



## **United City of Yorkville**

800 Game Farm Road  
Yorkville, Illinois 60560  
Telephone: 630-553-4350  
[www.yorkville.il.us](http://www.yorkville.il.us)

# **ZONING BOARD OF APPEALS AGENDA**

Wednesday, January 6, 2016  
7:00 P.M.

Yorkville City Hall Council Chambers  
800 Game Farm Road

Meeting called to order:

Roll Call:

Previous Meeting Minutes (Corrections/Approval): September 2, 2015 & November 18, 2015

Citizen's Comments

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### **Public Hearing:**

1. **ZBA 2015-06** GC Housing Development LLC, petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting to vary the maximum dwelling units per acre, Section 10-7-1 of the United City of Yorkville Zoning Ordinance, to permit the development of a senior independent living facility with a density of twenty four (24) dwelling units per acre which exceeds the maximum permitted density of eight (8) dwelling units per acre in the R-4, General Multi-Family Residence District. The real property is located near the northeast corner of Walnut Street and Freemont Street in Yorkville, Illinois.

### **Additional Business**

1. Year in Review - 2015

### **Adjournment**

# DRAFT

**UNITED CITY OF YORKVILLE  
ZONING BOARD OF APPEALS  
Wednesday, September 2, 2015, 7:00pm  
Yorkville City Hall, Council Chambers  
800 Game Farm Road**

**Board Members in Attendance**

Reagan Flavin-Goins, Chairman  
Corey Johnson  
Don Hirsch

Jeff Olson  
Don Marcum  
Alex Hernandez

Absent-Ryan Woods

**Other City Officials in Attendance**

Chris Heinen, City Planner

**Other Guests:**

Christine Vitosh, Court Reporter  
Edward Beamish  
Isabelle Beamish  
Niko Villacci, State Farm agent  
Lynne Johnson, Colonial Parkway

Steve Steinwart, Meadowvale  
Eric Granrud, HR Green  
Jason Leslie, Meadowvale  
Jean Alaniz, Colonial Parkway

Chairman Reagan Flavin-Goins called the meeting to order at 7:00pm. Roll call was taken and a quorum was established.

**Previous Meeting Minutes** August 5, 2015

The minutes were approved as presented on a motion by Johnson and second by Olson.

Roll call: Olson-yes, Marcum-yes, Hirsch-yes, Hernandez-yes, Johnson-yes, Goins-yes. Passed 6-0.

**Citizen Comments** None

**Public Hearing:**

At this time, the Chairman explained the procedure and swore in those who would give testimony at the Public Hearings. Johnson moved to close the regular meeting and open the Public Hearing. Olson seconded the motion.

Roll call: Marcum-yes, Hirsch-yes, Hernandez-yes, Johnson-yes, Olson-yes, Goins-yes. Passed 6-0.

The Public Hearing began at approximately 7:05pm.



- 1. ZBA 2015-04 Meadowvale, Inc. petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting to vary the lot coverage regulations contained in Chapter 7: Dimensional and Bulk Regulations, Section 10-7-1 of the United City of Yorkville Zoning Ordinance, to permit the development of additional parking and new buildings with a lot coverage of seventy seven percent (77%) which exceeds the maximum permitted lot coverage of sixty percent (60%) in the M-1 Limited Manufacturing District. The real property is located at 109 Beaver Street in Yorkville, Illinois.**

*(See Court Reporter's Transcript)*

Following the testimony and discussion, Johnson made the following motion and Marcum seconded: In consideration of testimony presented during a Public Hearing on September 2, 2015 and approval of the findings of fact, the Zoning Board of Appeals recommends approval to the City Council of a request to vary the lot coverage regulations contained in Chapter 7: Dimensional and Bulk Regulations, Section 10-7-1 of the United City of Yorkville Zoning Ordinance, to permit the construction of a building and parking lot addition with a lot coverage of seventy seven percent (77%) which exceeds the maximum permitted lot coverage of sixty percent (60%) in the M-1 Limited Manufacturing District, as presented by staff in a memorandum dated August 25, 2015. Roll call: Hirsch-yes, Hernandez-yes, Johnson-yes, Olson-yes, Marcum-abstain, Goins-yes. Passed with 5 ayes and 1 abstain.

- 2. ZBA 2015-05 Sycamore Holdings, LLC, petitioner has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting to vary the sign regulations contained in Section 10-20-9-A-1 of the United City of Yorkville Zoning Ordinance to permit a free standing monument sign in a business district on a lot more than three (3) acres from a total of sixty-four (64) square feet in area to one hundred and fifty-five (155) square feet, from twelve (12) feet in height to eighteen and one half (18.5) feet. The real property is located at the Northeast corner of Sycamore Road and John Street in Yorkville, Illinois.**

*(See Court Reporter's Transcript)*

After the testimony and discussion, Mr. Johnson made the following motion which was seconded by Mr. Marcum: In consideration of testimony presented during a Public Hearing on September 2, 2015 and approval of the findings of fact, the Zoning Board of Appeals recommends approval to the City Council of a request to vary the sign regulations contained in Section 10-20-9-A-1 of the United City of Yorkville Zoning Ordinance to permit a free standing monument sign in a business district on a lot more than three (3) acres from a total of sixty-four (64) square feet in area to one hundred and fifty-five (155) square feet, from twelve (12) feet in height to eighteen and one-half (18.5) feet, as presented to staff in a memorandum dated August 25, 2015.

Roll call: Hernandez-yes, Johnson-no, Olson-yes, Marcum-yes, Hirsch-yes, Goins-yes. Passed 5-1.

A motion was made by Chairman Goins to close the Public Hearings and re-open the regular meeting. Mr. Johnson seconded the motion. The regular meeting re-opened at approximately 7:42m.

Roll call: Hernandez-yes, Johnson-yes, Olson-yes, Marcum-yes, Hirsch-yes, Goins-yes. Passed 6-0.

**Additional Business**

Mr. Heinen reported a previous case, Lot 19 coverage variance, was approved unanimously by City Council. He will provide other updates at future meetings.

**Adjournment**

There was no further business and the meeting was adjourned at 7:43pm on a motion by Johnson and second by Hirsch. Unanimous voice vote approval.

Minutes respectfully submitted by  
Marlys Young

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6 UNITED CITY OF YORKVILLE  
7 KENDALL COUNTY, ILLINOIS  
8

9 ZONING BOARD OF APPEALS

10 PUBLIC HEARING  
11  
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14  
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16  
17 800 Game Farm Road

18 Yorkville, Illinois  
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21 Wednesday, September 2, 2015

22 7:00 p.m.  
23  
24

*Vitosh Reporting Service*

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## PRESENT:

MR. REAGAN FLAVIN GOINS, Chairman,

MR. COREY JOHNSON,

MR. JEFF OLSON,

MR. ALEX HERNANDEZ,

MR. DON HIRSCH,

MR. DONALD MARCUM.

## ALSO PRESENT:

MR. CHRIS HEINEN, City Planner,

MS. MARLYS YOUNG, Minute Taker.

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1 as follows: First, we will have the petitioner  
2 presentation; second, those who wish to speak in  
3 favor of the request; third, those who wish to  
4 speak in opposition to the request; and, fourth,  
5 questions from the Zoning Board of Appeals to the  
6 petitioner.

7 May I have a motion to close the  
8 regularly scheduled Zoning Board of Appeals  
9 meeting and open the public hearing?

10 MR. JOHNSON: Motion.

11 MR. MARCUM: Second.

12 CHAIRMAN GOINS: Roll call on the  
13 motion, please.

14 MS. YOUNG: Marcum.

15 MR. MARCUM: Yes.

16 MS. YOUNG: Hirsch.

17 MR. HIRSCH: Yes.

18 MS. YOUNG: Hernandez.

19 MR. HERNANDEZ: Yes.

20 MS. YOUNG: Johnson.

21 MR. JOHNSON: Yes.

22 MS. YOUNG: Olson.

23 MR. OLSON: Yes.

24 MS. YOUNG: Goins.

1 CHAIRMAN GOINS: Yes.

2 (The following  
3 proceedings were had in  
4 public hearing:)

5 CHAIRMAN GOINS: There are two public  
6 hearings to be considered tonight. The first is  
7 ZBA 2015-04, Meadowvale, Incorporated,  
8 petitioner, has filed an application with the  
9 United City of Yorkville, Kendall County,  
10 Illinois, requesting to vary the lot coverage  
11 regulations contained in Chapter 7: Dimensional  
12 and Bulk Regulations, Section 10-7-1 of the  
13 United City of Yorkville Zoning Ordinance, to  
14 permit the development of additional parking and  
15 new buildings with a lot coverage of 77 percent,  
16 which exceeds the maximum permitted lot coverage  
17 of 60 percent in the M-1 Limited Manufacturing  
18 District.

19 The real property is located at  
20 109 Beaver Street in Yorkville, Illinois.

21 The second public hearing tonight  
22 will be ZBA 2015-05, Sycamore Holdings, LLC,  
23 petitioner, has filed an application with the  
24 United City of Yorkville, Kendall County,

1 Illinois, requesting to vary the sign regulations  
2 contained in Section 10-20-9-A-1 of the United  
3 City of Yorkville Zoning Ordinance to permit a  
4 free-standing monument sign in a business  
5 district on a lot more than three acres, from a  
6 total of 64 square feet in area to 155 square  
7 feet, from 12 feet in height to 18 and one-half  
8 feet.

9 The real property is located at the  
10 northeast corner of Sycamore Road and John Street  
11 in Yorkville, Illinois.

12 Is the petitioner present who wishes  
13 to make a full presentation of the proposed  
14 requests set forth in ZBA 2015-04?

15 Sir, could you please kindly sign  
16 in?

17 ERIC GRANRUD,  
18 having been first duly sworn, testified from the  
19 podium as follows:

20 MR. GRANRUD: I did. Good evening,  
21 Chairman, honorable board members. My name is  
22 Eric Granrud with HR Green. I am the civil  
23 engineer representing Meadowvale on this project.

24 I come before you tonight with a lot



1 of excitement. I was last here in 2008 when I  
2 helped Meadowvale expand their facility. They  
3 have done very well and they are looking to  
4 further expand their business.

5 What you have before you tonight is  
6 a petition to increase the lot coverage or the  
7 percent impervious on the site.

8 The 109 Beaver Street location is in  
9 one of the oldest industrial or manufacturing  
10 zoned areas of the city, and it does have I would  
11 say kind of a varying degree of lot coverage, and  
12 so I feel that the variance request of 77 percent  
13 is consistent with some of the other neighbors  
14 surrounding the site, and I am here to answer any  
15 questions that you might have.

16 MR. OLSON: What are you building?

17 MR. GRANRUD: What is proposed is to  
18 build a building addition on to the existing  
19 facility. It will serve both manufacturing as  
20 well as a truck dock space. It is shown on the  
21 site plan.

22 It will take down a portion of the  
23 existing building that was an office building  
24 built in 2008, and what they're going to do is in

1 the footprint of area you see, they'll probably  
2 have a 16-foot floor level on the ground level  
3 and then they will relocate the removed office  
4 space and put it on a second story to just a  
5 portion of that building.

6 The applicant is currently working  
7 with an architect to develop the schematic  
8 drawings and will go forward after the ZBA  
9 meetings.

10 MR. OLSON: Where is the addition going  
11 to be located? What is the current state of that  
12 ground? Is it grass? Is it asphalt?

13 MR. GRANRUD: It's mixed. It's a  
14 portion of the existing parking lot which was  
15 developed in 2008 which is adjacent to the south  
16 side of the office building, so 50 percent of the  
17 land that's part of the lot coverage increase is  
18 already pavement, and then the building itself  
19 also will be covering the green space where  
20 stormwater is currently held.

21 Our design replaces -- actually  
22 increases a few parking spaces, additional  
23 parking spaces for the two uses, office space and  
24 manufacturing space.

1                   We put that on the west side of the  
2                   site so there is a relocated full parking lot  
3                   being rebuilt over there, and then now on the  
4                   south side of the site where the existing parking  
5                   lot is, that will become part of the operational  
6                   truck loading dock area.

7                   Stormwater, given the fact that we  
8                   are relocating the existing above-ground basin,  
9                   will either be, you know, an underground  
10                  facility, online storage pipes, and with the  
11                  parking lot, we will be, you know, looking into  
12                  the best management practices, permeable pavers  
13                  and that sort of technology.

14                 MR. JOHNSON: So as far as your lot  
15                 coverage, as far as your stormwater, it hasn't --  
16                 it hasn't been completely engineered yet, but  
17                 that's in the works?

18                 MR. GRANRUD: Exactly. If the lot  
19                 coverage can be approved, then we will take it to  
20                 the next steps for preliminary and final  
21                 engineering as the staff recommendations have  
22                 denoted.

23                 MR. HIRSCH: But you think for now that  
24                 you might go with the underwater storage and the

1 permeable pavers?

2 MR. GRANRUD: Yeah. We wouldn't want to  
3 do underground detention where the heavy trucks  
4 drive, so given the fact of the lot coverage, we  
5 would be looking at putting part of the  
6 stormwater detention underneath the regular  
7 parking stall parking lot.

8 MR. HIRSCH: Okay.

9 MR. OLSON: There was discussion at the  
10 Council just to open the communication at the --

11 MR. HEINEN: Plan council.

12 MR. GRANRUD: Plan Council, thank you.  
13 Open discussion, the fire district asked if we  
14 wanted to look into the basin located on the  
15 north side of the station there.

16 I personally have never seen a foot  
17 of water in there; it could be the granular soils  
18 that that basin is built in, so we may look at  
19 their original basin design for the fire station  
20 and see if there could be some shared stormwater  
21 detention opportunities.

22 Obviously that involves different  
23 property owners and so we'll just have to vet  
24 that out. And that would be on our west side

1 where half of our site is already draining to  
2 that perimeter anyways.

3 CHAIRMAN GOINS: Is there any interested  
4 party who wishes to ask questions of the witness?

5 Step to the podium, ma'am.

6 LYNNE JOHNSON,  
7 having been first duly sworn, testified from the  
8 podium as follows:

9 MS. JOHNSON: My name is Lynne Johnson  
10 and I live on Colonial Parkway, and forgive my  
11 stupidity, but I don't understand where on this  
12 map this thing is actually going.

13 We particularly back up, Building  
14 114, backs up exactly to where they put their  
15 new -- latest parking lot in and we have a  
16 problem, we have a problem with that with poison  
17 ivy, and if the new parking lot is going to  
18 reactivate the poison ivy again, we would like to  
19 have discussion on that. That is our biggest  
20 concern right now.

21 We are -- I can't even tell you how  
22 bad it is. We're going to try to clean it out,  
23 get it cleaned out, but it's been this way since  
24 they put the new parking lot in. Previously in

1 '92 we had a backyard cleanup, one person got  
2 poison ivy. The poison ivy went dormant.

3 Then in 2008 when the new parking  
4 lot came in, that is our issue right now, if we  
5 have to put up with the poison ivy and clean it  
6 up, but from this point forward everybody needs  
7 to be aware when they dig up a parking lot, they  
8 can be activating poison ivy. That is my  
9 comment.

10 MR. GRANRUD: Ma'am, I apologize for  
11 your problem with that vegetation. There is no  
12 proposed expansion or change in the site along  
13 the north property line with the townhomes along  
14 Colonial Parkway.

15 There is an existing board-on-board  
16 fence for most of those lots, and in the  
17 northeast corner, that's a truck turn around, so  
18 there is actually -- it can accommodate a full  
19 semi turning around, there is no vehicles parked  
20 there, and so I am believing that where there is  
21 no fence and where the truck turn around is  
22 probably where you have the vegetation that's  
23 poison ivy.

24 Unfortunately Meadowvale's property

1 is five feet, ten feet -- you know, very close, I  
2 think it's less than five from the concrete to  
3 the property line, so if there is woods with  
4 poison ivy in it, I believe it's on the townhome  
5 property and that would be, you know, outside of  
6 Meadowvale's ability to get in there and fix.

7 Is there a homeowner's association  
8 that could help you spray that?

9 MS. JOHNSON: That's what I'm here for.  
10 Yes, we can spray it, but again, we didn't cause  
11 it to get active, and because the parking lot  
12 got stirred up, it became active, and yes, it is  
13 on our property, but I bet you if you dug up  
14 some of that that's right next to us, you would  
15 find poison ivy underneath there, and when we get  
16 it cleaned up and it comes back, when we get it  
17 all out of there and it comes back, it will be  
18 worse.

19 MR. GRANRUD: Understood.

20 MS. ALAVIZ: I didn't sign up to speak,  
21 but I --

22 CHAIRMAN GOINS: Ma'am, I need you to  
23 approach the podium and sign in, please.

24

1                   JEAN ALAVIZ,  
2     having been first duly sworn, testified from the  
3     podium as follows:

4                 MS. ALAVIZ: My name is Jean Alaviz and  
5     I live on Colonial Parkway. I am on there and I  
6     just didn't -- I didn't know I was going to say  
7     anything. I just have a question.

8                 There is a -- there is a tree  
9     that -- I've lived there for 17 years, okay, and  
10    after they put in the new turn around for the  
11    trucks, they never really completed anything as  
12    far as landscaping, it was just ground, okay?

13                And at one point in time -- I don't  
14    know if you could find it now, but there was --  
15    there is a tree behind our shed and there was a  
16    mark that I think was the property line, okay,  
17    and so that is I am assuming Meadowvale's  
18    property, and that is all -- and even around  
19    the -- where all the trucks turn, it's all  
20    weeds.

21                MR. GRANRUD: Okay.

22                MS. ALAVIZ: So, you know, for them, for  
23    the truckers, maybe they don't care, but for us,  
24    it's our back yard --



1 MR. GRANRUD: Sure.

2 MS. ALAVIZ: -- and so we would at least  
3 like to have it looked at, and, you know, we are  
4 welcome to have anyone speak with us from  
5 Meadowvale --

6 MR. GRANRUD: Great.

7 MS. ALAVIZ: -- and work together to  
8 perhaps clean it up, you know, both of us.

9 MR. GRANRUD: Sure.

10 MS. ALAVIZ: I am pretty sure that a lot  
11 of that is Meadowvale's property based on where  
12 you used to be able to see some sort of a marker,  
13 but I don't know that you could find it now.

14 MR. GRANRUD: Okay. I know that their  
15 property pans out and recently states -- because,  
16 you know, any time you do an ALTA survey you've  
17 got to redo that.

18 I guarantee that the ownership,  
19 they'll look into that matter --

20 MS. ALAVIZ: Okay.

21 MR. GRANRUD: -- and we'll get that  
22 addressed.

23 MS. ALAVIZ: Okay.

24 MR. GRANRUD: I'll pass it along to the

1 owners.

2 CHAIRMAN GOINS: Is there anyone present  
3 who wishes to speak in favor of the request?

4 (No response.)

5 CHAIRMAN GOINS: Testimony in opposition  
6 to the request?

7 (No response.)

8 CHAIRMAN GOINS: Do any of the Zoning  
9 Board members have any questions or additional  
10 questions for the petitioner or staff on the  
11 proposed request?

12 MR. JOHNSON: Just maybe, Chris, so  
13 there's a couple options for the drainage on  
14 this. This was a problem, you know, with the  
15 drainage down there where we put the TIF district  
16 in I don't know, 15, 20 years ago, but there is  
17 some other options here, we can take care of  
18 that.

19 MR. HEINEN: Correct.

20 MR. JOHNSON: This is just a  
21 housekeeping matter like it was last month.

22 MR. HEINEN: Correct. The final  
23 engineering, like petitioner said, will be  
24 submitted and will have to be approved prior to

1 the actual --

2 MR. JOHNSON: Permits.

3 MR. HEINEN: -- permits going through,  
4 so that is part of the condition of the request,  
5 is that they do have to get final engineering  
6 approval and take care of all the stormwater  
7 management.

8 To answer your second part in  
9 regards to the housekeeping, staff did present a  
10 lot coverage amendment so that is working its way  
11 through the process as well. We will actually go  
12 to Plan Commission next week for that public  
13 hearing and then City Council on September 22nd.

14 MR. JOHNSON: So if you just wait a  
15 month or two, it might not have anything come of  
16 it.

17 MR. HEINEN: Yes. And, again, I believe  
18 the petitioner can answer why they decided to  
19 move forward versus waiting for them.

20 MR. HIRSCH: And the percentage for that  
21 will be 80 percent?

22 MR. HEINEN: Yes. Right now we are  
23 looking at 80 percent for the M-1 and so this  
24 would ultimately then would comply based on the

1 new regulations.

2 CHAIRMAN GOINS: Does the petitioner  
3 wish to give a summation of his request? If so,  
4 you can proceed. If not, we'll move on to the  
5 next hearing.

6 MR. GRANRUD: I'm okay.

7 CHAIRMAN GOINS: At this time we can  
8 move on to ZBA 2015-05.

9 Backing up a little bit, since all  
10 public testimony regarding the agenda item for  
11 2015-04 has been taken, may I have a motion --

12 MR. JOHNSON: I make a motion in  
13 consideration of testimony presented during a  
14 public hearing on September 2nd, 2015, and  
15 approval of the findings of fact, the Zoning  
16 Board of Appeals recommends approval to the City  
17 Council of a regulation, Section 10-7-1 of the  
18 United City of Yorkville Zoning Ordinance, to  
19 permit the construction of a building and a  
20 parking lot addition with a lot coverage of 77  
21 percent, which exceeds the maximum permitted lot  
22 coverage of 60 percent in the M-1 Limited  
23 Manufacturing District, as presented by staff in  
24 a memorandum dated August 25, 2015.

1 CHAIRMAN GOINS: Can I get a roll call  
2 on the motion, please?

3 MR. HIRSCH: I'll second.

4 CHAIRMAN GOINS: Second, please. Can I  
5 get a roll call on the motion, please?

6 MS. YOUNG: Hirsch.

7 MR. HIRSCH: Yes.

8 MS. YOUNG: Hernandez.

9 MR. HERNANDEZ: Yes.

10 MS. YOUNG: Johnson.

11 MR. JOHNSON: Aye.

12 MS. YOUNG: Olson.

13 MR. OLSON: Yes.

14 MS. YOUNG: Marcum.

15 MR. MARCUM: I'll abstain.

16 MS. YOUNG: And Goins.

17 CHAIRMAN GOINS: Yes.

18 At this time we can move on to the  
19 public hearing on ZBA 2015-05.

20 Is the petitioner present who wishes  
21 to make a full presentation of the proposed  
22 request set forth in ZBA 2015-05?

23 NIKO VILLACCI,

24 Having been first duly sworn, testified from the

1 podium as follows:

2 MR. VILLACCI: I'm joking there a little  
3 bit, haven't really been to any of these before.  
4 All right.

5 So I bought the property that was  
6 sitting there for about eight years on that  
7 corner. You guys all have -- Make sure we're all  
8 looking at -- you guys all have the same thing,  
9 right? Cool.

10 As you see, there is one building  
11 that was built. It was basically left vacant.  
12 One unit was rented out, but the rest was a  
13 shell.

14 Purchased it with all the land;  
15 currently finishing the inside out and then  
16 planning on doing what was originally set up, was  
17 to build four of those buildings there and have  
18 about 20 -- between 20 and 26 units to be rented  
19 out.

20 The sign that was approved was, you  
21 know -- is basically kind of just for one unit.  
22 We need a lot more room on the sign to fit all  
23 the people that are going to be on there.  
24 Obviously want to put up a lot nicer sign to

1 attract more people.

2 As of right now on the unit that I  
3 have, I have three letters of intent to already  
4 rent it out, out of the five that are available.  
5 In March we're planning on starting building the  
6 next building.

7 So, you know, the opportunity is  
8 there as -- there really hasn't been much built  
9 around here lately, so I'm super excited about  
10 it, but we really need proper signage. It's  
11 really important to get people in there and  
12 people know that they're there.

13 So the sign that was approved,  
14 12 feet high, with eventually -- with just the  
15 one unit having seven tenants and then just with  
16 the second one that's going to be coming in very  
17 soon, you know, that's 14 tenants on -- I mean,  
18 you wouldn't even be able to see it.

19 So what we're looking at doing is  
20 making it a little bit bigger, much nicer unit,  
21 professional company building it. It's a \$30,000  
22 sign. We're not cutting out any expenses, but in  
23 order to do that we've got to get a variance from  
24 you guys.

1 CHAIRMAN GOINS: Is there anyone present  
2 with any questions from the Zoning Board of  
3 Appeals for the petitioner?

4 MR. VILLACCI: What's up, buddy?

5 CHAIRMAN GOINS: We're going to take  
6 questions from the ZBA first.

7 MR. VILLACCI: Oh, I'm sorry.

8 MR. HIRSCH: Where on this drawing would  
9 the sign go?

10 MR. VILLACCI: It would go in the -- I'm  
11 bad with the north, west, east thing. It would  
12 go right here (indicating).

13 MR. HIRSCH: So the northwest corner.

14 MR. VILLACCI: Yes. I get all  
15 backwards. So it goes furthest part possible  
16 away from anyone, yes.

17 And the -- this might make a little  
18 bit more sense for you. This is like what was  
19 approved, the four units, and where it would go,  
20 basically the best place possible. I don't think  
21 you guys would have a copy of this.

22 So this is what's already been  
23 approved by the city, the four units. This one  
24 is built, this is the second. I get it all



1 backwards.

2 THE REPORTER: Sir, can I have your  
3 name?

4 MR. VILLACCI: Niko, N-I-K-O, Villacci,  
5 V as in Victor, I-L-L-A-C-C-I.

6 So yeah, I mean, obviously the big  
7 concern is it's already been approved, you want  
8 to go there with it, but you need a lot more  
9 signage for that many buildings, that many units.

10 CHAIRMAN GOINS: Do any of our members  
11 have any additional questions of the petitioner?

12 MR. MARCUM: What is the timing on  
13 building of the rest of these buildings? You  
14 said you are to start to build one in March.

