LILAC	3 GAL	18
KNOCKOUT ROSE RED	3 GAL	63
<b>PERENNIALS</b>		
DWARF FOUNTAIN GRASS	1 GAL	99
MADON GRASS	3 GAL	27

**LANDSCAPE NOTES**

**1.01 DESCRIPTION**

A. Provide turf, trees, shrubs, and groundcover as shown and specified. The work shall include:

- Soil Preparation
- Planting
- Seeding
- Tree, shrub, and groundcover
- Mulch and plant accessories
- Maintenance and guarantee
- Cleaning up work area

**1.02 QUALITY ASSURANCE**

A. Comply with applicable local regulations.

B. Soil. Comply with American Seed Production Association (ASPA) classes of seed material.

C. Plant names indicated comply with "Standard Plant Names" as adopted by the latest edition of the American Seed Production Association. Names of varieties not listed conform generally with names accepted by the nursery trade. Provide close tree to indicate variety.

D. Comply with rating and grading standards of the latest edition of "American Standard for Nursery Stock". A plant shall be dimensioned as it stands in the natural position. All plants shall be nursery grown under climatic conditions similar to those in the locality of the project for a minimum of 2 years.

**1.03 SUBMITTALS**

A. Seed. Submit seed vendor's certification for required grass seed material, indicating percentage by weight, and percentage of purity, germination, and weed seed for each grass species.

B. Soil. Submit soil analysis to the project engineer and landscape architect. Submit soil analysis and grade of grass species. Identify source.

**1.04 DELIVERY, STORAGE, AND HANDLING**

A. Seed. Deliver seed and fertilizer material in original unopened containers, showing weight, analysis, and name of manufacturer. Store in manner to prevent wetting and deterioration.

B. Soil. Deliver and install seed within 48-hour period.

C. Fertilizer. Deliver fertilizer material in original unopened containers showing weight, analysis, and name of manufacturer. Store in manner to prevent wetting and deterioration.

D. Take all precautions customary in good trade practice in preparing plants for moving. Mechanically handle plants to avoid the highest standards of handling. Dig, pack, transport, and handle plants with care to ensure protection against injury. Inspection certificates required by law and accompany each shipment. Insure or order to replace plants from dying out. If plants cannot be replaced immediately upon delivery, property shall be replaced with similar plants of the same species and size.

E. Cover plants transported on open vehicles with a protective covering to prevent wetting, when in hot sun.

**1.05 PROTECTION CONDITIONS**

A. Confirm that the quality and health of the plant is satisfactory prior to beginning the project.

B. After the final grading and prior to seeding or sodding.

C. Perform grading work only after planting and other work affecting ground surface has been completed.

D. Initial seed under favorable weather conditions upon approval by the Owner's Representative. The generally accepted time for seeding is:

Spring - April to May 31st  
Fall - August 15th to September 30th

**1.06 GUARANTEE**

A. Guarantee all work for one year following the date of installation.

**2.00 SEED INSTALLATION**

A. Turf grass.

- Seed immediately after preparation of bed.
- Perform seeding operations when the soil is dry and when winds do not exceed 20 miles per hour.
- Use seed of 300 lbs. per acre.
- Conventional Seeding.
  - Apply seed with a rotary or drop type distributor. Seed evenly.
  - After seeding, rake and surface lightly to incorporate seed.
  - Within 24 hours, place straw blanket over all seeded areas. Place blanket perpendicular to contour lines and fasten in place per manufacturer's recommendations.

**3.01 PLANT INSTALLATION**

A. Trees and Shrubs.

- Set plant material in the planting pit to proper grade and alignment. Do not fit ground holes or stems.
- After balled or burlapped plants are set, fill all voids.
- Use approved commercial fertilizer at 10 lbs. per cubic yard of soil.

B. Groundcovers.

- When groundcovers are specified on the plans, install within 10 to 15 days after seeding.
- Use approved commercial fertilizer at 10 to 15 lbs. per cubic yard of soil.
- Deep immediately after planting. Thoroughly water mulched areas. After watering, rake mulch to provide a uniform finished surface.

C. Mulching.

- Mean tree and shrub planting pits and shrub beds with required mulching material.
- Deep immediately after watering. Thoroughly water mulched areas. After watering, rake mulch to provide a uniform finished surface.

D. Weeding.

- Inspect trees for injury to trunk, evidence of insect infestation, and improper pruning before setting.
- Mean shrubs and all trees specify from bottom to top with specified tree wrap and secure in place. Weeding in place. Weeding in place at the discretion of the contractor.

E. Pruning.

- Prune branches of deciduous stock after planting, to preserve the natural character appropriate to the particular plant in general, remove dead or damaged wood, and remove any branches that are not in proportion to the size of the plant.
- Mean shrubs and all trees specify from bottom to top with specified tree wrap and secure in place. Weeding in place. Weeding in place at the discretion of the contractor.

F. Final cleanup. Final cleanup shall be taken from the ground level to the average height of the top of the plant and not the highest branch.

**3.02 INSPECTION**

A. Inspection of work shall be made at the following times and conditions:

- Inspection of seed material, topsoil quality, depth, and conditions of installation.
- Inspection of work shall be made at the following times and conditions:

**3.03 PROTECTION**

A. Lower topsoil of seed material to minimum depth of 1". Remove stones over 1" in size.

B. Inspect and remove stones, roots, rubbish, and extraneous matter.

C. Inspect and remove stones, roots, rubbish, and extraneous matter.

D. Inspect and remove stones, roots, rubbish, and extraneous matter.

E. Inspect and remove stones, roots, rubbish, and extraneous matter.

F. Inspect and remove stones, roots, rubbish, and extraneous matter.

G. Inspect and remove stones, roots, rubbish, and extraneous matter.

H. Inspect and remove stones, roots, rubbish, and extraneous matter.

I. Inspect and remove stones, roots, rubbish, and extraneous matter.

J. Inspect and remove stones, roots, rubbish, and extraneous matter.

K. Inspect and remove stones, roots, rubbish, and extraneous matter.

L. Inspect and remove stones, roots, rubbish, and extraneous matter.

M. Inspect and remove stones, roots, rubbish, and extraneous matter.

N. Inspect and remove stones, roots, rubbish, and extraneous matter.

O. Inspect and remove stones, roots, rubbish, and extraneous matter.

P. Inspect and remove stones, roots, rubbish, and extraneous matter.

Q. Inspect and remove stones, roots, rubbish, and extraneous matter.

R. Inspect and remove stones, roots, rubbish, and extraneous matter.

S. Inspect and remove stones, roots, rubbish, and extraneous matter.

T. Inspect and remove stones, roots, rubbish, and extraneous matter.

U. Inspect and remove stones, roots, rubbish, and extraneous matter.

V. Inspect and remove stones, roots, rubbish, and extraneous matter.

W. Inspect and remove stones, roots, rubbish, and extraneous matter.

X. Inspect and remove stones, roots, rubbish, and extraneous matter.

Y. Inspect and remove stones, roots, rubbish, and extraneous matter.

Z. Inspect and remove stones, roots, rubbish, and extraneous matter.

**3.04 CLEANING**

A. Perform cleaning during installation of the work and upon completion of the work. Remove from site all excess materials, soil, debris, and equipment.

**4.00 MISC. NOTES**

A. All grades to be established to meet engineering design by plans.

B. All grades to be established to meet engineering design by plans.

C. All grades to be established to meet engineering design by plans.

D. All grades to be established to meet engineering design by plans.

E. All grades to be established to meet engineering design by plans.

F. All grades to be established to meet engineering design by plans.

G. All grades to be established to meet engineering design by plans.

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V. All grades to be established to meet engineering design by plans.

W. All grades to be established to meet engineering design by plans.

X. All grades to be established to meet engineering design by plans.

Y. All grades to be established to meet engineering design by plans.

Z. All grades to be established to meet engineering design by plans.









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GILLETTE  
KENDALL COUNTY, IL

RECORDED: 8/12/2015 2:25 PM  
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PAGES: 4

**UNITED CITY OF YORKVILLE  
KENDALL COUNTY, ILLINOIS**

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**ORDINANCE NO. 2015-41**

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AN ORDINANCE OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS,  
APPROVING THE REZONING TO THE M-1 LIMITED MANUFACTURING DISTRICT  
OF THE PROPERTY LOCATED AT 147 COMMERCIAL DRIVE  
(Lot 19 of Unit 3 Yorkville Business Center Subdivision)

Passed by the City Council of the  
United City of Yorkville, Kendall County, Illinois  
This 28<sup>th</sup> day of July, 2015

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Prepared by and Return to:  
United City of Yorkville  
800 Game Farm Road  
Yorkville, IL 60560

Published in pamphlet form by the  
authority of the Mayor and City Council  
of the United City of Yorkville, Kendall  
County, Illinois on August 11, 2015.

Ordinance No. 2015- 41

AN ORDINANCE OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS,  
APPROVING THE REZONING TO THE M-1 LIMITED MANUFACTURING DISTRICT  
OF THE PROPERTY LOCATED AT 147 COMMERCIAL DRIVE  
(Lot 19 of Unit 3 Yorkville Business Center Subdivision)

**WHEREAS**, the United City of Yorkville (the “City”) is a duly organized and validly existing non home-rule municipality created in accordance with the Constitution of the State of Illinois of 1970 and the laws of the State; and,

**WHEREAS**, Urness Land Company, LLC (the “Applicant”) is the owner (the “Owner”) of a vacant parcel located at 147 Commercial Drive, Yorkville, Illinois, (the “Subject Property”) legally described in Section 2, and is seeking rezoning of the Subject Property from the B-3 General Business District to the M-1 Limited Manufacturing District; and,

**WHEREAS**, the Plan Commission convened and held a public hearing on the 8th day of July, 2015, to consider the rezoning after publication of notice and notice to property owners within five hundred (500) feet of the Subject Property; and,

**WHEREAS**, the Plan Commission reviewed the standards set forth in Section 10-4-10B.4 and made findings of fact and recommendation to the Mayor and City Council (the “Corporate Authorities”) for approval of the rezoning.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and City Council of the United City of Yorkville, Kendall County, Illinois, as follows:

**Section 1:** The above recitals are incorporated herein and made a part of this Ordinance.

**Section 2:** That the Corporate Authorities hereby approve the rezoning of the Subject Property, legally described as:

Lot 19 Final Plat of Subdivision Yorkville Business Center Unit 3 being a part of the west half of Section 16 and part of the east half of Section 17, all in the Township 37 North, Range 7 East of the Third Principal Meridian according to the plat thereof recorded May 21, 2001 as Document 200100008620 in Kendall County, Illinois,

PIN 02-17-277-003 and 02-16-153-001,

from B-3 General Business District to the M-1 Limited Manufacturing District.

**Section 3:** This Ordinance shall be in full force and effect upon its passage, approval, and publication as provided by law.

Passed by the City Council of the United City of Yorkville, Kendall County, Illinois this  
28 day of July, 2015.

Beth Warner  
CITY CLERK

CARLO COLOSIMO Y  
JACKIE MILSCHEWSKI Y  
CHRIS FUNKHOUSER Y  
DIANE TEELING Y

KEN KOCH Y  
LARRY KOT Y  
JOEL FRIEDERS Y  
SEAVAR TARULIS Y

Approved by me, as Mayor of the United City of Yorkville, Kendall County, Illinois, this  
11 day of AUGUST, 2015.

Samuel G. Galt  
MAYOR

**Legal Description of Subject Property**

Lot 19 Final Plat of Subdivision Yorkville Business Center Unit 3 being a part of the west half of Section 16 and part of the east half of Section 17, all in the Township 37 North, Range 7 East of the Third Principal Meridian according to the plat thereof recorded May 21, 2001 as Document 200100008620 in Kendall County, Illinois.

PIN 02-17-277-003 and 02-16-153-001



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GILLETTE  
KENDALL COUNTY, IL

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**UNITED CITY OF YORKVILLE  
KENDALL COUNTY, ILLINOIS**

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**ORDINANCE NO. 2015-42**

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AN ORDINANCE OF THE UNITED CITY OF YORKVILLE, KENDALL  
COUNTY, ILLINOIS, APPROVING A SPECIAL USE  
FOR A PUBLIC STORAGE FACILITIES/MINIWAREHOUSE STORAGE  
(Lot 19 of Unit 3 Yorkville Business Center Subdivision)

Passed by the City Council of the  
United City of Yorkville, Kendall County, Illinois  
This 28<sup>th</sup> day of July, 2015

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Prepared by and Return to:

United City of Yorkville  
800 Game Farm Road  
Yorkville, IL 60560

Published in pamphlet form by the  
authority of the Mayor and City Council  
of the United City of Yorkville, Kendall  
County, Illinois on August 11, 2015.

**AN ORDINANCE OF THE UNITED CITY OF YORKVILLE, KENDALL  
COUNTY, ILLINOIS, APPROVING A SPECIAL USE  
FOR A PUBLIC STORAGE FACILITIES/MINIWAREHOUSE STORAGE  
(Lot 19 of Unit 3 Yorkville Business Center Subdivision)**

**WHEREAS**, the United City of Yorkville (the “City”) is a duly organized and validly existing non home-rule municipality created in accordance with the Constitution of the State of Illinois of 1970 and the laws of the State; and,

**WHEREAS**, under section 11-13-1.1 of the Illinois Municipal Code (65 ILCS 5/1-1-1, *et seq.*), the Mayor and City Council of the City (collectively, the “Corporate Authorities”) may provide for the classification of special uses in its zoning ordinances; and,

**WHEREAS**, pursuant to the United City of Yorkville Zoning Ordinance (the “Zoning Code”), any person owning or having an interest in property may file an application to use such land for one or more of the special uses provided for in the zoning district in which the land is situated; and,

**WHEREAS**, Urness Land Company, LLC (“the Owner”) is the owner of the property located at 147 Commercial Drive, legally described in Section 2 of this Ordinance (the “Subject Property”); and,

**WHEREAS**, under the authority of the Zoning Code, the Subject Property is located in a designated M-1 Limited Manufacturing District, and public storage facilities/miniwarehouse storage is allowed in this district under a special use permit; and,

**WHEREAS**, the Corporate Authorities have received a request from the Owner for a special use permit for the Subject Property to allow public storage facilities/miniwarehouse storage; and,

**WHEREAS**, a legal notice of publication regarding a public hearing before the Plan Commission on the proposed special use permit was duly published in a newspaper of general circulation in the City, not more than thirty (30) nor less than fifteen (15) days prior to the public hearing; and,

**WHEREAS**, notice to property owners within 500 feet of the Subject Property identified for the special use permit was delivered by certified mail; and,

**WHEREAS**, the Plan Commission convened and held a public hearing on the 8th day of July, 2015, on the question of the special use application; and,

**WHEREAS**, the Plan Commission reviewed the standards set forth in Section 10-4-9(F) of the Zoning Code; and,

**WHEREAS**, upon conclusion of said public hearing, the Plan Commission recommended the approval of the special use for the Subject Property for a public storage facilities/miniwarehouse storage use on the Subject Property.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and City Council of the United City of Yorkville, Kendall County, Illinois, as follows:

**Section 1:** The above recitals are incorporated herein and made a part of this Ordinance.

**Section 2:** That the Corporate Authorities hereby approve a special use of the Subject Property, legally described as:

Lot 19 Final Plat of Subdivision Yorkville Business Center Unit 3 being a part of the west half of Section 16 and part of the east half of Section 17, all in the Township 37 North, Range 7 East of the Third Principal Meridian according to the plat thereof recorded May 21, 2001 as Document 200100008620 in Kendall County, Illinois,

PIN 02-17-277-003 and 02-16-153-001,

for use as a public storage facilities/miniwarehouse storage.

**Section 3:** That the special use granted herein shall be constructed, operated and maintained in accordance with the following plans, diagrams and conditions:

- A. Final engineering review and approval including compliance with comments in the May 27, 2015 review letter from Engineering Enterprises, Inc.
- B. Final landscape approval.

**Section 4:** This Ordinance shall be in full force and effect upon its passage, approval, and publication in pamphlet form as provided by law.

Passed by the City Council of the United City of Yorkville, Kendall County, Illinois this

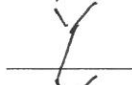
28 day of July, 2015.

  
CITY CLERK

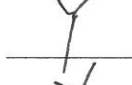
CARLO COLOSIMO



JACKIE MILSCHEWSKI



CHRIS FUNKHOUSER




DIANE TEELING




KEN KOCH



LARRY KOT



JOEL FRIEDERS



SEAVAR TARULIS



Approved by me, as Mayor of the United City of Yorkville, Kendall County, Illinois, this

11 day of AUGUST, 2015.

  
MAYOR



## **Exhibit A**

### **Legal Description of Subject Property**

Lot 19 Final Plat of Subdivision Yorkville Business Center Unit 3 being a part of the west half of Section 16 and part of the east half of Section 17, all in the Township 37 North, Range 7 East of the Third Principal Meridian according to the plat thereof recorded May 21, 2001 as Document 200100008620 in Kendall County, Illinois.

PIN 02-17-277-003 and 02-16-153-001

# PLAT OF SURVEY

## LEGAL DESCRIPTION:

LOT 19 FINAL PART OF SUBDIVISION YORKVILLE BUSINESS CENTER UNIT 3 BEING A PART OF THE WEST 1/4 OF SECTION 16 AND PART OF THE EAST 1/4 OF SECTION 17 TOWNSHIP 37 NORTH RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED MAY 21, 2001 AS DOCUMENT NO. 2001-000000 IN LUNAS COUNTY, ILLINOIS.

## LEGEND

BOUNDARY  
EASEMENT  
BUILDING LINE  
• 1/4 AC

LUNAS COUNTY HAS A LONG RICH TRADITION IN AGRICULTURE AND THE LANDS WITHIN THE COUNTY HAVE BEEN USED FOR MANY YEARS FOR THE ECONOMIC WELFARE OF THE COUNTY. THE PLAT THAT SUPPORTS THIS INDUSTRY IS INDICATED BY A BOUNDARY LINE. THE BOUNDARY LINE IS A LINE THAT REPRESENTS THE BOUNDARY OF THE LANDS. THE BOUNDARY LINE IS A LINE THAT REPRESENTS THE BOUNDARY OF THE LANDS. THE BOUNDARY LINE IS A LINE THAT REPRESENTS THE BOUNDARY OF THE LANDS.

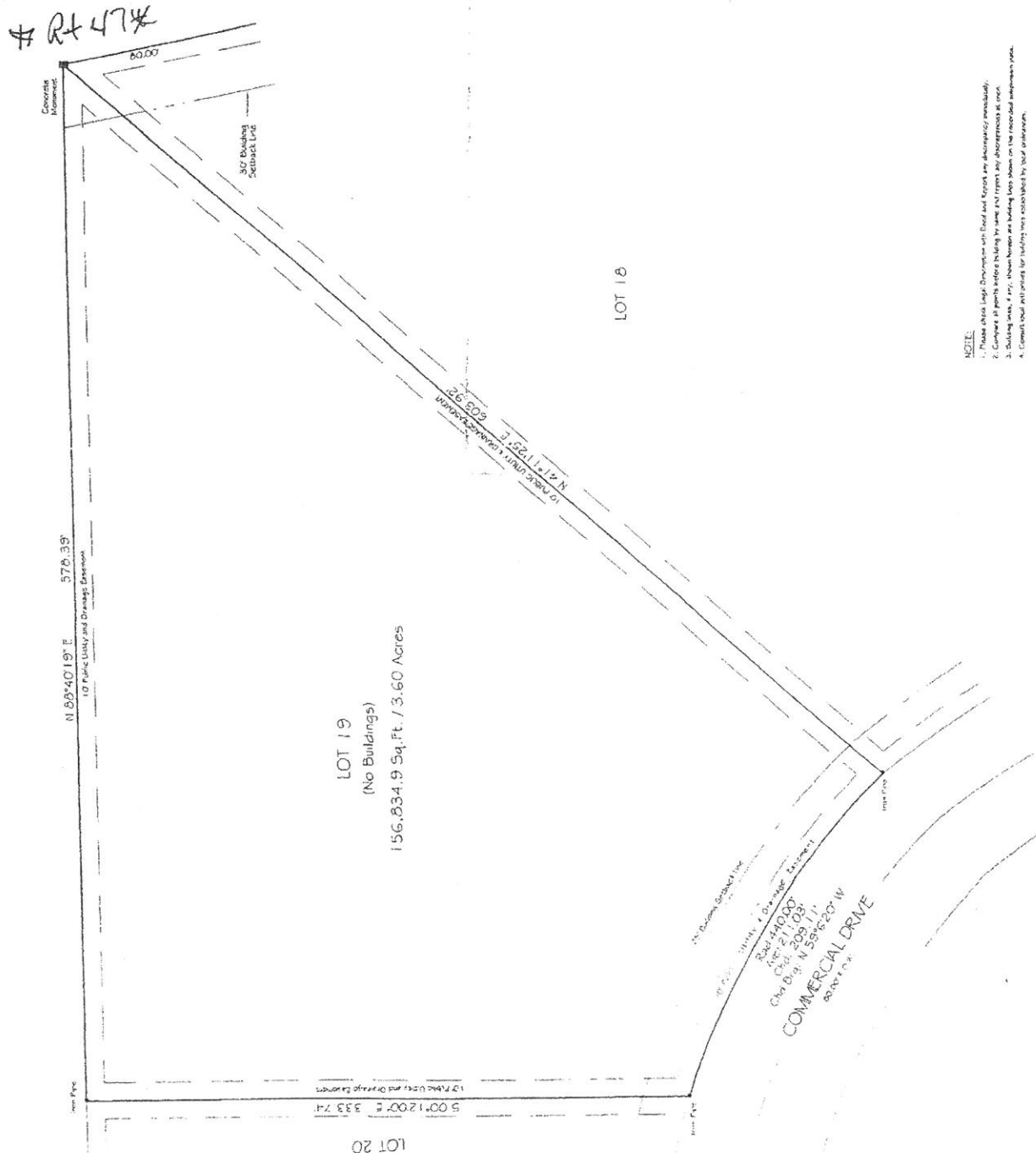
Commonly known as: LOT 19 YORKVILLE BUSINESS CENTER UNIT 3

STATE OF ILLINOIS  
COUNTY OF LUNAS  
THIS PROFESSIONAL SURVEY CONFORMS TO THE CURRENT STANDARDS FOR A BOUNDARY SURVEY.  
ALL DIMENSIONS SHOWN ARE IN FEET AND DECIMAL FRACTIONS THEREOF.  
THIS SURVEY WAS PERFORMED ON THE 20th DAY OF MAY, 2005.  
GIVEN UNDER MY HAND AND SEAL THIS 20th DAY OF MAY, A.D. 2005.

