



United City of Yorkville

800 Game Farm Road

Yorkville, Illinois 60560

Telephone: 630-553-4350

www.yorkville.il.us

PLANNING AND ZONING

COMMISSION AGENDA

Wednesday, August 9, 2017

7:00 PM

Yorkville City Hall Council Chambers

800 Game Farm Road

Meeting Called to Order: 7:00 p.m.

Roll Call:

Previous meeting minutes: July 12, 2017

Citizen's Comments

Public Hearings

Old Business

New Business

1. **PZC 2017-10** Tom McNelis, Petitioner, has filed an application with Kendall County requesting a map amendment to rezone his approximately 3.86-acre property from A-1 to R-1 to allow for the construction of a new residential home. The real property is located at 14000 Block of Budd Road, approximately 0.98 miles from Millbrook Road on the north side of Budd Road in unincorporated Fox Township.

- Action Item

1 ½ Mile Review (Map Amendment/Rezoning)

Additional Business

1. City Council Action Updates

The following items were presented to the City Council on July 25, 2017.

- a. **PZC 2017-09** Anthony Place Yorkville, LP, petitioner, has filed an application with the United City of Yorkville requesting Final Plat approval for the Anthony Place senior independent living facility. The request will consolidate two (2) currently adjacent parcels and dedicate right-of-way, access and public utility and drainage easements needed for the development of the approximately 3.175-acre property to be located at the northeast corner of Freemont and Walnut Streets, in Yorkville, Illinois.

Action – Motion approved by City Council

Adjournment

DRAFT

PLANNING & ZONING COMMISSION

City Council Chambers

800 Game Farm Road, Yorkville, IL

Wednesday, July 12, 2017 7:00pm

Meeting Called to Order

Planning and Zoning Commission Vice-Chairman Reagan Goins called the meeting to order at 7:00pm, roll was called and a quorum was established.

Roll Call:

Bill Gockman-present, Reagan Goins-present, Deborah Horaz-present, Jeff Olson-present, Richard Vinyard-present

Absent: Don Marcum, Randy Harker

City Staff

Krysti Barksdale-Noble, Community Development Director

Jason Engberg, Senior Planner

Tim Paulson, Engineer EEI

Other Guests

Lynn Dubajic, City Consultant

Seaver Tarulis, Alderman

Ken Koch, Alderman

Dale Larson, Country Hills

Richard Schroeder, Heartland

Melissa Phillips, Heartland

Chris Heitz, Heartland

Emily Weeks, Heartland

Eloise Swayze, Country Hills

Andrew Block, Anthony Place

Amy Michalisko, 1065 Heartland Dr.

Gary Minkler, 608 Heartland

Christine Vitosh, Vitosh Court Reporting

Bob Pilmer

Ryan Swanson, Arc Resources/Casey's

Jeremy Goldsboro, 627 Heartland

Nichole Swanson

Nick Swanson

Christine Walkowiak, Heartland

Bryce Loring, Casey's

Duane Swayze, Country Hills

D. Caplan, Broker

Tom Stout, 598 Heartland Dr.

Previous Meeting Minutes June 14, 2017

The minutes of the previous meeting were approved on a motion and second by Commissioners Vinyard and Horaz, respectively.

Roll call: Goins-yes, Horaz-yes, Olson-yes, Vinyard-yes, Gockman-yes. Carried 5-0.

Citizen's Comments None

Public Hearings

Ms. Goins said there were two Hearings on the agenda. She swore in those who would give testimony and explained the procedure for giving testimony for or against.

The Public Hearings were opened at approximately 7:04pm on a motion by Richard Vinyard and second by Bill Gockman.

Roll call: Horaz-yes, Olson-yes, Vinyard-yes, Gockman-yes, Goins-yes, carried 5-0.

1. **PZC 2017-07 Casey's Retail Company, petitioner, has filed applications with the United City of Yorkville, Kendall County, Illinois, requesting rezoning classification, special use authorization, and a variance to sign regulations. The real property is located south of U.S. Route 34, west of McHugh Road. The petitioner is requesting rezoning approval from R-1 Suburban Residential District to B-3 General Business District (contingent on approval of an annexation agreement by the City Council); special use permit approval for a gasoline service station with accessory convenience store; and a sign variance for a permanent freestanding business sign to be larger than a maximum of 32 square feet.**
2. **PZC 2017-08 Dale Larson, petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting a rear yard setback variance for 1995 Meadowlark Court in the Country Hills Subdivision of Yorkville to reduce the rear yard setback from 40 feet to 30 feet. The purpose for this request is to allow a single family home to be built on this lot within the Country Hills Subdivision which will be consistent with surrounding homes.**

(See Court Reporter's Transcripts)

The Hearings closed at approximately 7:48pm on a motion by Mr. Vinyard and second by Mr. Olson.

Roll call: Olson-yes, Vinyard-yes, Gockman-yes, Goins-yes, Horaz-yes. Carried 5-0.

Old Business None

New Business

1. PZC 2017-07 Casey's (see description above under Public Hearings)

Ms. Noble said the proposed Casey's conforms to all other gas station standards within the City limits. To clarify another point, the watermain will run in front of Coffman's and it will be available to them when they annex in the future. Ms. Noble said the Comprehensive Plan calls for annexing the properties along Rt. 34 that are surrounded by the City limits. Ms. Horaz commented that the City is missing out on the tax base there.

Vice-Chairman Goins then reviewed the Standards and Findings of Fact for the requests being made by Casey's. The Commission members made some brief comments about some of the standards.

Mr. Engberg said the original photometric plan was not up to standard, so a new plan was requested. Some engineering requests were also made. He said there would be a Public Hearing on August 8th for the annexation. The Final Plat, Rezoning and Special Use will go before the City Council and the sign variance will be handled through this

Commission. It was noted that the sign size variance was requested since the State now requires the posting of Ethanol prices. It is expected construction would begin this fall and finish in spring depending on all the necessary permits

Action Item - Rezoning

Commissioner Vinyard made a motion as follows: In consideration of testimony presented during a Public Hearing on July 12, 2017 and approval of the findings of fact, the Planning and Zoning Commission recommends approval to the City Council of a request for a map amendment to rezone the properties stated in the staff memorandum dated July 6, 2017 from R-1 Suburban Residential District to B-3 General Business District subject to the conditions enumerated in that same memorandum. Motion seconded by Commission Horaz.

Roll call: Olson-yes, Vinyard-yes, Gockman-yes, Goins-yes, Horaz-yes. Passed 5-0.

Action Item – Special Use

Mr. Vinyard made the following motion: In consideration of testimony presented during a Public Hearing on July 12, 2017 and approval of the findings of fact, the Planning and Zoning Commission recommends approval to the City Council of a request for Special Use authorization for a fuel/gasoline service station to be located at the southwest corner of U.S. Route 34 and McHugh Road subject to the conditions enumerated in a staff memorandum dated July 6, 2017 and a photometric plan. Mr. Olson seconded.

Roll call: Vinyard-yes, Gockman-yes, Goins-yes, Horaz-yes, Olson-yes. Passed 5-0.

Action Item - Sign Variance

A motion was made by Mr. Vinyard as follows: In consideration of testimony presented during a Public Hearing on July 12, 2017 and approval of the findings of fact, the Planning and Zoning Commission recommends approval of a request to vary the sign regulations contained in Section 10-20-6-A of the United City of Yorkville Zoning Ordinance to permit a free standing monument sign in a business district to be larger than 32 square feet in sign area subject to the conditions enumerated in a staff memorandum dated July 6, 2017. Mr. Gockman seconded the motion.

Roll call: Gockman-yes, Goins-yes, Horaz-yes, Olson-yes, Vinyard-yes. Passed 5-0.

Action Item – Final Plat

Mr. Vinyard made a motion as follows: The Planning and Zoning Commission recommends approval to the City Council of a request for Final Plat of Subdivision of the Casey's General Store in Yorkville subject to final engineering approval as enumerated in a letter from Engineering Enterprise Incorporated dated June 19, 2017 and illustrated in a plan prepared by Arc Design Resources subject to the conditions enumerated in a staff memorandum dated July 6, 2017. Ms. Horaz seconded the motion.

Roll call: Goins-yes, Horaz-yes, Olson-yes, Vinyard-yes, Gockman-yes. Passed 5-0.

2. PZC 2017-08 Dale Larson (see description above under Public Hearings)

The standards were reviewed with some comments by Commission members.

Challenges of Mr. Larson's building lot include dimensions, elevation, shape and unusual topography, thus the request for the decreased rear yard setback.

Action Item – Variance

Mr. Vinyard made a motion as follows: In consideration of testimony presented during a Public Hearing on July 12, 2017 and approval of the findings of fact, the Planning and Zoning Commission recommends approval of a request to vary the setback regulations contained in Section 10-7-1 of the United City of Yorkville Zoning Ordinance to permit a minimum rear yard setback of 30 feet in the R-2 Traditional Residential District. Ms. Horaz seconded.

Roll call: Horaz-yes, Olson-yes, Vinyard-yes, Gockman-yes, Goins-yes. Passed 5-0.

3. **PZC 2017-09 Anthony Place Yorkville, LP, petitioner, has filed an application with the United City of Yorkville requesting Final Plat approval for the Anthony Place senior independent living facility. The request will consolidate two (2) currently adjacent parcels and dedicate right-of-way, access and public utility and drainage easements needed for the development of the approximately 3.175-acre property to be located at the northeast corner of Freemont and Walnut Streets, in Yorkville, Illinois.**

Ms. Noble reviewed the application and said City Council gave final approval for this project in February 2016. As part of the approval, two lots were purchased and this action will now consolidate the lots and dedicate the roadway and easements.

Action Item – Final Plat

A motion was made by Commissioner Vinyard as follows: In consideration of the proposed Final Plat of Subdivision of Anthony Place, the Planning and Zoning Commission recommends approval of the plat to the City Council as presented by the petitioner in a plan prepared by Manhard Consulting, Ltd., dated last revised June 26, 2017. Ms. Horaz seconded the motion.

Roll call: Olson-yes, Vinyard-yes, Gockman-yes, Goins-yes, Horaz-yes. Passed 5-0.

Additional Business

1. PZC 2017-07 Text Amendment for Tower and Antenna Regulations:
Approval by City Council on June 27, 2017
2. PZC 2017-08 Semper Fi 1.5 mile review for composting facility: petitioner withdrew application
3. The County has agreed that the City has the most up-to-date Comprehensive Plan and that the County needs to update their plan.

Adjournment

There was no further business and the meeting was adjourned at 8:32 pm on a motion by Ms. Horaz and second by Mr. Olson, respectively.

Respectfully submitted by
Marlys Young, Minute Taker

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5 UNITED CITY OF YORKVILLE

6 YORKVILLE, ILLINOIS

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9 PLANNING AND ZONING COMMISSION MEETING

10 PUBLIC HEARING

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14
15 800 Game Farm Road

16 Yorkville, Illinois

17
18
19 Wednesday, July 12, 2017

20 7:00 p.m.

1 PRESENT:

2 Ms. Reagan Flavin Goins, Chairman,

3 Mr. Bill Gockman,

4 Ms. Deborah Horaz,

5 Mr. Don Marcum,

6 Mr. Jeff Olson,

7 Mr. Richard Vinyard.

12 ALSO PRESENT:

13 Ms. Krysti Barksdale-Noble, Community

14 Development Director,

15 Mr. Jason Engberg, Senior Planner,

16 Ms. Marlys Young, Minute Taker.

17 - - - - -

1 (WHEREUPON, the following
2 proceedings were had in
3 public hearing:)

4 CHAIRMAN GOINS: There are two public
5 hearings on the agenda tonight. The purpose of
6 these hearings are to invite testimony from
7 members of the public regarding the proposed
8 requests that are being considered before this
9 commission tonight.

10 Public testimony from persons
11 present who wish to speak may be for or against
12 the request or to ask questions of the petitioner
13 regarding the request being heard.

14 Those persons wishing to testify are
15 asked to speak clearly, one at a time, and state
16 your name and who you represent, if anyone. You
17 are also asked to sign in at the podium.

18 If you plan to speak during
19 tonight's public hearing as a petitioner or as a
20 member of the public, please stand. Anybody
21 wishing to testify tonight, stand, raise your
22 right hand, and repeat after me.

23 (Witnesses sworn.)

24 CHAIRMAN GOINS: The order for receiving

1 testimony will be as follows: The petitioner
2 presentation on each individual public hearing,
3 those who wish to speak in favor of the request,
4 those who wish to speak in opposition of the
5 request.

6 We will then have questions from
7 the Planning and Zoning Commission to the
8 petitioner.

9 May I have a motion to open the
10 public hearing on petition number PZC 2017-07 and
11 PZC 2017-08.

12 MR. VINYARD: So moved.

13 MR. GOCKMAN: Second.

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

16 MS. YOUNG: Yes. Horaz.

17 MS. HORAZ: Yes.

18 MS. YOUNG: Olson.

19 MR. OLSON: Yes.

20 MS. YOUNG: Vinyard.

21 MR. VINYARD: Yes.

22 MS. YOUNG: Gockman.

23 MR. GOCKMAN: Yes.

24 MS. YOUNG: Goins.

1 CHAIRMAN GOINS: Yes.

2 PZC 2017-07 is the first public
3 hearing this evening. Casey's Retail Company,
4 petitioner, has filed applications with the
5 United City of Yorkville, Kendall County,
6 Illinois, requesting rezoning classification,
7 special use authorization and a variance to sign
8 regulations.

9 The real property is located south
10 of U.S. Route 34, west of McHugh Road. The
11 petitioner is requesting zoning approval from
12 R-1, Suburban Residential District, to B-3,
13 General Business District, which is contingent on
14 approval of an annexation agreement by the City
15 Council; special use permit approval for a
16 gasoline service station with accessory
17 convenience store and a sign variance for a
18 permanent free-standing business sign to be
19 larger than a maximum of 32 square feet.

20 Is the petitioner present and
21 prepared to make its presentation of their
22 proposed request?

23 MR. SWANSON: Yes.

24 CHAIRMAN GOINS: Please step to the

1 podium, sir. Could you please sign in and state
2 your name, please?

3 RYAN SWANSON,
4 having been first duly sworn, testified from the
5 podium as follows:

6 MR. SWANSON: Absolutely. My name is
7 Ryan Swanson. I am with Arc Design Resources,
8 5291 Zenith Parkway in Loves Park, here tonight
9 on behalf of the Casey's project on behalf of
10 Casey's themselves.

11 Proceed?

12 CHAIRMAN GOINS: You may proceed.

13 MR. SWANSON: Thank you. Thank you for
14 your time this evening. Again, my name is Ryan
15 Swanson. I am the engineer/project manager for
16 the project. With me tonight also is Bryce
17 Loring. I've got just a brief presentation to
18 start with and some suggested points; he and I
19 can answer any questions that may arise.

20 As mentioned, we are here for your
21 consideration tonight for the annexation,
22 rezoning, special use and a sign variance. The
23 existing site is just under an acre and a half at
24 the corner obviously of U.S. 34 and McHugh.

1 It's a little over an acre and a
2 half, two parcels are purchased -- under contract
3 for purchase currently.

4 There is a ten-unit apartment
5 complex on the corner, it's obscured from my
6 sight line here, and then a residential house on
7 the south side, residential parcel. The
8 apartment complex currently has access to U.S. 34
9 and McHugh.

10 The site overall in general terms by
11 commercial users, Coffman Carpets to the west and
12 then general commercial use to the east as well.

13 Our proposed site, which is depicted
14 here on my board, is about a 4600-square-foot
15 convenience store, eight multi-pump -- multi-unit
16 dispensers, under a canopy. 21 parking spaces
17 along a current sidewalk area and a few extra
18 spaces in the rear for primarily employees. An
19 isolated delivery zone for trucks.

20 Proposed access as shown to U.S.
21 Route 34 and McHugh, very similar location as to
22 what is there existing. We are currently working
23 with IDOT on the U.S. 34 access and they have
24 granted conceptual approval at this stage.

1 The trash enclosure down here,
2 hidden behind the store, and per the last meeting
3 that will be a brick enclosure with gates.

4 Underground fuel tanks on this side
5 here just adjacent to the canopy on the east side
6 of the site.

7 In general, the placement of these
8 items as you see for circulation both for
9 customers and for deliveries of goods and tanker
10 for fuel.

11 Some of the site amenities, as you
12 can see here as well, we've got -- we meet
13 setback requirements.

14 We've got green space around the
15 perimeter of the site; primarily a mix of
16 landscaping, including some shade trees, shrub
17 beds, some ornamentals. A general mix around the
18 entire perimeter. We are proposing a fence
19 around the residential parcel to the south.

20 Our lighting is all LED-based
21 lighting cut-off-type fixtures, 17-foot mounting
22 height, so we've got a few poles. Under the
23 canopy there is some lighting and then a few
24 poles at the entrances and the perimeter of the

1 site.

2 Generally it's a 17-foot mounting
3 height on the poles around the building; it's
4 just primarily security lighting, ten-foot
5 mounting height for those.

6 We are proposing a monument sign
7 also for your consideration of the variance.
8 the monument sign is with brick material as is
9 shown here, which is located at the corner of the
10 property.

11 Our proposed architecture, it's
12 primarily a brick material. It's got some stone
13 accents on columns to kind of help break up the
14 facade on the both sides. Three sides have the
15 brick as shown here; the rear is siding material
16 because it's less visible.

17 Windows from the front and the side
18 as you can see. The piers, as I mentioned, some
19 cornice improvements to kind of further break up
20 that front plane of the building, adds
21 articulation.

22 As the canopy elevations show, we
23 are intending to wrap the columns with the brick
24 as well, so essentially that exterior would match

1 the brick of the building, and in reality, the
2 monument sign, the wrapped poles on the canopy,
3 the building facade, and even the trash enclosure
4 will help kind of create an aesthetic that will
5 really bring the site together I think in terms
6 of looks. It's really an upscale look.

7 Regarding engineering and general
8 underground detention, looking at it generally
9 here, in this area, we will be extending both
10 water and sanitary sewer to serve the site, and
11 generally, like I said, in terms of the site
12 layout and building features.

13 Generally the lighting, if I can go
14 back to that a little bit, you can't see these
15 numbers from where you are sitting, but
16 essentially we're going to meet -- we're meeting
17 the city code for light levels, and really what
18 that means is our lighting level -- light does
19 not spill off the property.

20 This is a little bit small. This
21 represents a model of the site in the evening,
22 and I mentioned a couple of poles in the back,
23 here and here, between the fence and you can see
24 McHugh Road right here. That's it for the limit

1 of lighting, so there is no further spill of
2 lighting or glare due to the fixture types any
3 further than the entrance to the development, and
4 obviously the -- you can see the canopy lighting,
5 that would be further obscured by the seat store
6 itself, the retail store itself.

7 Here I mentioned the security
8 lighting; that's really all that is. It's kind
9 of -- it's just right there for perimeter
10 security.

11 With that, I'm happy to take any
12 questions or...

13 CHAIRMAN GOINS: Thank you, sir.

14 At this time if there is anyone
15 present who wishes to speak in favor of the
16 request made by Casey's for the variances, if you
17 could please step to the podium one at a time and
18 please state your name and sign in.

19 LYNN DUBAJIC,
20 having been first duly sworn, testified from the
21 podium as follows:

22 MS. DUBAJIC: My name is Lynn Dubajic
23 and I'm the economic development consultant for
24 the City of Yorkville.

1 I just wanted to provide you with a
2 little bit of background information about
3 Casey's, I don't know how familiar you are with
4 the company.

5 It is publicly traded. It opened
6 its first store in 1968, based out of Ankeny,
7 Iowa. They have 1,950 locations currently in 15
8 states, mostly Midwest.