15 MR. VILLACCI: Yeah.

16 MR. MARCUM: What is your end goal  
17 there?

18 MR. VILLACCI: Yes. So the end goal is  
19 within three to four years having it all done.

20 The first building, it's going to be  
21 rented out before we are even done doing it  
22 hopefully. We only have one unit left to rent.

23 March is where we're looking at for  
24 the next one. For obvious reasons, you can't

1 start construction at the end of the winter or  
2 going into winter, so what we'd like to do is  
3 build one building each year and then fill it up.

4 They fill up -- I mean, if we build  
5 the other one in March and it fills up right  
6 away, I mean, build it right away.

7 I mean, I already bought all the  
8 land, the sewers are -- you guys aren't probably  
9 familiar with the property, but the sewers are  
10 already in, so there is a lot of costs there that  
11 are already into it, it's really just finishing  
12 the parking lot and building the buildings.

13 You can't really see it, but all the  
14 sewers and all the drainage is already set up, so  
15 there is a huge cost that's already done, so we  
16 want to get building as soon as possible and fill  
17 these up.

18 The other thing is we all are hoping  
19 for -- you know, there is still the rumors of  
20 that hospital going in back there, that would be  
21 amazing, but it being right next to -- you know,  
22 basically sharing the parking lot with the Dreyer  
23 Medical Clinic, we've already got a pain  
24 specialist that's coming in there, already --

1 I've three people that want to buy units.

2 I'm trying to rent them out first  
3 before selling them because I want to hold on to  
4 this forever.

5 And a little back story on me, I've  
6 been here for ten years, I am a State Farm agent  
7 in Yorkville, so I'm putting my office in there  
8 as well, so this is going to be anchored by my  
9 own business that's already been here for going  
10 on 12 years, so, you know, I've basically been in  
11 Yorkville, employed people here, helped the local  
12 economy, and now I have money, I am looking to  
13 invest it here, but I want to do it the right  
14 way.

15 I mean, if I'm going to put up all  
16 these buildings and invest we're looking at  
17 around three million dollars, I want to make sure  
18 we make the things necessary to make it  
19 attractive so people will come in and rent there.

20 CHAIRMAN GOINS: If there is no further  
21 questions from any Board of Appeals members, is  
22 there anyone present who wishes to speak in favor  
23 of the request?

24 (No response.)

1           CHAIRMAN GOINS: If there is no one  
2 present speaking in favor, is there anyone  
3 present who wishes to speak in opposition to the  
4 request?

5           EDWARD BEAMISH,  
6 having been first duly sworn, testified from the  
7 podium as follows:

8           MR. BEAMISH: My name is Edward Beamish,  
9 and I live at 1381 Chestnut Circle in Yorkville,  
10 and I must apologize because I am a little short  
11 of hearing.

12           We -- we received a registered  
13 letter about the sign, but nothing else. There  
14 was no other explanation. We don't know what's  
15 going up over there, just a sign that seems  
16 really high of 12 feet, and that kind of  
17 frightened all of us because of our property  
18 value.

19           We live on the other side of John  
20 Street, our back yards face John Street, so we  
21 are coming and going all the time through John  
22 Street, so we were concerned about this sign, and  
23 we don't know what's going up behind the sign.

24           What is the sign going to say? The

1 letter should have been more informative. It was  
2 a registered letter, we all had to sign.

3 Okay. Now, our concerns are why so  
4 high a sign, 12 feet high. That's going to be a  
5 little ugly.

6 Then another thing is, is it going  
7 to be lit 24 hours? Will it say what's coming up  
8 over there? We need to know all of that.

9 Then another thing is, the sign is  
10 going to be at the corner of Sycamore and  
11 Johnson --

12 MR. VILLACCI: No.

13 MR. BEAMISH: John Street?

14 MR. VILLACCI: No.

15 MR. BEAMISH: That's what the letter  
16 said.

17 MR. VILLACCI: It said the property is  
18 on the corner, so this is the entire property.

19 MR. BEAMISH: Right.

20 MR. VILLACCI: It's on this corner.

21 MR. BEAMISH: Okay.

22 MR. VILLACCI: So it's the furthest away  
23 from you guys.

24 MR. BEAMISH: All right. Then another

1        thing, why could it not be on Route 34 itself?

2                MR. VILLACCI:    Because I don't own that  
3        property, buddy.

4                MR. BEAMISH:    Okay.

5                MR. VILLACCI:    Yeah.    So this is the  
6        property I own, it's going to be here.    This  
7        property -- I am actually in talks for buying it,  
8        but the same bank that owned -- you know, they've  
9        both been in foreclosure for a while.

10               MR. BEAMISH:    Then --

11               CHAIRMAN GOINS:   If you could -- There's  
12        been a lot of questions; if you could allow the  
13        petitioner to try and answer the number of  
14        questions that have been asked so far and then we  
15        can proceed further.

16               MR. BEAMISH:    And if you could -- be  
17        nice if you could send us all a letter, it  
18        doesn't have to be registered.    That was quite  
19        expensive.

20               MR. VILLACCI:    It was.

21               MR. BEAMISH:    Yeah.    If you could send  
22        us another letter explaining what's coming up --

23               CHAIRMAN GOINS:    Sir --

24               MR. BEAMISH:    -- so as to allay our

1 fears.

2 CHAIRMAN GOINS: If you could allow him  
3 to answer some of your questions, please.

4 MR. VILLACCI: Sure. Let me start with  
5 the sign, what it's going to look -- it's right  
6 here. So where it's going to be, I kind of  
7 described that to you, it's on this corner.

8 As far as your property value and  
9 stuff, right now you have a vacant spot right  
10 there. That's hurting your properties quite a  
11 bit.

12 When I'm done, that's going to be  
13 really nice. Right now you basically have a dust  
14 bowl that has been vacant for eight years with  
15 nothing in there.

16 MR. BEAMISH: We were concerned whether  
17 apartment buildings are going to go up.

18 MR. VILLACCI: No, no, same as that's  
19 there. Sure, sure. Okay. So the building  
20 that's there, it's going to be three more of  
21 those. Same exact thing.

22 It's zoned as business, so it  
23 wouldn't be apartment buildings or anything along  
24 those lines.

1                   Now, God forbid something happened,  
2           I went bankrupt and somebody else bought it, I  
3           mean, I can't tell you what they're going to do.

4                   What we're going to do and what it's  
5           approved for by the city is to have four more of  
6           the same units, so the units are one story, and  
7           the top of the units are about -- a little bit  
8           over 20 feet high, so our sign isn't even going  
9           to be taller than the buildings are.

10                  The reason we need the bigger -- the  
11           bigger sign, though, is because we're going to  
12           put in more units.

13                  Now, when this is finished and you  
14           have all these units in here, you've got a nice  
15           area there with businesses and it's going to help  
16           your property value quite a bit.

17                  MR. BEAMISH: Does the sign have to be  
18           that high, 12 feet?

19                  MR. VILLACCI: It's actually -- We're  
20           cutting it down from where it should be. With  
21           that many units that we're putting in and the  
22           amount of money that we're putting in -- don't  
23           forget it's a four-acre property, too.

24                  MR. BEAMISH: Right.



1 MR. VILLACCI: It's a big lot.

2 MR. BEAMISH: It would be nice if you  
3 would send us a letter of explanation allaying  
4 all our fears.

5 MR. VILLACCI: Well, obviously when we  
6 got into the process, you know, we did what the  
7 city recommends us to do, and that's to let you  
8 guys know what's going on.

9 MR. BEAMISH: Right.

10 MR. VILLACCI: I mean, again, there's  
11 costs involved any time --

12 MR. BEAMISH: An informative letter.

13 D: That's what this is for, so we can  
14 tell you what's going on.

15 MR. BEAMISH: A lot of our people are  
16 elderly, quite old, so that's why I guess -- some  
17 of them are not well, so that's why they couldn't  
18 come.

19 MR. VILLACCI: Did that answer all your  
20 concerns by the way?

21 MR. BEAMISH: Yes. Yes.

22 MR. VILLACCI: Okay.

23 MR. BEAMISH: Thank you very much.

24 MR. VILLACCI: Thank you.

1 CHAIRMAN GOINS: Do we have any  
2 additional questions from the Zoning Board of  
3 Appeals members?

4 MR. OLSON: It will be an illuminated  
5 sign?

6 MR. VILLACCI: Yeah.

7 MR. OLSON: And it will be illuminated  
8 both a.m. and p.m.?

9 MR. VILLACCI: I'm going to turn it off  
10 at some point in time. I don't want to pay for  
11 that to be honest with you.

12 Just like the signs that I have now  
13 on my current buildings, we put them on a timer  
14 because it's so expensive, and it causes the  
15 lights in the sign to last a lot longer by  
16 turning it off.

17 So it's just like everybody else. I  
18 mean, I'll probably do what everybody else does  
19 in the area, when their stuff goes off, our stuff  
20 will go off.

21 It's not going to be like -- I mean,  
22 if you guys look at it, it's not going to be like  
23 illuminating, it's -- you know, a lot of it isn't  
24 even lit up, you know, you've got -- I think you

1       guys all have the thing in there.

2               MR. MARCUM: This is the same kind of  
3       sign that's up at Countryside or whatever it is,  
4       right, the theaters and the day care center?

5               MR. VILLACCI: Yeah. It's got the brick  
6       bottom. It's in your packet, a full thing of it.  
7       You know, it meets all the recommendations, it's  
8       done by a professional company.

9               It's going to be really nice, just  
10      like what I'm hoping the property is going to  
11      show. You know, I need to attract people in  
12      there. We're doing it right.

13              MR. MARCUM: Maybe you could show that  
14      gentleman that picture.

15              MR. VILLACCI: I actually gave it to  
16      him.

17              MR. MARCUM: Oh, okay.

18              MR. VILLACCI: Yeah, you've got the  
19      picture in there? Yeah, I gave him a copy.

20              CHAIRMAN GOINS: Any other questions?

21              MR. JOHNSON: I have a question for  
22      Chris. What's the speed limit there?

23              MR. HEINEN: Good question.

24              MR. VILLACCI: Oh, that is a good

1 question.

2 MR. JOHNSON: What's the traffic count?

3 MR. HEINEN: That I couldn't tell you.  
4 I'm assuming that the speed limit on Sycamore is  
5 probably residential, 25, 30.

6 CHAIRMAN GOINS: It is 30 all the time.

7 MR. HEINEN: 30? Same as John.

8 MR. JOHNSON: One of our requirements is  
9 40 miles an hour. And then what's the traffic  
10 count? Can't be over 20,000 on that street.

11 CHAIRMAN GOINS: No.

12 MR. JOHNSON: How big is the sign over  
13 at Countryside? What was that?

14 MR. HEINEN: The movie theater? It was  
15 26 feet.

16 MR. VILLACCI: That's the same question  
17 everybody keeps asking.

18 MR. HEINEN: It's probably comparable to  
19 the Dairy Queen sign.

20 MR. JOHNSON: The City Council can do  
21 whatever they want.

22 MR. VILLACCI: That thing is monstrous.

23 MR. HIRSCH: It is. When they  
24 originally did this layout and if they got the

1       sewers already there, they would have known that  
2       they were going to have four structures.

3                   What was the original sign, if there  
4       was an original sign, approved for here?

5                   MR. VILLACCI: Right. I mean, they  
6       didn't get any -- I don't know why they wouldn't  
7       have done a bigger sign if they were approved for  
8       that.

9                   MR. HEINEN: The original annexation  
10      agreement, PUD agreement, only outlined that they  
11      had to conform to the current zoning ordinance  
12      sign limit, and so by the sign ordinance, that's  
13      why we are varying it from the height and square  
14      footage area, because that's what the maximum  
15      would allow in the current zoning. There was no  
16      sign approved originally.

17                  MR. HIRSCH: Okay.

18                  MR. VILLACCI: They didn't get very far.  
19      It literally is a shell with gravel and a lot of  
20      weeds.

21                  MS. ISABELLE BEAMISH: Excuse me. Does  
22      your property --

23                  CHAIRMAN GOINS: Ma'am, you need to  
24      state your name. If you could state your name

1 and approach the podium, please.

2 MR. BEAMISH: There is a bunch of corn  
3 growing there. Will your property come into that  
4 area?

5 MR. VILLACCI: You are talking about the  
6 one on 34?

7 MR. BEAMISH: No. Before. This side,  
8 you know, Dreyer Clinic.

9 CHAIRMAN GOINS: Sir, he is really only  
10 here to answer questions about the sign itself.  
11 He can't -- he really shouldn't be answering  
12 questions about the property.

13 MS. BEAMISH: We are asking him if he --  
14 if his property includes that corn growing area.

15 MR. VILLACCI: It does not. So this  
16 corn, where the corn is up here, I'm trying to  
17 purchase that, but I do not own that.

18 MS. BEAMISH: Oh, okay.

19 MR. VILLACCI: So right now that is not  
20 part of this property, and it is a completely  
21 different tax code and number. It is not mine.

22 MS. BEAMISH: Okay.

23 MR. VILLACCI: Is that it? Are you guys  
24 good?

1 MS. BEAMISH: That's it.

2 CHAIRMAN GOINS: Any final questions of  
3 the petitioner?

4 (No response.)

5 CHAIRMAN GOINS: At this time if I could  
6 get a motion to close the public hearing?

7 MR. JOHNSON: So moved.

8 MR. HEINEN: No.

9 CHAIRMAN GOINS: I apologize. As a  
10 board, let's go through the findings of fact. It  
11 should be included in the packet.

12 First set of standards to consider  
13 are set forth in Section 10-4-7-C; the first  
14 being because of the particular physical  
15 surroundings, shape or topographical condition of  
16 the specific property involved, a particular  
17 hardship to the owner would result, as  
18 distinguished from the mere inconvenience if the  
19 strict letter of the regulation is carried out.

20 MR. JOHNSON: I wouldn't think so.

21 CHAIRMAN GOINS: Any disagreement?

22 (No response.)

23 CHAIRMAN GOINS: Second, the conditions  
24 upon which the board variance is based are unique

1 for which the variance is sought and they are not  
2 applicable generally to other property within the  
3 same zoning classification.

4 MR. JOHNSON: I disagree.

5 CHAIRMAN GOINS: Disagree.

6 MR. JOHNSON: I don't think it's  
7 anything special.

8 CHAIRMAN GOINS: Any other comments?

9 (No response.)

10 CHAIRMAN GOINS: Number three, the  
11 alleged difficulty or hardship is caused by this  
12 title and has not been created by any person  
13 presently having an interest in the property.

14 (No response.)

15 CHAIRMAN GOINS: I don't believe so.

16 MR. JOHNSON: I don't think so.

17 CHAIRMAN GOINS: Anybody disagree?

18 (No response.)

19 CHAIRMAN GOINS: Four, the granting of  
20 the variance will not be detrimental to the  
21 public welfare or injurious to other property or  
22 improvements in the neighborhood in which the  
23 property is located.

24 MR. JOHNSON: I don't think so.



1 CHAIRMAN GOINS: No.

2 And five, the proposed variance will  
3 not impair an adequate supply of light and air to  
4 adjacent property or substantially increase the  
5 congestion in public streets or increase the  
6 danger to the public safety or substantially  
7 diminish or impair property values within the  
8 neighborhood.

9 MR. JOHNSON: I don't believe so.

10 CHAIRMAN GOINS: I don't believe so.

11 The second set of standards that we  
12 need to consider for sign variations are set  
13 forth in Section 10-20-13, the first being was  
14 not applicable at this point, if the sign was  
15 erected legally with a sign permit.

16 Seeing as how there is no sign there  
17 yet, it is a moot point.

18 Second, if there are any unique  
19 physical characteristics of the property.

20 MR. JOHNSON: It's duplicitous.

21 CHAIRMAN GOINS: Exactly. Three, there  
22 are limited available locations for signage on  
23 the property. Again, it's duplicitous. We've  
24 already discussed.

1 Four, the cost to the applicant for  
2 the sign requirements, again, not an issue.

3 MR. JOHNSON: I don't think so.

4 CHAIRMAN GOINS: Five, the sign is in,  
5 on or faces a street with a 40 mile per hour or  
6 higher speed limit. We've discussed it's  
7 30 miles an hour.

8 Six -- it is not.

9 MR. HIRSCH: No.

10 CHAIRMAN GOINS: Six, if the sign would  
11 be blocked by existing or required landscaping,  
12 it is not an issue.

13 Eight, if it is a wall sign facing a  
14 public right-of-way without a public entrance,  
15 which it is not.

16 If I could get a motion to approve  
17 ZBA 2015-05.

18 MR. JOHNSON: I'll make a motion.

19 In consideration of testimony  
20 presented during the public hearing --

21 CHAIRMAN GOINS: Can I get a second?

22 MR. HEINEN: Right.

23 CHAIRMAN GOINS: I'm sorry, I  
24 interrupted you.

1 MR. JOHNSON: I make a motion in  
2 consideration of testimony presented during a  
3 public hearing on September 2nd, 2015, and  
4 approval of the findings of fact, the Zoning  
5 Board of Appeals recommends approval to the City  
6 Council of the request to vary the sign  
7 regulations contained in Section 10-20-9-A-1 of  
8 the United City of Yorkville Zoning Ordinance to  
9 permit a free-standing monument sign in a  
10 business district on a lot more than three acres  
11 from a total of 64 square feet in area to 155  
12 square feet, from 12 feet in height to 18 and  
13 one-half feet, as presented to staff in a  
14 memorandum dated August 25, 2015.

15 CHAIRMAN GOINS: Can I get a second,  
16 please?

17 MR. MARCUM: Second.

18 CHAIRMAN GOINS: Can I get a roll call  
19 on the motion, please?

20 MS. YOUNG: Hernandez.

21 MR. HERNANDEZ: Yes.

22 MS. YOUNG: Johnson.

23 MR. JOHNSON: No.

24 MS. YOUNG: Olson.

1 MR. OLSON: Yes.

2 MS. YOUNG: Marcum.

3 MR. MARCUM: Yes.

4 MS. YOUNG: Hirsch.

5 MR. HIRSCH: Yes.

6 MS. YOUNG: Goins.

7 CHAIRMAN GOINS: Yes.

8 Since all public testimony regarding  
9 the agenda items has been taken, may I have a  
10 motion to close the public hearing and reopen the  
11 regularly scheduled ZBA?

12 So moved.

13 MR. JOHNSON: Second.

14 CHAIRMAN GOINS: Roll call on the  
15 motion, please.

16 MS. YOUNG: Hernandez.

17 MR. HERNANDEZ: Yes.

18 MS. YOUNG: Johnson.

19 MR. JOHNSON: Yes.

20 MS. YOUNG: Olson.

21 MR. OLSON: Yes.

22 MS. YOUNG: Marcum.

23 MR. MARCUM: Yes.

24 MS. YOUNG: Hirsch.

1 MR. HIRSCH: Yes.

2 MS. YOUNG: Goins.

3 CHAIRMAN GOINS: Yes.

4 (Which were all the  
5 proceedings in the  
6 public hearing portion  
7 of the meeting.)

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1 STATE OF ILLINOIS )  
2 ) SS.  
3 COUNTY OF LASALLE )

4 I, Christine M. Vitosh, a Certified Shorthand  
5 Reporter, do hereby certify that I transcribed  
6 the proceedings had at the public hearing and that  
7 the foregoing, Pages 1 through 44, inclusive, is  
8 a true, correct and complete computer-generated  
9 transcript of the proceedings had at the time and  
10 place aforesaid.

11 I further certify that my certificate annexed  
12 hereto applies to the original transcript and  
13 copies thereof, signed and certified under my  
14 hand only. I assume no responsibility for the  
15 accuracy of any reproduced copies not made under  
16 my control or direction.

17 As certification thereof, I have hereunto set  
18 my hand this 30th day of September, A.D., 2015.

19 \_\_\_\_\_  
20 Christine M. Vitosh, CSR  
21 Illinois CSR No. 084-002883  
22  
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# DRAFT

**UNITED CITY OF YORKVILLE**  
**Special Meeting of the Plan Commission,**  
**Zoning Board of Appeals and Park Board**  
**City Council Chambers**  
**Wednesday, November 18, 2015 7:00pm**

**Meeting Called to Order**

Plan Commissioner Michael Crouch called the meeting to order at 7:01pm.

**Roll Call**

Roll call was taken and a quorum was established.

**Plan Commission** members present: Deborah Horaz, Michael Crouch

Absent: Galmarini, Goins, Kraupner, Vinyard, Weaver, Harker

**Zoning Board of Appeals** members present: Corey Johnson, Don Hirsch, Alex

Hernandez

Absent: Olson, Markham, Woods, Goins

**Park Board** members present: Deborah Horaz, Sash Dumanovic

Absent: Cesich, Dilday, Lane, Konecki, Wilberg

Commissioner Crouch asked each person to introduce themselves.

**City Staff**

Krysti Barksdale-Noble, Community Development Director

Jim Binninger, Attorney

Shay Remus, Park Board

Tim Evans, Park Board

Scott Sleezer, Park Board

**Other Guests**

**Previous Meeting Minutes** None

**Citizen's Comments** None

**Public Hearings** None

**New Business**

Mr. Binninger briefly explained what topics would be covered in this meeting, including ethics and how to handle meetings.

### Roles and Responsibilities

Mr. Binninger and Ms. Noble both explained their roles pertaining to the three governing bodies present. He stated the obligations of the members of these Boards, the Boards' functions and stressed the importance of reading the agenda packet materials prior to the meetings. Ms. Noble also said it was very important to listen to the testimony given and that questions could be directed to her prior to the meetings. The roles of the Chairmen were also explained and speakers should be recognized by the Chair before speaking. The importance of an up-to-date Comprehensive Plan was also stressed.

### Applicant and Petitioner

Their role is to present their requests to the Boards and they are responsible for demonstrating that their request meets the requirements.

### Making Land Use Decisions

The petitioner has to make their case. Mr. Binninger said it is very important for the municipality to have a current Comp Plan and Zoning code. Ms. Noble said, that as Zoning Administrator, she can make some decisions on minor changes, but if there are major changes, the case must be brought back to the Boards.

### Elements of Good Decision Making

Notice must be given, opposition must be allowed to be heard and conclusions must be based on findings. Complete and accurate records are essential.

### Notice

Proper meeting notice must be given. For Plan Commission, a minimum of 15 days notice and no more than 30 days is required.

### Clear Rules to Control Meeting

The meeting procedure must be announced by the Chairman, sign-in sheets are required and time limits should be noted. Speakers must be recognized by the Chair, duplicate or irrelevant testimony should be prohibited, written statements can be accepted and exhibits should be identified. Mr. Binninger gave a handout of the Rules and Procedures. For phone attendance, there must be a quorum of actual people present and then the phone attendance can be utilized if arranged prior to the meeting. Mr. Hirsch commented that being on vacation is not always a valid excuse for utilizing phone attendance.

### Open Meetings Act

State law requires all Board members to take the on-line Open Meetings Act review and pass a test within 90 days of appointment. If a FOIA request is made and someone has not had this training, it could become an issue. A 'majority' is a majority of a quorum. It was noted that 2 members can discuss business, however, 3 people constitute a 'meeting'. Mr. Crouch commented that if 3 members discuss business or use texts or emails, that is a violation. All public members have the right to speak, however, the time can be limited and should be at the end of the agenda. If a meeting has to be rolled over, you must have a notice of the date and time or you must start over. A vote cannot be taken on any item not on the agenda. Meeting cancellations must be posted on an outer door.

### Conducting Meetings

Mr. Binniger discussed "*Roberts Rules of Order*". Motions must be made in order to take action. He provided an explanation of "call the question" and discussed amended motions. Mr. Evans asked if all motions need roll call votes. Village Boards and Councils need roll calls on certain items and voice votes are OK on some items. Mr. Dumanovic asked if the Chair routinely votes on Boards and Commissions. They do vote, however, Village Presidents usually only vote in the case of a tie.

### Full Disclosure

All concerned parties must have full access to the pertinent information. Mr. Crouch asked about photos presented by individuals. These can be entered into the official record so that anyone can have access.

### Other topics briefly discussed were:

Unbiased Decisions

Timely Decisions

Complete Records

Finding of Fact

Ethical Principles for Planning

Ethical Principles Overview-gave examples of conflicts & possible answers

Techniques for No-Conflict Meeting

Encourage Public Involvement

Also mentioned.....

City staff is considering placing meeting notices on Facebook.

It was also noted that motions need to be made in the positive.

Staff includes proposed motion language in the agenda packet.

Ms. Noble gave a handout regarding 6 hours of additional training available pertaining to zoning. Illinois APA is pushing to require this training for Boards dealing with zoning.

### Old Business None

### Additional Business

A memo from Mr. Heinen was included in the packet and detailed the voting record of the Council regarding the recent Hari Development/Dunkin Donuts special use permit and text amendment. The Council approved both items.

### Adjournment

There was no further business and the meeting was adjourned at 8:40pm. The motion for adjournment was made by the ZBA Board who had a quorum. Motion by Johnson and second by Hirsch. Unanimous voice vote approval.