ROBERT T. BRADY  
PROFESSIONAL SURVEYOR  
LICENSE NUMBER: 0000000000  
SUBJECT: SURVEYING INC. ILLINOIS PROFESSIONAL DESIGN FIRM  
NUMBER: 04-001134

INLAND REAL ESTATE DEVELOPMENT CORPORATION  
2801 Butterfield Road  
Oak Brook, IL 60123

Siebert Engineers, Inc.  
281 RESURGENCE LANE SOUTH  
LUNAS, ILLINOIS 60148  
PHONE (830) 288-0030



NOTE:  
1. Plotted dimensions are based on field and bench work and are subject to error.  
2. Compare all points before building by name and corner and distance to corner.  
3. Building area, if any, shown hereon are building footprints shown on the recorded improvement plan.  
4. Current total area shown for building was established by field measurements.

PUBLIC NOTICE  
NOTICE OF PUBLIC HEARING  
BEFORE  
THE UNITED CITY OF YORKVILLE  
PLAN COMMISSION  
PC 2016-07

NOTICE IS HEREWITH GIVEN THAT Terry Richards, petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting to amend a special use approved for a public storage facility pursuant to Chapter 6, Table 10.06.03 of the Yorkville Zoning Ordinance. The amendments to the special use include relocation of the buildings on the property, increasing the number of buildings on the property and increasing the landscape materials, all as shown on a new site plan for the development of the property. The real property is located at 147 Commercial Drive in Yorkville, Illinois.

The legal description is as follows:

LOT 19 FINAL PLAT OF SUBDIVISION YORKVILLE BUSINESS CENTER UNIT 3 BEING A PART OF THE WEST HALF OF SECTION 16 AND PART OF THE EAST HALF OF SECTION 17, ALL IN THE TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED MAY 21, 2001 AS DOCUMENT 200100008620 IN KENDALL COUNTY, ILLINOIS.

The application materials for the proposed Special Use are on file with the City Clerk.

NOTICE IS HEREWITH GIVEN THAT the Plan Commission for the United City of Yorkville will conduct a public hearing on said application on Wednesday, April 13, 2016 at 7 p.m. at the United City of Yorkville, City Hall, located at 800 Game Farm Road, Yorkville, Illinois 60560.

The public hearing may be continued from time to time to dates certain without further notice being published.

All interested parties are invited to attend the public hearing and will be given an opportunity to be heard. Any written comments should be addressed to the United City of Yorkville City Clerk, City Hall, 800 Game Farm Road, Yorkville, Illinois, and will be accepted up to the date of the public hearing.

By order of the Corporate Authorities of the United City of Yorkville, Kendall  
County, Illinois.

BETH WARREN  
City Clerk

BY: Lisa Pickering  
Deputy Clerk



Reviewed By:	
Legal	<input type="checkbox"/>
Finance	<input type="checkbox"/>
Engineer	<input type="checkbox"/>
City Administrator	<input checked="" type="checkbox"/>
Human Resources	<input type="checkbox"/>
Community Development	<input checked="" type="checkbox"/>
Police	<input type="checkbox"/>
Public Works	<input type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>

Agenda Item Number

NB #7

Tracking Number

PC 2016-08

### Agenda Item Summary Memo

**Title:** Grace Holistic Center for Education (Special Use)

**Meeting and Date:** EDC/April 5, 2016

**Synopsis:** Request for Special Use approval for a trade school within an M-1 zoning district.

### Council Action Previously Taken:

Date of Action: N/A Action Taken: \_\_\_\_\_

Item Number: \_\_\_\_\_

**Type of Vote Required:** Informational

**Council Action Requested:** Feedback

**Submitted by:** Chris Heinen Community Development  
Name Department

### Agenda Item Notes:

See attached memo.

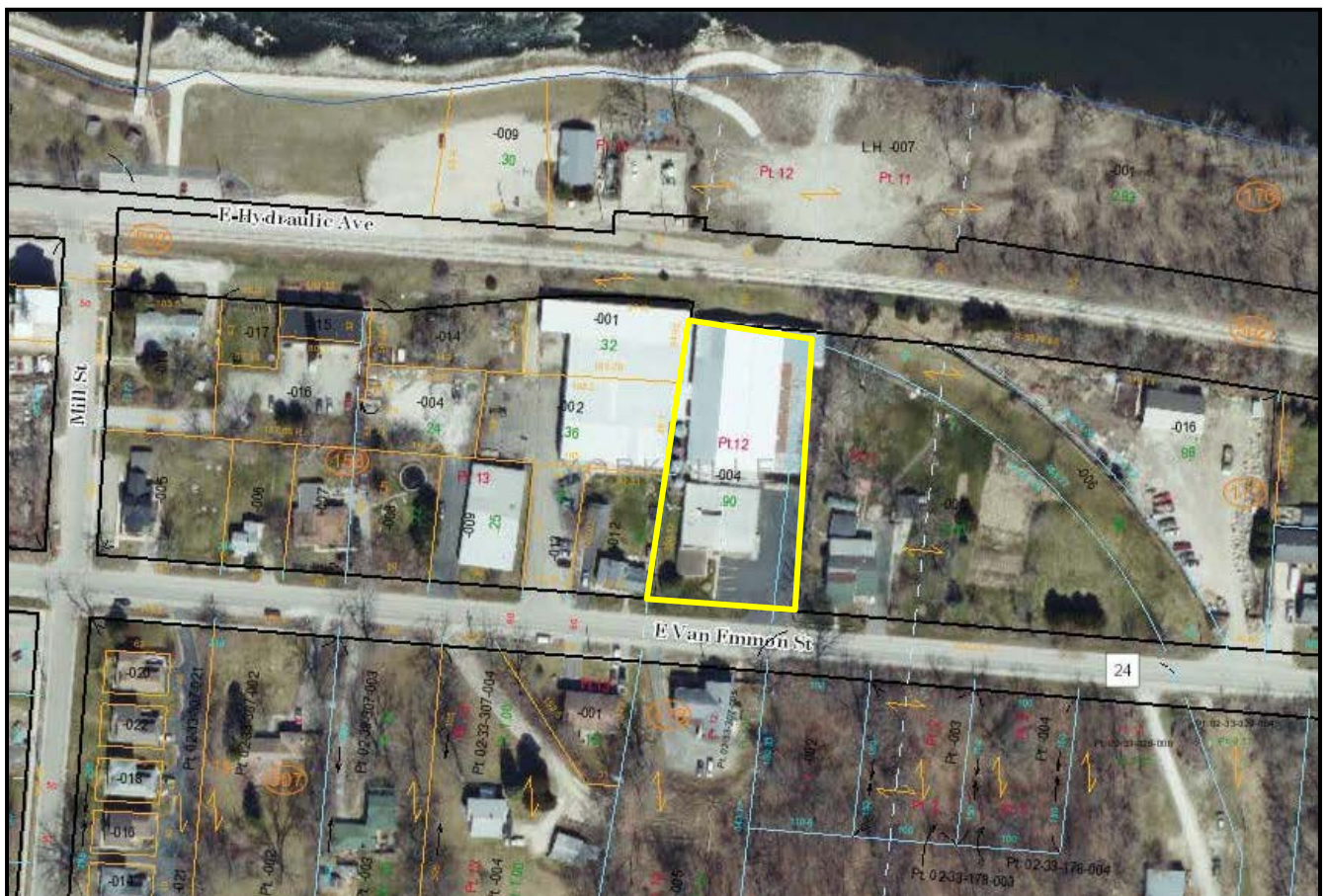


# Memorandum

To: Economic Development Committee  
From: Chris Heinen, Planner  
CC: Bart Olson, City Administrator  
Krysti J. Barksdale-Noble, Community Development Director  
Date: March 24, 2016  
Subject: **PC 2016-08 – Grace Holistic Center for Education (Special Use)**

## **Background & Request:**

The petitioner, Tairi Grace, petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting special use permit approval for a Commercial/Trade School for a private, non-profit school with an emphasis on holistic health education within the M-1, Limited Manufacturing District pursuant to Chapter 6, Table 10.06.02 of the Yorkville Zoning Ordinance. The real property is located at 319 E. Van Emmon Road, in Yorkville, Illinois.



Currently, a commercial/trade school is not allowed within the Manufacturing districts. The City has begun the process of amending the zoning ordinance to allow Commercial/Trade Schools as a special use in the manufacturing districts. Staff researched several surrounding municipalities and found that several of them either permitted trade schools as an outright allowable use or required a special use in manufacturing districts. Staff felt that allowing trade schools in the Manufacturing Districts as a special use is consistent with current zoning trends

and would allow, on a case-by-case basis, additional review of surrounding land uses, site layout, parking, utilities, and traffic. This petition will accompany the text amendment as the petitioner would like to have the interior remodel complete by the beginning of fall 2016.

The petitioner is looking to utilize a portion of the building located at 319 Van Emmon for a private not-for-profit school for special and regular education students. The interior remodel will consist of constructing seven (7) classrooms and two bathroom facilities. The school is looking to house approximately 50 children with a staff of 6 adults. The initial primary focus will be elementary and junior high students. Access for the site will be located off of Van Emmon and the petitioner is looking to create onsite signage that will outline the flow of traffic for drop off and pick up traffic. Additionally, school staff will be onsite to direct traffic within the site for drop off and pick up. All signage will require a permit with the City and will be reviewed at that time.

#### **Parking**

After reviewing the aerial depicted in the location map on page 1, it appears that there are four (4) parking stalls currently on the property. Per the zoning ordinance, an elementary and junior high school requires 1 space per classroom. This would require the site to have a minimum of seven (7) parking stalls. Staff is recommending that as part of the special use approval, that an additional three (3) parking stalls be striped.

#### **Utilities**

The property is in an existing section of Yorkville and water and sewer utilities are located along Van Emmon. The proposed use will not impact the current water or sewer capacities. Stormwater management has already been accounted for with the development of the subdivision and no additional storage would be required as part of this special use.

#### **Existing Conditions:**

The existing zoning and land use for properties surrounding the subject property are as indicated below:

	<b>Zoning</b>	<b>Land Use</b>
<b>North</b>	OS-2, Open Space District (Recreational)	Park/River/Railroad Tracks
<b>East</b>	M-1, Limited Manufacturing	Manufacturing/Single Family Home
<b>South</b>	R-3, Multi-Family Attached Residence District	Residential Homes
<b>West</b>	M-1, Limited Manufacturing	Manufacturing/Single Family Home

#### **Comprehensive Plan:**

The City's Comprehensive Plan Update 2008 had designated this parcel as "Traditional Neighborhood" which is intended primarily for single-family detached residences, "preserving the existing unique residential neighborhoods in the developed core of the City." Future development was envisioned to be in the form of redevelopment of existing sites.

As part of the Comprehensive Plan Update, this area is designated as "Traditional Neighborhood Residential." Traditional Neighborhood Residential areas comprise the older neighborhoods east, west and south of the Downtown Core, and those north of the Fox River comprising the old Town of Bristol. These areas are largely characterized by historic homes, pre-War and Post World War II housing types, and mid-century ranch homes that form cohesive



neighborhoods within walking distance of the Fox River and the Downtown. This designation seeks to preserve and maintain the traditional single family character of these neighborhoods by encouraging housing maintenance and rehabilitation, and compatible new housing development that compliment the scale and design of the existing housing stock. Development of some forms of multi-family housing is encouraged if they maintain the visual and physical character of adjacent blocks, including building setbacks and architectural materials and treatments.

Both Comprehensive Plan designations are compatible with the use being proposed. Schools, private or public, are generally found in residential neighborhoods and would therefore be an acceptable use.

### **Special Use Criteria:**

Section 10-4-9F of the City's Zoning Ordinance establishes standards for special use requests. No special use shall be recommended by the plan commission unless said commission shall find that:

1. The establishment, maintenance or operation of the special use will not be unreasonably detrimental to or endanger the public health, safety, morals, comfort or general welfare.
2. The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood.
3. The establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.
4. Adequate utilities, access roads, drainage or other necessary facilities have been or are being provided.
5. Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.
6. The special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the city council pursuant to the recommendations of the plan commission.

**The applicant has provided written responses to these special use and amendment standards as part of their application and requests inclusion of those responses into the public record at the April 13, 2016 Plan Commission meeting.**

### **Staff Comments:**

The special use request for an alternative school is supported by staff. The current bulk regulations (setbacks, lot coverage, building height) are being met and the proposed use is consistent with the current comprehensive plan.

A public hearing is scheduled on April 13, 2016 before the Plan Commission. A recommendation will be forwarded to the City Council for consideration at the April 26, 2016 regularly scheduled meeting. Staff will be available to answer any question the Economic Development Committee may have at Tuesday night's meeting.

### **Attachments:**

1. Copy of Petitioner's Application w/exhibits.
2. Copy of Public Notice.



## Application For Special Use

### STAFF USE ONLY

Date of Submission

PC#

Development Name

### Applicant Information

Name of Applicant(s)

Business Address

City

State

ZIP

Business Phone

Business Fax

Business Cell

Business E-mail

### Property Information

Name of Holder of Legal Title

If Legal Title is held by a Land Trust, list the names of all holders of any beneficial interest therein:

Property Street Address

Description of Property's Physical Location

### Zoning and Land Use of Surrounding Parcels

North	
East	
South	
West	

Current Zoning Classification

### Kendall County Parcel Number(s) of Property

2-33-177-001-0000	
02-33-177-002-0000	
02-33-177-004-0000	
02-33-177-013-0000	

## Application For Special Use

### Additional Contact Information

#### Attorney

Name   
Address   
City  State  ZIP   
Phone  Fax   
E-mail

#### Engineer / General Contractor

Name   
Address   
City  State  ZIP   
Phone  Fax   
E-mail

#### Land Planner/Surveyor

Name   
Address   
City  State  ZIP   
Phone  Fax   
E-mail

### Attachments

Applicant must attach a legal description of the property to this application and title it as "Exhibit A".

Applicant must list the names and addresses of any adjoining or contiguous landowners within 500 feet of the property that are entitled notice of application under any applicable City Ordinance or State Statute. Attach a separate list to this application and title it as "Exhibit B".

*X* *pls see*  
*attached*

## Application For Special Use

### Special Use Standards

Please state how the establishment, maintenance or operation of the special use will not be unreasonably detrimental to or endanger the public health, safety, morals, comfort or general welfare:

GHCFE is a private, non profit school that will provide academic and holistic education for approximately fifty children in grades Kindergarten through high school.

Please state how the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood:

GHCFE is a business that will have approximately 50 children and 6 adults. The purpose of the school is to provide education academically, environmentally, and holistically. Property of GHCFE will be used for with the utmost concern for its students and the environment.

Please state how the establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district:

The usage of GHCFE will be contained within the structure of the building. GHCFE will use the North side of the property to plant organic vegetables.

Please state how adequate utilities, access roads, drainage or other necessary facilities have been or are being provided:

There is currently no flooding or drainage issues. The access road is Van Emmon.

## Application For Special Use

### Special Use Standards

Please state how adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets:

Consideration for lot and local traffic will be addressed by signage indicating where both drop off and pick up locations are, lot striping to inform vehicles of entrance and exits, and staff supervision during peak traffic hours.

Please state how the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the City Council pursuant to the recommendations of the Plan Commission:

CMCPE conforms to all other applicable regulations of the district.

### Agreement

I verify that all the information in this application is true to the best of my knowledge. I understand and accept all requirements and fees as outlined as well as any incurred administrative and planning consultant fees which must be current before this project can proceed to the next scheduled committee meeting.

I understand all of the information presented in this document and understand that if an application becomes dormant it is through my own fault and I must therefore follow the requirements outlined above.

Applicant Signature

Jan Grace

Date

3/11/14

Owner hereby authorizes the applicant to pursue the appropriate entitlements on the property.

Owner Signature

Date

THIS APPLICATION MUST BE NOTARIZED  
PLEASE NOTARIZE IN THE SPACE BELOW:





United City of Yorkville  
County Seat of Kendall County  
800 Game Farm Road  
Yorkville, Illinois, 60560  
Telephone: 630-553-4350  
Fax: 630-553-7575  
Website: [www.yorkville.il.us](http://www.yorkville.il.us)

## Petitioner Deposit Account / Acknowledgment of Financial Responsibility

<b>Development/Property Address:</b> <u>319 E. Van Emmon</u>	<b>Project No.: FOR CITY USE ONLY</b>	<b>Fund Account No.: FOR CITY USE ONLY</b>												
<b>Petition/Approval Type:</b> <i>check appropriate box(es) of approval requested</i> <table style="width: 100%;"><tr><td><input type="checkbox"/> Concept Plan Review</td><td><input checked="" type="checkbox"/> Amendment (Text) (Annexation) (Plat)</td><td><input type="checkbox"/> Annexation</td></tr><tr><td><input type="checkbox"/> Rezoning</td><td><input type="checkbox"/> Special Use</td><td><input type="checkbox"/> Mile and 1/2 Review</td></tr><tr><td><input type="checkbox"/> Zoning Variance</td><td><input type="checkbox"/> Preliminary Plan</td><td><input type="checkbox"/> Final Plans</td></tr><tr><td><input type="checkbox"/> P.U.D.</td><td><input type="checkbox"/> Final Plat</td><td></td></tr></table>			<input type="checkbox"/> Concept Plan Review	<input checked="" type="checkbox"/> Amendment (Text) (Annexation) (Plat)	<input type="checkbox"/> Annexation	<input type="checkbox"/> Rezoning	<input type="checkbox"/> Special Use	<input type="checkbox"/> Mile and 1/2 Review	<input type="checkbox"/> Zoning Variance	<input type="checkbox"/> Preliminary Plan	<input type="checkbox"/> Final Plans	<input type="checkbox"/> P.U.D.	<input type="checkbox"/> Final Plat	
<input type="checkbox"/> Concept Plan Review	<input checked="" type="checkbox"/> Amendment (Text) (Annexation) (Plat)	<input type="checkbox"/> Annexation												
<input type="checkbox"/> Rezoning	<input type="checkbox"/> Special Use	<input type="checkbox"/> Mile and 1/2 Review												
<input type="checkbox"/> Zoning Variance	<input type="checkbox"/> Preliminary Plan	<input type="checkbox"/> Final Plans												
<input type="checkbox"/> P.U.D.	<input type="checkbox"/> Final Plat													
<b>Petitioner Deposit Account Fund:</b> It is the policy of the United City of Yorkville to require any petitioner seeking approval on a project or entitlement request to establish a Petitioner Deposit Account Fund to cover all actual expenses occurred as a result of processing such applications and requests. Typical requests requiring the establishment of a Petitioner Deposit Account Fund include, but are not limited to, plan review of development approvals/engineering permits. Deposit account funds may also be used to cover costs for services related to legal fees, engineering and other plan reviews, processing of other governmental applications, recording fees and other outside coordination and consulting fees. Each fund account is established with an initial deposit based upon the estimated cost for services provided in the <b>INVOICE &amp; WORKSHEET PETITION APPLICATION</b> . This initial deposit is drawn against to pay for these services related to the project or request. Periodically throughout the project review/approval process, the Financially Responsible Party will receive an invoice reflecting the charges made against the account. At any time the balance of the fund account fall below ten percent (10%) of the original deposit amount, the Financially Responsible Party will receive an invoice requesting additional funds equal to one-hundred percent (100%) of the initial deposit if subsequent reviews/fees related to the project are required. In the event that a deposit account is not immediately replenished, review by the administrative staff, consultants, boards and commissions may be suspended until the account is fully replenished. If additional funds remain in the deposit account at the completion of the project, the city will refund the balance to the Financially Responsible Party. A written request must be submitted by the Financially Responsible Party to the city by the 15 <sup>th</sup> of the month in order for the refund check to be processed and distributed by the 15 <sup>th</sup> of the following month. All refund checks will be made payable to the Financially Responsible Party and mailed to the address provided when the account was established.														
<b>ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY</b>														
Name/Company Name: <u>Tairi Grace</u> Address: <u>135 Wansman</u> City: <u>Yorkville</u> State: <u>IL</u> Zip Code: <u>60560</u>														
Telephone: <u>630 821 1095</u> Mobile: _____ Fax: _____ E-mail: <u>tairi.k@yorkville.il.us</u>														
<b>Financially Responsible Party:</b> I acknowledge and understand that as the Financially Responsible Party, expenses may exceed the estimated initial deposit and, when requested by the United City of Yorkville, I will provide additional funds to maintain the required account balance. Further, the sale or other disposition of the property does not relieve the individual or Company/Corporation of their obligation to maintain a positive balance in the fund account, unless the United City of Yorkville approves a Change of Responsible Party and transfer of funds. Should the account go into deficit, all City work may stop until the requested replenishment deposit is received.  Print Name: <u>Tairi Grace</u> Title: <u>Executive Director</u> Signature*: <u>[Signature]</u> Date: <u>3/12/14</u>														
<i>*The name of the individual and the person who signs this declaration must be the same. If a corporation is listed, a corporate officer must sign the declaration (President, Vice-President, Chairman, Secretary or Treasurer)</i>														
<b>FOR CITY USE ONLY</b>														
<b>ACCOUNT CLOSURE AUTHORIZATION:</b> Date Requested: _____ <input type="checkbox"/> Completed <input type="checkbox"/> Inactive Print Name: _____ <input type="checkbox"/> Withdrawn <input type="checkbox"/> Collections Signature: _____ <input type="checkbox"/> Other														
DEPARTMENT ROUTING FOR AUTHORIZATION: <input type="checkbox"/> Comm Dev. <input type="checkbox"/> Building <input type="checkbox"/> Engineering <input type="checkbox"/> Finance <input type="checkbox"/> Admin.														

**CERTIFIED MAILING**  
**AFFIDAVIT**

STATE OF ILLINOIS     )  
                                      ) SS  
COUNTY OF KENDALL )

I/We, Tairi Grant (HCFB), petitioner, being first duly sworn, do hereby state under oath that to the best of my knowledge the attached list is a true, correct and complete list of all permanent parcel numbers, and names and addresses of owners, of all lots and parts of lots located within 500 feet (exclusively of any public streets and alleys) of the property legally described on the attached application for annexation, rezoning, special use permit, planned unit development, variation, or other zoning amendment. I further state that said list was obtained from the current tax rolls of the Kendall County Treasurer's Office. I further state that I mailed by U.S. Certified Mail, Return Receipt Requested, a copy of the Public Notice of Public Hearing before the United City of Yorkville Plan Commission for the Public Hearing held on Wednesday, \_\_\_\_\_, at the United City of City Council Chambers, Yorkville, Illinois. The notice was mailed to the attached list of all of the permanent parcel numbers and names and addresses of owners at the U.S. Post office on \_\_\_\_\_, 20\_\_\_\_.

