



United City of Yorkville

800 Game Farm Road

Yorkville, Illinois 60560

Telephone: 630-553-4350

www.yorkville.il.us

AGENDA ECONOMIC DEVELOPMENT COMMITTEE MEETING

Tuesday, March 6, 2018

6:00 p.m.

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

Citizen Comments:

Minutes for Correction/Approval: February 6, 2018

New Business:

1. EDC 2018-17 Building Permit Report for January 2018
2. EDC 2018-18 Building Inspection Report for January 2018
3. EDC 2018-19 Property Maintenance Report for January 2018
4. EDC 2018-20 Economic Development Report for February 2018
5. EDC 2018-21 Kendall Marketplace SSA Amendment
6. EDC 2018-22 Warpinski – Walker Road Rezoning – 1.5 Mile Review

Old Business:

1. EDC 2018-15 Developer Deposit Report/Ordinance

Additional Business:

2017/2018 City Council Goals – Economic Development Committee

Goal	Priority	Staff
“Downtown Planning”	1	Bart Olson & Krysti Barksdale-Noble
“Southside Development”	2	Bart Olson & Krysti Barksdale-Noble
“Manufacturing and Industrial Development”	4	Krysti Barksdale-Noble
“Revenue Growth”	9	Krysti Barksdale-Noble
“Capital Improvement Plan”	11	Bart Olson & Krysti Barksdale-Noble
“Community Entrance Signage and Wayfinding”	14	Krysti Barksdale-Noble

UNITED CITY OF YORKVILLE
WORKSHEET
ECONOMIC DEVELOPMENT COMMITTEE
Tuesday, March 6, 2018
6:00 PM
CITY HALL CONFERENCE ROOM

CITIZEN COMMENTS:

MINUTES FOR CORRECTION/APPROVAL:

1. February 6, 2018

- ☐ Approved _____
- ☐ As presented
- ☐ With corrections

NEW BUSINESS:

1. EDC 2018-17 Building Permit Report for January 2018

- ☐ Moved forward to CC _____ consent agenda? Y N
 - ☐ Approved by Committee _____
 - ☐ Bring back to Committee _____
 - ☐ Informational Item
 - ☐ Notes _____
-
-

2. EDC 2018-18 Building Inspection Report for January 2018

☐ Moved forward to CC _____ consent agenda? Y N

☐ Approved by Committee _____

☐ Bring back to Committee _____

☐ Informational Item

☐ Notes _____

3. EDC 2018-19 Property Maintenance Report for January 2018

☐ Moved forward to CC _____ consent agenda? Y N

☐ Approved by Committee _____

☐ Bring back to Committee _____

☐ Informational Item

☐ Notes _____

4. EDC 2018-20 Economic Development Update

☐ Moved forward to CC _____ consent agenda? Y N

☐ Approved by Committee _____

☐ Bring back to Committee _____

☐ Informational Item

☐ Notes _____

5. EDC 2018-21 Kendall Marketplace SSA Amendment

☐ Moved forward to CC _____ consent agenda? Y N

☐ Approved by Committee _____

☐ Bring back to Committee _____

☐ Informational Item

☐ Notes _____

6. EDC 2018-22 Warpinski – Walker Road Rezoning – 1.5 Mile Review

☐ Moved forward to CC _____ consent agenda? Y N

☐ Approved by Committee _____

☐ Bring back to Committee _____

☐ Informational Item

☐ Notes _____

OLD BUSINESS:

1. EDC 2018-15 Developer Deposit Report/Ordinance

☐ Moved forward to CC _____ consent agenda? Y N

☐ Approved by Committee _____

☐ Bring back to Committee _____

☐ Informational Item

☐ Notes _____

ADDITIONAL BUSINESS:



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

Agenda Item Number

Minutes

Tracking Number

Agenda Item Summary Memo

Title: Minutes of the Economic Development Committee – February 6, 2018

Meeting and Date: Economic Development Committee – March 6, 2018

Synopsis: _____

Council Action Previously Taken:

Date of Action: _____ Action Taken: _____

Item Number: _____

Type of Vote Required: Majority

Council Action Requested: Committee Approval

Submitted by: Minute Taker

Name

Department

Agenda Item Notes:

Have a question or comment about this agenda item?

Call us Monday-Friday, 8:00am to 4:30pm at 630-553-4350, email us at agendas@yorkville.il.us, post at www.facebook.com/CityofYorkville, tweet us at @CityofYorkville, and/or contact any of your elected officials at <http://www.yorkville.il.us/320/City-Council>

DRAFT

**UNITED CITY OF YORKVILLE
ECONOMIC DEVELOPMENT COMMITTEE
Tuesday, February 6, 2018, 6:00pm
City Conference Room**

In Attendance:

Committee Members

Chairman Ken Koch
Alderman Joel Frieders

Alderman Alex Hernandez
Alderman Carlo Colosimo

Other City Officials

City Administrator Bart Olson
Interim Assistant City Administrator Erin Willrett
Community Development Director Krysti Barksdale-Noble
Code Official Pete Ratos
Alderman Chris Funkhouser
City Engineer Brad Sanderson/EEI

Senior Planner Jason Engberg
City Consultant Lynn Dubajic

Other Guests

Dan LaTurno, President, Aurora Specialty Textiles

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

Citizen Comments: None

Minutes for Correction/Approval: January 2, 2018

The minutes were approved on a unanimous voice vote.

New Business

1. EDC 2018-09 Building Permit Reports for December 2017

Mr. Ratos reported 9 single family permits, 1 B.U.I.L.D. and 12 single family attached. He also reported the number of permits for the year. No further comments.

2. EDC 2018-10 Building Inspection Report for December 2017

Inspections done in December totaled 218, most of which were for Ryan Homes in Grande Reserve. Mr. Ratos said some permits have already been issued for spring where roads do not yet exist in Grande Reserve. No further discussion.

3. EDC 2018-11 Property Maintenance Report for December 2017

Four cases were heard in December. Mr. Ratos said other violations that were ticketed were rectified in the 10-day period. No discussion.

4. EDC 2018-12 Economic Development Update

1. Ms. Dubajic said a Yorkville resident with a scrapbooking business will host retreat weekends for scrapbookers twice a month. This will generate 1,200 hotel stays per year. She will have permanent space in the city and hopes to be open in late spring.
2. Working with prospective tenants for downtown buildings
3. Received permit application for banquet hall in Stagecoach Crossing
4. Working on prospective tenants for Kendall Marketplace, 28 lots nearby have been sold
5. Environmental Services bought empty bank building at Rt. 47 & Cannonball
6. Two national chain restaurants looking at Yorkville
7. A-frame building by Rt. 34 & 47 will become Salerno's Red Hots

No further comments.

5. EDC 2018-13 Annual Foreclosure Update

Ms. Noble said there were 61 single family foreclosures in 2017, most in Ward 3. She compared the numbers to previous years and said overall there was a downward trend. Kendall County now ranks number 4 in foreclosures in the State. It was decided the yearly total minus detail was adequate for the committee in the future.

6. EDC 2018-14 Manufacturing and Industrial City Council Goal Action Plans

Mr. Olson expanded on three Council action plan items from the Goal Setting Meeting which had also been discussed the previous year.

1. BNSF Site Certification process for Eldamain and Wrigley corridors
2. Marketing Eldamain area
3. Meet with developers to discuss enterprise zones

The committee also discussed compiling packets for developers which would include zoning and other data. Alderman Frieders proposed the business directory discussed 2 years ago and said the city could provide a free link on the city website along with a featured business. Ms. Willrett said there is now a draft business directory and a questionnaire to use for joining the directory. Alderman Koch said that YEDC had a website a few years ago, however, it was a membership-based website.

Mr. Olson continued with new goals:

4. YBSD plant capacity: Mr. Dan LaTurno, President of Aurora Specialty Textiles in Yorkville, was present. His business uses 25,000 gallons of water a day and YBSD has informed them their water usage will be cut by 60% in July. This would mean the loss of 85 jobs if accommodations cannot be made. He will be meeting with the head of YBSD. Mr. Sanderson said he is also trying to secure a meeting with YBSD and said they recently expanded capacity. Alderman Koch noted that any Eldamain development would be connected to YBSD and the committee agreed this is an important issue to be addressed.

5. Metra Site: Location needs to be determined.
6. Utility Expansion Plans: The city did a cost estimate for extending water and sewer to Eldamain to help secure businesses.
7. Nicor and ComEd Status: Meet with these utilities to discuss capacity and possible expansion.

8. Boundary Agreement with Plano: Most of Eldamain is in Plano School District and Yorkville schools might not benefit. Will discuss alignment of boundaries. Alderman Colosimo noted most of Schaefer Woods has Plano address, but attend Yorkville schools.
9. Food Hub: promote historical background in agriculture, protect land for agricultural uses.
10. Marijuana Legalization: Significant discussion in upcoming governor's election, prepare for less regulated industry.
11. Industrial Development Feasibility Study: Engage consultant to make recommendations to attract businesses. Will also research grant applications.

Alderman Frieders asked Mr. Olson to prioritize the above items and the committee agreed that YBSD capacity is the most critical. Mr. Colosimo said the city needs to have a portfolio of all lots and utility stats available for prospective businesses. Mr. Engberg said he has already started compiling this information.

In conclusion, Mr. Olson said the action plan items will be forwarded to the regular Council agenda for adoption on February 13th.

7. EDC 2018-15 Developer Deposit Report/Ordinance

Ms. Noble discussed a memo that addressed deposit/engineering review fees established in 2002. She said the fees are now falling short especially since outside consultants are being used. Staff researched what other communities are charging and it is being recommended to increase developer fees. Mr. Olson added that the city is still spending less on outsourcing engineering work.

Comments included to raise the fees and return unused funds, fees need to be more well-defined depending on the project details such as a pole building vs. an assisted living both on the same acreage, developers would balk at paying huge fees upfront, concentrate on better estimates of engineering fees, charge percentage-based fees determined by cost of project, escrow, etc., consider whether project is commercial or residential.

While the staff recommendation was a flat amount increase, the committee was leaning towards percentage-based fees. It was decided the deposit would be collected when the developer initially comes in. Ms. Noble will bring past projects as examples and this will be brought back to committee for further consideration.

8. EDC 2018-16 Renewal of Intergovernmental Agreement with Kendall County For Building Inspection Services

The committee was OK with this agreement.

Old Business None

Additional Business: None

There was no further business and the meeting adjourned at 7:38pm.

Minutes respectfully submitted by Marlys Young, Minute Taker



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

Agenda Item Number

New Business #1

Tracking Number

EDC 2018-17

Agenda Item Summary Memo

Title: Building Permit Report for January 2018

Meeting and Date: Economic Development Committee – March 6, 2018

Synopsis: All permits issued in January 2018.

Council Action Previously Taken:

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

Item Number: N/A

Type of Vote Required: Informational

Council Action Requested: None

Submitted by: D. Weinert Community Development
Name Department

Agenda Item Notes:



UNITED CITY OF YORKVILLE

BUILDING PERMIT REPORT

January 2018

TYPES OF PERMITS

	Number of Permits Issued	SFD <i>Single Family Detached</i>	B.U.I.L.D <i>Single Family Detached Program Begins 1/1/2012</i>	SFA <i>Single Family Attached</i>	Multi- Family <i>Apartments Condominiums</i>	Commercial <i>Includes all Permits Issued for Commercial Use</i>	Industrial	Misc.	Construction Cost	Permit Fees
January 2018	43	4	11	0	0	10	0	18	3,329,185.00	223,014.13
Calendar Year 2018	43	4	11	0	0	10	0	18	3,329,185.00	223,014.13
Fiscal Period 2018	740	57	68	12	1	121	0	481	62,792,087.00	2,228,495.07
January 2017	32	1	6	0	0	10	0	15	1,916,727.00	98,105.55
Calendar Year 2017	32	1	6	0	0	10	0	15	1,916,727.00	98,105.55
Fiscal Period 2017	669	40	82	0	0	91	0	456	30,098,866.00	1,480,888.63
January 2016	19	0	0	0	0	10	0	9	168,642.00	2,400.00
Calendar Year 2016	19	0	0	0	0	10	0	9	168,642.00	2,400.00
Fiscal Period 2016	478	7	54	0	0	105	0	312	14,423,747.00	825,131.08
January 2015	21	0	5	0	0	11	0	5	31,042,751.00	72,189.77
Calendar Year 2015	21	0	5	0	0	11	0	5	31,042,751.00	72,189.77
Fiscal Period 2015	453	2	52	0	0	86	0	313	50,301,068.00	852,193.98



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

Agenda Item Number

New Business #2

Tracking Number

EDC 2018-18

Agenda Item Summary Memo

Title: Building Inspection Report for January 2018

Meeting and Date: Economic Development Committee – March 6, 2018

Synopsis: All inspections scheduled in January 2018.

Council Action Previously Taken:

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

Item Number: N/A

Type of Vote Required: Informational

Council Action Requested: None

Submitted by: D. Weinert Community Development
Name Department

Agenda Item Notes:

DATE: 01/31/2018
TIME: 12:21:45
ID: PT4A0000.WOW

UNITED CITY OF YORKVILLE
CALLS FOR INSPECTION REPORT

PAGE: 1

INSPECTIONS SCHEDULED FROM 01/01/2018 TO 01/31/2018

INSPECTOR	TIME	TYPE OF INSPECTION	PERMIT	ADDRESS	LOT	SCHED. DATE	COMP. DATE
PR	_____	006-ABC ABOVE CEILING Comments1: BUILDING LOCKED UNABLE TO INSPECT	20160888	129 COMMERCIAL DR	18		01/29/2018
PR	_____	AM 007-REI REINSPECTION Comments1: ABOVE CEILING					01/30/2018
PR	_____	037-ABC ABOVE CEILING	20160894	1050 FREEMONT ST			01/03/2018
PR	08:00	038-ELS ELECTRIC SERVICE					01/17/2018
BC	_____	001-FIN FINAL INSPECTION	20170261	110 E COUNTRYSIDE PKWY			01/11/2018
PR	_____	003-FIN FINAL INSPECTION Comments1: FURNACE	20170422	809 MORGAN ST			01/05/2018
PR	_____	006-RFR ROUGH FRAMING	20170494	602 WINDETT RIDGE RD	159		01/16/2018
PR	_____	007-REL ROUGH ELECTRICAL					01/16/2018
PR	_____	008-RMC ROUGH MECHANICAL					01/16/2018
PR	_____	009-PLR PLUMBING - ROUGH					01/16/2018
BC	_____	010-INS INSULATION Comments1: INSPECT BASEMENT AT FINAL					01/18/2018
BC	_____	011-FTG FOOTING					01/30/2018
BC	_____	012-GAR GARAGE FLOOR					01/30/2018
PR	_____	008-FIN FINAL INSPECTION Comments1: FINAL FOR STOCKING	20170524	1800 MARKETVIEW DR	4		01/17/2018
BC	_____	AM 009-FTG FOOTING					01/30/2018
PR	_____	015-FIN FINAL INSPECTION Comments1: IEC STICKER NEEDED IN PANEL	20170577	1006 S CARLY CIR	112		01/18/2018
PR	_____	016-PLF PLUMBING - FINAL OSR READ					01/18/2018
TK	_____	017-EFL ENGINEERING - FINAL INSPE Comments1: OK TO TEMP					01/19/2018
PR	_____	017-FIN FINAL INSPECTION	20170585	1321 SPRING ST	168		01/09/2018
PR	_____	018-PLF PLUMBING - FINAL OSR READ					01/09/2018
BC	_____	018-FTG FOOTING	20170593	3465 RYAN DR	4		01/17/2018

INSPECTIONS SCHEDULED FROM 01/01/2018 TO 01/31/2018

INSPECTOR	TIME	TYPE OF INSPECTION	PERMIT	ADDRESS	LOT	SCHED. DATE	COMP. DATE
BC	_____	018-FTG FOOTING	20170594	2611 MCLELLAN BLVD	42		01/17/2018
PR	_____	016-FIN FINAL INSPECTION	20170597	2838 SILVER SPRINGS CT	255		01/08/2018
PR	_____	017-PLF PLUMBING - FINAL OSR READ					01/08/2018
PR	_____	017-FIN FINAL INSPECTION	20170599	2824 SILVER SPRINGS CT	259		01/08/2018
PR	_____	018-PLF PLUMBING - FINAL OSR READ					01/08/2018
BC	_____	001-FIN FINAL INSPECTION Comments1: EXTREME ICE BUILDUP ON INTERIOR GLASS & Comments2: FRAMES. POTENTIAL SEAL PROBLEM	20170609	536 W BARBERRY CIR	70		01/08/2018
BC	_____	002-REI REINSPECTION					01/26/2018
BC	_____	012-INS INSULATION	20170611	2866 CRANSTON CIR	93		01/03/2018
PR	_____	015-FIN FINAL INSPECTION	20170615	2732 CRANSTON CIR	118		01/04/2018
PR	_____	016-PLF PLUMBING - FINAL OSR READ					01/04/2018
TK	_____	017-EFL ENGINEERING - FINAL INSPE Comments1: BBOX KEYABLE OK TO TEMP					01/04/2018
PR	_____	014-FIN FINAL INSPECTION	20170619	2298 GRANDE TRAIL CT	173		01/19/2018
PR	_____	015-PLF PLUMBING - FINAL OSR READ					01/19/2018
TK	_____	016-EFL ENGINEERING - FINAL INSPE Comments1: OK TO TEMP					01/19/2018
PR	_____	014-FIN FINAL INSPECTION	20170650	951 PURCELL ST	61		01/24/2018
PR	_____	015-PLF PLUMBING - FINAL OSR READ					01/24/2018
TK	_____	016-EFL ENGINEERING - FINAL INSPE Comments1: BBOX KEYABLE OK TO TEMP					01/24/2018
PR	_____	015-FIN FINAL INSPECTION	20170662	2591 LYMAN LOOP	40		01/11/2018
PR	_____	016-PLF PLUMBING - FINAL OSR READ					01/11/2018
BC	_____	001-RFR ROUGH FRAMING	20170703	2800 N ROUTE 47			01/12/2018
PR	_____	002-PLR PLUMBING - ROUGH Comments1: THE WORK THAT HAS BEEN DONE IS APPROVED. Comments2: DO NOT DO ANY OTHER WORK UNTIL A PROFES Comments3: SIONAL HAS LOOKED AT THE WATER DAMAGE TO Comments4: THE STRUCTURE	20170712	2584 MADDEN CT	9		01/05/2018

DATE: 01/31/2018
TIME: 12:21:45
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UNITED CITY OF YORKVILLE
CALLS FOR INSPECTION REPORT

PAGE: 3

INSPECTIONS SCHEDULED FROM 01/01/2018 TO 01/31/2018

INSPECTOR	TIME	TYPE OF INSPECTION	PERMIT	ADDRESS	LOT	SCHED. DATE	COMP. DATE
PR	_____	007-RFR ROUGH FRAMING	20170734	2184 BURR CT	9		01/09/2018
PR	_____	008-REL ROUGH ELECTRICAL					01/09/2018
PR	_____	009-RMC ROUGH MECHANICAL					01/09/2018
PR	_____	010-PLR PLUMBING - ROUGH					01/09/2018
PR	_____	011-INS INSULATION					01/11/2018
BC	_____	001-FIN FINAL INSPECTION	20170775	402 SANDERS CT	12		01/09/2018
PR	_____	016-FIN FINAL INSPECTION	20170778	2798 CRANSTON CIR	98		01/29/2018
PR	_____	017-PLF PLUMBING - FINAL OSR READ					01/29/2018
TK	_____	018-EFL ENGINEERING - FINAL INSPE Comments1: BBOX KEYABLE OK TO TEMP					01/29/2018
PR	_____	005-RFR ROUGH FRAMING	20170781	958 PURCELL ST	84		01/25/2018
PR	_____	006-REL ROUGH ELECTRICAL					01/25/2018
PR	_____	007-RMC ROUGH MECHANICAL					01/25/2018
PR	_____	008-PLR PLUMBING - ROUGH					01/25/2018
BC	_____	005-BSM BASEMENT FLOOR Comments1: WAITING FOR UNDERSLAB PLUMBING INSPECTIO Comments2: N	20170796	2609 FAIRFAX WAY	251		01/30/2018
PR	_____	006-PLU PLUMBING - UNDERSLAB					01/30/2018
PR	_____	013-INS INSULATION	20170807	2465 WILTON CT	128		01/02/2018
PR	_____	015-PLF PLUMBING - FINAL OSR READ	20170817	3178 BOOMBAH BLVD	131		01/26/2018
PR	_____	AM 001-PLU PLUMBING - UNDERSLAB	20170824	1100 W VETERANS PKWY			01/30/2018
BC	_____	001-FIN FINAL INSPECTION	20170825	2277 NORTHLAND LN			01/11/2018
PR	_____	004-RFR ROUGH FRAMING	20170830	308 WESTWIND DR	2		01/22/2018
PR	_____	005-REL ROUGH ELECTRICAL					01/22/2018
PR	_____	006-RMC ROUGH MECHANICAL					01/22/2018
PR	_____	007-PLR PLUMBING - ROUGH					01/22/2018

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UNITED CITY OF YORKVILLE
CALLS FOR INSPECTION REPORT

PAGE: 4

INSPECTIONS SCHEDULED FROM 01/01/2018 TO 01/31/2018

INSPECTOR	TIME	TYPE OF INSPECTION	PERMIT	ADDRESS	LOT	SCHED. DATE	COMP. DATE
BC	_____	008-INS INSULATION					01/25/2018
BC	_____	009-REI REINSPECTION					01/26/2018
		Comments1: INSULATION					
PR	_____	010-PLU PLUMBING - UNDERSLAB					01/26/2018
BC	_____	011-BSM BASEMENT FLOOR				01/31/2018	
PR	_____	009-RFR ROUGH FRAMING	20170840	3111 LAUREN DR	92		01/12/2018
PR	_____	010-REL ROUGH ELECTRICAL					01/12/2018
PR	_____	011-RMC ROUGH MECHANICAL					01/12/2018
PR	_____	012-PLR PLUMBING - ROUGH					01/12/2018
PR	_____	013-STK STACK TEST					01/16/2018
BC	_____	014-GAR GARAGE FLOOR					01/11/2018
BC	_____	015-STP STOOP				01/18/2018	
PR	_____	009-INS INSULATION	20170841	3161 LAUREN DR	87		01/04/2018
PR	_____	010-STK STACK TEST					01/04/2018
PR	_____	011-REL ROUGH ELECTRICAL					01/02/2018
PR	_____	012-RFR ROUGH FRAMING					01/02/2018
PR	_____	013-RMC ROUGH MECHANICAL					01/02/2018
PR	_____	014-PLR PLUMBING - ROUGH					01/02/2018
BC	_____	015-GAR GARAGE FLOOR					01/08/2018
BC	_____	016-STP STOOP					01/08/2018
BC	_____	016-GAR GARAGE FLOOR	20170842	505 SHADOW WOOD DR	106		01/08/2018
BC	_____	017-STP STOOP					01/08/2018
BC	_____	009-GAR GARAGE FLOOR	20170877	488 SHADOW WOOD DR	103		01/18/2018
BC	_____	010-STP STOOP					01/18/2018
BC	_____	AM 003-BKF BACKFILL	20170888	941 PURCELL ST	62		01/22/2018

INSPECTIONS SCHEDULED FROM 01/01/2018 TO 01/31/2018

INSPECTOR	TIME	TYPE OF INSPECTION	PERMIT	ADDRESS	LOT	SCHED. DATE	COMP. DATE
PR	_____	001-RFR ROUGH FRAMING	20170896	1366 SPRING ST	219		01/16/2018
PR	_____	002-REL ROUGH ELECTRICAL					01/16/2018
PR	_____	003-RMC ROUGH MECHANICAL					01/16/2018
PR	_____	004-PLR PLUMBING - ROUGH					01/16/2018
PR	_____	004-FIN FINAL INSPECTION	20170917	215 W KENDALL DR			01/10/2018
PR	_____	005-PLF PLUMBING - FINAL OSR READ					01/10/2018
BC	_____	001-FIN FINAL INSPECTION	20170919	622 BIRCHWOOD DR	151		01/05/2018
BC	_____	003-BKF BACKFILL	20170920	521 OMAHA DR	4		01/23/2018
PR	_____	PM 001-RFR ROUGH FRAMING	20170921	10 SARAVANOS DR	1		01/30/2018
PR	_____	PM 002-REL ROUGH ELECTRICAL					01/30/2018
PR	_____	PM 003-PLR PLUMBING - ROUGH					01/30/2018
BC	_____	AM 002-RFR ROUGH FRAMING	20170945	1414 ASPEN LN	86		01/30/2018
BC	_____	001-FTG FOOTING	20170949	344 FONTANA DR	54		01/10/2018
BC	_____	002-FOU FOUNDATION					01/11/2018
BC	_____	PM 003-BKF BACKFILL					01/18/2018
PR	_____	004-PLU PLUMBING - UNDERSLAB					01/30/2018
PR	_____	005-ESS ENGINEERING - STORM					01/19/2018
PR	_____	006-ESW ENGINEERING - SEWER / WAT					01/19/2018
PR	_____	007-BSM BASEMENT FLOOR					01/30/2018
PR	_____	008-CRL CRAWL SPACE					01/30/2018
BC	_____	AM 001-FTG FOOTING	20170953	2186 BURR CT	8		01/17/2018
BC	_____	002-FOU FOUNDATION					01/19/2018
PR	_____	003-WAT WATER					01/29/2018
BC	_____	AM 001-FOU FOUNDATION	20170954	2623 BURR ST	80		01/22/2018

DATE: 01/31/2018
TIME: 12:21:45
ID: PT4A0000.WOW

UNITED CITY OF YORKVILLE
CALLS FOR INSPECTION REPORT

PAGE: 6

INSPECTIONS SCHEDULED FROM 01/01/2018 TO 01/31/2018

INSPECTOR	TIME	TYPE OF INSPECTION	PERMIT	ADDRESS	LOT	SCHED. DATE	COMP. DATE
BC	_____	002-BKF BACKFILL					01/26/2018
PR	_____	003-WAT WATER					01/29/2018
BC	_____	001-OCC OCCUPANCY INSPECTION Comments1: UN GROUNDED CIRCUIT UNDER NEW COUNTER	20170957	1155 N BRIDGE ST			01/24/2018
PR	_____	001-RFR ROUGH FRAMING	20170958	220 S BRIDGE ST			01/29/2018
BC	_____	001-FTG FOOTING	20170960	465 SHADOW WOOD DR	33		01/10/2018
BC	_____	002-FOU FOUNDATION					01/11/2018
BC	_____	PM 003-BKF BACKFILL					01/18/2018
PR	_____	004-PLU PLUMBING - UNDERSLAB					01/30/2018
PR	_____	005-ESW ENGINEERING - SEWER / WAT					01/19/2018
PR	_____	006-ESS ENGINEERING - STORM					01/19/2018
PR	_____	007-BSM BASEMENT FLOOR					01/30/2018
PR	_____	008-CRL CRAWL SPACE					01/30/2018
BC	_____	001-FTG FOOTING	20170962	3204 PINWOOD DR	37		01/24/2018
PR	_____	002-FOU FOUNDATION					01/29/2018
BC	_____	001-FIN FINAL INSPECTION Comments1: CAULKING MISSING IN SPOTS OF FRONT BAY W Comments2: INDOW. SUBJECT TO MOISTURE PENETRATION.	20170977	2454 WAVERLY CIR	239		01/17/2018
PR	_____	001-FIN FINAL INSPECTION	20170978	1439 CANNONBALL TR			01/17/2018
BKF	_____	002-FIN FINAL INSPECTION Comments1: NO FIRE EXTINGUISHERS					01/17/2018
BC	_____	001-FTG FOOTING	20170981	2731 PHELPS CT	268		01/09/2018
BC	_____	002-FOU FOUNDATION					01/10/2018
BC	_____	003-BKF BACKFILL					01/17/2018
PR	_____	004-ESW ENGINEERING - SEWER / WAT					01/25/2018
PR	_____	001-FTG FOOTING	20170982	2667 FAIRFAX WAY	258	01/29/2018	

INSPECTIONS SCHEDULED FROM 01/01/2018 TO 01/31/2018

INSPECTOR	TIME	TYPE OF INSPECTION	PERMIT	ADDRESS	LOT	SCHED. DATE	COMP. DATE
BC	_____	002-FOU FOUNDATION				01/31/2018	
BC	_____	001-FTG FOOTING	20170985	3475 RYAN DR	3		01/24/2018
PR	_____	002-FOU FOUNDATION					01/29/2018
BC	_____	AM 001-FTG FOOTING	20170986	562 SHADOW WOOD DR	96		01/18/2018
BC	_____	AM 002-FOU FOUNDATION					01/23/2018
BC	_____	003-BKF BACKFILL					01/30/2018
PR	_____	004-ESS ENGINEERING - STORM					01/29/2018
PR	_____	005-ESW ENGINEERING - SEWER / WAT					01/29/2018
BC	11:30	001-FTG FOOTING	20170987	582 SHADOW WOOD DR	94		01/18/2018
BC	_____	AM 002-FOU FOUNDATION					01/22/2018
BC	_____	003-BKF BACKFILL					01/30/2018
PR	_____	004-ESW ENGINEERING - SEWER / WAT					01/29/2018
PR	_____	005-ESS ENGINEERING - STORM					01/29/2018
BC	_____	001-FTG FOOTING	20170993	988 S CARLY CIR	110		01/12/2018
BC	_____	001-FTG FOOTING	20170995	1202 PATRICK CT	13		01/10/2018
BC	11:30	002-FOU FOUNDATION Comments1: PLACE 2 4 IN TOP OF THE WALL					01/18/2018
BC	_____	003-BKF BACKFILL				01/31/2018	
BC	_____	PM 001-PHF POST HOLE - FENCE	20180002	1956 SUNNY DELL CT	97		01/08/2018
BC	_____	AM 001-PHF POST HOLE - FENCE	20180005	522 BURNING BUSH DR	99		01/30/2018
BC	_____	001-PHD POST HOLE - DECK	20180010	2246 LAVENDER WAY	61		01/23/2018
BC	_____	002-FIN FINAL INSPECTION				01/31/2018	
BC	_____	001-FIN FINAL INSPECTION	20180014	1531 STONERIDGE CT	66		01/22/2018
BC	_____	001-FTG FOOTING	20180020	311 CHURCH ST			01/26/2018
BC	_____	001-FTG FOOTING	20180021	407 COLTON ST	1		01/26/2018

DATE: 01/31/2018
TIME: 12:21:45
ID: PT4A0000.WOW

UNITED CITY OF YORKVILLE
CALLS FOR INSPECTION REPORT

PAGE: 8

INSPECTIONS SCHEDULED FROM 01/01/2018 TO 01/31/2018

INSPECTOR	TIME	TYPE OF INSPECTION	PERMIT	ADDRESS	LOT	SCHED. DATE	COMP. DATE
PR	_____	PM 001-PHF POST HOLE - FENCE	20180023	548 REDHORSE LN	138		01/29/2018
BC	_____	001-RFR ROUGH FRAMING	20180029	1893 WALSH DR.			01/26/2018
BC	_____	002-REL ROUGH ELECTRICAL					01/26/2018
BC	_____	001-FIN FINAL INSPECTION	20180043	4562 GARDINER AVE	1131		01/25/2018