9 They are proud to offer self-service
10 gasoline, a wide variety of grocery items and
11 prepared foods, such as made-from-scratch pizza,
12 doughnuts, chicken tenders and sandwiches.

13 They actually operate their own
14 distribution center and they deliver
15 approximately 90 percent of their in-store
16 products and 75 percent of their fuel from their
17 own distribution center.

18 Locally this store will create about
19 25 jobs for local residents. They are very proud
20 to be a partner with the community, and will also
21 be very beneficial to the city in the fact that
22 they usually in stores create about \$5 million in
23 sales a year, which will equate to about \$50,000
24 in sales tax revenue for the City of Yorkville.

1 So that's what I wanted to share with you. Thank
2 you.

3 MR. VINYARD: Thank you.

4 CHAIRMAN GOINS: Is there anyone else
5 wishing to speak in favor of the request?

6 (No response.)

7 CHAIRMAN GOINS: None being heard, is
8 there anyone who is present who wishes to speak
9 in opposition to the request?

10 MELISSA PHILLIPS,
11 having been first duly sworn, testified from the
12 podium as follows:

13 MS. PHILLIPS: Good evening. My name is
14 Melissa Phillips. So my name is Melissa Phillips
15 and I am here on behalf of myself and my husband.

16 My family and I live at 589
17 Heartland Drive, and we and other residents who
18 are here tonight -- can you guys wave, thank
19 you -- are adamantly opposed to the Casey's
20 General Store at the proposed location for the
21 following reasons.

22 Safety. Safety and the well-being
23 of our children and residents are of the utmost
24 of importance. We are experiencing an increase

1 in traffic and speeding from individuals who cut
2 through our neighborhood.

3 One fatality occurred in January and
4 another near-miss occurred last month when a car
5 lost control in the subdivision and skidded to a
6 stop in a resident's front lawn.

7 Placing a Casey's at the proposed
8 location will increase traffic through the
9 neighborhood and down McHugh Road exacerbating
10 the danger to Heartland and McHugh residents.

11 Environmental factors. Placing a
12 gas station will lead to increased pollution to
13 the surrounding area, potential for ground water
14 contamination, light and noise pollution as well
15 as a result of a gas station going in at the
16 proposed location.

17 Increased exposure. Our
18 neighborhood has had an increase in crime since
19 the Reserve at Fox River apartment complex was
20 developed.

21 A high speed chase through the
22 neighborhood in January was linked to one of
23 those resident -- apartment residents. Having a
24 gas station at the proposed site will lead to

1 additional foot traffic on non-residents -- of
2 non-residents through the neighborhood, opening
3 the door for increased issues.

4 Our property values are already set
5 unrealistically high and the presence of this gas
6 station may lead to declining property values for
7 the residents in the vicinity.

8 Curb appeal. The residents do not
9 view a gas station, we do not wish to view a gas
10 station, at all hours from the windows of our
11 homes, and we don't get a fancy brick facade
12 because it's not on the back side.

13 Displacement of current apartment
14 residents. Multiple individuals reside in the
15 current apartments at the proposed site and
16 should not be displaced needlessly.

17 As many of you know, you receive
18 complaints all the time from residents in our
19 wards with residents offering no solutions;
20 therefore, I propose the following alternative
21 which would eliminate all of the aforementioned
22 issues by moving the Casey's down east of
23 Route 34 where the land is already zoned for
24 commercial use.

1 So I appreciate your time and effort
2 on this matter, and as taxpayers and homeowners
3 in a beautiful neighborhood, the building of this
4 structure will decrease the safety of our
5 residents and reduce our property values and will
6 unnecessarily result in another gas station in
7 close proximity to two others.

8 I am obstinately opposed to the
9 approval of this project. Thank you very much.

10 CHAIRMAN GOINS: Thank you, Miss
11 Phillips.

12 Is there anyone on behalf of the
13 petitioner for PZ 2017-08? Please step up to the
14 podium.

15 MR. LARSON: Sure.

16 CHAIRMAN GOINS: Before you speak, I
17 will go ahead and read the content of --

18 MR. LARSON: Sure.

19 CHAIRMAN GOINS: -- PZC 2017-08.

20 Dale Larson, petitioner, has filed
21 an application with the United City of Yorkville,
22 Kendall County, Illinois requesting a rear yard
23 setback variance for 1995 Meadowlark Court in the
24 Country Hills Subdivision of Yorkville to reduce

1 the rear yard set back from 40 feet to 30 feet.

2 The purpose for this request is to
3 allow a single-family home to be built on this
4 lot within the Country Hills Subdivision, which
5 will be consistent with surrounding homes.

6 Sir, you may proceed.

7 DALE LARSON,
8 having been first duly sworn, testified from the
9 podium as follows:

10 MR. LARSON: Okay. Hi. My name is Dale
11 Larson, D & L Builders. I don't have any fancy
12 pictures and presentation for you. It's pretty
13 much simple, that when the subdivision was
14 recorded back in 1992 I do believe it was that
15 the building envelope is rather small, and with
16 the current elevations of the existing homes
17 around it, if you put a two story on it, it's
18 going to be like living in the mountains in
19 California where you have one house that's
20 literally right next door and it's 25 foot above
21 the next one.

22 That is an exaggeration; it would be
23 about ten and a half feet above the one right
24 behind it, all three of them right behind it, and

1 one of them that's adjacent to the south I do
2 believe it is.

3 By allowing me to build a ranch,
4 which would include -- I would need the variance
5 for that, to put a ranch on it, which conforms
6 better to the neighborhood, it helps comply
7 better with the drainage by the positioning -- by
8 altering the positioning on the house as well.
9 That's pretty much it. It's pretty simple and
10 straightforward.

11 MR. OLSON: I have a question. So how
12 does the topography of the site change --

13 MR. LARSON: Because the --

14 MR. OLSON: -- from the required --

15 MR. LARSON: By the positioning of the
16 house, and because I'm going to be moving it
17 around the corner a little bit, when I move it
18 around the corner, just like the same as it's
19 sitting on the podium, if I move it around the
20 corner, that back comes back in. It gives me
21 good drainage down the side and around the back.

22 CHAIRMAN GOINS: Is there anyone present
23 this evening who wishes to speak in favor of the
24 request?

1 (No response.)

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

4 (No response.)

5 CHAIRMAN GOINS: Seeing as there is no
6 one here to oppose --

7 MR. GOLDSBORO: Mr. Chairman, is there
8 any way we can it back up to PZC 2017-07?

9 CHAIRMAN GOINS: Sure.

10 MR. GOLDSBORO: I think it will move
11 pretty fast, if I may.

12 CHAIRMAN GOINS: Sure. Please come to
13 the podium and state your name.

14 JEREMY GOLDSBORO,
15 having been first duly sworn, testified from the
16 podium as follows:

17 MR. GOLDSBORO: My name is Jeremy
18 Goldsboro. I live at 627 Heartland Drive.

19 And Melissa did a great job, I just
20 wanted to reiterate everything she said and bring
21 up the fact that a couple years ago, maybe a few,
22 we tried to -- someone, Mr. Ochopinte (phonetic)
23 was here trying to make a multi-family dwelling
24 in that same area and you guys denied that due to

1 traffic and things for various reasons.

2 I'm an electrician. It seems like
3 he's got a great plan here about this
4 non-spreading light if this was ever to go
5 through.

6 It doesn't really talk about the
7 sign. I think that pretty much shines straight
8 out, doesn't it, sir? It doesn't diffuse or
9 anything?

10 MR. SWANSON: It's internally, yeah.

11 MR. GOLDSBORO: Okay. Like I say, the
12 safety reasons, I just wanted to make sure my
13 fellow neighbors got a chance to speak as well
14 and remind you of what we had a few years ago,
15 and just people couldn't turn out.

16 I know we might change relative to
17 what's passed, but I just want it in the minutes
18 that I'm against it and hope you see it my way
19 and the neighbors' way, and also that no
20 neighbors came up here to speak in favor of it.

21 Even though we're a small gathering
22 tonight, not one person residentially showed up
23 in favor, so that's all I have to say.

24 CHAIRMAN GOINS: Thank you,

1 Mr. Goldsboro.

2 MR. SCHROEDER: I'd like to speak on
3 that, too, Madame Chairman.

4 CHAIRMAN GOINS: I'm sorry, sir, would
5 you repeat your name, please?

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

9 MR. SCHROEDER: My name is Richard
10 Schroeder. I live at 683 Heartland Drive. I
11 just have a couple questions. The first question
12 I have is basically for the Planning Commission.

13 I notice on here this is contingent
14 on approval of an annexation agreement by the
15 City Council.

16 It's my understanding that that
17 property is part of Bristol Township and not part
18 of the City of Yorkville.

19 Am I correct in saying that?

20 MS. NOBLE: Yes, you are.

21 MR. SCHROEDER: Okay. Thank you. The
22 other question I have is for Mr. Swanson, if I
23 might, sir.

24 When will be the hours of operation

1 of this Casey's General Store? Will it be a
2 24-hour operation or will there be a certain time
3 it will operate from?

4 MR. SWANSON: Should I address
5 indirectly or --

6 CHAIRMAN GOINS: Yes, you may.

7 MR. SWANSON: Okay. At this point it
8 would be likely 6:00 a.m. to 11:00 p.m.

9 MR. SCHROEDER: Okay.

10 MR. SWANSON: If it's a busy enough
11 store, it might be 5:00 to 12:00, but it would
12 not be a 24-hour store.

13 MR. SCHROEDER: Would not be 24 hours,
14 okay.

15 MR. SWANSON: Correct.

16 MR. SCHROEDER: The second question is
17 how far is this going to extend? Is this going
18 to take up up to the car dealership or include
19 what is the present car dealership now?

20 MR. SWANSON: No, it would just include
21 the apartment facility up to Coffman Carpets, not
22 including Coffman.

23 MR. SCHROEDER: Okay. Thank you very
24 much.

1 CHAIRMAN GOINS: Thank you, sir. If you
2 could approach one at a time, please.

3 NICHOLE SWANSON,
4 having been first duly sworn, testified from the
5 podium as follows:

6 MS. SWANSON: My name is Nicole Swanson
7 and I am a resident of McHugh Road, 1060 McHugh,
8 and saying Melissa did a great job speaking, I
9 just would like to also reiterate.

10 The residents who live on McHugh
11 Road on the -- I guess you would say in the
12 thousand block of McHugh Road, we're still on
13 well and septic, and that kind of bothers me,
14 knowing that there could at some point may be
15 some contamination into the ground with ground
16 water.

17 We don't have any sidewalks or any
18 way for people to walk safe now and there is so
19 much traffic. People are constantly speeding up
20 and down our road. People throw garbage in our
21 yard all the time. I'm constantly out there
22 every week picking up people's garbage.

23 I just think with having a gas
24 station like this or another, you know, place

1 like this that I'm going to be picking up more
2 garbage.

3 There's going to be a lot more
4 traffic, you know, noise, the lights, you know.
5 We -- our -- my husband went out and he had
6 measured the end of our property to where his
7 starts at, it's less than 270 feet away; in fact,
8 this is my house right there (indicating), and I
9 do not want to go outside every day in my front
10 yard and look at a gas station convenience store,
11 and like Melissa said, we're not going to be
12 looking at the front of it, it's going to be the
13 back area.

14 There are also two other gas
15 stations -- there is a BP gas station 0.6 miles
16 away from the proposed Casey's, and there is a
17 Shell station 1.2 miles away from the Casey's.

18 I think it's going to make our
19 property value go down and, you know, I'm totally
20 for Yorkville growing new businesses, and I do
21 love Casey's, you know, food and pizza, but I
22 just do not like the area that they are proposing
23 to put it in.

24 You know, there is no gas station

1 anywhere from that Shell station going west until
2 you get to Plano, and there is no gas station
3 from that BP going east all the way to Oswego, no
4 gas station going north all the way to Sugar
5 Grove.

6 I just feel like the area that this
7 is in, why do we need three gas stations within a
8 mile and a half of each other and within 270 feet
9 of my residence, let alone the poor person who
10 bought the house right next door? They're not
11 here tonight, but they just bought a house on
12 McHugh there, I don't know, maybe last summer,
13 and that's all I have to say.

14 CHAIRMAN GOINS: Thank you.

15 MR. VINYARD: Thank you.

16 BOB PILMER,
17 having been first duly sworn, testified from the
18 podium as follows:

19 MR. PILMER: My name is Bob -- excuse
20 me. My name is Bob Pilmer, and I don't live in
21 Heartland Subdivision. I know Melissa Ryan,
22 Melissa Ryan Phillips, from some other things,
23 and I certainly respect their point of view and
24 the people who live in Heartland Subdivision.

1 I live in Blackberry Woods
2 Subdivision, which is over by the jail, but the
3 reason I'm speaking, and I'm speaking in favor of
4 this project, is my family owns the apartment
5 building that's under part of this.

6 It's an L-shaped building and there
7 is another unit or home that the Casey's is
8 buying, we don't own that, but generally I think
9 it's a good project for the City of Yorkville.

10 I understand the neighbors'
11 concerns, I can't really dispute any of that, I
12 know that -- what they're talking about, but
13 Mr. Goldsboro said there was nobody speaking up
14 in favor, but well, there are people who are in
15 favor of it, and I'm here on behalf of my
16 brothers and sisters.

17 My parents bought this apartment
18 building probably in 1963, so I understand where
19 change is difficult, but if change didn't occur,
20 then quite frankly, I could still walk across the
21 street and hunt in what I would call the old
22 Lippold Farm, pheasant hunt. That's now the
23 Heartland Subdivision.

24 I think the Heartland subdivision is

1 a great addition to the City of Yorkville. I
2 know a lot of people who live there, I have
3 friends who live there. I think it's a great
4 thing.

5 We grew up next to the Ekwinskis,
6 Brent Ekwinski, who is with the old Castle Bank,
7 First National Bank, they live there, the
8 Pankeys, the Lawrences, and the Runkles on down.

9 Again, there is always change,
10 there's always going to be change, but I think
11 ultimately this is a project that it does make
12 sense for the City of Yorkville.

13 Residential along here, you have --
14 It's not currently in the City of Yorkville, it
15 would need to be annexed, the apartment building
16 is on well and septic, so it would be connected
17 to city water and to the sanitary system, which I
18 think are all good things ultimately for the
19 area, but -- for that, and I think that's --
20 that's what it is.

21 I respect the -- again, what Melissa
22 Phillips indicated, Mr. Goldsboro, Mr. Schroeder,
23 and Miss Swanson, I think they all have concerns,
24 but there are people that would be in favor of

1 it, and it's not just because we are selling the
2 property, but I do think that Casey's is a -- in
3 our dealings with them, they've been a quality
4 organization, I've been very happy to deal with
5 them for pretty much I think the last two years,
6 so -- That's what I would tell you. So thank
7 you.

8 .CHAIRMAN GOINS: Thank you, Mr. Pilmer.

9 CHRIS HEITZ,
10 having been first duly sworn, testified from the
11 podium as follows:

12 MR. HEITZ: Chris Heitz. I live at 734
13 Heartland Drive. I just want to speak in
14 opposition of this project mainly because of the
15 traffic flow.

16 Since I moved in nine years ago, we
17 definitely see some traffic flow even going as
18 far back as Suzy's, cutting through the
19 subdivision, going out McHugh Road. It's only
20 going to get worse as we add it.

21 I think you need to take into
22 consideration also too the -- if I recall
23 correctly, the proposal for back behind Mike &
24 Denise's has also been approved already to have

1 additional buildings back there, which then again
2 will add to that traffic flow.

3 I think you need to take a look at
4 that. I think there is a second phase that is
5 already approved that again should definitely be
6 considered.

7 I think in terms of what we're
8 doing in terms of changing properties, I mean,
9 there's plenty of commercial property. Again, I
10 think we need to kind of stick to some guns and,
11 you know, kind of look at some other
12 opportunities.

13 Again, like everybody stated, that's
14 the third gas station within, you know, say half
15 a mile, so is it the right placement?

16 I mean, there's however many more
17 foot traffic to the north, you go to the water
18 park, a lot of people would definitely look to
19 utilize Casey's and the food service and
20 everything else that they have there as well, so
21 that's all I have.

22 CHAIRMAN GOINS: Is there anyone else in
23 the audience tonight who wishes to speak for or
24 against either of the proposed requests?

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

4 MS. WALKOWIAK: My name is Christine
5 Walkowiak and I live at 589 Heartland Drive with
6 Melissa and Ryan Phillips, and I just have some
7 comments about the zoning.

8 When I was looking at this in the
9 newspaper, or online, I noticed that that this
10 lot right here is owned by Heartland. Is that
11 correct?

12 MS. NOBLE: No. The owners are the
13 Markers.

14 MS. WALKOWIAK: Okay. And they are the
15 developers of Heartland?

16 MS. NOBLE: They were the original
17 developers, right, not the current owners of
18 Heartland.

19 MS. WALKOWIAK: What will that be zoned
20 as?

21 MS. NOBLE: It will retain its business
22 zoning, but now the size of it renders it pretty
23 much undevelopable.

24 MS. WALKOWIAK: Right. So you are

1 changing a Residential 1 to a Business 3?

2 MS. NOBLE: That's the request by the
3 petitioner.

4 MS. WALKOWIAK: That's the request. And
5 then this will be left as-is.

6 I kind of am surprised that you
7 would put such a busy business next to a
8 residential area without a buffer. That concerns
9 me.

10 My grandchildren play outside all
11 the time with the neighbors, and there are lots
12 of children, and this concerns me because I've
13 seen it over the last year and a half, the
14 traffic that speeds through from the road here
15 that loops around and hooks to the other end of
16 McHugh, that's not shown.

17 People cut through and it's been
18 talked about and pointed out, and I think it's
19 just adding more traffic and more opportunity for
20 people to cut through.

21 I think it's a very dangerous
22 situation, and even though I am not a homeowner,
23 I am a resident and I see it, and I -- and I have
24 to agree with all the residents, the homeowners,

1 that it's just a great opportunity for the city,
2 yes, but not in that -- not in that spot.

3 You know, what about across the road
4 where there are two totally undeveloped corners
5 that it could go into, down the road just a
6 little way.

7 I mean, plus, you know, 34 or 47,
8 you know, there is a lot of opportunities, but I
9 think changing that so drastically would be a
10 detriment to the neighborhood.

11 CHAIRMAN GOINS: Thank you, ma'am.

12 MS. WALKOWIAK: Thank you.

13 EMILY WEEKS,
14 spoke from the podium as follows:

15 MS. WEEKS: Hi. I am Emily Weeks. I
16 wasn't going to say anything, but I can't help
17 myself. I live at 605 Heartland Drive.

18 I agree with everyone else, I love
19 Casey's, I don't want it right there, and I know
20 Bob and respect Bob. Bob's got a lot to gain
21 from this, and he doesn't live right here, I live
22 right here (indicating).

23 So I'm not going to repeat what
24 everyone else has said; what I would just like to

1 suggest is that everybody on this committee take
2 a drive down McHugh Road. There is no sidewalks,
3 there is no shoulder.

4 You're going to have -- there's no
5 sidewalks on this side, on 34. You're going to
6 have people from these apartments right here,
7 there is a lot of people living right here,
8 walking down McHugh to get to the gas station.
9 That's incredibly dangerous. That street is very
10 busy and people fly through there. There's trees
11 overhanging, it's kind of dark. It's not a good
12 idea to put a gas station right there. That's
13 all I have to say. Thank you.