  
\_\_\_\_\_  
Signature of Petitioner(s)

Subscribed and sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Notary Public

**United City of Yorkville**

800 Game Farm Road  
Yorkville, Illinois 60560  
Telephone: 630-553-4350  
Fax: 630-553-7575

**INVOICE & WORKSHEET  
PETITION APPLICATION**

CONTACT:

Tairi Grace  
135 Von Emman  
Yorkville, IL 60560

DEVELOPMENT/ PROPERTY:

Acreage: \_\_\_\_\_

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

**Concept Plan Review:** ☐ Yes ☐ No  
Engineering Plan Review Deposit of \$500 due

\$ \_\_\_\_\_

**Amendment:** ☐ Yes ☐ No  
\$500.00 Fee due for each: (Annexation) (Plan) (Plat) (PUD)

\$ \_\_\_\_\_

**Annexation:** ☐ Yes ☐ No  
\$250.00, plus \$10/acre for each acre over 5.  
# of acres: \_\_\_\_\_ - 5 = \_\_\_\_\_ x \$10 = \_\_\_\_\_ + \$250

\$ \_\_\_\_\_

**Rezoning:** ☐ Yes ☐ No  
\$200.00, plus \$10/acre for each acre over 5.  
# of acres: \_\_\_\_\_ - 5 = \_\_\_\_\_ x \$10 = \_\_\_\_\_ + \$200  
If annexing and rezoning, charge only 1 per acre fee.  
If rezoning to a PUD, charge PUD Development Fee- not Rezoning Fee.

\$ \_\_\_\_\_

**Special Use:** ☒ Yes ☐ No  
\$250.00, plus \$10/acre for each acre over 5.  
# of acres: \_\_\_\_\_ - 5 = \_\_\_\_\_ x \$10 = \_\_\_\_\_ + \$250

\$ \_\_\_\_\_

**Zoning Variance:** \$85.00 ☐ Yes ☐ No  
Outside Consultants deposit of \$500.00 due

\$ \_\_\_\_\_

**Preliminary Plan Fee:** \$500.00 ☐ Yes ☐ No

\$ \_\_\_\_\_

**P.U.D. Fee:** \$500.00 ☐ Yes ☐ No

\$ \_\_\_\_\_

**Final Plat Fee:** \$500.00 ☐ Yes ☐ No

\$ \_\_\_\_\_

**Engineering Plan Review Deposit:** ☐ Yes ☐ No  
☐ Less than 1 acre = \$1,000 due  
☐ Over 1 acre and less than 10 acres = \$2,500 due  
☐ Over 10 acres and less than 40 acres = \$5,000 due  
☐ Over 40 acres and less than 100 acres = \$10,000 due  
☐ Over 100 acres = \$20,000 due

\$ \_\_\_\_\_

**Outside Consultants Deposit:** ☒ Yes ☐ No  
Legal, Land Planner, Zoning Coordinator, Environmental Services  
Annexation, Subdivision, Rezoning, and Special Use:  
☐ Less than 2 acres = \$1,000 due  
☐ Over 2 acres and less than 10 acres = \$2,500 due  
☐ Over 10 acres = \$5,000 due

\$ \_\_\_\_\_

**TOTAL AMOUNT DUE:**\$ 1250<sup>00</sup>

Word/ O Drive/ Dev. Dep. ARC/ Fee Sheet Wkst

Exhibit B

PIN	mailto_name	mailto_address1	mailto_address2	mailto_csz
02-33-177-001	EJ INVESTMENTS LLC	674 ANDREA CT		YORKVILLE IL 60560
02-33-177-005	OLSON ROGER D & JOYCE M	325 E VAN EMMON ST		YORKVILLE IL 60560
02-33-177-006	COMMONWEALTH EDISON	THREE LINCOLN CENTRE 4TH FL		OAK BROOK TERRACE IL 60181
02-33-153-009	UNITED CITY OF THE VILLAGE OF YORKVILLE (CENTENNIAL PARK)	800 GAME FARM RD		YORKVILLE IL 60560
02-33-307-012	YUNDT BARBARA G REV TR	2524 CREEK RD		PLANO IL 60545
02-33-307-022	PATTERSON STEWART W & PAMELA	%LEGACY REALTY	8641 WALKER RD	YORKVILLE IL 60560
02-33-178-004	CHRISTOFFERSON JAMES F	329 GREGORY ST		AURORA IL 60504
02-33-178-003	SCHWARZ JENNIFER	28 W 015 87TH ST		NAPERVILLE IL 60564
02-33-307-020	HARVEST PROPERTY MANAGEMENT	PO BOX 51		YORKVILLE IL 60560
02-33-307-004	SCHMIDT WM & KATHRYN	310 E VAN EMMON ST		YORKVILLE IL 60560
02-33-307-003	PACKER JAMES K	308 E VAN EMMON ST		YORKVILLE IL 60560
02-33-307-002	PACKER JAMES K	808 W JACKSON AVE		NAPERVILLE IL 60540
02-33-307-011	WARNER, JOSHUA & LEWIS, AUBREY	311 E RIDGE ST		YORKVILLE IL 60560
02-33-307-010	CREMENS JOHN F & KATHRYN M	309 E RIDGE ST		YORKVILLE IL 60560
02-33-307-009	HARDING KIRK A III & CHRISTY R	307 E RIDGE ST		YORKVILLE IL 60560
02-33-307-008	SIMMONS ROBBIE A & MICHELE	305 E RIDGE ST		YORKVILLE IL 60560



02-33-307-007	CHMELIR ROBERT J	303 E RIDGE ST	YORKVILLE IL 60560
02-33-307-018	CALVERT JUDITH A	306 MILL ST	YORKVILLE IL 60560
02-33-307-021	WILLMAN FRANK R & LAUREL L	% PAMELA MALLETTE	310 MILL ST YORKVILLE IL 60560
02-33-177-008	SONKIN LAMBKE SUSAN L	339 E VAN EMMON ST	YORKVILLE IL 60560
02-33-177-013	EJ INVESTMENTS LLC	674 ANDREA CT	YORKVILLE IL 60560
02-33-156-009	SAVAGE LARRY	311 E VAN EMMON ST	YORKVILLE IL 60560
02-33-156-008	HAWKINSON MICHAEL R SR & CAROL L	307 E VAN EMMON ST	YORKVILLE IL 60560
02-33-156-006	HARD GORDON D & KATHLEEN M	8820 MILLBROOK RD	NEWARK IL 60541
02-33-156-005	H A L T CLUB INC	P O BOX 615	YORKVILLE IL 60560
02-33-177-017	SONKIN LAMBKE SUSAN L	339 E VAN EMMON RD	YORKVILLE IL 60560
02-33-156-004	SAVAGE LARRY	311 E VAN EMMON ST	YORKVILLE IL 60560
02-33-156-016	ZIVKOVIC LJUBISA & MARA	62 TIMBER VIEW LN	YORKVILLE IL 60560
02-33-156-015	ZIVKOVIC LJUBISA & MARA	62 TIMBER VIEW LN	YORKVILLE IL 60560
02-33-156-014	ZIVKOVIC LJUBISA & MARA	62 TIMBERVIEW LN	YORKVILLE IL 60560
02-33-156-017	ZIVKOVIC LJUBISA & MARA	62 TIMBER VIEW LN	YORKVILLE IL 60560
02-33-156-018	BURD PAUL E & VALERIE L	300 E HYDRAULIC AVE	YORKVILLE IL 60560
02-33-178-001	JOHNSON GARY A & MARY D	4225 E 2551TH RD	SHERIDAN IL 60551

02-33-176-007	GENEVA KAYAK CENTER	301 E HYDRAULIC AVE	YORKVILLE IL 60560
02-33-177-012	CINNAMON JULI M	315 E VAN EMMON ST	YORKVILLE IL 60560
02-33-177-002	EJ INVESTMENTS LLC	674 ANDREA CT	YORKVILLE IL 60560
02-33-178-002	CHRISTOFFERSON JAMES F	329 GREGORY ST	AURORA IL 60504
02-33-307-005	OSWEGO COMMUNITY BANK % PAUL &	81 COUNTRY DR	YORKVILLE IL 60560
02-33-177-016	D K LANDSCAPE & DESIGN INC	4747 WAA-KEE-SHA DR.	OSWEGO IL 60543
02-33-153-008	UNITED CITY OF THE VILLAGE OF YORKVILLE	800 GAME FARM RD	YORKVILLE IL 60560
02-33-156-007	HAWKINSON MICHAEL R SR & CAROL L	307 E VAN EMMON ST	YORKVILLE IL 60560
02-33-176-001	UNITED CITY OF THE VILLAGE OF YORKVILLE (CENTENNIAL PARK)	800 GAME FARM RD	YORKVILLE IL 60560
02-33-326-008	KUCZKOWSKI KEITH & BONNIE	328 E VAN EMMON ST	YORKVILLE IL 60560
02-33-326-004	COMMONWEALTH EDISON	THREE LINCOLN CENTRE 4TH FL	OAK BROOK TERRACE IL 60181
02-33-502-001			



1082

**WARRANTY DEED  
CORPORATION TO CORPORATION**

201400005058

**DEBBIE  
GILLETTE  
KENDALL COUNTY, IL**

RECORDED: 4/17/2014 3:37 PM  
WD: 1024.00 RHSPS FEE: 10.00  
PAGES: 4

THIS INDENTURE WITNESSETH,  
That the Grantor, TKK  
INVESTMENTS, LLC, an Illinois  
Limited Liability Company created and  
existing under and by virtue of the laws  
of the State of Illinois and duly  
authorized to transact business in the  
State of Illinois, of 319 E Van Emmon  
Street, Yorkville, Illinois for and in  
consideration of Ten and no/100ths  
Dollars (\$10.00), and other good and  
valuable consideration in hand paid, and  
pursuant to authority given by the  
Members of said company, conveys and  
warrants to EJ INVESTMENTS, LLC,  
an Illinois Limited Liability Company,  
of 674 Andrea Court, Yorkville, Illinois,  
Grantee, the following described real  
estate located in Kendall County,  
Illinois

SEE ATTACHED EXHIBIT "A"

**FIDELITY NATIONAL TITLE**

**Permanent Real Estate Index Number:** 02-33-177-001-0000, 02-33-177-002-0000, 02-33-177-004-0000, 02-33-177-013-0000

Address of Real Estate 319 E Van Emmon Road, Yorkville, Illinois 60560

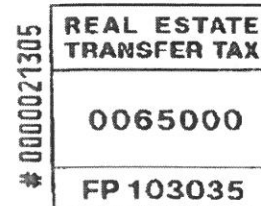
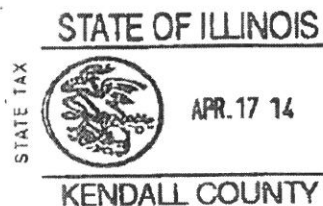
In Witness Whereof, Grantor has caused its name to be signed to these presents  
by its Managing Member

This 3<sup>rd</sup> day of April, 2014

TKK Investments, LLC

BY Thomas Baumgartner  
THOMAS BAUMGARTNER, MANAGING MEMBER

COUNTY OF KENDALL  
REAL ESTATE TRANSFER TAX  
\$ 325.00 (RP)

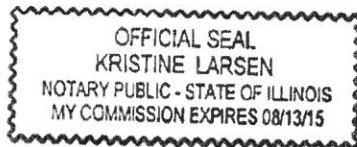


STATE OF ILLINOIS )  
COUNTY OF Kendall )<sup>SS</sup>

The undersigned, a Notary Public in and for said County and State aforesaid, do hereby certify that THOMAS BAUMGARTNER personally known to me to be the Managing Member of TKK Investments, LLC, and personally known to me to be the same person whose name is subscribed to the foregoing instrument as having executed the same, appeared before me this day in person and acknowledged that he as Managing Member signed, sealed and delivered this instrument, pursuant to the authority given by the Board of Directors of said corporation, as his free and voluntary act for the uses and purposes set forth

Given under my hand and Notarial Seal on April 3, 2014

Kristine Larsen  
Notary Public



Prepared by Attorney Kristine Larsen, 22 W Van Buren, Oswego, Illinois 60543

Return to  
Attorney Thomas Grant  
200 Hillcrest Avenue  
P O Box 326  
Yorkville, IL 60560

Grantee's Address and Send tax bills to  
EJ Investments, LLC  
674 Andrea Court  
Yorkville, IL 60560

## EXHIBIT "A"

THAT PART OF THE NORTHWEST 1/4 OF SECTION 33, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS COMMENCING AT A POINT ON THE NORTH LINE OF VAN EMMON STREET AT THE SOUTHEAST CORNER OF BLOCK 5 OF BLACK'S ADDITION TO YORKVILLE, THENCE EASTERLY ALONG SAID NORTH LINE, 170 0 FEET FOR A POINT OF BEGINNING, THENCE NORTHERLY, PARALLEL WITH THE EAST LINE OF SAID BLOCK 5, A DISTANCE OF 120 0 FEET, THENCE WESTERLY ALONG A LINE DRAWN PARALLEL WITH SAID NORTH LINE, 53 67 FEET TO A POINT WHICH IS 185 0 FEET WESTERLY, AS MEASURED ALONG SAID PARALLEL LINE, OF THE EAST LINE OF LOT 13 OF SAID SECTION, AS SAID LOT IS DEPICTED ON A PLAT OF SURVEY RECORDED IN BOOK 3 OF PLATS, PAGE 96 AND AS OCCUPIED AND MONUMENTED, THENCE NORTHERLY, PARALLEL WITH SAID EAST LINE OF SAID LOT, 84 87 FEET TO A LINE DRAWN WESTERLY, PARALLEL WITH THE MAIN TRACK TANGENT CENTER LINE OF THE BURLINGTON NORTHERN RAILROAD FROM A POINT ON THE EAST LINE OF SAID LOT WHICH IS 115 0 FEET SOUTHERLY OF THE INTERSECTION OF SAID EAST LINE WITH THE CENTER LINE OF SAID MAIN TRACK, THENCE EASTERLY ALONG SAID LINE, PARALLEL TO SAID MAIN TRACK, 32 52 FEET TO THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO ALLAN BRADY BY DOCUMENT NO. 77-4545, THENCE NORTHERLY ALONG THE EAST LINE OF SAID BRADY TRACT, 76 52 FEET TO THE NORTHEAST CORNER THEREOF, THENCE EASTERLY ALONG THE NORTHERLY LINE OF SAID BRADY TRACT EXTENDED, 60 34 FEET TO A POINT WHICH IS 30 0 FEET, NORMALLY DISTANT, SOUTHERLY OF THE CENTER LINE OF SAID MAIN TRACK, THENCE EASTERLY PARALLEL WITH SAID CENTER LINE 56 82 FEET TO A POINT OF CURVATURE, THENCE EASTERLY, CONCENTRIC WITH SAID CENTER LINE, BEING ALONG A TANGENTIAL CURVE TO THE RIGHT HAVING A RADIUS OF 5,699 65 FEET, AN ARC DISTANCE OF 41 45 FEET, TO SAID EAST LINE OF LOT 13, THENCE SOUTHERLY ALONG SAID EAST LINE, 292 72 FEET TO SAID NORTH LINE OF VAN EMMON STREET, THENCE WESTERLY ALONG SAID NORTH LINE, 126 52 FEET TO THE POINT OF BEGINNING LESS AND EXCEPT PART CONVEYED BY DEED RECORDED JULY 3, 1990 AS DOCUMENT 904281, AND ALSO THAT PART OF LOT 12 (SOMETIMES CALLED SUB LOT 12) ACCORDING TO 3 PLATS, PAGE 96 IN SECTION 33, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, WHICH LIES SOUTH OF THE CHICAGO, BURLINGTON AND QUINCY RAILROAD RIGHT OF WAY AND NORTH OF VAN EMMON STREET, IN THE UNITED CITY OF THE VILLAGE OF YORKVILLE, KENDALL COUNTY, ILLINOIS

**Permanent Real Estate Index Number:** 02-33-177-001-0000, 02-33-177-002-0000, 02-33-177-004-0000, 02-33-177-013-0000

**Address of Real Estate** 319 E Van Emmon Road, Yorkville, Illinois 60560



Debbie Gillette

Kendall County Clerk & Recorder

PLAT ACT AFFIDAVIT OF METES AND BOUNDS

STATE OF ILLINOIS )

) SS

COUNTY OF KENDALL )

THOMAS W. GRAM, being duly sworn on oath, And further states that (please check the appropriate box)

- A. ☒ That the attached deed is not in violation of 765 ILCS 205/1(a), in that the sale or exchange is of an entire tract of land not being a part of a larger tract of land; or
- B. ☐ That the attached deed is not in violation of 765 ILCS 205/1(b) for one of the following reasons (please circle the appropriate number)

1. The division or subdivision of land into parcels or tracts of 5.0 acres or more in size which does not involve any new streets or easements of access;
2. The division of lots or blocks of less than one (1) acre in any recorded subdivision which does not involve any new streets or easements of access;
3. The sale or exchange of parcels of land between owners of adjoining and contiguous land;
4. The conveyance of parcels of land or interests therein for use as right of way for railroads or other public utility facilities and other pipe lines which does not involve any new streets or easements of access;
5. The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access;
6. 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;
7. Conveyances made to correct descriptions in prior conveyances;
8. The sale or exchange of parcels or tracts of land following the division into not more than two (2) parts of a particular parcel or tract of land existing on July 17, 1959 and not involving any new streets or easements of access;
9. The sale of a single lot of less than 5.0 acres from a larger tract when a survey is made by an Illinois Registered Land Surveyor; provided, that this exemption shall not apply to the sale of any subsequent lots from the same larger tract of land, as determined by the dimensions and configuration of the larger tract on October 1, 1973, and provided also that this exemption does not invalidate any local requirements applicable to the subdivision of land;
10. The conveyance is of land described in the same manner as title was taken by grantor(s).

AFFIANT further states that    he makes this affidavit for the purpose of inducing the Recorder of Deeds of Kendall County, Illinois, to accept the attached deed for recording.

SUBSCRIBED AND SWORN TO BEFORE ME

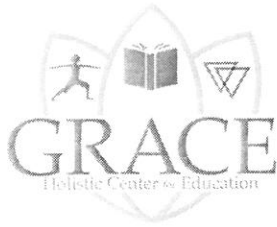
This 3<sup>rd</sup> day of April, 2014.

Signature of Affiant

Kristine Larsen  
Signature of Notary Public



111 W Fox Street Yorkville, IL 60560 - 1498  
Tel (630) 553-4113 Fax (630) 553-5555



GRACE HOLISTIC CENTER FOR EDUCATION  
319 E. Van Emmon St.  
Yorkville, Illinois 60560  
[www.ghcfe.org](http://www.ghcfe.org)

Grace Holistic Center for Education

*"Open Minds-Open Hearts"*

Business Plan

319 East Van Emmon Street  
Yorkville, Illinois 60560



GRACE HOLISTIC CENTER FOR EDUCATION  
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Yorkville, Illinois 60560  
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## **Mission Statement**

The mission of Grace Holistic Center for Education (GHCFE) is to provide a learning environment in which teaching modalities encompass mind, body, spirit, and academics. Education occurs by awakening free thinking, intrapersonal relationships, self-awareness, and holistic health.

## **Executive Summary**

Each child has something special and something unique to give to the world. GHCFE will help children and parents discover students' natural tendencies and foster its growth. We believe this is what education encompasses. Children that matriculate from this program will have "learned how to learn," and will be able to apply, integrate, and move forward in life in a mentally, emotionally, physically, and spiritually healthy way. This school is not only going to focus on academics but will also prepare these children to be self-actualized adults. Life skills, holistic health, mindfulness, and self-awareness will be a part of every day's curriculum at GHCFE.

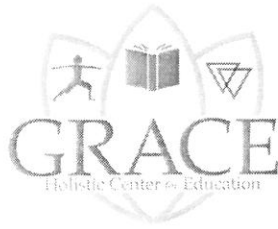
## **Description of GHCFE**

Grace Holistic Center for Education, is a private not-for-profit school for special and regular education students, in Kendall County, pending Illinois State Board of Education approval. Our proposed curriculum and policies will establish a unique experience and education for each specific student, differentiating from the standard schooling typical operations.

- **Educational Philosophy**

GHCFE seeks to further the illumination of the human spirit. This endeavor is pursued by encompassing mind, body, spirit, and academics. We offer integrative education that provides a wide range of curriculum. One of the ways we achieve this objective is by cultivating active parent involvement, along with expanding global citizenship through service. We believe that ingenuity and creativity should be allowed to thrive. Our offerings include daily yoga/meditation which encourages intuitive problem solving and critical thinking skills. We also extend Immersion Spanish as a way to enhance memory and academic performance overall. Additionally, various programs are offered in the Arts such as: music, dance, art and culinary.





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- **Programs**

The school occupancy is composed of 13 regular education grades, K-12, and taught in four separate groups. The groups will be constructed by grades of kindergarten thru second grade, third thru fifth grade, sixth thru eighth grade, and ninth through twelfth. Approximately, there will be ten students in each group, totaling an attendance of 40 students. This lower attendance allows a much stronger teacher to student ratio that where more focus can be placed on one student.

There will be two special education classrooms grades first through fourth and fifth through eighth. Each classroom will have five students.

Students will also have the opportunity to explore elements of music and art in a semi-private group study. Classes take place once a week and are customized to fit each age group and study level; instruction is provided by teachers through the Fox River Academy of Music and Art. Music curriculum covers exposure to and application of musical concepts (such as rhythm, pitch, phrase, dynamics, etc.), instruments and study of sound production, music history/cultural music development, and other areas of music. Visual art will involve introduction to various materials and media through application of techniques and review of master artists. History, science/math, language, and aural/physical skills are combined together in class to create an engaging and exciting learning experience.

Along with the curriculum, we will also be allowing "Friday Classes". This is open to children in the community within the area that are homeschooled and would like to attend a classroom setting every Friday.

- **Meals**

GHCFE has partnered with Ginger and Soul Inc. to provide organic, non-GMO, dye-free lunches to its students.

Genetically Modified Organisms (GMOs) are herbicide tolerant plants being produced or sprayed with the herbicide which allows the plants to survive. A pesticide is also inserted into every cell of the plant which comes from the soil to kill off insects. The genetic engineering process creates massive collateral damage, causing mutations in hundreds or thousands of locations throughout the plant's DNA. When humans consume GMO's, there may be unintended and unknown effects.