Transcribed by Marlys Young, Minute Taker



# Memorandum

To: Zoning Board of Appeals  
From: Chris Heinen, Planner  
CC: Bart Olson, City Administrator  
Krysti J. Barksdale-Noble, Community Development Director  
Date: December 29, 2015  
Subject: **ZBA 2015-06 – Senior Independent Living Facility (Variance) –  
NEC of Walnut and Freeman**

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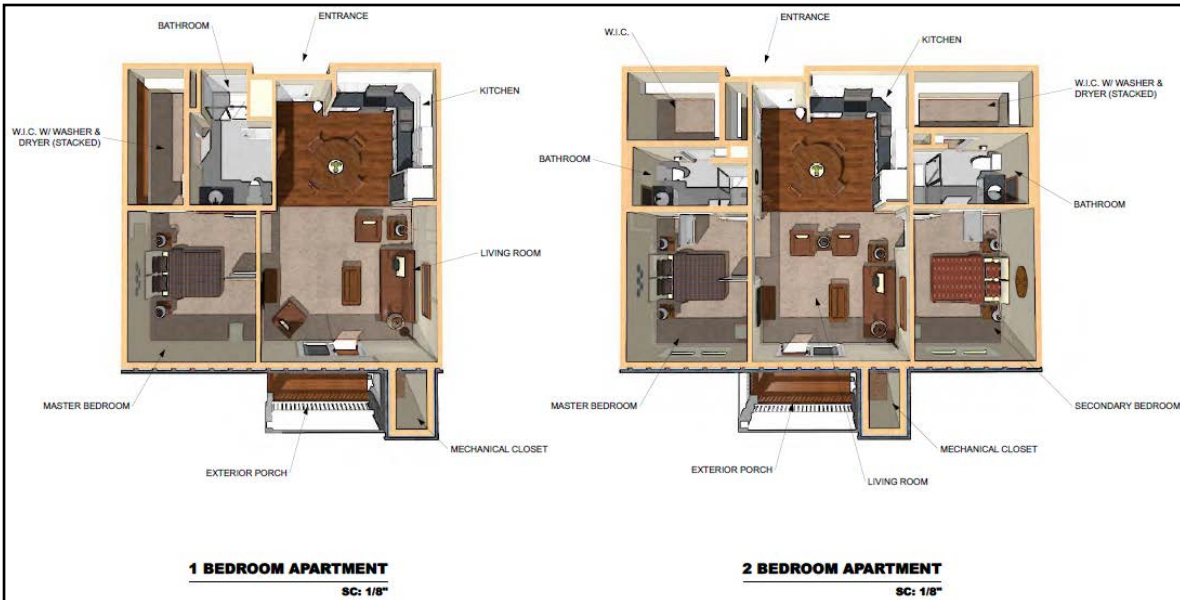
## **Background & Request:**

The petitioner, GC Housing Development LLC, petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting to vary the maximum dwelling units per acre, Section 10-7-1 of the United City of Yorkville Zoning Ordinance, to permit the development of a senior independent living facility with a density of twenty four (24) dwelling units per acre which exceeds the maximum permitted density of eight (8) dwelling units per acre in the R-4, General Multi-Family Residence District. The real property is located near the northeast corner of Walnut Street and Freemont Street in Yorkville, Illinois.

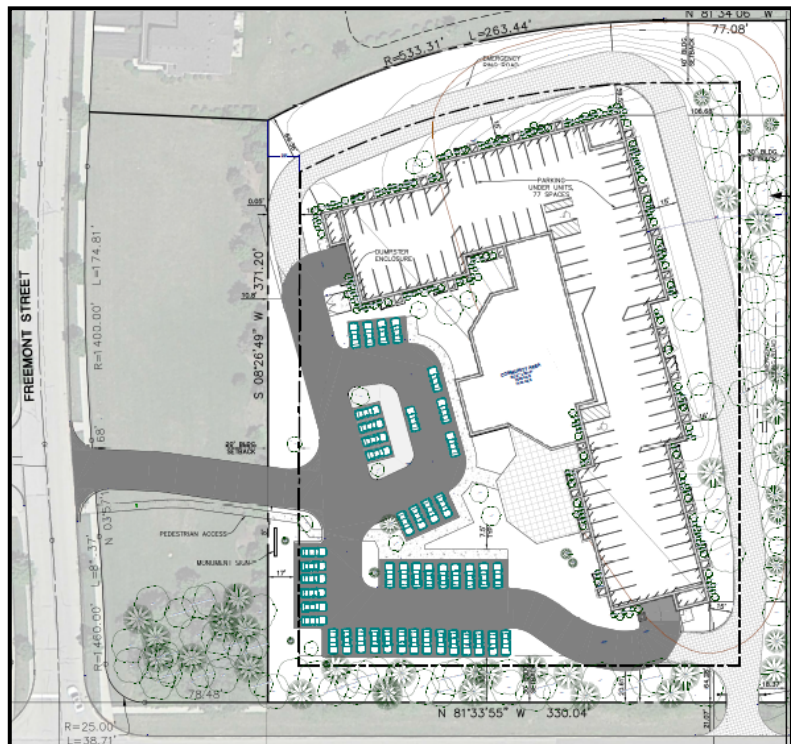




The petitioner is looking to construct a four-story building with an enclosed parking garage which will contain 75 apartment units. The unit breakdown for the development will be 57 one-bedroom units and 18 two-bedroom units. The proposed development will be eligible for occupancy by residents in the 30%-60% of Yorkville's adjusted income levels. Ten percent (10%) of the units, or 8 one-bedroom units, will have rents starting at \$450 - \$500. The remaining one-bedroom rents will be \$925 - \$1,000 and the two-bedroom units will be \$1,050 - \$1,200.

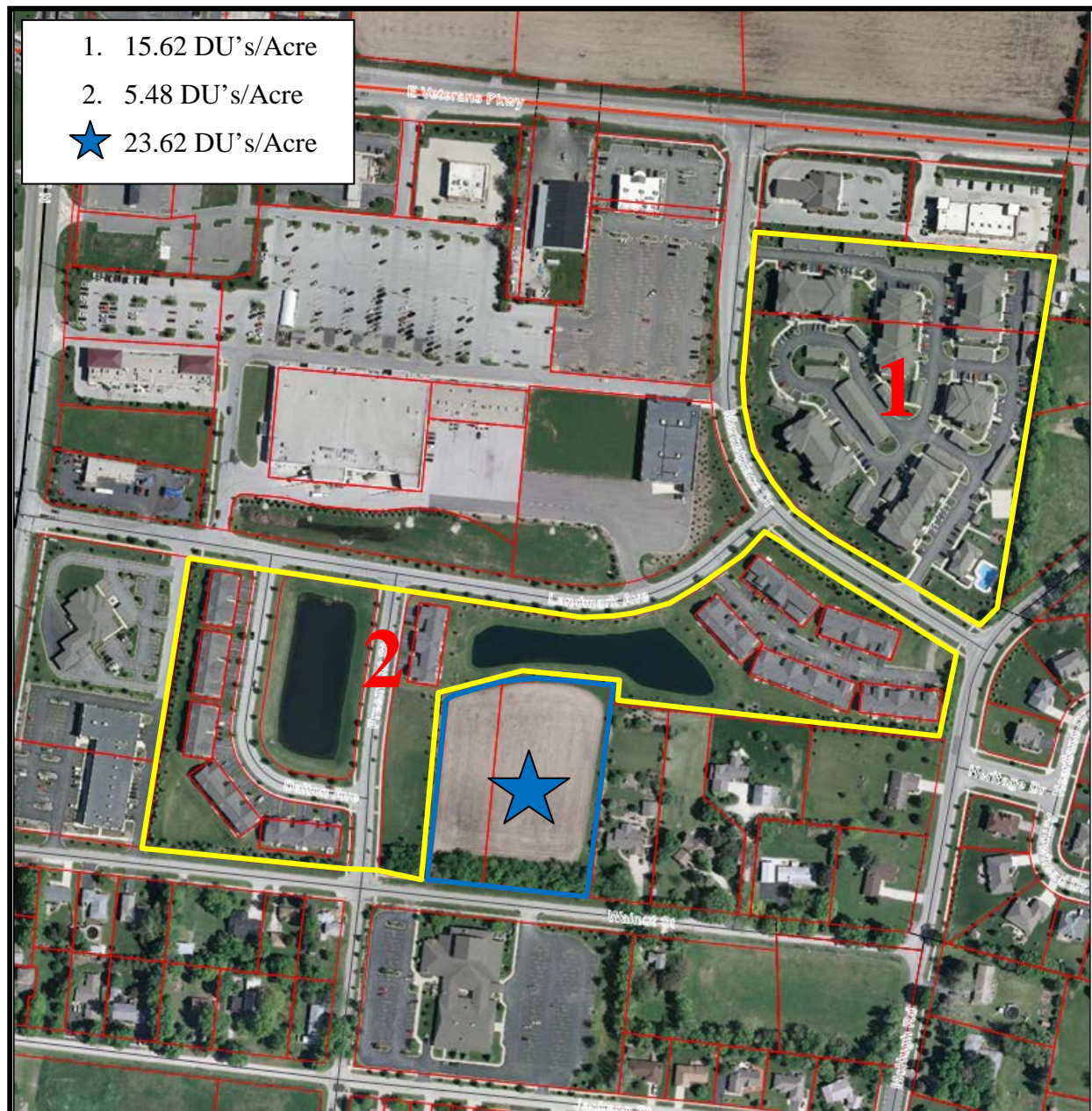


The building will be in an “L” shaped configuration and will be constructed along the eastern and northern property lines. A common area will be part of the building which will house a fitness room, community room, craft room and several other amenities for the residences of the building. The parking lot will be constructed along the southern and western property lines. All setbacks will be met for the project. One access point will be constructed to the west of the property and an emergency access route will be located around the perimeter of the building with an access onto Walnut Street. There will be a 30 foot landscape buffer along the eastern property line to help screen the existing residential property to the east and will entail a 2 to 4 foot high berm with plantings that will aid in the screening of the property.



One (1) monument sign is being proposed on the property. The sign will be located at the entrance of the property. Details of the sign will be reviewed at time of permit and will need to adhere to the current sign ordinance.

### **SURROUNDING DENSITIES:**



The subject development (indicated in blue) has an overall density of approximately 23.62 dwelling units per acre. The current regulations for R-4 zoning allow for a maximum density of 8 dwelling units per acre. The petitioner has filed an application for a variance from this regulation to increase the overall density to 24 dwelling units per acre.



The following chart shows how this property compares to similar developments.

Development	Current Zoning	Maximum DU's/Acre	Current DU's/Acre
Reserve at Fox River	R-4	8 DU's/Acre	15.62 DU's/Acre
Longford Lakes	R-3	5 DU's/Acre	5.48 DU's/Acre
Heritage Woods*	R-4	8 DU's/Acre	24.86 DU's/Acre
York Meadow Apartments	R-4	8 DU's/Acre	11.69 DU's/Acre
GC Housing Development	R-4	8 DU's/Acre	23.62 DU's/Acre

\*Heritage Woods was granted an increase in density as part of the PUD approval process. (Ord. 2004-65)

### **COMPREHENSIVE PLAN COMPLIANCE:**

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. It should be noted that a majority of these land uses are located in or around the downtown area. The City is currently updating the Comprehensive Plan and this area may be reconsidered for a different land use.

### **EXISTING CONDITIONS:**

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

	Zoning	Land Use
North	R-3, Multi-Family Attached Residence District	Townhomes/Detention Facility
East	R-1, Single-Family Suburban Residence District	Single Family Dwelling
South	R-1, Single-Family Suburban Residence District	Church
West	R-3, Multi-Family Attached Residence District	Townhomes/Vacant Land

### **STANDARDS FOR GRANTING A VARIANCE:**

The Zoning Board of Appeals must base its decision to vary, or recommend varying, the Petitioner's request for *maximum density* relief of the Zoning Ordinance regulation upon the following standards (Section 10-4-7-C):

1. Because the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations was carried out.

2. The conditions upon which the petition for a variation is based are unique to the property for which the variation is sought and are not applicable, generally, to other property within the same zoning classification.
3. The alleged difficulty or hardship is caused by this Title and has not been created by any person presently having an interest in the property.
4. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.
5. The proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger to the public safety, or substantially diminish or impair property values within the neighborhood.

**The applicant has provided written responses to these variance standards as part of their application and requests inclusion of those responses into the public record at the January 6, 2015 Zoning Board of Appeals meeting.**

#### **ZBA ACTION:**

Upon closing the hearing, staff requests that the Zoning Board of Appeals make its findings for the maximum density variance based upon each of the standards listed above and evidence provided by the applicant during the public hearing. The purpose of the standards is to help guide you in making your decision. Municipal Code 10-4-7-D outlines occasions when the Zoning Board of Appeals may make a final determination. Maximum Density variations are not covered by this Section; therefore, the ZBA will be making a recommendation to the City Council regarding this variance request.

After making your findings, a recommendation regarding the variance request will then be forwarded to the City Council. Your recommendation may be to approve the requested variance, recommend approval of the requested variance with condition(s), or recommend denial of the requested variance.

#### **VARIANCE CONDITIONS:**

Staff will seek the following recommended conditions as part of the final approval for the petitions:

- All conditions outlined in a staff memo from Plan Council dated November 23, 2015.
- That the development be used for senior housing (55 years of age or older) and is enforced through a covenant until such time the entire structure is demolished.
- If the petitioner does not obtain the federal funding needed for development, the rezoning and variance petitions will become null and void.

#### **STAFF COMMENTS:**

Staff has requested that the building be rotated 180 degrees so that the rear of the building would face Fremont Street. This would create a larger buffer to the residences to the east of the property. The City Administrator will be providing additional information regarding the non-

planning issues that will need to be addressed as part of this development and will be heard at a regularly scheduled City Council meeting. This proposed rezoning and variance was discussed at Plan Council on November 19, 2015 and the comments listed at that meeting are attached. Additionally, the petitioner has filed a rezoning petition and a public hearing will be scheduled on January 13, 2016 before the Plan Commission. A recommendation will be forwarded to the City Council for consideration at the January 26, 2016 regularly scheduled meeting.

Staff will be available to answer any question the Zoning Board of Appeals may have at Wednesday night's meeting.

**PROPOSED MOTION FOR VARIANCE:**

*In consideration of testimony presented during a Public Hearing on January 6, 2016 and approval of the findings of fact, the Zoning Board of Appeals recommends approval to the City Council of a request to vary the maximum dwelling units per acre, Section 10-7-1 of the United City of Yorkville Zoning Ordinance, to permit the development of a senior independent living facility with a density of twenty four (24) dwelling units per acre which exceeds the maximum permitted density of eight (8) dwelling units per acre in the R-4, General Multi-Family Residence District, as presented by staff in a memorandum dated December 29, 2015 and further subject to {insert any additional conditions of the Zoning Board of Appeals}...*

**Attachments:**

1. Copy of Petitioner's Applications for Variance w/exhibits.
2. Comments from the Plan Council meeting dated November 23, 2015.
3. Response letter from petitioner.
4. Revised site plan and exhibits.
5. Copy of Public Notice.

## **PROJECT NARRATIVE**

The proposed senior independent living project (55 years old and older) contains 75 units on an approximately 3.4 acre parcel, and approximately 3.175 acres excluding right-of-way, located in Yorkville, Illinois. The site is currently vacant. Access would be provided on Walnut St.

Neighboring retailers and businesses include a supermarket, restaurants, drug stores, and other ancillary stores. A non-profit senior center, public library, and an urgent care facility are all approximately one-half (1/2) miles away.

The proposed development is a four-story building with an enclosed parking floor which will contain 74 affordable units plus a manager's unit. The unit sizes are 776 square feet for the 57 one bedroom, one bath units and 1,034 square feet for the 18 two bedroom, two bath units. Electric utilities are the responsibility of the residents. The units include a range, refrigerator, dishwasher, microwave, washer and dryer, walk-in closets, balcony, carpet and window treatments. Common areas consist of a fitness room, community room, a computer area, craft room, library/billiard room, kitchen and TV room for senior activities. The exterior will include a covered entry drop-off area, a patio and a distinctive architectural design with numerous wall breaks.

The proposed development will be eligible for occupancy by residents in the 30%-60% adjusted income levels. 10% of the units, or 8 one bedroom units, will have rents starting at \$450 - \$500. The remaining one bedroom rents will be \$925 - \$1,000 and the two bedroom units will be \$1,050 - \$1,200.

The Applicant, GC Housing Development, LLC consists of the principals of Crane Construction Company, LLC (Mr. Jeffrey D. Crane and Mr. Ralph Grande), an experienced Chicago area and national contractor. Crane has built numerous Chicago area residential communities such as Montclare Senior Residence, West Chicago Senior Housing, Thomas Place Senior Housing in Glendale Heights, Maple Pointe Phases I and II. Crane has a national footprint in constructing both retail and restaurants for clients such as Bulgari, Gucci, Tumi, Disney and Crate & Barrel.

The 2008 Comprehensive Plan enacted by Yorkville designates the Property as mixed use which the Plan notes could include age restrictive Residential. It notes mixed use developments generally serve as a positive buffering element between single family areas and major roadways and/or non-residential uses. Also, the draft update to the Comprehensive Plan notes the need for affordable, age restricted housing in Yorkville. Applicant's housing consultant has determined, based on census data, that twelve percent (12%) of Yorkville households are 65 and over, and over half or at least 7% of all Yorkville households, would be both age and income qualified to live in the proposed units. This percentage would be greater for the proposed development because it will offer rental units for persons 55 and older.

The Property is currently zoned R-1. Adjoining property to the west and north are zoned R-3 Multi-Family Attached Residence District and contain detention ponds and townhomes. The adjoining property to the south is zoned R-1 and is improved with the St. Patrick's Catholic Church and to the east is zoned R-1 and improved with a single-family home. Requested variances from the zoning ordinance are: Section 10-7-1 to increase the maximum dwelling units per acre from 8 to 24.

In addition, Applicant seeks approval from the Village Administrator pursuant to Section 10-16-3D3 to have a non-residential driveway less than two hundred feet from the driveway edge to the nearest intersecting street.

Applicant requests that the rezoning and variance ordinances become effective after it purchases the Property from the current owner.

## Application For Variance Request

### 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	R-3 townhomes and detention
East	R-1 single family home
South	R-1 St. Patrick's Catholic Church
West	R-3 townhomes, vacant and detention

Current Zoning Classification

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

0228326006 and 0228326002	



## Application For Variance Request

### 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 Variance Request

### Variance Standards

Please state the variance requested and the City Ordinance including the section numbers to be varied:

Section 10-7-1 to increase the maximum dwelling units per acre from 8 to 24.

Please state how the particular surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of regulations was carried out:

Regarding the density variation, given the land area required for the proposed type of use, which is approximately three to four acres, the village's density regulations would make it impossible to develop the proposed use. The subject property is approximately 3.4 acres and approximately 3.175 acres excluding the right-of-way.

Please state how the conditions upon which the application for a variation is based are unique to the property for which the variation is sought and are not applicable, generally, to other property within the same zoning classification:

Regarding the density variation, the village ordinance does not contemplate this type of development which, for affordable, independent, age restricted living, requires 3 to 4 acres and the density per acre proposed. These projects cannot be developed with only 8 dwelling units per acre, which, for 75 units, would require approximately 9 acres.

Please state how the alleged difficulty or hardship is caused by this Title and has not been created by any person presently having an interest in the property:

None of these hardships have been caused by the owner or applicant for the reasons stated above.

## Application For Variance Request

### Variance Standards

Please state how the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located:

This type of use serves a vital need for the community. With the aging population, there is an increasing need to provide affordable, high quality, senior living. It will be a benefit, not a detriment, to the public health, safety and welfare. According to the Draft Comprehensive Plan Update, the 55-74 population group has increased 287% from 2000 to 2014. Only 21% of Yorkville's housing stock are multi-family units. The Draft Update also notes by 2019, 20% of Yorkville residents will be age 55 or older, with no age restricted housing except the recently approved Heritage Meadows, 47 lot single-family development. It also notes the lack of affordable options, with 50% of renter households hard pressed to afford their rents. Also, the trend of development in the area is for multi-family and institutions type uses. Adequate screening and buffering, along with the existing screening to the east, will be provided for the one single family house to the east and the one townhome development northwest of the subject property.

Please state how the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger to the public safety, or substantially diminish or impair property values within the neighborhood:

Adequate screening and buffering is provided to the east. The property to the west is currently vacant. Since this development will be for senior living, it will not generate trips that the existing roads cannot accommodate. Given the trend of development in the area and the quality and aesthetics of the proposed development, property values will not be substantially diminished within the neighborhood.

### 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.

GC HOUSING DEVELOPMENT LLC  
Applicant Signature

Date

By: Gregory D. Cene MANAGER 10/29/15

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

Owner Signature

Date

SEE ATTACHED

THIS APPLICATION MUST BE NOTARIZED

PLEASE NOTARIZE IN THE SPACE BELOW:

Subscribed and sworn to before me this

29th October 2015

Deem Camp, Notary



**OWNER AUTHORIZATION**

To: City of Yorkville, Illinois

Re: Application for any Zoning Entitlements required, including, but not limited to, map amendment (rezoning), variance and subdivision for a Senior Housing Development ("Project"); Walnut Street approximately 115 feet east of Freemont St., Yorkville, Illinois, PIN Nos. 02-28-326-006 and 02-28-326-002 ("Property")


The undersigned, R. Daniel Conlon, Bishop of the Roman Catholic Diocese of Joliet, as successor trustee dated December 31, 1949 and known as the Roman Catholic Diocese of Joliet Trust ("Owner"), hereby authorizes GC Housing Development, LLC ("Applicant"), and Rathje & Woodward, LLC, as attorneys, to execute all necessary petitions and other documents and to attend and give testimony at all public hearings and meetings on behalf of Owner and Applicant before the Corporate Authorities of the City of Yorkville, Illinois ("City"), and such of its appointed boards and committees as may be necessary and appropriate, with respect to the above referenced Project pertaining to the above referenced Property, as legally described in Exhibit "A" attached hereto.

Applicant shall indemnify, defend and hold Owner harmless for, from and against any and all claims, damages, costs, liabilities and losses arising from Applicant's application to the City for the Project. All cost, fees and expenses incurred for any applications for the Project shall be paid by Applicant. Any ordinances enacted for the Project shall be effective after Applicant purchases the Property from Owner.

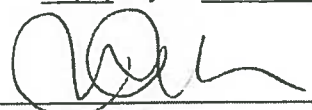
This authorization shall remain in force and effect unless and until expressly terminated by written notice given by Owner to the City of Yorkville.

Dated this 27th day of October, 2015.

**R. Daniel Conlon, Bishop of the Roman Catholic  
Diocese of Joliet, as successor trustee dated  
December 31, 1949 and known as the Roman  
Catholic Diocese of Joliet Trust,**

By:   
Print Name: R. DANIEL CONLON  
Title: CATHOLIC BISHOP  
DIOCESE OF JOLIET

Signed and sworn to before me  
this 27th day of OCTOBER, 2015.

  
Notary Public

**EXHIBIT A**

**WALNUT STREET SITE –LEGAL DESCRIPTION**

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF GUTHRIE SUBDIVISION; THENCE NORTH 82 DEGREES 35 MINUTES 00 SECONDS WEST ALONG THE CENTERLINE OF WALNUT STREET, 330.0 FEET FOR A POINT OF BEGINNING; THENCE NORTH 07 DEGREES 25 MINUTES 00 SECONDS EAST, A DISTANCE OF 468.00 FEET; THENCE NORTH 82 DEGREES 35 MINUTES 00 SECONDS WEST, 77.08 FEET; THENCE WESTERLY ALONG A TANGENTIAL CURVE TO THE LEFT HAVING A RADIUS OF 533.31 FEET, AN ARC DISTANCE OF 263.51 FEET; THENCE SOUTH 07 DEGREES 25 MINUTES 00 SECONDS WEST, 404.21 FEET TO SAID CENTERLINE; THENCE SOUTH 82 DEGREES 35 MINUTES 00 SECONDS EAST ALONG SAID CENTERLINE, 330.0 FEET TO THE POINT OF BEGINNING IN YORKVILLE, KENDALL COUNTY, ILLINOIS.

CONTAINING 3.425 ACRES (3.175 ACRES EXCLUDING RIGHT-OF-WAY)





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> Walnut & Freemont Streets	<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> <input type="checkbox"/> Concept Plan Review <input type="checkbox"/> Amendment (Text) (Annexation) (Plat) <input type="checkbox"/> Annexation <input type="checkbox"/> Rezoning <input type="checkbox"/> Special Use <input type="checkbox"/> Mile and ½ Review <input checked="" 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><u>ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY</u></b>		
<b>Name/Company Name:</b> GC Housing Development LLC	<b>Address:</b> 343 Wainwright Drive	<b>City:</b> Northbrook, <b>State:</b> IL <b>Zip Code:</b> 60062
<b>Telephone:</b> 847-291-3400	<b>Mobile:</b> 847-372-9837	<b>Fax:</b> 847-291-1691 <b>E-mail:</b> <a href="mailto:ablock@craneconstruction.com">ablock@craneconstruction.com</a>
<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.  <b>Print Name:</b> GC Housing Development LLC <b>Title:</b> Managing Member <b>Signature*:</b> <i>[Signature]</i> <b>Date:</b> 10/29/15  <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><u>FOR CITY USE ONLY</u></b>		
<b>ACCOUNT CLOSURE AUTHORIZATION:</b> <b>Date Requested:</b> _____ <input type="checkbox"/> Completed <input type="checkbox"/> Inactive <b>Print Name:</b> _____ <input type="checkbox"/> Withdrawn <input type="checkbox"/> Collections <b>Signature:</b> _____ <input type="checkbox"/> Other		
<b>DEPARTMENT ROUTING FOR AUTHORIZATION:</b> <input type="checkbox"/> Comm Dev. <input type="checkbox"/> Building <input type="checkbox"/> Engineering <input type="checkbox"/> Finance <input type="checkbox"/> Admin.		