14 CHAIRMAN GOINS: Thank you, Miss Weeks.

15 Do any of our committee members have
16 questions?

17 MR. VINYARD: Yeah, actually I do.
18 When -- if this is annexed into the city limits,
19 I am assuming that then we will have sidewalks
20 put up through it, would that be --

21 MS. NOBLE: Let me clarify a couple
22 things with the annexation. Currently the
23 property is within the county and I believe it's
24 zoned business within the county.

1 MR. ENGBERG: B-3.

2 MS. NOBLE: B-3, as are the existing
3 homes to the south of the property.

4 The reason why they are going from
5 an R-1 to a B-3 is because our ordinance states
6 as soon as a property is annexed into the city,
7 we have to zone it to our most restrictive zoning
8 district, which is R-1, so currently the property
9 is not residential being changed to business, it
10 is a business and then this -- business zoned
11 property, and then the staff, as it comes into
12 the city, becomes R-1, and then we have to rezone
13 it to the appropriate language, which is back to
14 the B-3, which is consistent with what it is
15 zoned now.

16 The second part of your question
17 was --

18 MR. VINYARD: Will there be side -- Do
19 you think they will end up looking into that
20 or --

21 MS. NOBLE: We can talk with the city
22 engineer, Tim Paulsen who is from EDI. There is
23 expansion of construction to do on U.S. Route 34,
24 and I believe there is going to be a trail on

1 that side as well?

2 MR. ENGBERG: I don't know the details,
3 but there is trails on the Route 34 expansion.

4 MS. NOBLE: So we will have an area
5 along Route 34.

6 MR. VINYARD: That's it, thank you.

7 MS. PHILLIPS: Not on McHugh, McHugh is
8 still county.

9 CHAIRMAN GOINS: Do you have further
10 testimony? Would anybody like to step forward?

11 MS. PHILLIPS: I think what the point is
12 is people are like water and they will take the
13 shortest, easiest distance.

14 You look at college campuses and
15 they have all these fancy sidewalks, and where
16 are the paths? They cut through the grass
17 because that's the easiest and the fastest and
18 the shortest.

19 So at the end of the day you can
20 have the greatest -- you could have a parkway
21 paved with gold, but if it's not the shortest and
22 the easiest, no one is going to take it and
23 they're going to end up walking on McHugh and
24 someone is going to get hurt. That's what we're

1 trying to say.

2 CHAIRMAN GOINS: Before we go to close
3 the public hearings, would anybody else like to
4 speak for or against? If you could step forward,
5 sir.

6 MR. SWANSON: No further questions, I
7 can address a couple of things that have come
8 up --

9 CHAIRMAN GOINS: Certainly.

10 MR. SWANSON: -- in the discussion.

11 I understand and I do appreciate the
12 concerns as well with traffic. It sounds like
13 there's issues out there today.

14 Regarding traffic and seat store
15 field stations, a majority of the traffic that's
16 generated are what they call pass-by trips, and
17 those are trips that are pulled from the existing
18 traffic.

19 So I'm not going to sit here and say
20 there is going to be no new traffic with this,
21 there will be, but the benefit of a facility like
22 this is it pulls existing traffic from 34, from
23 McHugh, folks that are on their way to and from
24 work, to and from home, that sort of thing.

1 You know, this is -- in terms of our
2 aesthetics, our lighting, I mentioned that
3 already, we're, you know, several hundred feet
4 away as this illustration depicts, from the
5 residents, particularly along that street.

6 One thing I did want to mention,
7 contamination was brought up. Any modern fuel
8 station has multiple layers of safety built in.

9 Starting with the fuel storage
10 tanks, they're fiberglass, double walled, sensors
11 between that void area for moisture that could
12 get in or fuel that could get out of the inner
13 tank, so that's monitored non-stop.

14 There is also cut-offs -- or
15 shut-offs, excuse me, of the dispensers, if
16 somebody drives off with the nozzle plugged into
17 their car, there is a bladder system under --
18 within the dispenser itself that collects
19 additional fuel if by chance there was a failure
20 or a spill.

21 So there is multiple layers in place
22 monitored by the state fire marshal, tested
23 regularly, and I think those issues would not
24 be -- should not be a concern, especially like I

1 said considering the modern fuel facilities like
2 we have here.

3 Regarding other fuel stations,
4 obviously this is the site that Casey's has
5 chosen that's in front of you for your
6 consideration tonight.

7 You know, Casey's feels they have a
8 somewhat unique product, some that has been
9 mimicked by others and it's probably growing,
10 where they have the fresh made-to-order food, the
11 fresh products, that sort of thing, that they
12 feel they offer a unique, you know, offering
13 within this environment, so, you know, there's --
14 or within this market.

15 You know, there's -- Sure, there's
16 gas stations in the vicinity, but this is the
17 site they have chosen that they like for many
18 reasons.

19 Obviously U.S. 34 is an arterial
20 route. You know, it's not crazy to think that
21 somebody wouldn't look at this corner in general
22 and want to put a commercial business here, so
23 again, that's what's before you tonight, and
24 appreciate your time.

1 MR. OLSON: Can you speak on the fence
2 on the southwest corner, please?

3 MR. SWANSON: Fence you said?

4 MR. OLSON: Mm-hum.

5 MR. SWANSON: Sure. Along the
6 residential property here is a six-foot -- it's a
7 six-foot privacy fence we are proposing, further
8 helps shield any lighting that may spill, but
9 also just provides a little bit of separation
10 between the commercial use and the residential
11 use.

12 You know, there is a driveway here
13 that obviously -- you know, trash is stored
14 within that brick containment area; however, the
15 majority of the operation is really the fuel
16 dispensers, folks driving in, customer traffic,
17 it's all in the front of the store, so the
18 building itself provides a natural barrier as
19 well to activity and noise.

20 MR. OLSON: Has the fence itself been
21 designed with a material in mind?

22 MR. SWANSON: At this point we are
23 proposing a six-foot wood privacy fence, so --
24 but it's subject to staff's review.

1 MR. OLSON: And I know at first it got
2 kicked back and you are meeting the City's
3 requirements. How are you actually changing to
4 meet the City's requirements?

5 Are you adding shades to the lamps
6 or are you just decreasing luminescence?

7 MR. SWANSON: The LED lighting, after we
8 change these two poles, should actually get back
9 to zero, these along the side, they will probably
10 add some shielding, probably take it to a little
11 lower intensity as well to get those levels down.

12 It's really on the sides that we
13 have the spill-over we have to address.

14 MR. OLSON: Thank you.

15 MS. WALKOWIAK: I have a question. Can
16 you show us where -- you said the tanks are right
17 here?

18 MR. SWANSON: Yes.

19 MS. WALKOWIAK: Where are the trucks,
20 the big tanker trucks loaded with fuel, where are
21 they going to come in and exit?

22 Seems to me like they're going to
23 come in off of Highway 34 and come and have to go
24 right around this way, right into a residential

1 area that currently does not receive truck
2 traffic, and I think that's a big concern.

3 MR. SWANSON: The trucks are -- we --
4 This design can allow them to circle back on 34,
5 so they will pull up, open the tanks set up,
6 unload, pull around here.

7 They can physically make it out
8 here, but they're going to go likely back to 34
9 where they're headed back to --

10 MS. WALKOWIAK: Is that a corporate
11 policy, that you're going to have them circle
12 around and go back out, or is the truck driver
13 going to make that decision on his own, which way
14 he wants to enter and exit?

15 MR. SWANSON: Typically it would be
16 based on traffic and trying to get out of there.

17 MS. WALKOWIAK: Easiest way in and out.

18 MR. SWANSON: Essentially, yes.

19 MS. WALKOWIAK: Well, that's -- as I
20 said, this is not a truck traffic route
21 currently, and that is going to open it up to,
22 number one, the tanker truck, any other 18-wheel,
23 you know, semi-rigs coming in for deliveries and
24 what not, and that's currently not happening.

1 MR. SWANSON: Well, any deliveries to
2 the convenience store would use this area here,
3 and they're not going to circle back and go here,
4 they're going to go straight out.

5 MS. WALKOWIAK: Okay. I can see that.
6 But that tanker is not going to pull around all
7 that way.

8 MR. OLSON: That delivery zone is a nice
9 addition on the side.

10 MR. SWANSON: Typically, if you look in
11 Yorkville, that's probably the nearest modern
12 store, that typically any one -- new store has
13 that off-loading area, which it is nice to get
14 out of the customer traffic, too.

15 MR. GOCKMAN: Is there any more detail
16 you can provide on exactly why this location?
17 Like why not the corner across the street or
18 somewhere else along 34 or 47?

19 Do you have any more information
20 as to why this specific location is what was
21 chosen?

22 MR. LORING: One of the main reasons
23 would be access.

24 CHAIRMAN GOINS: Sir, could you please

1 state your name and approach, please, and sign?

2 BRYCE LORING,

3 having been first duly sworn, testified from the
4 podium as follows:

5 MR. LORING: Sure. My name is Bryce
6 Loring, I am with Casey's General Stores, and one
7 of the main reasons is the access onto 34, and
8 then plus the nice side streets and the
9 commercial that's already there.

10 MR. OLSON: Thank you.

11 CHAIRMAN GOINS: Thank you, sir.

12 Please re-approach.

13 MS. SWANSON: So I have a question about
14 entering and exiting.

15 I know that other gas stations that
16 we have, the BP and the Shell, you can only go
17 like right or you can only go left, you know,
18 east or west, north or south, you can't go both
19 ways, and I'm assuming this is going to be the
20 same since this is the light here and this is
21 offset from the light and they're going to be
22 widening 34, so I'm assuming that you're going to
23 be able to take a right in here, but you're not
24 going to be able to go back left, they should

1 only be able to go eastbound, making all the cars
2 that are coming this way stop, that want to go
3 back westbound, come back here, circle back
4 around, and head west on McHugh Road, and that
5 just adds more traffic.

6 CHAIRMAN GOINS: Okay. Thank you.

7 MR. SWANSON: I can address that.

8 CHAIRMAN GOINS: Yes.

9 MR. SWANSON: Currently IDOT has
10 conceptually approved this as a full. I believe
11 this -- and that still needs to be confirmed and
12 final approvals with a permit, but this is a
13 median in the proposed design, so that remains to
14 be seen, but currently we have shown it as a full
15 left out.

16 CHAIRMAN GOINS: Thank you, sir.

17 Since all public testimony regarding
18 petition PZC 2017-07 and petition PZC 2017-08
19 have been taken, may I have a motion to close the
20 taking of testimony for each of these public
21 hearings?

22 MR. VINYARD: So moved.

23 MR. OLSON: Second.

24 CHAIRMAN GOINS: Roll call vote on the

1 motion, please.

2 MS. YOUNG: Yes. Olson.

3 MR. OLSON: Yes.

4 MS. YOUNG: Vinyard.

5 MR. VINYARD: Yes.

6 MS. YOUNG: Gockman.

7 MR. GOCKMAN: Yes.

8 MS. YOUNG: Goins.

9 CHAIRMAN GOINS: Yes.

10 MS. YOUNG: And Horaz.

11 MS. HORAZ: Yes.

12 (Which were all the
13 proceedings had in the
14 public hearing portion
15 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 46, 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 July, A.D., 2017.

19 _____
20 Christine M. Vitosh, CSR
21 Illinois CSR No. 084-002883
22
23
24

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\$50,000 [1] - 12:23	40 [1] - 17:1	addition [2] - 27:1, 42:9	area [15] - 7:17, 10:9, 14:13, 19:24, 24:13, 24:22, 25:6, 27:19, 31:8, 35:4, 37:11, 39:14, 41:1, 42:2, 42:13	brick [8] - 8:3, 9:8, 9:12, 9:15, 9:23, 10:1, 15:11, 39:14
0	46 [1] - 46:6	additional [3] - 15:1, 29:1, 37:19		brief [1] - 6:17
0.6 [1] - 24:15	4600-square-foot [1] - 7:14	address [4] - 22:4, 36:7, 40:13, 44:7		bring [2] - 10:5, 19:20
084-002883 [1] - 46:20	47 [2] - 32:7, 42:18	adds [2] - 9:20, 44:5	arise [1] - 6:19	Bristol [1] - 21:17
1	5	adjacent [2] - 8:5, 18:1	arterial [1] - 38:19	brothers [1] - 26:16
1 [2] - 31:1, 46:6	5 [1] - 12:22	aesthetic [1] - 10:4	articulation [1] - 9:21	brought [1] - 37:7
1,950 [1] - 12:7	5291 [1] - 6:8	aesthetics [1] - 37:2	as-is [1] - 31:5	Bryce [2] - 6:16, 43:5
1.2 [1] - 24:17	589 [2] - 13:16, 30:5	aforementioned [1] - 15:21	assume [1] - 46:13	BRYCE [1] - 43:2
1060 [1] - 23:7	5:00 [1] - 22:11	aforesaid [1] - 46:9	assuming [3] - 33:19, 43:19, 43:22	buffer [1] - 31:8
11:00 [1] - 22:8	6	agenda [1] - 3:5	audience [1] - 29:23	build [1] - 18:3
12 [1] - 1:19	605 [1] - 32:17	ago [3] - 19:21, 20:14, 28:16	authorization [1] - 5:7	Builders [1] - 17:11
12:00 [1] - 22:11	627 [1] - 19:18	agree [2] - 31:24, 32:18	B	building [12] - 9:3, 9:20, 10:1, 10:3, 10:12, 16:3, 17:15, 26:5, 26:6, 26:18, 27:15, 39:18
15 [1] - 12:7	683 [1] - 21:10	agreement [2] - 5:14, 21:14	B-3 [5] - 5:12, 34:1, 34:2, 34:5, 34:14	buildings [1] - 29:1
17-foot [2] - 8:21, 9:2	6:00 [1] - 22:8	ahead [1] - 16:17	background [1] - 12:2	built [2] - 17:3, 37:8
18-wheel [1] - 41:22	7	allow [2] - 17:3, 41:4	Bank [2] - 27:6, 27:7	Business [2] - 5:13, 31:1
1963 [1] - 26:18	734 [1] - 28:12	allowing [1] - 18:3	Barksdale [1] - 2:13	business [8] - 5:18, 30:21, 31:7, 33:24, 34:9, 34:10, 38:22
1968 [1] - 12:6	75 [1] - 12:16	alone [1] - 25:9	Barksdale-Noble [1] - 2:13	businesses [1] - 24:20
1992 [1] - 17:14	7:00 [1] - 1:20	ALSO [1] - 2:12	barrier [1] - 39:18	busy [3] - 22:10, 31:7, 33:10
1995 [1] - 16:23	8	altering [1] - 18:8	based [3] - 8:20, 12:6, 41:16	buying [1] - 26:8
2	800 [1] - 1:15	alternative [1] - 15:20	beautiful [1] - 16:3	C
2017 [2] - 1:19, 46:17	9	amenities [1] - 8:11	becomes [1] - 34:12	California [1] - 17:19
2017-07 [4] - 4:10, 5:2, 19:8, 44:18	90 [1] - 12:15	AND [1] - 1:9	beds [1] - 8:17	campuses [1] - 35:14
2017-08 [4] - 4:11, 16:13, 16:19, 44:18	A	Ankeny [1] - 12:6	behalf [5] - 6:9, 13:15, 16:12, 26:15	canopy [6] - 7:16, 8:5, 8:23, 9:22, 10:2, 11:4
21 [1] - 7:16	A.D [1] - 46:17	annexation [4] - 5:14, 6:21, 21:14, 33:22	behind [4] - 8:2, 17:24, 28:23	car [4] - 14:4, 22:18, 22:19, 37:17
24 [1] - 22:13	a.m [1] - 22:8	annexed [4] - 27:15, 33:18, 34:6, 46:10	beneficial [1] - 12:21	Carpets [2] - 7:11, 22:21
24-hour [2] - 22:2, 22:12	able [3] - 43:23, 43:24, 44:1	answer [1] - 6:19	benefit [1] - 36:21	cars [1] - 44:1
25 [2] - 12:19, 17:20	absolutely [1] - 6:6	apartment [9] - 7:4, 7:8, 14:19, 14:23, 15:13, 22:21, 26:4, 26:17, 27:15	better [2] - 18:6, 18:7	Casey's [19] - 5:3, 6:9, 6:10, 11:16, 12:3, 13:19, 14:7, 15:22, 22:1, 24:16, 24:17, 24:21, 26:7, 28:2, 29:19, 32:19, 38:4, 38:7, 43:6
270 [2] - 24:7, 25:8	accents [1] - 9:13	apartments [2] - 15:15, 33:6	between [3] - 10:23, 37:11, 39:10	Castle [1] - 27:6
3	access [5] - 7:8, 7:20, 7:23, 42:23, 43:7	appeal [1] - 15:8	big [2] - 40:20, 41:2	center [2] - 12:14, 12:17
3 [1] - 31:1	accessory [1] - 5:16	application [1] - 16:21	Bill [1] - 2:3	certain [1] - 22:2
30 [1] - 17:1	accuracy [1] - 46:14	applications [1] - 5:4	bit [5] - 10:14, 10:20, 12:2, 18:17, 39:9	certainly [2] - 25:23, 36:9
30th [1] - 46:17	acre [2] - 6:23, 7:1	applies [1] - 46:11	Blackberry [1] - 26:1	certificate [1] - 46:10
32 [1] - 5:19	activity [1] - 39:19	appreciate [3] - 16:1, 36:11, 38:24	bladder [1] - 37:17	certification [1] - 46:16
34 [19] - 5:10, 6:24, 7:8, 7:21, 7:23, 15:23, 32:7, 33:5, 34:23, 35:3, 35:5, 36:22, 38:19, 40:23, 41:4, 41:8, 42:18, 43:7, 43:22	adamantly [1] - 13:19	approach [3] - 23:2, 43:1, 43:12	block [1] - 23:12	
	add [3] - 28:20, 29:2, 40:10	appropriate [1] - 34:13	board [1] - 7:14	
	adding [2] - 31:19, 40:5	approval [6] - 5:11, 5:14, 5:15, 7:24, 16:9, 21:14	BOB [1] - 25:16	
		approvals [1] - 44:12	Bob [4] - 25:19, 25:20, 32:20	
		approved [3] - 28:24, 29:5, 44:10	Bob's [1] - 32:20	
		Arc [1] - 6:7	bothers [1] - 23:13	
		architecture [1] - 9:11	bought [3] - 25:10, 25:11, 26:17	
			BP [3] - 24:15, 25:3, 43:16	
			break [2] - 9:13, 9:19	
			Brent [1] - 27:6	