Artificial food dyes are made from petroleum and are used to enhance the color of processed foods. Research indicates that when a significant amount of dyes are consumed by humans, they can bind to the human tissue and form neoantigens and result in bioaccumulation in the tissue. The antigens can then be attacked by the immune system, resulting in autoimmune reactivity. Foods and additives are 2 environmental triggers that have been found to be associated with ADHD.

ADHD is characterized as excessive and impairing inattentive, hyperactive, and impulsive behavior. In a study with 100 children with whom 50 were randomly assigned 5 weeks of a restricted diet of additive containing foods and the other 50 to a diet containing foods with additives. After 5 weeks, 78% of those in the diet group had responded to the diet showing considerable beneficial effects (Vojdani A, Vojdani C, 2015).

When children eat breakfast and lunch, they are more successful, have improved memory, problem-solving skills, and math and language skills. Students who eat breakfast and lunch at school also have higher attendance rates and lower tardiness which provides a more positive learning environment. Students who eat breakfast and lunch are also less likely to get sick.

The breakfast and lunch food students eat need to be free of additives and GMOs as stated above in order for these amazing benefits take place. There are benefits for all students, however, for those who have ADHD and/or anxiety it can be crucial for their learning experience.

- **Policy for Monitoring and Evaluating Operations**

Used by thousands of school districts around the country, Aimsweb is an assessment, data management, and reporting system. Designed to universally screen and monitor student progress for grades K-12, Aimsweb uses brief, valid, and reliable measures to maximize time spent on instruction. It provides the framework, data, and guidance to administrators and teachers to efficiently allocate and evaluate core instruction and interventions to improve outcomes for all students—based on accurate, continual and direct student assessment. Aimsweb offers high quality, valid, and reliable assessment content that is easy to administer and score, produces consistent results across time or testing conditions, supports the Illinois Academic Standards, and can be used with any standards-based curriculum.



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- **Friday Program Information Sheet**

8:30 School starts

8:45 Yoga/Meditation

9:30 K-2 Music / Art (A), 3-5th (B), 6-8th (C)

10:30 3-5th grade Music/ Art (A), K-2 (C), 6-8th (B)

12:00 Lunch/Structured Play/Selected School Task (20 min ea.)

1:00 6-8th grade Music/ Art (A), K-2 (B), 3-5th (C)

2:30 Dismissal

Rotation A- Music/ Art

Rotation B –(one of the following)

1. Reading extension games
2. Spanish language education
3. Social/Life Skills Activities

- Rotation C- Community Service Project/Field Trip

**Management Team:**

- **Directors**

**Tairi Grace, LCSW, ERYT - Executive Director & Therapist**

Tairi Grace is a Licensed Clinical Social Worker (LCSW), who has owned a private practice since 2009. The owner of Sense of Samadhi Yoga Studio, she is also a 500-hour Registered Yoga Teacher and 200-hour Educator. Operating out of this location is a holistic healing market offering a variety of healing services as well as items from local artisans. Tairi Grace leads an annual 200-hour yoga teacher training program and is the founder of Metaphysically Fit Fest, which is a festival celebrating



diversity, spirituality, wellness, and self-expression. Tairi Grace actively supports the community and is member of the National Association of Social Workers, Yoga Alliance, and the Yorkville Chamber of Commerce. Tairi Grace has lived in Yorkville for over 13 years and has four children, ages 12, 10, 7, and 6.

**Jennifer L. Saad, MA, MS - Program Director & Teacher**

Jennifer has been working in the education field with children exhibiting a wide range of abilities since 1998. She received her undergraduate degree from Dominican University, double majoring in Education and American Studies. Working with grade school students in an urban setting, influenced her to pursue a graduate degree in Special Education, also from Dominican. To enhance her worldview, she obtained certification in School Counseling, along with a Masters in Administration from Lewis University. Her professional background includes supervising staff, case management, diagnostic testing, along with writing and implementing FBP's. Jennifer has also facilitated meetings between staff, students, and parents. She is a lifelong learner, currently pursuing a wellness certification. Jennifer resides in Joliet and has two children, ages 22 and 18.

- **Educational Board**

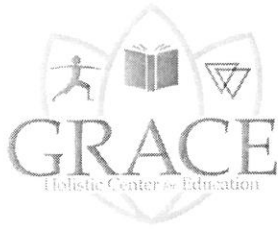
**TBD- Creations Program Teacher (K-2 grades)**

**Jennifer L. Saad, MA, MS - Transitions Program Teacher (3-5 grades)**

Jennifer has been working in the education field with children exhibiting a wide range of abilities since 1998. She received her undergraduate degree from Dominican University, double majoring in Education and American Studies. Working with grade school students in an urban setting influenced her to pursue a graduate degree in Special Education, also from Dominican. To enhance her worldview, she obtained certification in School Counseling along with a Masters in Administration from Lewis University. Her professional background includes supervising staff, case management, diagnostic testing, as well as writing and implementing FBPs. She has also facilitated meetings between staff, students and parents. She is a lifelong learner, currently pursuing a wellness certification. Jennifer resides in Joliet and has two children ages 22 and 18.

**Danielle Reuterskiold, Evolutions Program Teacher (6-8 grades)**

Danielle Reuterskiold graduated with honors from Western Illinois University with a Bachelor of Arts degree in English Education. She taught 7th grade Language Arts in



Woodridge, IL for three years. She has since been raising her children, as well as caring for other children in the community. Danielle's philosophy for teaching stems from her personal conviction and love for reading. She was the child who checked out twenty books from the library, and read through them all in a few days' time. Danielle enjoys cooking, gardening, and camping with her husband and three children.

### **Dawn Aulet, Expansions Teacher (9-12 grades)**

Dawn Aulet began her career in the secondary education field when she guest directed a play in 2010 at her alma mater. Her passion for learning, though spans the scope of the written word and performance as well as teaching. Dawn received her undergraduate degree from Northern Illinois University in 2000, where she majored in Journalism and minored in Theater. Following a successful career in Journalism, in 2014, she added a masters in teaching from Olivet Nazarene University.

A Lifelong Learning instructor at Joliet Junior College since 2009, for the past year, she has been enriching her classroom experience on the southside of Chicago, teaching drama, writing and American Literature at DeLaSalle Institute. Her favorite part of the job is getting to know the students and meeting them where they are at when they enter her classroom – academically and emotionally.

Dawn is moved by the stories of everyone she meets. In her varied career, she has carried the responsibility of hearing, telling and teaching people how to tell their story. She is excited to bring a more holistic approach to the classroom

She currently lives in the Western suburbs and is raising two amazing boys who are 14 and 11.

### **Amanda Rediger, Special Education Teacher**

Amanda Reveter is a certified special education teacher with several years experience in both private therapeutic and public school settings. She earned her Masters Degree in Education (LBS1) in 2007 from Northern Illinois University. While working at Edward Academy she helped research and design curriculums to provide differentiated instruction to students with various abilities and learning styles. Her background includes experience writing, implementing, and monitoring progress of IEP goals as well as utilizing functional behavioral assessments to develop plans to help students



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achieve success in academic settings.

Amanda is a 200 hr registered yoga teacher as well as a level 3 certified swimming coach. She believes that the key to academic success is through developing a healthy mind, body, and spirit by providing a setting that is nurturing.

#### **Patricia Kinnavy - Activities Director**

Patricia Kinnavy is a registered Illinois High School Association (IHSA) coach. Prior to joining GHCFE, she worked at Mooseheart Child City as a coordinator for the recreation department, helping children ages 5 to 18 with personal growth and team-building skills. She also served as Mooseheart's head High School volleyball coach and assistant Junior High basketball coach. She is currently in the process of earning her Associates Degree to become a paraprofessional. Ms. Kinnavy is very passionate about nature, the environment and has a natural gift with children of all ages.

#### **Karen Kulzer ,Executive Director, Fox River Academy of Music and Art, Inc.**

In August 2003, Ms. Kulzer co-founded/incorporated Fox River Academy of Music and Art, Inc. (a community music and art school) with musician Ron Stark, opening its doors with three employees and 40 students. Since then, Fox River Academy has grown to 400 enrolled students and 30+ full- and part-time employees, with members participating in student recitals, charitable fundraisers, art exhibits, and numerous other community art and music activities. Karen received her Bachelor of Music from DePaul University's School of Music (Chicago, Illinois) in 1996; she has studied piano performance and composition studies with Dr. Michael Fritsch, Dr. Melody Lord, Dr. Janice Misurell-Mitchell, Alan Swain, Jim Trompeter, and Dr. Kurt Westerberg. In addition to 20+ years of private piano teaching experience, Karen has been involved with many local organizations and community outreach associations.

#### **Tairi Grace, LCSW, ERYT - Therapist**

Tairi Grace is a Licensed Clinical Social Worker who has owned a private practice since 2009. She is also a 500-hour Registered Yoga Teacher/200 hour Educator and owns Sense of Samadhi Yoga Studio. Operating out of this location is a holistic healing market offering a variety of healing services as well as items from local artisans. Tairi Grace leads an annual 200-hour yoga teacher training program and is the founder of Metaphysically Fit Fest, which is a festival celebrating diversity, spirituality, wellness, and self-expression. Tairi Grace actively supports community and is member of National Association of Social Workers, Yoga Alliance, and the Yorkville Chamber of





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Commerce. Tairi Grace has lived in Yorkville for over 13 years and has four children ages 12, 10, 7 and 6.

#### **Jamee Adkins Kerkman, LCPC - Therapist**

Jamee Adkins Kerkman is a Licensed Clinical Professional Counselor (LCPC) with the State of Illinois, Certified Hypnotherapist, and a 200-hour Certified Yoga Teacher. She holds a Masters Degree in Clinical Psychology and owns a private practice, Trinity Wellness Counseling & Yoga. Jamee has been counseling clients since 2008, providing children and adolescents, individuals, couples, families and groups with holistic therapeutic interventions. Her experience includes teaching at the college level. She is passionate about helping others. Jamee is a member of the Illinois Mental Health Counseling Association.

#### **Chris McKinley - Administrative Assistant**

Chris McKinley is an office professional with a passion for education. She has worked in a variety of office settings, including four years as the office manager at Peaceful Pathways Montessori Academy. She was blessed to have her passion for alternative education and the pursuit of a complete education for all children revealed with the birth of and through the raising of her daughter.

#### **Board Members**

##### **Kristen Accardo, DC**

Dr. Accardo has been a practicing chiropractor since 1997. She received her Bachelor's degree from the University of Wisconsin-Milwaukee and her Doctor of Chiropractic from Northwestern College of Chiropractic. She has taken over 100 hours of training in acupuncture from the International Academy of Medical Acupuncture and received her Fellowship (FIAMA) in 2006 as well as training and certification in Health and Wellness Coaching from the American College of Sports Medicine. Dr. Accardo enjoys yoga, running, organic gardening, and watercolor painting. She is a member of the Oswego Chamber of Commerce and the Rotary Club of Oswego.

##### **Salvador A. Godinez**

S.A. "Tony" Godinez is a 42 year Criminal Justice veteran with past assignments in over 20 states. His most recent appointments have been as Director of the Illinois





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Department of Corrections under Governor Pat Quinn and as the Executive Director of the Cook County Jail for Sheriff Tom Dart. Mr. Godinez has also taught Criminal Justice classes in three different states and is certified as a court expert on Prison Gangs. He views his most valuable experience as the volunteer work he has performed with different juvenile delinquency and crime prevention community groups in different states. He has been appointed and co- chaired over forty boards and commissions in recent years. Mr. Godinez received his Bachelors Degree in Criminal Justice from the University of Ill-Chicago and his Masters Degree in Corrections from Chicago State University. He is presently involved as a Consultant/Advisor on several court cases in Cook County and on Criminal Justice initiatives as well. Mr. Godinez continues to provide assistance and direction to groups interested in the welfare of our youths and contribute to the efforts of early intervention.

### **Joel Frieders**

Husband to one, father to three, Joel Frieders is a current alderman for the United City of Yorkville, the Vice President of the The Compounder Pharmacy, and the owner/operator of the Aurora Bee Company. Joel is also active in the annual Summer Solstice craft beer and music festival in Yorkville and the Yorkville Park Board. After a health scare in 2009 forced him to reevaluate and take ownership of his own well being, Joel is fully invested in the health of his self, family, and community.

### **Brian R. King**

Brian King is a resilience Coach who has been inspiring audiences for over 20 years with his story of resilience in the face of growing up with ADHD and Dyslexia, surviving cancer at age 18, and now suffering from Ehlers-Danlos Syndrome. He is the father of three sons with ADHD and Asperger's. Brian is one of the most positive people you'll ever meet. He teaches entrepreneurs how to turn their failures into fuel by building their capacity for resilience.

### **Robyn Sutcliff**

Robyn Sutcliff is the owner of Foxy's Ice Cream in Yorkville, established in 2011. Robyn believes in creating community through business. Robyn served for 10 years as a substitute teacher for The Kendall County Cooperative for Special Education in types of special education classrooms: ISP, LSP, STARS, BD, Diagnostic and ED. As an Alderman of the City of Yorkville, Robyn was proud to be a servant to the community and work within a political system to represent Yorkville's residence and facilitate



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policies that would increase everyone's quality of life. Being a part of the Board of Grace Holistic school is an honor. Robyn looks forward to serving the students and participating in a program that will enrich students' lives while helping them to become outstanding human beings.

### Marketing Strategy

GHCFE has a marketing strategy that will send a message to our audience of the unique skills learned through our programs and why GHCFE will not only be educational, but a learning experience beyond formal education. We will express the benefits of the school and how it will positively affect our customers and their children. Marketing strategy formulation to implementation is composed of both traditional and digital, by reaching our audience through a variance of channels of promotions, advertising, public relations and sales. Naturally like any business, we plan to utilize the impact of local buzz and word of mouth referral advertising. This is one of the strongest methods of advertising yet we know we need to create reputation before this works so we will place our efforts to alternative marketing methods. Our traditional marketing plan is made up of printed collateral such as business cards, brochures, flyers, information packets, promotional items etc. This print will be used at any possible networking event, meeting or seminars attended by staff to inform the customer of the product offered and promotional items will be given as a thank you gift for the opportunity. Additionally, we may include newspaper advertisements such as ribbon cutting and radio broadcasting at a local radio station. Digitally, we will market our school with multiple platforms as well. Our root of our digital footprint is our currently operating website with call to actions for enrollment and informative information on the school itself. We plan to draw people to our site using social media such as our Facebook page with regular posts on school activity, email marketing campaigns containing promotions or informative information. We will also explore the possibility of search engine optimization through natural content SEO, blogging and PPC (Pay-Per-Click Google Adwords). We understand our niche is a smaller market and our marketing plan will be tailored as time continues, budget restraints and initial enrollment develops.

Our SWOT (Strengths, Weaknesses, Opportunities and Threats) analysis on our market has a currently strong hold on our industry foundation and competition within



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our county. Further analysis will be continued and researched as we continue to grow and pricing will be reflected as needed.

Strengths	Weaknesses
<ul style="list-style-type: none"><li>• Unique curriculum</li><li>• Education for all types of students</li><li>• Experienced multi business owner and operator</li><li>• Limited competition geographically</li><li>• Limited start up risk</li><li>• Marketing campaigns and visibility</li></ul>	<ul style="list-style-type: none"><li>• Limited start-up costs</li><li>• Limited flexibility in pricing</li></ul>
Opportunities	Threats
<ul style="list-style-type: none"><li>• Affiliate relations with related vendors and supporting businesses</li><li>• Development of proprietary products</li><li>• Develop new methods of curriculum and teaching standards</li></ul>	<ul style="list-style-type: none"><li>• Competitors marketing initiatives</li><li>• Changes in regulations that can impact the business</li><li>• Competitors develop or already have services</li><li>• Insurance and liability rising costs</li><li>• Increasing cost to do business in industry</li></ul>



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Our market share analysis is generated within Kendall County. This geographical location was chosen due to the amount of competition compared to surrounding areas. There are currently five private schools in Kendall County, IL, serving 967 students. The low amount of private schooling leaves room for market share to be competitive. Realizing our competitors have been around for awhile, we plan to take our market share through our experienced business partners and

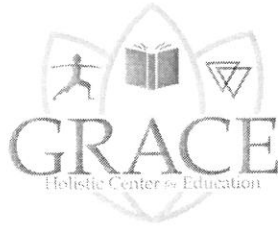
Competitor Analysis

School	Grades	# of Students	Religious Affiliation	Yoga/ Meditation	Organic Lunches/Snacks	Special Education	Organic food growing/ex-periential learning	Tuition per year	Teacher/student ratio	Foreign language	Therapeutic services (counseling, etc.) (insert details)	Aquaponics	Athletic/Academic/ Arts
Cross Evangelical	PK-8	256	Yes	No	No	No	No	5,900	1/15 Over 15 students a teacher aide is added	Spanish	Refers out for social work services and Speech.	No	Young Rembrandts Soccer Volleyball Cross Country Basketball
Parkview Christian Academy	PK-12	319	Yes	No	No	No	No	5,995	1/24	Spanish	No	No	4 <sup>th</sup> -12 <sup>th</sup> grade Cheerleading Basketball Soccer Volleyball
St. Luke's Lutheran School	PK-8	187	Yes	No	No	No	No			-	-	No	-
St. Mary's School	K-8	205	Yes	No	No	No	No			-	-	No	-
Peaceful Pathways Montessori	K-8	88	Yes	No	No	No	No	4,600	1/11	After school Spanish	No	No	4 <sup>th</sup> -8 <sup>th</sup> joins St. Paul's for sports
GHCFE	K-12	50	No	Yes	Yes	Yes	yes	6,500			Group and Individual Social Work Therapy, Occupational Therapy, Speech Therapy and Physical Therapy	Yes	Yoga

aggressive marketing plan to contain a recipe for success. Our Friday classes available to the homeschooled and our curriculum for students with disabilities will also gain market share. Some competitors do not have these options established that will enforce our public relations marketing and produce customer base. This will place a positive light and solution for schooling for some parents. With our school only containing approximately thirty out of the current 967 market of students, we can hold roughly 3-4% of the market share within Kendall County. This places our institution as smaller school compared to competitors but our specific niche will sustain market share while growth and demand rises.

### Cash Flows and Financial Analysis.

The start- up costs are approximately \$62,826 to furnish the school and have it ready for students. This is followed up by approximate annual need of \$510,440 per



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319 E. Van Emmon St.  
Yorkville, Illinois 60560  
[www.ghcfe.org](http://www.ghcfe.org)

year for operating expenses covering all fees, salary etc. These numbers were generated from an accounting department with realistic figures. This demonstrates what is needed for the school to function with expected costs.

GHCFE has expectations of generating cash flow of \$204,600 (\$6,500 tuition +700 supply fee + 250 deposit x 30 students) on an annual income from regular enrolled students, assuming a minimum of thirty students attend per year. Also, assuming ten children will be enrolled in the special education component, \$500,000 will be generated from these students, paid per district at 50K per student.

Additionally, Friday Program is expected to generate annual revenue of \$11,850. Suggested pricing for the HS student programs follow three different packages: 4 weeks of all day Fridays will cost \$150 a student at \$37.50 per day and \$2,250 in revenue, a 8 week plan of \$280 at \$35 per day and \$4,200 in revenue and lastly a 12 week program at \$360 holding 30 per diem with a total of \$5,400 in projected revenue.

In running total, using start up and yr. 1 operating costs of \$573,266 and tuition/district and Friday program fee collection totaling \$716,450, by year two GHCFE should have a positive cash flow of \$143,184 to sustain and expand services as well as begin to pay Executive Director and Program Director salaries. \$270,000 in which grants must exceed this figure. Refer to the cost and budget projections for details.

For start-up and year one operating expensed, GHCFE will look for grants and donations to help with rent and utilities for the building, starting salaries, student lunches, supplies and student tuition scholarships. GHCFE's campaign includes, first involving getting significant gifts from the board, from friends, and from generous donors in our community. The kickoff campaign event is scheduled for March 17, 2016.