INSPECTIONS SCHEDULED FROM 01/01/2018 TO 01/31/2018

INSPECTOR	TIME	TYPE OF INSPECTION	PERMIT	ADDRESS	LOT	SCHED. DATE	COMP. DATE

PERMIT TYPE SUMMARY:		ADD ADDITION			1		
		APT APARTMENT, CONDO			2		
		BDO COMMERCIAL BUILD-OUT			3		
		BIP BUILD INCENTIVE PROGRAM SFD			48		
		BSM BASEMENT REMODEL			8		
		CCO COMMERCIAL OCCUPANCY PERMIT			3		
		COM COMMERCIAL BUILDING			1		
		CRM COMMERCIAL REMODEL			6		
		DCK DECK			3		
		ESN ELECTRIC SIGN			1		
		FNC FENCE			3		
		HVC HVAC UNIT/S			1		
		MIS MISCELLANEOUS			1		
		MSC MISCELLANEOUS			1		
		REM REMODEL			1		
		REP REPAIR			1		
		ROF ROOFING			1		
		SFD SINGLE-FAMILY DETACHED			73		
		WIN WINDOW REPLACEMENT			5		
INSPECTION SUMMARY:		ABC ABOVE CEILING			2		
		BKF BACKFILL			9		
		BSM BASEMENT FLOOR			4		
		CRL CRAWL SPACE			2		
		EFL ENGINEERING - FINAL INSPECTION			5		
		ELS ELECTRIC SERVICE			1		
		ESS ENGINEERING - STORM			4		
		ESW ENGINEERING - SEWER / WATER			5		
		FIN FINAL INSPECTION			23		
		FOU FOUNDATION			11		
		FTG FOOTING			17		
		GAR GARAGE FLOOR			5		
		INS INSULATION			6		
		OCC OCCUPANCY INSPECTION			1		
		PHD POST HOLE - DECK			1		
		PHF POST HOLE - FENCE			3		
		PLF PLUMBING - FINAL OSR READY			11		
		PLR PLUMBING - ROUGH			9		
		PLU PLUMBING - UNDERSLAB			5		
		REI REINSPECTION			3		
		REL ROUGH ELECTRICAL			9		
		RFR ROUGH FRAMING			12		
		RMC ROUGH MECHANICAL			7		
		STK STACK TEST			2		
		STP STOOP			4		
		WAT WATER			2		

DATE: 01/31/2018
TIME: 12:21:45
ID: PT4A0000.WOW

UNITED CITY OF YORKVILLE
CALLS FOR INSPECTION REPORT

PAGE: 10

INSPECTIONS SCHEDULED FROM 01/01/2018 TO 01/31/2018

INSPECTOR	TIME	TYPE OF INSPECTION	PERMIT	ADDRESS	LOT	SCHED. DATE	COMP. DATE

INSPECTOR SUMMARY:		BC		BOB CREADEUR		67	
		BKF		BRISTOL KENDALL FIRE DEPT		1	
		PR		PETER RATOS		90	
		TK		TOM KONEN		5	
STATUS SUMMARY:	C	BC				12	
	C	BKF				1	
	C	PR				6	
	I	BC				54	
	I	PR				68	
	T	BC				1	
	T	PR				16	
	T	TK				5	
REPORT SUMMARY:						163	



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

Agenda Item Number

New Business #3

Tracking Number

EDC 2018-19

Agenda Item Summary Memo

Title: Property Maintenance Report for January 2018

Meeting and Date: Economic Development Committee – March 6, 2018

Synopsis: _____

Council Action Previously Taken:

Date of Action: _____ Action Taken: _____

Item Number: _____

Type of Vote Required: Informational

Council Action Requested: None

Submitted by: Pete Ratos Community Development
Name Department

Agenda Item Notes:

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Memorandum

To: Economic Development Committee
From: Pete Ratos, Code Official
CC: Bart Olson, Krysti Barksdale-Noble, Lisa Pickering
Date: January 30, 2018
Subject: January Property Maintenance

Property Maintenance Report January 2018

Adjudication:

3 Property Maintenance Cases heard in January

1/03/2018

N 3586	305 E Fox St	Motor Vehicles on Property	Dismissed
--------	--------------	----------------------------	-----------

1/17/2018

N 3587	601 Heustis St	Exterior Property Areas	Liable \$0.0
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1/22/2018

N 2703	706 S State St	Unsafe Structures	Continued
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Case Report

1/1/2018 - 1/31/2018

Case #	Case Date	ADDRESS OF COMPLAINT	TYPE OF VIOLATION	DOWNTOWN SWEEP	STATUS	VIOLATION LETTER SENT	FOLLOW UP STATUS	CITATION ISSUED	DATE OF HEARING	FINDINGS
20180025	1/30/2018	5360 Willow way	Work with out a permit		CLOSED					
20180024	1/29/2018	Parking Lot On 634 A-F W Veterans Pkwy	Do Not Enter Sign		IN VIOLATION	1/30/2018				
20180023	1/26/2018	120 Naden Ct	Vehicle		IN VIOLATION	1/30/2018				
20180022	1/26/2018	109 N Conover Ct	Vehicle		IN VIOLATION	1/30/2018				
20180021	1/26/2018	107 E Kendall Dr	Vehicle		IN VIOLATION	1/26/2018				
20180020	1/25/2018	119 Strawberry Ln	Off street parking		IN VIOLATION	1/26/2018				
20180019	1/25/2018	2204 Meadowview Ln	Off Street Parking		IN VIOLATION	1/25/2018				
20180018	1/25/2018	211 Walsh Cir	Off Street Parking		IN VIOLATION	1/25/2018				
20180017	1/25/2018	1875 Walsh Dr	Off Street Parking		IN VIOLATION	1/25/2018				
20180016	1/22/2018	Parking Lot in Autumn Creek Blvd next to Orchid St	Vehicles		IN VIOLATION	1/24/2018				
20180015	1/22/2018	Parking Lot in Autumn Creek Blvd next to Orchid St	Vehicles		IN VIOLATION	1/24/2018				

20180014	1/22/2018	Parking Lot in Autumn Creek Blvd next to Orchid St	Vehicles		IN VIOLATION	1/22/2018				
20180013	1/19/2018	1609 Cottonwood Trl	Off Street Parking		IN VIOLATION	1/19/2018				
20180012	1/19/2018	1620 Cottonwood Trl	Vehicle		IN VIOLATION	1/19/2018				
20180011	1/19/2018	1405 Aspen Ln	Vehicle		PENDING					
20180010	1/19/2018	1438 Chest Nut Ln	Vehicle		PENDING					
20180009	1/19/2018	1433 Chestnut Ln	Vehicle		PENDING					
20180008	1/19/2018	1406 Chestnut Ln	Vehicle		PENDING					
20180007	1/17/2018	2551 N Bridge St	Work with out a permit		CLOSED	1/17/2018	COMPLIANT			
20180006	1/16/2018	683 YELLOWSTONE LN	CAR PARKED ON LAWN		CLOSED					
20180005	1/5/2018	2398 Iroquois Ln	Junk and Refuse		CLOSED					
20180004	1/3/2018	308 N. Bridge St.	No Occupancy Permit		CLOSED	1/3/2018				
20180003	1/2/2018	Caledonia Subd.	Snipe Signs		IN VIOLATION	1/2/2018				
20180002	1/2/2018	Walnut st.	Snipe Signs		IN VIOLATION	1/2/2018				

Total Records: 24

1/31/2018



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

Agenda Item Number

New Business #4

Tracking Number

EDC 2018-20

Agenda Item Summary Memo

Title: Economic Development Report for February 2018

Meeting and Date: Economic Development Committee – March 6, 2018

Synopsis: See attached.

Council Action Previously Taken:

Date of Action: N/A Action Taken: _____

Item Number: _____

Type of Vote Required: _____

Council Action Requested: _____

Submitted by: Bart Olson Administration
Name Department

Agenda Item Notes:

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

Monthly Report – for March 2018 EDC Meeting of the United City of Yorkville

February 2018 Activity

Downtown Redevelopment:

- Continue working with Imperial Investments to identify a variety of businesses who may be potential tenant candidates for future and existing buildings.
- Working with other small businesses looking at opportunities in the Downtown.

Development south of Fox River:

- Continue working with Eleno Silva. Eleno has been issued an exterior building permit for the partially built structure in Stagecoach Crossing.
- Idea Marketing which is currently located in Fountain Village (Route 47 & 71), has purchased a portion of former West Suburban Bank building in Stagecoach Crossing. They are planning on moving into their new home in the spring. They will also have small spaces available to lease out to individuals who may be looking to grow their business.
- Subway Sandwich Shop has closed at Fountain Village. With this business closing, and Idea Marketing moving, this Center has limited tenants.

Development north of the Fox River:

- Kendall Crossing...Construction is moving along on the Holiday Inn Express and Banquet Facility. Working with a variety of perspective businesses, who are looking at leasing space or purchasing land at Kendall Crossing.
- Kendall Marketplace...Working with Alex Berman (owner) to identify potential additional development on the project. The junior box is continuing to negotiate their lease. The final hurdle is signage. Alex has begun the process to get approvals for an increase in height for the two monument signs to meet the needs of this retailer. There is also another national retailer looking at center that would be considered a small space fashion business. Also working with quick casual and fast food users, who are considering outlot development at Kendall Marketplace. Alex is determining whether the time is right to build a multi-tenant building on an outlot in 2018.
- Continue to work with two National restaurants chains are looking closely at Yorkville. While I am unable to disclose the names of these two very familiar chains, I can state that one has put a piece of property under contract and is completing their due diligence. The other has narrowed their search to three sites. The due diligence on these potential businesses continues.
- While I am not able to provide detailed information because of ongoing negotiation, I would like to state that I have been working with a number of new business that are considering existing vacant space to lease for their business.

Industrial Development:

- Working with Joyce Sloan, the industrial broker, who is the listing agent on Lincoln Prairie on Eldmain Road.
- Working with small industrial user to locate in Yorkville. This business owner is a resident, and currently operates in a surrounding community. I hope to be able to report more specifics in the next 30 to 60 days. Project is out for financing options at this time.

Recreation:

- Go for it Sports...continue working with the center, who now has teams in rugby, lacrosse, track, baseball, soccer, softball, and track practicing at the facility. They have also been working with the Chicago Fire Professional Soccer Team, who is going to be holding free soccer clinics for area youth.

Other Activity:

- Hosted the quarterly KEDA meeting. We were able to get representatives from DCEO (the State of Illinois) to make a presentation for the group regarding the State of Illinois programs for business such as EDGE.

Respectfully submitted,

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



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

Agenda Item Number

New Business #5

Tracking Number

EDC 2018-21

Agenda Item Summary Memo

Title: Kendall Marketplace SSA Amendment

Meeting and Date: Economic Development Committee - March 6, 2018

Synopsis: See attached memo.

Council Action Previously Taken:

Date of Action: N/A Action Taken: _____

Item Number: _____

Type of Vote Required:

Council Action Requested: _____

Submitted by: Bart Olson Administration
Name Department

Agenda Item Notes:

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Memorandum

To: Economic Development Committee
From: Bart Olson, City Administrator
CC:
Date: February 27, 2018
Subject: Kendall Marketplace SSA cleanup

Summary

Consideration of an ordinance to remove a property from the Kendall Marketplace SSA.

Background

The City approved development and incentive agreements, and SSA creation documents, for the Kendall Marketplace property in 2006. The SSA was formally and finally established in 2007, as part of Ordinance 2007-26. The SSA was used to fund public roadwork for Beecher Road, Cannonball Trail, and Route 34. Those improvements were part of the approval of the commercial portion of the Kendall Marketplace development, and were not intended to benefit or be paid for by any of the residential areas in Kendall Marketplace.

This intent is memorialized in the various bond documents (not included, due to length) for the project and the metes and bounds legal description in Ordinance 2007-26. The metes and bounds legal description is hand-drawn with a red outline on the attached final plat exhibit. Generally, it includes all of the southern portion of the property, does not include the majority of Lot 52, and does not include any of the single family residential lots on the north end of the property. The problematic property in question is the eastern panhandle of lot 52, immediately north of lot 57 which is the detention basin. This eastern panhandle of lot 52 is a townhouse parcel, and should not have been included in the metes and bounds legal description for the SSA boundaries.

On a related, but mutually exclusive note – a decade ago, the County had misread the metes and bounds legal description for the Kendall Marketplace SSA and incorrectly included all of the single family residential lots and all of lot 52 (the townhouse lot) in the Kendall Marketplace SSA. Because the metes and bounds legal description did not contain these areas, the County was able to correct that error administratively. Because the property under consideration as part of this agenda item *was* included in the metes and bounds legal description (even improperly so), the County can not remove the parcel from the SSA without City action.

Attorney Orr has drafted a memo clarifying the City's authority to remove this non-benefited parcel from the Kendall Marketplace SSA. A draft ordinance is also attached.

Recommendation

Staff recommends approval of the attached ordinance.

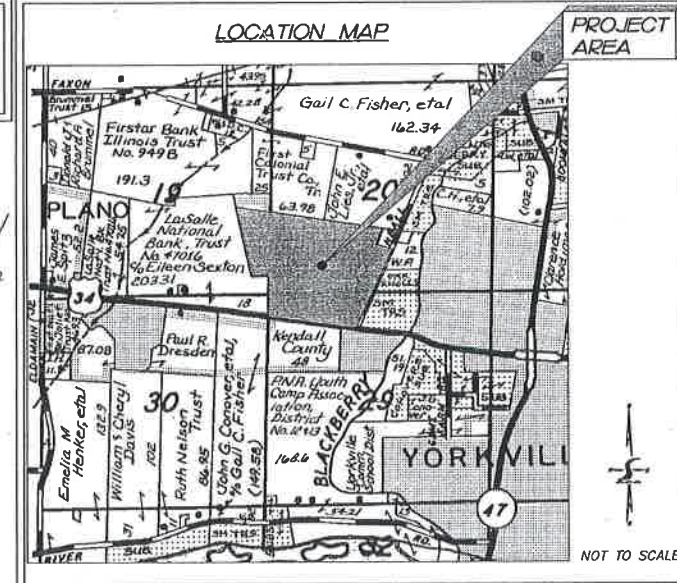
OWNERS/SUBDIVIDERS
COOPER LAND COMPANY INC.
112 W. MAIN STREET
PLANO, ILLINOIS 60545
PROJECT CONTACT:
MR. JIM SNYDER
PHONE: (773) 625-3036
FAX: (773) 625-0056

FINAL PLAT OF SUBDIVISION KENDALL MARKETPLACE

PART OF SECTIONS 19, 20 AND 29, TOWNSHIP 37 NORTH, RANGE 7 EAST
OF THE THIRD PRINCIPAL MERIDIAN,
UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS

SEC GROUP, INC.
Smith Engineering Consultants • SEC Automation • SEC Planning
759 John Street, Yorkville, IL 60550
T 630 553 7560 F 630 553 7646
www.secgroupinc.com engineering@secgroupinc.com
DWP: FILE: 060161.dwg
PLOT FILE: STANDARD
VIEW: 060161-01

SMITH ENGINEERING CONTACT:
PETER J. HUINKER P.E., DIRECTOR OF OFFICE OPERATIONS
(630) 553-7560
CRAIG L. DUY, P.L.S., SENIOR SURVEYOR
(630) 553-7560



LAND USE SUMMARY

LAND USE	ACREAGE	% OF TOTAL ACRES
COMMERCIAL (LOTS 1, 20, 54, 55 & 56)	81.35 ac.	42%
COMMERCIAL OUTLOTS (LOTS 2-19)	23.51 ac.	12%
DETENTION (LOT 57)	20.39 ac.	11%
CIVIC USE (LOT 22)	8.29 ac.	4%
OPEN SPACE (LOT 21)	3.24 ac.	2%
PARK (LOT 23)	4.39 ac.	2%
R.O.W. TO BE DEDICATED	14.75 ac.	7%
R.O.W. TO BE CONVEYED TO I.D.O.T. (LOT 53)	3.63 ac.	2%
SINGLE FAMILY DETACHED (LOTS 24-51)	8.72 ac.	4%
MULTI FAMILY ATTACHED (LOT 52)	26.20 ac.	14%
TOTAL GROSS ACRES	194.47 ac.	100%

HATCH LEGEND

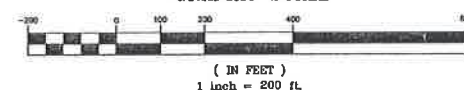
	HATCHED AREAS DENOTE RIGHT-OF-WAY HEREBY DEDICATED TO THE UNITED CITY OF YORKVILLE FOR ROADWAY PURPOSES.
	HATCHED AREAS DENOTE RIGHT-OF-WAY TO BE CONVEYED TO ILLINOIS DEPARTMENT OF TRANSPORTATION FOR ROADWAY PURPOSES

A RECIPROCAL EASEMENT FOR THE BENEFIT OF THE OWNERS OF LOTS 1-15, 17-20, & 54-56, AND THEIR ASSIGNS, FOR INGRESS AND EGRESS OVER THE PAVED AREAS OF SAID LOTS 1-15, 17-20, & 54-56 EXISTS PER DOCUMENT NO. 141937, RECORDED IN BOOK 20.

THE UNITED CITY OF YORKVILLE HEREBY GRANTS A SIDEYARD SETBACK VARIANCE FOR THE EAST AND WEST LINES OF LOT 56 AS WELL AS THE ADJACENT EAST LINE OF LOT 55 AND THE ADJACENT WEST LINE OF LOT 1, WHERE NO MINIMUM SIDE YARD SHALL BE REQUIRED BETWEEN BUILDINGS.

200700014779
Filed for Record in
KENDALL COUNTY, ILLINOIS
PAUL ANDERSON
05-07-2007 at 12:34 pm.
PLAT OF SUB
RHSF Surcharge 10.00

GRAPHIC SCALE



FINAL PLAT OF SUBDIVISION
KENDALL MARKETPLACE
UNITED CITY OF YORKVILLE,
KENDALL COUNTY, ILLINOIS

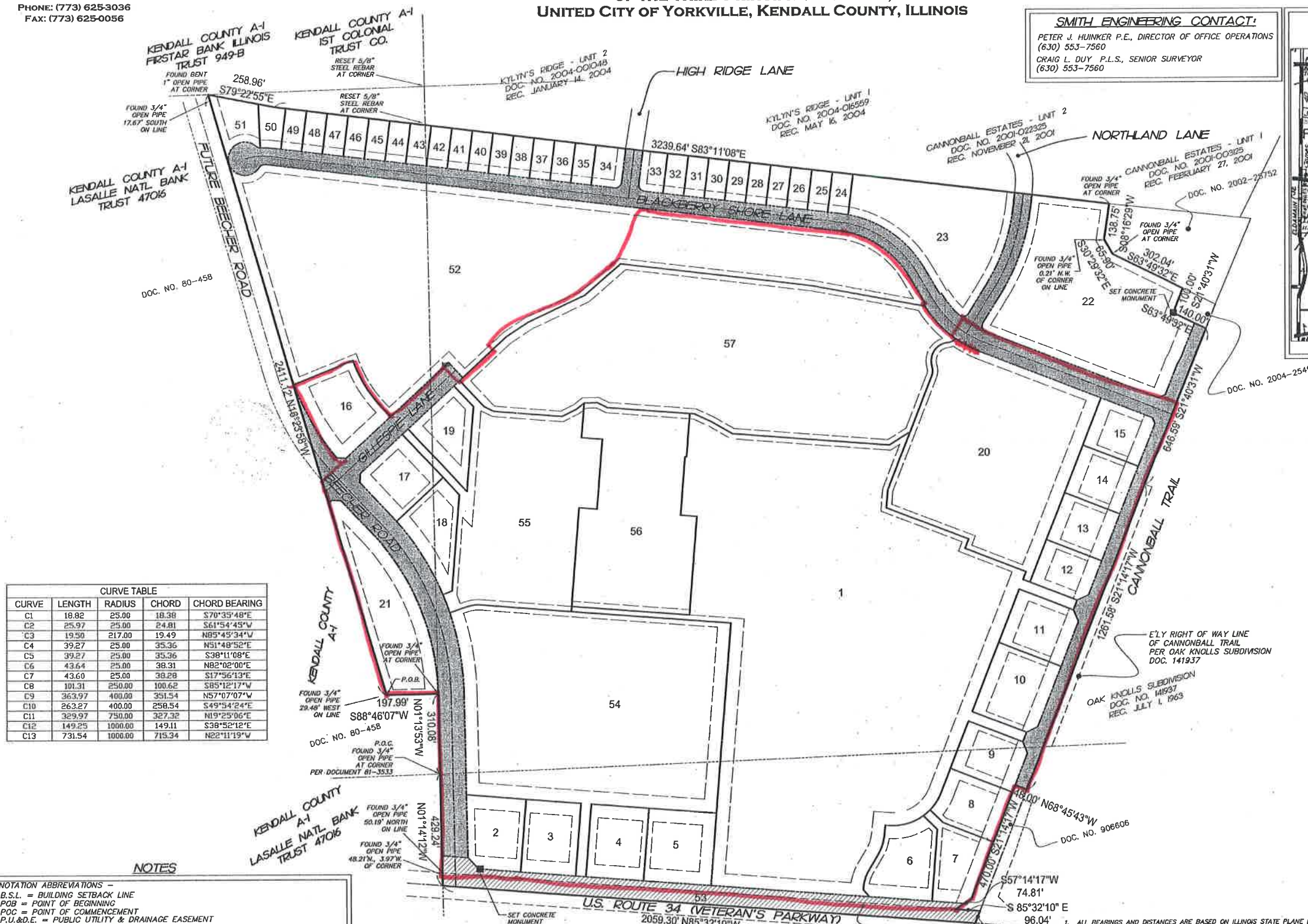
CURVE	LENGTH	RADIUS	CHORD	CHORD BEARING
C1	18.82	25.00	18.38	S70°35'48"E
C2	25.97	25.00	24.81	S61°54'43"W
C3	19.50	217.00	19.49	N85°45'34"W
C4	39.27	25.00	35.36	N51°48'52"E
C5	39.27	25.00	35.36	S38°11'08"E
C6	43.64	25.00	38.31	N82°02'00"E
C7	43.60	25.00	38.28	S17°56'13"E
C8	101.31	250.00	100.62	S85°12'17"W
C9	363.97	400.00	351.54	N57°07'07"W
C10	263.27	400.00	258.54	S49°54'24"E
C11	329.97	750.00	327.32	N19°25'06"E
C12	149.25	1000.00	149.11	S38°52'12"E
C13	731.54	1000.00	715.34	N22°11'19"W

NOTES

- ANNOTATION ABBREVIATIONS -
B.S.L. = BUILDING SETBACK LINE
POB = POINT OF BEGINNING
POC = POINT OF COMMENCEMENT
P.U.D.E. = PUBLIC UTILITY & DRAINAGE EASEMENT
P.U.E. = PUBLIC UTILITY EASEMENT
L.S.E. = LANDSCAPE EASEMENT
P.E. = PEDESTRIAN EASEMENT
S.M.E. = STORMWATER MANAGEMENT EASEMENT
T.A.E. = TEMPORARY ACCESS EASEMENT
L.E. = LANDSCAPE EASEMENT
H.O.A. = HOMEOWNER'S ASSOCIATION
R.E. = ROADWAY EASEMENT
T.C.E. = TEMPORARY CONSTRUCTION EASEMENT
- THIS PROPERTY IS WITHIN THE CORPORATE LIMITS OF THE UNITED CITY OF YORKVILLE.
- DIMENSIONS ALONG CURVES ARE ARC DISTANCES UNLESS OTHERWISE NOTED.
- NO DIMENSIONS SHALL BE ASSUMED BY SCALING.
- LOT 52 TO BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION, EXCEPT THAT PART ON WHICH A PRINCIPAL BUILDING IS TO EXIST.
- LOT 53 TO BE CONVEYED TO I.D.O.T. FOR ROADWAY PURPOSES.

LEGEND

	CENTERLINE
	BOUNDARY LINE
	EASEMENT LINE
	LOT LINE
	BUILDING SETBACK LINE



LAW OFFICE
KATHLEEN FIELD ORR & ASSOCIATES
53 West Jackson Blvd., Suite 935
Chicago, Illinois 60604
(312)382-2113
(312)382-2127 facsimile

KATHLEEN FIELD ORR
kfo@kfoassoc.com

M E M O R A N D U M

To: Mayor Golinski and City Council of the United City of Yorkville
cc: Bart Olson, City Administrator

From: Kathleen Field Orr, City Attorney

Date: March 1, 2018

Subject: Special Service Area for Kendall Market Place

In 2007, pursuant to the Special Service Area Tax Law, 35 ILCS 200/27-5 *et seq.* (the “Act”), the City established a special service area covering the property included in Kendall Marketplace to finance the cost of the roadwork for Beecher Road, Cannonball Trail and Route 34. Included in such special service area was a parcel of property which is the detention basin for the subdivision and, therefore, should not have been included.

Section 200/27-120 of the Act provides:

“Exclusion of erroneously included property. If a property is determined by the corporate authorities of the municipality to be erroneously included in a special service area, the corporate authorities of the municipality may disconnect that property from the special service area solely by municipal action without regard to Section 27-60 or Section 27-65 of this Act.”

In accordance with the authorization to remove erroneously included property in a special service area as provided by the Act, attached hereto is an Ordinance taking such action for your consideration.

**AN ORDINANCE OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS,
DISCONNECTING CERTAIN PROPERTY FOR SPECIAL SERVICE AREA 2006-113**

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

WHEREAS, pursuant to Article VII, Section 7(6) of the Constitution of the State of Illinois, and pursuant to the provisions of the Illinois Special service Area Tax Law, 35 ILCS 200/27-5 *et seq.* (the “Act”), the City is authorized to establish special service areas for the provision of special governmental services in portions of the City and to levy or impose a special tax and to issue bonds for the provision of such special services; and,

WHEREAS, by Ordinance No. 2007-26 passed by the Mayor and City Council on March 13, 2007, Special Service Area 2006-113 was established to finance the cost of infrastructure benefitting the property legally described on *Exhibit C* attached to said Ordinance No. 2007-26 (the “Legal Description”), which legal description erroneously included a parcel of property utilized as a detention basin; and,

WHEREAS, the Act provides at Section 200/27-5:

“Exclusion of erroneously included property. If a property is determined by the corporate authorities of the municipality to be erroneously included in a special service area, the corporate authorities of the municipality may disconnect that property from the special service area solely by municipal action without regard to Section 27-60 or Section 27-65 of this Act.”

WHEREAS, the Mayor and City Council are prepared to delete that certain parcel of property used as a detention basin, legally described on *Exhibit A* attached

hereto and made a part hereof as hereinafter provided, as such parcel was erroneously included in Special Service Area 2006-113.

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

Section 1. The parcel of real estate legally described on *Exhibit A* attached hereto and made a part hereof is hereby deleted from Special Service Area 2006-113 as having been erroneously included therein.

Section 2. The City Clerk is hereby directed to record this Ordinance with the Recorder of Kendall County and to file it with the Kendall County Clerk upon its passage, approval and publication as provided by law.

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

Passed by the City Council of the United City of Yorkville, Kendall County, Illinois, this ____ day of _____, A.D. 2018.

City Clerk

CARLO COLOSIMO	_____	KEN KOCH	_____
JACKIE MILSCHEWSKI	_____	ARDEN JOE PLOCHER	_____
CHRIS FUNKHOUSER	_____	JOEL FRIEDERS	_____
SEAVAR TARULIS	_____	ALEX HERNANDEZ	_____

APPROVED by me, as Mayor of the United City of Yorkville, Kendall County, Illinois, this ____ day of _____, A.D. 2018.

Mayor

Attest:

City Clerk

MAY 07 2007

Paul Anderson

County Clerk
Kendall County

ORDINANCE NO. 2007-26

200700013896
Filed for Record in
KENDALL COUNTY, ILLINOIS
PAUL ANDERSON
04-27-2007 At 11:03 am.
ORDINANCE 45.00
RHSP Surcharge 10.00

**AN ORDINANCE ESTABLISHING
UNITED CITY OF YORKVILLE
SPECIAL SERVICE AREA NUMBER 2006-113
(CANNONBALL/BEECHER ROAD PROJECT)**

BE IT ORDAINED BY THE CITY COUNCIL OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. Authority. The United City of Yorkville (the "City") is authorized, pursuant to Article VII, Section 7(6) of the Constitution of the State of Illinois, and pursuant to the provisions of the Illinois Special Service Area Tax Law, 35 ILCS 200/27-5 et seq. (the "Act"), to establish special service areas for the provision of special governmental services in portions of the City and to levy or impose a special tax and to issue bonds for the provision of such special services.

Section 2. Findings. (a) The question of establishment of the area hereinafter described as a special service area (the "Special Service Area") was considered by the City Council of the City pursuant to "An Ordinance Proposing the Establishment of Special Service Area Number 2006-113 in the United City of Yorkville and Providing for Other Procedures in Connection Therewith," being Ordinance No. 2006-092, adopted on September 12, 2006. The establishment of the Area was considered at a public hearing held on October 3, 2006 (the "Public Hearing"). The Public Hearing was held pursuant to notice duly published in the Kendall County Record, a newspaper of general circulation within the City, on September 14, 2006, which was at least fifteen (15) days prior to the Public Hearing, and also pursuant to notice by mail addressed to the person or persons in whose name the general taxes for the last preceding year were paid on each lot, block, tract or parcel of land lying within the Area. Said notice by mail was given by depositing said notice in the United States mail not less than ten (10) days prior to the date set for the Public Hearing. In the event taxes for the last preceding year were not paid, said notice was sent to the person last listed on the tax rolls prior to that year as the owner of said property. A certificate of publication of notice and evidence of mailing of notice are attached to this Ordinance as Exhibit A and Exhibit B, respectively. Said notices conform in all respects to the requirements of the Act.

(b) At the Public Hearing, all interested persons were given an opportunity to be heard on the question of the issuance of bonds to finance a part of the cost of engineering, surveying, soil testing and appurtenant work, mass grading and demolition, storm water management facilities, storm drainage systems and storm sewers, site clearing and tree removal, public water facilities, sanitary sewer facilities, erosion control measures, roads, streets, curbs, gutters, street lighting, traffic controls, sidewalks, paths and related street improvements, and equipment and materials necessary for the maintenance thereof, landscaping, wetland mitigation, public park improvements and tree installation, costs for land and easement acquisitions or dedications relating to any of the foregoing improvements, required tap-on and related fees for water or sanitary sewer services and other eligible costs (collectively, the "Improvements"), on the question of the conditions for participating in the Special Service Area as more particularly

set forth herein, and on the question of the retirement of said bonds as due from time to time by a levy of an ad valorem tax on real property within the Area.

(c) After considering the data as presented to the City Council of the City and at the Public Hearing, the City Council of the City finds that it is in the best interests of the City and of the residents and property owners of the United City of Yorkville Special Service Area Number 2006-113 that the Special Service Area, as hereinafter described, be established.

(d) More than sixty days have elapsed since the date of the final adjournment of the Public Hearing. No electors residing within the Special Service Area or owners of record of taxable property lying within the Special Service Area have filed a petition with the City Clerk objecting to the establishment of the Special Service Area, the levy of the ad valorem tax or the issuance of bonds as herein described.

(e) The Special Service Area is compact and contiguous as required by the Act.

(f) It is in the best interests of the City that the Special Service Area be created for the financing of the Improvements within the Special Service Area, that the Improvements be financed by the sale of bonds, and that ad valorem taxes be levied on real property within the Special Service Area to retire the bonds and to cover costs and expenses connected with the financing of the Improvements within the Special Service Area.

(g) It is in the best interests of the United City of Yorkville Special Service Area Number 2006-113 that the furnishing of the Improvements proposed be considered for the common interests of the Special Service Area and that the Special Service Area will benefit specially from the Improvements.

Section 3. United City of Yorkville Special Service Area Number 2006-113 Established. A special service area to be known and designated as "United City of Yorkville Special Service Area Number 2006-113" is hereby established and shall consist of the contiguous territory legally described in Exhibit C hereto, and outlined on the map of a portion of the City attached as Exhibit D hereto, which description and map are by this reference incorporated herein and made a part hereof.