Certified [1] - 46:3 certified [1] - 46:12 certify [2] - 46:4, 46:10 Chairman [3] - 2:2, 19:7, 21:3 CHAIRMAN [36] - 3:4, 3:24, 4:14, 5:1, 5:24, 6:12, 11:13, 13:4, 13:7, 16:10, 16:16, 16:19, 18:22, 19:2, 19:5, 19:9, 19:12, 20:24, 21:4, 22:6, 23:1, 25:14, 28:8, 29:22, 32:11, 33:14, 35:9, 36:2, 36:9, 42:24, 43:11, 44:6, 44:8, 44:16, 44:24, 45:9 chance [2] - 20:13, 37:19 change [7] - 18:12, 20:16, 26:19, 27:9, 27:10, 40:8 changed [1] - 34:9 changing [4] - 29:8, 31:1, 32:9, 40:3 chase [1] - 14:21 chicken [1] - 12:12 children [2] - 13:23, 31:12 chosen [3] - 38:5, 38:17, 42:21 CHRIS [1] - 28:9 Chris [1] - 28:12 CHRISTINE [1] - 30:1 Christine [3] - 30:4, 46:3, 46:20 circle [4] - 41:4, 41:11, 42:3, 44:3 circulation [1] - 8:8 city [8] - 10:17, 12:21, 27:17, 32:1, 33:18, 34:6, 34:12, 34:21 CITY [1] - 1:5 City [11] - 5:5, 5:14, 11:24, 12:24, 16:21, 21:15, 21:18, 26:9, 27:1, 27:12, 27:14 City's [2] - 40:2, 40:4 clarify [1] - 33:21 classification [1] - 5:6 clearly [1] - 3:15 close [3] - 16:7, 36:2, 44:19 code [1] - 10:17 Coffman [3] - 7:11, 22:21, 22:22 collects [1] - 37:18 college [1] - 35:14	columns [2] - 9:13, 9:23 coming [2] - 41:23, 44:2 comments [1] - 30:7 commercial [7] - 7:11, 7:12, 15:24, 29:9, 38:22, 39:10, 43:9 COMMISSION [1] - 1:9 commission [1] - 3:9 Commission [2] - 4:7, 21:12 committee [2] - 33:1, 33:15 Community [1] - 2:13 community [1] - 12:20 company [1] - 12:4 Company [1] - 5:3 complaints [1] - 15:18 complete [1] - 46:7 complex [3] - 7:5, 7:8, 14:19 comply [1] - 18:6 computer [1] - 46:7 computer-generated [1] - 46:7 conceptual [1] - 7:24 conceptually [1] - 44:10 concern [2] - 37:24, 41:2 concerns [5] - 26:11, 27:23, 31:8, 31:12, 36:12 confirmed [1] - 44:11 conforms [1] - 18:5 connected [1] - 27:16 consideration [4] - 6:21, 9:7, 28:22, 38:6 considered [2] - 3:8, 29:6 considering [1] - 38:1 consistent [2] - 17:5, 34:14 constantly [2] - 23:19, 23:21 construction [1] - 34:23 consultant [1] - 11:23 containment [1] - 39:14 contamination [3] - 14:14, 23:15, 37:7 content [1] - 16:17 contingent [2] - 5:13, 21:13 contract [1] - 7:2 control [2] - 14:5,	46:15 convenience [4] - 5:17, 7:15, 24:10, 42:2 copies [2] - 46:12, 46:14 corner [9] - 6:24, 7:5, 9:9, 18:17, 18:18, 18:20, 38:21, 39:2, 42:17 corners [1] - 32:4 cornice [1] - 9:19 corporate [1] - 41:10 correct [4] - 21:19, 22:15, 30:11, 46:7 correctly [1] - 28:23 Council [2] - 5:15, 21:15 Country [2] - 16:24, 17:4 County [2] - 5:5, 16:22 county [3] - 33:23, 33:24, 35:8 COUNTY [1] - 46:2 couple [5] - 10:22, 19:21, 21:11, 33:21, 36:7 Court [1] - 16:23 crazy [1] - 38:20 create [3] - 10:4, 12:18, 12:22 crime [1] - 14:18 CSR [2] - 46:20, 46:20 curb [1] - 15:8 current [5] - 7:17, 15:13, 15:15, 17:16, 30:17 customer [2] - 39:16, 42:14 customers [1] - 8:9 cut [6] - 8:21, 14:1, 31:17, 31:20, 35:16, 37:14 cut-off-type [1] - 8:21 cut-offs [1] - 37:14 cutting [1] - 28:18	Deborah [1] - 2:4 decision [1] - 41:13 declining [1] - 15:6 decrease [1] - 16:4 decreasing [1] - 40:6 definitely [3] - 28:17, 29:5, 29:18 deliver [1] - 12:14 deliveries [3] - 8:9, 41:23, 42:1 delivery [2] - 7:19, 42:8 denied [1] - 19:24 Denise's [1] - 28:24 depicted [1] - 7:13 depicts [1] - 37:4 Design [1] - 6:7 design [2] - 41:4, 44:13 designed [1] - 39:21 detail [1] - 42:15 details [1] - 35:2 detention [1] - 10:8 detriment [1] - 32:10 developed [1] - 14:20 developers [2] - 30:15, 30:17 development [2] - 11:3, 11:23 Development [1] - 2:14 difficult [1] - 26:19 diffuse [1] - 20:8 direction [1] - 46:15 Director [1] - 2:14 discussion [1] - 36:10 dispensers [1] - 37:18 dispensers [3] - 7:16, 37:15, 39:16 displaced [1] - 15:16 displacement [1] - 15:13 dispute [1] - 26:11 distance [1] - 35:13 distribution [2] - 12:14, 12:17 district [1] - 34:8 District [2] - 5:12, 5:13 don [1] - 2:5 door [3] - 15:3, 17:20, 25:10 double [1] - 37:10 doughnuts [1] - 12:12 down [11] - 8:1, 14:9, 15:22, 18:21, 23:20, 24:19, 27:8, 32:5, 33:2, 33:8, 40:11 drainage [2] - 18:7, 18:21	drastically [1] - 32:9 Drive [6] - 13:17, 19:18, 21:10, 28:13, 30:5, 32:17 drive [1] - 33:2 driver [1] - 41:12 drives [1] - 37:16 driveway [1] - 39:12 driving [1] - 39:16 DUBAJIC [2] - 11:19, 11:22 Dubajic [1] - 11:22 due [2] - 11:2, 19:24 duly [11] - 6:4, 11:20, 13:11, 17:8, 19:15, 21:7, 23:4, 25:17, 28:10, 30:2, 43:3 during [1] - 3:18 dwelling [1] - 19:23
E				
easiest [4] - 35:13, 35:17, 35:22, 41:17 east [5] - 7:12, 8:5, 15:22, 25:3, 43:18 eastbound [1] - 44:1 economic [1] - 11:23 EDI [1] - 34:22 effort [1] - 16:1 eight [1] - 7:15 either [1] - 29:24 Ekwinski [1] - 27:6 Ekwinskis [1] - 27:5 electrician [1] - 20:2 elevations [2] - 9:22, 17:16 eliminate [1] - 15:21 EMILY [1] - 32:13 Emily [1] - 32:15 employees [1] - 7:18 enclosure [3] - 8:1, 8:3, 10:3 end [5] - 24:6, 31:15, 34:19, 35:19, 35:23 ENGBERG [2] - 34:1, 35:2 Engberg [1] - 2:15 engineer [1] - 34:22 engineer/project [1] - 6:15 engineering [1] - 10:7 enter [1] - 41:14 entering [1] - 43:14 entire [1] - 8:18 entrance [1] - 11:3 entrances [1] - 8:24 envelope [1] - 17:15 environment [1] -				

38:13 environmental [1] - 14:11 equate [1] - 12:23 especially [1] - 37:24 essentially [2] - 9:24, 10:16 Essentially [1] - 41:18 evening [5] - 5:3, 6:14, 10:21, 13:13, 18:23 exacerbating [1] - 14:9 exactly [1] - 42:16 exaggeration [1] - 17:22 excuse [2] - 25:19, 37:15 existing [6] - 6:23, 7:22, 17:16, 34:2, 36:17, 36:22 exit [2] - 40:21, 41:14 exiting [1] - 43:14 expansion [2] - 34:23, 35:3 experiencing [1] - 13:24 exposure [1] - 14:17 extend [1] - 22:17 extending [1] - 10:9 exterior [1] - 9:24 extra [1] - 7:17	feet [7] - 5:19, 17:1, 17:23, 24:7, 25:8, 37:3 fellow [1] - 20:13 fence [7] - 8:18, 10:23, 39:1, 39:3, 39:7, 39:20, 39:23 few [5] - 7:17, 8:22, 8:23, 19:21, 20:14 fiberglass [1] - 37:10 field [1] - 36:15 filed [2] - 5:4, 16:20 final [1] - 44:12 fire [1] - 37:22 First [1] - 27:7 first [15] - 5:2, 6:4, 11:20, 12:6, 13:11, 17:8, 19:15, 21:7, 21:11, 23:4, 25:17, 28:10, 30:2, 40:1, 43:3 fixture [1] - 11:2 fixtures [1] - 8:21 Flavin [1] - 2:2 flow [3] - 28:15, 28:17, 29:2 fly [1] - 33:10 folks [2] - 36:23, 39:16 following [3] - 3:1, 13:21, 15:20 follows [13] - 4:1, 6:5, 11:21, 13:12, 17:9, 19:16, 21:8, 23:5, 25:18, 28:11, 30:3, 32:14, 43:4 food [3] - 24:21, 29:19, 38:10 foods [1] - 12:11 foot [7] - 9:4, 15:1, 17:20, 29:17, 39:6, 39:7, 39:23 foregoing [1] - 46:6 forward [2] - 35:10, 36:4 Fox [1] - 14:19 frankly [1] - 26:20 free [1] - 5:18 free-standing [1] - 5:18 fresh [2] - 38:10, 38:11 friends [1] - 27:3 front [7] - 9:17, 9:20, 14:6, 24:9, 24:12, 38:5, 39:17 fuel [10] - 8:4, 8:10, 12:16, 37:7, 37:9, 37:12, 37:19, 38:1, 38:3, 39:15, 40:20 full [2] - 44:10, 44:14	G gain [1] - 32:20 Game [1] - 1:15 garbage [3] - 23:20, 23:22, 24:2 gas [20] - 14:12, 14:15, 14:24, 15:5, 15:9, 16:6, 23:23, 24:10, 24:14, 24:15, 24:24, 25:2, 25:4, 25:7, 29:14, 33:8, 33:12, 38:16, 43:15 gasoline [2] - 5:16, 12:10 gates [1] - 8:3 gathering [1] - 20:21 general [6] - 7:10, 7:12, 8:7, 8:17, 10:7, 38:21 General [4] - 5:13, 13:20, 22:1, 43:6 generally [5] - 9:2, 10:8, 10:11, 10:13, 26:8 generated [2] - 36:16, 46:7 glare [1] - 11:2 GOCKMAN [4] - 4:13, 4:23, 42:15, 45:7 Gockman [3] - 2:3, 4:22, 45:6 Goins [3] - 2:2, 4:24, 45:8 GOINS [36] - 3:4, 3:24, 4:14, 5:1, 5:24, 6:12, 11:13, 13:4, 13:7, 16:10, 16:16, 16:19, 18:22, 19:2, 19:5, 19:9, 19:12, 20:24, 21:4, 22:6, 23:1, 25:14, 28:8, 29:22, 32:11, 33:14, 35:9, 36:2, 36:9, 42:24, 43:11, 44:6, 44:8, 44:16, 44:24, 45:9 gold [1] - 35:21 GOLDSBORO [5] - 19:7, 19:10, 19:14, 19:17, 20:11 goldsboro [1] - 21:1 Goldsboro [3] - 19:18, 26:13, 27:22 goods [1] - 8:9 grandchildren [1] - 31:10 granted [1] - 7:24 grass [1] - 35:16 great [6] - 19:19, 20:3,	23:8, 27:1, 27:3, 32:1 greatest [1] - 35:20 green [1] - 8:14 grew [1] - 27:5 grocery [1] - 12:10 ground [3] - 14:13, 23:15 Grove [1] - 25:5 growing [2] - 24:20, 38:9 guess [1] - 23:11 guns [1] - 29:10 guys [2] - 13:18, 19:24 H half [6] - 6:23, 7:2, 17:23, 25:8, 29:14, 31:13 hand [3] - 3:22, 46:13, 46:17 happy [2] - 11:11, 28:4 head [1] - 44:4 headed [1] - 41:9 heard [2] - 3:13, 13:7 HEARING [1] - 1:10 hearing [7] - 3:3, 3:19, 4:2, 4:10, 5:3, 45:14, 46:5 hearings [4] - 3:5, 3:6, 36:3, 44:21 Heartland [14] - 13:17, 14:10, 19:18, 21:10, 25:21, 25:24, 26:23, 26:24, 28:13, 30:5, 30:10, 30:15, 30:18, 32:17 height [3] - 8:22, 9:3, 9:5 HEITZ [2] - 28:9, 28:12 Heitz [1] - 28:12 help [3] - 9:13, 10:4, 32:16 helps [2] - 18:6, 39:8 hereby [1] - 46:4 hereto [1] - 46:11 hereunto [1] - 46:16 Hi [1] - 17:10 hi [1] - 32:15 hidden [1] - 8:2 high [2] - 14:21, 15:5 Highway [1] - 40:23 Hills [2] - 16:24, 17:4 home [3] - 17:3, 26:7, 36:24 homeowner [1] - 31:22 homeowners [2] -	16:2, 31:24 homes [4] - 15:11, 17:5, 17:16, 34:3 hooks [1] - 31:15 hope [1] - 20:18 HORAZ [2] - 4:17, 45:11 Horaz [3] - 2:4, 4:16, 45:10 hours [3] - 15:10, 21:24, 22:13 house [7] - 7:6, 17:19, 18:8, 18:16, 24:8, 25:10, 25:11 hum [1] - 39:4 hundred [1] - 37:3 hunt [2] - 26:21, 26:22 hurt [1] - 35:24 husband [2] - 13:15, 24:5 I idea [1] - 33:12 IDOT [2] - 7:23, 44:9 ILLINOIS [2] - 1:6, 46:1 Illinois [4] - 1:16, 5:6, 16:22, 46:20 illustration [1] - 37:4 importance [1] - 13:24 improvements [1] - 9:19 in-store [1] - 12:15 include [3] - 18:4, 22:18, 22:20 including [2] - 8:16, 22:22 inclusive [1] - 46:6 increase [3] - 13:24, 14:8, 14:18 increased [3] - 14:12, 14:17, 15:3 incredibly [1] - 33:9 indicated [1] - 27:22 indicating [1] - 24:8 indicating [1] - 32:22 indirectly [1] - 22:5 individual [1] - 4:2 individuals [2] - 14:1, 15:14 information [2] - 12:2, 42:19 inner [1] - 37:12 intending [1] - 9:23 intensity [1] - 40:11 internally [1] - 20:10 invite [1] - 3:6 Iowa [1] - 12:7
---	---	---	---	--

isolated [1] - 7:19 issues [4] - 15:3, 15:22, 36:13, 37:23 items [2] - 8:8, 12:10 itself [5] - 11:6, 37:18, 39:18, 39:20	less [2] - 9:16, 24:7 level [1] - 10:18 levels [2] - 10:17, 40:11 light [6] - 10:17, 10:18, 14:14, 20:4, 43:20, 43:21 lighting [13] - 8:20, 8:21, 8:23, 9:4, 10:13, 10:18, 11:1, 11:2, 11:4, 11:8, 37:2, 39:8, 40:7 lights [1] - 24:4 likely [2] - 22:8, 41:8 limit [1] - 10:24 limits [1] - 33:18 line [1] - 7:6 linked [1] - 14:22 Lippold [1] - 26:22 literally [1] - 17:20 live [15] - 13:16, 19:18, 21:10, 23:10, 25:20, 25:24, 26:1, 27:2, 27:3, 27:7, 28:12, 30:5, 32:17, 32:21 living [2] - 17:18, 33:7 loaded [1] - 40:20 loading [1] - 42:13 local [1] - 12:19 locally [1] - 12:18 located [2] - 5:9, 9:9 location [6] - 7:21, 13:20, 14:8, 14:16, 42:16, 42:20 locations [1] - 12:7 look [8] - 10:6, 24:10, 29:3, 29:11, 29:18, 35:14, 38:21, 42:10 looking [4] - 10:8, 24:12, 30:8, 34:19 looks [1] - 10:6 loops [1] - 31:15 LORING [2] - 42:22, 43:2 Loring [2] - 6:17, 43:6 IORING [1] - 43:5 lost [1] - 14:5 love [2] - 24:21, 32:18 Loves [1] - 6:8 lower [1] - 40:11 luminescence [1] - 40:6 LYNN [1] - 11:19 Lynn [1] - 11:22	made-from-scratch [1] - 12:11 made-to-order [1] - 38:10 main [2] - 42:22, 43:7 majority [2] - 36:15, 39:15 manager [1] - 6:15 Marcum [1] - 2:5 Markers [1] - 30:13 market [1] - 38:14 Marlys [1] - 2:16 marshal [1] - 37:22 match [1] - 9:24 material [4] - 9:8, 9:12, 9:15, 39:21 matter [1] - 16:2 maximum [1] - 5:19 McHugh [21] - 5:10, 6:24, 7:9, 7:21, 10:24, 14:9, 14:10, 23:7, 23:10, 23:12, 25:12, 28:19, 31:16, 33:2, 33:8, 35:7, 35:23, 36:23, 44:4 Meadowlark [1] - 16:23 mean [3] - 29:8, 29:16, 32:7 means [1] - 10:18 measured [1] - 24:6 median [1] - 44:13 meet [3] - 8:12, 10:16, 40:4 MEETING [1] - 1:9 meeting [4] - 8:2, 10:16, 40:2, 45:15 MELISSA [1] - 13:10 Melissa [9] - 13:14, 19:19, 23:8, 24:11, 25:21, 25:22, 27:21, 30:6 member [1] - 3:20 members [2] - 3:7, 33:15 mention [1] - 37:6 mentioned [5] - 6:20, 9:18, 10:22, 11:7, 37:2 Midwest [1] - 12:8 might [3] - 20:16, 21:23, 22:11 Mike [1] - 28:23 mile [2] - 25:8, 29:15 miles [2] - 24:15, 24:17 million [1] - 12:22 mimicked [1] - 38:9 mind [1] - 39:21 Minute [1] - 2:16	minutes [1] - 20:17 miss [1] - 14:4 Miss [3] - 16:10, 27:23, 33:14 mix [2] - 8:15, 8:17 Mm-hum [1] - 39:4 model [1] - 10:21 modern [3] - 37:7, 38:1, 42:11 moisture [1] - 37:11 monitored [2] - 37:13, 37:22 month [1] - 14:4 monument [3] - 9:6, 9:8, 10:2 most [1] - 34:7 mostly [1] - 12:8 motion [4] - 4:9, 4:15, 44:19, 45:1 mountains [1] - 17:18 mounting [3] - 8:21, 9:2, 9:5 move [3] - 18:17, 18:19, 19:10 moved [3] - 4:12, 28:16, 44:22 moving [2] - 15:22, 18:16 MR [70] - 4:12, 4:13, 4:19, 4:21, 4:23, 5:23, 6:6, 6:13, 13:3, 16:15, 16:18, 17:10, 18:11, 18:13, 18:14, 18:15, 19:7, 19:10, 19:17, 20:10, 20:11, 21:2, 21:9, 21:21, 22:4, 22:7, 22:9, 22:10, 22:13, 22:15, 22:16, 22:20, 22:23, 25:15, 25:19, 28:12, 33:17, 34:1, 34:18, 35:2, 35:6, 36:6, 36:10, 39:1, 39:3, 39:4, 39:5, 39:20, 39:22, 40:1, 40:7, 40:14, 40:18, 41:3, 41:15, 41:18, 42:1, 42:8, 42:10, 42:15, 42:22, 43:5, 43:10, 44:7, 44:9, 44:22, 44:23, 45:3, 45:5, 45:7 MS [40] - 4:16, 4:17, 4:18, 4:20, 4:22, 4:24, 11:22, 13:13, 21:20, 23:6, 30:4, 30:12, 30:14, 30:16, 30:19, 30:21, 30:24, 31:2, 31:4, 32:12, 32:15, 33:21, 34:2,	34:21, 35:4, 35:7, 35:11, 40:15, 40:19, 41:10, 41:17, 41:19, 42:5, 43:13, 45:2, 45:4, 45:6, 45:8, 45:10, 45:11 multi [3] - 7:15, 19:23 multi-family [1] - 19:23 multi-pump [1] - 7:15 multi-unit [1] - 7:15 multiple [3] - 15:14, 37:8, 37:21					
J	jail [1] - 26:2 January [2] - 14:3, 14:22 Jason [1] - 2:15 Jeff [1] - 2:6 JEREMY [1] - 19:14 Jeremy [1] - 19:17 job [2] - 19:19, 23:8 jobs [1] - 12:19 July [2] - 1:19, 46:17	K	Kendall [2] - 5:5, 16:22 kicked [1] - 40:2 kind [9] - 9:13, 9:19, 10:4, 11:8, 23:13, 29:10, 29:11, 31:6, 33:11 knowing [1] - 23:14 Krysti [1] - 2:13	L	L-shaped [1] - 26:6 lamps [1] - 40:5 land [1] - 15:23 landscaping [1] - 8:16 language [1] - 34:13 larger [1] - 5:19 LARSON [6] - 16:15, 16:18, 17:7, 17:10, 18:13, 18:15 Larson [2] - 16:20, 17:11 LASALLE [1] - 46:2 last [5] - 8:2, 14:4, 25:12, 28:5, 31:13 lawn [1] - 14:6 Lawrences [1] - 27:8 layers [2] - 37:8, 37:21 layout [1] - 10:12 lead [3] - 14:12, 14:24, 15:6 LED [2] - 8:20, 40:7 LED-based [1] - 8:20 left [4] - 31:5, 43:17, 43:24, 44:15	M	ma'am [1] - 32:11 Madame [1] - 21:3	N	name [19] - 3:16, 6:2, 6:6, 6:14, 11:18, 11:22, 13:13, 13:14, 17:10, 19:13, 19:17, 21:5, 21:9, 23:6, 25:19, 25:20, 30:4, 43:1, 43:5 National [1] - 27:7 natural [1] - 39:18 near [1] - 14:4 near-miss [1] - 14:4 nearest [1] - 42:11 need [6] - 18:4, 25:7, 27:15, 28:21, 29:3, 29:10 needlessly [1] - 15:16 needs [1] - 44:11 neighborhood [8] - 14:2, 14:9, 14:18, 14:22, 15:2, 16:3, 18:6, 32:10 neighbors [3] - 20:13, 20:20, 31:11 neighbors' [2] - 20:19, 26:10 new [3] - 24:20, 36:20, 42:12 newspaper [1] - 30:9 next [5] - 17:20, 17:21, 25:10, 27:5, 31:7 nice [3] - 42:8, 42:13, 43:8 NICHOLE [1] - 23:3 Nicole [1] - 23:6 nine [1] - 28:16 Noble [1] - 2:13 NOBLE [9] - 21:20, 30:12, 30:16, 30:21, 31:2, 33:21, 34:2, 34:21, 35:4 nobody [1] - 26:13 noise [3] - 14:14, 24:4, 39:19