**Per Regular Education Student Yearly tuition:** \$6,500.00

Supply fee: \$700.00

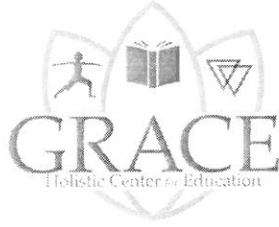
Non-refundable deposit: \$250.00

**Per Special Education Student Yearly** \$50,0000

**First Year Cost Analysis:**

Start up costs \$62,826

**+Annual needs \$510,440**

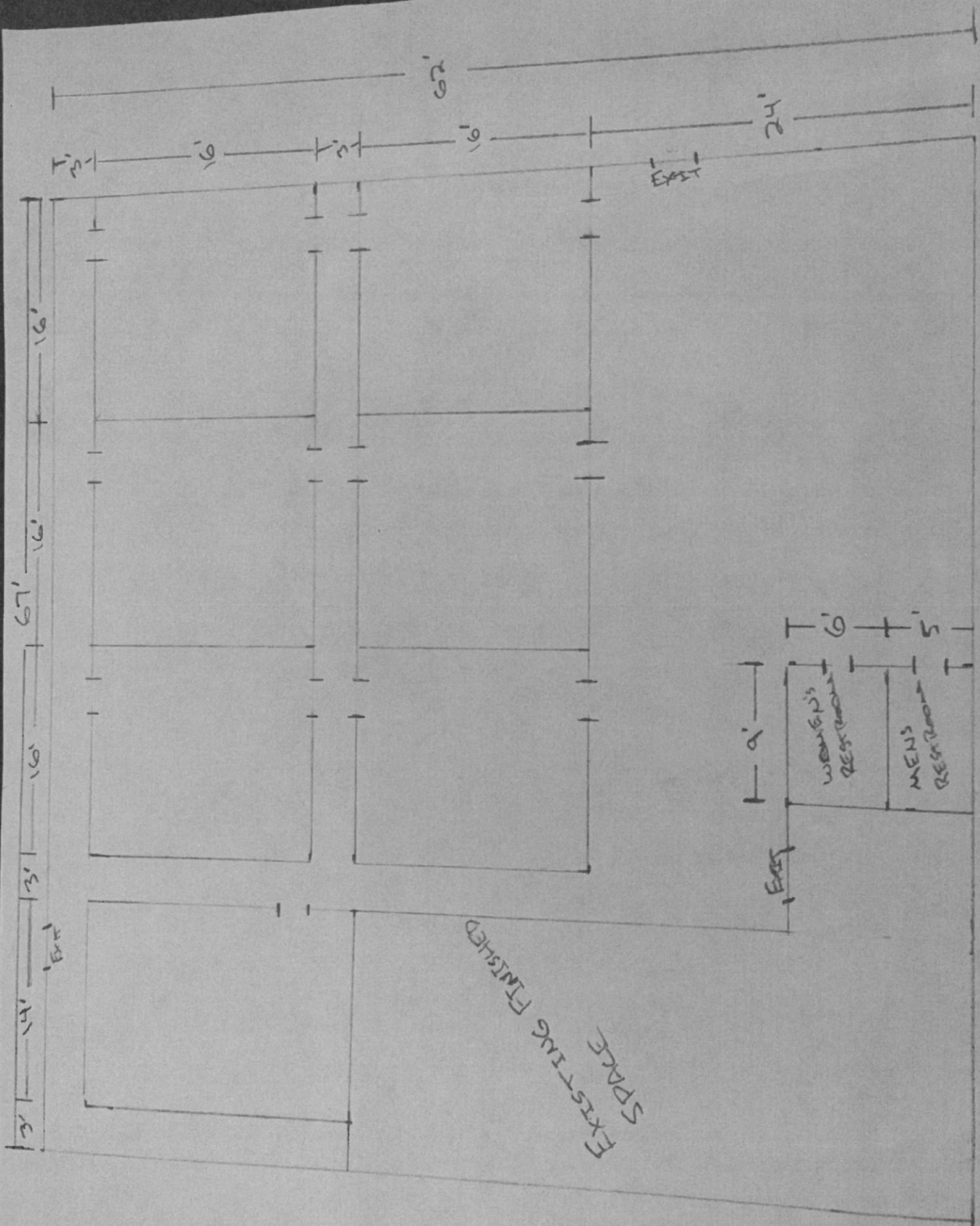


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First year Expense \$573,266

Annual projected income at the end of year one \$716,450





EXISTING FINISHED  
SPACE

WOMEN'S  
RESTROOM

MEN'S  
RESTROOM



PUBLIC NOTICE  
NOTICE OF PUBLIC HEARING  
BEFORE  
THE UNITED CITY OF YORKVILLE  
PLAN COMMISSION  
PC 2016-08

NOTICE IS HEREWITH GIVEN THAT Tairi Grace, petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting special use permit approval for a Commercial/Trade School for a private, non-profit school with an emphasis on holistic health education within the M-1, Limited Manufacturing District pursuant to Chapter 6, Table 10.06.02 of the Yorkville Zoning Ordinance. The real property is located at 319 E. Van Emmon Road, in Yorkville, Illinois.

The legal description is as follows:

THAT PART OF THE NORTHWEST 1/4 OF SECTION 33, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS, COMMENCING AT A POINT ON THE NORTH LINE OF VAN EMMON STREET AT THE SOUTHEAST CORNER OF BLOCK 5 OF BLACK'S ADDITION TO YORKVILLE, THENCE EASTERLY ALONG SAID NORTH LINE, 170.0 FEET FOR A POINT OF BEGINNING, THENCE NORTHERLY, PARALLEL WITH THE EAST LINE OF SAID BLOCK 5, A DISTANCE OF 120.0 FEET, THENCE WESTERLY ALONG A LINE DRAWN PARALLEL WITH SAID NORTH LINE, 53.67 FEET TO A POINT WHICH IS 185.0 FEET WESTERLY, AS MEASURED ALONG SAID PARALLEL LINE, OF THE EAST LINE OF LOT 13 OF SAID SECTION, AS SAID LOT IS DEPICTED ON A PLAT OF SURVEY RECORDED IN BOOK 3 OF PLATS, PAGE 96 AND AS OCCUPIED AND MONUMENTED, THENCE NORTHERLY, PARALLEL WITH SAID EAST LINE OF SAID LOT, 84.87 FEET TO A LINE DRAWN WESTERLY, PARALLEL WITH THE MAIN TRACK TANGENT CENTER LINE OF THE BURLINGTON NORTHERN RAILROAD FROM A POINT ON THE EAST LINE OF SAID LOT WHICH IS 115.0 FEET SOUTHERLY OF THE INTERSECTION OF SAID EAST LINE WITH THE CENTER LINE OF SAID MAIN TRACK, THENCE EASTERLY ALONG SAID LINE, PARALLEL TO SAID MAIN TRACK, 32.52 FEET TO THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO ALLEN BRADY BY DOCUMENT NO. 77-4545, THENCE NORTHERLY ALONG THE EAST LINE OF SAID BRADY TRACT, 76.52 FEET TO THE NORTHEAST CORNER THEREOF, THENCE EASTERLY ALONG THE NORTHERLY LINE OF SAID BRADY TRACT EXTENDED, 60.34 FEET TO

A POINT WHICH IS 30.0 FEET, NORMALLY DISTANT, SOUTHERLY OF THE CENTER LINE OF SAID MAIN TRACK, THENCE EASTERLY PARALLEL WITH SAID CENTER LINE 56.82 FEET TO A POINT OF CURVATURE, THENCE EASTERLY, CONCENTRIC WITH SAID CENTER LINE, BEING ALONG A TANGENTIAL CURVE TO THE RIGHT HAVING A RADIUS OF 5,699.65 FEET, AN ARC DISTANCE OF 41.45 FEET, TO SAID EAST LINE OF LOT 13, THENCE SOUTHERLY ALONG SAID EAST LINE, 292.72 FEET TO SAID NORTH LINE OF VAN EMMON STREET, THENCE WESTERLY ALONG SAID NORTH LINE, 126.52 FEET TO THE POINT OF BEGINNING LESS AND EXCEPT PART CONVEYED BY DEED RECORDED JULY 3, 1990 AS DOCUMENT 904281, AND ALSO THAT PART OF LOT 12 (SOMETIMES CALLED SUB LOT 12) ACCORDING TO 3 PLATS, PAGE 96 IN SECTION 33, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, WHICH LIES SOUTH OF CHICAGO, BURLINGTON AND QUINCY RAILROAD RIGHT OF WAY AND NORTH OF VAN EMMON STREET, IN THE UNITED CITY OF THE VILLAGE OF YORKVILLE, KENDALL COUNTY, ILLINOIS.

The application materials for the proposed Special Use are on file with the City Clerk.

NOTICE IS HEREWITH GIVEN THAT the Plan Commission for the United City of Yorkville will conduct a public hearing on said application on Wednesday, April 13, 2016 at 7 p.m. at the United City of Yorkville, City Hall, located at 800 Game Farm Road, Yorkville, Illinois 60560.

The public hearing may be continued from time to time to dates certain without further notice being published.

All interested parties are invited to attend the public hearing and will be given an opportunity to be heard. Any written comments should be addressed to the United City of Yorkville City Clerk, City Hall, 800 Game Farm Road, Yorkville, Illinois, and will be accepted up to the date of the public hearing.

By order of the Corporate Authorities of the United City of Yorkville, Kendall County, Illinois.

BETH WARREN  
City Clerk

BY: Lisa Pickering  
Deputy Clerk



Reviewed By:	
Legal	<input checked="" type="checkbox"/>
Finance	<input type="checkbox"/>
Engineer	<input type="checkbox"/>
City Administrator	<input checked="" type="checkbox"/>
Human Resources	<input type="checkbox"/>
Community Development	<input checked="" type="checkbox"/>
Police	<input type="checkbox"/>
Public Works	<input type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>

Agenda Item Number

NB #8

Tracking Number

EDC 2016-20

### Agenda Item Summary Memo

**Title:** Autumn Creek – Proposed Amended Annexation Agreement for Fee/Ordinance Lock

**Meeting and Date:** EDC – April 5, 2016

**Synopsis:** \_\_\_\_\_  
\_\_\_\_\_

### Council Action Previously Taken:

Date of Action: \_\_\_\_\_ Action Taken: \_\_\_\_\_

Item Number: \_\_\_\_\_

**Type of Vote Required:** \_\_\_\_\_

**Council Action Requested:** \_\_\_\_\_  
\_\_\_\_\_

**Submitted by:** Krysti J. Barksdale-Noble, AICP Community Development  
Name Department

### Agenda Item Notes:

See attached memo.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Have a question or comment about this agenda item?*

*Call us Monday-Friday, 8:00am to 4:30pm at 630-553-4350, email us at [agendas@yorkville.il.us](mailto:agendas@yorkville.il.us), post at [www.facebook.com/CityofYorkville](http://www.facebook.com/CityofYorkville), tweet us at @CityofYorkville, and/or contact any of your elected officials at [http://www.yorkville.il.us/gov\\_officials.php](http://www.yorkville.il.us/gov_officials.php)*



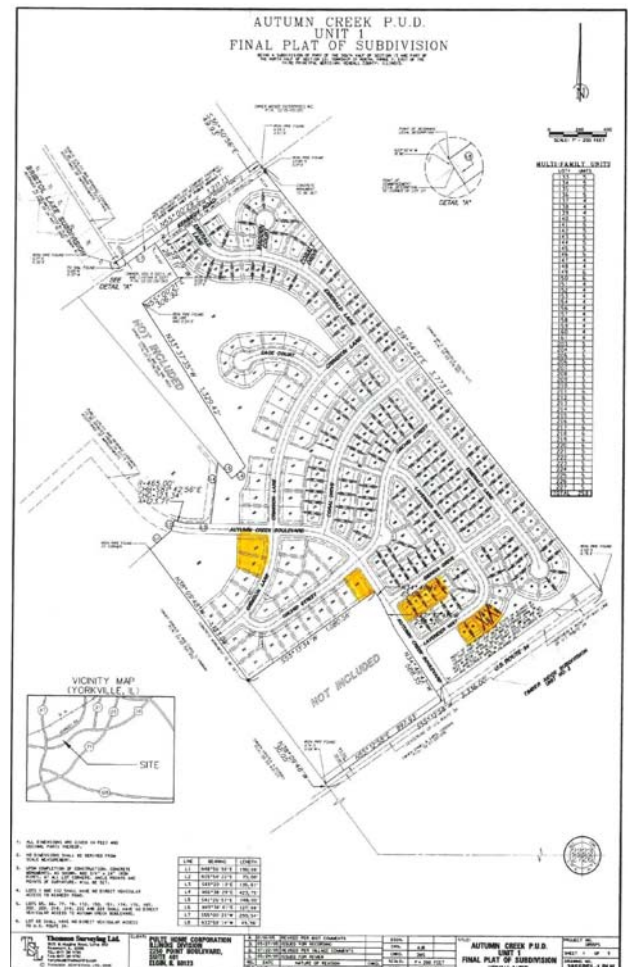
# Memorandum

To: Economic Development Committee  
From: Krysti J. Barksdale-Noble, Community Development Director  
CC: Bart Olson, City Administrator  
Date: March 11, 2016  
Subject: **Autumn Creek Subdivision**  
**Proposed Amended Annexation Agreement for Fee/Ordinance Lock**

## Request Summary:

The developer of the Autumn Creek Subdivision, Pulte Home Corporation, is seeking to amend its annexation agreement to allow for the extension of the current ordinance and fee locks which are set to expire on April 25, 2016. Pulte was previously granted an extension of ordinance and fee locks to its initial annexation agreement for Autumn Creek in 2010 for a period of five (5) years with a one (1) year grace period. However, with the last push to complete the final phase of development in the residential subdivision, Pulte is looking continue to the same provisions it had under the current agreement for an additional five (5) years which is until April 25, 2021.

The subdivision map below indicates the remaining vacant lots to be developed and subject to the proposed ordinance and fee lock extension.



### **Development Background:**

The Autumn Creek subdivision is generally located east of IL 47, immediately north of US 34 (Veterans Parkway) and just south of Kennedy Road and consists of approximately 250 acres and zoned as a PUD with underlying R-2 and R-4 zoning for single-family detached and townhome units. There is also a parcel zoned for commercial. On April 25, 2015, the fee and ordinance lock in the current annexation agreement was set to expire and all current building permit fees were to be implemented upon a standard one (1) year grace period, however, the developer agreed to waive its extension beyond the April 25, 2015 deadline for building code ordinances.

All public infrastructures such as streets, stormwater management basins, water mains and other utilities have been constructed in this development. A majority of the lots within the subdivision were built upon with single-family detached and townhome dwelling units in previous phases of development. Pulte has 52 remaining undeveloped lots, consisting of thirty-seven (37) single-family residential units and fifteen (15) townhome units.

### **Requested Ordinance Amendments:**

Per the attached draft annexation agreement amendment provisions, the following ordinance modifications, as they relate to the remaining 52 residential lots are requested to be extended until April 25, 2021:

- A. To not collect or seek any payments or other security from the Developer for the completion of outside painting, landscaping, sidewalks, final surfacing of driveways or final grading for individual homes on the condition that the Developer deposit with the City cash in the amount of \$25,000 as security for the development of the Residential Parcel, which cash deposit must be replenished in order to maintain a deposit no less than \$25,000 until the final certificate of occupancy for each unit included within the Residential Parcel has been issued.
- B. To continue partial acceptance of a category of a public improvement within each phase upon completion of said public improvement on the condition that the Developer covenants and agrees to remain responsible for maintenance, repair, and/or replacement, if necessary, of any surface structure constructed within that phase until the expiration of the Warranty Period, as defined in the Original Agreement, as Amended. For the purposes of this Agreement “surface structure” shall mean any part of any public infrastructure that exists above or extends to the ground surface, thereby making it vulnerable to damage. For the purposes of this Agreement “category of public improvement” shall constitute each of the following: earthwork, erosion control, water main, sanitary sewer, storm water, paving, lighting, sidewalks and common area landscaping.
- C. To apply the 2006 building and related codes without requirements for sprinklers or fire suppression devices as applying to the single family homes constructed on the Residential Parcel during such period.
- D. To a continuation of all fees currently in effect for the development of the Residential Parcel with no increases, other than to the building permit fee and the costs incurred by the City for water meters.

In consideration of the above proposed amended provisions, Pulte agrees to the following with regard to the remaining vacant residential lots:

- A. To adhere to the City's Building Appearance Code as currently in effect for the single-family residential units of each vacant lot remaining on the Subject Property and be granted relief of the appearance standards for the remaining townhome units.
- B. If any sections of the Autumn Creek Subdivision are replatted, to provide to the City a fiscal impact analysis with any request to change density of the number of residences from any prior plat, which analysis shall demonstrate that any change in densities shall not have any negative impact on the then current homeowners association assessments or special service area payments.
- C. To keep in place the currently committed funds for the reconstruction of Kennedy Road and not decrease said funds as a result of any change in density which is based upon the original 575 total number of dwelling units, inclusive of 317 single-family and 258 townhome residences.
- D. To adhere to the requirements of all applicable city ordinances relating to procedures for acceptance of public improvements constructed as a part of the development of all or a portion of the Subject Property which are in effect as of the date all required development approvals are issued by the City.

**Appearance Standards Analysis:**

As mentioned previously, the developer has agreed to adhere to the City's current Building Appearance Code standards for the remaining 37 single-family residential units within the development. However, Pulte is seeking relief from the appearance standards for the remaining 15 townhome units for the following reasons: (1) the potential increase in building materials for exterior masonry, brick or premium siding would result in final sales price higher than the market demands and (2) these townhome units would not fit within the neighborhood character of the existing townhome units.

Per the City's current Building Appearance Code standards, single-family attached and multiple family dwelling units must incorporate masonry products on the front façade of at least 75% of the total buildings in the approved community and incorporate a minimum of 50% premium siding material on the front façade. Additionally, no less than half (25% of the total) of the minimum "premium siding" requirements must incorporate masonry products.

The Autumn Creek subdivision has a total of 29 approved townhome buildings consisting of 151 townhome units (as illustrated in the aerial image on the following page). Should the Building Appearance Code be applied to the remaining units in the development, then two (2) of the three (3) total townhome buildings<sup>1</sup> yet to be constructed in the approved community would be required to meet the above stated standards. That is equivalent to approximately 10% of the overall townhome portion of the development being subjected to the current code.

---

<sup>1</sup> 5 units per building = 15 TH dwelling units





Furthermore, the Building Appearance Code allows relief from such standards through an appeal process whereby the City Council shall make the final determination based upon the following points of consideration:

1. Will the objectives outlined in the section 8-15-1 of the Building Appearance Code be met if the requested deviations are granted?
2. Is there a particular physical condition of the specific property and/or building(s) involved that would create a particular hardship to the owner, as distinguished from a mere inconvenience, if the strict letter of these regulations were carried out?
3. Will granting the requested deviation from these regulations be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located?
4. Will granting the requested deviation impair an adequate supply of light and air to buildings on the subject property or to the adjacent property?
5. Will granting the requested deviation increase the danger to the public safety, or substantially diminish or impair property values within the neighborhood?

It is *staff's opinion* is the overall intent of the Building Appearance Code of fostering a sound and harmonious design of new buildings and sites is met and may be disrupted or appear imbalanced if the standards were to be applied to only two (2) of the 29 townhome buildings.



While there is not a particular physical condition of the property or site which would prohibit the Building Appearance Code from being carried out in the remaining townhome units, there would not be any detriment to the public, impairment to air and light or danger to the public safety if the deviation from the standards were to be granted.

The developer has provided sample elevations available for the remaining single-family and townhome units to be constructed in the subdivision for your reference.

**Fee Lock Extension Analysis:**

Were the developer not be approved the requested fee lock extension, the building permit fee for the remaining single-family residential lots in the Autumn Creek subdivision would be approximately \$18,376.09 and \$17,032.20 for a townhome (or attached) unit, of which a considerable portion assigned to the water connection fees, city sewer connection fees and building impact fee.

In May 2009, the City approved a sewer recapture agreement for the Autumn Creek development which waived the \$2,000 connection fee for 190 lots from the date of the agreement. Since that date, 257 lots have been issued permits and the waiver is considered complete. Accordingly, the sewer connection fee now sits at \$2,000 per unit.

Additionally, in September 2009, the City approved a water main recovery agreement with Pulte for the Autumn Creek subdivision where the developer/builder would pay 50% of the original agreement (\$2,660 for SF and \$2,280 for TH) until the \$192,643.70 credit is received or until September 17, 2029, whichever occurs first. This credit is also considered fulfilled. Accordingly, the water connection fee stands at \$2,660 per single family unit and \$2,280 per townhome unit.

The table on the following page provides a line-item review of the proposed building permit fees to be extended for a period of five (5) years:

Item Description	Original Annexation & PUD Agreement Fees (2005)	Expired Water & Sewer Recapture Agreement Fees (2009)	Fees Upon Expiration of Lock (4/25/2016)	Recommendation	Notes on Implementation
School Transition	\$3,000	\$3,000	\$3,000	<b>\$3,000</b>	Authorized by City
YBSD district fee	\$1,400	\$1,400	\$1,400	<b>\$1,400</b>	Authorized by YBSD
Building Permit	\$1,130 <sup>2</sup>	\$1,130 <sup>2</sup>	\$1,130 <sup>2</sup>	<b>\$1,130<sup>2</sup></b>	Authorized by City
Water Connection	\$2,660 (SF)	\$1,330 (SF) <sup>3</sup>	\$3,700 (SF)	<b>\$2,660 (SF)</b>	Authorized by City
	\$2,280 (TH)	\$1,140 (TH) <sup>3</sup>	\$3,171 (TH)	<b>\$2,280 (TH)</b>	
Water Meter Cost	\$590	\$590	\$590	<b>Current Rate<sup>4</sup></b>	Authorized by City
City Sewer Connection Fees	\$2,000	\$0 <sup>5</sup>	\$2,000	<b>\$2,000</b>	Authorized by City
Sprinkler Fee	\$0 (SF)	\$0 (SF)	\$0 (SF)	<b>\$0 (SF)</b>	Authorized by City
	\$50 (TH)	\$50 (TH)	\$50 (TH)	<b>\$50 (TH)</b>	
Water and Sewer Inspection Fee	\$25	\$25	\$25	<b>\$25</b>	Authorized by City
Public Walks Driveway Inspection Fee	\$35	\$35	\$35	<b>\$35</b>	Authorized by City
PW Impact	\$700	\$700	\$700	<b>\$700</b>	Authorized by City
Police Impact	\$300	\$300	\$300	<b>\$300</b>	Authorized by City
Building Impact	\$150	\$150	\$1,759	<b>\$150</b>	Authorized by City
Library Impact	\$500	\$500	\$500	<b>\$500</b>	Authorized by City
BKFD Impact	\$1,000	\$1,000	\$1,000	<b>\$1,000</b>	Authorized by City
Engineering Impact	\$100	\$100	\$100	<b>\$100</b>	Authorized by City
Parks and Recreation impact	\$50	\$50	\$50	<b>\$50</b>	Authorized by City
Parks Land-Cash	\$1,025.57 (SF)	\$1,025.57 (SF)	\$1,025.57 (SF)	<b>\$1,025.57 (SF)</b>	Authorized by City
	\$600.58 (ATT)	\$600.58 (TH)	\$600.58 (ATT)	<b>\$600.58 (TH)</b>	
School-land Cash	\$1,061.52 (SF)	\$1,061.52 (SF)	\$1,061.52 (SF)	<b>\$1,061.52 (SF)</b>	Authorized by City
	\$621.62 (ATT)	\$621.62 (TH)	\$621.62 (ATT)	<b>\$621.62 (TH)</b>	
<b>TOTAL</b>	<b>\$15,727.09</b>	<b>\$12,397.09 (SF)</b>	<b>\$18,376.09</b>	<b>\$15,727.09</b>	
	<b>\$14,532.20</b>	<b>\$11,392.20 (TH)</b>	<b>\$17,032.20</b>	<b>\$14,532.20</b>	

<sup>2</sup> Assumes a 2,400 square foot structure and a building permit fee of \$650.00 plus \$0.20 per square foot.

<sup>3</sup> Per Water Main Recovery Agreement, water connection fee rate is 50% of original agreement rates (original agreement is \$2,660 for SF and DU and \$2,280 for TH) until \$192,643.70 credit is received or until September 17, 2029, whichever occurs first.

<sup>4</sup> Assumes current rate of \$590

<sup>5</sup> Sewer Connection Fee (\$2000) has been waived for 190 lots from date of sewer recapture agreement (May 22, 2009)

As illustrated above, the requested fee reductions/revisions propose to:

1. Reduce the building impact fee from the current rate of \$1,759.00 per dwelling unit to the original \$150.00 per dwelling unit. (*Indicated in red*)
2. Maintain the water connection fee rate of the original 2005 Annexation/PUD agreement for single family and townhome dwelling units. (*Indicated in red*)
3. Apply the current rate for water meter costs (*Indicated in blue*).