Section 4. Purpose of Area. United City of Yorkville Special Service Area Number 2006-113 is established to provide special services to the Special Service Area in addition to services provided in the City generally. United City of Yorkville Special Service Area Number 2006-113 is also created so that bonds may be issued for the purposes aforesaid (the "Bonds"), payable from ad valorem taxes levied on real property in the Special Service Area. Such taxes shall be levied in addition to all other City taxes so levied, provided no Bonds shall be issued in excess of the principal amount of \$20,000,000 or at an interest rate to exceed the greater of nine percent (9%) per annum or 125% of the rate for the most recent date shown in the 20 G.O. Bonds Index of average municipal bond yields as published in the most recent edition of The Bond Buyer, published in New York, New York, at the time the contract is made for the sale of the Bonds and the Bonds shall mature within not more than forty (40) years from their date.

Section 5. Supersede Conflicting Ordinance. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.

Section 6. Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED BY THE CITY COUNCIL OF THE UNITED CITY OF YORKVILLE,
KENDALL COUNTY, ILLINOIS this 13th day of March, 2007.

VOTING AYE:

VOTING NAY:

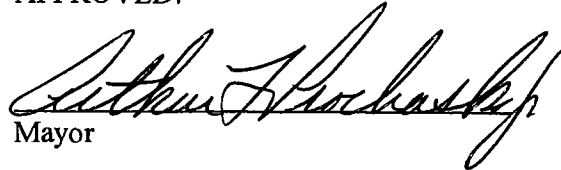
ABSENT:

ABSTAINED:

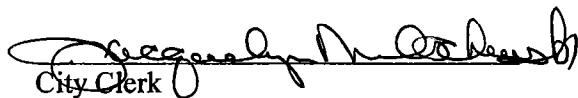
NOT VOTING:

Bessa, Bock, Bud, J. Holinski, James Seelie, Muno Spears

APPROVED:


Mayor

ATTEST:


City Clerk

Published in pamphlet form March 13, 2007.

Exhibit A

CERTIFICATE OF PUBLICATION

I, Jeffery A. Farren, do hereby certify that I am the publisher of the Kendall County Record, a weekly secular newspaper of general circulation, regularly published in the City of Yorkville, in the County of Kendall and the State of Illinois; and I hereby further certify that the notice a copy of which is attached hereto, in the matter of

Public Notice: United City of Yorkville Special Service Area No 2006-113 (Kendall Market Place Project)

was published once each week for 1 successive weeks in said Newspaper, the first insertion being on the 14th day of September, 2006, and the last insertion being on the 14th day of September 2006, and we further certify that the said Kendall County Record was regularly published continuously for more than six months in the City of Yorkville in said County, next preceding the first publication of said notice, and that we are duly authorized to make proof of matters published in the said Kendall County Record.

Given under my hand and seal at Yorkville, Illinois this 14th day of September 2006

Jeffery A. Farren
Publisher

The Kendall County Record is a newspaper as defined in Act-Chapter 100, Sections 1 and 5, Illinois Revised Statutes.

Public Notice

NOTICE OF HEARING
UNITED CITY OF
YORKVILLE
SPECIAL SERVICE AREA
NUMBER 2006-113
(KENDALL MARKETPLACE
PROJECT)

NOTICE IS HEREBY GIVEN that on October 3, 2006 at 7:00 p.m. at the Yorkville City Hall, 800 Gamma Farm Road, Yorkville, Illinois, a hearing will be held by the United City of Yorkville (the "City") to consider forming a special service area, to be called "City of Yorkville Special Service Area Number 2006-113," consisting of the territory legally described in Exhibit 1 to this Notice.

The approximate location of the proposed special service area is at the intersection of Route 34 and Cannonball Trail in the City.

The general purpose of the formation of the City of Yorkville Special Service Area Number 2006-113 is to provide special municipal services to the area which may include: engineering, surveying, soil testing and apartment work, mass grading and demolition, storm water management facilities, storm drainage systems and storm sewers, site clearing and tree removal, public water facilities, erosion control measures, roads, streets, curbs, gutters, street lighting, traffic controls, sidewalks, paths and related street improvements, and equipment and materials necessary for the maintenance thereof, landscaping, wetland mitigation and tree installation, costs for land and easement acquisitions or dedications relating to any of the foregoing improvements, required tap-on and related fees for water or sanitary sewer services and other eligible costs. The special services shall include new construction and maintenance activities.

There will also be considered at the hearing the following method of financing improvements within the proposed special service area: the issuance of ad valorem tax bonds (including bonds issued to refund such bonds) in an aggregate principal amount not to exceed \$20,000,000 at an interest rate of not to exceed the greater of nine percent (9%) per annum or 125% of the rate for the most recent date shown in the 20 G.O. Bonds Index of average municipal bond yields as published in the most recent edition of The Bond Buyer, published in New York, New York, at the time the contract is made for the sale of the bonds, and to mature within twenty-two (22) years from the date of their issuance. The bonds shall be retired by the levy of an annual ad valorem tax levied against each parcel of property within the proposed special service area to pay the interest on such bonds as it falls due and, to discharge the principal thereof at maturity and to pay the costs of administration and maintenance of the special service area.

At the hearing, all interested persons affected by the formation of such special service area, including all persons owning taxable real estate therein, may file written objections to and be heard only regarding the formation of the special service area, the issuance of bonds, and the levy of taxes affecting the area. The hearing may be adjourned by the City Council without further notice other than a motion, to be entered upon the minutes of its meeting fixing the time and place of its adjournment.

If a petition signed by at least 51% of the electors residing within the City of Yorkville Special Service Area Number 2006-113 and by at least 51% of the owners of record of the land included within the boundaries

of the City of Yorkville Special Service Area Number 2006-113 is filed with the City Clerk of the City of Yorkville within 60 days following the final adjournment of the public hearing objecting to the creation of the special service area, the issuance of bonds for the provision of special services to the area or the levy of taxes affecting the area, no such area may be created and no such bonds may be issued or taxes levied or imposed.


Exhibit 1 to Notice Legal Description of Property

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 18, PART OF THE SOUTH HALF OF SECTION 20 AND PART OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 18; THENCE NORTH 01 DEGREES 13 MINUTES 53 SECONDS WEST, ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER 310.20 FEET; THENCE WESTERLY PERPENDICULAR TO SAID EAST LINE 198.00 FEET; THENCE NORTH 16 DEGREES 23 MINUTES 58 SECONDS WEST, 882.81 FEET; THENCE NORTH 48 DEGREES 51 MINUTES 14 SECONDS EAST, 128.15 FEET; THENCE WESTERLY ALONG A NONTANGENTIAL CURVE TO THE RIGHT WITH A RADIUS OF 25.00 FEET AND A CHORD BEARING OF NORTH 85 DEGREES 28 MINUTES 53 SECONDS WEST, AN ARC LENGTH OF 40.71 FEET; THENCE NORTHWESTERLY ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 950.00 FEET AND A CHORD BEARING OF NORTH 30 DEGREES 00 MINUTES 26 SECONDS WEST, AN ARC LENGTH OF 328.41 FEET; THENCE NORTH 67 DEGREES 38 MINUTES 57 SECONDS EAST, 243.73 FEET; THENCE SOUTHEASTERLY ALONG A NONTANGENTIAL CURVE TO THE LEFT WITH A RADIUS OF 500.00 FEET AND A CHORD BEARING OF SOUTH 31 DEGREES 07 MINUTES 50 SECONDS EAST, AN ARC LENGTH OF 209.70 FEET; THENCE SOUTH 43 DEGREES 08 MINUTES 45 SECONDS EAST, 52.80 FEET; THENCE NORTH 48 DEGREES 51 MINUTES 15 SECONDS EAST, 287.40 FEET; THENCE SOUTH 43 DEGREES 08 MINUTES 45 SECONDS EAST, 80.00 FEET; THENCE NORTH 48 DEGREES 51 MINUTES 15 SECONDS EAST, 162.29 FEET; THENCE NORTH 43 DEGREES 08 MINUTES 45 SECONDS WEST, 7.00 FEET; THENCE NORTH 48 DEGREES 51 MINUTES 15 SECONDS EAST, 60.78 FEET; THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 367.00 FEET AND A CHORD BEARING OF NORTH 58 DEGREES 10 MINUTES 15 SECONDS EAST, AN ARC LENGTH OF 148.68 FEET; THENCE NORTH 49 DEGREES 45 MINUTES 15 SECONDS EAST, 121.87 FEET; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT WITH A RADIUS OF 433.00 FEET AND A CHORD BEARING OF NORTH 37 DEGREES 51 MINUTES 31 SECONDS EAST, AN ARC LENGTH OF 482.09 FEET; THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 25.00 FEET AND A CHORD BEARING OF NORTH 51 DEGREES 23 MINUTES 20 SECONDS EAST, AN ARC LENGTH OF 39.84 FEET; THENCE SOUTH 83 DEGREES 11 MINUTES 08 SECONDS EAST, 783.20 FEET; THENCE SOUTHEASTERLY ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 367.00 FEET AND A CHORD BEARING OF SOUTH 57 DEGREES 07 MINUTES 07 SECONDS EAST, AN ARC LENGTH OF 333.84 FEET; THENCE SOUTH 31 DEGREES 03 MINUTES 05 SECONDS EAST, 123.11 FEET; THENCE SOUTH 58 DEGREES 56 MINUTES 55 SECONDS WEST, 7.00 FEET; THENCE SOUTHEASTERLY ALONG A NONTANGENTIAL CURVE TO THE LEFT WITH A RADIUS OF 360.00 FEET AND A CHORD BEARING OF SOUTH 80 DEGREES 42 MINUTES 58 SECONDS EAST, AN ARC LENGTH OF 101.11 FEET; THENCE SOUTH 88 DEGREES 45 MINUTES 32 SECONDS EAST, 784.84 FEET TO THE CENTER LINE OF CANNONBALL TRAIL; THENCE SOUTH 21 DEGREES 40 MINUTES 31 SECONDS WEST, ALONG SAID CENTER LINE, 331.43 FEET; THENCE SOUTH 21 DEGREES 14 MINUTES 17 SECONDS WEST, ALONG SAID CENTER LINE, 1261.58 FEET; THENCE NORTH 68 DEGREES 48 MINUTES 43 SECONDS WEST, 48.00 FEET; THENCE SOUTH 21 DEGREES 14 MINUTES 17 SECONDS WEST, 470.00 FEET; THENCE SOUTH 57 DEGREES 14 MINUTES 17 SECONDS WEST, 74.81 FEET TO THE NORTH LINE OF U.S. ROUTE 34; THENCE NORTH 85 DEGREES 32 MINUTES 10 SECONDS WEST ALONG SAID NORTH LINE, 1883.32 FEET TO THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 29; THENCE NORTH 01 DEGREES 14 MINUTES 12 SECONDS WEST ALONG SAID WEST LINE, 378.99 FEET TO THE POINT OF BEGINNING, IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS, AND CONTAINING 143.40 ACRES OF LAND MORE OR LESS.

PIN#
02-19-400-003
02-29-100-001
02-20-351-001

KCR-37-11

Exhibit B

2 Article Number		 <p align="center">7160 3901 9849 6373 8945</p>																									
3 Service Type CERTIFIED MAIL		<table border="1"> <tr> <td colspan="2">A. Received by (Please Print Clearly)</td> <td colspan="2">B. Date of Delivery</td> </tr> <tr> <td colspan="2">J. RAGUSE</td> <td colspan="2">1/15/06</td> </tr> <tr> <td colspan="2">C. Signature</td> <td colspan="2">HSC</td> </tr> <tr> <td colspan="2">X [Signature]</td> <td colspan="2"> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee </td> </tr> <tr> <td colspan="2">D. Is delivery address different from item 1?</td> <td colspan="2"> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No </td> </tr> <tr> <td colspan="2">If YES, enter delivery address below:</td> <td colspan="2"></td> </tr> </table>		A. Received by (Please Print Clearly)		B. Date of Delivery		J. RAGUSE		1/15/06		C. Signature		HSC		X [Signature]		<input type="checkbox"/> Agent <input type="checkbox"/> Addressee		D. Is delivery address different from item 1?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		If YES, enter delivery address below:			
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4 Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes																											
1. Article Addressed to: Cooper Land Company Inc. 112 Main Street, West Plano, IL 60545																											
026079-0113		Christopher Knight																									
PS Form 3811, January 2005 Domestic Return Receipt																											

7160 3901 9849 6373 8945


TO: Cooper Land Company Inc.
112 Main Street, West
Plano, IL 60545

SENDER: Christopher Knight
REFERENCE: 026079-0113

PS Form 3800, January 2005	
RETURN RECEIPT SERVICE	Postage
	Certified Fee
	Return Receipt Fee
	Restricted Delivery
	Total Postage & Fees

US Postal Service
**Receipt for
Certified Mail**
No Insurance Coverage Provided
Do Not Use for International Mail

POSTMARK OR DATE

2 Article Number		 <p align="center">7160 3901 9849 6373 8952</p>																									
3 Service Type CERTIFIED MAIL		<table border="1"> <tr> <td colspan="2">A. Received by (Please Print Clearly)</td> <td colspan="2">B. Date of Delivery</td> </tr> <tr> <td colspan="2">J. RAGUSE</td> <td colspan="2">1/15/06</td> </tr> <tr> <td colspan="2">C. Signature</td> <td colspan="2">HSC</td> </tr> <tr> <td colspan="2">X [Signature]</td> <td colspan="2"> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee </td> </tr> <tr> <td colspan="2">D. Is delivery address different from item 1?</td> <td colspan="2"> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No </td> </tr> <tr> <td colspan="2">If YES, enter delivery address below:</td> <td colspan="2"></td> </tr> </table>		A. Received by (Please Print Clearly)		B. Date of Delivery		J. RAGUSE		1/15/06		C. Signature		HSC		X [Signature]		<input type="checkbox"/> Agent <input type="checkbox"/> Addressee		D. Is delivery address different from item 1?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		If YES, enter delivery address below:			
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026079-0113		Christopher Knight																									
PS Form 3811, January 2005 Domestic Return Receipt																											

7160 3901 9849 6373 8952

TO: Cooper Land Company Inc.
112 Main Street, West
Plano, IL 60545

SENDER: Christopher Knight
REFERENCE: 026079-0113

PS Form 3800, January 2005	
RETURN RECEIPT SERVICE	Postage
	Certified Fee
	Return Receipt Fee
	Restricted Delivery
	Total Postage & Fees

US Postal Service
**Receipt for
Certified Mail**
No Insurance Coverage Provided
Do Not Use for International Mail

POSTMARK OR DATE

2 Article Number



7160 3901 9849 6373 8969

3 Service Type **CERTIFIED MAIL**

4 Restricted Delivery? (Extra Fee) ☐ Yes

1. Article Addressed to:
Cooper Home Furnishings
112 Main Street, West
Plano, IL 60545

026079-0113

Christopher Knight

PS Form 3811, January 2005

Domestic Return Receipt

A. Received by (Please Print Clearly)

J. RAGUSE

B. Date of Delivery

7-15-06

C. Signature

X J. Raguse

☐ Agent
☐ Addressee

D. Is delivery address different from item 1?
If YES, enter delivery address below:

☐ Yes
☐ No

7160 3901 9849 6373 8969

TO: Cooper Home Furnishings
112 Main Street, West
Plano, IL 60545

SENDER: Christopher Knight

REFERENCE: 026079-0113

PS Form 3800, January 2005

RETURN
RECEIPT
SERVICE

Postage

Certified Fee

Return Receipt Fee

Restricted Delivery

Total Postage & Fees

US Postal Service

**Receipt for
Certified Mail**

No Insurance Coverage Provided
Do Not Use for International Mail

POSTMARK OR DATE

Exhibit C

UNITED CITY OF YORKVILLE
SPECIAL SERVICE AREA NUMBER 2006-113

Legal Description of Property

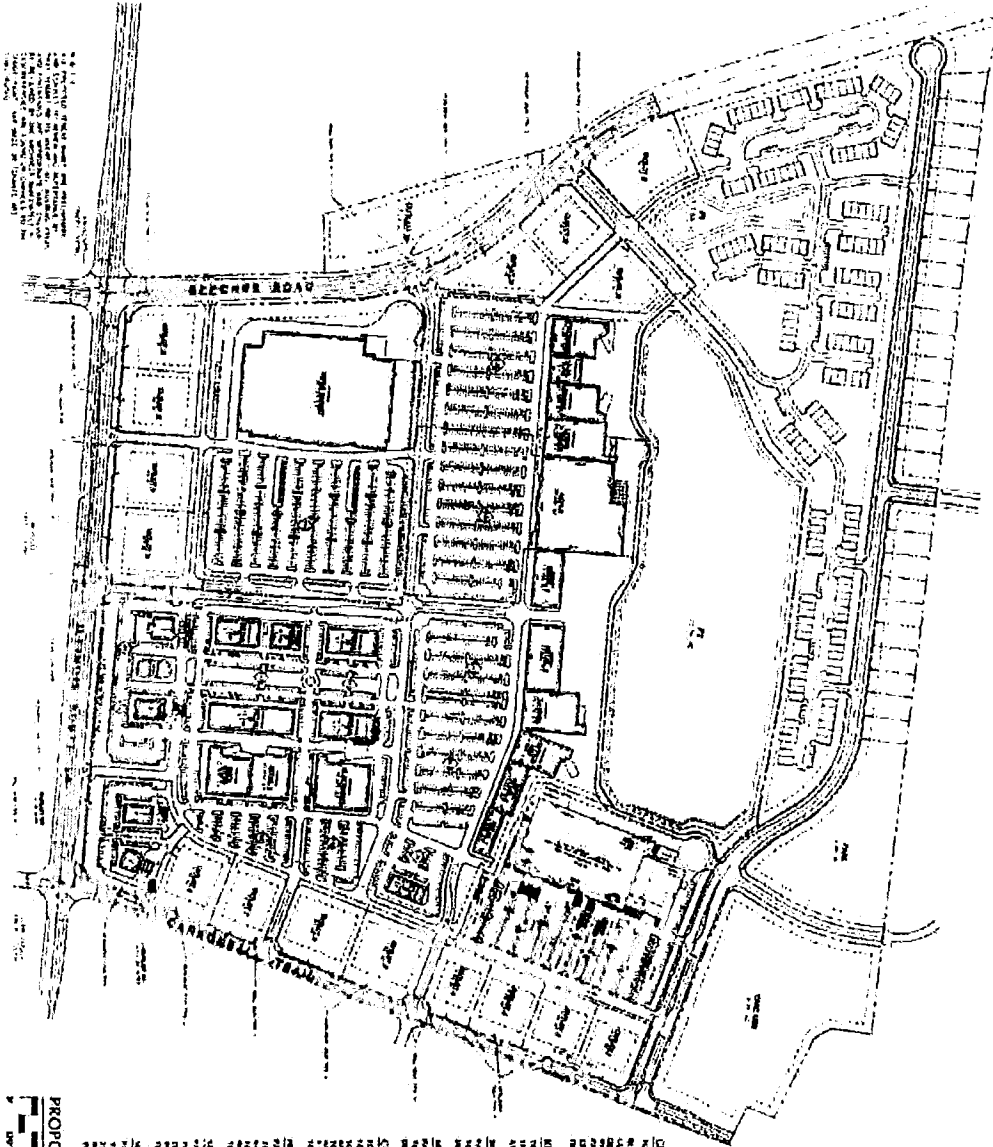
THAT PART OF THE SOUTHEAST QUARTER OF SECTION 19, PART OF THE SOUTH HALF OF SECTION 20 AND PART OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 19; THENCE NORTH 01 DEGREES 13 MINUTES 53 SECONDS WEST, ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER 310.20 FEET; THENCE WESTERLY PERPENDICULAR TO SAID EAST LINE 198.00 FEET; THENCE NORTH 16 DEGREES 23 MINUTES 58 SECONDS WEST, 862.81 FEET; THENCE NORTH 46 DEGREES 51 MINUTES 14 SECONDS EAST, 126.15 FEET; THENCE WESTERLY ALONG A NONTANGENTIAL CURVE TO THE RIGHT WITH A RADIUS OF 25.00 FEET AND A CHORD BEARING OF NORTH 86 DEGREES 29 MINUTES 53 SECONDS WEST, AN ARC LENGTH OF 40.71 FEET; THENCE NORTHWESTERLY ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 950.00 FEET AND A CHORD BEARING OF NORTH 30 DEGREES 00 MINUTES 26 SECONDS WEST, AN ARC LENGTH OF 326.41 FEET; THENCE NORTH 67 DEGREES 35 MINUTES 57 SECONDS EAST, 243.73 FEET; THENCE SOUTHEASTERLY ALONG A NONTANGENTIAL CURVE TO THE LEFT WITH A RADIUS OF 500.00 FEET AND A CHORD BEARING OF SOUTH 31 DEGREES 07 MINUTES 50 SECONDS EAST, AN ARC LENGTH OF 209.70 FEET; THENCE SOUTH 43 DEGREES 08 MINUTES 45 SECONDS EAST, 52.80 FEET; THENCE NORTH 46 DEGREES 51 MINUTES 15 SECONDS EAST, 287.40 FEET; THENCE SOUTH 43 DEGREES 08 MINUTES 45 SECONDS EAST, 80.00 FEET; THENCE NORTH 46 DEGREES 51 MINUTES 15 SECONDS EAST, 162.29 FEET; THENCE NORTH 43 DEGREES 08 MINUTES 45 SECONDS WEST, 7.00 FEET; THENCE NORTH 46 DEGREES 51 MINUTES 15 SECONDS EAST, 60.76 FEET; THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 367.00 FEET AND A CHORD BEARING OF NORTH 58 DEGREES 18 MINUTES 15 SECONDS EAST, AN ARC LENGTH OF 146.68 FEET; THENCE NORTH 69 DEGREES 45 MINUTES 15 SECONDS EAST, 121.97 FEET; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT WITH A RADIUS OF 433.00 FEET AND A CHORD BEARING OF NORTH 37 DEGREES 51 MINUTES 31 SECONDS EAST, AN ARC LENGTH OF 482.09 FEET; THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 25.00 FEET AND A CHORD BEARING OF NORTH 51 DEGREES 23 MINUTES 20 SECONDS EAST, AN ARC LENGTH OF 39.64 FEET; THENCE SOUTH 83 DEGREES 11 MINUTES 08 SECONDS EAST, 763.20 FEET; THENCE SOUTHEASTERLY ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 367.00 FEET AND A CHORD BEARING OF SOUTH 57 DEGREES 07 MINUTES 07 SECONDS EAST, AN ARC LENGTH OF 333.94 FEET; THENCE SOUTH 31 DEGREES 03 MINUTES 05 SECONDS EAST, 123.11 FEET; THENCE SOUTH 58 DEGREES 56 MINUTES 55 SECONDS WEST, 7.00 FEET; THENCE SOUTHEASTERLY ALONG A NONTANGENTIAL CURVE TO THE LEFT WITH A

RADIUS OF 440.00 FEET AND A CHORD BEARING OF SOUTH 42 DEGREES 20 MINUTES 40 SECONDS EAST, AN ARC LENGTH OF 173.45 FEET; THENCE NORTH 32 DEGREES 01 MINUTES 21 SECONDS EAST, 80.28 FEET; THENCE SOUTHEASTERLY ALONG A NONTANGENTIAL CURVE TO THE LEFT WITH A RADIUS OF 360.00 FEET AND A CHORD BEARING OF SOUTH 60 DEGREES 42 MINUTES 59 SECONDS EAST, AN ARC LENGTH OF 101.11 FEET; THENCE SOUTH 68 DEGREES 45 MINUTES 32 SECONDS EAST, 784.84 FEET TO THE CENTER LINE OF CANNONBALL TRAIL; THENCE SOUTH 21 DEGREES 40 MINUTES 31 SECONDS WEST, ALONG SAID CENTER LINE, 331.43 FEET; THENCE SOUTH 21 DEGREES 14 MINUTES 17 SECONDS WEST, ALONG SAID CENTER LINE, 1261.58 FEET; THENCE NORTH 68 DEGREES 45 MINUTES 43 SECONDS WEST, 48.00 FEET; THENCE SOUTH 21 DEGREES 14 MINUTES 17 WEST, 470.00 FEET; THENCE SOUTH 57 DEGREES 14 MINUTES 17 SECONDS WEST, 74.81 FEET TO THE NORTH LINE OF U.S. ROUTE 34; THENCE NORTH 85 DEGREES 32 MINUTES 10 SECONDS WEST ALONG SAID NORTH LINE, 1983.32 FEET TO THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 29; THENCE NORTH 01 DEGREES 14 MINUTES 12 SECONDS WEST ALONG SAID WEST LINE, 378.99 FEET TO THE POINT OF BEGINNING, IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS, AND CONTAINING 143.40 ACRES OF LAND MORE OR LESS.

PIN's

02-19-400-003
02-29-100-001
02-20-351-001

EXHIBIT D



PROPOSED SITE PLAN
 1" = 100' 0"

GENERAL PROJECT DATA

PROJECT NO. 100-000000
 PROJECT NAME: KENDALL MARKETPLACE
 PROJECT LOCATION: ILLINOIS ROUTE 54 & CANNONBALL TRAIL
 PROJECT CITY: YORKVILLE, ILLINOIS

PERMITTING SITE DATA

TOTAL SITE AREA: 100.00 ACRES
 TOTAL SITE AREA: 100.00 ACRES
 TOTAL SITE AREA: 100.00 ACRES

COMMERCIAL SITE DATA

TOTAL SITE AREA: 100.00 ACRES
 TOTAL SITE AREA: 100.00 ACRES
 TOTAL SITE AREA: 100.00 ACRES

RESIDENTIAL SITE DATA

TOTAL SITE AREA: 100.00 ACRES
 TOTAL SITE AREA: 100.00 ACRES
 TOTAL SITE AREA: 100.00 ACRES

SP7

SITE PLAN



PROJECT
 KENDALL MARKETPLACE
 ILLINOIS ROUTE 54 & CANNONBALL TRAIL
 YORKVILLE, ILLINOIS





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

Agenda Item Number

New Business #6

Tracking Number

EDC 2018-22

Agenda Item Summary Memo

Title: One and a half mile review for County Case 18-05

Meeting and Date: Economic Development Committee – March 6, 2018

Synopsis: Memo explains County Case 18-05 mile and one half review of a rezone request

Council Action Previously Taken:

Date of Action: _____ Action Taken: _____

Item Number: _____

Type of Vote Required: none

Council Action Requested: none

Submitted by: Jason Engberg Community Development
Name Department

Agenda Item Notes:

Have a question or comment about this agenda item?

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



Memorandum

To: Economic Development Committee
From: Jason Engberg, Senior Planner
CC: Bart Olson, City Administrator
Krysti J. Barksdale-Noble, Community Development Director
Date: February 26, 2018
Subject: **PZC 2018-01** – Kendall County Case #18-05 (Rezone) 1.5 Mile Review

Proposal Summary

Staff has reviewed a request from Kendall County Planning and Zoning Department along with the subsequent documents attached. This 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 petitioners, Keith and Kathleen Warpinski, are requesting a map amendment rezone for their property from A-1 Agricultural District to R-1 Residential District. Petitioners would like to construct a single family home in the future and may not do so due to the zoning requirements of the agricultural district in Kendall County. The 6.9 acre property is located at the north side of Walker Road approximately 0.31 miles east of Route 47.

As stated in the petitioner's findings of fact, they believe the use is compatible with other nearby uses in the area as the adjacent properties have single family homes constructed upon them. The petitioners state that the subject property is not suitable by site acreage nor site usage for current modern row crop farming practices. The petitioners believe the construction of a single family home would be consistent with the adjacent rural residential uses.

Yorkville Comprehensive Plan

Yorkville's current 2016 Comprehensive Plan designation for this property is agricultural which is intended to allow for farming and open space uses as well as single family dwellings on large lots related to agricultural use. The proposed single family home would meet this criterion.

Additionally, the plan states that environmentally sensitive areas such as tree groves, wetlands, and poorly drained areas will be protected from development during the Comprehensive Plan's time horizon. The petitioner has attached a Natural Resource Information Executive Summary to their application which includes a Kendall County Land Evaluation and Site Assessment (LESA). The LESA determines the suitability of a land use change or zoning request as it relates to agricultural land. The results of the assessment concluded that the property is considered to need a low level of protection. This means that the change in land use will have a small effect on surrounding agricultural uses.



Integrated Transportation Plan

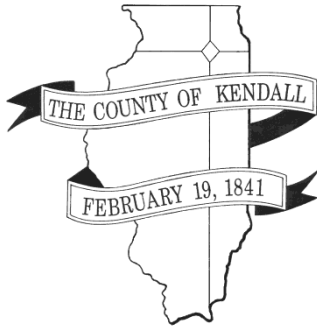
Yorkville's Integrated Transportation Plan (ITP) designates a trail along the Aux Sable Creek and one along the north side of Walker Road. In the future if the construction of these trails becomes a reality, the City would like to make it aware at this moment to the interested parties that there are future plans for these trails though the property and right-of-way designations may be requested in the future.

Comments

Staff has reviewed the request for rezone and is seeking input from the Economic Development Committee on this County Case. This one and a half mile review will be on the agenda for the March 13, 2018 Planning and Zoning Commission meeting. Any comments from the EDC will be given to the Planning and Zoning Commission to consider whether or not to formally oppose this request.

Attachments

1. Application with Attachments



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

Petition 18-05

Keith and Kathleen Warpinski

Map Amendment Rezoning Property from A-1 to R-1

INTRODUCTION

Keith and Kathleen Warpinski are requesting a map amendment rezoning the subject property from A-1 to R-1 in order to have the ability to construct a single-family home on the property.

SITE INFORMATION

PETITIONER: Keith and Kathleen Warpinski

ADDRESS: Between 9239 and 9125 Walker Road

LOCATION: 0.31 Miles East of Route 47 on the North Side of Walker Road



TOWNSHIP: Kendall

PARCEL #: 05-21-400-011

LOT SIZE: 6.57 acres

EXITING LAND USE: Residential/Agricultural

ZONING: A-1 Agricultural District

LRMP:	Land Use	Agricultural
	Roads	Walker Road is a County Road classified as a Minor Collector Road
	Trails	Trails are planned along Walker Road and along the Middle Aux Sable Creek
	Floodplain/ Wetlands	The Middle Aux Sable Creek is located near the northern property line

REQUESTED ACTION: Map Amendment Rezoning Property from A-1 to R-1

APPLICABLE REGULATIONS: Section 13.07 – Map Amendment Procedures

SURROUNDING LAND USE

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within ½ Mile
North	Agricultural	A-1	Rural Res.; Trans. Corridor	A-1; A-1 SU
South	Agricultural/Residential	A-1	Rural Estate Res.; Comm.; Trans. Corridor	A-1
East	Agricultural/Residential	A-1	Rural Res.	A-1
West	Agricultural/Residential	A-1	Rural Res.; Comm.; Trans. Corridor	A-1; B-3

Two (2) houses are located east of the property; one (1) house is located to the south of the property; one (1) house is located west of the property.

Commonwealth Edison also has a planned area along the east side of Route 47.

PHYSICAL DATA

ENDANGERED SPECIES REPORT

EcoCAT Report submitted and consultation was terminated.

NATURAL RESOURCES INVENTORY

LESA Score was 200 indicating a low level of protection.

ACTION SUMMARY

KENDALL TOWNSHIP

Petition information was sent to Kendall Township 2.20.18.

UNITED CITY OF YORKVILLE

Petition information was sent to the United City of Yorkville 2.20.18.

GENERAL INFORMATION

The petitioner desires the map amendment in order to have the ability to construct a house on the property at some point in the future. The subject property does not have an allocation for the construction of a home and does not possess forty (40) acres. Therefore, a map amendment is required in order to construct a home onsite.

The petitioner does not believe that the property is large enough for farming. Pictures of the property are included.

The Land Resource Management Plan calls for this area to be rural residential in the future. Existing single-family homes are located around the subject property. For these reasons, Staff does not believe that the approval of this request would constitute spot zoning.

The property is currently for sale.

BUILDING CODES

Any new homes or accessory structures would be required to meet applicable building codes.