## EXHIBIT B

02-28-177-012

BROWNING, DIRK E & ROBIN L  
121A W PARK AVE  
SUGAR GROVE, IL 60554

02-28-177-022

TDC YORKVILLE SHOPPING CTR I  
%TDC YORKVILLE SELECT LLC  
799 CENTRAL AVE STE 300  
HIGHLAND PARK, IL 60035

02-28-177-024

TDC YORKVILLE SHOPPING CTR I  
%TDC YORKVILLE SELECT LLC  
799 CENTRAL AVE STE 300  
HIGHLAND PARK, IL 60035

02-28-177-037

BROWNING, DIRK & ROBIN  
7424 RTE 34  
OSWEGO, IL 60543

02-28-326-011

LONGFORD LAKES CONDO HOMEOWNER  
2208 MIDWEST RD  
OAK BROOK, IL 60523

02-28-327-003

SCHNEIDER, JOHN N  
304 WALNUT ST  
YORKVILLE, IL 60560

02-28-327-007

WILLIAMS, DON A & LAUREL J  
207 JACKSON ST  
YORKVILLE, IL 60560

02-28-177-021

TDC YORKVILLE SHOPPING CTR I  
%TDC YORKVILLE SELECT LLC  
799 CENTRAL AVE STE 300  
HIGHLAND PARK, IL 60035

02-28-177-023

TDC YORKVILLE SHOPPING CTR I  
%TDC YORKVILLE SELECT LLC  
799 CENTRAL AVE STE 300  
HIGHLAND PARK, IL 60035

02-28-177-025

TDC YORKVILLE SHOPPING CTR I  
%TDC YORKVILLE SELECT LLC  
799 CENTRAL AVE STE 300  
HIGHLAND PARK, IL 60035

02-28-326-002

ROMAN CATHOLIC DIOCESE JOLIET,  
% CHRISTOPHER NYE AIA NCARB  
16555 WEBER RD  
CREST HILL, IL 60403

02-28-327-002

SCHNEIDER, JOHN N  
304 WALNUT ST  
YORKVILLE, IL 60560

02-28-327-004

LUSK, JOSEPH H  
1035 SPRUCE ST  
AURORA, IL 60506

02-28-327-008

REDMAN, PATRICIA & ARRIAGA ADAN  
% MARILYN ANDERSON  
1433 NE GLEN OAK AVE  
PEORIA, IL 61603





02-28-327-009

GAEBLER, GAIL S & LARSON JULIA S  
202 E MAIN ST  
YORKVILLE, IL 60560

02-28-327-013

HAUGEN, PHILIP J & RENEE J  
208 WALNUT ST  
YORKVILLE, IL 60560

02-28-328-002

GACEK, MARK  
413 JACKSON ST  
YORKVILLE, IL 60560

02-28-328-004

DEAN, CRAIG A & JULIE A  
417 JACKSON ST  
YORKVILLE, IL 60560

02-28-329-014

PISTORIUS, MATTHEW R  
1041 DALTON AVE  
YORKVILLE, IL 60560

02-28-329-016

PLACHETKA, KRISTIN M  
828 HEARTLAND DR  
YORKVILLE, IL 60560

02-28-329-018

AGUIRRE MARIA &, MARUNGO ASCENCION  
1049 DALTON AVE  
YORKVILLE, IL 60560

02-28-327-010

BRYANT, JUNE L  
901 FREMONT ST  
YORKVILLE, IL 60560

02-28-328-001

ROMAN CATHOLIC DIOCESE JOLIET,  
% CHRISTOPHER NYE AIA NCARB  
16555 WEBER RD  
CREST HILL, IL 60403

02-28-328-003

DRENDEL, MICHAEL E & LYNN M  
415 JACKSON ST  
YORKVILLE, IL 60560

02-28-329-013

LONGFORD LAKES CONDO HOMEOWNER  
2208 MIDWEST RD  
OAK BROOK, IL 60523

02-28-329-015

HURLEY, MELISSA T  
1043 DALTON AVE  
YORKVILLE, IL 60560

02-28-329-017

JAMES, LORI L & PAUL N  
318 ILLINI DR  
YORKVILLE, IL 60560

02-28-329-019

HILL, JEANETTE  
1051 DALTON AVE  
YORKVILLE, IL 60560



02-28-329-021

JIMENEZ, ALEJANDRO  
1081 DALTON AVE  
YORKVILLE, IL 60560

02-28-329-022

PETERSON, ROBERT B  
1083 DALTON AVE  
YORKVILLE, IL 60560

02-28-329-023

BALOG ALEX &, WALKER KIRSTEN  
1085 DALTON AVE N  
YORKVILLE, IL 60560

02-28-329-024

BONET, CARLOS M & KAREN  
1087 DALTON AVE  
YORKVILLE, IL 60560

02-28-329-026

HAMILTON, GEOFFREY L  
1121 DALTON AVE  
YORKVILLE, IL 60560

02-28-329-027

BURKHART, KEITH J  
2169 N 41ST RD  
SHERIDAN, IL 60551

02-28-329-028

LOTTON, DONALD W  
1125 DALTON AVE  
YORKVILLE, IL 60560

02-28-329-029

COLEMAN, RONALD & COLLINS RONESSA J  
14061 HUMBUG ISLAND CT.  
GIBRALTAR, MI 48173

02-28-329-030

STERIOTI, FRANK R & KAREN M  
1129 DALTON AVE  
YORKVILLE, IL 60560

02-28-329-032

YORKVILLE WALNUT PLAZA LLC  
PO BOX 5010  
VERNON HILLS, IL 60061

02-28-329-033

WAGNER, LINDSAY  
1141 DALTON AVE  
YORKVILLE, IL 60560

02-28-329-034

WALLACE, ADAM &, MCDOLE, KRISTINE  
681 OMAHA DR  
YORKVILLE, IL 60560

02-28-329-035

JAMES, LORI K & PAUL N  
318 ILLINI DR  
YORKVILLE, IL 60560

02-28-329-036

BAILEY, STEPHEN A  
1147 DALTON AVE  
YORKVILLE, IL 60560

02-28-329-038

YENGST, CHARLES R & GRETCHEN L  
72 WARNCKE RD  
WILTON, CT 06897

02-28-329-040

KINTOP, MATTHEW B & KELLY  
1065 DALTON AVE  
YORKVILLE, IL 60560

02-28-329-042

FRYKHOLM, TIMOTHY D & CHERI N  
1069 DALTON AVE  
YORKVILLE, IL 60560

02-28-329-045

EARTHMOVER CREDIT UNION,  
% ACCOUNTS PAYABLE  
2195 BASELINE RD  
OSWEGO, IL 60543-6006

02-28-330-003

NIELSEN, LAMOYNE R & BARBARA  
417 WALNUT ST  
YORKVILLE, IL 60560

02-28-331-004

LONGFORD LAKES CONDO HOMEOWNER  
2208 MIDWEST RD  
OAK BROOK, IL 60523

02-28-331-006

ADAMS & SHIELDS PARTNERSHIP  
812 KINGSTON LN  
BARTLETT, IL 60103

02-28-329-039

CHMIELEWSKI, STEVEN  
1063 DALTON AVE  
YORKVILLE, IL 60560

02-28-329-041

HILL, DAVID C  
1067 DALTON AVE  
YORKVILLE, IL 60560

02-28-329-043

WOOD, PENNI J  
1071 DALTON AVE  
YORKVILLE, IL 60560

02-28-330-001

MOE, BENJAMIN & REGINA D  
415 WALNUT ST  
YORKVILLE, IL 60560

02-28-330-004

FLYNN, FRANCES S &, CORBIN, PAULA  
419 WALNUT ST  
YORKVILLE, IL 60560

02-28-331-005

JESMAN, JOYANN  
432 LANDMARK AVE  
YORKVILLE, IL 60560

02-28-331-007

ALVAREZ, RYAN  
426 LANDMARK AVE  
YORKVILLE, IL 60560

02-28-331-008

HING, MONY N & RICO SUSANA  
424 LANDMARK AVE  
YORKVILLE, IL 60560

02-28-331-009

PIERSON, W HARTLEY & VENITA LOUISE TR  
422 LANDMARK AVE  
YORKVILLE, IL 60560

02-28-331-011

BONIE, JOHN & KATHRYN  
1146 FREEMONT ST  
YORKVILLE, IL 60560

02-28-331-012

MUCERINO, NANCY  
1144 FREEMONT ST  
YORKVILLE, IL 60560

02-28-331-013

ELLIS, ERNEST F & CINDY M  
316 CALKINS DR  
SUGAR GROVE, IL 60554

02-28-331-014

MCGRATH, CHARLES  
1310 S. 4TH ST  
SAINT CHARLES, IL 60174

02-28-331-015

SOMERSETT, RANDY & WOLF KARIN  
1134 FREEMONT ST  
YORKVILLE, IL 60560

02-28-331-016

JELINEK, DAVID L & NANCY J  
1132 FREEMONT ST  
YORKVILLE, IL 60560

02-28-353-011

WEISS, ROGER I & A CAROLYN  
702 BRISTOL AVE  
YORKVILLE, IL 60560

02-28-376-001

HEARTLAND MEADOWS LLC,  
1626 MISTWOOD DR  
NAPERVILLE, IL 60540

02-28-377-002

ROMAN CTHLC DIOCESE OF JOLIET  
TR % ST PATRICKS CHURCH  
406 WALNUT ST  
YORKVILLE, IL 60560

02-28-383-018

DOBBLES, THOMAS E & ANN F  
414 E JACKSON ST  
YORKVILLE, IL 60560

02-28-383-019

ZITT, JOHN A & JEAN C  
416 JACKSON ST  
YORKVILLE, IL 60560

02-28-383-022

TREMAIN, TIMOTHY A  
402 A JACKSON ST  
YORKVILLE, IL 60560



02-28-383-023

TREMAIN, TIMOTHY A  
402 B JACKSON ST  
YORKVILLE, IL 60560

02-28-383-024

HART, STEPHEN B & TRACI A  
405 B ELM ST  
YORKVILLE, IL 60560

02-28-383-025

ROWE, GEORGE K & SOPHIE  
54 POPLAR DR  
YORKVILLE, IL 60560

02-28-383-026

PRIESMAN, ALYCE M  
403 B ELM ST  
YORKVILLE, IL 60560

02-28-383-027

RADY, TRACY A  
604 CHESTER AVE  
ELGIN, IL 60120

02-28-383-028

HASAPIS, CHRISTINE  
812 BEHRENS  
YORKVILLE, IL 60560

02-28-383-029

HORTON, JAMES J & NANCY L & FERKO JILL  
37 LYNCLIFF DR  
OSWEGO, IL 60543

02-28-383-030

THOMAS, ANGELO & BETTY L  
404A JACKSON ST  
YORKVILLE, IL 60560

02-28-383-031

MOLITOR, GREGORY L & LYNN A  
404 B JACKSON ST  
YORKVILLE, IL 60560

02-28-383-032

MACKENBEN, MARK E  
406 A JACKSON ST  
YORKVILLE, IL 60560

02-28-383-033

LOECHL, ADAM B & KRISTINA E  
406 B JACKSON ST  
YORKVILLE, IL 60560

02-28-383-034

LEIBOLD, JOANNE K & JOHN P  
804 A FREEMONT ST  
YORKVILLE, IL 60560

02-28-383-035

LEIBOLD, JOANNE K  
804 A FREEMONT ST  
YORKVILLE, IL 60560

02-28-383-036

ZITT FAMILY TRUST, % DONALD & MARLENE ZITT  
401 A ELM ST  
YORKVILLE, IL 60560



02-28-383-037

BUTTS, ROSALYN M  
401 B ELM ST  
YORKVILLE, IL 60560

02-28-383-039

DOLLMAN, JEFFREY  
409 B ELM ST  
YORKVILLE, IL 60560

02-28-383-041

SLEEZER, BECKY L  
407 B ELM ST  
YORKVILLE, IL 60560

02-28-383-043

NEDZA, ANNE M LIV TR  
410B JACKSON ST  
YORKVILLE, IL 60560

02-28-383-045

FRYE, ROBERTA L  
411 B ELM ST  
YORKVILLE, IL 60560

02-28-383-047

MAHANEY, JEAN K  
412 A JACKSON ST  
YORKVILLE, IL 60560

02-28-401-009

MOORE, ROBERT W  
468 LANDMARK AVE  
YORKVILLE, IL 60560

02-28-383-038

FEDERAL NATIONAL MORTGAGE ASSOCIATION,  
350 HIGHLAND DR  
LEWISVILLE, TX 75067

02-28-383-040

SPODEN, TAIRA  
407 A ELM ST  
YORKVILLE, IL 60560

02-28-383-042

CARLSON, RICHARD G & ROBERTA M  
410 A JACKSON ST  
YORKVILLE, IL 60560

02-28-383-044

GARCIA, MELISSA L  
136 JOY ST  
SUGAR GROVE, IL 60554

02-28-383-046

THOMPSON, JANET M  
412 B JACKSON ST  
YORKVILLE, IL 60560

02-28-401-001

TAYLOR, RODNEY K & SANDRA M  
421 WALNUT ST  
YORKVILLE, IL 60560

02-28-401-010

HOLSTEN, PAMELA S  
9 RIVERWOOD LN  
OSWEGO, IL 60543



02-28-401-011

STRAUS, LORI  
474 LANDMARK AVE  
YORKVILLE, IL 60560

02-28-401-012

KEISTER, STACY M  
476 LANDMARK AVE  
YORKVILLE, IL 60560

02-28-401-013

GUNIER, MICHAEL L JR  
478 LANDMARK AVE  
YORKVILLE, IL 60560

02-28-401-014

LEACHMAN, TYRELL D & TERRY  
482 LANDMARK AVE  
YORKVILLE, IL 60560

02-28-401-016

JOHNSON, JENNIFER  
434 LANDMARK AVE  
YORKVILLE, IL 60560

02-28-401-017

VOCHT DAVID &, AYERS ALEXANDREA  
436 LANDMARK AVE  
YORKVILLE, IL 60560

02-28-401-018

STRUEBING, RODNEY M & STACY K  
438 LANDMARK AVE  
YORKVILLE, IL 60560

02-28-401-019

ADAMS & SHIELD PARTNERSHIP  
812 KINGSTON LN  
BARTLETT, IL 60103

02-28-401-020

MCCLERNON, EUGENE C & JULIA C  
444 LANDMARK AVE  
YORKVILLE, IL 60560

02-28-401-021

CYR, DONALD F & LOIS E & CYR DONALD J & CINDY A  
3350 B CANNONBALL TRL  
YORKVILLE, IL 60560

02-28-401-023

BURT, KATHERINE S  
466 LANDMARK AVE  
YORKVILLE, IL 60560

02-28-401-024

RUH, MELANIE L  
464 LANDMARK AVE  
YORKVILLE, IL 60560

02-28-401-025

PETERSON, DARIN  
1005 SUNSET AVE  
YORKVILLE, IL 60560

02-28-401-026

PURCELL, JOHN P  
458 LANDMARK AVE  
YORKVILLE, IL 60560

02-28-401-027

KRUSE, ALEXANDER  
312 MUSTANG DR  
OSWEGO, IL 60543

02-28-401-028

BENNETT, JANE A  
454 LANDMARK AVE  
YORKVILLE, IL 60560

02-28-401-029

CHIAVARIO, JODI E  
285 N LIBERTY ST  
LELAND, IL 60531

02-28-401-030

THEEDE, WILLIAM & CHARLIE BELL  
448 LANDMARK AVE  
YORKVILLE, IL 60560

02-28-401-032

NEWTON, CHUM  
496 LANDMARK AVE  
YORKVILLE, IL 60560

02-28-401-033

GARGO, NICHOLAS G  
494 LANDMARK AVE  
YORKVILLE, IL 60560

02-28-401-034

RAWLE, DENISE Y  
903 A FAWN RIDGE CT  
YORKVILLE, IL 60560

02-28-401-035

LEDESMA, NICOLE M  
488 LANDMARK AVE  
YORKVILLE, IL 60560

02-28-401-036

WATERS, BRANDON C & DAWN L  
486 LANDMARK AVE  
YORKVILLE, IL 60560

02-28-401-037

BROWN, SUZANNE  
484 LANDMARK AVE  
YORKVILLE, IL 60560





02-28-177-032

TDC YORKVILLE SHOPPING CTR II  
%TDC YORKVILLE SELECT LLC  
799 CENTRAL AVE STE 300  
HIGHLAND PARK, IL 60035

02-28-252-024

YORKVILLE LEASED HOUSING ASSOCIATES 1,  
2905 NORTHWEST BLVD STE 150  
MINNEAPOLIS, MN 55441-2644

02-28-383-007

KNAUER, ROBERT J  
413 ELM ST  
YORKVILLE, IL 60560

02-28-383-008

ADAM, MICHAEL P & LISA J  
415 ELM ST  
YORKVILLE, IL 60560

02-28-383-009

BEATA, MICHAEL G & SUSAN  
417 ELM ST  
YORKVILLE, IL 60560

02-28-383-020

UNTERBRUNNER, LYNN & MARY  
418 JACKSON ST  
YORKVILLE, IL 60560

02-28-383-021

VOLLMER, KEVIN J  
420 JACKSON ST  
YORKVILLE, IL 60560

02-28-401-002

MAYTON, MICHAEL E & KATHLEEN A  
901 MCHUGH RD  
YORKVILLE, IL 60560

02-28-401-003

STAFFORD, GEORGE F & DEBORAH LYNN  
903 MCHUGH RD  
YORKVILLE, IL 60560

02-28-451-006

ROMAN CATHOLIC DIOCESE JOLIET,  
% CHRISTOPHER NYE AIA NCARB  
16555 WEBER RD  
CREST HILL, IL 60403

02-28-451-009

HARBIN, BRYAN & PATRICIA  
P O BOX 51  
BRISTOL, IL 60512

02-28-451-010

BURKS, DONALD L & JUDITH  
421 JACKSON ST  
YORKVILLE, IL 60560

02-28-454-001

SEIFERT, RAYMOND F & MARJORIE  
422 JACKSON ST  
YORKVILLE, IL 60560

**Applicant:** Manhard Consulting Ltd  
**Contact:** Rachel Cortez  
**Address:** 700 Springer Drive  
Lombard, IL 60148

**IDNR Project Number:** 1604383  
**Date:** 10/22/2015

**Project:** Yorkville, Illinois Housing Development  
**Address:** Northeast Corner of Freemont St. and Walnut St., Yorkville

**Description:** This will be a multi-family building for senior living. The site will be tributary to existing offsite detention just north of the project site.

## Natural Resource Review Results

### Consultation for Endangered Species Protection and Natural Areas Preservation (Part 1075)

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location:

Fox River INAI Site  
Greater Redhorse (*Moxostoma valenciennesi*)  
River Redhorse (*Moxostoma carinatum*)

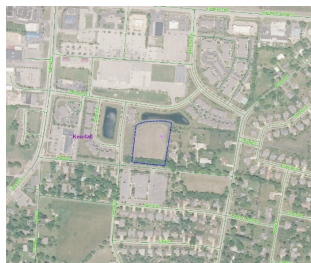
**An IDNR staff member will evaluate this information and contact you to request additional information or to terminate consultation if adverse effects are unlikely.**

#### Location

The applicant is responsible for the accuracy of the location submitted for the project.

**County:** Kendall

**Township, Range, Section:**  
37N, 7E, 28



**IL Department of Natural Resources**  
**Contact**  
Keith Shank  
217-785-5500  
Division of Ecosystems & Environment

**Government Jurisdiction**  
IL Environmental Protection Agency  
Permit Section  
Post Office Box 19276  
Springfield, Illinois 62794 -9276

#### **Disclaimer**

The Illinois Natural Heritage Database cannot provide a conclusive statement on the presence, absence, or condition of natural resources in Illinois. This review reflects the information existing in the Database at the time of this inquiry, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, compliance with applicable statutes and regulations is required.

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1. The IDNR EcoCAT website was developed so that units of local government, state agencies and the public could request information or begin natural resource consultations on-line for the Illinois Endangered Species Protection Act, Illinois Natural Areas Preservation Act, and Illinois Interagency Wetland Policy Act. EcoCAT uses databases, Geographic Information System mapping, and a set of programmed decision rules to determine if proposed actions are in the vicinity of protected natural resources. By indicating your agreement to the Terms of Use for this application, you warrant that you will not use this web site for any other purpose.

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Civil Engineering  
Surveying  
Water Resources Management  
Water & Wastewater Engineering  
Supply Chain Logistics  
Construction Management  
Environmental Sciences  
Landscape Architecture  
Land Planning

October 23, 2015

Ms. Anne E. Haaker  
Deputy State Historic Officer  
Preservation Services Division  
Illinois Historic Preservation Agency  
Review and Compliance Section  
1 Old State Capitol Plaza  
Springfield, Illinois 62701

**RE: Yorkville, Illinois Housing Development  
Northeast Corner of Freemont St. and Walnut St.  
Yorkville, Illinois**

Dear Ms. Haaker,

In accordance with the Illinois Historic Preservation Act, please find enclosed the following information to determine if the proposed development will have any adverse historical or archeological impacts:

1. USGS Topographic map with Project Location
2. Aerial Photograph
3. HARGIS Map
4. Photos of Existing Building (NOT APPLICABLE – NO EXISTING BUILDINGS)

The project site is located on approximately 3.5 acres and is located at the Northeast Corner of Freemont St. and Walnut St., Yorkville, Illinois, in Section 28, Township 37 North, and Range 7 East of the Third Principal Meridian. Crane Construction Company is proposing a Multi-Family Building for a senior living facility. This project will include grading, storm, water, and sanitary utilities, parking, and landscaping. The site will provide detention in either an underground storage vault and/or in the existing detention basin, north of the site. Please reference attached documents for more information.

No Buildings are present on site so no photos were attached.

Should you have any questions or require additional information regarding this matter, please do not hesitate to call me at 630-925-1064 or email me at [rcortez@manhard.com](mailto:rcortez@manhard.com).

Yours truly,  
MANHARD CONSULTING, LTD.

A handwritten signature in blue ink, reading 'Rachel Cortez', is written over a horizontal line.

Rachel Cortez  
Staff Engineer





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**Manhard**  
CONSULTING LTD<sup>TM</sup>

700 Springer Drive, Lombard, IL 60148 ph: 630.691.6500 fx: 630.691.6595 manhard.com  
Civil Engineers • Surveyors • Water Resource Engineers • Water & Wastewater Engineers  
Construction Managers • Environmental Scientists • Landscape Architects • Planners

YORKVILLE, ILLINOIS HOUSING DEVELOPMENT

YORKVILLE, ILLINOIS

AERIAL MAP

PROJ. MGR.: JPD

DRAWN BY: RMC

DATE: 10-23-15

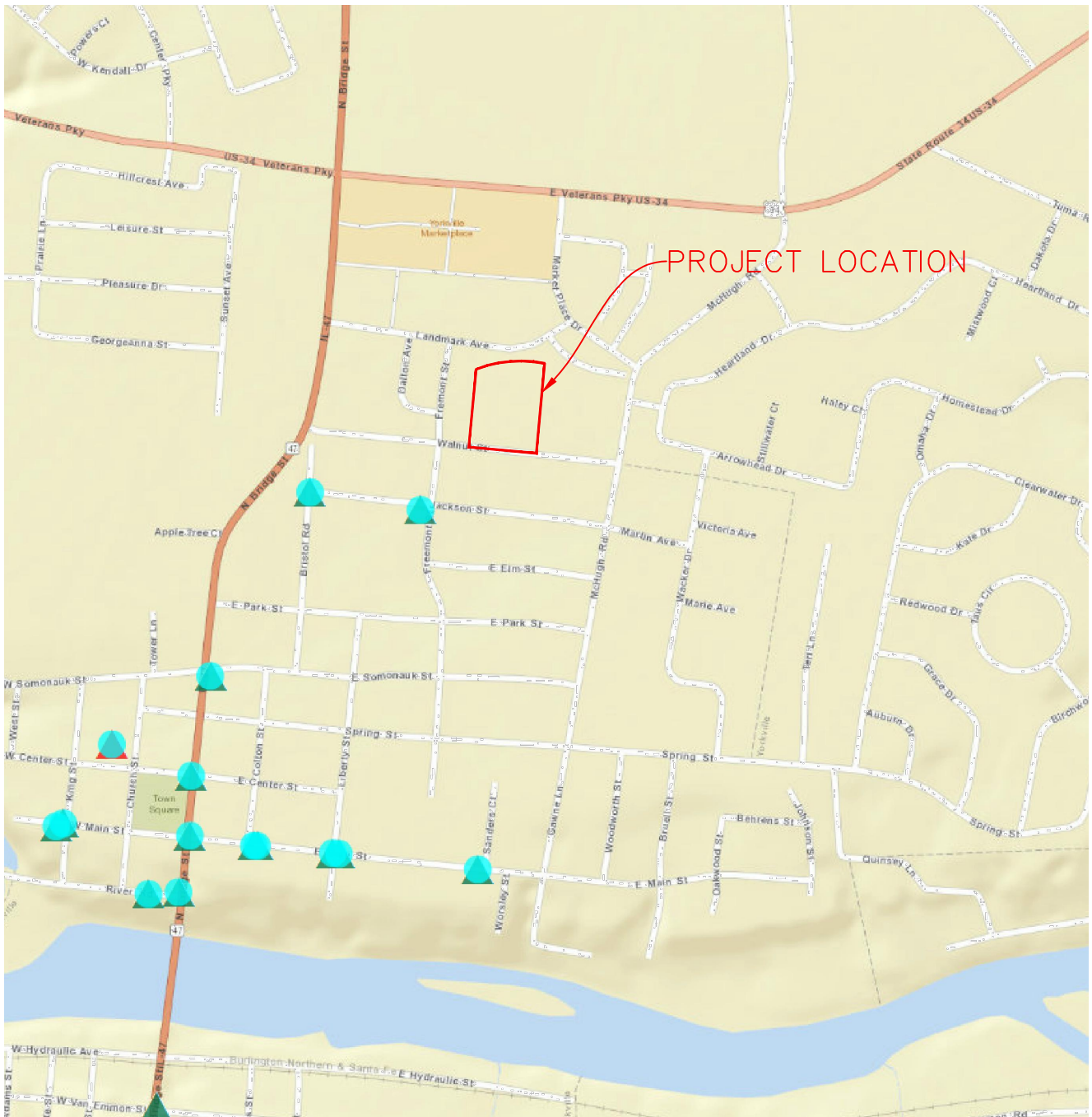
SCALE: 1"=250'