The resulting overall building permit fee is approximately \$15,727.09 per single family dwelling unit and \$14,532.20 per townhome dwelling unit. However, the developer has expressed some interest in pre-paying some of the water and sewer connection fees. At time of packet creation, staff is working on an offer of prepayment of connection fees in exchange for a modest discount of said fees. More information will be presented at the meeting.

**Staff Recommendation:**

Staff is supportive of the request for building permit fee reduction for the Autumn Creek Subdivision, as it will hopefully allow the developer to close out the project within the next few years and direct its efforts towards the Bristol Bay subdivision. Staff is also supportive of the requested relief from the City's Building Appearance code for the townhome units only as stated above.

For your reference, the City Attorney has prepared a draft amended annexation agreement which outlines the provisions for the recommended fee reductions. Staff and the petitioner will be available at Tuesday night's meeting to answer questions regarding this request. This matter is scheduled for an April 12<sup>th</sup> City Council Public Hearing with final consideration by the council at the April 26, 2016 meeting.

**Attachments:**

1. Draft Second Amendment to Annexation Agreement and Planned Unit Development Agreement.
2. Copy of Title 8: Building Code, Chapter 15 Appearance Code of the Yorkville Municipal Code.
3. Sample Elevations available for the remaining single-family and townhome dwelling units in the Autumn Creek Subdivision.
4. Petitioner Application
5. Public Hearing Notice



RECEIVED  
JAN 25 2016

COMMUNITY DEVELOPMENT  
DEPARTMENT

## United City of Yorkville

800 Game Farm Road  
Yorkville, Illinois 60560  
Telephone: 630-553-4350  
Fax: 630-553-3436

# APPLICATION TO AMEND ANNEXATION OR PLANNED UNIT DEVELOPMENT AGREEMENT

### Purpose of Application

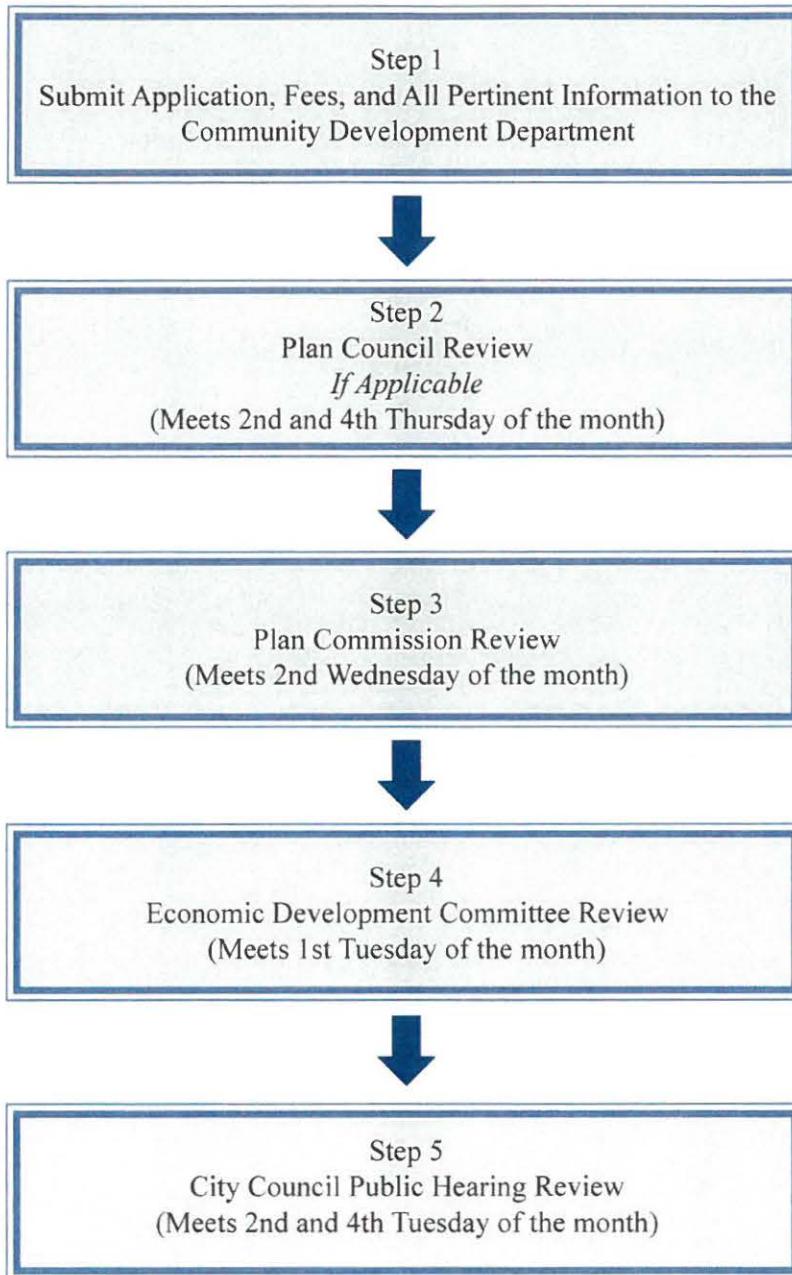
Annexation Agreements specify the desired zoning and other requested approvals (i.e., bulk regulations, variances, building codes, development impacts and contributions, etc.) that will affect the property and successor owners. Planned Unit Development (PUD) Agreements are unique and a complex form of zoning which differs from the conventional approval process allowing for flexibility in the design and land use of larger scale developments. Such approvals require agreements that are contractual in nature, therefore an amendment must be sought when a change, minor or substantial, in the original terms of the annexation or Planned Unit Development (PUD) Agreement occurs.

This packet explains the process to successfully submit and complete an Application to Amend an Annexation or Planned Unit Development Agreement. It includes a detailed description of the process and the actual application itself (Pages 6 to 9). Please type the required information in the application on your computer. The application will need to be printed and signed by the applicant. The only item that needs to be submitted to the City from this packet is the application. The rest of the packet is to help guide you through the process unto completion.

For a complete explanation of what is legally required throughout the Amendment process, please refer to "Title 10, Chapter 4, Section 10 Amendments" of the Yorkville, Illinois City Code.

# Application Procedure

## Procedure Flow Chart





## Application Procedure

### Step 1

#### **Application Submittal**

The following must be submitted to the Community Development Department:

- 2 original signed applications with legal description.
- 5 copies each of the application and exhibits, proposed drawings, location map, and site plan. Large items must be folded to fit in a 10" x 13" envelope.
- Appropriate filing fee. (See attached Fee Sheet on page 5)
- 1 CD containing an electronic copy (pdf) of each of the signed application (complete with exhibit), proposed drawings, location map, and site plan. A Microsoft Word document with the legal description is required on the CD.

Within one (1) week of submittal, the Community Development Department will determine if the application is complete or if additional information is needed. These materials must be submitted a minimum of 45 days prior to the targeted Plan Commission meeting. An incomplete submittal could delay the scheduling of the project.

Applicant will be responsible for payment of recording fees and public hearing costs, including written transcripts of the public hearing and outside consultant costs (i.e. legal review, land planner, zoning coordinator, environmental, etc.). The applicant will be required to establish a deposit account with the city to cover these fees. The Petitioner Deposit Account/Acknowledgement of Financial Responsibility form is attached to this document and must be submitted with the application.

### Step 2

#### **Plan Council (If Applicable)**

Applicant may present the proposed amended plan to the Plan Council. The Plan Council meets on the 2nd and 4th Thursday of the month. The members of the Council include the Community Development Director, City Engineer, the Building Department Official, the Public Works Director, the Director of Parks and Recreation, a Fire Department Representative, and a Police Department Representative. Upon recommendation by the Plan Council, applicant will move forward to the Plan Commission hearing.

### Step 3

#### **Plan Commission**

Applicant will attend a public hearing conducted by the Plan Commission. The Plan Commission meets on the 2nd Wednesday of the Month at 7:00pm. Notice will be placed in the Kendall County Record by the United City of Yorkville. The applicant is responsible for sending certified public hearing notices to adjacent property owners within 500 feet of the subject property no less than 15 days and no more than 30 days prior to the public hearing date. Twenty Four (24) hours prior to the public hearing, a certified affidavit must be filed by the applicant with the Community Development Department containing the names, addresses and permanent parcel numbers of all parties that were notified.

## Application Procedure

### Step 4

#### **Economic Development Committee**

Applicant must present the proposed amendment agreement and/or plan to the Economic Development Committee. Economic Development Committee meets at 7:00 p.m. on the 1st Tuesday of each month in the Yorkville City Hall Conference Room. This session is to discuss and consider recommendations prior to full City Council considerations and provide informal feedback. The Economic Development Committee will submit its recommendation to City Council.

### Step 5

#### **City Council**

Applicant will attend the City Council meeting where the recommendation of the proposed amendment will be considered. The City Council meets on the 2nd and 4th Tuesdays of the month at 7:00pm. City Council will make the final approval of the amendment.

### Dormant Applications

The Community Development Director shall determine if an application meets or fails to meet the requirements stated above. If the Director determines that the application is incomplete it will become dormant under these circumstances:

- The applicant has been notified of such deficiencies and has not responded or provided a time line for completing the application within ninety (90) days from the time of notification.
- The applicant has not responded in writing to a request for information or documentation from the initial plan commission review within six (6) months from the date of that request.
- The applicant has not responded to a request for legal or engineering deposit replenishment for city incurred costs and fees within ninety (90) days from the date of the request.

If the Community Development Director has sent the required notice and the applicant has not withdrawn their application or brought it into compliance, then the director shall terminate the application. After termination, the application shall not be reconsidered except after the filing of a completely new application.

Withdrawal or termination of an application shall not affect the applicant's responsibility for payment of any costs and fees, or any other outstanding debt owed to the city. The balance of any funds deposited with the city that is not needed to pay for costs and fees shall be returned to the applicant. (Ord. 2011-34, 7-26-2011)





**United City of Yorkville**  
800 Game Farm Road  
Yorkville, Illinois 60560  
Telephone: 630-553-4350  
Fax: 630-553-7575

**INVOICE & WORKSHEET  
PETITION APPLICATION**

**CONTACT:**

Pulte Homes  
JoAnne Bowers  
847-230-5330

**DEVELOPMENT/ PROPERTY:**

Autumn Creek  
Acreage: 237  
Date: 12/8/15

**Concept Plan Review:** ☐ Yes ☐ No \$ \_\_\_\_\_  
Engineering Plan Review Deposit of \$500 due

**Amendment:** ☐ Yes ☐ No \$ \_\_\_\_\_  
\$500.00 Fee due for each: (Annexation) (Plan) (Plat) (PUD)

**Annexation:** ☐ Yes ☐ No \$ \_\_\_\_\_  
\$250.00, plus \$10/acre for each acre over 5.  
# of acres: \_\_\_\_\_ - 5 = \_\_\_\_\_ x \$10 = \_\_\_\_\_ + \$250

**Rezoning:** ☐ Yes ☐ No \$ \_\_\_\_\_  
\$200.00, plus \$10/acre for each acre over 5.  
# of acres: \_\_\_\_\_ - 5 = \_\_\_\_\_ x \$10 = \_\_\_\_\_ + \$200  
If annexing and rezoning, charge only 1 per acre fee.  
If rezoning to a PUD, charge PUD Development Fee- not Rezoning Fee.

**Special Use:** ☐ Yes ☐ No \$ \_\_\_\_\_  
\$250.00, plus \$10/acre for each acre over 5.  
# of acres: \_\_\_\_\_ - 5 = \_\_\_\_\_ x \$10 = \_\_\_\_\_ + \$250

**Zoning Variance:** \$85.00 ☐ Yes ☐ No \$ \_\_\_\_\_  
Outside Consultants deposit of \$500.00 due

**Preliminary Plan Fee:** \$500.00 ☐ Yes ☐ No \$ \_\_\_\_\_

**P.U.D. Fee:** \$500.00 ☐ Yes ☐ No \$ \_\_\_\_\_

**Final Plat Fee:** \$500.00 ☐ Yes ☐ No \$ \_\_\_\_\_

**Engineering Plan Review Deposit:** ☐ Yes ☐ No \$ \_\_\_\_\_  
☐ Less than 1 acre = \$1,000 due  
☐ Over 1 acre and less than 10 acres = \$2,500 due  
☐ Over 10 acres and less than 40 acres = \$5,000 due  
☐ Over 40 acres and less than 100 acres = \$10,000 due  
☐ Over 100 acres = \$20,000 due

**Outside Consultants Deposit:** ☐ Yes ☐ No \$ \_\_\_\_\_  
Legal, Land Planner, Zoning Coordinator, Environmental Services  
Annexation, Subdivision, Rezoning, and Special Use:  
☐ Less than 2 acres = \$1,000 due  
☐ Over 2 acres and less than 10 acres = \$2,500 due  
☐ Over 10 acres = \$5,000 due

**TOTAL AMOUNT DUE:** \$ \_\_\_\_\_  
Word/ O Drive/ Dev Dep ARO/ Fee Sheet Wkst

## Application For Amendment

### STAFF USE ONLY

Date of Submission  PC#

Development Name

### Applicant Information

Name of Applicant(s)

Business Address

City  State  ZIP

Business Phone  Business Fax

Business Cell  Business E-mail

### Property Information

Name of Holder of Legal Title

If Legal Title is held by a Land Trust, list the names of all holders of any beneficial interest therein:

Property Street Address

Description of Property's Physical Location

#### Zoning and Land Use of Surrounding Parcels

North	Residential
East	Residential
South	Residential
West	Residential

Current Zoning Classification

#### Kendall County Parcel Number(s) of Property

See Attached Exhibit A-1	

List all governmental entities or agencies required to receive notice under Illinois law:

## Application For Amendment

### Property Information

Name of Agreement

Date of Recording

Summarize the items to be amended from the existing agreement:

(1) Extension of period for freeze on Codes and Fees applicable to the property.

### Additional Contact Information

#### Attorney

Name

Address

City  State  ZIP

Phone  Fax

E-mail

#### Engineer

Name

Address

City  State  ZIP

Phone  Fax

E-mail

#### Land Planner/Surveyor

Name

Address

City  State  ZIP

Phone  Fax

E-mail



## Application For Amendment

### Attachments

Applicant must attach a legal description of the property to this application and title it as "Exhibit A".

Applicant must list the names and addresses of any adjoining or contiguous landowners within 500 feet of the property that are entitled notice of application under any applicable City Ordinance or State Statute. Attach a separate list to this application and title it as "Exhibit B".

Applicant must attach a true and correct copy of the existing agreement and title it as "Exhibit C".

Applicant must attach amendments from the existing agreement and title it as "Exhibit D".

### Agreement

I verify that all the information in this application is true to the best of my knowledge. I understand and accept all requirements and fees as outlined as well as any incurred administrative and planning consultant fees which must be current before this project can proceed to the next scheduled committee meeting.

I understand all of the information presented in this document and understand that if an application becomes dormant it is through my own fault and I must therefore follow the requirements outlined above.

Applicant Signature

Date

Calvin M. Booy  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

12-10-15

THIS APPLICATION MUST BE NOTARIZED  
PLEASE NOTARIZE IN THE SPACE BELOW:



United City of Yorkville  
County Seat of Kendall County  
800 Game Farm Road  
Yorkville, Illinois, 60560  
Telephone: 630-553-4350  
Fax: 630-553-7575  
Website: [www.yorkville.il.us](http://www.yorkville.il.us)

## Petitioner Deposit Account / Acknowledgment of Financial Responsibility

<b>Development/Property Address:</b> <u>Auton Creek</u>	<b>Project No.: FOR CITY USE ONLY</b>	<b>Fund Account No.: FOR CITY USE ONLY</b>
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**Petition/Approval Type:** *check appropriate box(es) of approval requested*

<input type="checkbox"/> Concept Plan Review	<input checked="" type="checkbox"/> Amendment (Text) (Annexation) (Plat)	<input type="checkbox"/> Annexation
<input type="checkbox"/> Rezoning	<input type="checkbox"/> Special Use	<input type="checkbox"/> Mile and 1/2 Review
<input type="checkbox"/> Zoning Variance	<input type="checkbox"/> Preliminary Plan	<input type="checkbox"/> Final Plans
<input type="checkbox"/> P.U.D.	<input type="checkbox"/> Final Plat	

**Petitioner Deposit Account Fund:**

It is the policy of the United City of Yorkville to require any petitioner seeking approval on a project or entitlement request to establish a Petitioner Deposit Account Fund to cover all actual expenses occurred as a result of processing such applications and requests. Typical requests requiring the establishment of a Petitioner Deposit Account Fund include, but are not limited to, plan review of development approvals/engineering permits. Deposit account funds may also be used to cover costs for services related to legal fees, engineering and other plan reviews, processing of other governmental applications, recording fees and other outside coordination and consulting fees. Each fund account is established with an initial deposit based upon the estimated cost for services provided in the **INVOICE & WORKSHEET PETITION APPLICATION**. This initial deposit is drawn against to pay for these services related to the project or request. Periodically throughout the project review/approval process, the Financially Responsible Party will receive an invoice reflecting the charges made against the account. At any time the balance of the fund account fall below ten percent (10%) of the original deposit amount, the Financially Responsible Party will receive an invoice requesting additional funds equal to one-hundred percent (100%) of the initial deposit if subsequent reviews/fees related to the project are required. In the event that a deposit account is not immediately replenished, review by the administrative staff, consultants, boards and commissions may be suspended until the account is fully replenished. If additional funds remain in the deposit account at the completion of the project, the city will refund the balance to the Financially Responsible Party. A written request must be submitted by the Financially Responsible Party to the city by the 15<sup>th</sup> of the month in order for the refund check to be processed and distributed by the 15<sup>th</sup> of the following month. All refund checks will be made payable to the Financially Responsible Party and mailed to the address provided when the account was established.

**ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY**

Name/Company Name: <u>Pulte Group</u>	Address: <u>1900 E. Golf Rd, Ste 300</u>	City: <u>Schaumburg, IL</u>	State: <u>IL</u>	Zip Code: <u>60173</u>
Telephone: <u>847-230-5330</u>	Mobile: <u>847-489-6874</u>	Fax: <u>847-969-9395</u>	E-mail:	

**Financially Responsible Party:**

I acknowledge and understand that as the Financially Responsible Party, expenses may exceed the estimated initial deposit and, when requested by the United City of Yorkville, I will provide additional funds to maintain the required account balance. Further, the sale or other disposition of the property does not relieve the individual or Company/Corporation of their obligation to maintain a positive balance in the fund account, unless the United City of Yorkville approves a Change of Responsible Party and transfer of funds. Should the account go into deficit, all City work may stop until the requested replenishment deposit is received.

Print Name: <u>Andrew M. Bodary</u>	Title: <u>VP Finance</u>
Signature*: <u>Andrew M. Bodary</u>	Date: <u>12-10-15</u>

*\*The name of the individual and the person who signs this declaration must be the same. If a corporation is listed, a corporate officer must sign the declaration (President, Vice-President, Chairman, Secretary or Treasurer)*

**FOR CITY USE ONLY**

**ACCOUNT CLOSURE AUTHORIZATION:**

Date Requested: _____	<input type="checkbox"/> Completed <input type="checkbox"/> Inactive
Print Name: _____	<input type="checkbox"/> Withdrawn <input type="checkbox"/> Collections
Signature: _____	<input type="checkbox"/> Other

**DEPARTMENT ROUTING FOR AUTHORIZATION:** ☐ Comm Dev. ☐ Building ☐ Engineering ☐ Finance ☐ Admin.

**EXHIBIT A**  
**Autumn Creek**

PARCEL 1:

THAT PART OF THE WEST HALF OF SECTION 22, TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT AN EXISTING IRON PIPE STAKE SAID TO BE OVER THE ORIGINAL LOCATION OF A STONE IN THE CENTER LINE OF THE BRISTOL AND OSWEGO ROAD, PREVIOUSLY DESCRIBED AS BEING 23.05 CHAINS WEST AND NORTH 35 DEGREES 30 MINUTES WEST 11.02 CHAINS FROM THE SOUTHEAST CORNER OF SAID SECTION 22; THENCE NORTH 34 DEGREES 59 MINUTES 00 SECONDS WEST, ALONG A LINE FORMING AN ANGLE OF 93 DEGREES 23 MINUTES 07 SECONDS WITH THE CENTERLINE OF U.S. ROUTE 34, MEASURED FROM NORTHEAST TO NORTHWEST, 2,054.60 FEET FOR POINT OF BEGINNING; THENCE SOUTH 52 DEGREES 08 MINUTES 00 SECONDS WEST, 825.40 FEET; THENCE NORTH 38 DEGREES 06 MINUTES 00 SECONDS WEST, 1,803.88 FEET TO THE CENTER LINE OF KENNEDY ROAD; THENCE NORTHEASTERLY ALONG SAID CENTER LINE, 1,581.49 FEET TO A POINT WHICH IS 350.0 FEET SOUTHWESTERLY OF, AS MEASURED ALONG SAID CENTER LINE, THE MOST EASTERLY CORNER OF BRISTOL LAKE SUBDIVISION; THENCE SOUTH 38 DEGREES 15 MINUTES 40 SECONDS EAST, 1,639.93 FEET TO A LINE DRAWN NORTH 52 DEGREES 45 MINUTES 17 SECONDS EAST FROM THE POINT OF BEGINNING; THENCE SOUTH 52 DEGREES 45 MINUTES 17 SECONDS WEST, 750.69 FEET TO THE POINT OF BEGINNING, IN BRISTOL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

PARCEL2:

THAT PART OF THE SOUTH HALF OF SECTION 15 AND THAT PART OF THE NORTH HALF OF SECTION 22, TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF BRISTOL LAKE SUBDIVISION, AS PER THE PLAT THEREOF FILED FOR RECORD AS DOCUMENT 137733 IN PLAT BOOK 10 AT PAGE 58 ON MAY 10, 1962; THENCE NORTHWESTERLY ALONG THE NORTHEASTERLY LINE OF SAID SUBDIVISION 1988.0 FEET TO THE NORTHEASTERLY CORNER OF SAID SUBDIVISION; THENCE NORTHWESTERLY ALONG A LINE MAKING AN ANGLE OF 180 DEGREES 13 MINUTES 25 SECONDS MEASURED COUNTER-CLOCKWISE FROM THE LAST DESCRIBED COURSE, A DISTANCE OF 895.02 FEET TO AN EXISTING IRON PIPE STAKE; THENCE EASTERLY ALONG AN OLD FENCE LINE FORMING AN INTERIOR ANGLE OF 58 DEGREES 15 MINUTES 28 SECONDS WITH THE LAST DESCRIBED COURSE, A DISTANCE OF 1298.88 FEET (19.68 CHAINS) TO AN IRON PIPE STAKE HEREWITH PLACED; THENCE SOUTHEASTERLY ALONG AN OLD ESTABLISHED LINE OF OCCUPATION FORMING AN INTERIOR ANGLE OF 124 DEGREES 23 MINUTES 38 SECONDS WITH THE LAST DESCRIBED COURSE A DISTANCE OF 2185.47 FEET TO AN EXISTING IRON PIPE STAKE ON THE CENTER LINE OF KENNEDY ROAD WHICH IS 1213.59 FEET NORTHEASTERLY FROM THE POINT OF BEGINNING, AS MEASURED ALONG SAID



CENTER LINE; THENCE SOUTHWESTERLY ALONG SAID CENTER LINE 1213.59 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF BRISTOL, KENDALL COUNTY, ILLINOIS.