ACCESS

The property fronts Walker Road. Pending comments from Kendall Township, Staff has no concerns regarding the ability of Walker Road to support a proposed home at this location.

ODORS

No new odors are foreseen.

LIGHTING

Any new lighting would be for residential use only. Staff does not foresee any concerns regarding lighting.

SCREENING

No fencing or buffer is presently planned for the property. Any new fences or plantings would be for a residential use. Any new fences would have to follow applicable regulations.

STORMWATER

The northern portion of the property touches the Middle Aux Sable Creek. Any new homes would have to be constructed per Kendall County's Stormwater Management Ordinance.

UTILITIES

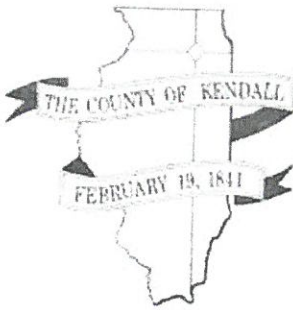
Electricity is near the property. A new well and septic system would have to obtain applicable permits.

RECOMMENDATION

Staff recommends approval of the proposed map amendment.

ATTACHMENTS

1. Application Materials (Including the Petitioner's Findings of Fact, Plat, and EcoCat)
2. NRI Executive Report
3. Aerial
4. Looking North
5. East Side of Property
6. West Property Line (Spring Picture)
7. Looking South (Spring Picture)



DEPARTMENT OF PLANNING, BUILDING & ZONING


111 West Fox Street • Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

APPLICATION

PROJECT NAME Warpinski Map Amendment FILE # 18-05

NAME OF APPLICANT Keith and Kathleen Warpinski		
CURRENT LANDOWNER/NAME(s) Keith and Kathleen Warpinski		
SITE INFORMATION		
ACRES 6.57 acres	SITE ADDRESS OR LOCATION N side of Walker Rd., Yorkville, IL	ASSESSOR'S ID NUMBER (PIN) 05-21-400-011
EXISTING LAND USE Agricultural	CURRENT ZONING A-1	LAND CLASSIFICATION ON LRMP
REQUESTED ACTION (Check All That Apply):		
<input type="checkbox"/> SPECIAL USE	<input checked="" type="checkbox"/> MAP AMENDMENT (Rezone to <u>R-1</u>)	<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)		
¹PRIMARY CONTACT Daniel J. Kramer	PRIMARY CONTACT MAILING ADDRESS 1107A S. Bridge Street	PRIMARY CONTACT EMAIL dkramer@dankramerlaw.com
PRIMARY CONTACT PHONE # 630-553-9500	PRIMARY CONTACT FAX # 630-553-5764	PRIMARY CONTACT OTHER # (Cell, etc.)
²ENGINEER 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.		
		DATE <u>5-19-17</u>

FEE PAID: \$ 500.00CHECK # ¹Primary Contact will receive all correspondence from County²Engineering Contact will receive all correspondence from the County's Engineering Consultants

RECEIVED

FEB 13 2018

KENDALL COUNTY
PLANNING, BUILDING
& ZONING
Date Stamp Here If
Check is Complete

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.

There is a slow trend of residential uses surrounding both the east and west side of this property. There are single family residences that adjoin on each of the east and west side of the subject property which are farmette/rural residential type uses. The Hattner Property has been subject of an Annexation Agreement with the United City of Yorkville. South of the property is farmland and will continue to be farmland not interrupted by this proposed use.

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

The property within the general area is a mix of City R-2/R-1 Single Family Residential, Business; the County Zoning surrounding the property is Agricultural although the uses are mixed between Agricultural and Residential.

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

The subject property is not suitable by site acreage nor site usage for current modern row crop farming practices due to its small acreage size. The owners of the property have planted substantial nursery stock on the property which would be thinned out and sold off over the years, although the highest and best use of the property would be for a single family residential non-business type use which is the intent of the parties. The single family residential use as a rural residence, would comport with the adjoining owners on the east and west.

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.

The trend of development in the area is moderate residential growth and continuing agricultural growth until the United City of Yorkville expands on property subject to previous Annexation Agreements. Further the Property is within the one and one half mile planning area of the United City of Yorkville and shows as being anticipated to be low density residential.

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

The proposal to develop the parcel as a one lot single family rural residence conports with the Kendall County Land Resource Management Plan in that the density would be lower than the contiguous growth area which would permit a higher density on the parcel.



201600011476

DEBBIE
GILLETTE
KENDALL COUNTY, IL

RECORDED 8/1/2016 2:44 PM
MTGE. 49.00 RHSPS FEE. 18.00
PAGES: 4

Space Above is for Recording Information

ILLINOIS OPEN-END MORTGAGE

JGM407 (06/13)

Drafted By Greg J Davis Esq
2000 Jacobssen Drive
Normal IL 61761

Return To 1st Farm Credit Services
Attn: Jillian Grzywa
1350 W Prairie Drive
Sycamore IL 60178

No(s) 1111104100

TOTAL PRINCIPAL INDEBTEDNESS SECURED BY THIS MORTGAGE SHALL NOT EXCEED \$150 000 00

This Mortgage dated July 25 2016 is by Keith J Warpinski (a/k/a Keith Warpinski) and Kathleen Warpinski (a/k/a Kathleen J Warpinski) husband and wife (after this called "Mortgagor" whether one or more) whose mailing address is 23819 W Mill St Plainfield IL 60544 to 1st Farm Credit Services PCA (after this called "Mortgagee") a federally chartered corporation whose address is 2000 Jacobssen Drive Normal IL 61761

For valuable consideration Mortgagor grants sells mortgages and warrants to Mortgagee its successors and assigns forever the real estate in the county or counties of Kendall and Will Illinois, described in Exhibit A to this Mortgage which is by this reference made a part of this Mortgage together with all the fixtures tenements hereditaments and appurtenances belonging or in any way appertaining to this real estate All of the preceding property and property rights including the real estate described in Exhibit A are after this collectively called the premises

THIS MORTGAGE SECURES (a) the repayment of indebtedness in the principal sum of \$150 000 00 evidenced by 1 promissory note(s) as follows

Date of Note(s)	Face Amount(s)	Maturity Date(s)
July 25 2016	\$150 000 00	July 24 2026

and any other indebtedness payable to Mortgagee evidenced by promissory notes secured by prior liens on the real estate described in Exhibit A with interest as provided in the promissory notes, which may be variable or fixed and which may be converted from one to the other from time to time at the option of Mortgagor with the consent of Mortgagee and all extensions renewals and modifications thereof (b) the repayment of all additional advances which Mortgagee may make from time to time to any one or more Mortgagor or to any one or more of the makers of the promissory notes prior to the release of this Mortgage, whether made before or after the maturity of the promissory notes and whether evidenced by the same or other promissory notes given after this Mortgage and any other future obligations of any one or more Mortgagor or these makers to Mortgagee whether absolute or contingent with interest as provided in the promissory notes which may be variable or fixed as stated above and all extensions renewals and modifications thereof However the maximum principal amount secured by this Mortgage at any one time exclusive of interest shall not exceed \$150 000 00 in the aggregate If the unpaid principal amount at any one time exceeds this sum this Mortgage shall secure that portion of the unpaid principal amount that does not exceed this sum and interest thereon (c) notwithstanding the above limitation the repayment of all other amounts with interest to which Mortgagee may become entitled under this Mortgage, and (d) the performance by Mortgagor of all the warranties agreements and terms contained in this Mortgage

By execution of this Mortgage, Mortgagor hereby acknowledges receipt of all of the proceeds of the loan evidenced by the above promissory note or notes

All principal, interest and other sums or charges payable to Mortgagee and secured by this Mortgage are after this called the Indebtedness

If the Indebtedness is paid to Mortgagee when due and Mortgagor keeps and performs all the warranties agreements and terms contained in this Mortgage then this Mortgage shall be void

MORTGAGOR WARRANTS THAT (a) Mortgagor has fee simple title to the premises and good right to convey them (b) Mortgagee shall quietly enjoy and possess the premises, and (c) except as expressly set forth in this Mortgage, the premises are free from all encumbrances and Mortgagor will warrant and defend title to the premises against all lawful claims

MORTGAGOR AGREES AS FOLLOWS

1 Discharge Liens To pay and discharge when due all present and future taxes, assessments, judgments mortgages and liens on the premises and to perform every obligation imposed upon Mortgagor by the instruments creating these liens

2 Insurance To keep insured all buildings and improvements now or later located on the premises against loss or damage by fire wind, flood (if Mortgagee requires) and extended coverage perils, in companies and amounts satisfactory to Mortgagee and to provide on request satisfactory proof of insurance. The insurance policy shall contain a loss payable clause in favor of Mortgagee providing all rights customarily granted under the standard mortgage clause. At Mortgagee's option insurance proceeds may be applied to the Indebtedness or be used for reconstruction of the damaged property or be released to Mortgagor for reconstruction. If this Mortgage is foreclosed, Mortgagor's interest in policies shall pass to Mortgagee.

3 Protective Advances If Mortgagor fails to pay taxes, assessments, judgments, mortgages or other liens on the premises or to maintain insurance as required by this Mortgage, Mortgagee may do so.

4 Pro Rata Payments Mortgagee may at its option, require Mortgagor to pay to Mortgagee at the same time as each regular installment of principal and interest an amount equal to a pro rata portion of the taxes, assessments and insurance premiums next to become due as estimated by Mortgagee.

5 Protective Actions In any collection or foreclosure activities or proceedings or if Mortgagor fails to perform any agreement or term contained in this Mortgage or if any proceeding is commenced which affects Mortgagee's interest in the premises (including but not limited to eminent domain, insolvency, bankruptcy code enforcement or probate), Mortgagee may (but is not obligated to) make such appearances, disburse such sums and take such actions as Mortgagee believes are necessary to protect its interest and preserve the value of the premises. This includes, but is not limited to, disbursement of reasonable attorneys' fees, court costs, costs of environmental audits and compliance, costs of appraisals and title evidence, and making repairs and maintenance. Mortgagee may inspect the premises at reasonable times including investigating the environmental condition of the premises and taking soil and water samples.

6 Additions to Indebtedness All amounts incurred or advanced by Mortgagee under paragraph 3 or 5 of this Mortgage shall be due immediately, shall bear interest as provided in the promissory note described in this Mortgage or the promissory note with the latest maturity date if more than one is described, and shall be secured by this Mortgage.

7 Maintain Premises (a) To not remove or permit to be removed any buildings, improvements or fixtures from the premises; (b) to maintain the premises in good repair and condition; (c) to cultivate the premises in a good, husbandlike manner; (d) to use the premises for farm purposes (if used for farm purposes on the date of this Mortgage); (e) to not cut or remove wood or timber from the premises except for domestic use; and (f) to neither commit nor permit waste of the premises. If the premises are abandoned or left unoccupied, Mortgagee may (but is not obligated to) go upon the premises to protect them against waste, vandalism or other damage without liability for trespass.

8 Complete Improvements To complete in a reasonable time any improvements now or later under construction on the premises.

9 Use of Loan Proceeds The proceeds of the Indebtedness shall be used solely for (a) the purposes specified in the loan application or, (b) other purposes Mortgagee may require or agree to in writing.

10 Assignment of Rents Mortgagor by this Mortgage assigns to Mortgagee to further secure the payment of the Indebtedness the rents, issues and profits of the premises now due or which may later become due. Upon Default under this Mortgage by Mortgagor, Mortgagee (a) shall immediately and without any further action to enforce its interest have an enforceable and perfected right to receive such rents, issues and profits; and (b) may in its sole discretion notify any or all tenants to pay directly to Mortgagee all such rents, issues and profits. This assignment shall be enforceable with or without appointment of a receiver and regardless of Mortgagee's lack of possession of the premises.

11 Minerals and Eminent Domain In this paragraph 11, minerals includes but is not limited to oil, gas, coal, lignite, rock, stone, gravel, sand, clay, peat and earth. Mortgagee shall at its option receive all sums which may accrue to Mortgagor from eminent domain proceedings or from the sale, lease, development or removal of minerals in and under the premises. These sums shall be applied to the Indebtedness as Mortgagee elects. Nothing in this Mortgage, however, obligates Mortgagee to accept these sums or constitutes consent to the sale, lease, development or removal of minerals, or obligates Mortgagee to receive any payment during foreclosure or a redemption period. If a lawful claimant enters or asserts a right of entry on the premises for the purpose of exploration, development or removal of minerals under reservation or conveyance paramount to this Mortgage, to the exclusion of and without compensation to Mortgagor, then, at the option of Mortgagee, the entire Indebtedness shall become due and payable.

12 Actions Not Affecting Lien or Liability Without affecting the priority of the lien of this Mortgage or the liability of Mortgagor or of any other party for the payment of the Indebtedness, Mortgagee may from time to time without notice to Mortgagor: (a) release all or part of the premises from the lien of this Mortgage; (b) extend and defer the maturity of and renew and reamortize all or any part of the Indebtedness; (c) adjust interest rates as provided in the promissory note(s); and (d) release from liability for payment of the Indebtedness one or more parties who are or become liable for its payment.

13 Hazardous Substances To comply with all federal, state and local laws and the recommendations of all courts and government agencies concerning the generation, use, discharge, release, storage and disposal of hazardous substances, petroleum products, farm chemicals and general waste on the premises. Mortgagor warrants that no hazardous substances have previously been discharged, released, stored or disposed of on the premises and will take all remedial action necessary to remove any hazardous substance found on the premises during the term of this Mortgage or after default by Mortgagor. Mortgagor will indemnify Mortgagee, its directors, officers, employees and agents against all claims and losses, including court costs and attorneys' fees, arising directly or indirectly out of Mortgagor's failure to comply with this paragraph. This warranty and indemnity shall survive termination of this Mortgage.

14 Events of Default Each of the following constitutes a default of this Mortgage by Mortgagor (Default): (a) failure to pay when due any part of the Indebtedness; (b) failure to perform or observe any warranty, agreement or term contained in this Mortgage or in any promissory note(s) evidencing the Indebtedness or in any related loan agreement(s); (c) the appointment of a receiver, receiver pendente lite or liquidator, whether voluntary or involuntary, for any Mortgagor or for any of the property of any Mortgagor; (d) the commencement of any proceeding by or against any Mortgagor under the provisions of any bankruptcy or insolvency laws; (e) the making by any Mortgagor of an assignment for the benefit of creditors; (f) the sale or transfer without Mortgagee's prior written consent of all, any part of, or any interest in, the premises or any beneficial interest in a land trust holding title to the premises by Mortgagor or any party having a beneficial interest in the land trust; (g) the transfer without Mortgagee's prior written consent of stock in a corporation holding title to all or any part of the premises by any stockholder of such corporation if the result is that a majority of shares of the stock is owned by any parties who are not stockholders at the date of this Mortgage.

15 Remedies on Default Mortgagee may do any one or more of the following if a Default occurs under paragraph 14: (a) The entire Indebtedness may become immediately due without notice and bear interest as provided in the promissory note(s) evidencing

the Indebtedness and Mortgagee may collect this amount in a suit at law or by foreclosure of this Mortgage (b) Take possession of the premises upon filing a foreclosure action and have full authority to operate, manage, lease and conserve the premises to collect the rents, issues and profits from the premises to obtain hazard insurance to pay taxes and assessments when due, to employ counsel custodians and other assistants to make necessary repairs to exercise all the usual powers of receivers in like cases and to continue in possession of the premises until expiration of the statutory period of redemption All rents, issues and profits collected as Mortgagee in possession may, without prior approval of the court, be applied first to payment of the costs of management of the premises and then to the Indebtedness and Mortgagee shall be accountable only for those proceeds actually received, (c) At any sale held pursuant to a court decree all of the premises may be sold as one parcel and any law to the contrary is waived by Mortgagor, (d) Mortgagee may retain out of the sale proceeds amounts due Mortgagee under this Mortgage, the costs of the sale and attorneys' fees as provided by statute or court practice or in a reasonable amount (e) In any foreclosure action or other proceeding the court may appoint a receiver and receiver pendente lite for the premises with the usual powers provided by statute, and Mortgagor hereby consents to the appointment (f) If there is any security other than this Mortgage for the Indebtedness then Mortgagee may proceed upon this and the other security either concurrently or separately in any order it chooses (g) If this Mortgage secures multiple promissory notes, Mortgagee may apply foreclosure sale proceeds to the notes in the order and amounts it elects

16 **Cumulative Rights** All rights and remedies of Mortgagee in this Mortgage are cumulative and are in addition to other rights and remedies given in this Mortgage or provided by law

17 **Waiver** The failure or delay of Mortgagee to exercise any right is not a waiver of that right

18 **Successors** This Mortgage shall bind and benefit the parties to this Mortgage and their respective heirs, executors, administrators successors and assigns

19 **Waiver of State Rights** Mortgagor waives and relinquishes all rights given by the homestead and exemption laws of the State of Illinois

An electronic reproduction of this fully-executed document shall be as valid as the original

Keith J Warpinski

Kathleen Warpinski

STATE OF ILLINOIS

) ss

(Individual)

COUNTY OF Kendall

On 7-28-16 before me personally appeared Keith J Warpinski (a/k/a Keith Warpinski) and Kathleen Warpinski (a/k/a Kathleen J Warpinski) husband and wife to me known to be the person(s) described in and who executed the foregoing instrument and acknowledged the same as their free act and deed



Mark Ringhouse Notary Public
County Illinois
My Commission Expires 9-18-17

Attachment 1, Page 6

Exhibit A Legal Description

Tract 1

Lot 80 in Rivers Edge Landing Unit 2, a Subdivision of Part of Section 6, Township 34 North, Range 9 East of the Third Principal Meridian, according to the plat thereof recorded September 17, 2004 as Document No R2004172391 in Will County, Illinois

Tract 2

Lot 81 in Rivers Edge Landing Unit 2, a Subdivision of Part of Section 6, Township 34 North, Range 9 East of the Third Principal Meridian, according to the plat thereof recorded September 17, 2004, as Document No R2004172391 in Will County, Illinois

PIN#s 40-10-06-408-001, 04-10-06-304-033

517 & 521 Rivers Edge Dr

Minooka, IL 60447

PARCEL 1 THE EAST 429 00 FEET OF THE FOLLOWING DESCRIBED PROPERTY THAT PART OF THE SOUTHWEST 1/4 OF SECTION 22, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST 1/4 SECTION, THENCE WEST ALONG THE SOUTH LINE OF SAID SOUTHWEST 1/4 SECTION 660 0 FEET FOR THE POINT OF BEGINNING, THENCE CONTINUING WEST ALONG SAID SOUTH LINE 660 0 FEET, THENCE NORTH AT RIGHT ANGLES TO SAID SOUTH LINE, 660 0 FEET, THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST 1/4 SECTION 660 0 FEET, THENCE SOUTH 660 0 FEET TO THE POINT OF BEGINNING, IN KENDALL COUNTY, ILLINOIS AND CONTAINING 6 5 ACRES

PARCEL 2 THAT PART OF THE SOUTHEAST 1/4 OF SECTION 21, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST 1/4, THENCE WESTERLY ALONG THE SOUTH LINE OF SAID SOUTHEAST 1/4 981 53 FEET FOR THE POINT OF BEGINNING, THENCE EASTERLY ALONG SAID SOUTH LINE, 573 82 FEET, THENCE NORTHERLY PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST 1/4 534 20 FEET, THENCE EASTERLY PARALLEL WITH SAID SOUTH LINE, WHICH FORMS AN ANGLE OF 90 DEGREES 23 MINUTES 18 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 37 39 FEET, THENCE NORTHERLY PARALLEL WITH SAID EAST LINE 703 0 FEET, THENCE WESTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 93 DEGREES 02 MINUTES 23 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 612 81 FEET, TO A LINE DRAWN NORTHERLY, PARALLEL WITH THE WEST LINE OF THE SOUTHEAST 1/4 OF SAID SOUTHEAST 1/4 FROM THE POINT OF BEGINNING, THENCE SOUTHERLY ALONG SAID PARALLEL LINE 1273 84 FEET TO THE POINT OF BEGINNING, (EXCEPT THAT PART LYING EASTERLY OF A LINE DRAWN TO THE NORTH 1/2 FROM A POINT ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER WHICH IS 744 3 FEET WESTERLY OF THE EAST LINE, AS MEASURED ALONG SAID SOUTH LINE FROM THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER) IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS

PIN# 05-21-400-011, 05-22-300-008, 05-22-300-006



**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: Keith & Kahtleen Warpinski

Contact Person: Daniel J. Kramer

Address: [REDACTED]

1107A S Bridge Street

City, State, Zip: [REDACTED]

Yorkville, IL 60560

Phone Number: [REDACTED]

(63) 553-9500

Email: [REDACTED]

Dkramer@dankramerlaw.com

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

Site Location & Proposed Use

Township Name Kendall

Township _____ N, Range _____ E, Section(s) _____

Parcel Index Number(s) 05-21-400-011

Project or Subdivision Name Warpinski

Number of Acres 6.9

Current Use of Site vacant land

Proposed Use 1

Proposed Number of Lots 1

Proposed Number of Structures 1

Proposed Water Supply well

Proposed type of Wastewater Treatment septic

Proposed type of Storm Water Management _____

Type of Request

☒ Change in Zoning from A-1 to R-1 for 1 Single Family Home

☐ 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: _____

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

☒ Plat of Survey/Site Plan – showing location, legal description and property measurements

☐ Concept Plan – showing the locations of proposed lots, buildings, roads, stormwater detention, open areas, etc.

☐ If available: topography map, field tile map, copy of soil boring and/or wetland studies

☐ NRI fee (Please make checks payable to Kendall County SWCD)

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

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

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

Fee for first five acres and under	\$ <u>375.00</u>
<u>2</u> Additional Acres at \$18.00 each	\$ <u>36.00</u>
Total NRI Fee	\$ <u>411.00</u>

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 above.

Keith Warpinski

Petitioner or Authorized Agent

5-19-17

Date

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

FOR OFFICE USE ONLY

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



Applicant: DKR Group, Inc.
 Contact: Thomas Osterberger
 Address: 111 N. Ottawa Street
 Joliet, IL 60432

IDNR Project Number: 1707421
 Date: 02/21/2017

Project: NA
 Address: Walker Road, Unincorporated

Description: Issuance of a special Use for a landscape business to allow storage of landscape equipment in 6,000 square foot farm building.

Natural Resource Review Results

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

The Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location.

Consultation is terminated. This consultation is valid for two years unless new information becomes available that was not previously considered; the proposed action is modified, or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the project has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary. Termination does not imply IDNR's authorization or endorsement.

Location

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

County: Kendall

Township, Range, Section:
 36N, 7E, 21



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

Government Jurisdiction
 Kendall County
 Matt Asselmeier
 111 West Fox Street
 Yorkville, Illinois 60560

Disclaimer

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

Terms of Use

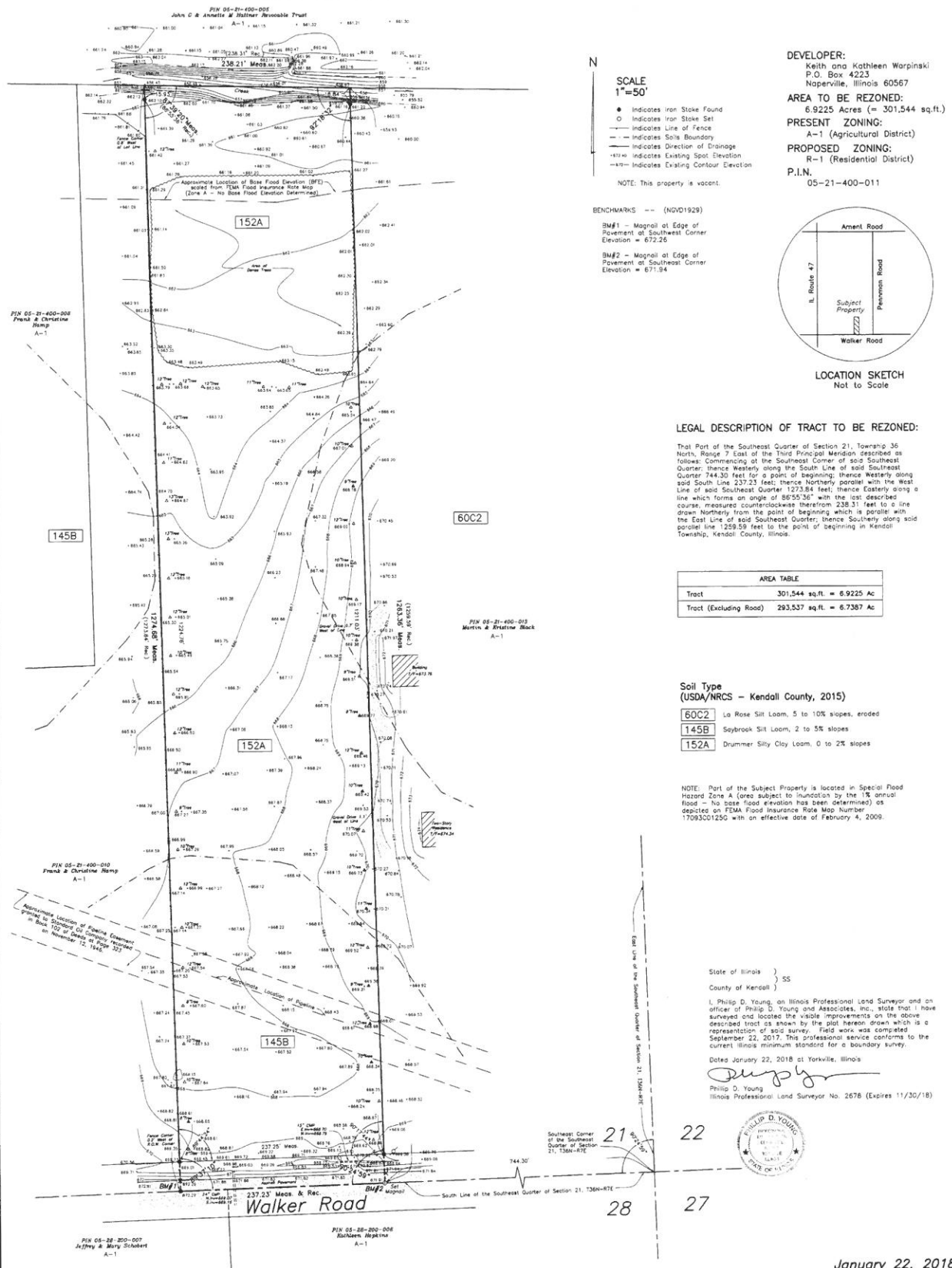
By using this website, you acknowledge that you have read and agree to these terms. These terms may be revised by IDNR as necessary. If you continue to use the EcoCAT application after we post changes to these terms, it will mean that you accept such changes. If at any time you do not accept the Terms of Use, you may not continue to use the website.

1. The IDNR EcoCAT website was developed so that units of local government, state agencies and the public could request information or begin natural resource consultations on-line for the Illinois Endangered Species Protection Act, Illinois Natural Areas Preservation Act, and Illinois Interagency Wetland Policy Act. EcoCAT uses databases, Geographic Information

Areas Preservation Act, and Illinois Interagency Wetland Policy Act. EcoCAT uses databases, Geographic Information System mapping, and a set of programmed decision rules to determine if proposed actions are in the vicinity of protected natural resources. By indicating your agreement to the Terms of Use for this application, you warrant that you will not use this web site for any other purpose.

Page 1 of 3

ZONING PLAT OF PART OF THE SOUTHEAST QUARTER OF SECTION 21, T36N-R7E, 3rd P.M. KENDALL TOWNSHIP KENDALL COUNTY ILLINOIS

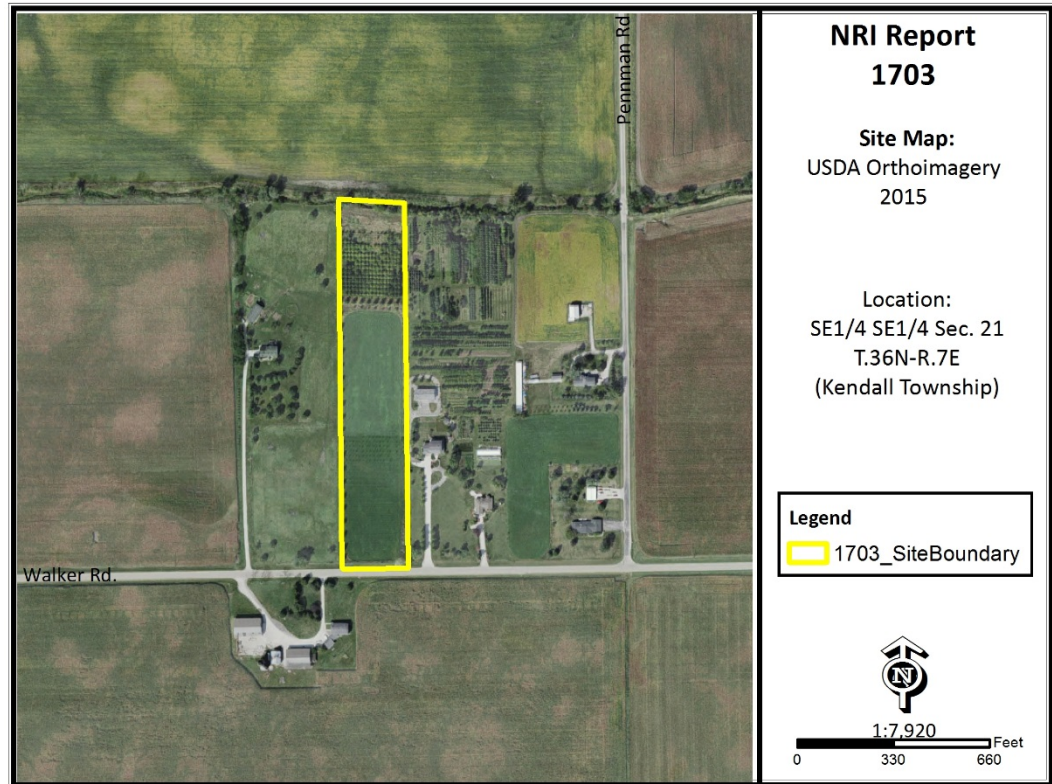


JOB NO. 17232
JOB NAME WARPINSKI
DWG FILE 17232
REVISION DATE

Phillip D. Young and Associates, Inc.
LAND SURVEYING - TOPOGRAPHIC MAPPING - Lic.#184-002775

11078 South Bridge Street
Yorkville, Illinois 60560
Telephone (630)553-1580

NATURAL RESOURCE INFORMATION (NRI) EXECUTIVE SUMMARY REPORT: 1703



June 2017

Petitioner: Keith & Kathleen Warpinski
Contact: Attorney Daniel J. Kramer

Prepared by:



**Kendall County Soil & Water
Conservation District**

7775A Route 47 • Yorkville, Illinois 60560
Phone: (630)553-5821 x3 • Fax: (630)553-7442
www.kendallswcd.org

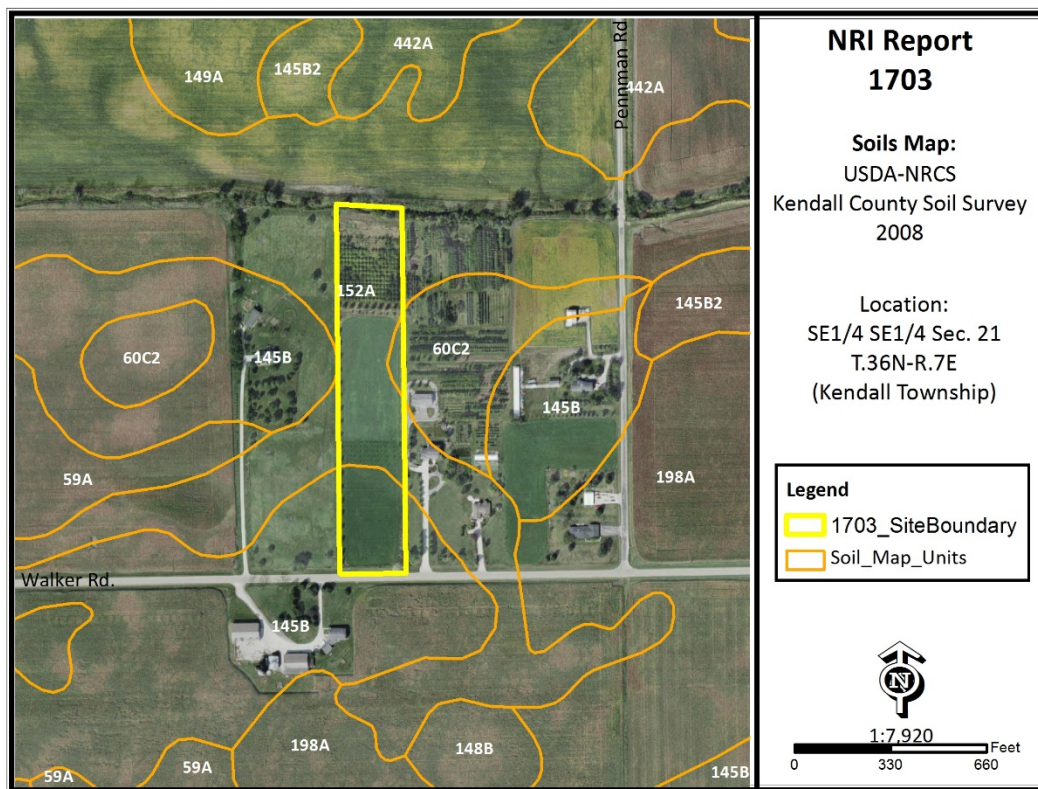
1703

Executive Summary

June 12, 2017

Petitioner: Keith & Kathleen Warpinski**Contact Person:** Attorney Daniel J. Kramer**County or Municipality the petition is filled with:** Kendall County**Location of Parcel:** SE¼ Section 21 T.36N.-R.7E. (Kendall Township) of the 3rd Principal Meridian in Kendall Co., IL**Project or Subdivision Name:** N/A**Existing Zoning & Land Use:** A-1 Agricultural; Vegetation, Trees**Proposed Zoning & Land Use:** R-1; Single Family Home**Proposed Water Source:** Well**Proposed Type of Sewage Disposal System:** Septic**Proposed Type of Storm Water Management:** None**Size of Site:** 6.9 acres**Land Evaluation Site Assessment (LESA) Score:** 200

Natural Resource Concerns

Soil Map:**SOIL INFORMATION:**

Based on information from the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) 2008 Kendall County Soil Survey, this parcel is shown to contain the following soil types (please note this does not replace the need for or results of onsite soil testing; please refer to onsite soil test results for planning/engineering purposes):

Table 1:

Map Unit	Soil Name	Drainage Class	Hydrologic Group	Hydric Designation	Farmland Designation
60C2	La Rose silt loam, 5-10% slopes, eroded	Moderately well drained	C	Non-hydric	Farmland of Statewide Importance
145B	Saybrook silt loam, 2-5% slopes	Moderately well drained	C	Non-hydric	Prime Farmland
152A	Drummer silty clay loam, 0-2% slopes	Poorly Drained	B/D	Hydric	Prime Farmland if drained

Hydrologic Soil Groups: Soils have been classified into four (A, B, C, D) hydrologic groups based on runoff characteristics due to rainfall. If a soil is assigned to a dual hydrologic group (A/D, B/D or C/D), the first letter is for drained areas and the second letter is for undrained areas.