SHEET

**EXHIBIT**

**1**





Properties	
	Determined eligible for the NR
	Entered in the NR
	Part of a NR Historic District
	Part of a NR Historic District - contributing
	Part of a NR Historic District - non-contributing
	Undetermined
	NR Districts

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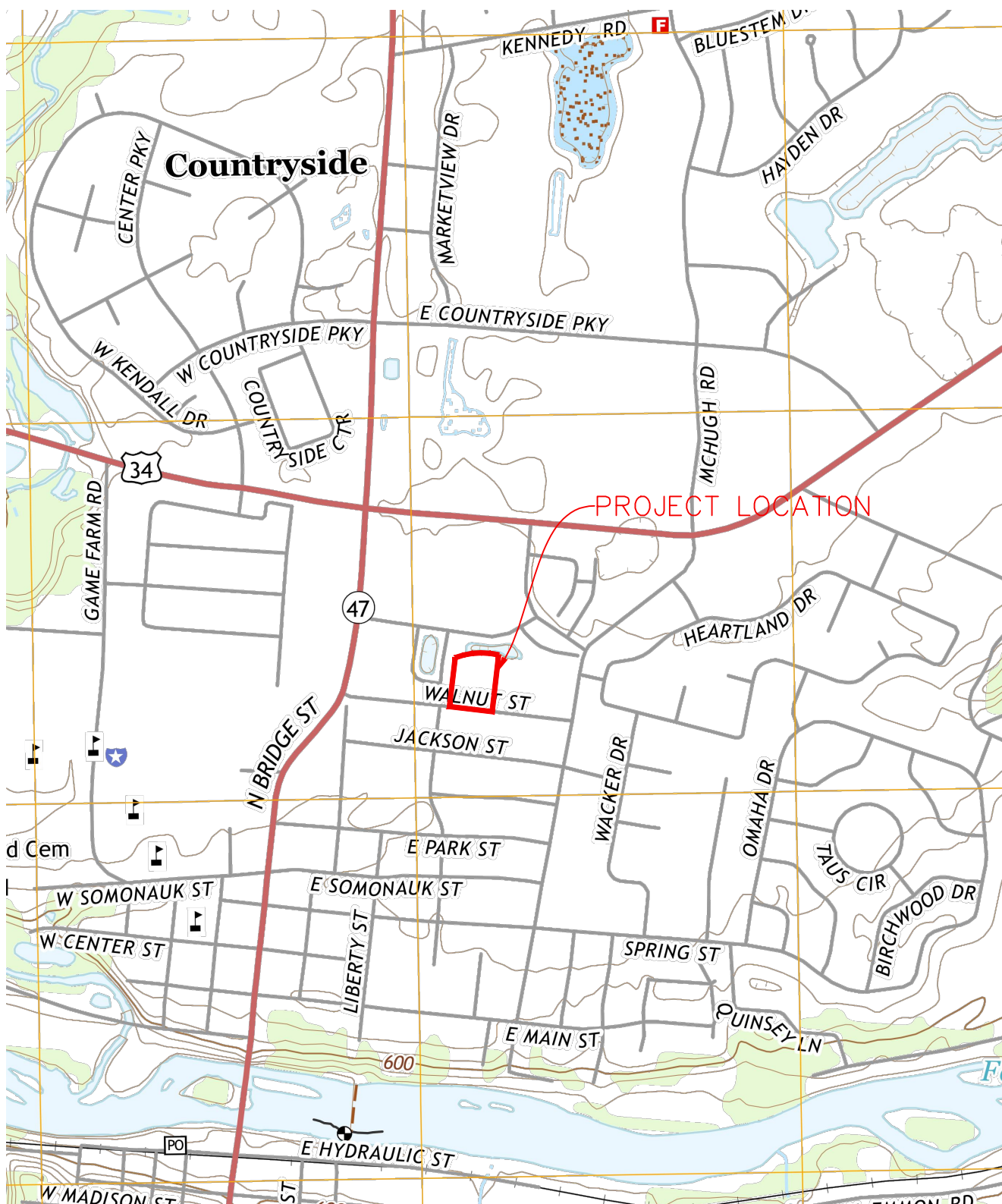


700 Springer Drive, Lombard, IL 60148 ph:630.691.8500 fx:630.691.8595 manhard.com  
 Civil Engineers • Surveyors • Water Resource Engineers • Water & Wastewater Engineers  
 Construction Managers • Environmental Scientists • Landscape Architects • Planners

**YORKVILLE, ILLINOIS HOUSING DEVELOPMENT**  
**YORKVILLE, ILLINOIS**  
**HARGIS MAP**

PROJ. MGR.: JPD  
 DRAWN BY: RMC  
 DATE: 10-23-15  
 SCALE: N.T.S.

SHEET  
**EXHIBIT 2**



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**Manhard**  
CONSULTING LTD

700 Springer Drive, Lombard, IL 60148 ph: 630.691.6500 fx: 630.691.6595 manhard.com  
Civil Engineers • Surveyors • Water Resource Engineers • Water & Wastewater Engineers  
Construction Managers • Environmental Scientists • Landscape Architects • Planners

YORKVILLE, ILLINOIS HOUSING DEVELOPMENT  
YORKVILLE, ILLINOIS  
USGS MAP

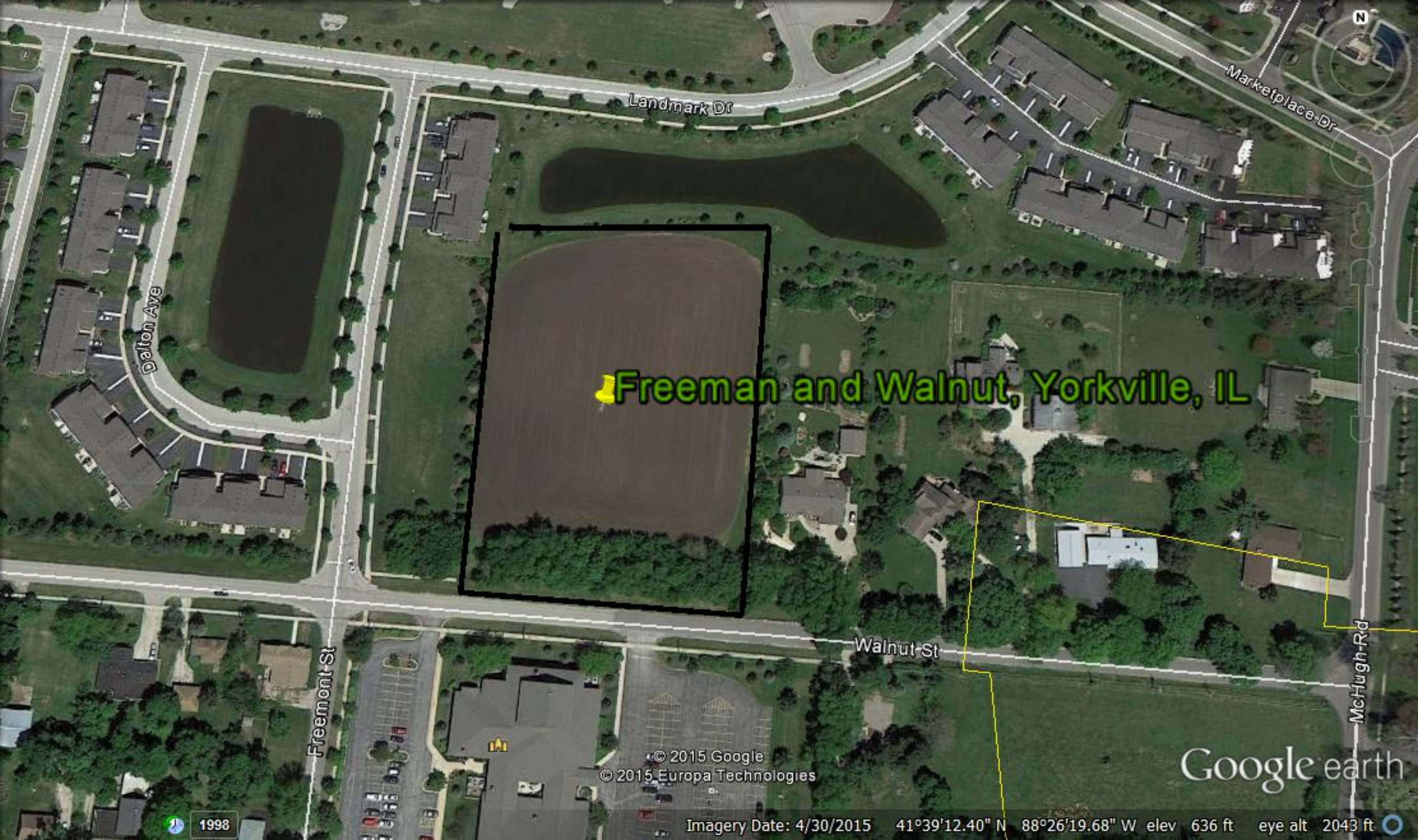
PROJ. MGR.: JPD  
DRAWN BY: RMC  
DATE: 10-23-15  
SCALE: N.T.S.

SHEET

EXHIBIT

3






 Freeman and Walnut, Yorkville, IL

© 2015 Google  
© 2015 Europa Technologies

Google earth

 1998

Imagery Date: 4/30/2015 41°39'12.40" N 88°26'19.68" W elev 636 ft eye alt 2043 ft 





**Kendall County Soil & Water  
Conservation District**

7775A Route 47, Yorkville, Illinois 60560 • (630)553-5821 extension 3



[www.kendallswcd.org](http://www.kendallswcd.org)

**NATURAL RESOURCE INFORMATION (NRI) REPORT APPLICATION**

**Petitioner:** GC Housing Development LLC **Contact Person:** James P. D'Alexander  
**Address:** 343 Wainwright Drive 700 Springer Drive  
**City, State, Zip:** Northbrook, IL 60062 Lombard, IL 60148  
**Phone Number:** (847) 564-7393 (630) 925-1114  
**Email:** ablock@craneconstruction.com jdalexander@manhard.com

Please select: How would you like to receive a copy of the NRI Report? ☒ Email ☐ Mail

**Site Location & Proposed Use**

**Township Name** United City of Yorkville **Township** T37 N, **Range** R7 E, **Section(s)** S28  
**Parcel Index Number(s)** 02-28-331-002, 02-28-331-004, 02-28-331-006  
**Project or Subdivision Name** Yorkville, Illinois Housing Development **Number of Acres** ~3.5  
**Current Use of Site** R-1 **Proposed Use** R-4  
**Proposed Number of Lots** 1 **Proposed Number of Structures** 1  
**Proposed Water Supply** United City of Yorkville **Proposed type of Wastewater Treatment** Yorkville-Bristol San. District  
**Proposed type of Storm Water Management** Existing Detention Basin/ Underground Detention Basin

**Type of Request**

☒ Change in Zoning from R-1 to R-4  
☒ Variance (Please describe fully on separate page)  
☐ Special Use Permit (Please describe fully on separate page)  
**Name of County or Municipality the request is being filed with:** United City of Yorkville

**In addition to this completed application form, please including the following to ensure proper processing:**

- ☒ **Plat of Survey/Site Plan** – showing location, legal description and property measurements
- ☒ **Concept Plan** - showing the locations of proposed lots, buildings, roads, stormwater detention, open areas, etc.
- ☐ If available: topography map, field tile map, copy of soil boring and/or wetland studies
- ☒ **NRI fee** (Please make checks payable to Kendall County SWCD)

The NRI fees, as of July 1, 2010, are as follows:

Full Report: \$375.00 for five acres and under, plus \$18.00 per acre for each additional acre or any fraction thereof over five.

Executive Summary Report: \$300.00 (KCSWCD staff will determine when a summary or full report will be necessary.)

Fee for first five acres and under	\$ <u>375.00</u>
<u>0</u> Additional Acres at \$18.00 each	\$ <u>0.00</u>
<b>Total NRI Fee</b>	<b>\$ <u>375.00</u></b>

**NOTE:** Applications are due by the 1<sup>st</sup> of each month to be on that month's SWCD Board Meeting Agenda. Once a completed application is submitted, please allow 30 days for inspection, evaluation and processing of this report.

**I (We) understand the filing of this application allows the authorized representative of the Kendall County Soil and Water Conservation District (SWCD) to visit and conduct an evaluation of the site described above. The completed NRI report expiration date will be 3 years after the date reported.**

By: [Signature]  
**Petitioner or Authorized Agent** MANAGER

10/23/15  
**Date**

This report will be issued on a nondiscriminatory basis without regard to race, color, religion, national origin, age, sex, handicap or marital status.

**FOR OFFICE USE ONLY**

**NRI#** \_\_\_\_\_ **Date initially rec'd** \_\_\_\_\_ **Date all rec'd** \_\_\_\_\_ **Board Meeting** \_\_\_\_\_  
**Fee Due \$** \_\_\_\_\_ **Fee Paid \$** \_\_\_\_\_ **Check #** \_\_\_\_\_ **Over/Under Payment** \_\_\_\_\_ **Refund Due** \_\_\_\_\_

Plat of Survey of  
Part of the Southwest Quarter of Section 28-37-7  
Yorkville Kendall County Illinois

State of Illinois

SS

County of Kendall

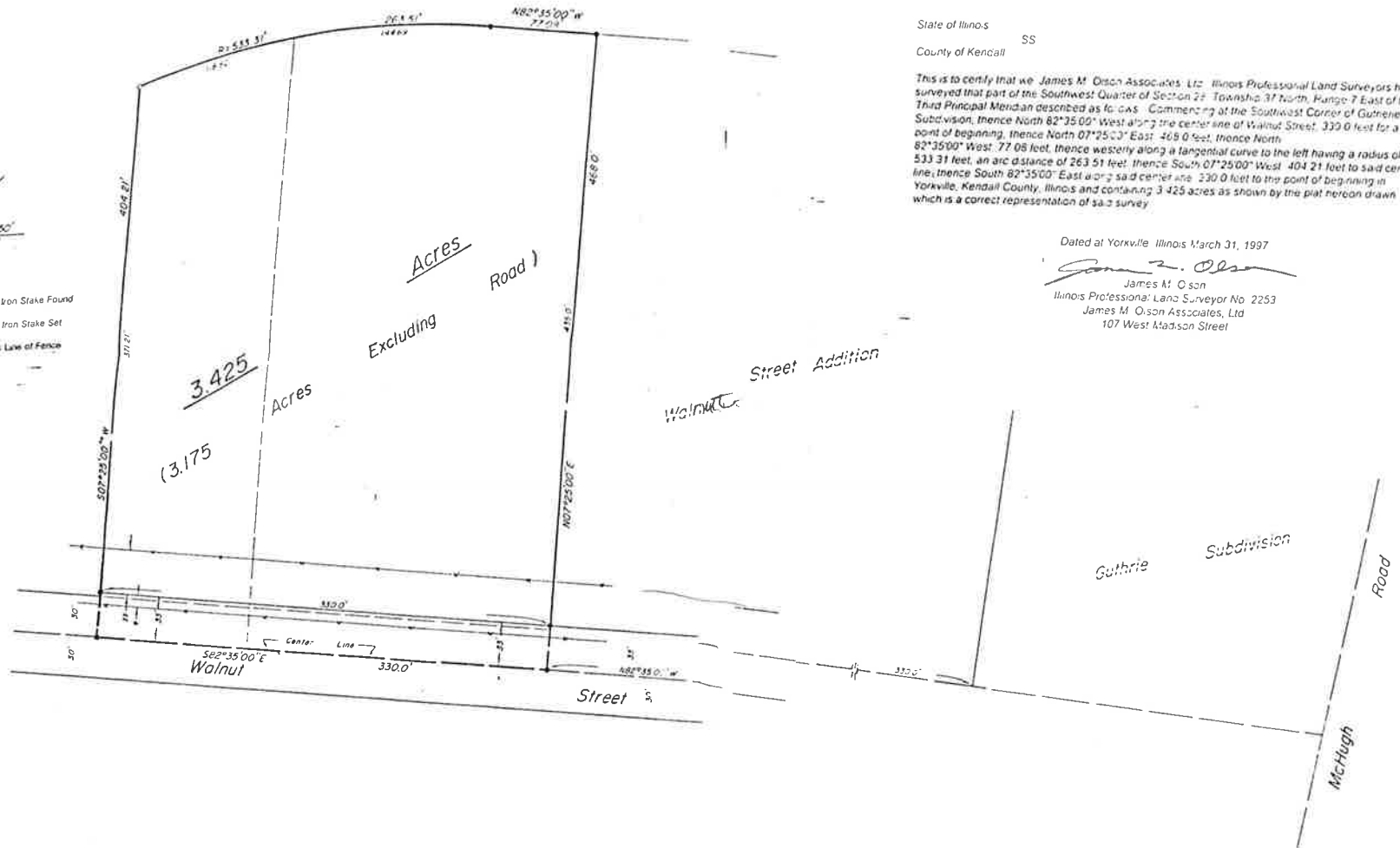
This is to certify that we James M. Olson Associates, Ltd. Illinois Professional Land Surveyors have surveyed that part of the Southwest Quarter of Section 28 Township 37 North Range 7 East of the Third Principal Meridian described as follows: Commencing at the Southwest Corner of Guthrie Subdivision, thence North 82°35'00" West along the center line of Walnut Street, 330.0 feet for a point of beginning, thence North 07°25'00" East 465.0 feet, thence North 82°35'00" West 77.08 feet, thence westerly along a tangential curve to the left having a radius of 533.31 feet, an arc distance of 263.51 feet, thence South 07°25'00" West 404.21 feet to said center line, thence South 82°35'00" East along said center line 230.0 feet to the point of beginning in Yorkville, Kendall County, Illinois and containing 3.425 acres as shown by the plat hereon drawn which is a correct representation of said survey.

Dated at Yorkville, Illinois March 31, 1997

*James M. Olson*  
James M. Olson  
Illinois Professional Land Surveyor No. 2253  
James M. Olson Associates, Ltd.  
107 West Madison Street



- Indicates Iron Stake Found
- ◻ Indicates Iron Stake Set
- Indicates Line of Fence







60 / 80 UNIT LAYOUT  
YORKVILLE, IL





## United City of Yorkville

*County Seat of Kendall County*

800 Game Farm Road

Yorkville, Illinois 60560

Telephone: 630-553-8545

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

November 23, 2015

Andrew Block  
GC Housing Development LLC  
343 Wainwright Drive, Suite B  
Northbrook, IL 60062

(VIA E-MAIL)

**RE: GC Housing Development for a Senior Independent Living Facility**

Dear Mr. Block,

This correspondence is intended to follow-up on the recent Plan Council meeting held on November 19, 2015 to discuss the proposed Rezoning and Variance applications for a proposed senior independent living facility. Per that discussion, below are the comments presented during the Plan Council meeting for which additional information, revised plans and/or a written response is requested:

**Engineering Comments:**

- Please refer to the attached comments prepared by Engineering Enterprises Inc. (EEI) dated November 11, 2015.

**Fire District (BKFD) Comments:**

- How many elevators?
- Inside size of elevator cars. Our stretchers are 79 inches by 24 inches?
- Exhaust system in garage. Operating on doors opening and C.O. levels, 100% exhaust.
- Control of exhaust system in case of a car fire?
- Protection of ceiling in garage? Pre cast? / All penetrations? (Auto Fires)
- Fully sprinkled/ Attic Space?
- Standpipes in stairwells and hose connections in garage?
- True firewalls to divide building?
- Duct/smoke detection?
- Fire Protected waste chutes?
- C.O. detection in units?
- Emergency Ring road/ straight line access to rear of building?

### **Community Development Comments:**

- A data table should be included on the site plan and will need to indicate the following information:
  - Current zoning and proposed zoning of the property.
  - Surrounding property zoning.
  - Current and proposed land use for the property.
  - Surrounding land uses.
  - Setback requirements.
  - Parking Requirements and calculations.
  - Lot coverage allowed and currently being proposed.
  - Building height.
  - A density description of the surrounding properties.
- Are there trash enclosures proposed for the property? If so, please provide a detailed drawing of the enclosure. Attached is Section 10-17-3 of the zoning ordinance for reference.
- Please provide a photometrics plan.
- The building setback line along the westerly lot line is for building only. Please take a look at shifting the entire layout to the west to increase the buffer with the property owner to the west. Drive aisles and parking lots are permitted within this setback requirement.
  - If the layout is shifted to the west, an increase in landscape would be beneficial along the eastern property line. Also, the proposed berm could be increased in height for additional buffering to the property owners to the east.
- As part of the landscape plan, please provide a detailed tree preservation plan if needed. Additionally, if existing trees are to be removed, please provide a detailed tree replacement plan. A copy of the Landscape Ordinance is attached for your reference.
- Please review the attached appearance code that this project will need to adhere to. Please incorporate any changes into the building elevations. Sample boards of the material being used will be required for the upcoming meetings.
- The monument sign will need to follow the current sign ordinance. I have attached a copy for your reference.
- Please provide the details for the emergency access route. Material, width, etc.
- The rezoning and variance approval is contingent upon the petitioner closing on the property.
- While the Petitioner has met the minimum interior side yard setbacks for the east and west property lines, the Code states a setback requirement option of “..or 60% of the Building Height.” As noted in the plans, the roof peak of the multi-tenant apartment building is 61’-8”. Should the building height, as measured by City Code in Section 10-2-3 using the mean height level between the eaves and the ridge of the roof, be more than 50 feet, staff may seek to increase the proposed setback of 30 feet on the east side adjacent to the townhomes accordingly to provide an increased buffer yard.
- **MAXIMUM BUILDING HEIGHT** - Maximum building height for the R-4 District is 80 feet. While it is noted in staff’s previous comment that a roof peak dimension was provided on the plans, the Petitioner must denote the proposed building height using the measurement standard as established in Section 10-2-3 of the Zoning Code.
- **LOT COVERAGE** – Maximum lot coverage for the R-4 District is 70% per a recent revision of Section 10-7-1 of the Zoning Ordinance. Please provide a data table with calculations of the impervious surface for the proposed development broken down by building coverage, parking lot, sidewalks and other impervious surfaces.

- **MAXIMUM DENSITY** – The Petitioner requests a variance to increase the density of the subject property after rezoning to R-4 from 8 dwelling units per acre to 24 dwelling units per acre. While staff is supportive of this variance request, the request may be bolstered with a density comparison of the adjacent townhome development and the Reserve at Fox River apartment development located on Marketplace Drive.
- **PARKING** - According to the plans submitted, there are 115 total parking spaces to be provided for the development with space behind the building to the east for additional undetermined parking spaces if needed. Per Section 10-16-3 of the Yorkville Zoning Code, the total required minimum parking for a multi-family development is 2 spaces per dwelling unit totaling 150 spaces required; and 0.5 spaces per dwelling unit if for elderly housing.
  - As proposed, staff would support the proposed 115 parking spaces only if the Petitioner agrees to age-restrict the development as part of the deed. Otherwise a variance will be needed for the reduced parking.
  - Also a typical dimensioned parking space plan shall be provided on the plan with a data table of the required parking versus the provided parking schedule and drive aisle dimensions.
- **BUILDING ELEVATIONS** – Staff requests that material sample boards of all materials be provided in advance of the scheduled Plan Commission meeting.
  - Per Section 8-15-5: Criteria for Appearance of the City Code, new multiple-family residential structures the following shall apply:
    - The building footprint of single-family attached and multi-family buildings can be the same. However, the facade treatments must vary between buildings that are adjacent to one another. Facade variations may include building materials or colors in any one or more of the following: Siding; Masonry; Roof; Paint/stain; Doors.
    - Sites where requested setbacks and yards are less than the minimum zoning district requirements must provide an interesting relationship between buildings.
    - Parking areas shall be treated with decorative elements, building wall extensions, plantings, berms and other innovative means so as to largely screen parking areas from view from public ways.
    - The height and scale of each building shall be compatible with its site and adjoining buildings.
    - Newly installed utility services, and service revisions necessitated by exterior alterations, shall be underground.
    - The architectural character of the building shall be in keeping with the topographical dictates of the site.
    - Masonry products shall be incorporated on the front facade of at least seventy five percent (75%) of the total buildings in the approved community, and shall incorporate a minimum of fifty percent (50%) premium siding material on the front facade. No less than half (25 percent of the total) of the minimum "premium siding" requirements must incorporate masonry products. Credit toward the remaining "premium siding" requirement can be earned via the use of major architectural features. Each major architectural feature used will earn a credit of ten percent (10%) towards the calculation of the minimum premium siding requirement.



- Example: A building with thirty percent (30%) masonry on the front elevation will require the use of two (2) "major architectural features" (10% + 10% = 20%) to comply with the total "fifty percent (50%) premium siding material on the front facade".
- Pedestrian features/amenities, such as covered walkways, street furniture, and bicycle rack facilities are encouraged.
- Common open space and outdoor features are encouraged.
- SIGNAGE – The petitioner is proposing one (1) ground mounted identification sign which require no variances.
- LIGHTING – A photometric plan shall be provided along with manufacturers cut sheets of the proposed light standards to be installed within the parking lot area. Maximum illumination at the property line shall not exceed 0.1 foot-candle and no glare shall spill onto adjacent properties or rights of way.
- CONTIGUOUS LOTS – The proposed development straddles two (2) contiguous parcels assumedly under one ownership. While Section 10-3-3 allows for two (2) contiguous lots which may not meet the minimum zoning lot size to be used for a single development, staff recommends that the existing two (2) parcels be consolidated either through a final plat or via a Plat Act exemption, if applicable.
- DRIVEWAY VARIANCE – Staff notes the request for relief from Section 10-16-3-D-3 regarding driveway distances to a nearby intersection. We will defer to the Public Works Director and City Engineer.