<p>non [4] - 15:1, 15:2, 20:4, 37:13 non-residents [2] - 15:1, 15:2 non-spreading [1] - 20:4 non-stop [1] - 37:13 none [1] - 13:7 north [3] - 25:4, 29:17, 43:18 notice [1] - 21:13 noticed [1] - 30:9 nozzle [1] - 37:16 number [2] - 4:10, 41:22 numbers [1] - 10:15</p>	<p>opportunities [2] - 29:12, 32:8 opportunity [2] - 31:19, 32:1 oppose [1] - 19:6 opposed [2] - 13:19, 16:8 opposition [4] - 4:4, 13:9, 19:3, 28:14 or.. [1] - 11:12 order [2] - 3:24, 38:10 ordinance [1] - 34:5 organization [1] - 28:4 original [2] - 30:16, 46:11 ornamentals [1] - 8:17 Oswego [1] - 25:3 outside [2] - 24:9, 31:10 overall [1] - 7:10 overhanging [1] - 33:11 own [4] - 12:13, 12:17, 26:8, 41:13 owned [1] - 30:10 owners [2] - 30:12, 30:17 owns [1] - 26:4</p>	<p>per [1] - 8:2 percent [2] - 12:15, 12:16 perimeter [4] - 8:15, 8:18, 8:24, 11:9 permanent [1] - 5:18 permit [2] - 5:15, 44:12 person [2] - 20:22, 25:9 persons [2] - 3:10, 3:14 petition [3] - 4:10, 44:18 petitioner [10] - 3:12, 3:19, 4:1, 4:8, 5:4, 5:11, 5:20, 16:13, 16:20, 31:3 phase [1] - 29:4 pheasant [1] - 26:22 PHILLIPS [4] - 13:10, 13:13, 35:7, 35:11 Phillips [6] - 13:14, 16:11, 25:22, 27:22, 30:6 phonetic [1] - 19:22 physically [1] - 41:7 picking [2] - 23:22, 24:1 pictures [1] - 17:12 piers [1] - 9:18 PILMER [2] - 25:16, 25:19 Pilmer [2] - 25:20, 28:8 pizza [2] - 12:11, 24:21 place [3] - 23:24, 37:21, 46:9 placement [2] - 8:7, 29:15 placing [1] - 14:7 Placing [1] - 14:11 plan [2] - 3:18, 20:3 plane [1] - 9:20 Planner [1] - 2:15 Planning [2] - 4:7, 21:12 PLANNING [1] - 1:9 Plano [1] - 25:2 play [1] - 31:10 plenty [1] - 29:9 plugged [1] - 37:16 plus [2] - 32:7, 43:8 podium [18] - 3:17, 6:1, 6:5, 11:17, 11:21, 13:12, 16:14, 17:9, 18:19, 19:13, 19:16, 21:8, 23:5, 25:18, 28:11, 30:3,</p>	<p>32:14, 43:4 point [5] - 22:7, 23:14, 25:23, 35:11, 39:22 pointed [1] - 31:18 points [1] - 6:18 poles [6] - 8:22, 8:24, 9:3, 10:2, 10:22, 40:8 policy [1] - 41:11 pollution [2] - 14:12, 14:14 poor [1] - 25:9 portion [1] - 45:14 positioning [3] - 18:7, 18:8, 18:15 potential [1] - 14:13 prepared [2] - 5:21, 12:11 presence [1] - 15:5 PRESENT [2] - 2:1, 2:12 present [7] - 3:11, 5:20, 11:15, 13:8, 18:22, 19:2, 22:19 presentation [4] - 4:2, 5:21, 6:17, 17:12 pretty [7] - 17:12, 18:9, 19:11, 20:7, 28:5, 30:22 primarily [4] - 7:18, 8:15, 9:4, 9:12 privacy [2] - 39:7, 39:23 proceed [3] - 6:11, 6:12, 17:6 proceedings [4] - 3:2, 45:13, 46:5, 46:8 product [1] - 38:8 products [2] - 12:16, 38:11 project [7] - 6:9, 6:16, 16:9, 26:4, 26:9, 27:11, 28:14 properties [1] - 29:8 property [17] - 5:9, 9:10, 10:19, 15:4, 15:6, 16:5, 21:17, 24:6, 24:19, 28:2, 29:9, 33:23, 34:3, 34:6, 34:8, 34:11, 39:6 proposal [1] - 28:23 propose [1] - 15:20 proposed [13] - 3:7, 5:22, 7:13, 7:20, 9:11, 13:20, 14:7, 14:16, 14:24, 15:15, 24:16, 29:24, 44:13 proposing [5] - 8:18, 9:6, 24:22, 39:7,</p>	<p>39:23 proud [2] - 12:9, 12:19 provide [2] - 12:1, 42:16 provides [2] - 39:9, 39:18 proximity [1] - 16:7 public [1] - 46:5 PUBLIC [1] - 1:10 public [13] - 3:3, 3:4, 3:7, 3:10, 3:19, 3:20, 4:2, 4:10, 5:2, 36:3, 44:17, 44:20, 45:14 publicly [1] - 12:5 pull [3] - 41:5, 41:6, 42:6 pulled [1] - 36:17 pulls [1] - 36:22 pump [1] - 7:15 purchase [1] - 7:3 purchased [1] - 7:2 purpose [2] - 3:5, 17:2 put [7] - 17:17, 18:5, 24:23, 31:7, 33:12, 33:20, 38:22 PZ [1] - 16:13 PZC [7] - 4:10, 4:11, 5:2, 16:19, 19:8, 44:18</p>	
<p>O</p>	<p>P</p>	<p>p.m [2] - 1:20, 22:8 Pages [1] - 46:6 Pankeys [1] - 27:8 parcel [2] - 7:7, 8:19 parcels [1] - 7:2 parents [1] - 26:17 park [1] - 29:18 Park [1] - 6:8 parking [1] - 7:16 parkway [1] - 35:20 Parkway [1] - 6:8 part [4] - 21:17, 26:5, 34:16 particularly [1] - 37:5 partner [1] - 12:20 pass [1] - 36:16 pass-by [1] - 36:16 passed [1] - 20:17 paths [1] - 35:16 Paulsen [1] - 34:22 paved [1] - 35:21 people [15] - 20:15, 23:18, 23:19, 23:20, 25:24, 26:14, 27:2, 27:24, 29:18, 31:17, 31:20, 33:6, 33:7, 33:10, 35:12 people's [1] - 23:22</p>	<p>Q</p>	<p>R</p>	<p>quality [1] - 28:3 questions [7] - 3:12, 4:6, 6:19, 11:12, 21:11, 33:16, 36:6 quite [1] - 26:20</p>
<p>obscured [2] - 7:5, 11:5 obstinately [1] - 16:8 obviously [5] - 6:24, 11:4, 38:4, 38:19, 39:13 occur [1] - 26:19 occurred [2] - 14:3, 14:4 Ochopinte [1] - 19:22 OF [3] - 1:5, 46:1, 46:2 off-loading [1] - 42:13 offer [2] - 12:9, 38:12 offering [2] - 15:19, 38:12 offs [2] - 37:14, 37:15 offset [1] - 43:21 old [2] - 26:21, 27:6 OLSON [12] - 4:19, 18:11, 18:14, 39:1, 39:4, 39:20, 40:1, 40:14, 42:8, 43:10, 44:23, 45:3 Olson [3] - 2:6, 4:18, 45:2 one [17] - 3:15, 11:17, 14:3, 14:22, 17:19, 17:21, 17:23, 18:1, 19:6, 20:22, 23:2, 35:22, 37:6, 41:22, 42:12, 42:22, 43:6 online [1] - 30:9 open [3] - 4:9, 41:5, 41:21 opened [1] - 12:5 opening [1] - 15:2 operate [2] - 12:13, 22:3 operation [3] - 21:24, 22:2, 39:15</p>					<p>R-1 [4] - 5:12, 34:5, 34:8, 34:12 raise [1] - 3:21 ranch [2] - 18:3, 18:5 rather [1] - 17:15 re [1] - 43:12 re-approach [1] - 43:12 read [1] - 16:17 Reagan [1] - 2:2 real [1] - 5:9 reality [1] - 10:1 really [8] - 10:5, 10:6, 10:17, 11:8, 20:6, 26:11, 39:15, 40:12 rear [4] - 7:18, 9:15, 16:22, 17:1 reason [2] - 26:3, 34:4</p>

<p>reasons [6] - 13:21, 20:1, 20:12, 38:18, 42:22, 43:7</p> <p>receive [2] - 15:17, 41:1</p> <p>receiving [1] - 3:24</p> <p>recorded [1] - 17:14</p> <p>reduce [2] - 16:5, 16:24</p> <p>regarding [6] - 3:7, 3:13, 10:7, 36:14, 38:3, 44:17</p> <p>regularly [1] - 37:23</p> <p>regulations [1] - 5:8</p> <p>reiterate [2] - 19:20, 23:9</p> <p>relative [1] - 20:16</p> <p>remains [1] - 44:13</p> <p>remind [1] - 20:14</p> <p>renders [1] - 30:22</p> <p>repeat [3] - 3:22, 21:5, 32:23</p> <p>Reporter [1] - 46:4</p> <p>represent [1] - 3:16</p> <p>represents [1] - 10:21</p> <p>reproduced [1] - 46:14</p> <p>request [13] - 3:12, 3:13, 4:3, 4:5, 5:22, 11:16, 13:5, 13:9, 17:2, 18:24, 19:3, 31:2, 31:4</p> <p>requesting [3] - 5:6, 5:11, 16:22</p> <p>requests [2] - 3:8, 29:24</p> <p>required [1] - 18:14</p> <p>requirements [3] - 8:13, 40:3, 40:4</p> <p>Reserve [1] - 14:19</p> <p>reside [1] - 15:14</p> <p>residence [1] - 25:9</p> <p>resident [3] - 14:23, 23:7, 31:23</p> <p>resident's [1] - 14:6</p> <p>residential [9] - 7:6, 7:7, 8:19, 27:13, 31:8, 34:9, 39:6, 39:10, 40:24</p> <p>Residential [2] - 5:12, 31:1</p> <p>residentially [1] - 20:22</p> <p>residents [16] - 12:19, 13:17, 13:23, 14:10, 14:23, 15:1, 15:2, 15:7, 15:8, 15:14, 15:18, 15:19, 16:5, 23:10, 31:24, 37:5</p> <p>Resources [1] - 6:7</p>	<p>respect [3] - 25:23, 27:21, 32:20</p> <p>response [3] - 13:6, 19:1, 19:4</p> <p>responsibility [1] - 46:13</p> <p>restrictive [1] - 34:7</p> <p>result [2] - 14:15, 16:6</p> <p>retail [1] - 11:6</p> <p>Retail [1] - 5:3</p> <p>retain [1] - 30:21</p> <p>revenue [1] - 12:24</p> <p>review [1] - 39:24</p> <p>rezone [1] - 34:12</p> <p>rezoning [2] - 5:6, 6:22</p> <p>RICHARD [1] - 21:6</p> <p>Richard [2] - 2:7, 21:9</p> <p>rigs [1] - 41:23</p> <p>River [1] - 14:19</p> <p>Road [10] - 1:15, 5:10, 10:24, 14:9, 23:7, 23:11, 23:12, 28:19, 33:2, 44:4</p> <p>road [4] - 23:20, 31:14, 32:3, 32:5</p> <p>roll [2] - 4:14, 44:24</p> <p>Route [6] - 5:10, 7:21, 15:23, 34:23, 35:3, 35:5</p> <p>route [2] - 38:20, 41:20</p> <p>Runkles [1] - 27:8</p> <p>Ryan [5] - 6:7, 6:14, 25:21, 25:22, 30:6</p> <p>RYAN [1] - 6:3</p>	<p>security [3] - 9:4, 11:7, 11:10</p> <p>see [10] - 8:8, 8:12, 9:18, 10:14, 10:23, 11:4, 20:18, 28:17, 31:23, 42:5</p> <p>seeing [1] - 19:5</p> <p>self [1] - 12:9</p> <p>self-service [1] - 12:9</p> <p>selling [1] - 28:1</p> <p>semi [1] - 41:23</p> <p>semi-rigs [1] - 41:23</p> <p>Senior [1] - 2:15</p> <p>sense [1] - 27:12</p> <p>sensors [1] - 37:10</p> <p>separation [1] - 39:9</p> <p>septic [2] - 23:13, 27:16</p> <p>serve [1] - 10:10</p> <p>service [3] - 5:16, 12:9, 29:19</p> <p>set [4] - 15:4, 17:1, 41:5, 46:16</p> <p>setback [2] - 8:13, 16:23</p> <p>several [1] - 37:3</p> <p>sewer [1] - 10:10</p> <p>shade [1] - 8:16</p> <p>shades [1] - 40:5</p> <p>shaped [1] - 26:6</p> <p>share [1] - 13:1</p> <p>Shell [3] - 24:17, 25:1, 43:16</p> <p>shield [1] - 39:8</p> <p>shielding [1] - 40:10</p> <p>shines [1] - 20:7</p> <p>shortest [3] - 35:13, 35:18, 35:21</p> <p>Shorthand [1] - 46:3</p> <p>shoulder [1] - 33:3</p> <p>show [2] - 9:22, 40:16</p> <p>showed [1] - 20:22</p> <p>shown [5] - 7:20, 9:9, 9:15, 31:16, 44:14</p> <p>shrub [1] - 8:16</p> <p>shut [1] - 37:15</p> <p>shut-offs [1] - 37:15</p> <p>side [12] - 7:7, 8:4, 8:5, 9:17, 15:12, 18:21, 33:5, 34:18, 35:1, 40:9, 42:9, 43:8</p> <p>sides [3] - 9:14, 40:12</p> <p>sidewalk [1] - 7:17</p> <p>sidewalks [5] - 23:17, 33:2, 33:5, 33:19, 35:15</p> <p>siding [1] - 9:15</p> <p>sight [1] - 7:6</p>	<p>sign [12] - 3:17, 5:7, 5:17, 5:18, 6:1, 6:22, 9:6, 9:8, 10:2, 11:18, 20:7, 43:1</p> <p>signed [1] - 46:12</p> <p>similar [1] - 7:21</p> <p>simple [2] - 17:13, 18:9</p> <p>single [1] - 17:3</p> <p>single-family [1] - 17:3</p> <p>sisters [1] - 26:16</p> <p>sit [1] - 36:19</p> <p>site [16] - 6:23, 7:10, 7:13, 8:6, 8:11, 8:15, 9:1, 10:5, 10:10, 10:11, 10:21, 14:24, 15:15, 18:12, 38:4, 38:17</p> <p>sitting [2] - 10:15, 18:19</p> <p>situation [1] - 31:22</p> <p>six [3] - 39:6, 39:7, 39:23</p> <p>six-foot [3] - 39:6, 39:7, 39:23</p> <p>size [1] - 30:22</p> <p>skidded [1] - 14:5</p> <p>small [3] - 10:20, 17:15, 20:21</p> <p>solutions [1] - 15:19</p> <p>someone [2] - 19:22, 35:24</p> <p>somewhat [1] - 38:8</p> <p>somewhere [1] - 42:18</p> <p>soon [1] - 34:6</p> <p>sorry [1] - 21:4</p> <p>sort [2] - 36:24, 38:11</p> <p>sounds [1] - 36:12</p> <p>south [6] - 5:9, 7:7, 8:19, 18:1, 34:3, 43:18</p> <p>southwest [1] - 39:2</p> <p>space [1] - 8:14</p> <p>spaces [2] - 7:16, 7:18</p> <p>speaking [4] - 23:8, 26:3, 26:13</p> <p>special [3] - 5:7, 5:15, 6:22</p> <p>specific [1] - 42:20</p> <p>speed [1] - 14:21</p> <p>speeding [2] - 14:1, 23:19</p> <p>speeds [1] - 31:14</p> <p>spill [5] - 10:19, 11:1, 37:20, 39:8, 40:13</p> <p>spill-over [1] - 40:13</p> <p>spot [1] - 32:2</p> <p>spreading [1] - 20:4</p>	<p>square [1] - 5:19</p> <p>SS [1] - 46:1</p> <p>staff [1] - 34:11</p> <p>staff's [1] - 39:24</p> <p>stage [1] - 7:24</p> <p>stand [2] - 3:20, 3:21</p> <p>standing [1] - 5:18</p> <p>start [1] - 6:18</p> <p>Starting [1] - 37:9</p> <p>starts [1] - 24:7</p> <p>state [6] - 3:15, 6:1, 11:18, 19:13, 37:22, 43:1</p> <p>STATE [1] - 46:1</p> <p>states [2] - 12:8, 34:5</p> <p>station [20] - 5:16, 14:12, 14:15, 14:24, 15:6, 15:9, 15:10, 16:6, 23:24, 24:10, 24:15, 24:17, 24:24, 25:1, 25:2, 25:4, 29:14, 33:8, 33:12, 37:8</p> <p>stations [6] - 24:15, 25:7, 36:15, 38:3, 38:16, 43:15</p> <p>step [5] - 5:24, 11:17, 16:13, 35:10, 36:4</p> <p>stick [1] - 29:10</p> <p>still [4] - 23:12, 26:20, 35:8, 44:11</p> <p>stone [1] - 9:12</p> <p>stop [3] - 14:6, 37:13, 44:2</p> <p>storage [1] - 37:9</p> <p>Store [2] - 13:20, 22:1</p> <p>store [16] - 5:17, 7:15, 8:2, 11:5, 11:6, 12:6, 12:15, 12:18, 22:11, 22:12, 24:10, 36:14, 39:17, 42:2, 42:12</p> <p>stored [1] - 39:13</p> <p>stores [1] - 12:22</p> <p>Stores [1] - 43:6</p> <p>story [1] - 17:17</p> <p>straight [2] - 20:7, 42:4</p> <p>straightforward [1] - 18:10</p> <p>street [4] - 26:21, 33:9, 37:5, 42:17</p> <p>streets [1] - 43:8</p> <p>structure [1] - 16:4</p> <p>subdivision [4] - 14:5, 17:13, 26:24, 28:19</p> <p>Subdivision [6] - 16:24, 17:4, 25:21, 25:24, 26:2, 26:23</p> <p>subject [1] - 39:24</p> <p>Suburban [1] - 5:12</p>
---	--	--	--	---