- ✓ **Hydrologic group A:** Soils have a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.
- ✓ **Hydrologic group B:** Soils have a moderate infiltration rate when thoroughly wet, consist chiefly of moderately deep to deep, moderately well drained to well drained soils that have a moderately fine to moderately coarse texture. These soils have a moderate rate of water transmission.
- ✓ **Hydrologic group C:** Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.
- ✓ **Hydrologic group D:** Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

Hydric Soils: A soil that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part of the soil profile. Of the soils found onsite, 152A Drummer silty clay loam is classified as a hydric soil.

Prime Farmland: Prime farmland is land that has the best combination of physical and chemical characteristics for agricultural production. Prime farmland soils are an important resource to Kendall County and some of the most productive soils in the United States occur locally. Of the soils found onsite, two are designated as prime farmland: 152A Drummer silty clay loam and 145B Saybrook silt loam.

Table 2:

Map Unit	Surface Runoff	Water Table	Ponding	Flooding
60C2	High	February – April Upper Limit: 2.0'-3.5' Lower Limit: 2.2'-4.0'	February – April Surface Water Depth & Duration: -- Frequency: None	February – April None
145B	Low	February – April Upper Limit: 2.0'-3.5' Lower Limit: 2.2'-3.8'	February – April Surface Water Depth & Duration: -- Frequency: None	February – April None
152A	Negligible	January - May Upper Limit: 0.0'-1.0' Lower Limit: >6.0'	January – May Brief, Frequent Surface Water Depth: 0.0-0.5'	January - May None

Surface Runoff: Refers to the loss of water from an area by flow over the land surface. Surface runoff classes are based upon slope, climate and vegetative cover. Indicates relative runoff for very specific conditions (it is assumed that the surface of the soil is bare and that the retention of surface water resulting from irregularities in the ground surface is minimal).

Ponding: Ponding is standing water in a closed depression. Unless a drainage system is installed, the water is removed only by percolation, transpiration or evaporation. Duration is expressed as very brief (less than 2 days), brief (2 to 7 days), long (7 to 30 days), very long (more than 30 days). Frequency is expressed as none (ponding is not probable), rare (unlikely but possible under unusual weather conditions), occasional (occurs, on average, once or less in 2 years) and frequent (occurs, on average, more than once in 2 years).

Flooding: Temporary inundation of an area caused by overflowing streams, by runoff from adjacent slopes, or by tides. Water standing for short periods after rainfall or snowmelt is not considered flooding, and water standing in swamps and marshes is considered ponding rather than flooding. Duration expressed as brief is 2 to 7 days and a frequent frequency means that it is likely to occur often under normal weather conditions.

SOIL LIMITATIONS:

According to the USDA-NRCS, soil properties influence the development of building sites, including the selection of the site, the design of the structure, construction, performance after construction and maintenance. This report gives ratings for proposed uses in terms of limitations and restrictive features. The tables list only the most restrictive features. Ratings are based on the soil in an undisturbed state, that is, no unusual modification occurs other than that which is considered normal practice for the rated use. Even though soils may have limitations, an engineer may alter soil features or adjust building plans for a structure to compensate for most degrees of limitations. The final decision in selecting a site for a particular use generally involves weighing the costs for site preparation and maintenance.

- ✓ **Not Limited:** Indicates that the soil has features that are very favorable for the specified use; good performance and low maintenance can be expected.
- ✓ **Somewhat Limited:** Indicates that the soil has features that are moderately favorable for the specified use. The limitations can be overcome or minimized by special planning, design or installation; fair performance and moderate maintenance can be expected.
- ✓ **Very Limited:** Indicates that the soil has one or more features that are unfavorable for the specified use. The limitations generally cannot be overcome without major soil reclamation, special design, or expensive installation procedures; poor performance and high maintenance can be expected.

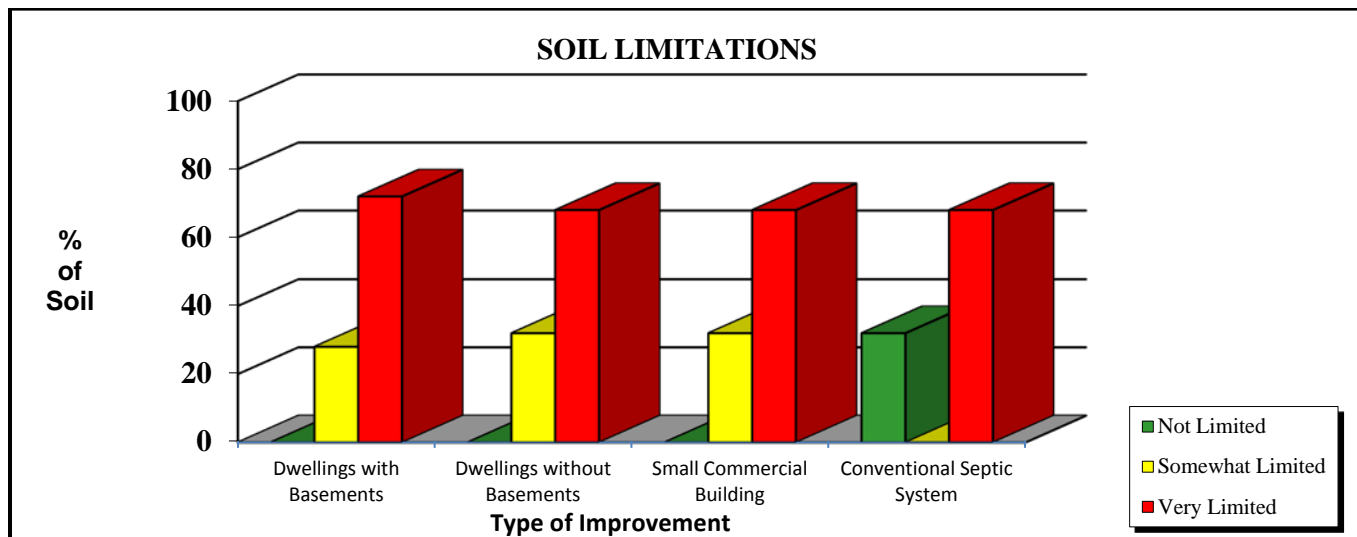
Conventional Septic System Rating Criteria:

The factors considered are the characteristics and qualities of the soil that affect the limitations for absorbing waste from domestic sewage disposal systems. Soils that are deemed unsuitable for installation of an on-site sewage disposal system per the Kendall County Subdivision Control Ordinance may necessitate the installation of a non-conventional onsite sewage disposal system. For more information please contact: Kendall County Health Department located at 811 W. John Street, Yorkville, IL; (630)553-9100 ext. 8026.

Limitations are listed below for dwellings with basements, dwellings without basements, and conventional sewage disposal systems. Please note this information is based on information compiled as part of the USDA-NRCS 2008 Soil Survey of Kendall County, IL and the Kendall County Subdivision Control Ordinance; this does not replace the need for site specific soil testing or results of onsite soil testing.

Table 3: Building Limitations

Soil Type	Dwellings with Basements	Dwellings without Basements	Small Commercial Building	Onsite Conventional Sewage Disposal System
60C2	Very Limited: Depth to saturated zone	Somewhat Limited: Depth to saturated zone	Somewhat Limited: Slope Depth to saturated zone	Suitable
145B	Somewhat Limited: Depth to saturated zone	Somewhat Limited: Shrink-swell	Somewhat Limited: Shrink-swell	Suitable
152A	Very Limited: Depth to saturated zone Shrink-swell	Very Limited: Depth to saturated zone Shrink-swell	Very Limited: Depth to saturated zone Shrink-swell	Unsuitable Reason to avoid: Wet



Building Limitations Map:

Figure 2a: Dwellings with Basements

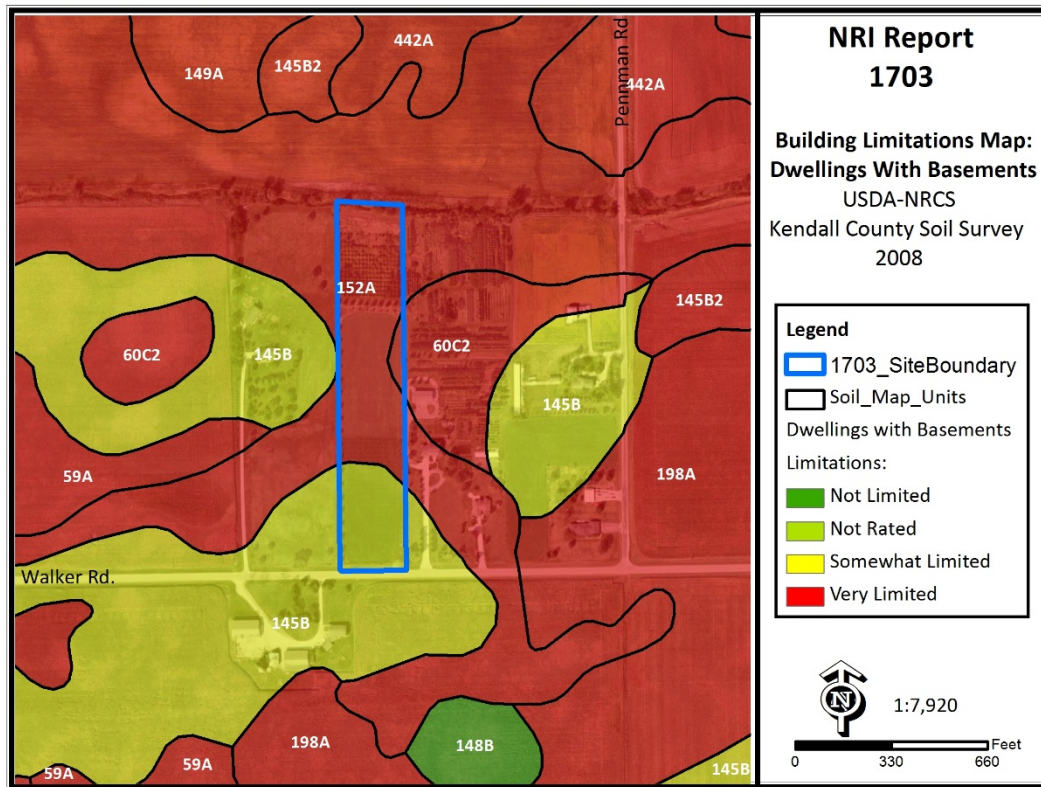
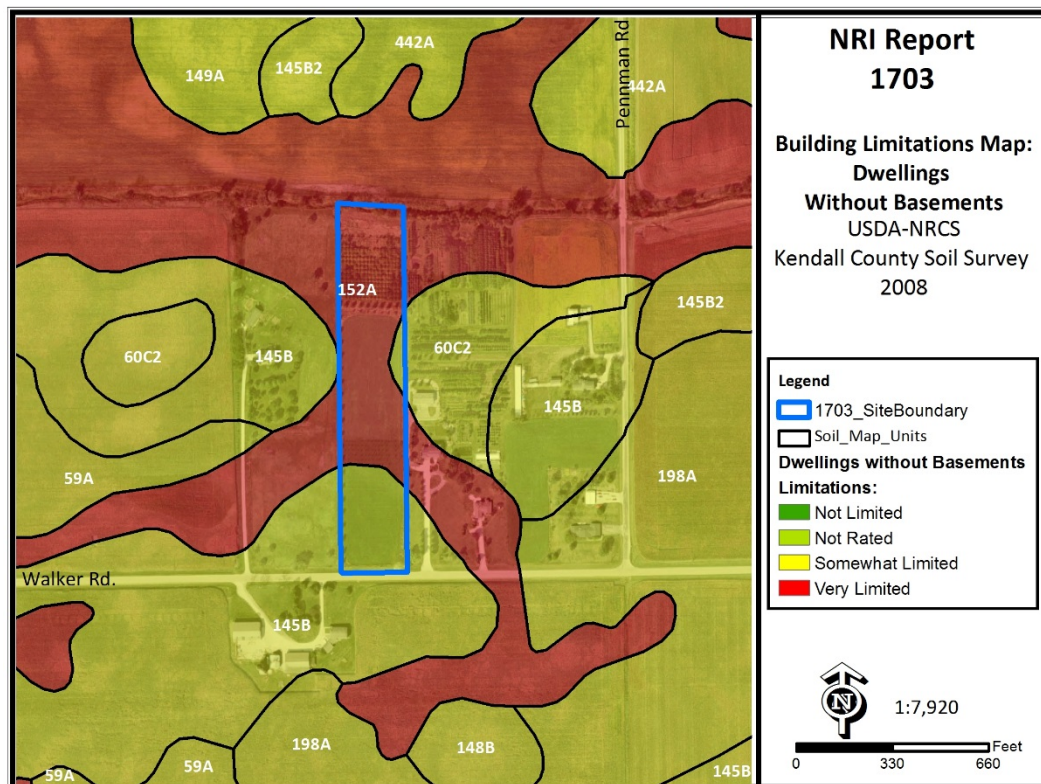


Figure 2b: Dwellings without Basements



Kendall County Land Evaluation and Site Assessment (LESA):

Decision-makers in Kendall County use the Land Evaluation and Site Assessment (LESA) system to determine the suitability of a land use change and/or a zoning request as it relates to agricultural land. The LESA system was developed by the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) and takes into consideration local conditions such as physical characteristics of the land, compatibility of surrounding land-uses, and urban growth factors. The LESA system is a two-step procedure that includes:

- **LAND EVALUATION (LE)** – The soils of a given area are rated and placed in groups ranging from the best to worst suited for a stated agriculture use, cropland or forestland. The best group is assigned a value of 100 and all other groups are assigned lower values. The Land Evaluation is based on data from the Kendall County Soil Survey. The Kendall County Soil and Water Conservation District is responsible for this portion of the LESA system.
- **SITE ASSESSMENT (SA)** – The site is numerically evaluated according to important factors that contribute to the quality of the site. Each factor selected is assigned values in accordance with the local needs and objectives. The Kendall County LESA Committee is responsible for this portion of the LESA system.

Table 4a: Land Evaluation Computation

Soil Type	Value Group	Relative Value	Acres	Product (Relative Value x Acres)
60C2	5	82	0.3	24.6
145B	2	94	1.9	178.6
152A	1	100	4.7	470.0
Totals			6.9	673.2
LE Score		LE= 673.2/6.9		LE=97.6 (98)

The Land Evaluation score for this site is **98**, indicating that this site is predominately prime farmland well suited for agricultural production.

Table 4b: Site Assessment Computation

A.	Agricultural Land Uses	Points
	1. Percentage of area in agricultural uses within 1.5 miles of site. (20-10-5-0)	20
	2. Current land use adjacent to site. (30-20-15-10-0)	20
	3. Percentage of site in agricultural production in any of the last 5 years. (20-15-10-5-0)	0
	4. Size of site. (30-15-10-0)	0
B.	Compatibility / Impact on Uses	
	1. Distance from city or village limits. (20-10-0)	20
	2. Consistency of proposed use with County Land Resource Management Concept Plan and/or municipal comprehensive land use plan. (20-10-0)	0
	3. Compatibility of agricultural and non-agricultural uses. (15-7-0)	7
C.	Existence of Infrastructure	
	1. Availability of public sewage system. (10-8-6-0)	10
	2. Availability of public water system. (10-8-6-0)	10
	3. Transportation systems. (15-7-0)	7
	4. Distance from fire protection service. (10-8-6-2-0)	8
	Site Assessment Score:	102

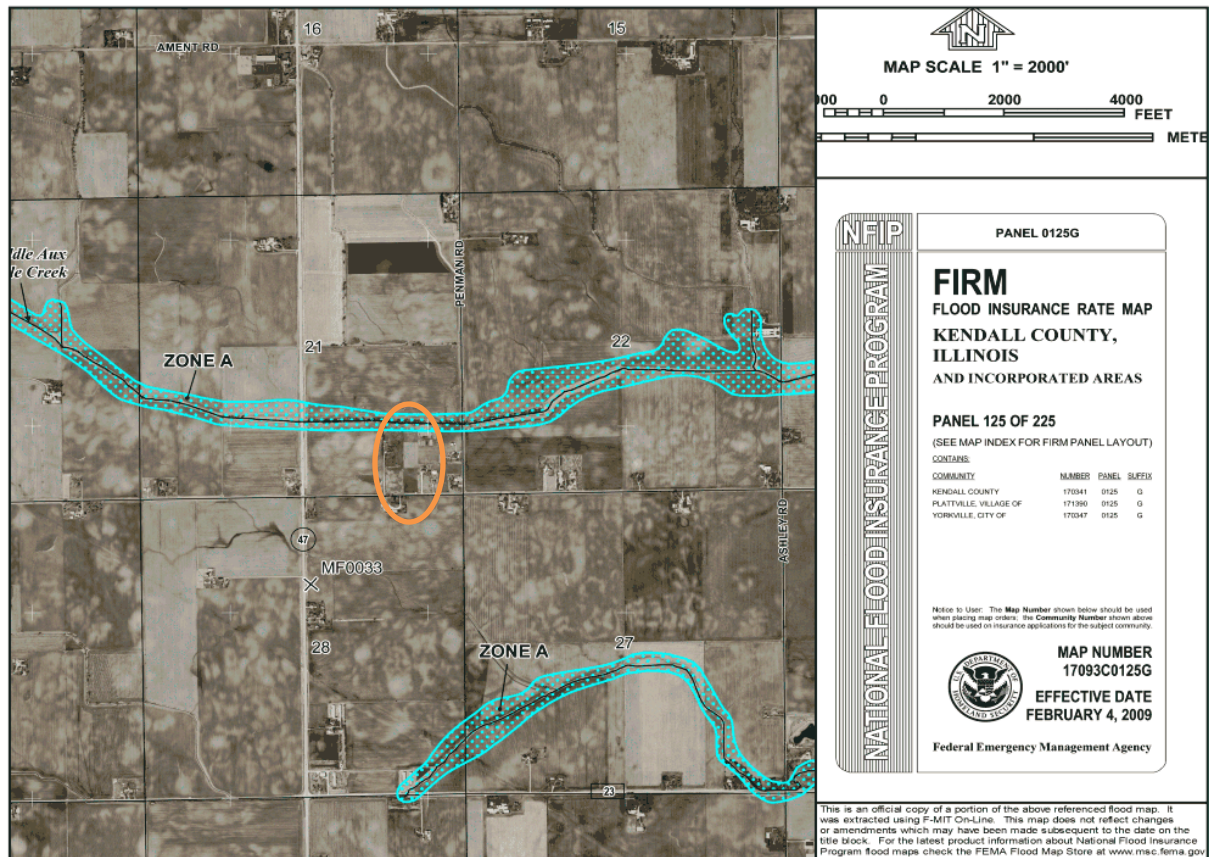
Land Evaluation Value: 98 + Site Assessment Value: 102 = LESA Score: 200

LESA SCORE	LEVEL OF PROTECTION
0-200	Low
201-225	Medium
226-250	High
251-300	Very High

The **LESA Score for this site is 200** which indicates a **low level of protection** for the proposed project site. Note: Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County.

Wetlands: The U.S. Fish & Wildlife Service's National Wetland Inventory map **does not indicate** the presence of a wetland on the project site. If a wetland is present and will be impacted by the project, a wetland delineation specialist, who is recognized by the U.S. Army Corps of Engineers, should determine the exact boundaries and value of the wetlands.

Floodplain: A portion of the parcel is located within the floodplain.



Sediment and Erosion Control: Development on this site should include an erosion and sediment control plan in accordance with local, state and federal regulations. Soil erosion on construction sites is a resource concern because suspended sediment from areas undergoing development is a primary nonpoint source of water pollution. Please consult the *Illinois Urban Manual* (<http://www.aiswcd.org/illinois-urban-manual/>) for appropriate best management practices.

LAND USE OPINION:

The Kendall County Soil and Water Conservation District (SWCD) Board has reviewed the proposed development plans for Petitioner Keith & Kathleen Warpinski for the proposed Warpinski project. This parcel is located in Section 21 of Kendall Township (T.36N.-R.7E. of the 3rd Principal Meridian) in Kendall County. Based on the information provided by the petitioner and a review of natural resource related data available to the Kendall County SWCD, the SWCD Board has the following opinions and recommendations.

The Kendall County SWCD has always had the opinion that Prime Farmland should be preserved whenever feasible. A land evaluation, which is a part of the Land Evaluation and Site Assessment (LESA) was conducted on this parcel. The soils on this parcel scored a 99 out of a possible 100 points indicating the soils found on the project site are predominately prime farmland well suited for agricultural production. Overall, the LESA score was 200 indicating a low level of protection as selecting a project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County. Of the soils identified onsite, two (145B and 152A) are designated as prime farmland; the remaining soil (60C2) is noted as farmland of statewide importance.

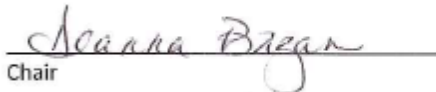
For proposed land uses, soils can have potential limitations. This report indicates that for soils located on the parcel, 72% of the soils are very limited for dwellings with basements; 68% of the soils are very limited for dwellings without basements, small commercial building and conventional septic systems. This information is based on the soil in an undisturbed state and does not replace the need for site specific soil testing. Some soil reclamation, special design, or maintenance may be required to obtain suitable soil conditions to support development with significant limitations. Additionally, if the scope of the project includes the use of onsite septic systems, please consult with the Kendall County Health Department.

This site is located within the Illinois River Watershed and Middle Branch Aux Sable Creek subwatershed.

This development should include a soil erosion sediment control plan to be implemented during construction. Sediment may become a primary non-point source of pollution. Eroded soils during the construction phase can create unsafe conditions on roadways, degrade water quality and destroy aquatic ecosystems lower in the watershed.

For intense project uses it may be necessary to have a drainage tile survey completed on the parcel to locate any subsurface drainage tile if suspected onsite. Drainage tile expedites drainage and facilitates farming. It is imperative that these drainage tiles remain undisturbed. Impaired tile may affect a few acres or hundreds of acres of drainage.

The information that is included in this Natural Resources Information Report is to assure the Land Developers take into full consideration the limitations of that land that they wish to develop. Guidelines and recommendations are also a part of this report and should be considered in the planning process. The Natural Resource Information Report is required by the Illinois Soil and Water Conservation District Act (Ill. Compiled Statutes, Ch. 70, Par 405/22.02a).


Chair


Date



Attachment 4 Looking North





Attachment 6 West Property
Line-Spring



Attachment 7 Looking South (Spring)





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

Agenda Item Number

Old Business #1

Tracking Number

EDC 2018-15

Agenda Item Summary Memo

Title: Developer Deposit Report/Ordinance

Meeting and Date: Economic Development Committee - March 6, 2018

Synopsis: Discussion of engineering service fees related to commercial development projects.

Council Action Previously Taken:

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

Item Number: N/A

Type of Vote Required: _____

Council Action Requested: Approval.

Submitted by: Krysti J. Barksdale-Noble

Community Development

Name

Department

Agenda Item Notes:

See attached memo.

Have a question or comment about this agenda item?

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



Memorandum

To: Economic Development Committee
From: Krysti Barksdale-Noble, Community Development Director
CC: Bart Olson, City Administrator
Brad Sanderson, EEI, City Engineer
Rob Fredrickson, Finance Director
Date: February 22, 2018
Subject: Developer Deposit Report/Ordinance

Summary

Per direction from the Economic Development Committee at last month's meeting, staff has revised its recommendations for minimum engineering deposit amount for projects based upon development area acreage and engineering review type.

For your consideration, below is a summary of the comments provided to staff during the February meeting; a chart comparing of the existing engineering deposit fees with that of the previously proposed and the currently proposed fees; and a draft ordinance codifying the proposed fee amendments.

Staff Comments/Recommendations

At the February 6th meeting, feedback was provided to staff to reduce the originally proposed initial deposit requirements based upon a percentage of the overall estimated amount for engineering plan review and construction services (i.e., 5.5% of the approved engineer's estimate of construction cost for all land improvements).

There were also suggestions to lower the previously proposed minimum deposit amounts; allow for discretion by the Community Development Director to either lower minimum deposits based on project scope/use or provide a separate reduced deposit amount for such projects; and provide an upfront engineering fee estimate if the developer submitted an engineers estimate of cost for completion (EEOC) of the land improvements. It would be stipulated to the developer that the fee estimate maybe subject to change, as the City engineer would have to approve the EEOC.

Based upon these comments, **staff's revised recommendations** are as follows:

- **Revised minimum escrow deposit amounts.** The intent is to have the initial deposit cover the cost of a preliminary due diligence meeting and the generation of first round plan review comments. This deposit would typically be in the range of 1% – 1.5% of the project construction cost for all land improvements. Additionally, this fee would apply to new construction development and any development requiring land use approvals (e.g. special use, rezoning, planned unit development, annexation, final plat, etc.) An example of the revised deposit amount is provided below:

Current Engineering Deposit	Originally Proposed Engineering Deposit	Revised Proposed Engineering Deposit
<ul style="list-style-type: none">• <1 acre = \$1,000.00• >1 acre but <10 acres = \$2,500.00• >10 acres but < 40 acres = \$5,000.00• > 40 acres but < 100 acres = \$10,000.00• > 100 acres = \$20,000.00	<ul style="list-style-type: none">• <1 acre = \$5,000.00• >1 acre but <10 acres = \$12,500.00• >10 acres but < 40 acres = \$25,000.00• > 40 acres but < 100 acres = \$50,000.00• > 100 acres = \$100,000.00	<ul style="list-style-type: none">• <1 acre = \$5,000.00• >1 acre but <10 acres = \$10,000.00• >10 acres but < 40 acres = \$15,000.00• > 40 acres but < 100 acres = \$20,000.00• > 100 acres = \$25,000.00

- **Small-Scale or Limited Scope Project Minimum Escrow Deposits.** For those developments that require a limited scope of engineering review without the need for land use approvals (e.g. commercial building additions, parking lot expansion, driveway curb cut, etc.), staff recommends

a minimum engineering deposit of \$2,500.00. These projects typically do not require a due diligence meeting and generally arise as part of a building permit application. The recommended deposit is estimated to cover at least two (2) rounds of plan review comments and the bond approval/release process, if applicable.

- **Provide an upfront engineering fee estimate.** This estimate would be provided as part of the initial due diligence meeting and will include the plan review, inspection services and administrative close out fees for the project utilizing a five and one-half percent (5.5%) calculation based on the approved engineer's estimate of construction cost for all land improvements.
- **Codification of Fees.** The City Attorney has prepared the attached ordinance which codifies the proposed fee amendments in Title 11: Subdivision Control Chapter 8: Fee Schedule. The amendment to the Subdivision Control Ordinance will address the revised minimum escrow deposits for new construction development and development requiring land use approvals.

Further Direction

Staff is also seeking direction regarding the existing Coordination Fee (0.35% of EEOC) and the Administration Fee (1.75% of EEOC). These fees were initially designed to cover in-house City staff time in the processing of engineering related projects and provided direct revenue to the City, aside from application fees for development projects. Should we continue to collect these fees in addition to the proposed new fee structure?

Per the current Ordinance, the Coordination Fee was used as a pass through fee for engineering services related to new subdivisions, platting or replatting of existing subdivisions when completed solely by an outside consultant. In this scenario, the then in-house City Engineer would preliminarily review plans and make determination if an outside consultant would be required for review. If so, the in-house engineer would coordinate the distribution of the plans to the outside consultant and provide all review comments to the developer/applicant. Since the City has moved to exclusively using an outside consultant for engineering review, there is limited preliminary review of engineering plans by City staff prior to passing along to the consultant or coordination of review comments with the developer/applicant.

The Administrative Fee, approved via a resolution, was intended to cover the cost of services provided by the the Public Works Department and Administrative Staff prior to the recording of a final plat. This fee would only affect new development projects which require the subdivision of land and typically would require an entitlement approval review process (planned unit development, special use, etc). While most of the administrative staff time in preparing the entitlement review process is covered as part of the application fee, and a majority of the Public Works Department review and inspection services are now handled by the engineering consultant, it may not be necessary to collect this fee going forward. Staff has consulted with the Public Works Department and City Attorney and have recommended in the attached draft ordinance repealing the previous ordinance and resolution effectively removing these fees.