**Yorkville Bristol Sanitary District (YBSD) Comments:**

- Estimated Population Equivalent Loading to the sanitary sewer system ( Lbs. of B.O.D. & S.S.).
- Estimated waste flow in GPD.
- Is there sufficient city sewer capacity?

Revised plans and/or responses to the comments requested herein should be provided no later than **Friday, December 18, 2015**, so that staff may incorporate the necessary information into the Plan Commission memorandum regarding the Rezoning and Variance request. Should you have any questions, please feel free to contact me at 630-553-8574, or via email: [cheinen@yorkville.il.us](mailto:cheinen@yorkville.il.us).

Sincerely,



Chris Heinen  
Planner

Encl.

Cc: Bart Olson, City Administrator (via e-mail)  
Kathleen Field-Orr, City Attorney (via e-mail)  
Tracy Kasson, Applicant's Attorney (via e-mail)  
Lisa Pickering, Deputy Clerk (via e-mail)  
Brad Sanderson, EEI, City Engineer (via e-mail)  
Michael Torrence, BKFD (via e-mail)  
Chris Heinen, Planner (via e-mail)  
Kevin Collman, YBSD (via e-mail)



*Engineering Enterprises, Inc.*

November 11, 2015

Ms. Krysti Barksdale-Noble  
Community Development Director  
United City of Yorkville  
800 Game Farm Road  
Yorkville, IL 60560

**Re:   GC Housing Development  
      United City of Yorkville  
      Kendall County, Illinois**

Ms. Barksdale-Noble:

We are in receipt of the Plan Council packet for the above referenced project, generally consisting of the following:

- Project Narrative and Re-Zoning Application
- "Zoning Review Set" dated October 28, 2015 and prepared by HDJ
- Various Environmental Sign-offs

Our review of these plans is to generally determine the plan's compliance with United City of Yorkville ordinances and whether the improvements will conform to existing City systems and equipment. This review and our comments do no relieve the designers from their duty to conform to all required codes regulations, and acceptable standards of engineering practice. Engineering Enterprises, Inc.'s review is not intended as an in-depth quality assurance review. We cannot and do not assume responsibility for design errors or omissions in the plans. As such, we offer the following comments:

1. The following general list are items that will have to be submitted to the United City of Yorkville for review during the final engineering stage:
  - a. Final Engineering Plans;
  - b. Lighting/Photometric Plan;
  - c. Landscape Plan, including addressing Tree Preservation;
  - d. Engineer's Opinion of Probable Construction Cost for improvements including earthwork, sitework, stormwater management, erosion control and work within the road ROW;
  - e. Stormwater Management Report with Stormwater Permit Application;
  - f. Preparation of the Long Term Maintenance Plan will be required (Section 604 Kendall County Stormwater Ordinance);
  - g. A soils report;
2. Currently there are no provisions for stormwater management shown on the plans.



Ms. Krysti Barksdale-Noble

November 11, 2015

Page 2

3. Water and sanitary sewer mains are relatively close to the project site. The anticipated water use will need to be provided in order for capacities in the sanitary sewer system to be confirmed.
4. Pedestrian connectivity along Walnut should be provided.
5. The acceptability of the amount of parking stalls that are provided will need to be confirmed with your department.

Respectfully submitted,

ENGINEERING ENTERPRISES, INC.



Bradley P. Sanderson, P.E.  
Vice President

BPS/dm

Enclosure

pc: Mr. Bart Olson, City Administrator (via email)  
Mr. Chris Heinen, City Planner (Via e-mail)  
Mr. Eric Dhuse, Director of Public Works (via email)  
Ms. Lisa Pickering, Deputy Clerk (via email)  
JAM, EEI

LEGEND

+

HYDRANT

●

VALVE

---

UNKNOWN WATER MAIN

---

3" WATER MAIN AND SMALLER

---

4" WATER MAIN

---

6" WATER MAIN

---

8" WATER MAIN

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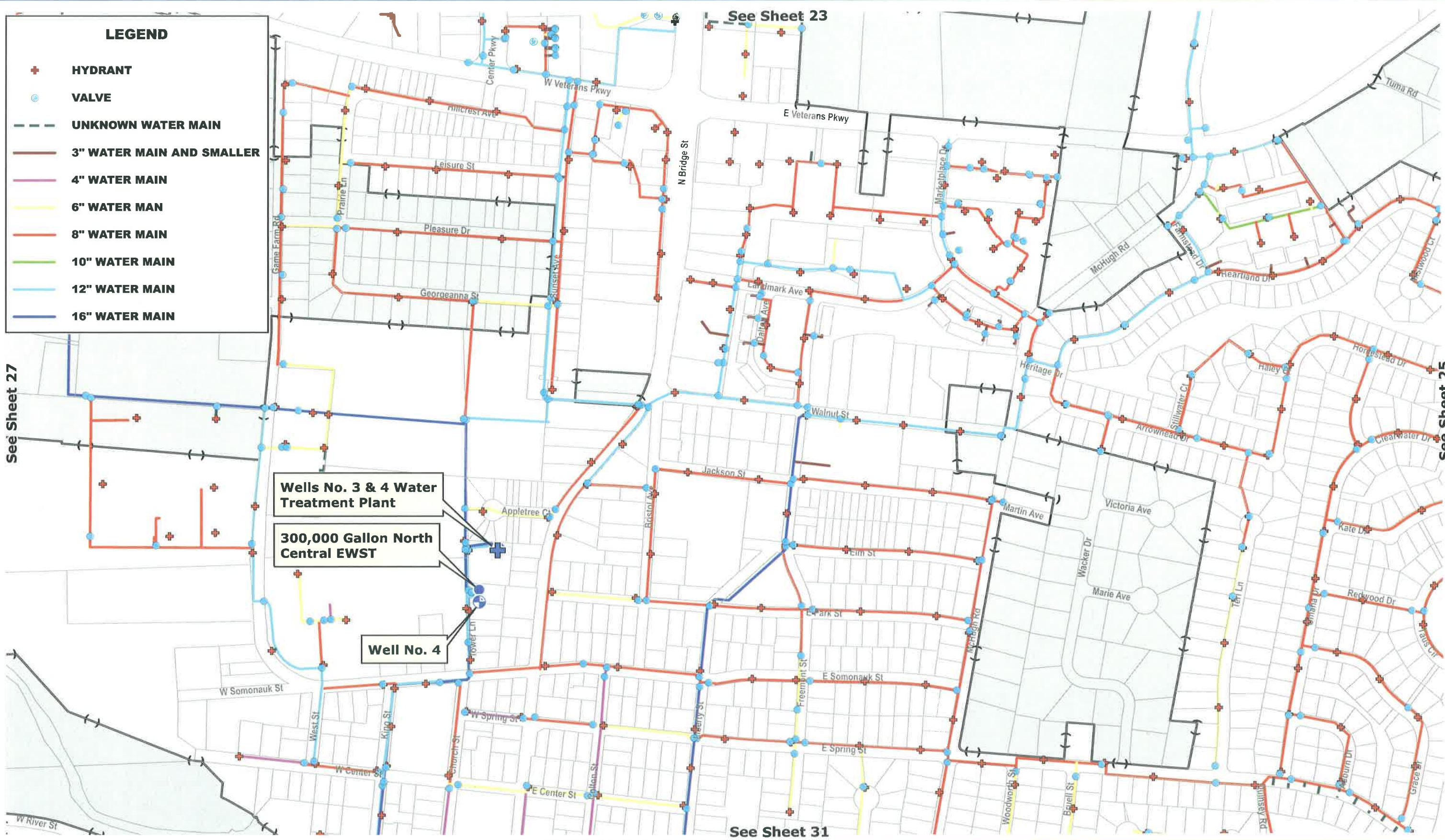
10" WATER MAIN

---

12" WATER MAIN

---

16" WATER MAIN







See Sheet 27

See Sheet 23

See Sheet 25

See Sheet 31

**Engineering Enterprises, Inc.**  
 52 Wheeler Road  
 Sugar Grove, Illinois 60554  
 (630) 466-6700  
[www.eeiweb.com](http://www.eeiweb.com)



**United City of Yorkville**  
 800 Game Farm Road  
 Yorkville, IL 60560  
 630-553-4350  
[www.yorkville.il.us](http://www.yorkville.il.us)

DATE:		October 2013
PROJECT NO.:		YO1342
BY:		KKP
PATH:		H:\GIS\PUBLIC\YORKVILLE\2013\
FILE:		YO1342_26.MXD
NO.	DATE	REVISIONS

0 250 500 1,000  
 Feet

**United City of Yorkville**  
**Sanitary Sewer Atlas Maps**  
**Sheet 26**





## GC HOUSING DEVELOPMENT LLC

The memo serves as follow-up to Chris Heinen from the United City of Yorkville in response to Mr. Heinen's Plan Council memo to Andrew Block of GC Housing Development LLC dated November 23, 2015. Responses mirror the order in which comments were made.

**Engineering Comments:** The comments below are offered in response to the Engineering Enterprises, Inc. review letter dated November 11, 2015 addressed to Krysti Barksdale-Noble.

1. The items listed will be included with the final engineering plans.
2. A basic concept for expanding the existing detention basin is shown on the Site Plan. Detailed analysis will occur during final engineering
3. The Public Works Department will verify the capacity of existing infrastructure. The estimated Population Equivalent for this development is 140 PE.
4. Pedestrian access from Freemont Street is shown on the Site Plan. We anticipate access from Walnut is no longer required since the driveway has shifted to Freemont St.
5. A parking summary is shown in the Site Data Table on the Site Plan. Provided parking exceeds the requirement of 0.5 stalls per residential unit (senior housing).

**Fire District (BKFD) Comments:**

- The proposed building to be equipped (2) two elevators with 3,500# load capacity each.
- Each elevator to have interior cab dimension of 6'-8" x 4'-3".
- The mechanical design of the garage will incorporate an NOX/CO combined sensor that will comply with code requirements.
- The mechanical design of the garage area will incorporate a detection, alarm, and activation system as required per the code requirements.
- There will be a two (2) hour horizontal fire separation between the first (1<sup>st</sup>) floor interior garage, and the above dwelling units. (The proposed second (2<sup>nd</sup>) floor to be Pre-cast concrete plank, with concrete topping.)
- Fully sprinkled (including attic)? Yes.
- Standpipes in stair wells, and hose connection in garage as required by code.
- Firewalls as required per code.
- Duct/smoke detection provided per code.
- Fire protection of the waste chutes provided per code.
- CO detection in individual units provided per code.
- An Emergency Ring Road has been provided that follows the guidelines of the 2009 International Fire Code. The materials of this Ring Road will be structurally capable of supporting the largest fire apparatus. Detailed design will follow during Final Engineering.





## GC HOUSING DEVELOPMENT LLC

### **Community Development Comments:**

- A Data Table has been provided on the Site Plan drawing which addresses all items requested.
- A 9'x13' trash enclosure is shown on the Site Plan. Detailed design (appearance, materials, etc.) will be a part of design documents.
- See attached documentation showing Photometric Lighting Plan.
- The building has been rotated 15 degrees counter-clockwise and has been positioned further away from the eastern property line. Currently, the building is set 48.42' from the eastern property line. A 30' building setback was maintained along the western property line for constructability and to allow for Emergency Ring Road. Landscaping and berming along the eastern property line will be increased to a maximum of 8' during final design.
- A detailed tree survey has not been prepared at this time. Tree preservation and relocation plans will be provided as part of final landscape design.
- Exterior material sample has been provided to city staff.
- Monument design and size to comply with local code requirements. A placeholder monument sign has been shown on the south side of the main entry drive.
- The available Emergency Ring Road details are shown on the plan (width, layout, etc.). The materials used to construct the road are subject to final engineering and input from the Bristol Kendall Fire Department.
- Comment noted.
- We believe all setback requirements are met. The building's height is 61'8". Building Height is measured to the middle height of the angled roof and not to its peak. The impervious area on site account for 58.3% of the total area, which is below the permitted 70%. This figure can also be found in the Site Data table per the attached Civil Site Plan.
- See comment directly above.
- The impervious area on site accounts for 58.3% of the total area, which is below the permitted 70%. A breakdown of the impervious area onsite can also be found in the Site Data Table on the Site Plan.
- See Exhibit 1 below
- Petitioner has agreed to include an age-restriction as part of the deed. A parking summary is shown in the Site Data Table on the Site Plan. Provided parking exceeds the requirement.
- The proposed project consists of one (1) multi-family building.
  - See attached exterior elevations for proposed exterior.
  - Adjacent building setbacks (does not apply).
  - See attached building and parking layout.
  - See attached plans for building height and scale relationships.
  - New utility services to be underground per code (typical).



## GC HOUSING DEVELOPMENT LLC

- See attached building plan and elevations for architectural character as it relates to the architectural dictates of the site.
- There will be only one building on the site; the primary building will abide by the Zoning Appearance Ordinance. The building will incorporate an entrance canopy in the building design, which will allow for a 10% reduction within the required 50% front elevation Premium Materials requirement, and a reduction of the front elevation masonry requirement from 25% of front façade to 20% minimum masonry requirement.
- Monument design and size to comply with local code requirements.
- See attached Photometric plan by architect.
- It is our understanding that per the Plan Council Meeting with Petitioner, a consolidation either through a final plat or via a plat act exemption was not required.
- Petitioner believes that this comment regarding a driveway variance is no longer applicable since access is from Freemont Street instead of Walnut Street.

### **Yorkville Bristol Sanitary District (YBSD) Comments:**

- The estimated Population Equivalent is 140 PE. A summary is provided below in Exhibit 2.
- The estimated waste flow is 13,950 GPD.
- The Public Works Department will determine whether capacity exists per the information found below in Exhibit 2.



GC HOUSING DEVELOPMENT LLC

**EXHIBIT 1**

**Density and Surrounding Borders of Comparable Yorkville Developments**

<b>Development</b>	<b>Current Zoning</b>	<b>Maximum DU's/Acre</b>	<b>Current DU's/Acre</b>	<b>Borders</b>
<b>Heritage Woods</b>	R-4	8 DU's/Acre	24.86 DU's/Acre	North: Vacant Land/Single Family Home East: Industrial South: Single Family Homes
<b>Anthony Place (GC Housing)</b>	R-4	8 DU's/Acre	23.62 DU's/Acre for 3.175 acres of land  18.29 DU's/Acre for 4.1 acres of land	North: Townhomes East: Single Family Home South: Church West: Townhomes/Vacant Land
<b>Reserve at Fox River</b>	R-4	8 DU's/Acre	15.62 DU's/Acre	North: Commercial East: Single Family Homes/Land South: Townhomes West: Commercial
<b>York Meadow Apartments</b>	R-4	8 DU's/Acre	11.69 DU's/Acre	North: Vacant Land East: Commercial South: Townhomes West: Single Family Homes
<b>Longford Lakes</b>	R-3	5 DU's/Acre	5.48 DU's/Acre	North: Commercial East: Land (GC Housing Proposed Development) South: Single Family Homes



GC HOUSING DEVELOPMENT LLC

EXHIBIT 2



SANITARY CAPACITY  
BREAKDOWN GC HOUSING  
DEVELOPMENT  
YORKVILLE, ILLINOIS  
December 4, 2015

Type	Units	Bedrooms	GPD/ Bedroom	GPD	PEAK GPD	PE	GPM
Single Bedroom	57	57	150.00	8,550	35,910	86	24.57
Double Bedroom	18	36	150.00	5,400	22,680	54	15.43
<b>TOTALS</b>		<b>93</b>		<b>13,950</b>	<b>58,590</b>	<b>140</b>	<b>40.00</b>

$$K = \frac{18 + \sqrt{PE / 1000}}{4 + \sqrt{PE / 1000}} = \frac{18 + \sqrt{\frac{140}{1000}}}{4 + \sqrt{\frac{140}{1000}}} = 4.20$$

Note:

GPD/Bedroom based on Illinois Administrative Code "Multi-Family Dwellings (per bedroom)"





NW INTERIOR PARKING  
ENTRANCE

S/W ENTRANCE CORNER  
PERSPECTIVE



MAIN CANOPY ENTRANCE

N/W CORNER PERSPECTIVE

H

DJ

HOOKER | DE JONG  
 Architects & Engineers  
 316 Morris Avenue  
 Studio Suite 410  
 Muskegon, MI 49440  
 P 231 | 722 | 3407  
 F 231 | 722 | 2589

ZONING REVIEW SET  
 YORKVILLE, ILLINOIS

YORKVILLE APARTMENT COMPLEX  
 GC HOUSING DEVELOPMENT LLC

Project Number
ISSUANCES
10/23/2015 + SCHEMATIC DESIGN REVIEW
10/28/2015 + FOR ZONING REVIEW
12/10/2015 + REVISED FOR ZONING REVIEW
Copyright 2015 HDJ Inc. All Rights Reserved
REVISIONS
A1.1





EXISTING HEDGE ROW

EAST PROPERTY LINE  
LANDSCAPE BERM

**S/E CORNER PERSPECTIVE**



EAST PROPERTY LINE  
LANDSCAPE BERM

**N/E CORNER PERSPECTIVE**

H

DJ

HOOKER | DE JONG  
Architects & Engineers  
316 Morris Avenue  
Studio Suite 410  
Muskegon, MI 49440  
P 231 | 722 | 3407  
F 231 | 722 | 2589

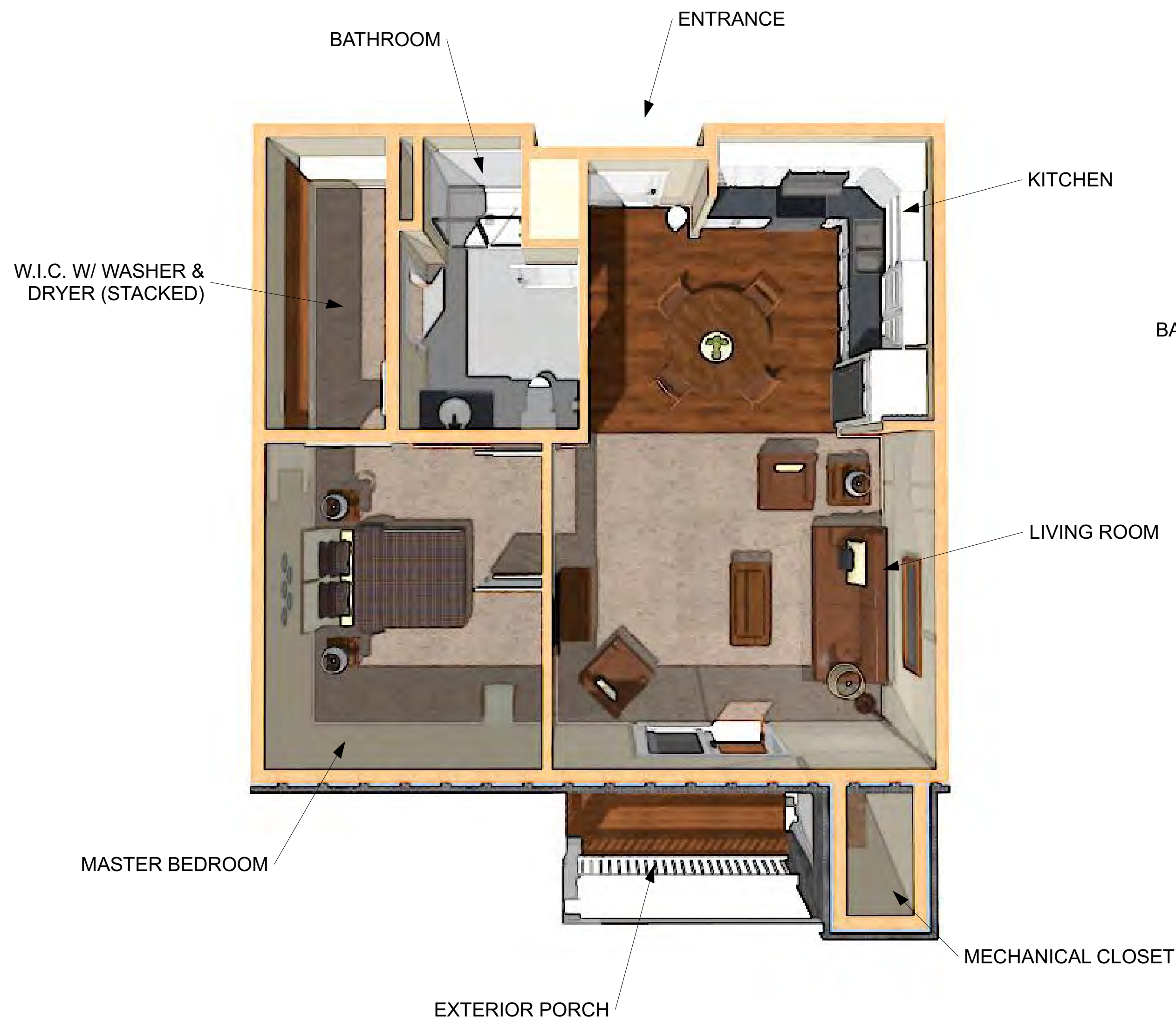
**ZONING REVIEW SET**  
YORKVILLE, ILLINOIS  
**YORKVILLE APARTMENT COMPLEX**  
GC HOUSING DEVELOPMENT LLC

Project Number
ISSUANCES
10/23/2015 + SCHEMATIC DESIGN REVIEW
10/28/2015 + FOR ZONING REVIEW
12/10/2015 + REVISED FOR ZONING REVIEW

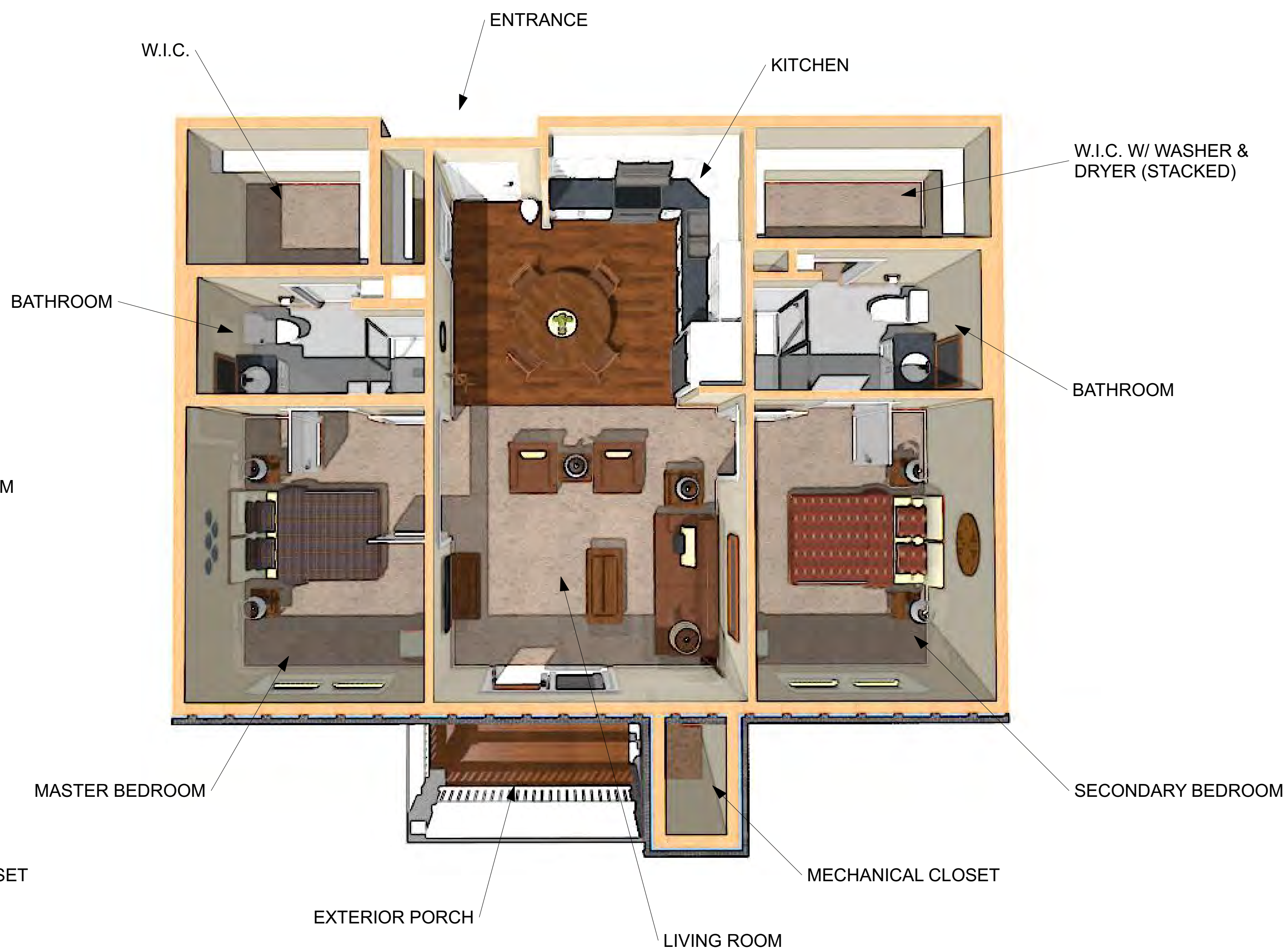
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REVISIONS