Sugar ^[1] - 25:4 suggest ^[1] - 33:1 suggested ^[1] - 6:18 summer ^[1] - 25:12 surprised ^[1] - 31:6 surrounding ^[2] - 14:13, 17:5 Suzy's ^[1] - 28:18 Swanson ^[5] - 6:7, 6:15, 21:22, 23:6, 27:23 SWANSON ^[27] - 5:23, 6:3, 6:6, 6:13, 20:10, 22:4, 22:7, 22:10, 22:15, 22:20, 23:3, 23:6, 36:6, 36:10, 39:3, 39:5, 39:22, 40:7, 40:18, 41:3, 41:15, 41:18, 42:1, 42:10, 43:13, 44:7, 44:9 sworn ^[12] - 3:23, 6:4, 11:20, 13:11, 17:8, 19:15, 21:7, 23:4, 25:17, 28:10, 30:2, 43:3 system ^[2] - 27:17, 37:17	46:16 they've ^[1] - 28:3 third ^[1] - 29:14 thousand ^[1] - 23:12 three ^[3] - 9:14, 17:24, 25:7 throw ^[1] - 23:20 Tim ^[1] - 34:22 today ^[1] - 36:13 together ^[1] - 10:5 tonight ^[12] - 3:5, 3:9, 3:21, 6:8, 6:16, 6:21, 13:18, 20:22, 25:11, 29:23, 38:6, 38:23 tonight's ^[1] - 3:19 topography ^[1] - 18:12 totally ^[2] - 24:19, 32:4 Township ^[1] - 21:17 traded ^[1] - 12:5 traffic ^[24] - 14:1, 14:8, 15:1, 20:1, 23:19, 24:4, 28:15, 28:17, 29:2, 29:17, 31:14, 31:19, 36:12, 36:14, 36:15, 36:18, 36:20, 36:22, 39:16, 41:2, 41:16, 41:20, 42:14, 44:5 trail ^[1] - 34:24 trails ^[1] - 35:3 transcribed ^[1] - 46:4 transcript ^[2] - 46:8, 46:11 trash ^[3] - 8:1, 10:3, 39:13 trees ^[2] - 8:16, 33:10 tried ^[1] - 19:22 trips ^[2] - 36:16, 36:17 truck ^[4] - 41:1, 41:12, 41:20, 41:22 trucks ^[4] - 7:19, 40:19, 40:20, 41:3 true ^[1] - 46:7 trying ^[3] - 19:23, 36:1, 41:16 turn ^[1] - 20:15 two ^[8] - 3:4, 7:2, 16:7, 17:17, 24:14, 28:5, 32:4, 40:8 type ^[1] - 8:21 types ^[1] - 11:2 typically ^[3] - 41:15, 42:10, 42:12	34:23, 38:19 ultimately ^[2] - 27:11, 27:18 under ^[7] - 6:23, 7:2, 7:16, 26:5, 37:17, 46:12, 46:14 Under ^[1] - 8:22 underground ^[2] - 8:4, 10:8 undevelopable ^[1] - 30:23 undeveloped ^[1] - 32:4 unique ^[2] - 38:8, 38:12 unit ^[3] - 7:4, 7:15, 26:7 United ^[2] - 5:5, 16:21 UNITED ^[1] - 1:5 unload ^[1] - 41:6 unnecessarily ^[1] - 16:6 unrealistically ^[1] - 15:5 up ^[23] - 9:13, 9:19, 16:13, 19:8, 19:21, 20:20, 20:22, 22:18, 22:21, 23:19, 23:22, 24:1, 26:13, 27:5, 33:20, 34:19, 35:23, 36:8, 37:7, 41:5, 41:21 upscale ^[1] - 10:6 users ^[1] - 7:11 utilize ^[1] - 29:19 utmost ^[1] - 13:23	46:20 void ^[1] - 37:11 vote ^[1] - 44:24	year ^[2] - 12:23, 31:13 years ^[4] - 19:21, 20:14, 28:5, 28:16 YORKVILLE ^[2] - 1:5, 1:6 Yorkville ^[13] - 1:16, 5:5, 11:24, 12:24, 16:21, 16:24, 21:18, 24:20, 26:9, 27:1, 27:12, 27:14, 42:11 YOUNG ^[10] - 4:16, 4:18, 4:20, 4:22, 4:24, 45:2, 45:4, 45:6, 45:8, 45:10 Young ^[1] - 2:16	
T	Taker ^[1] - 2:16 tank ^[1] - 37:13 tanker ^[4] - 8:9, 40:20, 41:22, 42:6 tanks ^[4] - 8:4, 37:10, 40:16, 41:5 tax ^[1] - 12:24 taxpayers ^[1] - 16:2 ten ^[3] - 7:4, 9:4, 17:23 ten-foot ^[1] - 9:4 ten-unit ^[1] - 7:4 tenders ^[1] - 12:12 terms ^[6] - 7:10, 10:5, 10:11, 29:7, 29:8, 37:1 tested ^[1] - 37:22 testified ^[11] - 6:4, 11:20, 13:11, 17:8, 19:15, 21:7, 23:4, 25:17, 28:10, 30:2, 43:3 testify ^[2] - 3:14, 3:21 testimony ^[6] - 3:6, 3:10, 4:1, 35:10, 44:17, 44:20 themselves ^[1] - 6:10 therefore ^[1] - 15:20 thereof ^[2] - 46:12,	U	U.S ^[7] - 5:10, 6:24, 7:8, 7:20, 7:23,	W	W
Taker ^[1] - 2:16 tank ^[1] - 37:13 tanker ^[4] - 8:9, 40:20, 41:22, 42:6 tanks ^[4] - 8:4, 37:10, 40:16, 41:5 tax ^[1] - 12:24 taxpayers ^[1] - 16:2 ten ^[3] - 7:4, 9:4, 17:23 ten-foot ^[1] - 9:4 ten-unit ^[1] - 7:4 tenders ^[1] - 12:12 terms ^[6] - 7:10, 10:5, 10:11, 29:7, 29:8, 37:1 tested ^[1] - 37:22 testified ^[11] - 6:4, 11:20, 13:11, 17:8, 19:15, 21:7, 23:4, 25:17, 28:10, 30:2, 43:3 testify ^[2] - 3:14, 3:21 testimony ^[6] - 3:6, 3:10, 4:1, 35:10, 44:17, 44:20 themselves ^[1] - 6:10 therefore ^[1] - 15:20 thereof ^[2] - 46:12,	U	U.S ^[7] - 5:10, 6:24, 7:8, 7:20, 7:23,	W	W	
Taker ^[1] - 2:16 tank ^[1] - 37:13 tanker ^[4] - 8:9, 40:20, 41:22, 42:6 tanks ^[4] - 8:4, 37:10, 40:16, 41:5 tax ^[1] - 12:24 taxpayers ^[1] - 16:2 ten ^[3] - 7:4, 9:4, 17:23 ten-foot ^[1] - 9:4 ten-unit ^[1] - 7:4 tenders ^[1] - 12:12 terms ^[6] - 7:10, 10:5, 10:11, 29:7, 29:8, 37:1 tested ^[1] - 37:22 testified ^[11] - 6:4, 11:20, 13:11, 17:8, 19:15, 21:7, 23:4, 25:17, 28:10, 30:2, 43:3 testify ^[2] - 3:14, 3:21 testimony ^[6] - 3:6, 3:10, 4:1, 35:10, 44:17, 44:20 themselves ^[1] - 6:10 therefore ^[1] - 15:20 thereof ^[2] - 46:12,	U	U.S ^[7] - 5:10, 6:24, 7:8, 7:20, 7:23,	W	W	
Taker ^[1] - 2:16 tank ^[1] - 37:13 tanker ^[4] - 8:9, 40:20, 41:22, 42:6 tanks ^[4] - 8:4, 37:10, 40:16, 41:5 tax ^[1] - 12:24 taxpayers ^[1] - 16:2 ten ^[3] - 7:4, 9:4, 17:23 ten-foot ^[1] - 9:4 ten-unit ^[1] - 7:4 tenders ^[1] - 12:12 terms ^[6] - 7:10, 10:5, 10:11, 29:7, 29:8, 37:1 tested ^[1] - 37:22 testified ^[11] - 6:4, 11:20, 13:11, 17:8, 19:15, 21:7, 23:4, 25:17, 28:10, 30:2, 43:3 testify ^[2] - 3:14, 3:21 testimony ^[6] - 3:6, 3:10, 4:1, 35:10, 44:17, 44:20 themselves ^[1] - 6:10 therefore ^[1] - 15:20 thereof ^[2] - 46:12,	U	U.S ^[7] - 5:10, 6:24, 7:8, 7:20, 7:23,	W	W	
Taker ^[1] - 2:16 tank ^[1] - 37:13 tanker ^[4] - 8:9, 40:20, 41:22, 42:6 tanks ^[4] - 8:4, 37:10, 40:16, 41:5 tax ^[1] - 12:24 taxpayers ^[1] - 16:2 ten ^[3] - 7:4, 9:4, 17:23 ten-foot ^[1] - 9:4 ten-unit ^[1] - 7:4 tenders ^[1] - 12:12 terms ^[6] - 7:10, 10:5, 10:11, 29:7, 29:8, 37:1 tested ^[1] - 37:22 testified ^[11] - 6:4, 11:20, 13:11, 17:8, 19:15, 21:7, 23:4, 25:17, 28:10, 30:2, 43:3 testify ^[2] - 3:14, 3:21 testimony ^[6] - 3:6, 3:10, 4:1, 35:10, 44:17, 44:20 themselves ^[1] - 6:10 therefore ^[1] - 15:20 thereof ^[2] - 46:12,	U	U.S ^[7] - 5:10, 6:24, 7:8, 7:20, 7:23,	W	W	
Taker ^[1] - 2:16 tank ^[1] - 37:13 tanker ^[4] - 8:9, 40:20, 41:22, 42:6 tanks ^[4] - 8:4, 37:10, 40:16, 41:5 tax ^[1] - 12:24 taxpayers ^[1] - 16:2 ten ^[3] - 7:4, 9:4, 17:23 ten-foot ^[1] - 9:4 ten-unit ^[1] - 7:4 tenders ^[1] - 12:12 terms ^[6] - 7:10, 10:5, 10:11, 29:7, 29:8, 37:1 tested ^[1] - 37:22 testified ^[11] - 6:4, 11:20, 13:11, 17:8, 19:15, 21:7, 23:4, 25:17, 28:10, 30:2, 43:3 testify ^[2] - 3:14, 3:21 testimony ^[6] - 3:6, 3:10, 4:1, 35:10, 44:17, 44:20 themselves ^[1] - 6:10 therefore ^[1] - 15:20 thereof ^[2] - 46:12,	U	U.S ^[7] - 5:10, 6:24, 7:8, 7:20, 7:23,	W	W	
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Memorandum

To: Planning and Zoning Commission
From: Krysti Barksdale-Noble, Community Development Director
CC: Bart Olson, City Administrator
Jason Engberg, Senior Planner
Date: July 18, 2017
Subject: **Kendall County Case #17-21 – Tom McNelis (Rezoning)
1.5 Mile Review**

Proposal Summary

Staff has reviewed the request from Kendall County Planning & Zoning Department along with the subsequent documents attached. This subject property is located within one and a half miles of the planning boundary for Yorkville allowing us the opportunity to review and provide comments to Kendall County. The petitioner, Tom McNelis, is requesting a Zoning Map Amendment (rezoning) from the A-1 Agricultural District to the R-1 One Family Estate Residence District to allow for the construction of a new home on the approximately 3.86-acre parcel located approximately 0.98 miles east of Millbrook Road and just north of Budd Road in Fox Township.

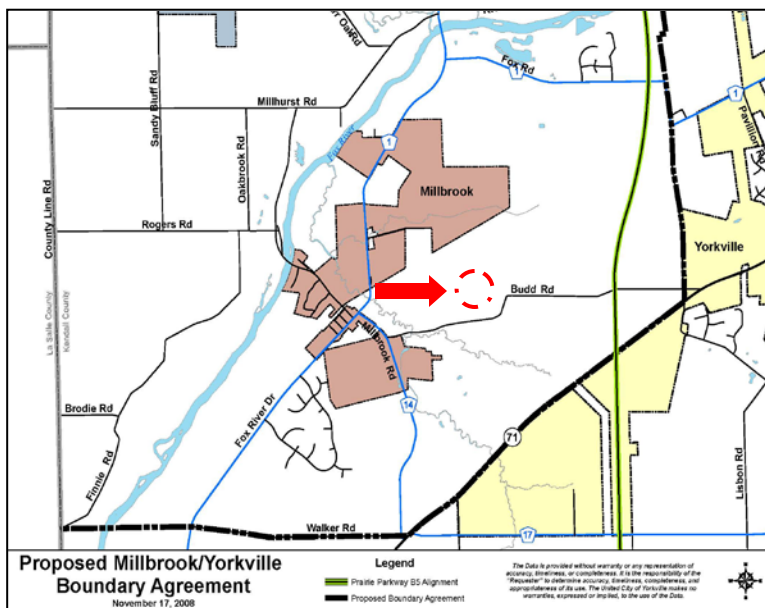
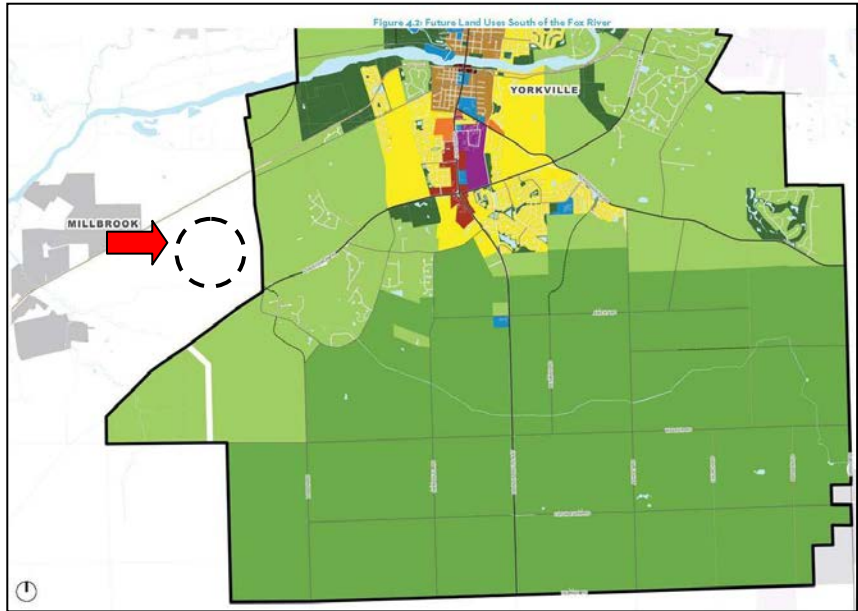
According to information obtained from the petitioner's County application, the property is currently zoned for agricultural use, but has not been farmed, nor is the land suitable for growing crops. Therefore, the owner is proposing to rezone the vacant parcel from A-1 to R-1 to better position it to sell it for future residential construction. Although most of the immediate surrounding properties are zoned A-1, most appear to be used for residential purposes.

Kendall County's R-1 One Family Estate Residence District allows for not only residential type uses, but other complimentary uses typically found in residential districts such as institutional buildings (fire stations), open space (parks) and accessory structures. The county's Future Land Use designation for this area is Rural Estate Residential which has a maximum density of 0.45 dwelling units per gross buildable acre. According to Kendall County's Land Resource Management Plan, this land use category promotes low-density detached single family residential development and strives to provide a semi-rural or countryside setting, retaining a greater amount of open space. If designed as a planned development, clustering is strongly encouraged within this land use category to preserve the natural features of the area such as topography and vegetation, and remaining consistent with the County's RPD-1 zoning district which permits a base density of 0.33 dwelling units per acre.



Yorkville Comprehensive Plan

Yorkville has recently completed an update to its Comprehensive Plan in 2016 which provides designations for future land uses of properties within our corporate boundaries and within 1.5 miles beyond our corporate boundaries. While the subject property may lie within one and one-half miles of Yorkville's city limits, the parcel itself is not within the future land use planning area defined in the Comprehensive Plan.



This is due to the City's decision in 2008 to enter into discussions with the Village of Millbrook for a future boundary agreement. The proposed boundary line of Highpoint Road, south of the Fox River, then along IL 71 (Stagecoach Trail) demarcates land on the east as Yorkville's future planning area and Millbrook's area would be west of this boundary line. While this boundary agreement between the two municipalities has not yet been executed, staff maintains that the intent of the agreement has been mutually respected by both communities.

Staff Recommendation & Comments

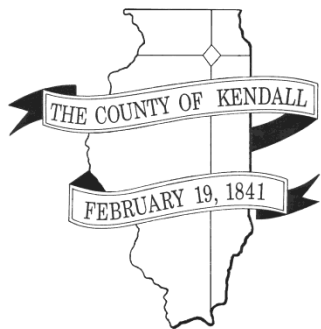
Staff has reviewed the proposed request and has no objections to the petitioners' request for rezoning since the parcel is not identified in our Comprehensive Plan Update and subject to a future boundary agreement with the Village of Millbrook. Furthermore, it is staff's opinion that the proposed R-1 One Family Estate Residence District is appropriate for the surrounding land area and consistent with the City's future land use designation of Estate/Conservation Residential on the east side of Highpoint Road.

Staff will be available to answer any questions the Planning and Zoning Commission may have regarding the County Petition. This item was delivered to the City on July 17, 2017 with feedback requested prior to Kendall County Board consideration. This item will be heard at

a public hearing conducted by the Kendall County Regional Planning Commission on August 23, 2017 and the Kendall County Zoning Board of Appeals on August 28, 2017.

Attachments:

1. Kendall County Planning and Zoning Memo with Attachments.



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: WBK Engineering – Greg Chismark
Highway Department- Fran Klaas
Kendall County Forest Preserve- David Guritz
Kendall County Health Department- Aaron Rybski
GIS Mapping Department- Don Clayton
Building Department- Brian Holdiman
Soil & Water Conservation District- Megan Andrews
Sheriff's Office- Jason Langston
Fox Township- Jeff Spang, Supervisor
Fox Township Road District- Brad Mathre, Commissioner
Little Rock-Fox Fire Protection District- Greg Witek, Chief
United City of Yorkville- Beth Warren, City Clerk
United City of Yorkville- Krysti Barksdale-Noble, Community Development Director
Village of Millbrook- Jackie Kowalski, Mayor
PBZ Chair- Robert Davidson
File

From: Kendall County Planning, Building & Zoning Department

Date: July 17, 2017

Re: Petition #17-21 – Tom McNelis – 14000 Block of Budd Road Approximately 0.98 miles from Millbrook Road on the North Side of Budd Road (PIN 04-15-200-023) in Fox Township.
Request for a map amendment to rezone the property from A-1 to R-1 to allow for the construction of a house on the property.