Next Steps

If the proposed revisions and draft ordinance meets the satisfaction of the Economic Development Committee, this matter will be forwarded to the Planning and Zoning Commission for a public hearing regarding the proposed text amendment to the Subdivision Control Ordinance. A public hearing notice will be placed in the March 16th edition of the Beacon Newspaper for the Planning and Zoning Commission April 11, 2018 meeting. Should the committee have any questions regarding the revised recommendations proposed, staff will be available to discuss in greater detail at Tuesday night's meeting.

**AN ORDINANCE OF THE UNITED CITY OF YORKVILLE, ILLINOIS, AMENDING
THE REQUIREMENTS IN THE YORKVILLE SUBDIVISION CONTROL
ORDINANCE REGARDING ESCROW DEPOSITS FOR
ENGINEERING REVIEW FEES**

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

WHEREAS, pursuant to Section 11-7-1 of the Yorkville Subdivision Control Ordinance the Mayor and City Council (the “Corporate Authorities”) may initiate amendments to the Yorkville Subdivision Control Ordinance; and,

WHEREAS, the Corporate Authorities authorized the filing of amendments to the Yorkville Subdivision Control Ordinance regarding escrow deposits for engineering review fees; and,

WHEREAS, the Planning and Zoning Commission convened and held a public hearing on the 11th day of April, 2018, to consider the request to amend the Subdivision Control Ordinance; and,

WHEREAS, the Planning and Zoning Commission after the close of the hearing approved findings of fact and made a recommendation to the Corporate Authorities that the proposed amendments be approved.

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

Section 1: That Resolution 2002-27 entitled, *RESOLUTION AMENDING CITY ORDINANCE WITH REGARD TO PAYMENT OF DEVELOPER DEPOSITS AND ENGINEERING FEES*, and Ordinance 2006-11 entitled, *ORDINANCE AMENDING CITY ORDINANCE WITH REGARD TO PAYMENT OF COORDINATION FEE* be and are hereby repealed.

Section 2: That Section 11-8-2, FEES, and 11-8-3, COORDINATION FEE, of the Yorkville City Code, as amended, be and are hereby repealed.

Section 3: That Sections 11-8-2 and 11-8-3 be and are hereby added to the Yorkville City Code to read as follows:

“11-8-2: ENGINEERING REVIEW FEE ESCROW DEPOSIT

A. An engineering review fee escrow deposit shall be required for all new construction projects and any development requiring land use approvals including but not limited to a special use, rezoning, planned unit development, annexation, or subdivision, or for those limited scope

projects that require a limited scope of engineering review without land use approvals. The engineering review fee escrow deposit shall be for the reimbursement of any City fees and expenses for the project from the initial contact by the applicant to the time of final approval.

B. The city shall provide an initial engineering fee estimate that will include the plan review, inspection services and administrative fees for the project which shall be based on a five and one-half percent (5.5%) of the approved engineer's estimate of construction cost for all land improvements.

C. Not including a limited scope of development, the initial minimum engineering review fee escrow deposit for new construction projects and any development requiring land use approvals including but not limited to a special use, rezoning, planned unit development, annexation, or subdivision shall be:

Size of development	Escrow Deposit
Less than 1 acre	\$5,000.00
Greater than 1 acre but less than 10 acres	\$10,000.00
Greater than 10 acres but less than 40 acres	\$15,000.00
Greater than 40 acres but less than 100 acres	\$20,000.00
Greater than 100 acres	\$25,000.00

D. The initial minimum engineering review fee escrow deposit for a limited scope development that requires a limited scope of engineering review without a land use approval shall be \$2,500.00.

11-8-3: GENERAL REQUIREMENTS

A. The City reserves the right to charge and collect fees on an hourly basis for complex work or time-consuming developments if the time expended on a particular project exceeds the fees required herein.

B. In the event that an escrow deposit described in Sections 11-8-2 is reduced to a sum of 10% or less of the original deposit, the City Administrator shall request an additional deposit for the reasonably expected costs to be incurred by the City for the completion of the project.”

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

Passed by the City Council of the United City of Yorkville, Kendall County, Illinois, this _____ day of _____, 2018.

City Clerk

CARLO COLOSIMO _____

KEN KOCH _____

JACKIE MILSCHEWSKI _____

ARDEN JOE PLOCHER _____

CHRIS FUNKHOUSER _____

JOEL FRIEDERS _____

SEAVAR TARULIS _____

ALEX HERNANDEZ _____

Approved by me, as Mayor of the United City of Yorkville, Kendall County, Illinois, this
_____ day of _____, 2018.

Mayor



Memorandum

To: Economic Development Committee
From: Krysti Barksdale-Noble, Community Development Director
CC: Bart Olson, City Administrator
Brad Sanderson, EEI, City Engineer
Rob Fredrickson, Finance Director
Date: January 9, 2017
Subject: Developer Deposit Report/Ordinance

Summary

As a result of a recent letter from the developer of the Heartland Meadows subdivision regarding engineering service fees, staff is providing an overview of the historical and current policies for collecting such fees and an analysis of fees paid for recent Yorkville projects. We have also provided a comparison of surrounding communities' practice of charging engineering related fees. It is the intention of staff to have an open discussion with the Economic Development Committee (EDC) of how staff currently requests, administer, and replenish engineering related development fees and deposits for projects and if new procedures should be considered.

Background

In 2002, City Council approved a resolution (Res. 2002-27) establishing the payment of developer deposits and engineering review fees for all land development applications and permits. These fees were implemented to cover the expense of in-house engineering staff to review and administrative services associated with private development.

The resolution assessed Engineering review fees for all new subdivisions, platting and re-platting of existing subdivisions, or for building permit applications where engineering review is necessary.

It also required the fee be charged at time of initial contact to final plat and/or plan approval used to cover all normal city expenses. The breakdown of the fees will be as followed:

FEE	DESCRIPTION	AMOUNT
Engineering Review Fee	Cost for services related to plan reviews.	<ul style="list-style-type: none">• 1.25% of the approved engineer's estimate of cost of all land improvements (public and private)• \$500 deposit for Concept Plan Review
Engineering Deposit	In addition to the plan review fee, this fee is required at time of application for site plan approved based upon the size of the development.	<ul style="list-style-type: none">• <1 acre = \$1,000.00• >1 acre but <10 acres = \$2,500.00• >10 acres but < 40 acres = \$5,000.00• > 40 acres but < 100 acres = \$10,000.00• > 100 acres = \$20,000.00
Administrative/Inspection Fee	Covers costs of services provided by the Public Works Department and Administrative staff. This fee is due prior to recording of Final Plat.	1.75% of the approved engineer's estimate of cost of all land improvements (public and private – including mass earth grading, private storm sewer, parking areas and trails)

Additionally, the resolution allows for the City the right to charge fees on an hourly basis for complex work or time consuming developments with City Council approval, if the time expended on a particular development project exceeds the percentage fees set out above. These fees are also applicable to petitions for map amendments (rezoning), variances and special uses.

Incidentally, in 2006 the City passed Ord. 2006-11 which assessed a subsequent **Coordination Fee of 0.35%** of the engineer's estimate of cost of all land improvements. This fee was used as a pass-

through fee for engineering services related to new subdivisions, platting or replatting of existing subdivisions when completed solely by an outside consultant.

Current Policy Application

The City utilized the above engineering review fee policy from 2002 until early 2011 when all in-house engineering staff was let go and replaced with the current outside consultant, Engineering Enterprise Incorporated (EEI). Since engaging EEI for the City's engineering services, we have honored those developments which prepaid the Administrative/Inspection Fee at time of Final Plat recordation under the former policy and have not charged fees for typical follow-up engineering services, such as site inspections, punch list reviews and letter of credit/bond reduction requests. However, all new requests for engineering related development approvals, plan reviews and inspections are charged at an hourly rate and drawn down upon from an initial deposit submitted by the applicant based upon the schedule established in Resolution 2002-27, as stated in the table above.

Since 2011, every application for a development project requiring engineering plan review and/or inspection services, applicants are required to complete and sign an "Acknowledgement of Financial Responsibility" form. This form explains the initial fee and deposit account process and specifies the deposit account is intended to cover all actual expenses occurred as a result of reviewing and processing their plans or permit request. Periodically throughout the project review/approval process, staff provides the applicant with an invoice summary reflecting the charges made against the account.

At any time the balance of the fund account falls below ten percent (10%) of the original deposit amount, the applicant is requested to provide additional funds equal to one-hundred percent (100%) of the initial deposit if subsequent reviews/fees related to the project are required. If replenishment is not made, the City may suspend action on the project or permit until the account is fully refunded. Conversely, if a surplus of funds remains in the deposit account at the completion of the project, the city will refund the balance to the applicant.

Analysis of Recent Projects

Staff has compiled the following tables of all eleven (11) commercial/industrial development projects reviewed by the City's engineering consultant, Engineering Enterprises Incorporated (EEI) during calendar year 2017. The tables compare the fees charged by EEI on an hourly basis versus what would have been charged by the City if in-house engineers used fees in Resolution 2002-27 for completed projects and projects under construction.

Project	Engineering Services	Engineering Fees Charged ¹	Fees If Paid Under Resolution 2002-27	Actual % of EEOC Charged	Remarks
COMPLETED PROJECTS					
Fountainview Subdivision	Plan Review	\$12,291	EEOC = \$479,822	6.20%	Complete. Multiple rounds of plan review required; Construction not completed in a timely manner; multiple punchlist inspections required.
	Construction Svcs.	\$16,426	1.25% x EEOC = \$5,998		
	Expenses	\$665	1.75% x EEOC = \$8,397		
	Sub-consultant	\$484	TOTAL = \$14,395		
	TOTAL	\$29,866			
Yorkville Business Park (Lot 3)	Plan Review	\$5,857	EEOC = \$448,239	3.40%	Complete.
	Construction Svcs.	\$9,036	1.25% x EEOC = \$5,603		
	Expenses	\$353	1.75% x EEOC = \$7,844		
	Sub-consultant	\$203	TOTAL = \$13,447		
	TOTAL	\$15,449			
Kendall Crossing (Lot 3)	Plan Review	\$6,264	EEOC = \$203,365	8.50%	Complete. Increased construction fees due to connections to existing utilities; multiple water main pressure tests failed and had to be re-tested; issue with sanitary sewer connection that took time to resolve.
	Construction Svcs.	\$10,297	1.25% x EEOC = \$2,542		
	Expenses	\$503	1.75% x EEOC = \$3,559		
	Sub-consultant	\$135	TOTAL = \$6,101		
	TOTAL	\$17,199			

¹ Fee includes billed labor, expenses & sub-consultant fee, if any, as of 12/31/2017

203 Commercial Drive	Plan Review	\$1,641	EEOC = \$2,280	147.50%	Complete. EEOC is artificially low, as it only covered erosion control. The overall project required reviews and inspections for grading, stormwater, SESC and landscaping.
	Construction Svcs.	\$1,500	1.25% x EEOC = \$29		
	Expenses	\$34	1.75% x EEOC = \$40		
	Sub-consultant	\$190	TOTAL = \$69		
	TOTAL	\$3,365			

Project	Engineering Services	Engineering Fees Charged ²	Fees If Paid Under Resolution 2002-27	Actual % of EEOC Charged	Remarks
UNDER CONSTRUCTION PROJECTS					
Yorkville Christian HS	Plan Review	\$31,980	EEOC = \$900,000 (est)	4.50%	20% Complete; grading only; Complicated site plan and off-site drainage concerns; Exterior road improvements required; Site plan has had multiple changes; project started and then restarted. SESC on-going concerns
	Construction Svcs.	\$8,445	1.25% x EEOC = \$11,250		
	Expenses	\$398	1.75% x EEOC = \$15,750		
	Sub-consultant	\$0	TOTAL = \$27,000		
	TOTAL	\$40,823			
Heartland Meadows	Plan Review	\$28,359	EEOC = \$2,004,791	2.30%	50-60% Complete; involved extensive city street work to install water main & sanitary sewer services to existing city utilities. Improvements to existing streets required per agreements. Extra inspections required vs normal green development.
	Construction Svcs.	\$15,864	1.25% x EEOC = \$25,060		
	Expenses	\$1,184	1.75% x EEOC = \$35,084		
	Sub-consultant	\$795	TOTAL = \$60,144		
	TOTAL	\$46,202			
KBL Community Center (Go For It Sports)	Plan Review	\$9,309	EEOC = \$905,676	2.30%	95% Complete; minor punchlist work to be completed in the spring.
	Construction Svcs.	\$10,717	1.25% x EEOC = \$11,321		
	Expenses	\$671	1.75% x EEOC = \$15,849		
	Sub-consultant	\$0	TOTAL = \$27,170		
	TOTAL	\$20,697			
Marin Bros. Addition (1951 Rena Lane)	Plan Review	\$3,853	EEOC = \$38,542	16.80%	99% Complete. EEOC is artificially low. The overall project required reviews and inspections for grading, stormwater, SESC and landscaping.
	Construction Svcs.	\$2,296	1.25% x EEOC = \$482		
	Expenses	\$158	1.75% x EEOC = \$674		
	Sub-consultant	\$169	TOTAL = \$1,156		
	TOTAL	\$6,476			
Cedarhurst Living	Plan Review	\$11,663	EEOC = \$819,941	2.80%	80-90% Complete. Multiple rounds of plan review required; majority of work has been inspected.
	Construction Svcs.	\$10,531	1.25% x EEOC = \$10,249		
	Expenses	\$700	1.75% x EEOC = \$14,349		
	Sub-consultant	\$0	TOTAL = \$24,598		
	TOTAL	\$22,894			
Casey's Development	Plan Review	\$8,657	EEOC = \$692,689	1.30%	0% Complete; construction not started. Multiple rounds of plan review required;
	Construction Svcs.	\$0	1.25% x EEOC = \$8,659		
	Expenses	\$0	1.75% x EEOC = \$12,122		
	Sub-consultant	\$238	TOTAL = \$20,781		
	TOTAL	\$8,895			
Holiday Inn (Kendall Crossing)	Plan Review	\$11,570	EEOC = \$636,994	2.20%	20% Complete. Multiple rounds of plan review required;
	Construction Svcs.	\$1,981	1.25% x EEOC = \$7,962		
	Expenses	\$41	1.75% x EEOC = \$11,147		
	Sub-consultant	\$428	TOTAL = \$19,109		
	TOTAL	\$14,020			

Although there are anomalies in both the completed projects and the projects under construction (203 Commercial Drive and Marin Bros. Addition), on average for the completed and near completed projects (excluding the anomalies), the engineering fees billed were approximately **5-6%** of the engineers estimated cost of completion (EEOC) as compared to **3%** if calculated under Resolution 2002-27. While a majority of the fees for these projects exceeded both the estimated plan review and construction services totals under Resolution 2002-27, the reasons for the difference varied depending on the scope of the project, the number of plan reviews needed for approval, artificially low estimates for land improvements,

² Fee includes billed labor, expenses & sub-consultant fee, if any, as of 12/31/2017

or the need for outside consultant review; all of which can only be determined on a project-by-project basis and is not under the control of the reviewing engineer.

Typical Consultant Services

To further articulate the level of services the City is receiving by the engineering consultant as part of the plan review and inspection process, EEI has prepared the attached memo dated January 11, 2018 which lists of typical work items conducted during the course of development from plan review through construction and close-project out. There is also attached a sample plan review check lists for commercial developments.

Additionally, EEI now coordinates the landscaping plan reviews for the City since the departure of Laura Schraw, former Director of Parks and Recreation, who was a registered and licensed landscape architect. The landscape reviews are conducted by a sub-consultant, Planning Resources, Inc. These fees are not accounted for in the hourly billings by EEI, but are rather invoiced separately at a rate of \$95.00/hour and included in the final engineering project bill.

Below is a 2017 fee comparison table of EEI and five (5) other engineering firms active in surrounding communities. The break down is by job title and lists the hourly rate each employee classification charges. In an effort to accurately compare the fee schedules of each firm, some grids within the table may be blank, indicating that particular job title does not exist within the corresponding firm.

Job Classification	EEI (Sugar Grove)	TAI (Chicago)	WBK (St. Charles)	CBBEL (Rosemont)	H.R. Green (Yorkville)	Gewalt Hamilton (Vernon Hills)
Expert Testimony	\$ 225		\$ 250			
Senior Principal	\$ 196	\$ 224	\$ 210	\$ 257		\$ 198
Principal	\$ 191	\$ 224	\$ 210	\$ 232	\$195 to \$280	\$ 198
Senior Project Manager	\$ 185	\$ 214	\$ 185	\$ 191		\$ 172
Project Manager	\$ 168	\$ 189	\$ 169	\$ 155	\$165 to \$250	\$ 170
Senior Project Engineer/Planner/Surveyor II	\$ 155	\$ 179	\$ 142	\$ 152		\$ 168
Senior Project Engineer/Planner/Surveyor I	\$ 145	\$ 166				\$ 148
Project Engineer/Planner/Surveyor	\$ 133	\$ 149		\$ 140		\$ 138
Senior Engineer/Planner/Surveyor	\$ 121	\$ 130	\$ 117	\$ 134		
Engineer/Planner/Surveyor Associate	\$ 111	\$ 105	\$ 98	\$ 110	\$110 to \$180	\$ 118
Engineer/Planner/Surveyor	\$ 100	\$ 110	\$ 84	\$ 110	\$85 to \$ 135	
Senior Project Technician II	\$ 145	\$ 155	\$ 138	\$ 180		\$ 168
Senior Project Technician I	\$ 133	\$ 134	\$ 116	\$ 148	\$95 to \$130	
Project Technician	\$ 121	\$ 122		\$ 133		\$ 124
Senior Technician	\$ 111	\$ 109		\$ 115		\$ 114
Technician	\$ 100	\$ 96	\$ 97		\$45 to \$115	\$ 100
Associate Technician	\$ 87		\$ 81	\$ 59		\$ 74
Engineering/Land Surveying Intern	\$ 82					
GIS Technician	\$ 67			\$ 78		
Administrative Assistant	\$ 80	\$ 75	\$ 62	\$ 98	\$55 to \$115	\$ 62
Sub-consultants	Cost	Cost + 5%	Cost + 10%	Cost + 10%	Cost + 10%	Cost + 10%
Reimbursable Expenses	Cost	Cost + 5%	Cost + 10%	Cost + 12%	Cost + 10%	Cost + 10%
Annual Escalator (NTE)	Notice	5%	5%	5%	Notice	5%

Typically, the majority of the time from EEI's office for general plan reviews and construction services is billed at the Project Engineer rate of \$133/hour. The highest rate billed by EEI is for the Senior Principal (Brad Sanderson) at \$196/hour. Therefore, on average the hourly rate for a project is roughly \$165/hour. If the same is true of the other firms, their average hourly rates would range between \$168/hour to \$199/hour.

Surrounding Community Research

Staff felt it would be beneficial to understand how surrounding and area communities charge for engineering services, either in-house or outsourced, to see if our current practices were in line with theirs.

On the following page is a comparison table of surrounding communities which illustrate how in-house and out-sourced engineering fees are charged.

Municipality	In-House/ Out-Sourced	Engineering Review/ Inspection Fee	Remarks
Aurora	In-House	2.25% of engineers' estimate	Minimum fee \$750. Includes fees for filing, plan review and inspections.
Batavia	In-House	0.75% to 4% of engineers' estimate (higher for smaller projects)	Minimum fee \$50 - \$6,000. Fees are for plan reviews only.
Elburn	Out-sourced	Based on billable hours	Deposit required to establish an escrow account. Minimum of \$1,000.
Montgomery	Out-Sourced	Based on billable hours	Deposit required to establish an escrow account.
Naperville	In-House	Residential- 1.5% of engineers' estimate Commercial- \$46/parking stall (1-50 stalls) \$24/parking stall (51-100 stalls) \$19/parking stall (100+) (minimum \$380 fee)	Commercial plan review is based upon number of parking stalls.
North Aurora	Out-Sourced	Based on billable hours	Deposit required to establish an escrow account.
Oswego	In-House & Out-Sourced	Based on billable hours (when using consultant)	Minimum \$5,000 deposit is required.
Plainfield	In-House & Out-Sourced	Based on billable hours (when using consultant)	Minimum \$5,000 deposit is required.
Plano	Out-Sourced	Based on billable hours	No escrow account required. Invoices are provided to applicant for immediate payment.
Shorewood	Out-Sourced	Based on billable hours	Deposit required to establish an escrow account. Minimum of \$3,000.
Sugar Grove	Out-Sourced	Flat Fee + Billable Hours	Engineering Review & Services flat permit fee varies based on type of development and size (\$480 - \$8,400). Deposit required to establish an escrow account. Minimum of \$10,000.
Sycamore	In-House	Based on billable hours	No deposit required.
Hampshire	Out-Sourced	Based on billable hours	Deposit required to establish an escrow account. Minimum of \$5,000.
Pingree Grove	Out-Sourced	Based on billable hours	No escrow account required. Invoices are provided to applicant for immediate payment.
Yorkville	Out-Sourced	Based on billable hours	Deposit required to establish an escrow account. Minimum of \$1,000.

Staff Comments/Recommendations

From the research and analysis provided above, staff has the following observations:

1. The current engineering minimum deposit of \$1,000 (based on project land area) is too low as compared to other surrounding communities, as well as the type and complexity of the development the City has experienced. The low deposit threshold results in frequent requests by the City for replenishment of funds from the applicant.
2. Current average billable hours for EEI (\$165/hr) are on par or significantly lower than other firms working in surrounding communities, which range between \$168/hour and \$199/hour. Although, depending on the completeness and quality of plans submitted, as well as number of site plan revisions, EEI's billed plan review fees have typically exceed the fee schedule established in Resolution 2002-27. Conversely, EEI's billed inspection fees have been on average less than the fee charged under Resolution 2002-27.
3. For completed and nearly completed projects, the total engineering review fees tend to be 5-6% of the engineer's estimate of construction versus the 3% charged for plan review and inspection services under Resolution 2002-27.
4. For the smaller scale projects (building additions, parking lot expansions, etc) the engineering plan review and inspection fees under Resolution 2002-27 are artificially low, as the determining factor is the engineer's cost for land development which is typically limited to grading, erosion control and some limited landscaping.
5. Due to the loss of in-house staff to perform landscape plan reviews, additional costs are incurred by sub-consultants and passed through on the engineering project fees.
6. Yorkville is consistent with other area communities that out-source engineering plan or inspection services by billing an hourly rate and establishing an escrow account to draw down upon.

Based upon these observations, it is **staff's recommendation** to do the following:

- **Increase the minimum escrow deposit amounts.** The intent is to have the initial deposit cover the cost of an initial due diligence meeting and the generation of first round plan review comments. This deposit would typically be in the range of 1% – 1.5% of the project construction cost for all land improvements. An example of the deposit amount increase is provided below:

Current Engineering Deposit	Proposed Engineering Deposit
• <1 acre = \$1,000.00	• <1 acre = \$5,000.00
• >1 acre but <10 acres = \$2,500.00	• >1 acre but <10 acres = \$12,500.00
• >10 acres but < 40 acres = \$5,000.00	• >10 acres but < 40 acres = \$25,000.00
• > 40 acres but < 100 acres = \$10,000.00	• > 40 acres but < 100 acres = \$50,000.00
• > 100 acres = \$20,000.00	• > 100 acres = \$100,000.00

- **Provide an upfront engineering fee estimate.** This estimate would include the plan review, inspection services and administrative close out fees for the project utilizing a five and one-half percent (5.5%) calculation based on the approved engineer's estimate of construction cost for all land improvements.

A *hypothetical scenario* of how these recommendations would work is below:

Developer A meets with the City staff and engineer to discuss a new project. A copy of the revised engineering deposit schedule is provided to Developer A at the conclusion of the meeting as part of the Commercial Development Packet (see attached). Upon submittal of a development approval application (special use, rezoning, PUD, etc), site grading or building permit, Developer A will have the option of:

- (A) Posting funds for an engineering deposit escrow account based upon the overall acreage of the development site; or

(B) Posting funds for the entire estimated engineering fees for the project based upon 5.5% of the engineer's estimate of construction cost for all land improvements.

In either scenario, the City Engineer will continue to bill the project monthly at an hourly rate whereby the invoices will be paid against the established escrow fund.

The advantage in scenario "A" is the developer would pay a smaller up front deposit, but will likely receive multiple requests for replenishment of the escrow account throughout the development of the project.

The advantage to scenario "B" is although the developer may pay a larger upfront deposit for the engineering plan review, inspection and administrative closeout services, there will be little to no requests for replenishments by the City to the developer throughout the development process.

Additionally, providing the upfront estimate of fees allows the developer to better budget for these soft costs as part of their due diligence phase.

Staff will be available to discuss the analysis provided in this memo and to garner feedback on the preliminary staff recommendations.

STATE OF ILLINOIS)
) ss
COUNTY OF KENDALL)

RESOLUTION NO: 2002- 21

**RESOLUTION AMENDING CITY ORDINANCE WITH REGARD TO PAYMENT OF
DEVELOPER DEPOSITS AND ENGINEERING REVIEW FEES**

WHEREAS, The Mayor and City Council of the United City of Yorkville, having considered the City's expense for review of engineering and land improvements and the provision of certain administrative services associated with private development; and

WHEREAS, this expense is increasing with the growing development in and around the City; and

WHEREAS, the United City of Yorkville has conducted a study with regard to its costs for Engineering Review by the City; and

WHEREAS, the Mayor and City Council consider it to be in the best interests of the community to charge developers a reasonable fee for these costs based upon the actual cost of services rendered by the United City of Yorkville.

NOW THEREFORE, be it resolved by the CITY COUNCIL AND THE MAYOR OF THE UNITED CITY OF YORKVILLE, upon motion duly made, seconded, and approved, that the following fees will be assessed for all future developments in and around the City, as follows:

1. An Engineering Review Fee will be assessed for all new subdivisions, platting or re-platting of existing subdivisions, or for building permit

applications where Engineering review is necessary by City Ordinance, statute, or resolution.

2. The Engineering Review Fee will be charged from the time of initial contact to the time of final plat and plan approval, and will cover all normal city expenses.
3. The Engineering Review Fee will be charged at the rate of 1.25% of the approved engineer's estimate of cost of all land improvements, as defined in the Yorkville Subdivision Ordinance. The developer shall tender a deposit of \$500 upon submittal of the concept plan. Additional deposits required at the time of application for Site Plan approval are due according to the following schedule:
 - A. One (1.00) acre, or any fraction thereof: \$1000.00
 - B. In excess of one (1.00) acre, but not over ten (10.00) acres: \$2500.00
 - C. In excess of ten (10.00) acres, but not over forty (40.00) acres:
\$5000.00
 - D. In excess of forty (40.00) acres, but not over one hundred (100.00) acres: \$10,000.00
 - E. In excess of one hundred (100.00) acres: \$20,000.00
4. An Administration/Inspection Fee will be charged at the rate of 1.75% of the approved Engineering estimate of construction costs of land improvements, including but not limited to, all public improvements to be dedicated to the City, mass earth grading, and quasi-public improvements to be maintained by homeowners' associations, such as private storm sewer, parking areas, and trails.

This fee shall also be used to cover costs of services provided by the Public Works Department and Administrative Staff. This fee will be due prior to recording of Final Plat.

5. The City reserves the right to charge and collect fees on an hourly basis for complex work or time-consuming developments with City Council approval, if the time expended on a particular development project exceeds the percentage fees set out above.
6. Development charges for legal and planning services for projects outlined above that occur within the one and one-half mile planning area, but outside of the City Limits, shall be paid to the City prior to the commencement of annexation, preliminary plat applications being considered, or the time of filing of petitions for zoning, rezoning, variances, or special uses, and shall be charged on an hourly basis at customary City or outside consulting rates as are incurred by the City.
7. In the event that a deposit described in sections 3 and/or 6 above is reduced to a sum of 10 % or less of the original deposit amount, due to monthly billings, the City Administrator shall request an additional deposit in the amount of 100 % of the initial deposit amount, for the future, reasonably-expected sums to be incurred on such projects, unless the City Administrator believes that the remaining balance is sufficient to satisfy any future consultation or staff billing needs.
8. This Ordinance, upon passage, will be effective for all existing or pending developments and for all future developments.

SEVERABILITY: The various parts, sections, and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged unconstitutional or invalid by a Court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

REPEALER: Any Ordinance or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

EFFECTIVE DATE: That this Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

MIKE ANDERSON



JOSEPH BESCO



VALERIE BURD



PAUL JAMES



LARRY KOT



MARTY MUNNS



ROSE SPEARS

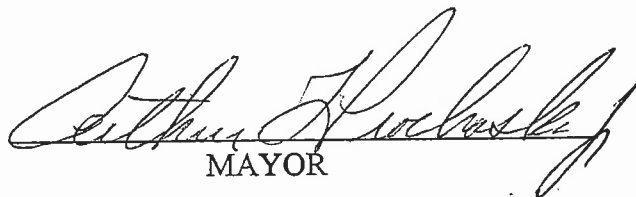


RICHARD STICKA



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

this 13th Day of August, A.D. 2007.



MAYOR

PASSED by the City Council of the United City of Yorkville, Kendall County, Illinois

this 13th Day of August, A.D. 2007.

Attest: 
CITY CLERK

STATE OF ILLINOIS)
)ss
COUNTY OF KENDALL)

ORDINANCE NO. 2006 - 11

**ORDINANCE AMENDING CITY ORDINANCE WITH REGARD TO PAYMENT OF
COORDINATION FEE**

WHEREAS, the Mayor and City Council of the United City of Yorkville, having considered the City's expense for the cost of City staff time spent coordinating and attending meetings relative to a new development's review being completed by an outside engineering consultant;

WHEREAS, this expense is increasing with the growing development in and around the City; and

WHEREAS, the Mayor and City Council consider it to be in the best interests of the community to charge developers a reasonable fee for these costs based upon the actual cost of services rendered by the United City of Yorkville.

NOW THEREFORE, be it resolved by the CITY COUNCIL AND THE MAYOR OF THE UNITED CITY OF YORKVILLE, upon motion duly made, seconded, and approved, that the following fee will be assessed for all future developments in and around the City, as follows:

1. A Coordination Fee will be assessed for all new subdivisions, platting or re-platting of existing subdivisions or where engineering review is necessary by City ordinance, statute, or Ordinance when the review is completed by an outside engineering consultant.
2. The Coordination Fee will be charged from the time of initial contact to the time of final plat and plan approval, and will cover all normal City expenses.
3. The Coordination Fee will be charge at the rate of 0.35% of the approved engineer's estimate of cost of all land improvements, as defined in the Yorkville Subdivision Control Ordinance, and will be due prior to the recording of the final plat of subdivision.





4. This Ordinance, upon passage, will be effective for all existing or pending developments and for all future developments.

SEVERABILITY: The various parts, sections, and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a Court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.





REPEALER: Any Ordinance or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

EFFECTIVE DATE: That this Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

JASON LESLIE
VALERIE BURD
DEAN WOLFER
ROSE SPEARS

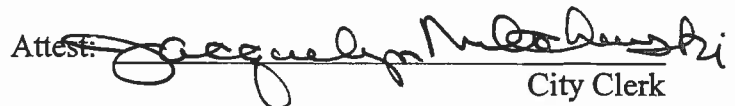
JOSEPH BESCO
PAUL JAMES
MARTY MUNNS
JAMES BOCK

APPROVED by me, as Mayor of the United City of Yorkville, Kendall County, Illinois,
this 28 day of February, A.D. 2006.


Mayor

PASSED by City Council of the United City of Yorkville, Kendall County, Illinois, this
28 day of February, A.D. 2006.

Attest: 
City Clerk

Prepared by:

John Justin Wyeth
City Attorney
United City of Yorkville
800 Game Farm Road
Yorkville, IL 60560



To: Bart Olson, City Administrator
From: Brad Sanderson, P.E.
Date: January 11, 2018
Re: **Land Development Construction Observation Services**
EEI Job #: YO1800

As requested, we have developed a list of typical work items as it relates to construction activity with land development projects. Typically, our fees range from 1.5 to 3.0 % (higher for smaller projects) of the approved engineer's estimate for these types of services, which includes part-time construction observation. The service level (and fees) are also dependant on the desires of the local community. Some communities require a higher level of expectations and service, while others may require something a little less. In addition, each project has unique issues which may affect the fees charged to the developer and as a result we have noted that our fees do vary from development to development.