PARCEL 3:

THAT PART OF THE NORTH HALF OF SECTION 22, TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF BRISTOL LAKE SUBDIVISION AS PER THE PLAT THEREOF FILED FOR RECORD AS DOCUMENT 137733 IN PLAT BOOK 10 AT PAGE 58 ON MAY 10, 1962; THENCE NORTHEASTERLY ALONG THE CENTER LINE OF KENNEDY ROAD, WHICH MAKES AN ANGLE OF 88 DEGREES 58 MINUTES 47 SECONDS WITH THE NORTHEASTERLY LINE OF SAID SUBDIVISION, MEASURED CLOCKWISE THEREFROM, A DISTANCE OF 1213.59 FEET; THENCE SOUTHERLY ALONG AN OLD EXISTING LINE OF OCCUPATION FORMING AN INTERIOR ANGLE OF 94 DEGREES 54 MINUTES 43 SECONDS WITH THE LAST DESCRIBED COURSE, A DISTANCE OF 1228.39 FEET; THENCE SOUTHWESTERLY PARALLEL WITH THE AFORESAID CENTER LINE OF KENNEDY ROAD, 1348.57 FEET; THENCE NORTHWESTERLY ALONG A LINE FORMING AN INTERIOR ANGLE OF 88 DEGREES 37 MINUTES 37 SECONDS WITH THE LAST DESCRIBED COURSE A DISTANCE OF 1224.23 FEET TO A POINT ON THE SOUTHEASTERLY LINE OF SAID BRISTOL LAKE SUBDIVISION WHICH IS 0.46 FEET SOUTHWESTERLY FROM THE POINT OF BEGINNING; THENCE NORTHEASTERLY ALONG SAID SOUTHEASTERLY LINE 0.46 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF BRISTOL, KENDALL COUNTY, ILLINOIS (EXCEPTING THEREFROM THAT LAND CONVEYED TO KENNETH D. DOTY, JR., IN DEED RECORDED AS DOCUMENT NUMBER R85-5973, DESCRIBED AS FOLLOWS:

THAT PART OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF BRISTOL LAKE SUBDIVISION; THENCE NORTHEASTERLY ALONG THE CENTER LINE OF KENNEDY ROAD, 299.54 FEET; THENCE SOUTHEASTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, 287.11 FEET; THENCE SOUTHWESTERLY, AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, 306.88 FEET TO THE EASTERLY LINE OF A TRACT OF LAND CONVEYED TO HERBERT L. RUCKS BY A WARRANTY DEED RECORDED AUGUST 1, 1966 IN BOOK 149 ON PAGE 303; THENCE NORTHWESTERLY ALONG SAID EASTERLY LINE TO A POINT ON SAID CENTER LINE WHICH IS 0.46 FEET SOUTHWESTERLY OF THE POINT OF BEGINNING; THENCE NORTHEASTERLY ALONG SAID CENTER LINE, 0.46 FEET TO THE POINT OF BEGINNING, IN BRISTOL TOWNSHIP, KENDALL COUNTY, ILLINOIS)

PARCEL 4:

THAT PART OF SECTION 22, TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEASTERLY CORNER OF BRISTOL LAKE SUBDIVISION AS PER THE PLAT THEREOF FILED FOR RECORD AS DOCUMENT 137733 IN PLAT

BOOK 10 AT PAGE 58 ON MAY 10, 1962; THENCE NORTHEASTERLY ALONG THE CENTER LINE OF KENNEDY ROAD WHICH MAKES AN ANGLE OF 88 DEGREES 58 MINUTES 47 SECONDS WITH THE NORTHEASTERLY LINE OF SAID SUBDIVISION, MEASURED CLOCKWISE THEREFROM, A DISTANCE OF 1213.59 FEET; THENCE SOUTHERLY ALONG AN OLD EXISTING LINE OF OCCUPATION FORMING AN INTERIOR ANGLE OF 94 DEGREES 54 MINUTES 43 SECONDS WITH THE LAST DESCRIBED COURSE, A DISTANCE OF 1228.39 FEET; THENCE SOUTHWESTERLY PARALLEL WITH THE AFORESAID CENTER LINE OF KENNEDY ROAD, 1364.57 FEET FOR THE POINT OF BEGINNING; THENCE NORTHEASTERLY ALONG THE LAST DESCRIBED COURSE 1348.57 FEET TO THE PENULTIMATE DESCRIBED POINT; THENCE SOUTHEASTERLY ALONG A LINE FORMING AN INTERIOR ANGLE OF 94 DEGREES 54 MINUTES 43 SECONDS WITH THE LAST DESCRIBED COURSE, A DISTANCE OF 1402.38 FEET; THENCE SOUTHWESTERLY ALONG A LINE FORMING AN INTERIOR ANGLE OF 84 DEGREES 52 MINUTES 28 SECONDS WITH THE LAST DESCRIBED COURSE (BEING A LINE DRAWN PARALLEL WITH THE CENTER LINE OF U.S. HIGHWAY ROUTE 34) A DISTANCE OF 2301.24 FEET; THENCE NORTHWESTERLY ALONG A LINE DRAWN NORTH 35 DEGREES 30 MINUTES WEST FROM A POINT ON THE SOUTHERLY LINE OF SAID SECTION 22 WHICH IS 23.03 CHAINS WEST OF THE SOUTHEAST CORNER OF SAID SECTION 22 (SAID LINE FORMING AN INTERIOR ANGLE OF 93 DEGREES 23 MINUTES 07 SECONDS WITH THE LAST DESCRIBED COURSE) A DISTANCE OF 914.67 FEET; THENCE NORTHEASTERLY ALONG A LINE FORMING AN INTERIOR ANGLE OF 92 DEGREES 15 MINUTES 44 SECONDS

WITH THE LAST DESCRIBED COURSE 877.73 FEET; THENCE NORTHWESTERLY ALONG A LINE FORMING AN INTERIOR ANGLE OF 263 DEGREES 11 MINUTES 34 SECONDS WITH THE LAST DESCRIBED COURSE, A DISTANCE OF 392.38 TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF BRISTOL, KENDALL COUNTY, ILLINOIS.

PARCELS:

THAT PART OF SECTION 22, TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEASTERLY CORNER OF BRISTOL LAKE SUBDIVISION AS PER THE PLAT THEREOF FILED FOR RECORD AS DOCUMENT 137733 IN PLAT BOOK 10, PAGE 58 ON MAY 10, 1962; THENCE NORTHEASTERLY ALONG THE CENTER LINE OF KENNEDY ROAD FORMING AN ANGLE OF 88 DEGREES 58 MINUTES 47 SECONDS WITH THE NORTHEASTERLY LINE OF SAID SUBDIVISION, MEASURED CLOCKWISE THEREFROM, A DISTANCE OF 1213.59 FEET; THENCE SOUTHERLY ALONG AN OLD EXISTING LINE OF OCCUPATION FORMING AN INTERIOR ANGLE OF 94 DEGREES 54 MINUTES 43 SECONDS WITH THE LAST DESCRIBED COURSE, 2630.77 FEET FOR THE POINT OF BEGINNING; THENCE SOUTHEASTERLY ALONG THE PROLONGATION OF THE LAST DESCRIBED COURSE 1142.51 FEET TO THE CENTER LINE OF U.S. HIGHWAY ROUTE 34; THENCE SOUTHWESTERLY ALONG SAID CENTER LINE FORMING AN INTERIOR ANGLE WITH THE LAST DESCRIBED COURSE OF 84 DEGREES 52 MINUTES 28 SECONDS, 2336.0 FEET TO AN EXISTING IRON PIPE STAKE SAID TO BE OVER THE ORIGINAL LOCATION OF A STONE IN THE CENTER LINE OF THE ORIGINAL BRISTOL AND OSWEGO ROAD PREVIOUSLY DESCRIBED AS BEING 23.05 CHAINS WEST AND

THENCE NORTH 35 DEGREES 30 MINUTES WEST 11.02 CHAINS FROM THE SOUTHEAST CORNER OF SAID SECTION 22; THENCE NORTH 35 DEGREES 30 MINUTES WEST ALONG A LINE FORMING AN INTERIOR ANGLE OF 93 DEGREES 23 MINUTES 07 SECONDS WITH THE LAST DESCRIBED COURSE 1139.93 FEET TO A LINE DRAWN SOUTHWESTERLY PARALLEL WITH SAID CENTER LINE OF SAID ROUTE NO. 34 FROM THE POINT OF BEGINNING; THENCE NORTHEASTERLY ALONG SAID PARALLEL LINE FORMING AN INTERIOR ANGLE OF 86 DEGREES 36 MINUTES 53 SECONDS WITH THE LAST DESCRIBED COURSE 2301.24 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF BRISTOL, KENDALL COUNTY, ILLINOIS.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL:

THAT PART OF THE SOUTH HALF OF SECTION 22, TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF LOT 27, IN BRISTOL LAKE SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT 137733 IN PLAT BOOK 10, AT PAGE 58, ON MAY 10, 1962; THENCE SOUTH 33 DEGREES 58 MINUTES 14 SECONDS EAST 33.00 FEET TO THE CENTERLINE OF KENNEDY ROAD; THENCE NORTH 55 DEGREES 00 MINUTES 21 SECONDS EAST 299.54 FEET AS MEASURED ALONG SAID CENTERLINE; THENCE SOUTH 34 DEGREES 59 MINUTES 39 SECONDS EAST 287.11 FEET; THENCE SOUTH 55 DEGREES 00 MINUTES 21 SECONDS WEST 306.92 FEET; THENCE SOUTH 33 DEGREES 37 MINUTES 35 SECONDS EAST 1,329.42 FEET; THENCE SOUTH 47 DEGREES 27 MINUTES 46 SECONDS EAST 1,247.97 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 34 DEGREES 46 MINUTES 42 SECONDS EAST 65.00 FEET; THENCE SOUTH 27 DEGREES 32 MINUTES 48 SECONDS EAST 238.32 FEET; THENCE SOUTH 34 DEGREES 46 MINUTES 42 SECONDS EAST 588.35 FEET TO THE NORTHERLY RIGHT OF WAY OF U.S. ROUTE 34 PER GRANT DATED APRIL 13, 1923 AND RECORDED APRIL 18, 1923 IN BOOK 76, PAGE 82, AND BY GRANT DATED APRIL 7, 1923 AND RECORDED APRIL 18, 1923, IN DEED RECORD IN BOOK 76, PAGE 30; THENCE SOUTH 55 DEGREES 12 MINUTES 58 SECONDS WEST 997.93 FEET AS MEASURED ALONG SAID RIGHT OF WAY LINE; THENCE NORTH 38 DEGREES 09 MINUTES 48 SECONDS WEST 891.55 FEET; THENCE NORTH 55 DEGREES 13 MINUTES 34 SECONDS EAST, 1,080.56 FEET TO THE POINT OF BEGINNING, ALL IN KENDALL COUNTY, ILLINOIS.

A PORTION OF THE ABOVE DESCRIBED PARCELS INCLUDE PROPERTY NOW KNOWN AS AUTUMN CREEK P.U.D. UNIT 1 AND AUTUMN CREEK P.U.D. UNIT 2 AS LEGALLY DESCRIBED BELOW.

AUTUMN CREEK P.U.D., UNIT 1 FINAL PLAT OF SUBDIVISION BEING A SUBDIVISION OF THE SOUTH HALF OF SECTION 15 AND THE NORTH HALF OF SECTION 22, TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS ACCORDING TO THE PLAT THEREOF RECORDED WITH THE KENDALL COUNTY RECORDER ON JANUARY 3, 2006 AS DOCUMENT NO. R20060000144, AMENDED BY CERTIFICATE OF CORRECTION RECORDED APRIL 3, 2006 AS DOCUMENT NO. R200600009685, AMENDED BY CERTIFICATE OF CORRECTION RECORDED JUNE 5, 2006, RECORDED AS DOCUMENT R200600016609 AND AMENDED BY CERTIFICATE OF CORRECTION RECORDED FEBRUARY 6, 2007 AS DOCUMENT R200700004498.

("AUTUMN CREEK P.U.D. UNIT 1")

AND

AUTUMN CREEK P.U.D., UNIT 2 FINAL PLAT OF SUBDIVISION BEING A SUBDIVISION OF THE NORTH HALF OF SECTION 22, TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS ACCORDING TO THE PLAT THEREOF RECORDED WITH THE KENDALL COUNTY RECORDER ON NOVEMBER 13, 2007 AS DOCUMENT NO. R200700033061. ("AUTUMN CREEK P.U.D. UNIT 2")

237 ACRES NORTHEAST OF ROUTE 47, LYING NORTH AND SOUTH OF KENNEDY ROAD, YORKVILLE, ILLINOIS

# **EXHIBIT A-1** **Autumn Creek**

<b>Lot #</b>	<b>LOT-ADDRESS</b>	<b>PIN #</b>
<b>PUD UNIT 1:</b>		
61	2246 Lavender Way	02-22-481-024
62	2236 Lavender Way	02-22-481-025
63	2226 Lavender Way	02-22-481-026
64	2206 Lavender Way	02-22-481-027
74	1558 Sienna Drive	02-22-479-003
75	1548 Sienna Drive	02-22-479-002
76	1538 Sienna Drive	02-22-479-001
77	1528 Sienna Drive	02-22-358-001
203-01	1498 Orchid Street	02-22-357-011
203-02	1496 Orchid Street	02-22-357-011
203-03	1494 Orchid Street	02-22-357-011
203-04	1492 Orchid Street	02-22-357-011
203-05	1488 Orchid Street	02-22-357-011
222-01	1455 Crimson Lane	02-22-355-001
222-02	1453 Crimson Lane	02-22-355-001
222-03	1451 Crimson Lane	02-22-355-001
222-04	1449 Crimson Lane	02-22-355-001
222-05	1447 Crimson Lane	02-22-355-001
223-01	1431 Crimson Lane	02-22-355-002
223-02	1433 Crimson Lane	02-22-355-002
223-03	1435 Crimson Lane	02-22-355-002
223-04	1437 Crimson Lane	02-22-355-002
223-05	1439 Crimson Lane	02-22-355-002
<b>PUD UNIT 2:</b>		
309	2601 Lilac Way	02-22-126-021
310	2611 Lilac Way	02-22-126-021
311	2621 Lilac Way	02-22-126-021
312	2623 Lilac Way	02-22-126-021
313	2629 Lilac Way	02-22-126-021
314	2633 Lilac Way	02-22-126-021
315	2639 Lilac Way	02-22-126-021
316	2649 Lilac Way	02-22-126-021
317	2659 Lilac Way	02-22-126-021
318	2669 Lilac Way	02-22-126-021
319	2679 Lilac Way	02-22-126-021
320	2689 Lilac Way	02-22-126-021

**EXHIBIT A-1**  
**Autumn Creek**

<b>Lot #</b>	<b>LOT-ADDRESS</b>	<b>PIN #</b>
321	2699 Lilac Way	02-22-126-021
323	2711 Lilac Court	02-22-103-005
324	2721 Lilac Court	02-22-103-004
325	2731 Lilac Court	02-22-103-003
326	2741 Lilac Court	02-22-376-003
327	2751 Lilac Court	02-22-376-004
328	2761 Lilac Court	02-22-376-005
330	2752 Lilac Court	02-22-376-007
332	2732 Lilac Court	02-22-376-009
334	1377 Slate Drive	02-22-376-011
339	1437 Slate Court	02-22-376-015
340	1447 Slate Court	02-22-376-016
344	1458 Slate Court	02-22-376-020
345	1448 Slate Court	02-22-376-021
348	1408 Slate Court	02-22-376-024
349	1403 Ruby Drive	02-22-128-001
351	1433 Ruby Drive	02-22-128-003
352	1443 Ruby Drive	02-22-376-025
353	1453 Ruby Drive	02-22-376-026
355	1462 Ruby Drive	02-22-376-027
356	1452 Ruby Drive	02-22-129-001
357	1442 Ruby Drive	02-22-129-002
358	1432 Ruby Drive	02-22-129-003
360	1402 Ruby Drive	02-22-129-004
369	1444 Violet Court	02-22-129-015
374	2602 Lilac Way	02-22-127-009
375	2622 Lilac Way	02-22-127-008
376	2642 Lilac Way	02-22-127-007
377	2658 Lilac Way	02-22-127-006
378	2668 Lilac Way	02-22-127-005
379	2678 Lilac Way	02-22-127-004
380	2688 Lilac Way	02-22-127-003
381	1368 Slate Drive	02-22-127-002
382	1378 Slate Drive	02-22-127-015
383	1388 Slate Drive	02-22-127-014
384	2677 Emerald Lane	02-22-127-013
385	2667 Emerald Lane	02-22-127-012
386	2657 Emerald Lane	02-22-127-011
387	2647 Emerald Lane	02-22-127-010



**EXHIBIT A-1**  
**Autumn Creek**

**Lot #**

**LOT-ADDRESS**

**PIN #**

**NOTICE OF PUBLIC HEARING  
TO BE HELD TUESDAY, APRIL 12, 2016  
AT 7:00 P.M. AT CITY HALL  
UNITED CITY OF YORKVILLE  
800 GAME FARM ROAD  
YORKVILLE, ILLINOIS**

**NOTICE IS HEREBY GIVEN** a public hearing shall be held on a second amendment to that certain Annexation Agreement (Autumn Creek Subdivision) dated April 12, 2005, as amended July 13, 2010, by and among Pulte Home Corporation (*Owner/Developer*), a Michigan Corporation, and the United City of Yorkville, Kendall County, Illinois, on April 12, 2016 at 7:00 p.m. at City Hall at the United City of Yorkville, 800 Game Farm Road, Yorkville, Illinois for the purpose of amending the Autumn Creek fee schedule to revert back to the fees in effect as of the date of the Original Agreement with no increases, other than those incurred by the City for water meters, and extending the ordinance/code locks on the development for a period of five (5) years.

**Legal Description:**

**Autumn Creek Unit 1**

THAT PART OF THE SOUTH HALF OF SECTION 15 AND THAT PART OF THE NORTH HALF OF SECTION 22, TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF LOT 27 IN BRISTOL LAKE SUBDIVISION, SAID SUBDIVISION BEING A PART OF THE NORTHWEST QUARTER OF SECTION 22 AND THE SOUTH-WEST QUARTER OF SECTION 15, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 10, 1962, IN BOOK 10 AT PAGE 58, AS DOCUMENT 137733; THENCE NORTH 33 DEGREES 58 MINUTES 14 SECONDS WEST 16.96 FEET ALONG THE EASTERLY LINE OF SAID LOT 27 TO A POINT ON A LINE 50.00 FEET NORTH OF AND PARALLEL WITH THE CENTERLINE OF KENNEDY ROAD, SAID POINT BEING THE POINT OF BEGINNING; THENCE NORTH 55 DEGREES 00 MINUTES 29 SECONDS EAST 1,211.13 FEET; THENCE SOUTH 36 DEGREES 50 MINUTES 56 SECONDS EAST 49.93 FEET TO THE CENTERLINE OF SAID KENNEDY ROAD; THENCE SOUTH 39 DEGREES 54 MINUTES 21 SECONDS EAST 3,773.11 FEET TO THE CENTER LINE OF U.S. ROUTE 34 PER GRANT DATED APRIL 13, 1923 AND RECORDED APRIL 18, 1923 IN BOOK 76, PAGE 82, MADE BY JOE MILLER AND HIS WIFE MARTILDA AND ALSO BY GRANT DATED APRIL 7, 1923 AND RECORDED APRIL 18, 1923 IN DEED RECORDED IN BOOK 76, PAGE 30; THENCE SOUTH 55 DEGREES 12 MINUTES 58 SECONDS WEST ALONG SAID CENTERLINE 2,336.00 FEET; THENCE NORTH 38 DEGREES 09 MINUTES 48 SECONDS WEST 30.05 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF SAID U.S. ROUTE 34; THENCE NORTH 55 DEGREES 12 MINUTES 58 SECONDS EAST AS MEASURED ALONG SAID RIGHT OF WAY LINE 997.93 FEET; THENCE NORTH 34 DEGREES 46 MINUTES 42 SECONDS WEST 588.35 FEET; THENCE NORTH 27 DEGREES 32 MINUTES 48 SECONDS WEST 238.32 FEET; THENCE NORTH 34 DEGREES 46 MINUTES 42 SECONDS WEST 65.00 FEET; SOUTH 55 DEGREES 13 MINUTES 34 SECONDS WEST 1,080.56 FEET; THENCE NORTH 38 DEGREES 09 MINUTES 48 SECONDS WEST 1,133.09 FEET; THENCE

NORTH 48 DEGREES 56 MINUTES 58 SECONDS EAST 196.08 FEET; THENCE NORTH 15 DEGREES 54 MINUTES 22 SECONDS EAST 70.00 FEET TO A POINT OF CURVE, SAID CURVE BEING CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 465.00 FEET AND A CHORD THAT BEARS SOUTH 81 DEGREES 42 MINUTES 56 SECONDS EAST A DISTANCE OF 123.34 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, 123.71 FEET; THENCE SOUTH 89 DEGREES 20 MINUTES 13 SECONDS EAST 135.51 FEET; THENCE NORTH 06 DEGREES 38 MINUTES 29 SECONDS EAST 423.75 FEET; THENCE SOUTH 41 DEGREES 26 MINUTES 57 SECONDS EAST 148.05 FEET; THENCE NORTH 49 DEGREES 34 MINUTES 41 SECONDS EAST 127.08 FEET; THENCE NORTH 33 DEGREES 37 MINUTES 35 SECONDS WEST 1,329.42 FEET; THENCE NORTH 55 DEGREES 00 MINUTES 21 SECONDS EAST 306.92 FEET; THENCE NORTH 34 DEGREES 59 MINUTES 39 SECONDS WEST 287.11 FEET TO THE CENTERLINE OF SAID KENNEDY ROAD; THENCE SOUTH 55 DEGREES 00 MINUTES 21 SECONDS 299.54 FEET TO THE EASTERLY LINE OF SAID LOT 127 EXTENDED SOUTHEASTERLY; THENCE NORTH 33 DEGREES 58 MINUTES 14 SECONDS WEST 49.96 FEET AS MEASURED ALONG SAID EXTENDED EASTERLY LINE TO THE POINT OF BEGINNING, ALL IN KENDALL COUNTY, ILLINOIS. CONTAINING 6,042,932 SQ.FT. (138.73 ACRES)