**A1.2**



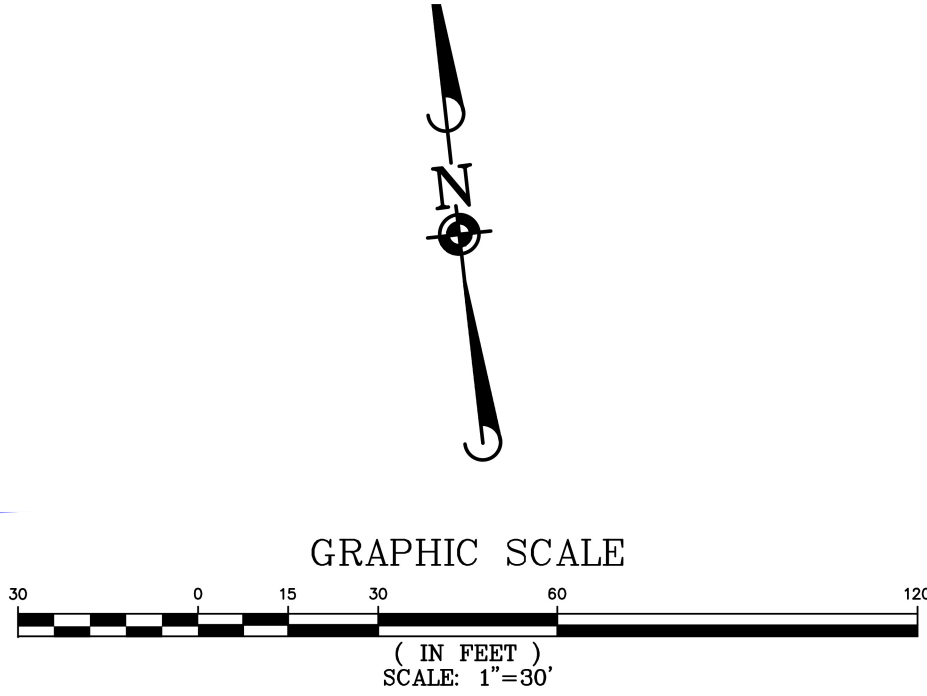
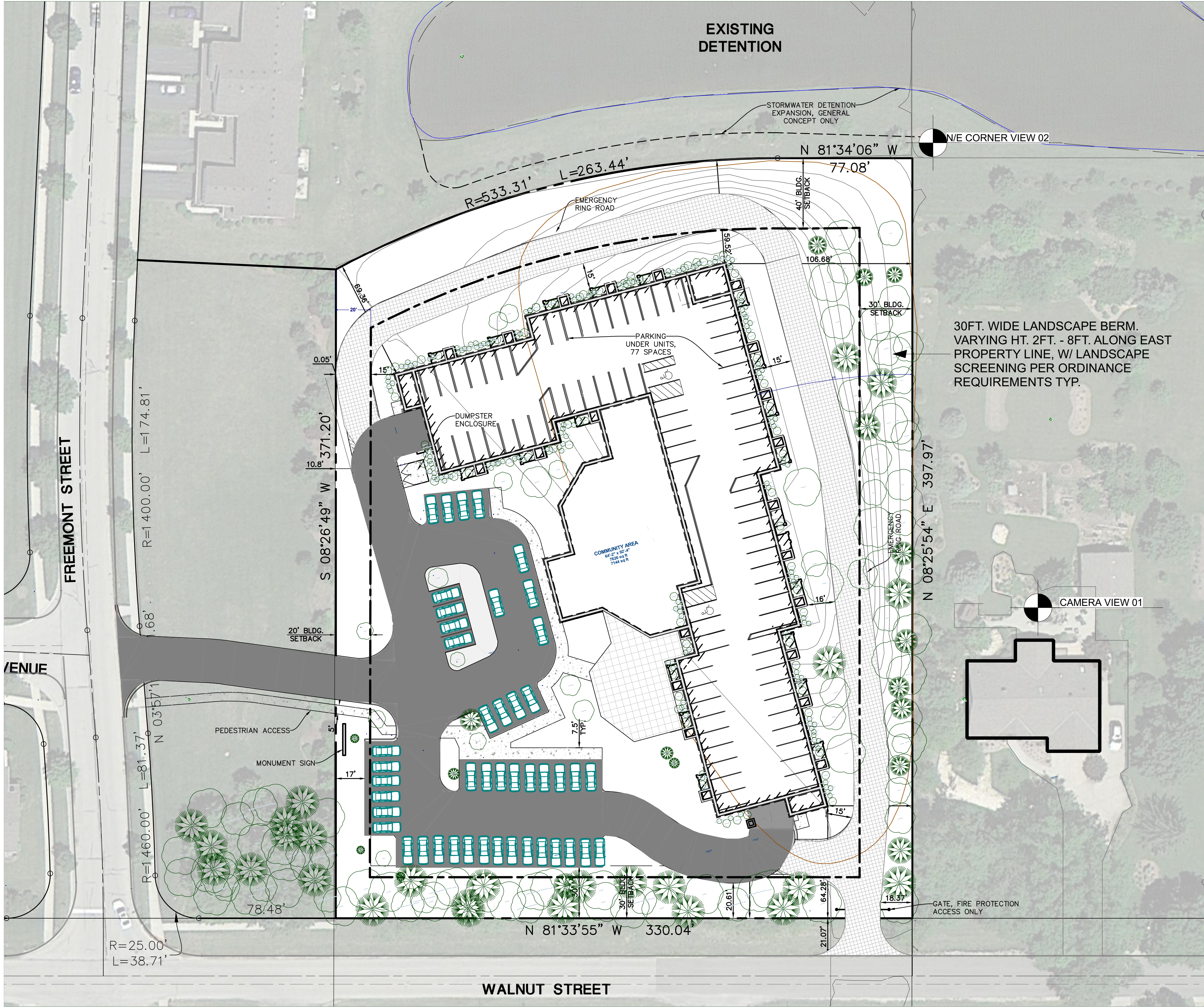


**1 BEDROOM APARTMENT**  
**SC: 1/8"**



**2 BEDROOM APARTMENT**  
**SC: 1/8"**





SITE DATA TABLE		
Subject Property (Current)	PROPERTY ZONING	PROPERTY USE
Subject Property (Proposed)	R-1 Single-Family Suburban Residence	Vacant
North Property	R-4 Single-Family Suburban Residence	Senior Independent Living
East Property	R-3 Multi-Family Attached Residence	Multi-Family Residence (Townhomes)
South Property	R-1 Single-Family Suburban Residence	Single Family Residence
West Property	R-1 Single-Family Suburban Residence	Church
	R-3 Multi-Family Attached Residence	Multi-Family Residence (Townhomes)

REQUIRED MINIMUM	REQUIRED MINIMUM	PROPOSED
Front Yard (South)	30 feet	51.37 feet
Interior Side Yard (West)	12 feet or 60% of Building Height (37)	35 feet
Interior Side Yard (East)	12 feet or 60% of Building Height (37)	48.42 feet
Rear Yard (North)	40 feet	59.52 feet

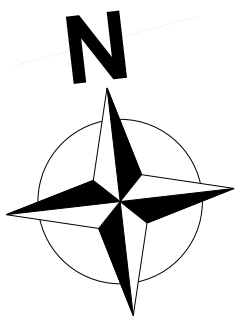
	REQUIRED	PROPOSED
Total Parking Stalls	38 (0.5 per Unit, 75 Units)	114 (77 Under Units, 37 Exterior)
ADA Accessible Stalls	5 (ADAAG 4.1.2(5)(a))	5 (2 Under Units, 3 Exterior)

	PERMITTED MAXIMUM	PROPOSED
Lot Coverage	70% (96,803 SF)	58.3% (80,650 SF)
Building Coverage		26.2% (36,240 SF)
Parking Lot		17.6% (24,268 SF)
Sidewalks		3.7% (5,165 SF)
Emergency Ring Road		10.8% (14,977 SF)
Building Height		61'-8"

\*based on site area of approx. 138,290 SF

DENSITY DESCRIPTION	
North Property	Low
East Property	Medium
South Property	High
West Property	Low

PAVEMENT LEGEND	
	STANDARD DUTY ASPHALT PAVEMENT
	EMERGENCY RING ROAD PAVEMENT
	CONCRETE SIDEWALK PAVEMENT



## PROPOSED SITE PLAN

SC: 1/60"

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DJ

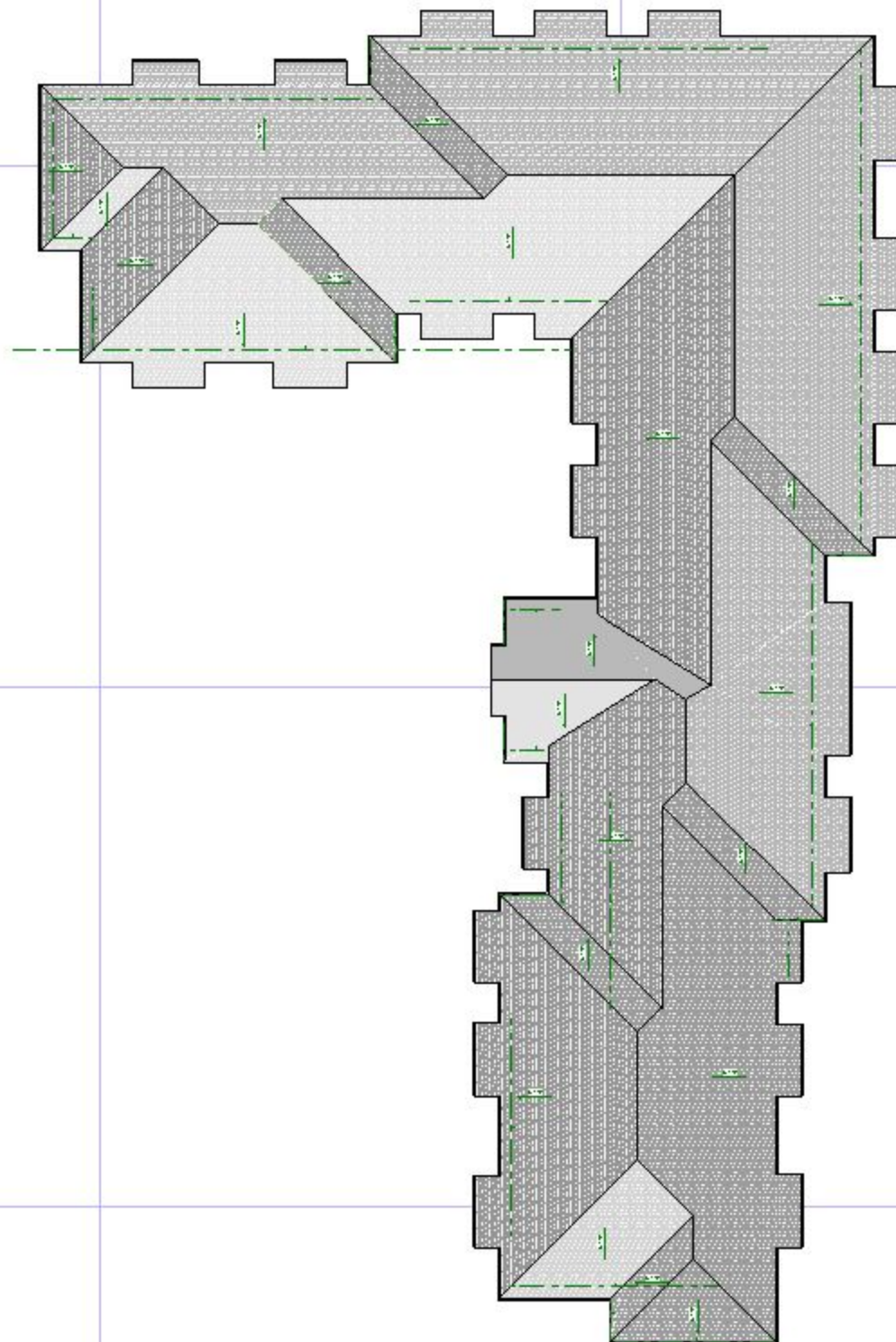
HOOKER | DE JONG  
Architects & Engineers  
316 Morris Avenue  
Studio Suite 410  
Muskegon, MI 49440  
P 231 | 722 | 3407  
F 231 | 722 | 2589

ZONING REVIEW SET  
YORKVILLE, ILLINOIS

YORKVILLE APARTMENT COMPLEX  
GC HOUSING DEVELOPMENT LLC

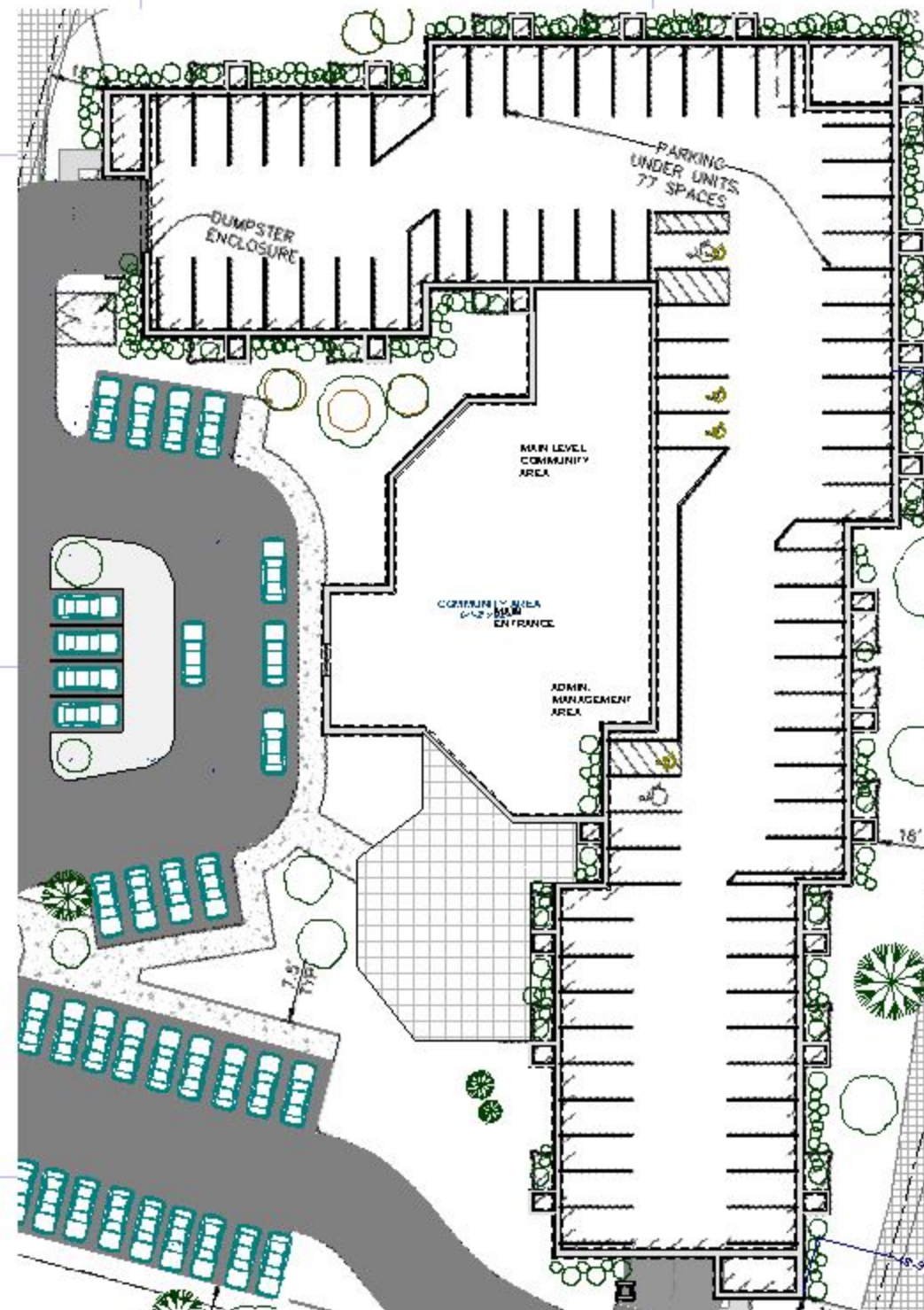
Project Number	10/23/2015 + SCHEMATIC DESIGN REVIEW
ISSUANCES	10/28/2015 + FOR ZONING REVIEW
	12/10/2015 + REVISED FOR ZONING REVIEW
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REVISIONS	
A1.4	





**ROOF PLAN**

SC: 1/16"



**PARKING LEVEL FLOOR PLAN**

SC: 1/16"

H

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ARCHITECT: HJL ARCHITECTS  
ARCHITECT & ENGINEERS  
300 NORTH AVENUE  
MADISON, WI 53703  
PHONE: 608.261.1111  
FAX: 608.261.1112

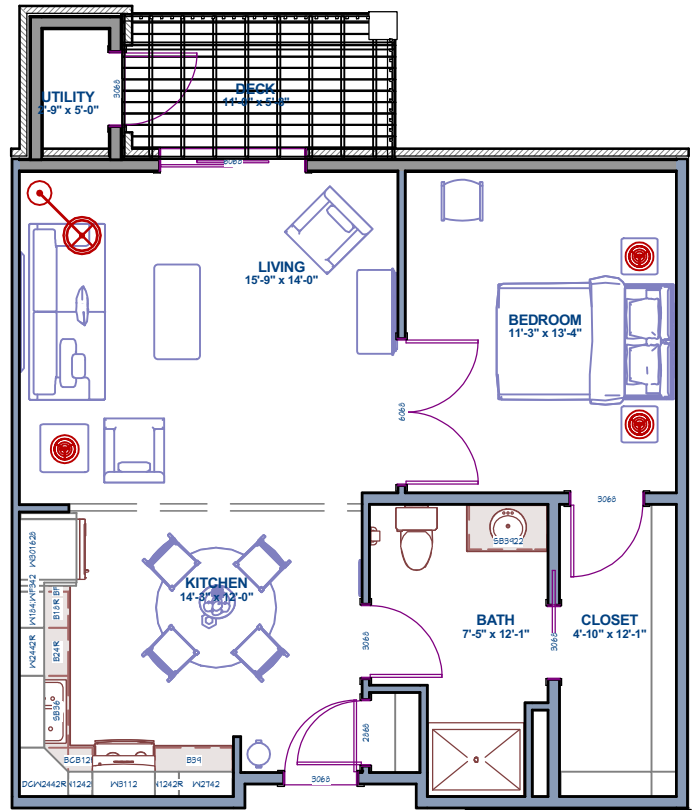
**ZONING REVIEW SET**  
YORKVILLE, ILLINOIS

**YORKVILLE APARTMENT COMPLEX**  
GC HOUSING DEVELOPMENT LLC

DATE	DESCRIPTION
10/23/2015	4. SCHEMATIC DESIGN REVIEW
10/28/2015	4. FOR ZONING REVIEW
12/10/2015	4. REVISED FOR ZONING REVIEW

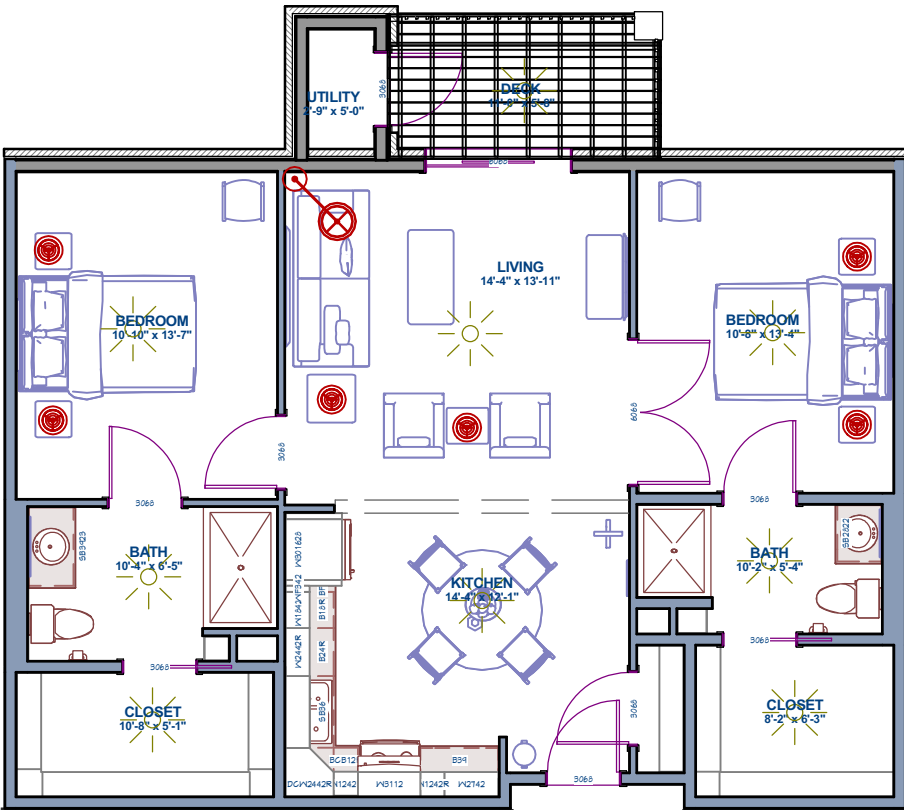
ALL RIGHTS RESERVED  
NO REPRODUCTION OR TRANSMISSION IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF HJL ARCHITECTS.

**A1.5**



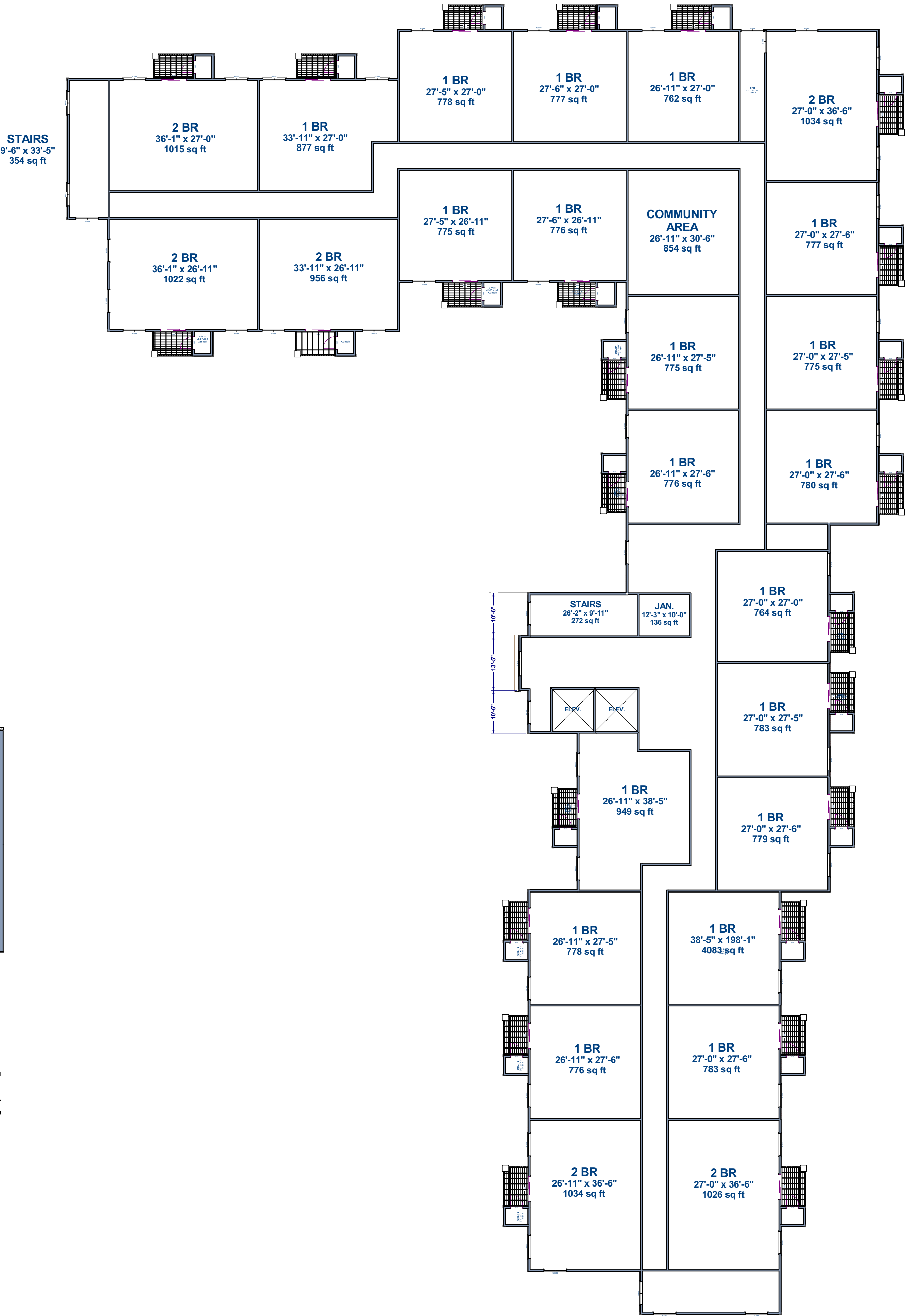
1 BEDROOM APARTMENT

SC: 1/8"



2 BEDROOM APARTMENT

SC: 1/8"



FLOOR PLAN LEVELS 2-4

SC: 1/16"

H

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Studio Suite 410

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YORKVILLE, ILLINOIS

YORKVILLE APARTMENT COMPLEX

GC HOUSING DEVELOPMENT LLC

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**WEST ELEVATION**

SC: 3/32"



**SOUTH ELEVATION**

SC: 3/32"

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**ZONING REVIEW SET**  
YORKVILLE, ILLINOIS

**YORKVILLE APARTMENT COMPLEX**  
GC HOUSING DEVELOPMENT LLC

Project Number
ISSUANCES
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**EAST ELEVATION**  
SC: 3/32"



**NORTH ELEVATION**  
SC: 3/32"

H

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HOOKER|DE JONG  
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Studio Suite 410  
Muskegon, MI 49440  
P 231.722.13407  
F 231.722.12589

**ZONING REVIEW SET**  
YORKVILLE, ILLINOIS

**YORKVILLE APARTMENT COMPLEX**  
GC HOUSING DEVELOPMENT LLC

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**VIEW FROM N/E CORNER OF  
ADJACENT PROPERTY**



**SOLAR ANGLE CROSS SECTION STUDY**

**SC: 1/16"**

H

DJ

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Muskegon, MI 49440  
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**ZONING REVIEW SET**  
YORKVILLE, ILLINOIS  
**YORKVILLE APARTMENT COMPLEX**  
GC HOUSING DEVELOPMENT LLC

Project Number	
ISSUANCES	
10/23/2015 +	SCHEMATIC DESIGN REVIEW
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**S/W BIRD'S EYE PERSPECTIVE**



**S/E BIRD'S EYE PERSPECTIVE**

H

DJ

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YORKVILLE, ILLINOIS

YORKVILLE APARTMENT COMPLEX

GC HOUSING DEVELOPMENT LLC

Project Number
ISSUANCES
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LANDMARK AVENUE

FREEMONT STREET

CITY SIDEWALK

SIDE WALK

SITE ACCESS

WALNUT STREET

EXISTING  
AREA SITE RETENTION

RING ROAD

PARKING  
GARAGE

PARKING  
AREA

DROP  
OFF

PARKING  
GARAGE

RING ROAD

APPROX. LINE OF  
PROPERTY BOUNDARY

EXTRA PARKING  
AS REQUIRED

ADJACENT  
RESIDENTIAL AREAS

OPTIONAL  
SITE ACCESS  
AS REQUIRED

326

12

385

381

001

0167 HAU-021

P. 02333

021 THU-026

032 THU-037



*This document prepared by and after  
Recording return to:*  
Deutsch, Levy & Engel, Chartered  
225 W. Washington Street, Suite 1700  
Chicago, Illinois 60606  
Attn.: Terry L. Engel

### EASEMENT AGREEMENT

This Easement Agreement ("Easement Agreement") is entered into this 27<sup>th</sup> day of December, 2015, by and between Longford Lakes Condominium Association, an Illinois not-for-profit corporation ("Grantor"), and GC Housing Development, LLC, an Illinois limited liability company ("Grantee").