Also, to put things in perspective, the Illinois Department of Transportation and the Federal Highway Administration have a cap on construction inspection fees on state and federally funded projects at 15% of construction costs. The logic behind the State/Federal position is that after the improvement is built the State and not the Contractor is responsible for all future life cycle costs. They have determined the need and value for full time inspection to protect the public investment. This concept of course rings true for the City as well since the City and not the developer is responsible for the future life cycle and maintenance costs.

The typical work items associated with land development construction services are as follows:

- Pre-Construction Meeting Coordination and Attendance
- Construction Inspection and Observation
 - Earthwork / Soil Erosion and Sedimentation Control (as required by NPDES Permit)
 - Underground (w/required testing)
 - Water Main
 - Sanitary Sewer
 - Lift Stations / Force Mains
 - Storm Sewer
 - Other



- Roadway
 - Curb and Gutter (w/required testing-IDOT Standard)
 - Aggregate Base Inspection (proof rolls, thickness verification)
 - Bituminous Binder and Base Courses (w/required testing-IDOT Standard)
 - Public Sidewalk and ADA Compliance
- Street Light Inspection
- Landscaping
- Storm Water Management Facility Construction
- Wetlands
- Daily Field Reports Prepared and Distributed
- Private Utility Company Reviews
- Coordination w/Developer and Contractors
- Coordination w/other Agencies as Required
- Coordination w/City Staff as Required
- Addressing Resident Complaints
- Letter of Credit (LOC) / Bond Reductions
- Punchlist Inspections and Letters
- As-Built Reviews
- Sanitary/Storm Sewer Televising Review
- City Atlas Map Updates
- City Water Model Updates
- Acceptance and GASB 34 Documentation

Also for your information, we have attached a memo of understanding for Commercial/Industrial Site Inspections between our office and the building department, dated April 17, 2014. We have also attached copies of our construction observation checklists that have been developed, which generally detail what our staff is investigating when they perform site visits.

If you have any questions on the provided material or if you need additional information, please let me know.

pc: Krysti Barksdale-Noble, Community Development Director
Eric Dhuse, Director of Public Works
JAM, EEI



Memorandum

To: Krysti Barksdale-Noble, Community Dev. Dir.
From: Brad Sanderson, EEI
CC: Eric Dhuse, Director of Public Works
Pete Ratos, Building Inspector
Lisa Pickering, Deputy City Clerk

Date: April 17, 2014
Subject: Commercial/Industrial Site Inspections

The purpose of this memo is to define the responsibilities of EEI vs. the Building Department when it comes to construction observation on single lot commercial/industrial developments.

EEI will be responsible for observing the construction of the following items:

- Water service from the water main to the curb box, including tap
- Sanitary service from the sewer main to and including the inspection manhole located outside the building
- Any required testing of the sanitary or water main
- Sidewalk within the City right-of-way, including any handicap ramps
- Driveway entrance and exit aprons located in City right-of-way
- Curb and gutter delineating driveway and parking lot area
- Aggregate and asphalt for the parking lot area – No proof roles required
- Parking lot striping
- Traffic Control Signage
- Landscaping
- Site drainage, including storm sewer
- Soil Erosion and Sedimentation Control

Building Department will be responsible for all other site construction including:

- Water line construction on the building side of the curb box
- Sewer line construction on the building side of the inspection manhole
- Sidewalk construction outside of the City right-of-way, including any handicap ramps
- Parking lot and/or site lighting
- Retaining wall construction
- Stair construction
- Trash enclosures construction
- Building construction
- All other construction not specifically mentioned in this memo

United City of Yorkville Curb and Gutter Checklist

Project _____ Project No. _____

Contractor _____ Date: _____

	ITEM	CHECK	N/A
	CURB AND GUTTER CONSTRUCTION (Section 606)		
1	Air Entrainment shall be 5% - 8%; Slump shall be 2-4 inches		
2	Test cylinders shall be made and tested to ensure minimum compressive strength.		
3	Contraction Joints shall be saw cut according to IDOT Standards (4hrs - 24 hrs)		
4	Sawed joints shall be caulked immediately using polysulfide material		
5	Membrane curing compound shall be IDOT Type 1 Clear Transparent Membrane Curing Compound (sec 1022.01)		
6	Sewer (S) and Water (W) shall be stamped in the face of the curb		
7	All depression locations shall be staked out prior to curb placement. The contractor/owner shall be responsible for the exact locations of the depressions and replacing the curb where any depressions are found in the incorrect location.		
8	All curb depressions for sidewalk ramps are to be constructed according to the IDOT Standard. (424001-07)		
9	All utility trench crossings shall have two #4 Rebar constructed in the curb with a minimum length of 10' on either side of the trench.		
10	Two 18" long, 3/4" diameter smooth dowels required at expansion joints		
11	Concrete shall be tested on the first load and every 50 CY thereafter or additionally as required by the Engineer.		
12	No additional water shall be added to the surface for finishing purposes.		
13	Care shall be taken while broom finishing the surface of the Curb and Gutter.		
14	No painting on curb after completion is allowed in the United City of Yorkville		
15	All concrete curb and gutter shall be constructed according to the Illinois Standard Specifications.		
16	All curb shall be constructed on a minimum of a 4" crushed aggregate base course.		
17	Curb and Gutter can not be constructed on frozen subgrade.		
18	Enusre IDOT protocol is followed for concrete pours below freezing temperatures.		
19	Contractor/owner responsible for curb grades; provide visual inspection and contact contractor/owner if problems are suspected.		
20	No honeycombing or voids will be allowed above or below finished grade.		

United City of Yorkville Paving and Road Construction Checklist

Project _____ Project No. _____

Contractor _____ Date: _____

	ITEM	CHECK	N/A
	ROAD CONSTRUCTION		
1	After Subbase grade is achieved, a proof roll will be performed to determine the stability of the subbase. A representative of the City and/or City Engineer must be in attendance. If necessary, a geotechnical engineer will attend with the City's representative.		
2	The subbase will be string lined to verify proper grade.		
3	Verify proper compaction at structures and pipe crossings.		
4	The contractor/developer will be responsible to provide a truck with the appropriate weight (6 wheeler with weight \geq 12 tons; weight ticket required) to perform the proof roll.		
5	Any unsuitable areas will be marked. It will be the responsibility of the contractor/owner to determine the method of corrective action for the failed areas.		
6	A maximum of 1/2" deflection will be allowed during the subgrade proof roll (this does not include areas that "roll" away from the truck tires).		
7	Any unsuitable material shall be replaced and the failed areas shall be re-proof rolled.		
8	The base course shall be crushed aggregate CA-6 or approved equal. (Section 311)		
9	The base course shall be proof rolled after final grade and compaction has been reached.		
10	No deflection will be allowed on the base course proof roll.		
11	The base course will be string lined to verify proper grade and slope.		
12	Any unsuitable areas will be marked, it will be the responsibility of the contractor/owner to determine the method of corrective action for the failed areas.		
13	Hot-Mix Asphalt Binder and Surface course shall be constructed according to the Illinois "Standard Specification for Road and Bridge Construction" latest edition or as shown on the approved engineering plans. (Section 406)		
14	Air temperature for bituminous binder course must be 40 degrees and rising.		
15	Air temperature for bituminous surface course must be 45 degrees and rising.		
16	Paving will not be allowed during inclement weather.		
17	The hot-mix asphalt binder course shall be cleaned and primed prior to placing the bituminous surface course.		
18	The condition of the hot-mix asphalt binder course will be reviewed by the City Engineer (or representative) prior to the placement of the surface course. Any necessary repairs shall be made prior to surface paving.		
19	The binder course must experience one winter prior to the installation of the surface course unless otherwise improved.		
20	Paving shall be done with equipment in accordance with the Illinois "Standard Specifications for Road and Bridge Construction" (Section 406) .		
21	Pavement and base course thickness' and slopes shall be in accordance with the project plans and specifications.		

United City of Yorkville Sanitary Sewer Checklist

Project _____ Project No. _____

Contractor _____ Date: _____

	Item	CHECK	N/A
	Sanitary Sewer Construction		
1	All Sanitary Sewer shall be constructed in accordance with the "Standard Specifications for Sanitary Sewer Construction in the Yorkville-Bristol Sanitary District".		
2	All CA-6 Trench Backfill shall be compacted to 95% Standard Proctor in maximum 12" lifts using manual equipment.		
3	All Non-Structural Backfill shall be compacted to 85% Standard Proctor.		
4	All Type B lids shall have "City of Yorkville" and "Sanitary" cast into the top, and shall be concealed pickhole type.		
5	Chimney seals to be installed on all sanitary manholes epr City of Yorkville specifications.		
6	Services to be marked with 4x4 Post - Painted Green		
	Sanitary Sewer Testing		
7	All sanitary sewer will be subject to an air exfiltration test, televising test, and deflection test according to the Standard specification for Water and Sewer Main Construction in Illinois.		
8	Vacuum testing of each Manhole shall be carried out according to the "Standard Specifications for Sanitary Sewer Construction in the Yorkville-Bristol Sanitary District".		
9	No manholes will be allowed in pavement, sidewalk or driveways unless shown on approved engineering plans		
10	The inside of all manholes shall be mortared at the joints and around the pipes.		

United City of Yorkville Sidewalk and Driveway Apron Checklist

Project _____ Project No. _____

Contractor _____ Date: _____

	ITEM	CHECK	N/A
	SIDEWALK CONSTRUCTION		
1	Provide a minimum of 4" CA-6 Subbase Granular Material in accordance with Sections 202 and 311 .		
2	The sidewalk shall be 5' wide and shall extend through driveways.		
3	The sidewalk shall be a minimum of 5" in thickness and at all driveway locations shall be a minimum of 6" thick.		
4	The sidewalk shall be constructed 1' from the right-of-way boundary on public property unless directed by the City Engineer.		
5	The concrete shall be Class SI concrete.		
6	Membrane curing compound shall be IDOT Type 1 Clear Transparent Membrane Curing Compound (Section 1020.13)		
7	The surface finish shall be a light broom finish.		
8	No structures or B-Boxes will be allowed in sidewalks or driveways.		
9	The sidewalk shall be constructed with tooled contraction joints at no more than 6' and no less than 4' intervals and be 1" in depth.		
10	Bituminous type expansion joint filler, 1/2" thick and with height equal to the sidewalk thickness shall be provided at all lot lines, cold joints and/or minimum 100' intervals.		
11	Concrete tickets shall be provided to the City or City Engineer		
12	Handicapped Ramps shall be provided at all intersections according to the IDOT Standard Detail and ADA specifications, with the exception that the detectable warning shall be a composite insert per Village Detail. (Section 424)		
13	Cold weather procedures will be enforced in inclement weather.		
14	No additional water may be applied to the surface of the concrete for finishing purposes.		
15	Contractor/Owner responsible to replace any sidewalk damaged by graffiti.		
16	Concrete to be cured and protected for 72 hours prior to use by public.		
	RESIDENTIAL DRIVEWAY CONSTRUCTION		
17	Six (6") inch PCC over six (6) inches of compacted CA-6 limestone or crushed gravel		
18	Two (2) inch HMA surface course over eight (8") inches of compacted CA-6 limestone or crushed gravel.		
	COMMERICAL DRIVEWAY CONSTRUCTION		
19	Eight (8") inch PCC over six (6) inches of compacted CA-6 limestone or crushed gravel		
20	Three (3) inch HMA over eight (10") inches of compacted CA-6 limestone or crushed gravel.		
	TESTING (≥ 50 CU YD or at Engineer's discretion)		
21	Air Content shall be between 5% and 8%		
22	Slump shall be 2"-4"		
23	Minimum strength of 3500 psi		
24	Cast a minimum of 4 test cylinders for every 50 yards of concrete		

United City of Yorkville Storm Sewer Checklist

Project _____ Project No. _____

Contractor _____ Date: _____

	Item	CHECK	N/A
	Storm Sewer Construction		
1	All Storm Sewer within the public right-of-way and easements parallel to and adjacent to public right-of-way shall be reinforced concrete pipe (RCP).		
2	Storm Sewers in rear yards and side yards may be high-density polyethylene (HDPE) of a manufacturer and design, to be approved by the City of Yorkville.		
3	Jogs in Storm Sewer line will not be permitted		
4	Catch Basins shall have a 24" minimum sump unless otherwise marked on the plans		
5	Storm Sewer Manholes shall be precast reinforced concrete ASTM C-478.		
6	All manhole castings, adjusting rings and manhole sections shall be set in butyl rope joint sealant.		
7	All final adjustments of castings will be accomplished by the use of precast adjusting rings set in butyl rope joint sealant.		
8	Total adjusting rings shall be eight (8") inches in height and no more than two (2).		
9	Curb Inlet frames shall be Neenah No. R-32868V, East Jordan No. EV-7520, or approved equal.		
10	All manhole castings shall be Neenah No. R-1030, East Jordan No. 105123, and Type B cover, or approved equal.		
11	All Type B lids shall have "City of Yorkville" and Storm" cast into the top, and shall be concealed pickhole type.		
12	Initial backfill, bedding and haunching material shall be class 1, grade CA 7.		
13	All CA-6 Trench Backfill shall be compacted to 95% Standard Proctor in maximum 12" lifts using manual equipment.		
14	Storm sewer to be televised and videos submitted to the City prior to acceptance.		
15	All Non-Structural Backfill shall be compacted to 85% Standard Proctor.		
16	Construct fillets, benches, and inverts according to plan specifications.		

United City of Yorkville Street Lighting Checklist

Project _____ Project No. _____

Contractor _____ Date: _____

	Item	CHECK	N/A
	Street Lighting		
1	The Contractor/Owner shall be held responsible for coordinating all phases of work and correcting any deficiencies to the satisfaction of the City Engineer.		
2	Each light shall be controlled by a photoelectric control integral to the fixture.		
3	All driveways, street and sidewalk crossovers shall have 2" HD PVC conduit used as raceways for underground cable.		
4	All underground cable shall be installed not less than 2' from the back of the curb and shall be buried at least 30" below the normal finished grade.		
5	All cable on the underground section shall be continuous, and no splicing shall be made underground. All necessary splices shall be made above ground level.		
6	For grounding, a copper-clad ground rod shall be placed at each pole. The rod shall be minimum 5/8-inch diameter, and ten (10') feet long.		
7	For fusing, all underground feeders shall be fused at or below their rated capacity. Each standard shall contain in-line fuse holders, with proper fusing in series with each underground conductor to protect the luminaire located on that pole.		
8	Poles shall be placed as shown on the approved engineering plans.		
	Local Streets Streetlight		
9	Poles shall be 906 B19-AD4, American Concrete Company pole and bracket, or approved equal.		
10	Luminaires shall be mounted 19'9" above the street, shall have a four (4') foot arm.		
11	Luminaires shall be fitted with General Electric Company "Lucalox" high-pressure sodium lamps LU 150/55/D, or approved equal, with GE Company ANSI specifications "S55" high-pressure sodium ballasts (or approved equal) or American Electric 115 15-S-RN-120-R2-DA-4B.		
	Major Collector Streets Streetlight		
12	Poles shall be Stress Crete E340-BPO-G, with Style 210 low rise tapered aluminum davit, or approved equals.		
13	The Davit outreach length shall be eight (8') feet.		
14	Luminaire shall be mounted thirty (30') feet above the street.		
15	Poles shall have an embedment depth of five (5') feet, and be backfilled with CA-6 limestone.		

United City of Yorkville Water Main Checklist

Project _____ Project No. _____

Contractor _____ Date: _____

	Item	CHECK	N/A
	Water Main Construction		
1	All Water Main shall follow the United City of Yorkville's Water Main Construction notes.		
2	All CA-6 Trench Backfill shall be compacted to 95% Standard Proctor in maximum 12" lifts using manual equipment.		
3	All Non-Structural Backfill shall be compacted to 85% Standard Proctor.		
4	Valve Vault Frame - Neenah R-1713 or Equal		
5	Valve Vault Lid - Type B Marked "Water" and "City of Yorkville"		
6	Fire Hydrant location and Valve Vault rim grades are to be installed per approved engineering plans.		
	Water Service		
8	Services to be marked with 4x4 Post - Painted Blue		
9	Water Service B-Box Location shall be staked for location and grade prior to construction.		
10	Water services up to 3" diameter shall be Type "K" Copper conforming to the latest revised specification requirement of ASTM B88. Minimum size for residential units shall be 1" diameter.		
11	All corporation stops shall be McDonalds No. 4701, Mueller H-1500, or Ford F-600.		
12	All curb stops shall be McDonald No. 6104, Mueller H-15154, or Ford B22-333M.		
13	All curb boxes shall be Mueller Minneapolis Pattern B-Boxes similar to McDonald N.5614, or Mueller H-10300.		
14	No B-Boxes to be installed within sidewalks or driveways.		
	Water Main Testing		
15	Pressure Test shall be 150 psi for a two hour duration . 2 psi max loss, leakage based on first 1000 feet.		
16	Flushing - United City of Yorkville is to be Notified		
17	Disinfection - EEI is to be Notified		
18	Sampling - EEI is to be notified		

COMMERCIAL DEVELOPMENT PACKET



United City of Yorkville
800 Game Farm Road
Yorkville, Illinois, 60560
Telephone: 630-553-4350
Fax: 630-553-7575
Website: www.yorkville.il.us

INTENT AND PURPOSE:

The purpose of this commercial development packet is to inform those seeking to develop a commercial property within the United City of Yorkville. It includes samples of items which will be required for development, permit applications which will need to be completed, and a worksheet to estimate possible fees associated with commercial development. A pre-development informational meeting with City Staff will be required before permits will be issued. Please fill out the forms in this packet and contact the Community Development Department (630-553-4350) to arrange the pre-development meeting.

CONTENTS:

- BUILDING PERMIT FEE ESTIMATE
- LETTER OF CREDIT SAMPLES
- PUBLIC IMPROVEMENT CONSTRUCTION SCHEDULE
- STORMWATER PERMIT APPLICATION
- SUBDIVISION MAINTENANCE BOND SAMPLE
- SURETY BOND SAMPLE
- YORKVILLE BRISTOL SANITARY DISTRICT FORM SAMPLES



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COMMERCIAL BUILDING PERMIT FEE ESTIMATE

BUILDING PERMIT FEE		TITLE 8 - CHAPTER 10-1A	
<input type="checkbox"/> New Development	\$750.00 + \$0.20 per square foot	TOTAL: \$	
<input type="checkbox"/> Alteration	\$350.00 + \$0.10 per square foot		
<input type="checkbox"/> Addition	\$500.00 + \$0.20 per square foot		
PLAN REVIEW FEE		TITLE 8 - CHAPTER 10-1A	
Plan review fee is based on the size of the building in cubic feet.		TOTAL: \$	
	NEW/ADDITION		ALTERATION
Up to 60,000 cu. ft.	<input type="checkbox"/> \$355.00		<input type="checkbox"/> \$177.50
60,001 to 80,000 cu. ft.	<input type="checkbox"/> \$400.00		<input type="checkbox"/> \$200.00
80,001 to 100,000 cu. ft.	<input type="checkbox"/> \$475.00		<input type="checkbox"/> \$237.50
100,001 to 150,000 cu. ft.	<input type="checkbox"/> \$550.00		<input type="checkbox"/> \$275.00
150,001 to 200,000 cu. ft.	<input type="checkbox"/> \$650.00		<input type="checkbox"/> \$325.00
Over 200,000 cu. ft.	<input type="checkbox"/> \$650.00 + \$6.50 per 10,000 cu. ft. over	<input type="checkbox"/> \$325.00 + \$3.25 per 10,000 cu. ft. over	
ENGINEERING FEE		ORDINANCE 2002-27	
Consultant based fees billed at an hourly rate. Deposit required at the time of application for Site Plan approval are due according to the following schedule:		TOTAL: \$	
<input type="checkbox"/> Up to one (1) acre	\$1,000.00		
<input type="checkbox"/> Over one (1) acre, but not over ten (10) acres	\$2,500.00		
<input type="checkbox"/> Over ten (10) acres, but not over forty (40) acres	\$5,000.00		
<input type="checkbox"/> Over forty (40) acres, but not over one hundred (100) acres	\$10,000.00		
<input type="checkbox"/> In excess of one hundred (100.00) acres	\$20,000.00		
Typical total engineering fees equals 1.75% of total construction cost.		TOTAL: \$	
ESTIMATED CONSTRUCTION COST: _____ x 1.75% = _____			
FIRE PROTECTION SYSTEMS		TITLE 8 - CHAPTER 10-1A	
\$115.00 per 10,000 sq. ft. of floor area, or any consultant fees		TOTAL: \$	
FIRE SPRINKLERS		TITLE 8 - CHAPTER 10-1A	
Assumes one (1) head per 225 sq. ft.		TOTAL: \$	
<input type="checkbox"/> Up to 200 sprinkler heads	\$250.00		
<input type="checkbox"/> 201 to 300 sprinkler heads	\$300.00		
<input type="checkbox"/> 301 to 500 sprinkler heads	\$400.00		
<input type="checkbox"/> Over 500 sprinkler heads	\$450.00 + \$0.60 per sprinkler head over 500, or any consultant fees		
PLUMBING INSPECTIONS		TITLE 8 - CHAPTER 10-1D	
\$45.00 each or any consultant fees (Assume 3 inspections: underground; rough; and final)		TOTAL: \$	
SEWER CONNECTION		TITLE 8 - CHAPTER 10-1I	
All nonresidential properties shall be charged a fee based on the total number of drain units times \$400.00 based on use of building. This fee is in addition to all other fees charged by any other entity including sanitary districts.		TOTAL: \$	



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COMMERCIAL BUILDING PERMIT FEE ESTIMATE

WATER CONNECTION		TITLE 7 - CHAPTER 5-3A
WATER METER SIZE	WATER CONNECTION FEE	TOTAL: \$
<input type="checkbox"/> < 1 inch	\$3,700.00	
<input type="checkbox"/> 1.5 inch	\$4,000.00	
<input type="checkbox"/> 2 inch	\$5,000.00	
<input type="checkbox"/> 3 inch	\$8,000.00	
<input type="checkbox"/> 4 inch	\$15,000.00	
<input type="checkbox"/> 6+ inch	TBD	
WATER CONNECTION		TITLE 8 - CHAPTER 10-11
<input type="checkbox"/> 1st Re-Inspection	\$50.00	TOTAL: \$
<input type="checkbox"/> 2nd Re-Inspection	\$75.00	
<input type="checkbox"/> 3 Or more Re-Inspection	\$100.00 each	
<input type="checkbox"/> Engineering Re-Inspection	\$100.00 each	
TOTAL BUILDING PERMIT FEE ESTIMATE		TITLE 8 - CHAPTER 10-11
To calculate the building permit fee estimate, please add the amounts in all of the blue boxes.		TOTAL: \$

PLEASE NOTE

- Bristol Kendall Fire Department (BKFD) and Yorkville Bristol Sanitary District (YBSD) are outside agencies which conduct separate plan reviews and generate **separate fees to be paid by the permittee**.
- Building plan reviews are typically completed within 1-2 weeks from date of **complete** submittal.
- Site Plan Reviews are conducted by the Engineering Department and are typically completed within 1-2 weeks from date of **complete** submittal.
- Building Plans and Site Plans are reviewed concurrently. Should outsourcing of plan reviews be needed (e.g. alternative energy components), the coordination of such review will be done by the City.
- Building permit inspections can be scheduled with a minimum of 24 – 48 hour notice by calling **630-553-8545**. For larger scale projects, a standing inspection schedule can be established with regular inspections occurring as frequently as daily, weekly or bi-weekly.
- All new developments, including expansion projects, are subject to the recently adopted Stormwater Ordinance (**attached**). Should a project require a new or expanded stormwater basin, it may require the establishment of a back-up Special Service Area (SSA) for future basin maintenance. This process will require a separate public hearing and approval before the City Council.
- A pre-construction meeting is required after issuance of a building permit, but **prior** to construction commencing. Call **630-553-8545** to schedule upon building permit receipt.

(Letterhead of a Bank, Savings and Loan or Mortgage House)

_____, 20__

Mayor and Aldermen
United City of Yorkville
800 Game Farm Road
Yorkville, IL 60560

Re: Development Name or Address
Letter of Credit No.
For Account of
Amount
Date

Dear Mayor and Aldermen:

The undersigned _____ by _____, its' duly
(name of financial institution) (name & title)
authorized agent, hereby establishes and issues this Irrevocable Letter of Credit in favor of the United
City of Yorkville in the amount of \$_____, which represents 120% of the cost of the
work described herein. Such credit is available to be drawn upon by said City upon presentation to
this bank of your demand for payment.

This Letter of Credit is issued for the purpose of guaranteeing the public improvements and erosion
and sediment control, and/or stabilization of disturbed areas in the aforesaid development:

Total engineer's estimate = _____

The costs of the foregoing work are detailed in the attached Engineer's Cost Estimate.
The development is legally described as follows:

See Attached Exhibit "A"

Said work shall be constructed by _____ our customer in accordance with the
plans, specifications, completion schedules and cost estimates prepared by _____.

The undersigned agrees that this Irrevocable Letter of Credit shall remain in full force and effect and
pertain to any and all amendments or modifications which may be made from time to time to the
plans, specifications and cost estimated for said work.

This Irrevocable Letter of Credit shall expire on _____, 20__ provided, however, that the undersigned shall notify the City Clerk by certified or registered mail, return receipt requested, at least ninety (90) days prior to said expiration date, that said Letter of Credit is about to expire. In no event shall this Irrevocable Letter of Credit or the obligations contained herein expire except upon said prior written notice, it being expressly agreed by the undersigned that the above expiration date shall be extended as required to comply with this notice provision.

This Irrevocable Letter of Credit shall remain in effect until _____, 20__, without regard to any default in payment of money owed to the issuer by our customer and without regard to other claims which the Issuer may have against our customer, and in no event shall terminate without notice as specified above.

This Letter of Credit may be renewed by the Issuer or our customer prior to the above expiration date by submitting a new Letter of Credit to the same form and substance as this Letter of Credit to the City Clerk in an amount equal to 120% of the estimated cost to complete and pay for the above described improvements.

It is agreed that the following shall be considered a default by our customer and shall entitle the City to make demand on this Letter of Credit:

1. that said Letter of Credit will expire within thirty (30) days and has not been renewed; or
2. that the aforesaid improvements have not been completed by the owner at least thirty (30) days prior to the aforesaid expiration date; or
3. that the owner has failed to complete or carry on the work of the installation and construction of the required improvements in accordance with the schedule, or at a faster pace if the installation of the private improvements shall be completed before public improvements to service them are available; or
4. that the United City of Yorkville has determined that the owner has demonstrated that they will be unable to complete the improvement; or
5. that if more funds are disbursed at this time on order of the owner insufficient funds will remain irrevocably committed to guarantee the completion of all improvements, and such certification indicates that the owner has been notified that the municipality finds that a breach of the owner's obligations has occurred and has not been cured within a period of thirty (30) days.

The Issuer's obligation to the City is based solely on this Irrevocable Letter of Credit engagement between this financial institution and the City and is not subject to instructions from our customer.

It is recognized that the City will issue a Permit to our customer to proceed with construction upon the guarantee of this irrevocable commitment. It is further acknowledged that the consideration for this irrevocable commitment is provided by agreements between this financial institution and our customer.

This Irrevocable Letter of Credit sets forth in full the terms of this undertaking between the Issuer and the City, and such undertaking shall not in any way be modified, amended, amplified, nor shall it

be limited by reference to any documents, instrument or agreement referred to herein, and any such reference shall not be deemed to incorporate herein by reference any document, instrument or agreement.

Demands on this Letter of Credit shall be made by presenting the Issuer with a letter from the City Clerk of the United City of Yorkville demanding payment accompanied by the certificate of the City Clerk of the United City of Yorkville certifying the basis for the default and demand on this Letter of Credit.

The undersigned agrees that this Letter of Credit shall not be reduced or discharged except upon receipt of a certificate of the City Clerk of the United City of Yorkville certifying that this Letter of Credit may be reduced. Reductions to the Letter of Credit amount shall be in compliance with city resolution and/or policy in effect at the time of reduction.

All acts, requirements and other preconditions for the issuance of this Irrevocable Letter of Credit have been completed.

The undersigned further agrees and engages that it will be responsible and liable for attorney fees and court costs which may be incurred by the City in enforcing collection of this Letter of Credit in accordance with its' terms.

We hereby engage with you that all demands for payment in conformity with the terms of this Irrevocable Letter of Credit will be duly honored on presentation to us prior to expiration of this Letter of Credit.

Except as otherwise expressly stated herein, this Irrevocable Standby Letter of Credit is subject to the Uniform Customs and Practice for Documentary Credits, 2007 Revision, International Chamber of Commerce Publication No. 600.

BY: _____

ATTEST: _____

Name: _____

Name: _____

Title: _____

Title: _____

STATE OF ILLINOIS)

) SS
COUNTY OF _____)

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that
_____, personally known to me to be the _____ of the

(title)

_____, and _____ personally known to me to be the
(name of institution)

(title)

of said institution, and who are personally known to me to be the same persons whose names are
subscribed to the foregoing Letter of Credit as such _____ and _____

(title)

(title)

respectively, and caused the corporate seal of said _____ to be affixed thereto
(name of institution)

pursuant to authority given by the Board of Directors thereof as their free and voluntary acts and as
the free and voluntary act and deed of said institution.

Given under my hand and official seal this ___ day of _____ 20__.

_____, SEAL
Notary Public

(Letterhead of a Bank, Savings and Loan or Mortgage House)

_____, 20__

Mayor and Aldermen
City of Yorkville
800 Game Farm Road
Yorkville, IL 60560

Re: Development Name or Address
Letter of Credit No.
For Account of
Amount
Date

Gentlemen:

The undersigned _____ by _____, its' duly
(name of financial institution) (name & title)

authorized agent, hereby establishes and issues this Irrevocable Letter of Credit in favor of the City of Yorkville in the amount of \$_____, which represents 120% of the cost of the work described herein. Such credit is available to be drawn upon by said City upon presentation to this bank of your demand for payment.

This Letter of Credit is issued for the purpose of securing and paying for the installation of the following land improvements in the aforesaid development:

DIVISION "A" – SANITARY SEWERS
(engineer's estimate = _____)
DIVISION "B" – WATER MAIN
(engineer's estimate = _____)
DIVISION "C" – STORM SEWERS
(engineer's estimate = _____)
DIVISION "D" – STREETS
(engineer's estimate = _____)
DIVISION "E" - DETENTION BASIN
(engineer's estimate = _____)
DIVISION "F" - MISC. IMPROVEMENTS
(engineer's estimate = _____)

Total engineer's estimate = _____

The costs of the foregoing improvements are detailed in the attached Engineer's Cost Estimate.

The development is legally described as follows:

See Attached Exhibit "A"

Said work shall be constructed by _____, our customer, in accordance with the plans, specifications, completion schedules and cost estimates prepared by _____.
(subdivider's engineer)

The undersigned agrees that this Irrevocable Letter of Credit shall remain in full force and effect and pertain to any and all amendments or modifications which may be made from time to time to the plans, specifications and cost estimated for said work.

This Irrevocable Letter of Credit shall expire on _____, 20___ provided, however, that the undersigned shall notify the City Clerk by certified or registered mail, return receipt requested, at least ninety (90) days prior to said expiration date, that said Letter of Credit is about to expire. In no event shall this Irrevocable Letter of Credit or the obligations contained herein expire except upon said prior written notice, it being expressly agreed by the undersigned that the above expiration date shall be extended as required to comply with this notice provision.