The application, aerial and site plan are attached. A more detailed report will be sent to you closer to the ZPAC meeting date.

This matter will go before ZPAC on **August 1, 2017, at 9:00 a.m.** in the County Board Room at 111 W. Fox Street, Yorkville.

Please review and send any comments or questions to:

Kendall County
Planning, Building & Zoning Department
Attn: Matthew Asselmeier
111 West Fox Street, Room 203
Yorkville, IL 60560
masselmeier@co.kendall.il.us



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

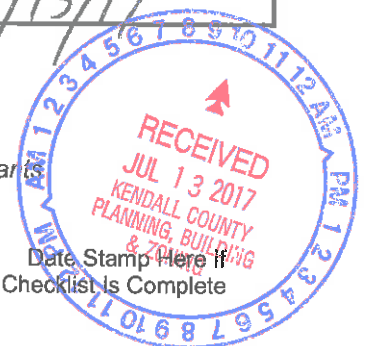
APPLICATION

PROJECT NAME McNelis Map Amendment FILE #: 17-21

NAME OF APPLICANT <u>Tom McNelis</u>		
CURRENT LANDOWNER/NAME(s) <u>Tom McNelis</u>		
SITE INFORMATION ACRES <u>3.86</u>	SITE ADDRESS OR LOCATION <u>Budd Rd Yorkville 04-15-200-023</u>	ASSESSOR'S ID NUMBER (PIN) <u>04-15-200-023</u>
EXISTING LAND USE <u>Vacant Residential</u>	CURRENT ZONING <u>Vacant Residential</u>	LAND CLASSIFICATION ON LRMP <u>Vacant Residential</u>
REQUESTED ACTION (Check All That Apply):		
<input type="checkbox"/> SPECIAL USE	<input checked="" type="checkbox"/> MAP AMENDMENT (Rezone to _____)	<input type="checkbox"/> VARIANCE
<input type="checkbox"/> ADMINISTRATIVE VARIANCE	<input type="checkbox"/> A-1 CONDITIONAL USE for: _____	<input type="checkbox"/> SITE PLAN REVIEW
<input type="checkbox"/> TEXT AMENDMENT	<input type="checkbox"/> RPD (<input type="checkbox"/> Concept; <input type="checkbox"/> Preliminary; <input type="checkbox"/> Final)	<input type="checkbox"/> ADMINISTRATIVE APPEAL
<input type="checkbox"/> PRELIMINARY PLAT	<input type="checkbox"/> FINAL PLAT	<input type="checkbox"/> OTHER PLAT (Vacation, Dedication, etc.)
AMENDMENT TO A SPECIAL USE (<input type="checkbox"/> Major; <input type="checkbox"/> Minor)		
¹ PRIMARY CONTACT <u>Tom McNelis</u>	PRIMARY CONTACT MAILING ADDRESS [REDACTED]	PRIMARY CONTACT EMAIL [REDACTED]
PRIMARY CONTACT PHONE # [REDACTED]	PRIMARY CONTACT FAX # <u>[REDACTED]</u>	PRIMARY CONTACT OTHER #(Cell, etc.) <u>[REDACTED]</u>
² ENGINEER CONTACT	ENGINEER MAILING ADDRESS	ENGINEER EMAIL
ENGINEER PHONE #	ENGINEER FAX #	ENGINEER OTHER # (Cell, etc.)
I UNDERSTAND THAT BY SIGNING THIS FORM, THAT THE PROPERTY IN QUESTION MAY BE VISITED BY COUNTY STAFF & BOARD/ COMMISSION MEMBERS THROUGHOUT THE PETITION PROCESS AND THAT THE PRIMARY CONTACT LISTED ABOVE WILL BE SUBJECT TO ALL CORRESPONDANCE ISSUED BY THE COUNTY.		
I CERTIFY THAT THE INFORMATION AND EXHIBITS SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I AM TO FILE THIS APPLICATION AND ACT ON BEHALF OF THE ABOVE SIGNATURES.		
SIGNATURE OF APPLICANT [REDACTED]		DATE <u>7/13/17</u>

FEE PAID: \$ 100.00

CHECK #: [REDACTED]

¹Primary Contact will receive all correspondence from County²Engineering Contact will receive all correspondence from the County's Engineering Consultants

Please fill out the following findings of fact to the best of your capabilities. § 13.07.F of the Zoning Ordinance lists the Finding of Fact criteria the Zoning Board of Appeals must answer in order to make a recommendation to the County Board on any **map amendment** request. They are as follows:

Existing uses of property within the general area of the property in question.

Vacant Residential

Property Is Surrounded By Residential Properties On 4 Sides With 298' Frontage On Budd Rd.

The Zoning classification of property within the general area of the property in question.

Appears To A1 And R1

The suitability of the property in question for the uses permitted under the existing zoning classification.

Not Being Farmed. Not Suitable For Ag.

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification.

New Homes Have Been Built For Residential Use Only Examples Kinzel And Seego

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies.

At The Time Of Purchase Youhville Designated This Parcel As 1-2 Acre Residential. The Trend In This Area Has Been Residential.

I would like to Rezone
The Property From A1
to R1 in order to sell
the property so that someone
can construct a home on the
site.



07/12/2017

LEGAL DESCRIPTION:

THAT PART OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 15; THENCE EASTERLY ALONG THE NORTH LINE OF SECTION 14 OF SAID TOWNSHIP 330.0 FEET; THENCE SOUTH 00 DEGREES 22 MINUTES 19 SECONDS EAST 274.56 FEET TO THE CENTERLINE OF BUDD ROAD; THENCE NORTH 89 DEGREES 26 MINUTES 38 SECONDS WEST ALONG SAID CENTERLINE 539.64 FEET TO AN ANGLE IN SAID CENTERLINE; THENCE SOUTH 21 DEGREES 06 MINUTES 41 SECONDS WEST ALONG SAID CENTERLINE 497.15 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT "A"; THENCE SOUTH 21 DEGREES 06 MINUTES 41 SECONDS WEST ALONG SAID CENTERLINE, 386.77 FEET TO AN ANGLE IN SAID CENTERLINE; THENCE SOUTH 66 DEGREES 07 MINUTES 56 SECONDS WEST ALONG SAID CENTERLINE 147.01 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 66 DEGREES 07 MINUTES 56 SECONDS WEST ALONG SAID CENTERLINE 209.74 FEET TO AN ANGLE IN SAID CENTERLINE; THENCE SOUTH 83 DEGREES 46 MINUTES 31 SECONDS WEST ALONG SAID CENTERLINE 88.38 FEET; THENCE NORTH 04 DEGREES 53 MINUTES 29 SECONDS WEST 305.0 FEET; THENCE NORTH 87 DEGREES 00 MINUTES 29 SECONDS WEST 150.0 FEET; THENCE NORTH 02 DEGREES 59 MINUTES 31 SECONDS EAST 212.16 FEET TO A LINE DRAWN NORTH 89 DEGREES 26 MINUTES 38 SECONDS WEST FROM POINT A AFORESAID; THENCE SOUTH 89 DEGREES 26 MINUTES 38 SECONDS EAST, 408.03 FEET TO A LINE DRAWN NORTH 04 DEGREES 53 MINUTES 29 SECONDS WEST FROM THE POINT OF BEGINNING; THENCE SOUTH 04 DEGREES 53 MINUTES 29 SECONDS EAST, 426.73 FEET TO THE POINT OF BEGINNING IN FOX TOWNSHIP, KENDALL COUNTY, ILLINOIS.

GEORGE E. COLE® No. 229 REC
LEGAL FORMS February 2000

200100013046
Filed for Record in
KENDALL COUNTY, ILLINOIS
PAUL ANDERSON
07-18-2001 At 03:53 pm.
QCD J TENCY 43.50

**QUIT CLAIM DEED
JOINT TENANCY
Statutory (Illinois)
(Individual to Individual)**

CAUTION: Consult a lawyer before using or acting under this form. Neither the publisher nor the seller of this form makes any warranty with respect thereto, including any warranty merchantability or fitness for a particular purpose.

Above Space for Recorder's use only

THE GRANTOR(S) Barbara J. Hick Formerly Known As Barbara J. McNelis
1659 Lexington Dr.

of the City _____ of Montgomery County of Kendall State of Illinois for the consideration of Seventeen Thousand DOLLARS, and other good and valuable considerations _____ in hand paid, CONVEY(S) _____ and QUIT CLAIM(S) _____ to Thomas J. McNelis

(Name and Address of Grantees)
not in Tenancy in Common, but in JOINT TENANCY, all interest in the following described Real Estate situated in Kendall County, Illinois, commonly known as Budd Rd 04-15-200-023, legally described as:
See Attached (Street Address)

hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois. TO HAVE AND TO HOLD said premises not in tenancy in common, but in joint tenancy forever.

Permanent Real Estate Index Number(s): 04-15-200-023

Address(es) of Real Estate: Budd Rd Yorkville, IL

DATED this: _____ day of _____ 20____

Please
print or
type name(s)
below
signature(s)

(SEAL)

Barbara J. Hick

Thomas J. McNelis (SEAL)

(SEAL)



(SEAL)

(SEAL)

State of Illinois, County of _____ ss. I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that

IMPRESS
SEAL
HERE

Barbara J. Hick
personally known to me to be the same person _____ whose name _____ subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that she signed, sealed and delivered the said instrument as _____ free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and official seal, this 18 day of June 20 01

Commission expires 7-30 20 01 Cerene L. Pittman
NOTARY PUBLIC


This instrument was prepared by Tom McNeil

MAIL TO: Tom McNeil
(Name)
(City, State and Zip)

SEND SUBSEQUENT TAX BILLS TO:

Tom McNeil
(Name)
(Address)
(City, State and Zip)

OR RECORDER'S OFFICE BOX NO. _____

STATE TAX 	STATE OF ILLINOIS	# 0000002247	REAL ESTATE TRANSFER TAX
	JUL. 18. 01		000 1700
	KENDALL COUNTY		FP35 1015

COUNTY OF KENDALL
REAL ESTATE TRANSFER TAX
\$ 8.50

GEORGE E. COLE®
LEGAL FORMS

Quit Claim Deed
JOINT TENANCY
INDIVIDUAL TO INDIVIDUAL

Barbara T. Hick

TO

Thomas J. McNeil

LEGAL DESCRIPTION:

THAT PART OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 15; THENCE EASTERLY ALONG THE NORTH LINE OF SECTION 14 OF SAID TOWNSHIP 330.0 FEET; THENCE SOUTH 00 DEGREES 22 MINUTES 19 SECONDS EAST 274.56 FEET TO THE CENTERLINE OF BUDD ROAD; THENCE NORTH 89 DEGREES 26 MINUTES 38 SECONDS WEST ALONG SAID CENTERLINE 539.64 FEET TO AN ANGLE IN SAID CENTERLINE; THENCE SOUTH 21 DEGREES 06 MINUTES 41 SECONDS WEST ALONG SAID CENTERLINE 497.15 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT "A"; THENCE SOUTH 21 DEGREES 06 MINUTES 41 SECONDS WEST ALONG SAID CENTERLINE, 388.77 FEET TO AN ANGLE IN SAID CENTERLINE; THENCE SOUTH 66 DEGREES 07 MINUTES 56 SECONDS WEST ALONG SAID CENTERLINE 147.01 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 66 DEGREES 07 MINUTES 56 SECONDS WEST ALONG SAID CENTERLINE 209.74 FEET TO AN ANGLE IN SAID CENTERLINE; THENCE SOUTH 83 DEGREES 46 MINUTES 31 SECONDS WEST ALONG SAID CENTERLINE 88.38 FEET; THENCE NORTH 04 DEGREES 53 MINUTES 29 SECONDS WEST 305.0 FEET; THENCE NORTH 87 DEGREES 00 MINUTES 29 SECONDS WEST 150.0 FEET; THENCE NORTH 02 DEGREES 59 MINUTES 31 SECONDS EAST 212.16 FEET TO A LINE DRAWN NORTH 89 DEGREES 26 MINUTES 38 SECONDS WEST FROM POINT A AFORESAID; THENCE SOUTH 89 DEGREES 26 MINUTES 38 SECONDS EAST, 408.03 FEET TO A LINE DRAWN NORTH 04 DEGREES 53 MINUTES 29 SECONDS WEST FROM THE POINT OF BEGINNING; THENCE SOUTH 04 DEGREES 53 MINUTES 29 SECONDS EAST, 426.73 FEET TO THE POINT OF BEGINNING IN FOX TOWNSHIP, KENDALL COUNTY, ILLINOIS.

KENDALL COUNTY
DISCLOSURE OF BENEFICIARIES FORM

1. Applicant Tom McNelis
 Address [REDACTED]
 City [REDACTED] State [REDACTED] Zip [REDACTED]
2. Nature of Benefit Sought _____
3. Nature of Applicant: (Please check one)
☒ Natural Person
☐ Corporation
☐ Land Trust/Trustee
☐ Trust/Trustee
☐ Partnership
☐ Joint Venture
4. If applicant is an entity other than described in Section 3, briefly state the nature and characteristics of the applicant:

N/A
5. If your answer to Section 3 you have checked letter b, c, d, e, or f, identify by name and address each person or entity who is a 5% shareholder in case of a corporation, a beneficiary in the case of a trust or land trust, a joint venture in the case of a joint venture, or who otherwise has proprietary interest, interest in profits and losses or right to control such entity:

NAME	ADDRESS	INTEREST
N/A		
6. Name, address, and capacity of person making this disclosure on behalf of the applicant:

N/A

VERIFICATION

I, _____, being first duly sworn under oath that I am the person making this disclosure on behalf of the applicant, that I am duly authorized to make the disclosure, that I have read the above and foregoing Disclosure of Beneficiaries, and that the statements contained therein are true in both substance and fact>

Subscribed and sworn to before me this _____ day of _____, A.D. _____

(seal)

Notary Public



Kendall County Soil & Water
Conservation District

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



www.kendallswcd.org

NATURAL RESOURCE INFORMATION (NRI) REPORT APPLICATION

Petitioner: Tom M^cNelis Contact Person: Tom M^cNelis
Address: [REDACTED]
City, State, Zip: [REDACTED]
Phone Number: [REDACTED]
Email: [REDACTED]

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

Site Location & Proposed Use

Township Name Fox Township 36 N, Range 6 E, Section(s) 15
Parcel Index Number(s) 04-15-200-023
Project or Subdivision Name _____ Number of Acres 3.86
Current Use of Site Vacant Residential Proposed Use Improved Residential
Proposed Number of Lots 1 Proposed Number of Structures New Home(1)
Proposed Water Supply Well Proposed type of Wastewater Treatment Septic
Proposed type of Storm Water Management _____

Type of Request

☐ Change in Zoning from A1 to R1
☐ 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: Kendall

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 \$ 375.00
_____ Additional Acres at \$18.00 each \$ _____
Total NRI Fee \$ 300.00

NOTE: Applications are due by the 1st 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.

Tom M^cNelis
Petitioner or Authorized Agent

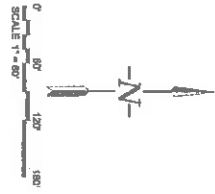
19 Jan 2017
Date

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# 1705 Date initially rec'd 6/19/17 Date all rec'd — Board Meeting 7/10/17
Fee Due \$ 300.00 Fee Paid \$ 300.00 Check [REDACTED] Over/Under Payment — Refund Due —

BOUNDARY SURVEY



OWNER/DEVELOPER
TOM MAHEIS

P.O. BOX 419
MILLBROOK, IL 60536

ZONING

**CURRENT ZONING A-1
REQUESTED ZONING R-1**

GENERAL NOTES:

THIS TRACT OF LAND IS NOT LOCATED WITHIN A FLOOD ZONE AND THERE ARE NO WETLANDS OR WOODED AREAS AFFECTING THIS PROPERTY.

EXISTING UTILITIES ARE SHOWN AND ACCORDING TO THE OWNER, THERE ARE NO EASEMENTS FOR SAID UTILITIES ON SAID PROPERTY

LEGAL DESCRIPTION

[illegible]

LOCATION MAP

SURVEYORS & CERTIFICATE

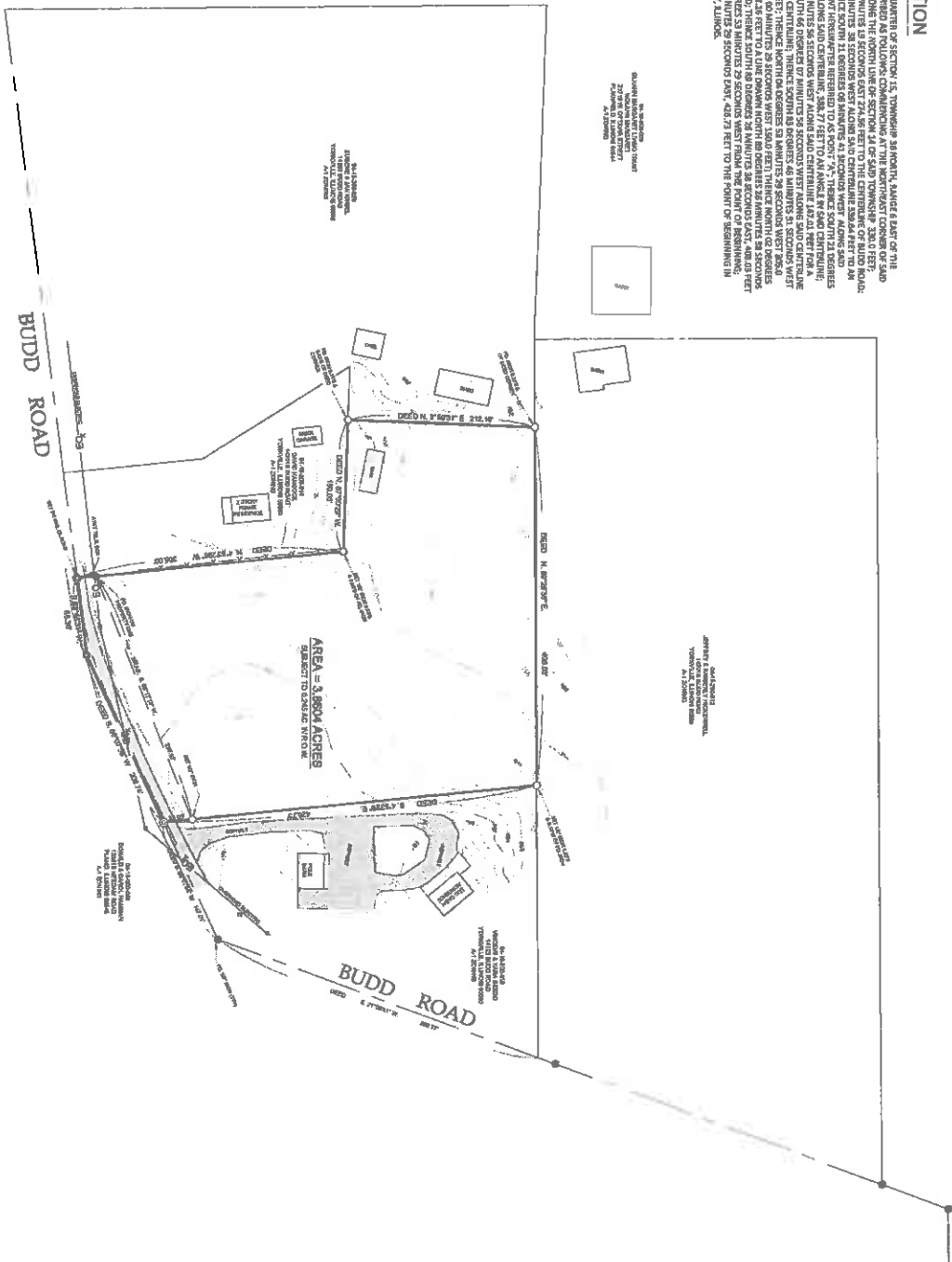
COUNTY OF KENDALL)
ss)

THIS IS TO CERTIFY THE CLIENT, TOM MCELROY, AN ATTORNEY PROFESSIONAL, LIVED SEVERE IN A
ACROSSWAS DUNNETT AND STATE. WAS COMPLETED A BOUNDARY AND A CONVEYANCE SURVEY ON THE GROUND OF THE
PROPERTY HEREON RECORDED. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ALIENATION STANDARDS
FOR BOUNDARY AND A PROFESSIONAL SURVEY AND THAT THE EXPENSES BEING REPRESENTED THE FEE FOR THE
RECORDING OF THE SURVEY. THE CLIENT HAS BEEN ADVISED THAT THE FEE FOR THE RECORDING OF THE SURVEY
RECORDED ABOVE HAS EITHER BEEN DEDUCTED ON THE RECORDED ALIENATION AND/OR THE PROCEEDING TO FILE
OTHER DOCUMENTATION, NO ATTORNEY HAS BEEN WAIVED TO OBTAIN OR SHOW DOWN CONCERNED OR CHARGED FOR PUBLIC
UTILITIES OR TO OTHER VARIOUS MANNER EITHER ON OR OFF FROM THE SITE. THE FINAL FIELD WORK WAS COMPLETED ON THE
MAY 04 OF 1987.