### **Autumn Creek Unit 2**

THAT PART OF THE NORTH HALF OF SECTION 22, TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE WESTERNMOST CORNER OF LOT 228 IN AUTUMN CREEK P.U.D., UNIT 1 FINAL PLAT OF SUBDIVISION, RECORDED JANUARY 3, 2006 AS DOCUMENT R200600000144 AMENDED BY CERTIFICATE OF CORRECTION RECORDED APRIL 3, 2006 AS DOCUMENT R200600009685 AND AMENDED BY CERTIFICATE OF CORRECTION RECORDED JUNE 5, 2006 AS DOCUMENT R200600016609; THENCE SOUTH 48 DEGREES 56 MINUTES 58 SECONDS WEST 825.40 FEET; THENCE NORTH 41 DEGREES 17 MINUTES 10 SECONDS WEST 724.34 FEET; THENCE NORTH 49 DEGREES 49 MINUTES 41 SECONDS EAST 30.68 FEET TO A POINT OF CURVE, SAID CURVE BEING CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 117.00 FEET AND A CHORD THAT BEARS NORTH 38 DEGREES 39 MINUTES 01 SECOND EAST 45.36 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE 45.65 FEET; THENCE NORTH 27 DEGREES 28 MINUTES 22 SECONDS EAST 210.92 FEET TO A POINT OF CURVE, SAID CURVE BEING CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 183.00 FEET AND A CHORD THAT BEARS NORTH 38 DEGREES 05 MINUTES 45 SECONDS EAST 67.47 FEET; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE, 67.86 FEET; THENCE NORTH 48 DEGREES 43 MINUTES 09 SECONDS EAST 571.35 FEET TO A POINT OF CURVE, SAID CURVE BEING CONCAVE WESTERLY, HAVING A RADIUS OF 25.00 FEET AND A CHORD THAT BEARS NORTH 03 DEGREES 38 MINUTES 19 SECONDS EAST 35.41 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE 39.34 FEET; THENCE NORTH 41 DEGREES 26 MINUTES 31 SECONDS WEST 195.66 FEET TO A POINT OF CURVE, SAID CURVE BEING CONCAVE EASTERLY, HAVING A RADIUS OF 385.00 FEET AND A CHORD THAT BEARS NORTH 26 DEGREES 33 MINUTES 27 SECONDS WEST 197.79 FEET; THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE 200.03 FEET; THENCE NORTH 11 DEGREES 40 MINUTES 23 SECONDS WEST 159.18 FEET TO A POINT OF CURVE, SAID CURVE BEING CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 627.38 FEET AND A CHORD THAT BEARS NORTH 23 DEGREES 01 MINUTES 18 SECONDS WEST 222.98 FEET; THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE 224.17 FEET; THENCE SOUTH 56 DEGREES 44 MINUTES 31 SECONDS WEST 150.00 FEET; THENCE SOUTH 28 DEGREES 42 MINUTES 47 SECONDS EAST 75.66 FEET; THENCE SOUTH 19 DEGREES 37 MINUTES 12 SECONDS EAST 75.66 FEET; THENCE SOUTH 12 DEGREES 11 MINUTES 39 SECONDS EAST 79.63 FEET; THENCE SOUTH 11 DEGREES 40 MINUTES 23 SECONDS EAST 82.00 FEET; THENCE SOUTH 66 DEGREES 48 MINUTES 13 SECONDS WEST 33.61 FEET;

THENCE SOUTH 48 DEGREES 43 MINUTES 09 SECONDS WEST 403.78 FEET; THENCE NORTH 41 DEGREES 16 MINUTES 51 SECONDS WEST 83.37 FEET; THENCE NORTH 41 DEGREES 39 MINUTES 44 SECONDS WEST 92.43 FEET; THENCE NORTH 58 DEGREES 11 MINUTES 14 SECONDS WEST 93.59 FEET; THENCE NORTH 83 DEGREES 19 MINUTES 42 SECONDS WEST 93.59 FEET; THENCE SOUTH 71 DEGREES 31 MINUTES 51 SECONDS WEST 93.59 FEET; THENCE SOUTH 46 DEGREES 23 MINUTES 24 SECONDS WEST 93.59 FEET; THENCE SOUTH 21 DEGREES 14 MINUTES 56 SECONDS WEST 93.59 FEET; THENCE SOUTH 03 DEGREES 53 MINUTES 31 SECONDS WEST 93.59 FEET; THENCE SOUTH 48 DEGREES 42 MINUTES 50 SECONDS WEST 14.88 FEET; THENCE NORTH 41 DEGREES 17 MINUTES 10 SECONDS WEST 224.81 FEET TO THE CENTERLINE OF KENNEDY ROAD; THENCE NORTH 55 DEGREES 10 MINUTES 31 SECONDS EAST ALONG SAID CENTERLINE 953.62 FEET; THENCE NORTH 55 DEGREES 13 MINUTES 24 SECONDS EAST ALONG SAID CENTERLINE 627.73 FEET; THENCE SOUTH 41 DEGREES 26 MINUTES 57 SECONDS EAST 40.27 FEET TO A LINE 40.00 FEET SOUTHERLY OF AND PARALLEL WITH SAID CENTERLINE OF KENNEDY ROAD; THENCE SOUTH 55 DEGREES 13 MINUTES 24 SECONDS WEST ALONG SAID PARALLEL LINE 330.31 FEET TO A POINT OF CURVE, SAID CURVE BEING CONCAVE EASTERLY, HAVING A RADIUS OF 25.00 FEET AND A CHORD THAT BEARS SOUTH 10 DEGREES 46 MINUTES 46 SECONDS WEST 35.01 FEET; THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE 38.78 FEET TO A POINT OF CURVE, SAID CURVE BEING CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 702.39 FEET AND A CHORD THAT BEARS SOUTH 25 DEGREES 09 MINUTES 51 SECONDS EAST 207.65 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, 208.41 FEET; THENCE SOUTH 14 DEGREES 30 MINUTES 29 SECONDS EAST 38.43 FEET TO A POINT OF CURVE, SAID CURVE BEING CONCAVE WESTERLY, HAVING A RADIUS OF 535.00 FEET AND A CHORD THAT BEARS SOUTH 13 DEGREES 05 MINUTES 26 SECONDS EAST 26.47 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE 26.47 FEET; THENCE SOUTH 11 DEGREES 40 MINUTES 23 SECONDS EAST 167.70 FEET TO A POINT OF CURVE, SAID CURVE BEING CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 315.00 FEET AND A CHORD THAT BEARS SOUTH 26 DEGREES 33 MINUTES 27 SECONDS EAST 161.83 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE 163.66 FEET; THENCE SOUTH 41 DEGREES 26 MINUTES 31 SECONDS EAST 601.52 FEET; THENCE NORTH 48 DEGREES 33 MINUTES 29 SECONDS EAST 568.91 FEET; THENCE SOUTH 41 DEGREES 26 MINUTES 57 SECONDS EAST 308.07 FEET; THENCE SOUTH 06 DEGREES 38 MINUTES 29 SECONDS WEST 423.75 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF AUTUMN CREEK BOULEVARD HERETOFORE DEDICATED PER SAID DOCUMENT R200600000144; THENCE NORTH 89 DEGREES 20 MINUTES 13 SECONDS WEST ALONG SAID NORTHERLY RIGHT OF WAY LINE 135.51 FEET TO A POINT OF CURVE, SAID CURVE BEING CONCAVE NORTHERLY, HAVING A RADIUS OF 465.00 FEET AND A CHORD THAT BEARS NORTH 81 DEGREES 42 MINUTES 56 SECONDS WEST 123.34 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, 123.71 FEET; THENCE SOUTH 15 DEGREES 54 MINUTES 22 SECONDS WEST 70.00 FEET; THENCE SOUTH 48 DEGREES 56 MINUTES 58 SECONDS WEST 196.08 FEET TO THE POINT OF BEGINNING, IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS. CONTAINING: 1,427,973 SQ. FT. (32.78 ACRES)

**North Kennedy Road (plat not recorded yet)**

THAT PART OF THE SOUTH HALF OF SECTION 15 AND THAT PART OF THE NORTH HALF OF SECTION 22, TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF LOT 1 IN AUTUMN CREEK P.U.D., UNIT 1, RECORDED JANUARY 3, 2006 AS DOCUMENT R200600000144 AMENDED BY CERTIFICATE OF CORRECTION RECORDED APRIL 3, 2006 AS DOCUMENT R200600009685, AMENDED BY CERTIFICATE OF CORRECTION RECORDED

JUNE 5, 2006 AS DOCUMENT R2006000016609; AND AMENDED BY CERTIFICATE OF CORRECTION RECORDED FEBRUARY 6, 2007 AS DOCUMENT R200700004498; THENCE NORTH 39 DEGREES 54 MINUTES 21 SECONDS WEST 40.24 FEET TO THE CENTERLINE OF KENNEDY ROAD HERETOFORE DEDICATED PER DOCUMENT R200600000144; THENCE NORTH 36 DEGREES 50 MINUTES 56 SECONDS WEST 49.93 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF SAID HERETOFORE DEDICATED KENNEDY ROAD, SAID POINT BEING THE POINT OF BEGINNING; THENCE SOUTH 55 DEGREES 00 MINUTES 29 SECONDS WEST 1,211.13 FEET AS MEASURED ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID KENNEDY ROAD TO THE EAST LINE OF BRISTOL LAKE SUBDIVISION RECORDED MAY 10, 1962 AS DOCUMENT 137733, SAID POINT BEING 16.96 FEET NORTHWESTERLY OF THE SOUTHEAST CORNER OF LOT 27 IN SAID SUBDIVISION; THENCE NORTH 33 DEGREES 58 MINUTES 14 SECONDS WEST 1,938.04 FEET AS MEASURED ALONG THE EASTERLY LINE OF SAID SUBDIVISION; THENCE NORTH 34 DEGREES 11 MINUTES 37 SECONDS WEST 895.36 FEET; THENCE NORTH 87 DEGREES 32 MINUTES 28 SECONDS EAST 1,298.70 FEET; THENCE SOUTH 36 DEGREES 50 MINUTES 56 SECONDS EAST 2,135.70 FEET TO THE POINT OF BEGINNING IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS. CONTAINING: 2,856,618 SQ. FT. (65.58 ACRES) PERMANENT INDEX NUMBERS: 02-15-376-001 AND 02-22-127-001

The public hearing may be continued from time to time without further notice being published.

All interested parties are invited to attend the public hearing and will be given an opportunity to be heard. Any written comments should be addressed to the United City of Yorkville City Clerk, City Hall, 800 Game Farm Road, Yorkville, Illinois 60560, and will be accepted up to the date of the public hearing.

By order of the Corporate Authorities of the United City of Yorkville, Kendall County, Illinois.

BETH WARREN  
City Clerk

BY: Lisa Pickering  
Deputy Clerk

**SECOND AMENDMENT  
TO  
ANNEXATION AGREEMENT  
AND  
PLANNED DEVELOPMENT AGREEMENT**

*(Autumn Creek Subdivision)*

**THIS SECOND AMENDMENT** to that certain Annexation Agreement and Planned Development Agreement made and entered into as of the 12th day of April, 2005, by and between Richard J. Theidel and LaSalle Bank National Association, as Successor Trustee under Trust Agreement dated February 15, 1977 and known as Trust Number 4198 (“*Owners*”), Pulte Home Corporation (“*Developer*”) and the United City of Yorkville (“*City*”) as amended by the First Amendment dated July 13, 2010 (the “*Original Agreement, as Amended*”), is made this \_\_\_\_ day of \_\_\_\_\_, 2016, by and between the Developer and the City; and,

**WHEREAS**, the Original Agreement, as Amended relates to certain real estate legally described on Exhibit A attached hereto and made a part hereof and referred to therein as the “*Subject Property*”; and,

**WHEREAS**, Developer purchased a portion of the Subject Property comprised of approximately 265 acres legally described on *Exhibit B* attached hereto and made a part hereof and referred to therein as the “*Residential Parcel*”; and,

**WHEREAS**, Section 34 of the Original Agreement, as Amended authorizes amendments thereto by a purchaser and the City of any portion of the Subject Property, as to such purchased portion, without any action or approval of the Owners of any other portion of the Subject Property if such amendments do not affect the rights, duties or obligations of the Owners of the remaining portions of the Property not included in the amendment; and,

**WHEREAS**, the Developer acquired the Residential Parcel and the Owners relinquished all right, title and interest thereto and the Developer and the City now wish to further amend the Original Agreement, as Amended as it relates to the Residential Parcel; and,

**WHEREAS**, the Original Agreement, as Amended permitted the Developer to make a security deposit to assure completion of outside painting, landscaping, sidewalks, and final surfacing of driveways or final grading; allowed partial acceptance of public improvements under certain conditions; and permitted the continued application of the 2006 building codes through April 25, 2015 (collectively, the “*Ordinance Modifications*”); and,

**WHEREAS**, pursuant to City Code, all agreements pertaining to requirements such as the Ordinance Modifications have a one year grace period thereby extending the aforesaid code variations until April 25, 2016; and,



**WHEREAS**, the Developer has requested an extension of the Ordinance Modifications for an additional five years and the Mayor and City Council (the “*Corporate Authorities*”) are prepared to grant such request in order to permit the Developer to complete the final phase of the development of the Residential Parcel, all as hereinafter set forth; and,

**WHEREAS**, all notices required by law relating to this Second Amendment have been given to the persons or entities entitled thereto, pursuant to the applicable provisions of the Illinois Municipal Code; and,

**WHEREAS**, the Corporate Authorities of the City have duly fixed the time for a public hearing on this Second Amendment and pursuant to legal notice have held such hearing thereon all as required by the provisions of the Illinois Municipal Code;

**NOW, THEREFORE**, in consideration of the mutual covenants, agreements and conditions herein contained, and by authority of and in accordance with the aforesaid statutes of the State of Illinois, the parties agree as follows:

*Section 1.* The City agrees that the following Ordinance Modifications, solely in relationship to the Residential Parcel shall be extended to April 25, 2021:

- A. To not collect or seek any payments or other security from the Developer for the completion of outside painting, landscaping, sidewalks, final surfacing of driveways or final grading for individual homes on the condition that the Developer deposit with the City cash in the amount of \$25,000 as security for the development of the Residential Parcel, which cash deposit must be replenished in order to maintain a deposit no less than \$25,000 until the final certificate of occupancy for each unit included within the Residential Parcel has been issued.
- B. To continue partial acceptance of a category of a public improvement within each phase upon completion of said public improvement on the condition that the Developer covenants and agrees to remain responsible for maintenance, repair, and/or replacement, if necessary, of any surface structure constructed within that phase until the expiration of the Warranty Period, as defined in the Original Agreement, as Amended. For the purposes of this Agreement “surface structure” shall mean any part of any public infrastructure that exists above or extends to the ground surface, thereby making it vulnerable to damage. For the purposes of this Agreement “category of public improvement” shall constitute each of the following: earthwork, erosion control, water main, sanitary sewer, storm water, paving, lighting, sidewalks and common area landscaping.
- C. To apply the 2006 building and related codes without requirements for sprinklers or fire suppression devices as applying to the single family homes constructed on the Residential Parcel during such period.

- D. To a continuation of all fees currently in effect for the development of the Residential Parcel with no increases, other than the building permit fee and costs incurred by the City for water meters as described on Exhibit C attached hereto and made a part hereof and referred to therein as the “*Fee Schedule*” .

*Section 2.* The Developer agrees through the term of the Original Agreement, as Amended, as follows:

- A. To adhere to the City’s Building Appearance Code as currently in effect for the single-family residential units of each vacant lot remaining on the Subject Property and be granted relief of the appearance standards for the remaining townhome units.
- B. If any sections of the Autumn Creek Subdivision are replatted, to provide to the City a fiscal impact analysis with any request to change density of the number of residences from any prior plat, which analysis shall demonstrate that any change in densities shall not have any negative impact on the then current homeowners association assessments or special service area payments.
- C. To keep in place the currently committed funds for the reconstruction of Kennedy Road and not decrease said funds as a result of any change in density which is based upon the original 575 total number of dwelling units, inclusive of 317 single-family and 258 townhome residences.
- D. To adhere to the requirements of all applicable city ordinances relating to procedures for acceptance of public improvements constructed as a part of the development of all or a portion of the Subject Property which are in effect as of the date all required development approvals are issued by the City.

*Section 3.* Unless otherwise provided for herein, all other terms from the Original Agreement shall remain in full force and effect through the term of the Original Agreement.

**IN WITNESS WHEREOF**, the parties hereto have set their hands and seals to this Agreement as of the date and year first above written.

DEVELOPER:  
PULTE HOME CORPORATION

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_  
and  
By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

CITY:

UNITED CITY OF YORKVILLE,  
an Illinois municipal corporation

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: Mayor

ATTEST:

Name: \_\_\_\_\_  
Its: City Clerk

*EXHIBIT A*  
*Subject Property*

*EXHIBIT B*  
*Residential Parcel*

*EXHIBIT C*  
*Fee Schedule*



**Ordinance No. 2016-\_\_**

**AN ORDINANCE OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS, AUTHORIZING THE EXECUTION OF THE SECOND AMENDMENT TO THE ANNEXATION AGREEMENT AND PLANNED DEVELOPMENT AGREEMENT**  
***(Autumn Creek Subdivision)***

**WHEREAS**, it is prudent and in the best interest of the United City of Yorkville, Kendall County, Illinois, (the “City”) that a Second Amendment to the certain Annexation Agreement and Planned Development Agreement as amended by the First Amendment dated July 13, 2010 (the “*Original Agreement as Amended*”), pertaining to the annexation of real estate described therein (the “Subject Property”) be adopted in order to permit the residential development contemplated in said Original Agreement as Amended to proceed; and,

**WHEREAS**, said Original Agreement as Amended authorizes amendments by a purchaser of any portion of the Subject Property without approval of the owners of any other portion of the Subject Property so long as such amendments to this do not affect the rights, duties or obligations of the remaining owners; and,

**WHEREAS**, the statutory procedures provided in 65 ILCS 5/11-15.1-1, as amended, for the execution of a Second Amendment to said Original Agreement as Amended have been fully complied with.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and City Council of the United City of Yorkville, Kendall County, Illinois, as follows:

***Section 1.*** The Second Amendment to the Original Agreement as Amended in the form attached hereto and made a part hereof is hereby approved; and the Mayor and City Clerk are herewith authorized and directed to execute, on behalf of the City, said Second Amendment to the Original Agreement as Amended.

***Section 2.*** This Ordinance shall be in full force and effect upon its passage, approval, and publication as provided by law.

*Passed* by the City Council of the United City of Yorkville, Kendall County, Illinois, this  
\_\_\_\_ day of \_\_\_\_\_, A.D. 2016.

---

CITY CLERK

CARLO COLOSIMO \_\_\_\_\_

KEN KOCH \_\_\_\_\_

JACKIE MILSCHEWSKI \_\_\_\_\_

LARRY KOT \_\_\_\_\_

CHRIS FUNKHOUSER \_\_\_\_\_

JOEL FRIEDERS \_\_\_\_\_

DIANE TEELING \_\_\_\_\_

SEAVAR TARULIS \_\_\_\_\_

**APPROVED** by me, as Mayor of the United City of Yorkville, Kendall County, Illinois,  
this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2016.

\_\_\_\_\_  
MAYOR



FRONT ELEVATION - BUILDING TYPE 1



LEFT ELEVATION - BUILDING TYPE 1



RIGHT ELEVATION - BUILDING TYPE 1

## BUILDING TYPE 1

## AUTUMN CREEK STACKED TOWNHOMES

PRELIMINARY PLANS SUBJECT TO CHANGE WITHOUT NOTICE.

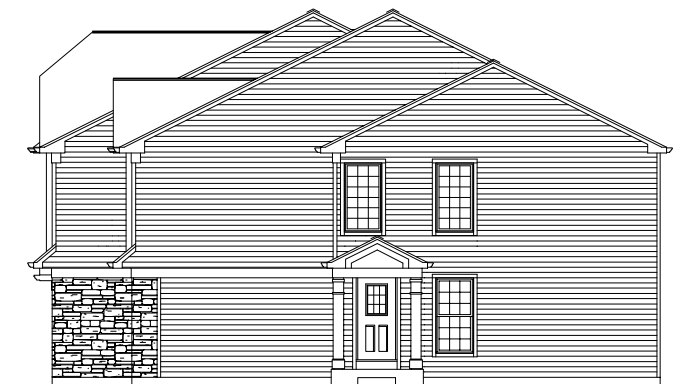
© COPYRIGHT 2005 Pulte Home Corporation



FRONT ELEVATION - BUILDING TYPE 2



LEFT ELEVATION - BUILDING TYPE 2



RIGHT ELEVATION - BUILDING TYPE 2

## BUILDING TYPE 2

## AUTUMN CREEK STACKED TOWNHOMES

PRELIMINARY PLANS SUBJECT TO CHANGE WITHOUT NOTICE.

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FRONT ELEVATION - BUILDING TYPE 3



LEFT ELEVATION - BUILDING TYPE 3



RIGHT ELEVATION - BUILDING TYPE 3

## BUILDING TYPE 3

## AUTUMN CREEK STACKED TOWNHOMES

PRELIMINARY PLANS SUBJECT TO CHANGE WITHOUT NOTICE.

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FRONT ELEVATION - BUILDING TYPE 4



LEFT ELEVATION - BUILDING TYPE 4



RIGHT ELEVATION - BUILDING TYPE 4

## BUILDING TYPE 4

## AUTUMN CREEK STACKED TOWNHOMES

PRELIMINARY PLANS SUBJECT TO CHANGE WITHOUT NOTICE.

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