This Irrevocable Letter of Credit shall remain in effect until _____, 20___, without regard to
(expiration date)

any default in payment of money owed to the issuer by our customer and without regard to other claims which the Issuer may have against our customer, and in no event shall terminate without notice as specified above.

This Letter of Credit may be renewed by the Issuer or our customer prior to the above expiration date by submitting a new Letter of Credit to the same form and substance as this Letter of Credit to the City Clerk in an amount equal to 120% of the estimated cost to complete and pay for the above described improvements.

It is agreed that the following shall be considered a default by our customer and shall entitle the City to make demand on this Letter of Credit:

1. that said Letter of Credit will expire within thirty (30) days and has not been renewed;
or
2. that the aforesaid improvements has not been completed by the subdivider at least thirty (30) days prior to the aforesaid expiration date; or
3. that the owner and/or subdivider has failed to complete or carry on the work of the installation and construction of the required improvements in accordance with the schedule, or at a faster pace if installation of the private improvements shall be completed before public improvements to service them are available; or
4. that the City of Yorkville has determined that the owner and/or subdivider has demonstrated that they will be unable to complete the improvements; or
5. that if more funds are disbursed at this time on order of the owner and/or subdivider

insufficient funds will remain irrevocably committed to guarantee the completion of all improvements, and such certification indicates that the owner and/or subdivider has been notified that the municipality finds that a breach of the owner's and/or subdivider's obligations has occurred and has not been cured within a period of thirty (30) days.

The Issuer's obligation to the City is based solely on this Irrevocable Letter of Credit engagement between this financial institution and the City and is not subject to instructions from our customer.

It is recognized that the City has directed our customer to proceed with construction of public improvements upon the guarantee of this irrevocable commitment. It is further acknowledged that the consideration for this irrevocable commitment is provided by agreements between this financial institution and our customer.

This Irrevocable Letter of Credit sets forth in full the terms of this undertaking between the Issuer and the City, and such undertaking shall not in any way be modified, amended, amplified, nor shall it be limited by reference to any documents, instrument or agreement referred to herein, and any such reference shall not be deemed to incorporate herein by reference any document, instrument or agreement.

Demands on this Letter of Credit shall be made by presenting the Issuer with a letter from the City Clerk of the City of Yorkville demanding payment accompanied by the certificate of the City Clerk of the City of Yorkville certifying the basis for the default and demand on this Letter of Credit.

The undersigned agrees that this Letter of Credit shall not be reduced or discharged except upon receipt of a certificate of the City Clerk of the City of Yorkville certifying that this Letter of Credit may be reduced. The outstanding balance of this Letter of Credit shall be the face amount of this Letter of Credit less any amount which is discharged upon certificate of the City clerk; Provided however, the outstanding balance of this Letter of Credit shall not be reduced to less than 20% of the approved engineer's estimate upon which this Letter of Credit is based until the City Council accepts the aforementioned improvements and a certificate of the City Clerk certifying that the Letter of Credit has been released by the City Council of Yorkville.

All acts, requirements and other preconditions for the issuance of this Irrevocable Letter of Credit have been completed.

The undersigned further agrees and engages that it will be responsible and liable for attorney fees and court costs which may be incurred by the City in enforcing collection of this Letter of Credit in accordance with its' terms.

We hereby engage with you that all demands for payment in conformity with the terms of this Irrevocable Letter of Credit will be duly honored on presentation to us prior to expiration of this Letter of Credit.

Except as otherwise expressly stated herein, this Irrevocable Standby Letter of Credit is subject to the

Uniform Customs and Practice for Documentary Credits, 2007 Revision, International Chamber of Commerce Publication No. 600.

BY: _____

ATTEST: _____

Name: _____

Name: _____

Title: _____

Title: _____

STATE OF ILLINOIS)

) SS

COUNTY OF _____)

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that _____, personally known to me to be the _____ of the

(title)

_____, and _____ personally known to me to be the _____

(name of institution)

(title)

of said institution, and who are personally known to me to be the same persons whose names are subscribed to the foregoing Letter of Credit as such _____ and _____

(title)

(title)

respectively, and caused the corporate seal of said _____ to be affixed thereto

(name of institution)

pursuant to authority given by the Board of Directors thereof as their free and voluntary acts and as the free and voluntary act and deed of said institution.

Given under my hand and official seal this ____ day of _____ 20__.

Notary Public

SEAL



United City of Yorkville
800 Game Farm Road
Yorkville, Illinois, 60560
Telephone: 630-553-4350
Fax: 630-553-7575
Website: www.yorkville.il.us

STORMWATER PERMIT APPLICATION

*Please submit completed application to the Engineering Department
with required plans, fees and documents.*

PERMIT FEE: \$100.00	PERMIT NUMBER:	DATE:
APPLICANT/PETITIONER		
NAME:		COMPANY:
MAILING ADDRESS:		
CITY, STATE, ZIP:		TELEPHONE:
EMAIL:		FAX:
PROPERTY OWNER		
<input type="checkbox"/> Please check this box if the property owner is the same as the applicant/petitioner and continue to the next section.		
NAME:		COMPANY:
MAILING ADDRESS:		
CITY, STATE, ZIP:		TELEPHONE:
EMAIL:		FAX:
PROFESSIONAL ENGINEER		
NAME:		COMPANY:
MAILING ADDRESS:		
CITY, STATE, ZIP:		TELEPHONE:
EMAIL:		FAX:
LAND SURVEYOR		
NAME:		COMPANY:
MAILING ADDRESS:		
CITY, STATE, ZIP:		TELEPHONE:
EMAIL:		FAX:



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ACKNOWLEDGMENT OF PUBLIC IMPROVEMENT CONSTRUCTION SCHEDULE

PROJECT NUMBER:	DATE RECEIVED:	DATE APPROVED:
<p>The Public Improvement Construction (PIC) schedule is required for any new residential subdivision and/or commercial development within the City of Yorkville.</p> <p>The terms of the PIC schedule identifies the public and private improvements required to be constructed, and provides the assurance that the necessary public improvements will be constructed in a manner consistent with the City's established standards in a timely manner and subject to the applicable warranty periods.</p> <p>If approved by the City, the construction schedule may provide for the installation and acceptance of certain improvements in phases. Any phased development plan approved as part of the PIC schedule must be a self-contained area of the overall development consisting of all public improvements necessary to serve that portion of the property to be developed as part of such phase. Reasonable conditions on the phasing of developments may be imposed by the City in order to protect the community and adjacent properties. Proposed phasing plans shall be submitted with a separate PIC schedule for each phase of construction, and no work shall commence on a subsequent phase without completion and acceptance of the prior phase or approval by the City Engineer.</p> <p>The Public Improvement Construction (PIC) schedule also requires the developer and/or owner to provide financial security in the form of an irrevocable letter of credit or bond for the proposed improvements. Financial Security shall be provided to the City prior to and as a condition of the issuance of a site development permit.</p>		
The undersigned Owner agrees to the Public Improvement Construction (PIC) schedule as described below:		
TYPE OF IMPROVEMENT:		
LOCATION/SUBDIVISION:		
LEGAL DESCRIPTION (submit as an attachment)		
APPROVED CONSTRUCTION TIME PERIOD	BEGINNING DATE:	ENDING DATE:
<p>The Approved Engineer's Estimate of Cost (EEOC) or Engineer's Opinion of Probable Costs (EOPC) must be attached to this document. Owner further agrees:</p> <ul style="list-style-type: none">• To install all required public improvements as approved per Title 11 Subdivision Control Ordinance of the United City of Yorkville Municipal Code and the Standard Specifications for Improvements attached hereto.• To pay all fees and costs associated with the development incurred by the City for plan review and processing, inspection, material testing and other engineering services as prescribed by ordinance or in the municipal code.• To install all streets, sewers, water mains, street lights, and other public improvements in a workmanship like manner within four (4) years of initial construction. All public improvements shall be maintained by the subdivider/developer until they are approved and accepted by the City.• To provide proof by title search that all accepted infrastructure is free and clear of all liens and encumbrances.		
ACKNOWLEDGMENT OF PUBLIC IMPROVEMENT CONSTRUCTION (PIC) SCHEDULE		
OWNER/ DEVELOPER NAME:		
ADDRESS:		
CITY, STATE, ZIP:	TELEPHONE:	
EMAIL:	FAX:	
<hr/> Owner/Developer Signature		



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STORMWATER PERMIT APPLICATION

*Please submit completed application to the Engineering Department
with required plans, fees and documents.*

SITE IMPROVEMENT DETAILS			
SITE ADDRESS:			
DEVELOPMENT NAME:			
PARCEL IDENTIFICATION NUMBER (PIN):			
LEGAL DESCRIPTION:			
1/4 SECTION:	TOWNSHIP:	RANGE:	
LOTS:			
UNIT/PHASE:			
GROSS ACRES:	CUT (CUBIC YARDS):	NUMBER OF BUILDINGS (IF ANY):	
AREA TO BE DISTURBED (SQ. FT.):	FILL (CUBIC YARDS):		
TYPE OF IMPROVEMENT (CHECK ALL THAT APPLY):			
<input type="checkbox"/> Development within a regulatory floodplain or floodplain within property boundary.			
<input type="checkbox"/> Any land disturbing activity performed in a water course or water body.			
<input type="checkbox"/> Fill that will exceed three (3) feet in vertical height as its highest point measured from the natural ground surface.			
<input type="checkbox"/> Any land disturbing activity requiring a site runoff storage facility.			
<input type="checkbox"/> The development disturbs more than 10,000 square feet of ground cover, unless exempt per Section 500.1.A.e.			
DESCRIPTION OF PROPOSED DEVELOPMENT:			
<p>UNDER PENALTY OF INTENTIONAL MISREPRESENTATION AND/OR PERJURY, I declare that I have examined and/or made this application and it is true and correct to the best of my knowledge and belief. I agree to construct said improvement(s) in compliance with all provisions of the applicable ordinances. I realize that the information that I have affirmed hereon forms a basis for the issuance of the stormwater management permit(s) herein applied for and approval of plans in connection therewith shall not be construed to permit any construction upon said premises or use thereof in violation of any provision of any applicable ordinance or to excuse the owner or his/her successors in title from complying therewith.</p>			
SIGNATURE OF APPLICANT		SIGNATURE OF OWNER	
DATE		DATE	



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STORMWATER PERMIT APPLICATION

*Please submit completed application to the Engineering Department
with required plans, fees and documents.*

REQUIRED DOCUMENTS FOR STORMWATER PERMIT ISSUANCE

Please review and check that all the following documents, calculations, and agency approvals are submitted with your permit application.

DOCUMENTS:

(refer to article 5 of Stormwater Ordinance for full list of required documents)

☐ PROJECT OVERVIEW PLAN

- A location map or description providing township, range and nearest roadways
- Acreage and zoning of property area
- Property area lines and dimensions including right-of-ways, easements, and setback lines
- Existing and proposed site conditions including buildings, roads, impervious surfaces, and ground elevations where site grading is proposed
- Proposed limits and restoration of disturbed areas
- Existing and proposed drainage features such as culverts, conduits, swales, streams, ponds, wetlands, etc.
- Location and report of on-site subsurface drains and tiles and all off-site drains tiles (upstream and downstream) potentially impacted by the development
- Location of wells, septic systems, water mains, and sanitary sewers

☐ EROSION CONTROL PLAN *(refer to Article 3 of the Stormwater Ordinance)*

- Notice of Intent (NOI) for construction activity
- Storm Water Pollution Prevention Plan (SWPPP)

☐ ENGINEERING PLAN SET SUBMITTAL

- Site Topographic Map
- General Plan View Drawing
- Vicinity Topographic Map

☐ STORMWATER SUBMITTAL

- Narrative of the existing and proposed site drainage patterns and conditions
- Schedule for implementation of the site stormwater plan
- On-site and off-site runoff calculations
- Site runoff storage calculations

☐ FLOODPLAIN SUBMITTAL *(refer to Article 4 of Stormwater Ordinance)*

This is only necessary if development has floodplains on-site or if on-site variance requested.

- Regulatory floodplain boundary determination
- Floodway hydrologic and hydraulic analyses
- Floodplain fill and compensatory storage calculations for below and above 10-year flood elevation up to the base flood elevation
- Flood proofing measures
- Flood Protection Easements, if required

☐ MAINTENANCE PLAN, SCHEDULE AND FUNDING *(refer to Article 6 of Stormwater Ordinance)*



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Website: www.yorkville.il.us

STORMWATER PERMIT APPLICATION

*Please submit completed application to the Engineering Department
with required plans, fees and documents.*

CALCULATIONS

STORMWATER DATA SUMMARY:		WETLAND DATA SUMMARY	
TOTAL PROPERTY OWNERSHIP:	ACRES	EXISTING WETLAND ACREAGE:	ACRES
HYDROLOGIC DISTURBANCE:	ACRES	WATERS OF THE US:	ACRES
WATERSHED TRIBUTARY AREA:	ACRES	ISOLATED WATERS:	ACRES
PROPOSED IMPERVIOUS AREA:	ACRES	IMPACTED WETLAND ACREAGE:	ACRES
EXISTING IMPERVIOUS AREA:	ACRES	WATERS OF THE US:	ACRES
DETENTION VOLUME REQUIRED:	ACRES	ISOLATED WATERS:	ACRES
COMPENSATORY STORAGE REQUIRED:	ACRES	MITIGATION REPLACEMENT RATIO:	ACRES
DEPRESSIONAL:	ACRES	MITIGATION REPLACEMENT REQUIRED:	ACRES
RIVERINE 0- TO 10-YEAR:	ACRES	WATERS OF THE US:	ACRES
RIVERINE 10- TO 100-YEAR:	ACRES	ISOLATED WATERS:	ACRES
		ON-SITE:	ACRES
		OFF-SITE:	ACRES
		MITIGATION BANK:	ACRES

APPROVALS FROM OUTSIDE AGENCIES

PERMIT TYPE	ISSUING AGENCY	PERMIT NUMBER	APPLICATION FILING DATE	PERMIT ISSUE DATE

UNDER PENALTY OF INTENTIONAL MISREPRESENTATION AND/OR PERJURY, I declare that I have examined and/or made this application and it is true and correct to the best of my knowledge and belief. I agree to construct said improvement(s) in compliance with all provisions of the applicable ordinances. I realize that the information that I have affirmed hereon forms a basis for the issuance of the stormwater management permit(s) herein applied for and approval of plans in connection therewith shall not be constructed to permit any construction upon said premises or use thereof in violation of any provision of any applicable ordinance or to excuse the owner or his/her successors in title from complying therewith.

SIGNATURE OF APPLICANT

SIGNATURE OF OWNER

DATE

DATE



United City of Yorkville
800 Game Farm Road
Yorkville, Illinois, 60560
Telephone: 630-553-4350
Fax: 630-553-7575
Website: www.yorkville.il.us

COMMERCIAL BUILDING PERMIT FEE ESTIMATE

PETITIONER DEPOSIT ACCOUNT FUND

It is the policy of the United City of Yorkville to require any applicant seeking a building permit which requires engineering review establish a Petitioner Deposit Account Fund to cover all actual expenses occurred as a result of plan reviews and administration costs. Typical requests requiring the establishment of a Petitioner Deposit Account Fund include, but are not limited to, new commercial construction, stormwater management related permits and significant building additions. Deposit account funds may also be used to cover costs for services related to legal fees, engineering and other plan reviews, processing of other governmental applications, recording fees and other outside coordination and consulting fees. Each fund account is established with an initial deposit based upon the estimated cost for services provided above. This initial deposit is drawn against to pay for these services related to the project or request. Periodically throughout the project review/building permit process, the Financially Responsible Party will receive an invoice reflecting the charges made against the account. At any time the balance of the fund account fall below ten percent (10%) of the original deposit amount, the Financially Responsible Party will receive an invoice requesting additional funds equal to one-hundred percent (100%) of the initial deposit if subsequent reviews/fees related to the project are required. In the event that a deposit account is not immediately replenished, review by the administrative staff, consultants, boards and commissions may be suspended until the account is fully replenished. If additional funds remain in the deposit account at the completion of the project, the city will refund the balance to the Financially Responsible Party. A written request must be submitted by the Financially Responsible Party to the city by the 15th of the month in order for the refund check to be processed and distributed by the 15th of the following month. All refund checks will be made payable to the Financially Responsible Party and mailed to the address provided when the account was established.

ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY

Financially Responsible Party: I acknowledge and understand that as the Financially Responsible Party, expenses may exceed the estimated initial deposit and, when requested by the United City of Yorkville, I will provide additional funds to maintain the required account balance. Further, the sale or other disposition of the property does not relieve the individual or Company/Corporation of their obligation to maintain a positive balance in the fund account, unless the United City of Yorkville approves a Change of Responsible Party and transfer of funds. Should the account go into deficit, all City work may stop until the requested replenishment deposit is received.

Name (print)

Title

Signature*

Date

*The name of the individual and the person who signs this declaration must be the same. If a corporation is listed, a corporate officer must sign the declaration (President, Vice-President, Chairman, Secretary or Treasurer)

SUBDIVISION MAINTENANCE BOND

KNOW ALL MEN BY THESE PRESENTS:

That _____
as **Principal**, hereinafter called Contractor

and _____
as **Surety**, hereinafter called Surety,
are held and firmly bound unto the United City of Yorkville, an Illinois municipal corporation,
800 Game Farm Road, Yorkville, Illinois, 60560, as **Obligee**, hereinafter called City, in the penal
sum of _____ (\$_____), for payment whereof
Contractor and Surety bind themselves, and their respective heirs, executors, administrators,
successors and assigns, jointly and severally, by this obligation.

WHEREAS, the Contractor has constructed certain public improvements for lots within a
subdivision commonly known as _____
and as more particularly described and designated on the plat of said property, said plat being
incorporated herein and made a part hereof by reference thereto; and,

WHEREAS, the aforementioned public improvements were made pursuant to certain plans and
specifications on file with the City and the City's Subdivision Control Ordinance, both made a
part hereof by reference thereto; and,

WHEREAS, the Contractor has requested the City accept the public improvements pursuant to
Section 11-5-2 of the City's Subdivision Control Ordinance that requires in Section 11-5-3 the
Contractor to post with the City this bond in the amount of ten percent of the improvements to
guarantee the maintenance and performance of the improvements to properly function as
designed and to remain free of defects in material, workmanship and installation for a period of
one year from the date of approval by the City accepting the improvements.

NOW, THEREFORE, the condition of this obligation is such that, if the Principal shall perform
the obligations in accordance with the ordinances, standards and requirements of the City and
shall fully indemnify and save harmless the City from all cost and damage which the City may
suffer by reason of failure on the Principal's part, not to exceed the penal sum of this bond, then
this obligation shall be void, otherwise to remain in full force and effect.

PROVIDED the City shall notify the Principal in writing of any defect for which the Principal is
responsible and shall specify in said notice a period of time in which Principal shall have to
correct said defect.

The Surety unconditionally covenants and agrees that if the Principal fails to correct said defects,
within the time specified, the Surety, upon 30 days certified mail notice to the address above

from the City of the defect will correct such defect or defects and pay all City expenditures and obligations thereof, including, but not limited to construction costs and consultant fees.

Should the Surety fail or refuse to correct the defects, the City in consideration of the public health, welfare and safety and in approving and accepting said improvements shall have the right to resort to any and all legal remedies against the Principal and Surety, both at law and in equity, including specifically repair or replacement of said improvements to which the Principal and surety unconditionally agree.

The City, at its option, shall have the right to correct said defects resulting from faulty materials or workmanship, or, pursuant to bidding cause to be corrected any said defects in case the Principal shall fail or refuse to do so, and in the event the City should exercise and give effect to such right, the Principal and Surety shall be jointly and severally bound hereunder to reimburse the City the total cost thereof, including, but not limited to, engineering, legal and contingent cost, together with any damages which may be sustained on account of the failure of the Principal to correct said defects.

The City shall have no obligation to actually incur any cost or correct any deficient performance of the Principal in order to be entitled to receive the proceeds of this bond for any defect.

IN WITNESS WHEREOF, the Principal and Surety have executed this bond this ____ day of _____, 201__.

Principal

By:

Surety:

By:

Attorney-in-fact

Attach standard form showing Attorney-in-fact authorization

(Letterhead of Surety)

_____, 20____

Mayor and Aldermen
City of Yorkville
800 Game Farm Road
Yorkville, IL 60560

Re: Subdivision Name
Subdivision Bond No.
For Account of
Amount
Date

Gentlemen:

The undersigned _____ by _____, its' duly
(Name of Surety) (Name & title)

authorized agent,, hereby establishes and issues this Subdivision Bond in favor of the City of Yorkville in the amount of \$ _____, which represents 120% of the cost of the improvements described herein. Said amount is available to be drawn upon for the benefit of said City upon presentation to this institution of your demand for performance accompanied by a copy of this Subdivision Bond.

This Subdivision Bond is issued for the purpose of guaranteeing the installation of the following land improvements in the aforesaid subdivision:

DIVISION "A" - SANITARY SEWERS
(engineer's estimate = _____)
DIVISION "B" - WATER MAIN
(engineer's estimate = _____)
DIVISION "C" - STORM SEWERS
(engineer's estimate = _____)
DIVISION "D" - STREETS
(engineer's estimate = _____)
DIVISION "E" - DETENTION BASIN
(engineer's estimate = _____)
DIVISION "F" - MISC. IMPROVEMENTS
(engineer's estimate = _____)
Total engineer's estimate = _____

The costs of the foregoing improvements are detailed in the attached Engineer's Cost Estimate.

The development is legally described as follows:

See Attached Exhibit "A"

Said public improvements shall be constructed by _____ our customer, in
(subdivider)
accordance with the plans, specifications, completion schedules and cost estimates prepared by
_____.
(sub divider's engineer)

The undersigned agrees that this Subdivision Bond shall remain in full force and effect and pertain to any and all amendments or modifications that may be made from time to time to the plans, specifications and cost estimated for said modifications.

This Subdivision Bond shall expire on _____, 20 . provided, however, the undersigned shall notify the City Clerk by certified or registered mail, return receipt requested, at least ninety (90) days prior to said expiration date that said Subdivision Bond is about to expire. In no event shall this Subdivision Bond or the obligations contained herein expire except upon said prior written notice, it being expressly agreed by the undersigned that the above expiration date shall be extended as required to comply with this notice provision.

This Subdivision Bond shall remain in effect until _____, 20 , without regard to
(expiration date)
any default in payment of money owed to the issuer by our customer and without regard to other claims that the Issuer may have against our customer, and in no event shall terminate without notice as specified above.

This Subdivision Bond may be renewed by the Surety or our customer prior to the above expiration date by submitting a new Subdivision Bond to the same form and substance as this Subdivision Bond to the City Clerk in an amount equal to 110% of the estimated cost to complete and pay for the above-described improvements.

It is agreed that the following shall be considered a default by our customer and shall entitle the City to make demand on this Subdivision Bond:

1. that said Subdivision Bond will expire within thirty (30) days and has not been renewed; or
2. that the aforesaid improvements have not been completed by the subdivider at least thirty (30) days prior to the aforesaid expiration date; or
3. that the owner and/or subdivider has failed to complete or carry on the work of the installation and construction of the required improvements in accordance with the schedule, or at a faster pace if the installation of the private improvements shall be completed before public improvements to service them are available; or
4. that the City of Yorkville has determined that the owner and/or subdivider has demonstrated that they will be unable to complete the improvement; or

5. that if more funds are disbursed at this time on order of the owner and/or subdivider insufficient funds will remain irrevocably committed to guarantee the completion of all improvements, and such certification indicates that the owner and/or subdivider has been notified that the municipality finds that a breach of the owner's and/or subdivider's obligations has occurred and has not been cured within a period of thirty (30) days.

The Surety's obligation to the City is based solely on this Subdivision Bond engagement between this Surety and the City and is not subject to instructions from our customer.

It is recognized that the City has directed our customer to proceed with the construction of public improvements upon the guarantee of this irrevocable commitment. It is further acknowledged that the consideration for this irrevocable commitment is provided by agreements between this Surety and our customer.

This Subdivision Bond sets forth in full the terms of this undertaking between the Surety and the City, and such undertaking shall not in any way be modified, amended, amplified, nor shall it be limited by reference to any documents, instrument or agreement referred to herein, and any such reference shall not be deemed to incorporate herein by reference any document, instrument or agreement.

Demands on this Subdivision Bond shall be made by presenting the Surety with a letter from the City Clerk of the City of Yorkville demanding performance accompanied by the certificate of the City Clerk of the City of Yorkville certifying the basis for the default and demand on this Subdivision Bond.

The undersigned agrees that this Subdivision Bond shall not be reduced or discharged except upon receipt of a certificate of the City Clerk of the City of Yorkville certifying that this Subdivision Bond may be reduced. The outstanding balance of this Subdivision Bond shall be the face amount of this Subdivision Bond less any amount which is discharged upon certificate of the City Clerk; Provided however, the outstanding balance of this Subdivision Bond shall not be reduced to less than 20% of the approved engineer's estimate upon which this Subdivision Bond is based until the City Council accepts the aforementioned improvements and a certificate of the City Clerk certifying that the Subdivision Bond has been released by the City Council of the City.

All acts, requirements and other preconditions for the issuance of this Irrevocable Subdivision Bond have been completed.

The undersigned further agrees and engages that it will be responsible and liable for attorney fees and court costs which may be incurred by the City in enforcing performance of this Subdivision Bond in accordance with its terms.

We hereby engage with you that all demands for payment in conformity with the terms of this Subdivision Bond will be duly honored on presentation to us prior to expiration of this Subdivision Bond.

BY: _____

ATTEST:

Name: _____

Name:

Title: _____

Title:

STATE OF ILLINOIS)

) SS

COUNTY OF _____)

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that
_____, personally known to me to be the _____ of the

(title)

_____, and _____ personally known to me to be the
(name of Surety) (title)

of said Surety, and who are personally known to me to be the same persons whose names are
subscribed to the foregoing Subdivision Bond as such _____ and _____

(title)

(title)

respectively, and caused the corporate seal of said _____ to be affixed thereto
(name of Surety)

pursuant to authority given by the Board of Directors thereof as their free and voluntary acts and as
the free and voluntary act and deed of said Surety.

Given under my hand and official seal this ____ day of _____, 20__.

SEAL

Notary Public



YORKVILLE - BRISTOL SANITARY DISTRICT

KEVIN L. COLLMAN
EXECUTIVE DIRECTOR
P.O. BOX 27 304 RIVER STREET
YORKVILLE, IL 60560

OFFICE: 630.553.7657
FAX: 630.553.7554
KCOLLMAN@YBSD.ORG
WWW.YBSD.ORG

NUMBER OF UNITS:

Total Units: _____ X \$ _____ = Connection Charges
\$ _____

INDUSTRIAL CONNECTIONS:
(Estimated data)

Gals. flow per day: _____ divided by 100 = _____ P.E.

5 Day B.O.D. Lbs./day: _____ times 6 = _____ P.E.

Sus. Solids Lbs./day: _____ times 5 = _____ P.E.

Total Pop. Equivalent _____

Average Pop. Equivalent _____

(Divided by 3)

Connection Charges: Average P.E. X \$ _____

\$ _____

The Yorkville-Bristol
Sanitary District

APPLICATION

FOR

CONNECTION TO OR ADDITIONAL
USE OF SANITARY SEWERS.
GENERAL SEWER SYSTEM

No. _____ Class _____

Application dated _____ 20 _____

Filed by _____

For _____

Permit Filed _____ 20 _____

Executive Director
The Yorkville-Bristol Sanitary District

APPLICATION
FOR CONNECTION TO OR ADDITIONAL USE OF THE YORKVILLE-BRISTOL SANITARY DISTRICT
SEWER SYSTEM OR SANITARY SEWER SYSTEM TRIBUTARY THERETO

P.O. BOX 27 — 304 RIVER STREET — YORKVILLE, ILLINOIS 60560 - 630/553-7657 — FAX - 630/553-7554

Residence Connection or Additional use: _____

Other than Residence: _____

TO THE YORKVILLE-BRISTOL SANITARY DISTRICT:

The undersigned does hereby request the issuance of a permit for the doing of the work hereinafter mentioned and described and for the making of a connection to or additional use of the Yorkville-Bristol Sanitary District sewer system or sanitary sewer system tributary thereto as hereinafter set forth:

(1) Description of place where connection is to be made:

LOT _____ OWNER _____ BLOCK _____

SUBDIVISION _____ STREET ADDRESS _____

The lowest level of the structure connected is not less than 2 feet higher than the elevation of the sewer at the point of connection; and not less than 2 feet above the highest water level of any nearby stream, water course or body of water, _____, Yes _____ No _____.

(2) Sewer pipe to be installed and laid according to the State of Illinois Plumbing Code provisions, and or as outlined in ASCE - **Manuals and Reports on Engineering Practice**, (WPCF Manual of Practice no. 9) - **Design and Construction of Sanitary and Storm Sewers**, latest editions;

Opening at: _____ Depth to main sewer: _____

(3) A copy of the plans and specifications therefor is hereunto attached and marked Exhibit "A"

(4) The name and address of the person, firm or corporation who will do the work covered by this application is: _____

(5) The undersigned will furnish bond, if requested, in form required by the Ordinances of the District in the sum of \$ _____ with the following surety or sureties thereon:

Names and addresses of surety or sureties: _____

(6) The number of linear feet of sewer line to be connected is _____

_____ feet.

(7) Check for \$ _____ to cover connection or industrial charge is hereto attached.

(8) For the purpose of procuring said permit the undersigned does hereby represent, covenant and agree to and with The Yorkville-Bristol Sanitary District as follows:

(a) That all of the work to be done pursuant to the permit herein applied for shall be strictly in conformity with all ordinances and regulations of the District now in force and with the description of the work herein contained and the plans and specifications, if any, for said work hererunto attached.

(b) That applicant shall restore all sewers, appurtenances, streets, alleys, sidewalks, pavement and/or other structures disturbed by the work to as good condition as the same existed at the time of commencement of said work and in accordance with the ordinances, regulations and easements of The Yorkville-Bristol Sanitary District and of any other municipality within the corporate limits of which said work is done. In case of any subsidence or settling of or other damage to any sewer, appurtenance, street, alley, sidewalk, pavement or other structure caused by said work and/or occurring after its completion, applicant agrees, on demand of the District, forthwith at his sole expense to make such repairs as are necessary to restore the same to the condition existing at the time of the commencement of the work and in accordance with any such ordinances or ordinances, regulation or regulations, and/or the requirements of any and all easements and/or contractual obligations of the District.

(c) That applicant shall indemnify and save harmless the District from any and all loss, cost, damage and expense which may come to the District by reason of or in any manner growing out of or connected with said work, including any and all liability for and on account of any accident, or accidents, injury, death, damage, or damages caused or in any manner arising from or growing out of or connected with said work; provided however, that the liability, if any, of the applicant to the District shall not be limited to the amount of the bond given, nor to the specific liabilities mentioned and set forth therein, but the applicant shall in any event be liable to the District for any and all losses, cost, damage and/or expense of every kind and character arising from, growing out of and/or connected with such work.

(d) That in case of any suit, action or proceeding against the District for damages or on account of any liability or claim arising from, growing out of or in any way connected with said work, applicant shall, on demand of the District, enter his or its appearance therein, defend the same and pay all the costs, attorneys' fees, solicitors' fees and expense thereof and the amount of any and all final judgments, decrees and/or awards against the District entered or made therein.

(e) Applicant agrees to notify the Director of the District at least twenty-four hours prior to the commencement of the work to be done.

Dated this _____ day of _____ A.D. 20 _____

Sign & Return application with Remittance
No Permits will be issued without signed application.

X _____
Signature of Applicant

\$ _____ charges paid.

X _____
Address of Applicant-Zip Code

X _____
Applicant Phone No.

Application and bond approved and permit issued this _____ day of _____ A.D. 20 _____

Check No. _____ Cash: _____

Executive Director - Y.B.S.D.