#### RECITALS:

- A. Grantor is the owner of certain real property in Longford Lakes Subdivision, Yorkville, Illinois, and legally described on Exhibit "A" attached hereto and made a part hereof (the "Grantor's Property").
- B. Grantee has the contractual right to purchase approximately 3.42 acres of vacant real property to the immediate south and adjacent to the Grantor's Property, located easterly on the northeast corner of Walnut and Freemont Streets, in Yorkville, Illinois, legally described on Exhibit "B" attached hereto and made a part hereof (the "Grantee's Property").
- C. In connection with the Grantee's intended development of the Grantee's Property as a rent-restricted independent senior living development (the "Project"), Grantee, under all applicable regulatory requirements, is required to meet certain storm water detention requirements in a volume sufficient to serve the storm water detention needs of the Project as completed (the "Needed Capacity").
- D. Grantor owns a detention pond ("Detention Pond") that is located on the Grantee's Property, [as generally illustrated on Exhibit "C" attached hereto and more fully described in the \_\_\_\_\_ Detention Pond Study prepared by \_\_\_\_\_ (the "Drainage Study")], and Grantor is in a position to, and, subject to the expansion of said Detention Pond by Grantee as provided herein, is willing to provide the Needed Capacity in the Detention Pond and is willing to receive the storm water runoff from the Project, in accordance with the terms of this Easement Agreement.

E. The Grantor (as a "Property Owner" and "Pond Owner") and the management, operation and maintenance of the Detention Pond are subject to that certain Stormwater Easement Management, Operation and Declaration, dated as of March 6, 2001, and recorded in the Recorder's Office of Kendall County, Illinois as Document Number 200100003858 (the "Management Agreement").

NOW, THEREFORE, for and in consideration of the premises and Ten Dollars (\$10.00) and other good and valuable consideration as set forth in that certain Option Agreement, dated as of \_\_\_\_\_, 201\_ by and between the Grantor and the Grantee (the "Option Agreement"), which shall be paid by Grantee to Grantor at the time of execution of this Easement Agreement, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. Perpetual Easement. Grantor does hereby grant to Grantee (a) a perpetual and non-exclusive easement in and to that portion of the Grantee's Property legally described on Exhibit "D" attached hereto and made a part hereof (the "Easement Property") for the purpose of (i) accessing and expanding the capacity of the Detention Pond to permit the Detention Pond to accept an additional volume of storm water sufficient to satisfy the Needed Capacity; and (ii) for the purpose of expanding, operating, maintaining, monitoring, inspecting, testing and repairing the Detention Pond, as needed (the "Work"); (b) a perpetual and non-exclusive easement for the purpose of discharging Project storm water in a volume of up to the Needed Capacity; and (c) constructing and maintaining the piping and other improvements necessary to allow storm water to flow from the Project and the Grantee's Property into the Detention Pond over, under and across the Easement Property (collectively, the "Detention Pond Easement").

Grantor shall use commercially-reasonable efforts to secure the Consents of the Property Owner(s) and Pond Owner(s) under the Management Agreement to this Easement Agreement within \_\_\_\_\_ (\_\_\_\_) days following the date hereof. Grantee shall reimburse Grantor for any and all costs, fees and expenses incurred in obtaining said consent. In the event said Consents are not secured, Grantee may terminate this Easement by written notice to the Grantor.

2. Costs of Construction and Maintenance of Detention Pond.

(a) Grantee shall bear all costs, expenses and risks arising out of or in any way relating to the expansion/construction of the Detention Pond in a manner that assures that the Needed Capacity shall be available for use by Grantee in the Detention Pond. Grantee shall comply with all terms, conditions and restrictions as set forth in the Management Agreement, along with all permits, rules and regulations, and any other applicable statutes, rules, regulations whether federal, state or municipal, relating to the expansion of the Detention Pond. Upon completion of the Work, Grantee shall deliver an update to the Drainage Study stating that the capacity of the Detention Pond is sufficient to satisfy the storm water for the properties as improved.

(b) Grantor shall retain full control of the Detention Pond and the Easement Property and shall oversee and coordinate all necessary maintenance thereof, with the Grantor's

proportionate share of all costs and expenses of said operating, maintenance and repair under the Management Agreement being shared by both parties. Provided, further, Grantee shall place into escrow, an amount sufficient to cover its allocable portion of said expenses, in an amount and in accordance with the terms and conditions as set forth in the Option Agreement.

(c) Notwithstanding anything to the contrary in subparagraph (b) above, Grantee shall bear all of Grantor's proportionate share of all costs and expenses under the Management Agreement related to the landscaping of the Detention Pond and Easement Property for a period of three (3) years from the date hereof. Following said three (3) year period, the Grantor's proportionate share of all costs and expenses under the Management Agreement relating to the landscaping of the Detention Pond and Easement Property shall be allocated between the parties in proportion to their respective needed capacities. Provided, further, Grantee shall place into escrow, an amount sufficient to cover all of Grantor's proportionate share of its costs and expenses under the Management Agreement related to the landscaping of the Detention Pond and Easement Property for a period of three (3) years from the date hereof, in an amount and in accordance with the terms and conditions as set forth in the Option Agreement.

3. Non-Exclusive Provisions. Grantor reserves the right to use and enjoy the Detention Pond (and the land upon which the same is constructed and maintained) and the Easement Property for any purposes as long as such use and enjoyment does not unreasonably interfere with the rights herein granted to Grantee and as long as the Needed Capacity in favor of Grantee is maintained and made available in the Detention Pond at all times. Subject to the limitations set forth in the preceding sentence, Grantor specifically reserves the right to use, and to convey or transfer to others the right to use, other or additional detention or water storage capacity in the Detention Pond, and the right to expand, enlarge or otherwise modify the Detention Pond (upon which, the Grantor's proportionate share of all costs and expenses under the Management Agreement for the operation, maintenance and repair of the Detention Pond, the Easement Property and related landscaping will be allocated among Grantor, Grantee and such other party benefiting from the Detention Pond and/or the Easement Property). Grantor shall provide Grantee with a drainage study prepared by an engineer selected by Grantor reflecting any proposed modification of the Detention Pond no later than thirty (30) days prior to the start of construction of any such modification to insure that Grantee's rights granted hereunder are preserved.

4. Release for Flooding or Water Quality Issues of Property. Upon the delivery of the updated Drainage Study, Grantor, its successors and assigns, hereby release and hold Grantee harmless from any and all liability or damage caused by the storm water flow or water quality across the Easement Property, which may arise in any manner whatsoever.

5. Effect of Invalidation. If any term or condition of this Easement Agreement is held to be invalid or unenforceable by any court or body with appropriate jurisdiction, the invalidity or unenforceability of such term or condition shall not affect the validity of the remaining terms and conditions of this Easement Agreement.

6. Compliance with Management Agreement. During the term of this Easement Agreement, the parties hereto agree to be bound by, and comply with all terms, conditions,

obligations and restrictions relating to the Detention Pond, as set forth in the Management Agreement.

7. Successors and Assigns. The rights, interests and obligations of Grantee or Grantor under this Easement Agreement may be sold, assigned or transferred by Grantee or Grantor without any approval or consent of the other party to this Easement Agreement. This Easement Agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns and shall run with the land affect hereby. This Detention Easement is a covenant running with the land binding on all future owners of the Grantor's Property.

8. Notices. Any notice or other communication by one party to the other hereunder shall be in writing and shall be given and be deemed to have been given, on the date of delivery if delivered by hand delivery, on the day after it is deposited with a nationally recognized overnight delivery services (overnight delivery requested), on the day of mailing if sent by registered or certified mail, or on the date of transmittal if sent by facsimile or email (receipt confirmation received or if no receipt confirmation is received, the date another copy is sent by another method permitted by this section), addressed as follows:

If to Grantor:

Longford Lakes Condominium Association  
c/o Daniel J. Kramer  
1107 A South Bridge Street  
Yorkville, Illinois 60560

If to the Grantee:

GC Housing Development LLC  
343 Wainwright Drive  
Northbrook, Illinois 60062  
Attn.: Jeffrey Crane  
Phone: (847) 291-3400  
Fax: (847) 291-1691

9. Default. In the event there is a breach by Grantor with respect to any of the provisions of this Easement Agreement or its obligations under it, including preservation of Grantee's rights to its Needed Capacity and maintenance of the Detention Pond, Grantee shall give Grantor written notice of such breach. After receipt of such written notice, Grantor shall have forty-eight (48) hours in which to cure any such breach, if such breach constitutes an emergency, or ten (10) days if such breach does not constitute an emergency. Should Grantor fail to cure such breach, upon expiration of the cure period afforded above, in addition to any remedy which may be available to Grantee at law or in equity, including the right to seek reasonable attorneys' fees and court costs, Grantee shall have the right to enter upon the Grantor's Property and make such modifications to the Detention Pond to provide the Needed Capacity or otherwise take any and all such necessary actions necessary to cure such breach, and seek reimbursement from Grantor for any and all expenses reasonably related to curing the breach. In the event of Grantee's default under this Easement Agreement, Grantor shall give Grantee written notice of such



breach. After receipt of such written notice, Grantee shall have forty-eight (48) hours in which to cure any such breach, if such breach constitutes an emergency, or ten (10) days if such breach does not constitute an emergency. Should Grantee fail to cure such breach, upon expiration of the cure period afforded above, Grantor will be entitled to seek any remedy which may be available to Grantor at law or in equity, including the right to seek reasonable attorneys' fees and court costs.

10. Effective Date. Notwithstanding anything contained herein to the contrary, this Easement Agreement and the rights and obligations of each party hereunder, shall be effective upon the acquisition of the Grantee's Property by the Grantee. In the event that the Grantee's Property is not acquired by the Grantee on or before December 31, 2016, then this Easement Agreement shall, without further action of any party, automatically terminate and thereafter be null and void and of no further force or effect and neither party shall have any further rights or obligations hereunder or with respect to the Detention Pond Easement. In the event that this Easement Agreement shall expire or terminate and Grantee shall not have acquired the Grantee's Property, Grantee shall execute, acknowledge and deliver to Grantor a recordable quitclaim deed or any other instrument reasonably requested by Grantor for the release of this Easement Agreement and otherwise indicating the termination of Grantee's rights hereunder and with respect to the Detention Pond Easement. Further, notwithstanding anything contained herein or therein to the contrary, this Easement Agreement shall not become effective unless and until (i) the other "Property Owners" and "Pond Owners" (as such term is defined in the Management Agreement) consent to this Easement Agreement; and (ii) if necessary, Grantor, Grantee and the other Property Owners and Pond Owners enter into an amendment to the Management Agreement evidencing Grantee's rights and obligations with respect to the Detention Pond as set forth in this Easement Agreement (or, alternatively, Grantee enters into a "Joinder" to become a party to the Management Agreement on terms acceptable to Grantee).

11. Choice of Law, Jurisdiction and Venue. This Easement Agreement shall be governed by, construed, and enforced in accordance with the laws of the State of Illinois. Each of the parties hereto hereby irrevocably and unconditionally submits, for itself and its property, to the exclusive jurisdiction of any court of the State of Illinois located in Cook County, Illinois or federal court of the United States of America sitting in the Northern District of Illinois and any appellate court from any of such courts, in any actions arising out of or relating to this Easement Agreement and any transactions contemplated hereby for recognition or enforcement of any judgment relating thereto.

12. No Waiver. The failure of either Grantor or Grantee to insist upon the performance of any of the terms and conditions of this Easement Agreement, or the waiver of any breach of any of the terms and conditions of this Easement Agreement, shall not be construed as thereafter waiving any such terms and conditions, but the same shall continue and remain in full force and effect as if no such forbearance or waiver had occurred.

13. Entire Agreement. This Easement Agreement constitutes the sole and entire agreement and understanding between and amongst the parties, there being no other promises, contracts, representations, warranties or other statements between or amongst them not expressly set forth in this Easement Agreement and any and all promises, contracts, representations, warranties and

other statements, written or oral, made between or amongst the parties hereto prior to the execution hereof are hereby canceled and superseded and shall be of no further force or effect.

14. Modification of Agreement. No change or modification of this Easement Agreement shall be valid unless the same is in writing and signed by both parties hereto.

15. Authorization to Sign. The parties hereto each represent and warrant that all necessary signatures and consents to enter into this Easement Agreement and to assume and perform the obligations hereunder have been duly and properly obtained.

16. Counterpart Signatures. This Easement Agreement may be executed in counterparts, each of which shall be deemed to be an original, but all of which together shall constitute one and the same instrument.

(Signature Page Follows)

IN WITNESS WHEREOF, the parties hereto have executed this Easement Agreement on the day and year first above stated.


GRANTOR:

Longford Lakes Condominium  
Association, an Illinois not-for-profit  
corporation

By:

Name:

Its:

  
Darin Peterson  
President

GRANTEE:

GC Housing Development, LLC, an Illinois limited  
liability company

By:

Name:

Its:

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

STATE OF ILLINOIS       )  
  )  
COUNTY OF Kendall       )

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY, that Danish Petersen, the President of Longford Lakes Condominium Association, an Illinois not-for-profit corporation, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that s/he signed and delivered the said instrument as her/his own free and voluntary act and as the free and voluntary act of said not-for-profit corporation, for the uses and purposes therein set forth.

Given under my hand and official seal, as of the 23rd day of December, 2015.



[Signature]  
Notary Public

Commission expires: 10/27/15

STATE OF ILLINOIS       )  
  )  
COUNTY OF \_\_\_\_\_ )

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY, that \_\_\_\_\_, the \_\_\_\_\_ of GC Housing Development, LLC, an Illinois limited liability company, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that s/he signed and delivered the said instrument as her/his own free and voluntary act and as the free and voluntary act of said limited liability company, for the uses and purposes therein set forth.

Given under my hand and official seal, as of the \_\_\_\_\_ day of \_\_\_\_\_, 201  .

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

Commission expires: \_\_\_\_\_



**Exhibit “A”**

**Grantor’s Property**

[to be attached]

**Exhibit “B”  
Grantee’s Property**

[to be attached]

**Exhibit “C”  
Detention Pond**

[to be attached]

**Exhibit “D”  
Easement Property**

[to be attached]



STATE OF ILLINOIS            )  
  ) SS.  
COUNTY OF KANE            )

## AFFIDAVIT OF TITLE

JUDE REAL ESTATE, LLC, an Illinois Limited Liability Company, being first duly sworn on oath states that it is the true and lawful owner as shown by the Land Records of Kane County, Illinois, of the premises commonly known as 1250 S. Broadway, Montgomery, Illinois 60538, and legally described as follows:

THAT PART OF LOT 24 OF H.H. EVANS' SUBDIVISION OF LOT G OF W.T. ELLIOTT'S FARM IN THE NORTH ½ OF SECTION 33, TOWNSHIP 38 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND THAT PART OF THE NORTHWEST ¼ OF SECTION 33, TOWNSHIP 38 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE SOUTH LINE OF SAID LOT 24, 60 FEET WEST OF THE SOUTHEAST CORNER THEREOF; THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID LOT 24, 44 FEET; THENCE WESTERLY 232 FEET ALONG A LINE MAKING AN ANGLE OF 88 DEGREES 57 MINUTES WITH THE LAST DESCRIBED LINE, MEASURED FROM SOUTH TO WEST, TO A POINT HEREINAFTER DESIGNATED AS POINT "A"; THENCE CONTINUING WESTERLY ALONG THE LAST DESCRIBED LINE EXTENDED 169.5 FEET TO THE EASTERLY LINE OF THE AURORA AND MONTGOMERY ROAD FOR THE POINT OF BEGINNING; THENCE EASTERLY ALONG THE LAST DESCRIBED LINE 169.5 FEET TO THE POINT DESIGNATED AS POINT "A", AFORESAID; THENCE SOUTHERLY 167 FEET ALONG A LINE MAKING AN ANGLE OF 79 DEGREES 10 MINUTES WITH THE LAST DESCRIBED LINE, MEASURED FROM WEST TO SOUTH, TO THE SOUTH LINE OF THE NORTHWEST ¼ OF SAID SECTION 33; THENCE WEST ALONG SAID SOUTH LINE, 230.85 FEET TO THE EASTERLY LINE OF THE AURORA AND MONTGOMERY ROAD, AFORESAID; THENCE NORTHEASTERLY ALONG SAID EASTERLY LINE TO THE POINT OF BEGINNING (EXCEPT THAT PART CONVEYED TO THE CORPORATION OF MONTGOMERY VILLAGE, FOR USES AND PURPOSES OF A STREET OR ROAD, BY DEED DATED APRIL 11, 1898 AND RECORDED AUGUST 16, 1898 IN BOOK 383, PAGE 113 AS DOCUMENT 35716) IN THE VILLAGE OF MONTGOMERY, KANE COUNTY, ILLINOIS.

That at no time within the past two years has any work been done or labor or materials been furnished in connection with or to the said premises, or for the improvement of the same, except such material, work, labor and services as have been fully and completely paid for, except as follows:

NONE.

and that there is no indebtedness to any one for any material, work, labor or services done to or upon or in connection with said premises, except as above stated, and that no claim exists on this day against said premises for any material, work, labor or services out of which a mechanic's lien could ripen against said premises by the filing of a lien in the proper office therefor.

That there is no agreement or contract for the conveyance of said premises or for the leasing of the same, or any writing whatsoever affecting the title to said premises, which are not of record as of this day, except as follows:

NONE.

That the undersigned are in full and complete possession of said premises except that N/A is in possession of said premises as a tenant or under contract for deed for the conveyance of same under the following terms:

NONE.

This Affidavit is made for the purposes of inducing FNBC BANK AND TRUST formerly known as STATE BAN OF ILLINOIS, as Trustee under Trust No. 101428 to purchase the subject real estate and to assure that there are no liens upon said premises except as above stated.

JUDE REAL ESTATE, LLC,  
An Illinois Limited Liability Company

By: \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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

**OWNER AUTHORIZATION**

To: City of Yorkville, Illinois

Re: Application for any Zoning Entitlements required, including, but not limited to, map amendment (rezoning), variance and subdivision for a Senior Housing Development ("**Project**"); Walnut Street approximately 115 feet east of Freemont St., Yorkville, Illinois, PIN Nos. 02-28-326-006 and 02-28-326-002 ("**Property**")

The undersigned, Longford Lakes Condominium Homeowner's Association, an Illinois not-for-profit corporation ("**Owner**"), hereby authorizes GC Housing Development, LLC ("**Applicant**"), and Rathje & Woodward, LLC, as attorneys, to execute all necessary petitions and other documents and to attend and give testimony at all public hearings and meetings on behalf of Owner and Applicant before the Corporate Authorities of the City of Yorkville, Illinois ("**City**"), and such of its appointed boards and committees as may be necessary and appropriate, with respect to the above referenced Project pertaining to the above referenced Property owned by R. Daniel Conlon, Bishop of the Roman Catholic Diocese of Joliet, as successor trustee dated December 31, 1949 and known as the Roman Catholic Diocese of Joliet Trust. Owner owns the property adjacent to the Project known as lots 11, 12 and 13 in Longford Lakes Subdivision, City of Yorkville, being a subdivision of Section 28, Township 37 north, range 7 east of the Third Principal Meridian, according to the Plat thereof recorded April 16, 2003 as document #200300012398 in Kendall County, Illinois ("**Townhome Property**"). Applicant has leased the Townhome Property and proposes to locate an entrance road and sidewalks on the Townhome Property to access the Project.

This authorization shall remain in force and effect unless and until expressly terminated by written notice given by Owner to the City of Yorkville.

Dated this 23rd day of December, 2015.

**Longford Lakes Condominium Homeowner's  
Association, an Illinois not-for-profit corporation,**

By: [Signature]  
Print Name: Darin Peterson  
Title: President

Signed and sworn to before me  
this 23rd day of December, 2015.

[Signature]  
Notary Public



PUBLIC NOTICE  
NOTICE OF PUBLIC HEARING  
BEFORE  
THE UNITED CITY OF YORKVILLE  
ZONING BOARD OF APPEALS  
ZBA 2015-06

NOTICE IS HEREWITH GIVEN THAT GC Housing Development LLC, petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting to vary the maximum dwelling units per acre, Section 10-7-1 of the United City of Yorkville Zoning Ordinance, to permit the development of a senior independent living facility with a density of twenty four (24) dwelling units per acre which exceeds the maximum permitted density of eight (8) dwelling units per acre in the R-4, General Multi-Family Residence District. The real property is located near the northeast corner of Walnut Street and Freemont Street in Yorkville, Illinois.

The legal description is as follows:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF GUTHRIE SUBDIVISION; THENCE NORTH 82 DEGREES 35 MINUTES 00 SECONDS WEST ALONG THE CENTERLINE OF WALNUT STREET, 330.0 FEET FOR A PLACE OF BEGINNING; THENCE NORTH 07 DEGREES 25 MINUTES 00 SECONDS EAST, 468.0 FEET; THENCE NORTH 82 DEGREES 35 MINUTES 00 SECONDS WEST, 77.08 FEET; THENCE WESTERLY ALONG A TANGENTIAL CURVE TO THE LEFT, HAVING A RADIUS OF 533.31 FEET, AN ARC DISTANCE OF 263.51 FEET; THENCE SOUTH 07 DEGREES 25 MINUTES 00 SECONDS WEST, 404.21 FEET TO SAID CENTERLINE; THENCE SOUTH 82 DEGREES 35 MINUTES 00 SECONDS EAST ALONG SAID CENTERLINE, 330.0 FEET TO THE POINT OF BEGINNING, IN THE UNITED CITY OF THE VILLAGE OF YORKVILLE, KENDALL COUNTY, ILLINOIS.

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

NOTICE IS HEREWITH GIVEN THAT the Zoning Board of Appeals for the United City of Yorkville will conduct a public hearing on said application on Wednesday, January 6, 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



# Memorandum

To: Zoning Board of Appeals  
From: Chris Heinen  
CC: Bart Olson, City Administrator  
Krysti J. Barksdale-Noble, Community Development Director  
Date: December 30, 2015  
Subject: **The Year in Review – Discussion of previous year's petitions**

## 2015 Applications & Petitions

During the year of 2015, the United City of Yorkville's Zoning Board of Appeals reviewed a total of six (6) applications for various zoning related requests. Following is a summary list and outcomes of the petitions heard by the Zoning Board of Appeals:

ZBA #	Project Name	Type of Request	Zoning Board of Appeals Vote	City Council Final Action
2015-01	Outdoor Music Venue (112 W. Van Emmon)	Parking Variance	Withdrawn	Withdrawn
2015-02	KBL Community Center, LLC	Height Variance	Withdrawn	Withdrawn
2015-03	Lot 19 Commercial Drive	Lot Coverage Variance	4-yes/0-no	Approved
2015-04	Meadowvale	Lot Coverage Variance	5-yes/0-no/1-Abstain	Approved
2015-05	Sycamore Holdings, LLC	Sign Variance	5-yes/1-no	Approved
2015-06	GC Housing Development	Density Variance	<i>TBD</i>	<i>TBD</i>

Staff addressed the lot coverage in all of the zoning districts with a text amendment to the Zoning Ordinance. In October 2015, the City Council approved the new amendments and we should see applications for these types of requests decrease if not be eliminated. Below are the new regulations.

Zone	Zoning District	Maximum Lot Coverage	Maximum FAR
E-1	Estate Residential	55%	-
R-1	Suburban Residential	50%	-
R-2	Traditional Residential	45%	-
R-2D	Duplex	50%	-
R-3	Multi-family Residential	70%	-
R-4	General Multi-family	70%	-
O	Office	80%	-
B-1	Local Business	80%	-
B-2	Retail Commerce Business	85%	-
B-3	General Business	80%	-
B-4	Service Business	80%	-
M-1	Limited Manufacturing	85%	.85 max
M-2	General Manufacturing	85%	.85 max