GREEN UNDERLAY HAND AND SEAL AT PLANO, ILLINOIS THIS 11TH OF JULY, 2017 A.D.

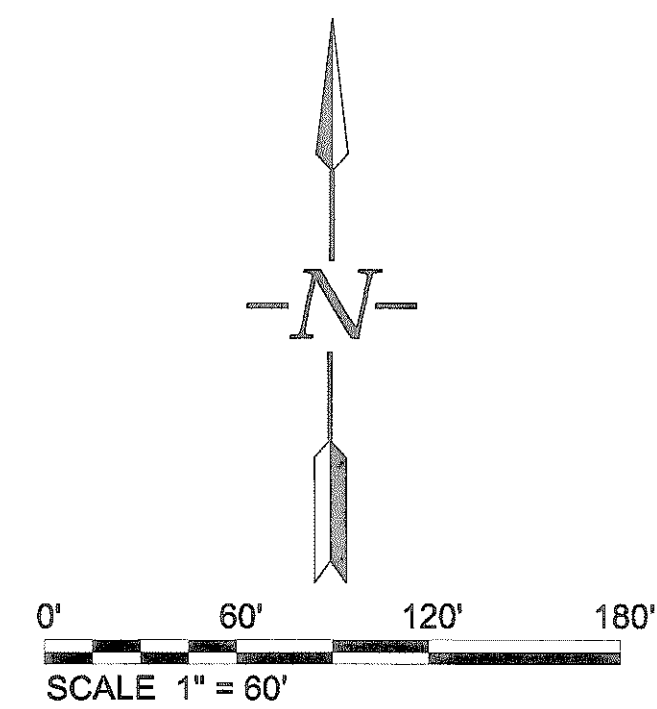
KUANG'S PROFESSIONAL LAND SURVEYOR #2362
REGISTRATION EXPIRES 11-30-2018

REFER TO A CURRENT TITLE INSURANCE POLICY FOR EXCLUDED RISKS NOT PROVIDED. THIS DRAWING IS THE PROPERTY OF BSA ASSOCIATES CONSULTING, INC. AND SHALL NOT BE USED FOR ANY OTHER PURPOSE THAN ESTORTH WITHOUT THE WRITTEN CONSENT OF AN AUTHORIZED AGENT OF BSA ASSOCIATES CONSULTING, INC. THIS DRAWING IS NOT CONSIDERED TO BE ORIGINAL UNLESS THE SIGNATURES SEAL IS AN EXPRESSED SEAL OR DISPLAYED IN RED INK.



**RB & ASSOCIATES
CONSULTING, INC**
4 W MAIN STREET
PLANO, IL 60545
DESIGN FIRM #
164-004175
PHOTO: KEVIN SUTTON

BOUNDARY SURVEY



OWNER/DEVELOPER

TOM McNELIS
P.O. BOX 419
MILLBROOK, IL 60536

ZONING

CURRENT ZONING A-1
REQUESTED ZONING R-1

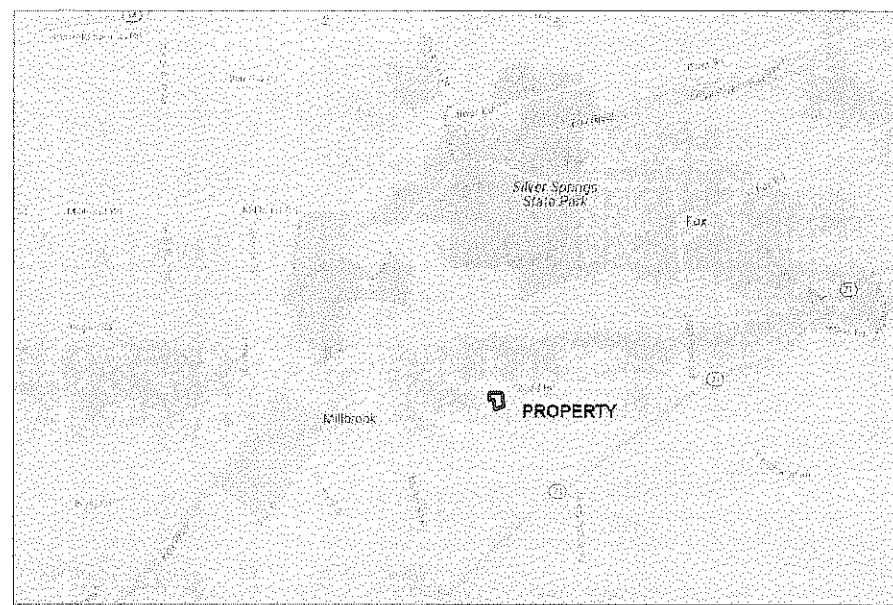
LEGAL DESCRIPTION

THAT PART OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 15; THENCE EASTERLY ALONG THE NORTH LINE OF SECTION 14 OF SAID TOWNSHIP 330.0 FEET; THENCE SOUTH 00 DEGREES 22 MINUTES 19 SECONDS EAST 274.56 FEET TO THE CENTERLINE OF BUDD ROAD; THENCE NORTH 89 DEGREES 26 MINUTES 38 SECONDS WEST ALONG SAID CENTERLINE 539.64 FEET TO AN ANGLE IN SAID CENTERLINE; THENCE SOUTH 21 DEGREES 06 MINUTES 41 SECONDS WEST ALONG SAID CENTERLINE 497.15 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT "A"; THENCE SOUTH 21 DEGREES 06 MINUTES 41 SECONDS WEST ALONG SAID CENTERLINE, 388.77 FEET TO AN ANGLE IN SAID CENTERLINE; THENCE SOUTH 66 DEGREES 07 MINUTES 56 SECONDS WEST ALONG SAID CENTERLINE 147.01 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 66 DEGREES 07 MINUTES 56 SECONDS WEST ALONG SAID CENTERLINE 209.74 FEET TO AN ANGLE IN SAID CENTERLINE; THENCE SOUTH 83 DEGREES 46 MINUTES 31 SECONDS WEST ALONG SAID CENTERLINE, 88.38 FEET; THENCE NORTH 04 DEGREES 53 MINUTES 29 SECONDS WEST 305.0 FEET; THENCE NORTH 87 DEGREES 00 MINUTES 29 SECONDS WEST 150.0 FEET; THENCE NORTH 02 DEGREES 59 MINUTES 31 SECONDS EAST 212.16 FEET TO A LINE DRAWN NORTH 89 DEGREES 26 MINUTES 38 SECONDS WEST FROM POINT "A" AFORESAID; THENCE SOUTH 89 DEGREES 26 MINUTES 38 SECONDS EAST, 408.03 FEET TO A LINE DRAWN NORTH 04 DEGREES 53 MINUTES 29 SECONDS WEST FROM THE POINT OF BEGINNING; THENCE SOUTH 04 DEGREES 53 MINUTES 29 SECONDS EAST, 426.73 FEET TO THE POINT OF BEGINNING IN FOX TOWNSHIP, KENDALL COUNTY, ILLINOIS.

GENERAL NOTES:

THIS TRACT OF LAND IS NOT LOCATED WITHIN A FLOOD ZONE AND THERE ARE NO WETLANDS OR WOODED AREAS AFFECTING THIS PROPERTY.

EXISTING UTILITIES ARE SHOWN AND ACCORDING TO THE OWNER, THERE ARE NO EASEMENTS FOR SAID UTILITIES ON SAID PROPERTY



LOCATION MAP

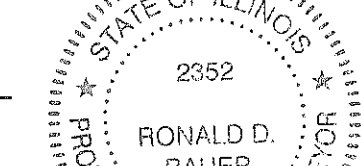
SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF KENDALL)

THIS IS TO CERTIFY TO THE CLIENT, TOM McNELIS, THAT I, RONALD D. BAUER, AN ILLINOIS PROFESSIONAL LAND SURVEYOR IN AFORESAID COUNTY AND STATE, HAVE COMPLETED A BOUNDARY AND A TOPOGRAPHIC SURVEY ON THE GROUND OF THE PROPERTY HEREON DESCRIBED. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY AND A TOPOGRAPHIC SURVEY AND THAT THE PLAT HEREON DRAWN REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY. THIS SURVEY DOES NOT CONSTITUTE A RECORD TITLE SEARCH AND ALL EASEMENTS AND OR SETBACKS SHOWN ARE EITHER THOSE DESIGNATED ON THE RECORDED SUBDIVISION PLAT OR THOSE PROVIDED TO US BY OTHER DOCUMENTATION. NO ATTEMPT HAS BEEN MADE TO OBTAIN OR SHOW DATA CONCERNING EXISTENCE OF PUBLIC UTILITIES OR STORM WATER RUNOFF EITHER ONTO OR OFF FROM THE SITE. THE FINAL FIELD WORK WAS COMPLETED ON THE 7th DAY OF JULY, 2017.

GIVEN UNDER MY HAND AND SEAL AT PLANO, ILLINOIS THIS 11th DAY OF JULY, 2017 A.D.

ILLINOIS PROFESSIONAL LAND SURVEYOR #2352
REGISTRATION EXPIRES 11-30-2018



REFER TO A CURRENT TITLE INSURANCE POLICY FOR EASEMENTS NOT PROVIDED. THIS DRAWING IS THE PROPERTY OF RB & ASSOCIATES CONSULTING, INC. AND SHALL NOT BE USED FOR ANY OTHER PURPOSE THAN SET FORTH WITHOUT THE WRITTEN CONSENT OF AN AUTHORIZED AGENT OF RB & ASSOCIATES CONSULTING, INC.. THIS DRAWING IS NOT CONSIDERED TO BE ORIGINAL UNLESS THE SURVEYOR'S SEAL IS AN IMPRESSED SEAL OR DISPLAYED IN RED INK.

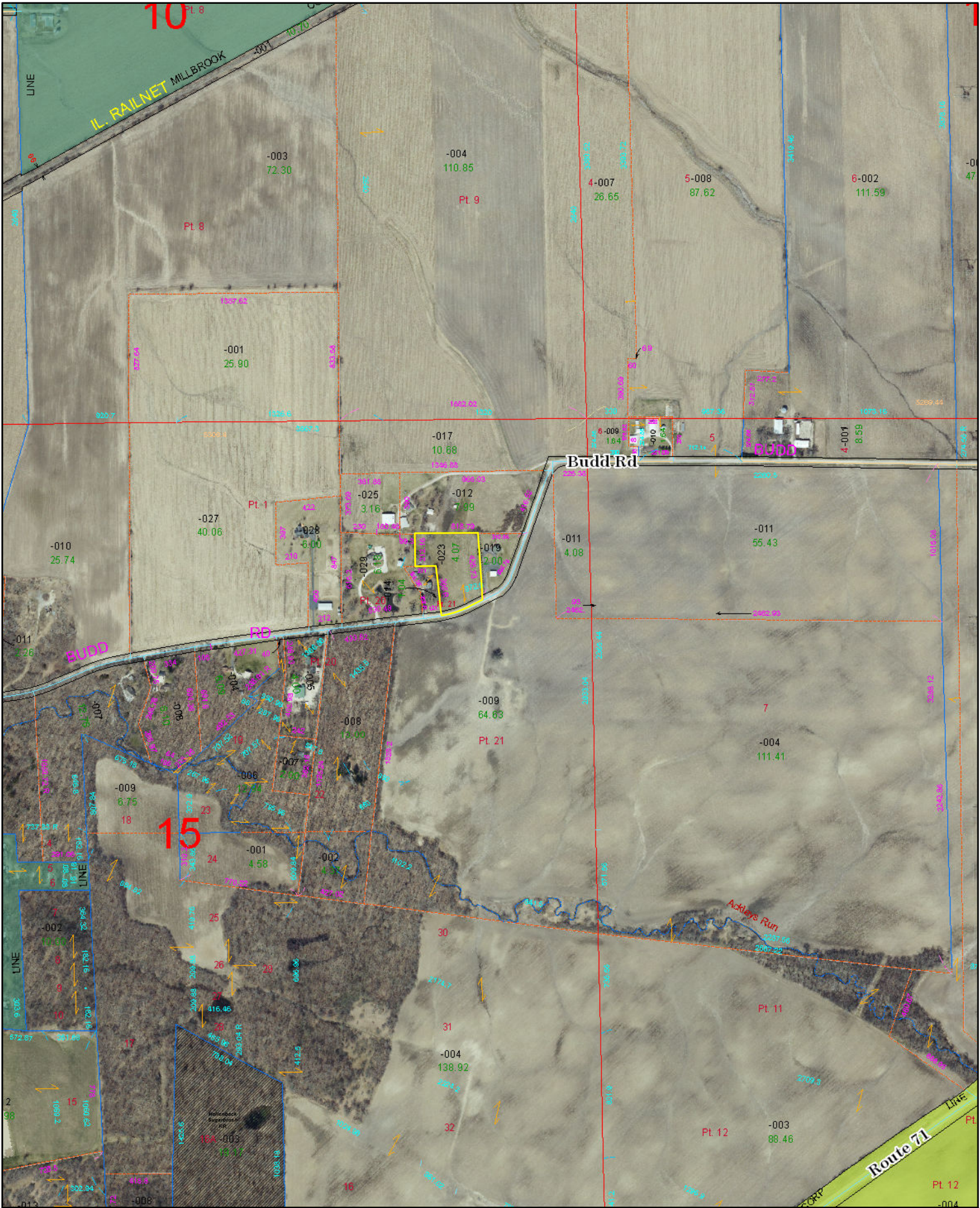


rbac

RB & ASSOCIATES
CONSULTING, INC

4 W MAIN STREET
PLANO, IL 60545
(630) 552-7452

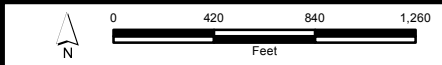
DESIGN FIRM #
184-004475
www.rb-associates.net



Kendall County GIS
111 West Fox Street - Room 309
Yorkville, IL 62458-1418
618.392.4930

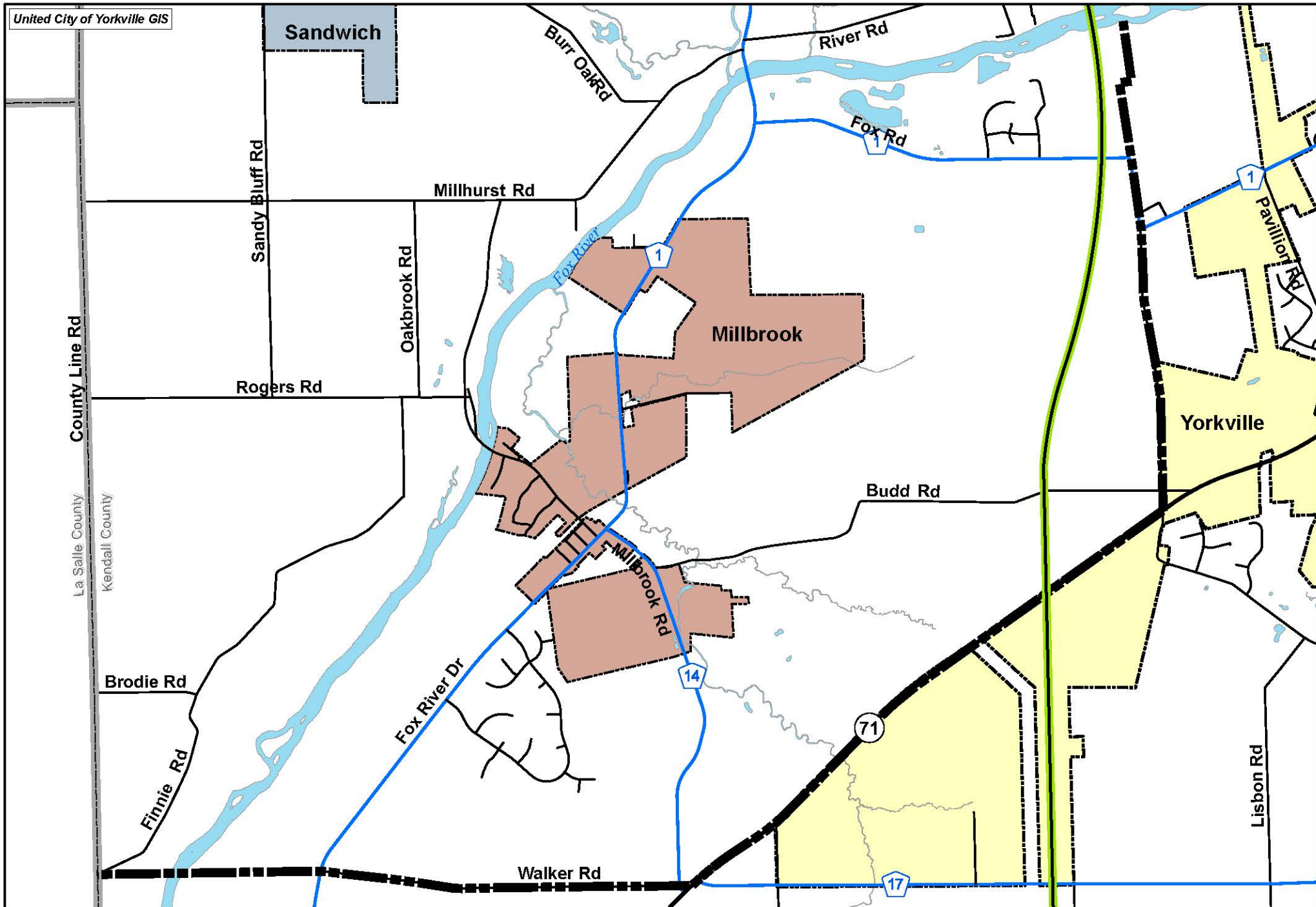
Aerial Year: 2016

04-15-200-023
Fox Twp.
Kendall County Illinois



1 inch = 800 feet



Created: 07/16/2017



Proposed Millbrook/Yorkville Boundary Agreement

November 17, 2008

Legend

-  Prairie Parkway B5 Alignment
-  Proposed Boundary Agreement

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